



CITY COUNCIL MINUTES  
November 6, 2017

The City Council of the City of The Village, Oklahoma, met in regular session at City Hall on Monday, November 6, 2017, at 7:30 p.m., at 2304 Manchester Drive.

**COUNCIL PRESENT**

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

**STAFF PRESENT**

Bruce K. Stone, City Manager  
Beverly K. Whitener, City Treasurer  
Leslie V. Batchelor, City Attorney  
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 & PLEDGE OF ALLEGIANCE.**

Vice-Mayor Wilkinson 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 October 16, 2017. 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 matter that is not on the posted agenda.

Council Member Cummings introduced Danielle Ezell. Ms. Ezell told the Council that she is a candidate for the State Senate, District 40. Ms. Ezell talked about her qualifications for office and answered questions from the Council.

Library Manager Ben Mead-Harvey gave the Council an update on library programs and activities.

Beverly Boyd told the Council that the Fall Festival was "great".

Officer Vernon Green told the Council about The Village Police Department SWAT team, which currently consists of three members of the department.



CITY COUNCIL MINUTES  
November 6, 2017

**ITEM V. CONSIDERATION OF RESOLUTION 11-06-2017 (A) AUTHORIZING THE CALLING AND HOLDING OF A SPECIAL ELECTION IN THE CITY OF THE VILLAGE, OKLAHOMA, ON TUESDAY, JANUARY 9, 2018, FOR THE PURPOSE OF SUBMITTING TO THE REGISTERED, QUALIFIED VOTERS OF SAID CITY THE QUESTION OF THE ISSUANCE OF THE REGISTERED BONDS OF SAID CITY IN THE SUM OF EIGHT MILLION FIVE HUNDRED THOUSAND DOLLARS (\$8,500,000) TO PROVIDE FUNDS FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, IMPROVING, REHABILITATING, RESURFACING, AND REPAIRING STREETS, INCLUDING SIDEWALKS, LIGHTING, STREET ENHANCEMENT IMPROVEMENTS, DRAINAGE IMPROVEMENTS, AND SIGNALIZATION, TO BE COMPLETED WITH OR WITHOUT THE USE OF OTHER FUNDS, AND LEVY AND COLLECT AN ANNUAL TAX, IN ADDITION TO ALL OTHER TAXES, UPON ALL THE TAXABLE PROPERTY IN SAID CITY SUFFICIENT TO PAY THE INTEREST ON SAID BONDS AS IT FALLS DUE, AND ALSO TO CONSTITUTE A SINKING FUND FOR THE PAYMENT OF THE PRINCIPAL THEREOF WHEN DUE; AND SUBMITTING TO THE REGISTERED, QUALIFIED VOTERS OF SAID CITY THE QUESTION OF THE ISSUANCE OF THE REGISTERED BONDS OF SAID CITY IN THE SUM OF ONE MILLION EIGHT HUNDRED EIGHTY THOUSAND DOLLARS (\$1,880,000) TO PROVIDE FUNDS FOR THE PURPOSE OF CONSTRUCTING, REPAIRING, IMPROVING, RENOVATING, ACQUIRING AND EQUIPPING PARKS AND RECREATIONAL FACILITIES, TO BE OWNED EXCLUSIVELY BY SAID CITY, TO BE COMPLETED WITH OR WITHOUT THE USE OF OTHER FUNDS, AND LEVY AND COLLECT AN ANNUAL TAX, IN ADDITION TO ALL OTHER TAXES, UPON ALL THE TAXABLE PROPERTY IN SAID CITY SUFFICIENT TO PAY THE INTEREST ON SAID BONDS AS IT FALLS DUE, AND ALSO TO CONSTITUTE A SINKING FUND FOR THE PAYMENT OF THE PRINCIPAL THEREOF WHEN DUE; AND PROVIDING FOR ELECTION PROCEDURES; AND PROVIDING FOR SEVERABILITY.**

Bond Counsel Allan Brooks spoke briefly about legal requirements for bond issues.

City Manager Bruce Stone advised the Council that Bond Counsel Allan Brooks and Financial Advisor Ben Oglesby have done a good job of organizing the capital improvement goals established by the Council, drafting the needed resolutions and fulfilling all the legal requirements to put the proposed bond issue before the voters.

After a discussion, Council Member Hibbard moved to approve Resolution 11-06-2017 (A) authorizing the calling and holding of a special election to consider a bond issue for various capital improvements and projects. Council Member Cummings seconded the motion. The vote: Yea – Hibbard, Symes, Wilkinson, Bennett and Cummings. Nay – none.



CITY COUNCIL MINUTES  
November 6, 2017

**ITEM VI. CONSIDERATION OF RESOLUTION 11-06-20017 (B) AUTHORIZING THE CALLING AND HOLDING OF A SPECIAL ELECTION IN THE CITY OF THE VILLAGE, OKLAHOMA, ON TUESDAY, JANUARY 9, 2018, FOR THE PURPOSE OF SUBMITTING TO THE REGISTERED QUALIFIED ELECTORS OF SAID CITY THE QUESTION OF APPROVAL OR REJECTION OF ORDINANCE NO. 732 OF THE CITY RELATING TO A ONE HALF OF ONE PERCENT (0.5%) EXCISE TAX (SALES TAX), IN ADDITION TO ALL PRESENT CITY, COUNTY, AND STATE EXCISE TAXES, WITH THE PROCEEDS OF SAID TAX TO BE USED TO FUND CAPITAL EXPENDITURES BENEFITING THE CITY, ALL AS MORE FULLY SET OUT IN ORDINANCE NO. 732 OF SAID CITY; AND CONTAINING OTHER PROVISIONS RELATED THERETO.**

The Council discussed the proposed sales tax increase of ½ cent. Council Member Hibbard expressed reservations about a 9% sales tax rate. Council Member Symes stated that ½ cent increase would be in the City's long term best interests. Council Member Symes further stated that this tax would only be for capital expenditures and would not be used for operations or salaries and benefits. Mayor Bennett stated that Oklahoma City has done amazing things with MAPS and the proposed increase of ½ cent would be good for the community. City Manager Bruce Stone stated that this dedicated tax is needed to help address the many infrastructure needs of the community, most of which cannot be funded out of current revenues.

After a discussion, Vice-Mayor Wilkinson moved to approve Resolution 11-06-2017 (B) authorizing the calling and holding of a special election for a ½ cent dedicated sales tax for capital expenditures. Council Member Symes seconded the motion. The vote: Yea – Hibbard, Symes, Wilkinson, Bennett and Cummings. Nay – none.

**ITEM VII. CONSIDERATION OF ORDINANCE 732 OF THE CITY OF THE VILLAGE, OKLAHOMA, RELATING TO THE IMPOSITION OF A ONE HALF OF ONE PERCENT (0.5%) EXCISE TAX (SALES TAX), IN ADDITION TO ALL PRESENT CITY, COUNTY, AND STATE EXCISE TAXES, TO BE LEVIED UPON THE GROSS PROCEEDS OR GROSS RECEIPTS DERIVED FROM ALL SALES TAXABLE UNDER THE OKLAHOMA SALES TAX CODE; PROVIDING THAT THE PROCEEDS OF SAID TAX ARE TO BE USED TO FUND CAPITAL EXPENDITURES BENEFITING THE CITY; PROVIDING FOR THE EFFECTIVE DATE OF SAID EXCISE TAX; PROVIDING FOR AMENDMENTS TO THIS ORDINANCE; PROVIDING FOR SEVERABILITY OF PROVISIONS; AND CONTAINING OTHER PROVISIONS RELATED THERETO.**

Bond Counsel Allan Brooks advised the Council that this Ordinance would not become effective unless that sales tax is approved by voters.

After a brief discussion, Council Member moved to approve Ordinance 732 levying a ½ cent sales tax to fund capital expenditures. Council Member Cummings seconded the motion. The vote: Yea – Hibbard, Symes, Wilkinson, Bennett and Cummings. Nay – none.



CITY COUNCIL MINUTES  
November 6, 2017

**ITEM VIII. CONSIDERATION OF ORDINANCE 733 AMENDING CHAPTER 6, SECTION 6-203; AND CHAPTER 21, SECTIONS 21-1, 21-10, AND 21-12 OF THE CODE OF ORDINANCES OF THE CITY OF THE VILLAGE; CREATING A NEW CHAPTER 26 TO THE CODE OF ORDINANCES OF THE CITY OF THE VILLAGE; PERTAINING TO LANDSCAPING REGULATIONS; PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.**

Assistant City Attorney Jeff Sabin reviewed Ordinance 733 and explained the revisions made as a result of input from staff and members of the Council. Legal Counsel noted several changes that need to be made to Exhibit A of the Ordinance.

City Manager Bruce Stone stated that legal counsel and Laud Studios have listened to the input and have worked hard to address concerns and issues raised by staff and by the Council. Mr. Stone advised that new regulations oftentimes need to be tweaked during the course of implementation and that the Council can amend the regulations as needed in the future.

After a brief discussion, Council Member Hibbard moved to adopt Ordinance 733 with the following amendments to Exhibit A:

- (1) Current "Section 26-3. Definitions" should be renumbered as "Section 26-4. Definitions."
- (2) A new "Section 26-3" should be added in the appropriate numerical sequence that reads as follows:

**Sec. 26-3. Applicability.**

- (a) General applicability. The landscape regulations set forth in this chapter apply to:
  - (1) New buildings constructed after the effective date of this chapter.
  - (2) New parking lots constructed after the effective date of this chapter.
  - (3) Redevelopment of the buildings or parking lots of a parcel where the proposed costs of construction amount to fifty percent (50%) or more of the current fair market value of the parcel, as determined by the Oklahoma County Assessor.
  - (4) Redevelopment of the buildings or parking lots of a parcel where the cumulative costs of construction over a ten-year period amount to fifty



CITY COUNCIL MINUTES  
November 6, 2017

percent (50%) or more of the current fair market value of the parcel, as determined by the Oklahoma County Assessor.

(b) Exemption. The following are exempt:

(1) Parking areas located within a parking garage.

Vice-Mayor Wilkinson seconded the motion. The vote: Yea – Hibbard, Symes, Wilkinson, Bennett and Cummings. Nay – none.

Council Member Hibbard moved to approve the Emergency Clause. Council Member Cummings seconded the motion. The vote: Yea – Hibbard, Symes, Wilkinson, Bennett and Cummings. Nay – none.

**ITEM IX. CONSIDERATION OF RESOLUTION 11-06-2017 (C) ESTABLISHING THE DATE, LOCATION AND TIME FOR VILLAGE PUBLIC WORKS AUTHORITY MEETINGS IN CALENDAR YEAR 2018.**

City Manager Bruce Stone told the Council that the proposed meeting dates, times and locations are the same as has been customary for each public body of the City. Mr. Stone advised that when the regular meeting date falls on a holiday, the regular meeting would fall on the next business day.

After a brief discussion, Council Member Hibbard moved to approve:

- Agenda Item IX - Resolution 11-06-2017 (C),
- Agenda Item X - Resolution 11-06-2017 (D),
- Agenda Item XI - Resolution 11-06-2017 (E),
- Agenda Item XII - Resolution 11-06-2017 (F), and
- Agenda Item XIII -Resolution 11-06-2017 (G), establishing the dates, times and locations for the regular meetings of the various public bodies for calendar year 2018.

Council Member Cummings seconded the motion. The vote: Yea – Hibbard, Symes, Wilkinson, Bennett and Cummings. Nay – none.

**ITEM X. CONSIDERATION OF RESOLUTION 11-06-2017 (D) ESTABLISHING THE DATE, LOCATION AND TIME FOR THE VILLAGE PLANNING & ZONING COMMISSION MEETINGS IN CALENDAR YEAR 2018.**

*(See Item IX)*



CITY COUNCIL MINUTES  
November 6, 2017

**ITEM XI. CONSIDERATION OF RESOLUTION 11-06-2017 (E) ESTABLISHING THE DATE, LOCATION AND TIME FOR THE VILLAGE TRAFFIC & SAFETY COMMISSION MEETINGS IN CALENDAR YEAR 2018.**

*(See Item IX)*

**ITEM XII. CONSIDERATION OF RESOLUTION 11-06-2017 (F) ESTABLISHING THE DATE, LOCATION AND TIME FOR THE VILLAGE DEVELOPMENT AUTHORITY MEETINGS IN CALENDAR YEAR 2018.**

*(See Item IX)*

**ITEM XIII. CONSIDERATION OF RESOLUTION 11-06-2017 (G) ESTABLISHING THE DATE, LOCATION AND TIME FOR THE VILLAGE CITY COUNCIL MEETINGS IN CALENDAR YEAR 2018.**

*(See Item IX)*

**ITEM XIV. CONSIDERATION OF RESOLUTION 11-06-2017 (H) PROVIDING FOR A SCHEDULE OF FEES FOR CERTAIN COMMERCIAL USE OF THE CITY ROLL OFF CONTAINER AND BRUSH DISPOSAL SERVICE.**

City Manager Bruce Stone advised that current policy established by the Council prohibits any commercial use of the City's roll off dumpster and brush pile service. Mr. Stone advised that Resolution 11-06-2017 (H) would allow limited commercial use of the service for a fee of \$75 per pickup load.

The Council briefly discussed the rate to be charged per pickup load.

After a brief discussion, Council Member Symes moved to approve Resolution 11-06-2017 (H). Council Member Cummings seconded the motion. The vote: Yea – Hibbard, Symes, Wilkinson, Bennett and Cummings. Nay – none.

**ITEM XV: REPORTS:**

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

<i>General Fund, 10/23/2017:</i>	<i>\$130,561.29</i>
<i>Capital Improvement Fund, 10/23/2017:</i>	<i>\$12,855.00</i>
<i>Animal Bond Fund, 10/23/2017:</i>	<i>\$45.00</i>
<i>Uniform Building Code Fund, 10/23/2017:</i>	<i>\$192.00</i>
<i>General Fund, 10/25/2017:</i>	<i>\$1,309.01</i>



CITY COUNCIL MINUTES  
November 6, 2017

b) **Manager's Report:**

*City Manager Bruce Stone reported that the Police Department has been awarded a \$55,000 Criminal Justice Grant to replace all of the department's hand-held 800 MHz radios.*

*Mr. Stone reported that resurfacing work is progressing at a satisfactory pace. Mr. Stone advised that the concrete replacements on Greystone and Westchester are completed and cold milling is being done in other areas in preparation for asphalt overlay.*

*Mr. Stone reminded members of the Council that there will be a program at City Hall on Friday, November 10 to honor our veterans.*

*The city manager noted that the ACOG Board of Directors approved the additional funds for Britton Road and that construction should begin by June 2018. Mr. Stone advised that the total project cost is estimated at \$3,805,000, with a local match of \$761,000. .*

*Mr. Stone gave the Council an update on the list of blighted houses. Mr. Stone advised that there are only 4 houses left on the list and that one of the homes would be painted at no cost by Mulford Homes. Mr. Stone noted that no abatements have been necessary as of yet.*

*The city manager showed the Council pictures of brush being removed at Public Works. Mr. Stone advised that the total cost to remove the brush came to approximately \$12,000.*

*Mr. Stone advised the Council of an application by Heritage Hall for a variance to allow the school to build a building with metal exterior walls in a residentially zoned district.*

*The city manager briefed the Council on HB 1949, which requires the City to provide information about the bond issue on the City's website.*

**Reports from the Council:**

*Council Member Hibbard announced that the City would receive at grant for \$70,000 from KaBOOM in 2019 for playground equipment in Duffner Park. Council Member Hibbard noted that the local match would be approximately \$20,000.*



CITY COUNCIL MINUTES  
November 6, 2017

*Council Member Symes told the Council that he had been contacted by a resident who reported a serious electrical problem behind their home recently. Mr. Stone advised that the wind was blowing a loose secondary service (220v) line over the primary electric lines (7,200v) causing arcing and sparks. Mr. Stone advised that OG&E has repaired the line and has installed a special strength cable to prevent this from happening again.*

*Vice-Mayor Wilkinson reported that AT&T had placed a door knocker on his door to advise him of pending fiber optic cable installation in the area.*

*Vice-Mayor Wilkinson mentioned a complaint he received about blowing trash in Bumpass Park. Mr. Stone advised that this was caused by kids from the YMCA and that the City has already talked to the YMCA about the problem.*

*The city manager mentioned that animal waste bag dispensers have been installed in Bumpass and Duffner Park as requested by the Council.*

*Council Member Cummings told the Council that she had lunch with Vice-Mayor Wilkinson at his place of business and that she was impressed with the work he does. Council Member Cummings advised that the purpose of the meeting was to discuss public education pertaining to the upcoming bond and sales tax election.*

*Mayor Bennett reminded the Council of the Veterans Day program on Friday, November 10 and stated that all are welcome.*

*Mayor Bennett stated that the resurfacing on Andover looked good.*

*Mayor Bennett reported that he gave a presentation on The Village Vision to residents of The Vineyard Cottages.*

*Mayor Bennett told the Council he would serve on the ACOG Bylaws Committee.*

**ITEM XVI: NEW BUSINESS**

There was no New Business to come before the Council.





CITY COUNCIL MINUTES  
November 6, 2017

**ITEM IX: ADJOURNMENT**

There being no further business, the Mayor adjourned the meeting at 9:15 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