



CITY COUNCIL MINUTES  
February 19, 2018

The City Council of the City of The Village, Oklahoma, met in regular session at City Hall on Monday, February 19, 2018, at 7:30 p.m., at 2304 Manchester Drive.

**COUNCIL PRESENT**

Dave Bennett, Mayor  
Sonny Wilkinson, Vice-Mayor  
Cathy Cummings, Council Member  
Hutch Hibbard, Council Member  
Bubba Symes, Council Member

**STAFF PRESENT**

Bruce K. Stone, City Manager  
Bonnie Updegraff, Purchasing Clerk  
Jeff Sabin, Assistant City Attorney  
Leslie Batchelor, City Attorney

**ITEM I: CALL TO ORDER.**

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

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

Council Member Hibbard gave the invocation and led the Council in the Pledge of Allegiance.

**ITEM III: APPROVAL OF MINUTES.**

The Mayor asked if there were any corrections, additions or deletions to the Minutes of the meeting held on January 15, 2018. There were no corrections, additions or deletions and the Council approved the Minutes of the meeting, as written.

**ITEM IV: CITIZENS DESIRING TO BE HEARD; PRESENTATIONS.**

The Mayor stated that this is the time for citizens to address the Council on any item not on the posted agenda.

Evan Vincent introduced himself to the Council and stated that he is a candidate for State Senate District 30. Mr. Vincent answered questions from the Council.

Manny Siemens, 10306 Northland Road, appeared before the Council regarding alleged harassment by his neighbor. Mr. Siemens told the Council about a recent incident in which police were called to respond to a disturbance in his neighborhood. Mr. Siemens advised that the report was exaggerated and that the police did not have to respond with sirens and lights. Mr. Siemens said he would like the Council to consider an ordinance in which people who make unfounded or frivolous complaints can be cited. Mr. Siemens passed out copies of an Oklahoma City ordinance which, according to Mr. Siemens, addresses these types of complaints or calls.



CITY COUNCIL MINUTES  
February 19, 2018

**ITEM V: CONTINUATION OF PUBLIC HEARING OF JANUARY 15, 2018 PROVIDING AN OPPORTUNITY FOR THE PUBLIC TO COMMENT ON THE PROPOSED REZONING OF BLOCK 2 LOT 6 LAKESIDE ESTATES ADDITION FROM A-1 SINGLE FAMILY TO C-2 COMMERCIAL HEFNER OFFICES PLANNED UNIT DEVELOPMENT.**

The Mayor stated that this is a continuation of the Public Hearing of January 15, 2018 to provide an opportunity for the public to comment on the proposed rezoning of Block 2, Lot 6 Lakeside Estates Addition from A-1 Single Family to C-2 Commercial Hefner Offices Planned Unit Development.

David Griffith, 10828 Quail Circle, appeared before the Council to state his opposition to the proposed rezoning. Mr. Griffith stated that the rezoning would negatively affect all the properties on Quail Circle and lower property values. Mr. Griffith told the Council that he is also concerned about drainage, which flows on the east side of Quail Circle behind his home. Mr. Griffith stated that the new commercial office could make the drainage situation worse.

Mr. Keith Taggert, 10721 Sunrise Blvd., addressed the Council and expressed his opposition to the proposed rezoning. Mr. Taggert reiterated his concern that the proposed rezoning would result in lower property values for nearby residential property. Mr. Taggert also expressed concern of increased traffic in the neighborhood.

Larry Hackney, 10713 Sunrise Blvd., appeared before the Council to express his opposition to the rezoning. Mr. Hackney stated that the rezoning would cause property values to go down.

Mr. Bruce Mulford addressed the Council and stated that his experience is that property values have gone up when he has purchases older properties and renovates them. Mr. Mulford stated that some of his renovated residential properties are selling for as much as \$165 a square foot.

Mr. Jeremy Bryant addressed the Council and stated that his proposed office suite would remove a home that has not been well-maintained and would improve the area. Mr. Bryant stated that he has no problem with making reasonable changes to the proposed development regulation such as fencing and additional landscaping.

There were no further comments and the Mayor closed the public hearing.

**ITEM VI. CONSIDERATION OF RESOLUTION 02-19-2018 (A) PERTAINING TO THE POSSIBLE REZONING OF BLOCK 2 LOT 6 LAKESIDE ESTATES ADDITION FROM A-1 SINGLE FAMILY TO C-2 COMMERCIAL HEFNER OFFICES PLANNED UNIT DEVELOPMENT.**



## CITY COUNCIL MINUTES

February 19, 2018

After a brief discussion, Vice-Mayor Wilkinson moved to approve Resolution 02-19-2018 (A) rezoning Block 2, Lot 6 Lakeside Estates Addition from A-1 Single Family to C-2 Commercial Hefner Offices Planned Unit Development with specified amendments. Council Member Symes seconded the motion. The vote: Yea – Hibbard, Symes, Wilkinson, Bennett and Cummings. Nay – none.

**ITEM VII. PUBLIC HEARING PROVIDING AN OPPORTUNITY FOR THE PUBLIC TO COMMENT ON PROPOSED REZONING OF A TRACT OF LAND IN CASADY SQUARE SHOPPING CENTER BEING A PART OF BLOCK 3 OF CASADY HEIGHTS, AN ADDITION TO OKLAHOMA COUNTY, OKLAHOMA, ACCORDING TO THE PLAT RECORDED IN BOOK 28 OF PLATS, PAGE 66, FILED IN THE OFFICES OF THE COUNTY CLERK OF OKLAHOMA COUNTY, OKLAHOMA, FROM C-2 COMMERCIAL TO C-2 COMMERCIAL BRAUM'S PLANNED UNIT DEVELOPMENT.**

The Mayor stated that this is a Public Hearing providing an opportunity for public comment on the proposed rezoning of a tract of land in Casady Square Shopping Center from C-2 Commercial to C-2 Commercial Braum's Planned Unit Development.

City Manager Bruce Stone advised the Council that the Planning & Zoning Commission recommends that the City Council with specific amendments. Assistant City Attorney Jeff Sabin summarized the recommended changes to the PUD Design Statement as follows:

- *Accept redlined changes in the PUD Design Statement inserted by legal counsel except as otherwise noted.*
- *Revise redline Section 12 of the PUD by reinserting the C-2 Zoning District and revising the section to reflect the correct section of the City Code. (Section 24-189)*
- *Revise redline Section 15 to limit the required row of evergreen trees to the first two houses east of Pennsylvania Avenue on Downing Street.*
- *Allow paint or textured delineation of interior parking lot sidewalks in Section 18, Subsection (3).*
- *The Braum family is asked to consider an outdoor seating area.*

Paul Swales and Harris Wilson representing Braum's appeared before the Council to make a presentation and answer questions. Mr. Swales told the Council that the Braum's family lives nearby and would frequent the business. Mr. Swales stated that the Braum's family want this store to be their newest and most attractive design yet. Mr. Swales advised that the company has put much thought into this development and the proposed curb cuts and sign are



CITY COUNCIL MINUTES  
February 19, 2018

absolutely necessary given the site restrictions, neighboring businesses and existing agreements between Casady Square and Walmart Neighborhood Market.

Erin Knotts, a resident who lives behind the proposed Braum's on Downing Street, expressed several concerns about noise and fencing, Mr. Swales advised that Braum's would install a new stockade fence along the south property line and would plant a row of evergreen trees to screen sound and light pollution that could otherwise adversely impact adjacent homes. Mr. Swales also stated that deliveries are on the north side of the store and should not create a disturbance during loading and unloading. Ms. Knotts stated that she is satisfied with the compromises agreed to by Braum's and is excited about the new store coming to The Village.

Vice-Mayor Wilkinson stated that Braum's would be great for The Village but that he could not accept the proposed curb cuts and the sign. The vice-mayor went to the overhead screen to illustrate his objections and offered alternatives that he could live with. A heated exchange ensued between Vice-Mayor Wilkinson and Council Member Symes who were in disagreement over the proposed curb cuts and sign.

Mr. Swales reiterated that the Braum's family insists that the curb cuts and sign are essential to the success of this development.

There were no further comments and the Mayor closed the Public Hearing.

**ITEM VIII. CONSIDERATION OF RESOLUTION 02-19-2018 (B) PERTAINING TO THE POSSIBLE REZONING OF A TRACT OF LAND IN CASADY SQUARE SHOPPING CENTER BEING A PART OF BLOCK 3 OF CASADY HEIGHTS, AN ADDITION TO OKLAHOMA COUNTY, OKLAHOMA, ACCORDING TO THE PLAT RECORDED IN BOOK 28 OF PLATS, PAGE 66, FILED IN THE OFFICES OF THE COUNTY CLERK OF OKLAHOMA COUNTY, OKLAHOMA, FROM C-2 COMMERCIAL TO C-2 COMMERCIAL BRAUM'S PLANNED UNIT DEVELOPMENT.**

After a brief discussion, Council Member Cummings moved to approve Resolution 02-19-2018 (B) rezoning a tract of land in Casady Square Shopping Center from C-2 Commercial to C-2 Commercial Braum's Planned Unit Development with the amendments recommended by the Planning & Zoning Commission. Council Member Symes seconded the motion. The vote: Yea – Hibbard, Symes, Bennett and Cummings. Nay – Wilkinson.

**ITEM IX. CONSIDERATION OF RESOLUTION 02-19-2018 (C) AMENDING CHAPTER 5, SECTION 5.40 OF THE EMPLOYEE HANDBOOK PERTAINING TO MILITARY LEAVE.**

City Manager Bruce Stone advised the Council the City's policy for military leave needs to be updated to reflect changes in the federal law.



CITY COUNCIL MINUTES  
February 19, 2018

After a brief discussion, Council Member Hibbard moved to approve Resolution 02-19-2018 (C) amending Chapter 5, Section 5.40 of the Employee Handbook. Council Member Cummings seconded the motion. The vote: Yea – Hibbard, Symes, Wilkinson, Bennett and Cummings. Nay – none.

**ITEM X. UPDATE FROM FINANCIAL ADVISOR REGARDING ISSUANCE OF GENERAL OBLIGATION BONDS.**

Nate Ellis with the Municipal Finance Law Group and Ben Oglesby with Municipal Financial Services attended the meeting to give the Council an update on the issuance of General Obligation Bonds.

Mr. Oglesby reviewed the timetable for certain actions to be taken by the Council in order to issue bonds.

Mr. Ellis talked to the Council about the Securities and Exchange Commission (SEC) and the current regulatory environment. Mr. Ellis told the Council that the disclosure documents, although prepared by third parties, are City disclosures and the liability for errors and omissions is with the City. Mr. Ellis advised that, in light of a more stringent regulatory environment, it is important to have the services of a special disclosure counsel to assist the City in providing the needed disclosures and annual reporting required by the SEC.

**ITEM XI. CONSIDERATION OF RESOLUTION 02-19-2018 (D) APPROVING ENGAGEMENT OF SPECIAL DISCLOSURE COUNSEL FOR THE VILLAGE GENERAL OBLIGATION BONDS SERIES 2018**

After a brief discussion, Council Member Hibbard moved to approve Resolution 02-19-2018 (D) approving the engagement of a special disclosure counsel for The Village General Obligation Bond Series 2018. Vice-Mayor Wilkinson seconded the motion. The vote: Yea – Hibbard, Symes, Wilkinson, Bennett and Cummings. Nay – none.

**ITEM XII. REPORTS:**

a) *Expenditure Reports: The Council reviewed the following expenditure reports.*

<i>General Fund, 12/05/2017:</i>	<i>\$7,946.82</i>
<i>Special Park Fund, 12/05/2017:</i>	<i>\$4,800.00</i>
<i>General Fund, 1/22/2018:</i>	<i>\$129,182.07</i>
<i>Capital Improvement Fund, 1/22/2018:</i>	<i>\$4,860.00</i>
<i>Municipal Court Bond Fund, 1/22/2018:</i>	<i>\$385.00</i>
<i>General Fund, 1/26/2018:</i>	<i>\$29,089.39</i>
<i>Municipal Court Bond Fund, 1/26/2018:</i>	<i>\$930.00</i>



CITY COUNCIL MINUTES  
February 19, 2018

<i>Animal Bond Fund, 1/26/2018:</i>	<i>\$35.00</i>
<i>General Fund, 2/1/2018:</i>	<i>\$10,548.02</i>
<i>Municipal Court Bond Fund, 2/1/2018:</i>	<i>\$340.00</i>
<i>Animal Bond Fund, 2/1/2018:</i>	<i>\$45.00</i>
<i>UBCC Fund, 2/1/2018:</i>	<i>\$228.00</i>

*b) Manager's Report:*

*City Manager Bruce Stone reported that the monthly sales tax check was for \$469,116.55, which is an increase of \$47,050 or 11.15% over the same period last year. Mr. Stone also reported that Use Tax was down by \$19,345 over the same period last year.*

*Mr. Stone advised the Council that arbitration between the FOP and the City is scheduled for April 17 and that it might be necessary to have an Executive Session before then to discuss the matter further.*

*The city manager gave the Council a brief update on the implementation of the new Municipal Court Records Management System.*

*Mr. Stone reported that he is working on plans and bidding documents for street resurfacing to be tentatively let for bid in June. Mr. Stone reported that project would include over twelve (12) miles of resurfacing in addition to the one (1) mile of Britton Road, which will be management by the Oklahoma Department of Transportation.*

*The city manager showed the Council pictures of extremely spalled and deteriorated residential driveways. Mr. Stone asked for input and guidance from the Council as to how to proceed on removing these eyesores.*

*c) Reports from Council:*

*Jane Lowther asked about construction on Lanesboro in the Hidden Village Phase 2 Addition. Mr. Stone advised that the City would not issue building permits for new homes in the addition until the developer installs the required emergency access gates on Lanesboro and 104<sup>th</sup> Terrace.*

*Ms. Lowther stated that there are geese droppings in Meeker Park that need to be cleaned up. Mr. Stone advised that he would instruct the Park Department to take the necessary remedial action.*



CITY COUNCIL MINUTES  
February 19, 2018

*Council Member Hibbard told the Council that he has arranged for a composting presentation for the March 5<sup>th</sup> Council Meeting.*

**ITEM XIII. NEW BUSINESS.**

There was no New Business to come before the Council.

**ITEM XIV: ADJOURNMENT**

There being no further business, the Mayor adjourned the meeting at 10:20 p.m.

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Mayor Bennett

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Vice-Mayor Wilkinson

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Council Member Symes

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Council Member Cummings

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City Clerk

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Council Member Hibbard