



CITY COUNCIL MINUTES
September 21, 2020

The City Council of the City of The Village, Oklahoma, met in Regular Session on Monday, September 21, 2020, at 7:30 p.m., at 2304 Manchester Drive, The Village, OK 73120

COUNCIL PRESENT

David Bennett, Mayor
Sonny Wilkinson, Vice-Mayor
Bubba Symes, Council Member
Cathy Cummings, Council Member
Adam Graham, Council Member

STAFF PRESENT

Bruce K. Stone, City Manager
Beverly K. Whitener, City Treasurer
Jeff Sabin, Assistant City Attorney
Trey Westin, Animal Welfare Supervisor

ITEM I: CALL TO ORDER.

Mayor Bennett called the meeting to order at 7:30 p.m.

ITEM II: INVOCATION AND PLEDGE OF ALLEGIANCE.

Council Member Symes led the Council in the invocation and pledge of allegiance.

ITEM III. APPROVAL OF MINUTES OF THE CITY COUNCIL MEETING HELD ON SEPTEMBER 8, 2020.

The Mayor asked if there were any corrections, additions or deletions to the Minutes of the Regular Meeting held on September 8, 2020. Council Member Cummings moved to approve the minutes as written. Council Member Graham seconded the motion. The vote: Yea – Cummings, Symes, Graham, Wilkinson and Bennett. Nay – none.

ITEM IV: CITIZENS DESIRING TO BE HEARD, PROCLAMATIONS & PRESENTATIONS.

Mayor Bennett announced that this is the time for citizens to address the Council on any matter not listed on the agenda.

Lt. Wayland Cubit appeared before the Council upon the invitation of Council Member Cummings. Lt. Cubit told the Council about his law enforcement background and why he is running for County Sheriff. The Council thanked Lt. Cubit for coming to introduce himself.

Tammy Duncan appeared before the Council with a complaint about a volunteer working with the City Animal Welfare Department. Ms. Duncan told the Council about her experience adopting a dog from the animal shelter. Ms. Duncan told the Council that the volunteer treated her horribly and was aggressive and overbearing. Ms. Duncan recounted the details of the encounter and said that this person is not suited to represent the City. The Council thanked Ms. Duncan for her input.



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Jane Lowther suggested ways to honor our law enforcement employees such as encouraging residents to put blue lights on porches of residences. The Council advised that efforts such as this would be great but that it would mean more if organized and promoted by citizens.

Jane Lowther mentioned that Village Baptist Church is having “Trunk or Treat” in their parking lot and suggested that the City hold a similar event at City Hall. Council Member Cummings and Ms. Lowther agreed to work together on the details of a Halloween event in the City Hall parking lot.

Jane Lowther stated that the City’s mowing contractor does not appear to be doing a good job mowing in Meeker Park. Ms. Lowther also asked for a sign in the park that says, “Dogs Must Be on a Leash”.

Jane Lowther asked if garage sale permits had gone up to \$25. The city manager advised that the permits are \$15 and have been that way for a long time.

Jane Lowther mentioned the successful food give-away at the Chabad Community Center. Council Member Cummings thanked all the volunteers who came out to help distribute the food.

ITEM V: CONSIDERATION OF APPEAL OF ADMINISTRATIVE ORDER TO REMOVE AN ALLEGED PUBLIC NUISANCE AT 1505 BARCLAY ROAD – SHAWN BRUNKHORST.

Shawn Brunkhorst, 1505 Barclay Road, appeared before the Council to appeal an Administrative Order to remove a popup tent in his driveway.

City Manager Bruce Stone advised that the Code Enforcement Officer issued the Administrative Order subsequent to a complaint from a neighbor. Mr. Stone advised that the Code officer elected to address the tent as a public nuisance. Mr. Stone advised that the tent also constitutes a zoning violation and the officer could have issued a citation.

Assistant City Attorney Jeff Sabin advised the Council that the matter before the Council is to determine if the tent is, in fact, a public nuisance as defined by the Chapter 15 of the City Code. Mr. Sabin advised that he believes that the tent is both a public nuisance as defined by the City Code and also constitutes a violation of the City’s single-family zoning regulations.

Mr. Brunkhorst explained to the Council that he just wanted clarification on the applicable ordinances and that he did not want to receive a citation if he removed the tent and then put it back up. The city manager advised that the neighbors would probably not complain if the tent is put up for a specific purpose such as an outdoor party or when working on a car or boat and then promptly taken down. Mr. Stone stated that the problem arises when a tent is left up for days, weeks or months at a time.



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After a lengthy discussion, Vice-Mayor Wilkinson moved to deny the appeal submitted by Shawn Brunkhorst and for the administrative fee to be waived, if the tent is removed. Council Member Cummings seconded the motion. The vote: Yea – Cummings, Symes, Graham, Wilkinson and Bennett. Nay – none.

ITEM VI: CONSIDERATION OF ORDINANCE 756 AMENDING AND RESTATING CHAPTER 5 OF THE VILLAGE CODE OF ORDINANCES IN ITS ENTIRETY, PERTAINING TO ANIMAL CONTROL AND WELFARE, PROVIDING FOR REPEALER, PROVIDING FOR SEVERABILITY AND DECLARING AN EMERGENCY.

Assistant City Attorney Jeff Sabin reviewed the proposed updates and changes in Chapter 5 of The Village City Code pertaining to animals. Mr. Sabin advised that antiquated titles such as Pound Master and Animal Control Officer have been changed to Animal Welfare Supervisor throughout the chapter. Mr. Sabin also reviewed new regulations for the humane treatment and care of animals.

The Council briefly discussed prohibited animals. The city manager advised that it has come to the City's attention that certain livestock has been harbored on residential property, including goats and peacocks. Mr. Stone advised that the Ordinance prohibits livestock but would not prohibit chickens and other poultry, if kept indoors at all times.

Animal Welfare Supervisor, Trey Westin, attended the meeting and answered questions from the Council.

After a lengthy discussion, Vice-Mayor Wilkinson moved to adopt Ordinance 756 with an amendment to Chapter 5, Section 5-2, Subsection b) adding chickens and other poultry to the list of prohibited animals. Council Member Graham seconded the motion. The vote: Yea – Cummings, Symes, Graham, Wilkinson and Bennett. Nay – none.

Council Member Symes moved for approval of the Emergency Clause. Council Member Cummings seconded the motion. The vote: Yea – Cummings, Symes, Graham, Wilkinson and Bennett. Nay – none.

ITEM VII: REPORTS, CORRESPONDENCE, ETC.

*a) **Review of Expenditures.** The Council reviewed the expenditure reports.*

*b) **Manager's Report.***

City Manager Bruce Stone reported that the monthly sales tax check was for \$479,362, which is a decrease of \$44,009 or 9.18% over the same period last year. Mr. Stone reported that this decrease was offset by an increase of \$69,882 in Use Tax. Mr. Stone



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reported that the net increase for the month in sales, use and tobacco taxes was \$26,182 or 4.04%.

Mr. Stone reported that A-Tech Paving started construction on Westchester today. Mr. Stone advised that he sent a robocall to residents in the immediate area but that only 20% of the residences answered the call.

The city manager advised that Casady School officials maintain that certain large trucks cannot safely navigate the roundabout that the school put in for their main entrance on Penn and that some early deliveries had been made using the other school entrances. Mr. Stone advised that Casady School has instructed Ben E. Keith to use the Penn entrance when making deliveries before 7:00 a.m.

Mr. Stone reported that the OMAG Sewer RAT program, unfortunately, will not work for The Village because the program requires the commitment of four to six workers for many weeks to perform the survey. Mr. Stone further reported that the Sewer RAT equipment also does not provide the information needed to pinpoint points of infiltration into the sewerage system.

The city manager reported that LAUD Studios is not concerned about hairline cracks in the tennis courts in Duffner Park or Bumpass Park but feels that the contractor should address the cracks in the renovated tennis court in Harrison Park.

c) **Monthly Department Reports.** *The city manager showed the Council selected graphs and charts from the Finance, Police, Fire and Code Department monthly reports.*

d) **Reports from Council.**

Council Member Symes told the Council that there is a refrigerator in the front yard of 10400 Sunnymeade and that it appears the resident was welding over the weekend.

Council Member Symes asked about striping the tennis court in Bumpass Park for pickle ball. The city manager advised that the company that striped the new tennis courts has been engaged to provide permanent pickle ball striping on the court.

Council Member Graham reported that he would meet with Judge James and Cindy Richardson to learn more about the way Oklahoma City reduces the number of arrestees that are incarcerated. Council Member Graham also noted that Oklahoma City would reopen their jail for incarceration of certain prisoners.

Council Member Graham stated that a black and white sheep dog is being allowed to be at large every day at 2160 Barclay Road.



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Vice-Mayor Wilkinson said he really likes the new flashing left arrow at Britton & Ridgeview. Mr. Stone advised that installation cost a little more than originally expected thanks to Crossland failing to replace a magnetic loop that they damaged during construction of Britton Road.

Council Member Cummings reported that Love's Travel Stops would have a farmers' market in their parking lot starting on Thursday from 11 a.m. to 1 p.m. and would continue through October 1st. Council Member Cummings advised that all produce is grown without the use of chemicals.

Mayor Bennett brought up the issue of vacant properties and whether the City could require a razed building to be replaced or require redevelopment of the vacant land. Mayor Bennett stated that failing to rebuild on the land could have a negative impact on property tax collected by the taxing entities that depend on property tax. After a brief discussion, Assistant City Attorney Jeff Sabin stated that he would research the matter and report accordingly.

Council Member Symes asked if the City Engineer had provided cost estimates for the replacement of part of lakeside Drive. The city manager advised that the estimate has been completed and forwarded to legal counsel.

ITEM VIII: NEW BUSINESS.

There was no New Business to come before the Council.

ITEM IX: ADJOURNMENT

There was no further business and Mayor Bennett adjourned the meeting at 10:04 p.m.

Mayor Bennett

Vice-Mayor Wilkinson

Council Member Graham

Council Member Symes

City Clerk

Council Member Cummings