



CITY COUNCIL MINUTES  
April 19, 2021

The City Council of the City of The Village, Oklahoma, met in Regular Session on Monday, April 19, 2021, at 7:30 p.m., at The Village City Hall located at 2304 Manchester Drive, The Village, OK 73120.

**COUNCIL PRESENT**

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

**STAFF PRESENT**

Bruce K. Stone, City Manager  
Beverly K. Whitener, City Treasurer  
Jeff Sabin, Assistant City Attorney

**ITEM I: CALL TO ORDER.**

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

**ITEM II: INVOCATION AND PLEDGE OF ALLEGIANCE.**

Mayor Bennett gave the invocation and led the Council in the Pledge of Allegiance.

**ITEM III: APPROVAL OF MINUTES OF THE CITY COUNCIL MEETING HELD ON APRIL 5, 2021.**

The Mayor asked if there were any corrections, additions or deletions to the Minutes of the Regular Meeting held on April 5, 2021. There were none. Council Member Cummings moved the approval of the minutes of the April 5, 2021 meeting, as written. Vice-Mayor Wilkinson seconded the motion. The vote: Yea – Symes, Wilkinson, Bennett, and Cummings. Nay – Graham. *(An abstention is a “nay” vote as per the Oklahoma Open Meeting Act)*

**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.

Edward Evet appeared before the Council with a concern about the City's zoning regulations pertaining to massage therapists. Mr. Evet told the Council that he leased a space at 10421 North May and began making tenant improvements. Mr. Evet advised that he had spent approximately \$10,000 on remodeling the space, before he learned that the City zoning does not allow massage parlors or therapists as a primary use. The city manager told the Council that C-2 zoning regulations only allow massage parlors or therapists as an accessory use that is secondary and incidental to a primary authorized use of the property. Mr. Stone advised Mr. Evet that he might consider selling skin care or therapeutic products and creams as the primary retail use of the property and have the massage therapy as the accessory use. Mr. Stone advised that the



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only other option would be to seek a change in the zoning regulations, which would take some time and expense to get before the Planning Commission and City Council. Council Member Symes told Mr. Evet that he has experience working with retail centers all over the metropolitan area and that many have had problems with massage parlors. Council Member Symes stated that the City's regulations are in place to prevent similar problems from developing in The Village. After a brief discussion, Mr. Evet advised the Council that he would think about his options and would call to discuss this further with the city manager, if needed.

Chip Anderson, Savanna Petricek and Phillip Meadows from Tuscan Village Nursing Center appeared before the Council to tell the Council about some innovative approaches they are taking to allow residents to be involved and have a say in the management of their facility. The representatives told the Council about the facility and an upcoming Job Fair that the nursing center would have on May 14<sup>th</sup>. The Council thanked the representatives for coming to the meeting and for letting the Council know about the things they are doing.

Donna Rice Johnson appeared before the Council concerning a recent visit to her home by The Village Code Enforcement to advise her of zoning ordinances pertaining to trellises. Mr. Stone advised that trellises and other structures cannot exceed two (2) feet in height beyond the front building line (front yard). Mr. Stone further advised that the growing and sale of vegetables is permitted as a home occupation, but certain rules must be followed to be legal. Ms. Johnson made an appeal to the Council to be allowed to keep the trellises. Council Member Cummings asked Ms. Johnson if she had considered taking the produce to the Farmer's Market at Love's. Vice-Mayor Wilkinson stated that this situation and regulations pertaining to trellises needs further review and that regulations should strike a reasonable balance. Assistant City Attorney Jeff Sabin advised he would draft appropriate revisions for consideration by the Planning & Zoning Commission and the Council at a public hearing.

Kathryn Kitchens appeared before the Council to seek clarification on the City's face covering mandate. Mayor Bennett told Ms. Kitchens that the Council felt that The Village should follow Oklahoma City's lead on the mandate and that he expected the mandate to be lifted at the end of the month. Council Member Cummings advised that the City did not state an expiration date in the Emergency Proclamation because that eliminated the need to extend the mandate as Oklahoma City and other cities have done several times. Council Member Symes stated that, even though the mandate is set to end, businesses will probably still require masks for some time to come.

Mr. Gonzales, owner of 10400 Sunnymede, appeared before the Council concerning a lien filed against his property for numerous abatements performed by the City. Mr. Gonzales has difficulty hearing and communication was difficult. After a rather loud discussion, the City Manager asked Ms. Gonzales to explain to her husband that the City would review the payment history and, if the City made a mistake, the City would release the lien.



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Jane Lowther told the Council that OG&E replaced a pole at Haverhill and Lyndon and, besides drilling a hole in the city sewer main, also left the old pole laying in the channel.

Ms. Lowther reminded everyone to burn a red light on the front porch to honor our firefighters during the month of April.

Ms. Lowther told the Council about Brie Green and the “Vibrant Village Program”.

Ms. Lowther read a letter commending David Bennett for his service to the City of The Village. (The letter is attached to the minutes)

Vice-Mayor Sonny Wilkinson read aloud Proclamation 04-19-2021 (A) commending David Bennett for his fourteen (14) years of dedicated service to the City of The Village.

The Council recessed to have cake and to say farewell to Mayor Bennett.

**ITEM V: CONSIDERATION OF COLLECTIVE BARGAINING AGREEMENT WITH IAFF LOCAL 3958 FOR FY 2020-21.**

City Manager Bruce Stone advised the Council that the agreement has been approved by the IAFF and that the only change in the terms of the agreement is the inclusion of revised pay scales pursuant to the cost-of-living adjustment given by the Council on January 1, 2021.

After a brief discussion, Vice-Mayor Wilkinson moved to approve the Collective Bargaining Agreement for FY 2020-21 with IAFF Local 3958. Council Member Cummings seconded the motion. The vote: Yea – Symes, Graham, Wilkinson, Bennett, and Cummings. Nay – None.

**ITEM VI. CONSIDERATION OF RESOLUTION 04-19-2021 (A) AUTHORIZING THE CITY MANAGER EXPEND BOND FUNDS FOR VARIOUS PHASE II PARK IMPROVEMENTS.**

City Manager Bruce Stone reviewed the various parks improvements discussed by the Council in previous meetings. Mr. Stone told the Council that the Resolution would authorize the city manager to proceed with the enumerated improvements as follows:

- 1. Backboards for tennis courts in Bumpass, Duffner and Harrison Parks. (Approximately \$15,000)*
- 2. Pickle ball striping for the tennis court in Harrison Park and Duffner Park, (Approximately \$2,000)*
- 3. Additional fixtures for the splashpad (Approximately \$21,000, increased from \$7,000)*



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4. *LED Lighting systems for tennis courts in Bumpass, Duffner and Harrison Park. (Approximately \$35,000)*

After a brief discussion, Council Member Cummings moved to approve Resolution 04-19-2021 (A), as amended. Council Member Graham seconded the motion. The vote: Yea – Symes, Graham, Wilkinson, Bennett, and Cummings. Nay – None.

**ITEM VII: CONSIDERATION OF ELECTION OF TWO TRUSTEES TO SERVE A THREE-YEAR TERM ON THE OMAG BOARD OF DIRECTORS.**

City Manager Bruce Stone advised the Council that the City can cast ballots for two of the candidates for the OMAG Board of Trustees. Mr. Stone told the Council that he knows both the incumbents but has not met any of the other candidates. Mr. Stone advised that all the candidates appear to be qualified for service on the board.

After a brief discussion, Council Member Graham moved to cast the City's ballots for Craig Stepheson, City Manager of Ponca City and Mike Bailey, City Manager of Bartlesville. Vice-Mayor Wilkinson seconded the motion. The vote: Yea – Symes, Graham, Wilkinson, Bennett, and Cummings. Nay – None.

**ITEM VIII: REPORTS, CORRESPONDENCE, ETC.**

- a) ***Review of Expenditures.*** *The Council reviewed the Expenditure Report.*
- b) ***Manager's Report.***

*City Manager Bruce Stone reported that the sales tax check for April was for \$467,204, which is an increase of \$4,253 or .91% more than received for the same period last year. Use Tax was \$95,959, which is a decrease of \$59,612 or 62.12%.*

*Mr. Stone reported that Sidewalk Project #1 got started a couple days later than expected but that Rudy Construction is making good progress and is doing quality work.*

*The city manager reported that the City has received an application for a Specific Use Permit for a medical marijuana processing facility at 9412 North Georgia. Mr. Stone told the Council that the company (Captain Kirk's) only makes edibles and there would be no retail sales or customers on premises.*

*Mr. Stone reported that the Chabad appears to be moving forward with their plans to install a wrought iron security fence and controlled access point to their facility on Hefner*



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*Road. Mr. Stone told the Council that an amendment to the Chabad's Specific Use Permit would be required to allow the fence and controlled access gate.*

*The city manager reported that the minor change in carport setback regulations adopted in 2018 did not facilitate the construction of a carport at 2248 Dublin Road. Mr. Stone advised that the home is 25' back from the front property line so there is no room or place to fit a carport on the property without encroaching on the minimum setback.*

*Mr. Stone showed the Council pictures of the speed cushions ordered for three locations on Carlton Way. Mr. Stone advised that the cost of the cushions is slightly under budget and that the cushions are designed to keep speeds at approximately 25 mph. Jane Lowther asked about the dimensions of the speed cushions. Mr. Stone advised that the cushions are 3" high and 14' long and allow for fire trucks and ambulances (which have a wider wheelbase than cars and SUVs) to staddle the cushion when making emergency calls.*

*The city manager reported that AT&T is assigning U-Verse to their wholly owned subsidiary, Direct TV. Mr. Stone told the Council that no action is required by the Council and that the City will continue to receive the 5% tax on gross receipts from U-Verse services.*

*Mr. Stone briefed the Council on the provisions of the American Rescue Plan Act of 2021 and discussed possible uses for the funds to be received by the City over the next year.*

*The city manager reported that four bids for mowing services were received and that Precision Lawnworks, LLC was the low bidder.*

**c) Monthly Department Reports.** *The Council reviewed the monthly department reports. Mr. Stone noted the Fire Department Monthly Report indicates that some discussions have been taking place with Nichols Hills concerning EMSA and the possibility of seeking other options for ambulance service.*

**d) Reports from Council.**

*Council Member Symes asked the assistant city attorney about the engineering report for Lakeside Drive. Mr. Sabin advised that the consulting engineer should be complete with the report this week.*

*Council Member Symes asked about car burglaries and what is being done. Mr. Stone advised that The Village PD and OKC PD have both made arrests and that home security video footage is available to assist investigative work in some cases. Mr. Stone advised that a vast majority of the auto burglaries involve cars left unlocked.*



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*Council Member Graham stated that the new signalization at Britton and Penn is fantastic.*

*Mayor Bennett asked why the intersection (Britton & Penn) only has one streetlight. Mr. Stone advised that additional lighting could be added if the single light does not adequately illuminate the intersection.*

*Vice-Mayor Wilkinson stated that he was happy to see the Street Department out with the bobcat sweeping twigs and storm debris from Chesterton. Mr. Stone advised that he asked Public Works to identify the worst areas and try to sweep them as time and weather permit.*

*Council Member Cummings stated that the house at 2116 Westchester is in bad shape and that no one has been seen coming and going from the house for quite some time.*

*Council Member Cummings asked when the work in Duffner Park would be completed. Mr. Stone advised that the contractor expects to be done before the end of June. Mr. Stone advised that there should be plenty of room in the park for Movie Night and other activities.*

*Council Member Cummings told the Council that Yoga in the Park would return to Duffner Park on Saturday, May 1<sup>st</sup> at 10:00 a.m.*

*Council Member Cummings reported that Pruett's Foods would have their Grand Opening on July 4<sup>th</sup> and that, among other things, there would be a hot dog eating contest.*

*Council Member Cummings told Mayor Bennett that it has been a privilege to serve on the Council with him. Assistant City Attorney Jeff Sabin and the City Manager both expressed their appreciation to Mayor Bennett for his service. Mayor Bennett stated that it has been a pleasure to be here.*

### **ITEM IX: NEW BUSINESS.**

There was no New Business to come before the Council.



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**ITEM X: ADJOURNMENT**

There was no further business and Mayor Bennett adjourned the meeting at 9:50 p.m.

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Mayor Bennett

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Vice-Mayor Wilkinson

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Council Member Graham

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Council Member Symes

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City Clerk

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Council Member Cummings