



CITY COUNCIL MINUTES
January 15, 2018

The City Council of the City of The Village, Oklahoma, met in regular session at City Hall on Monday, January 15, 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

STAFF PRESENT

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

ABSENT

Bubba Symes, Council Member

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 January 2, 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.

a) *Dheepak Jayakrishna, I-OKGroup. Website Design*

Dheepak Jayakrishna gave a brief presentation illustrating two web designs for consideration by the Council. The consensus of the Council was to authorize Mr. Jayakrishna to proceed with Option 2.

Jane Lowther appeared before the Council on behalf of the Casady Manor Neighborhood Association. Ms. Lowther asked about the new street in Crossings at The Village that appears to connect to 104th Terrance in Oklahoma City. City Manager Bruce Sone explained that Oklahoma City is requiring that the new water system be looped and that in order to make the loop, a dedicated street right of way is required.



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Mr. Stone advised that the street will have a controlled access gate to prevent ingress and egress to the new subdivision.

Ms. Lowther asked when Homeowner's Association dues would begin to be collected in Crossings at The Village. Mr. Stone advised that this would depend on when the developer turns the development over to the Home Owner's Association.

ITEM V: PUBLIC HEARING 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 a public hearing 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.

City Manager Bruce Stone told the Council that Marathon Construction seeks to rezone this property to allow the construction of a residential style office similar to the offices in the May Avenue Office Suites PUD. Mr. Stone reviewed the main provisions of the PUD Design Statement including height, setbacks, uses and exterior masonry. Mr. Stone told the Council that the proposed uses are low intensity.

The city manager advised that the Planning & Zoning Commission voted 4 to 2 to recommend that the Council deny the rezoning application.

Mr. Keith Taggart, 10721 Sunrise Blvd., addressed the Council and expressed his opposition to the proposed rezoning. Mr. Taggart told the Council that this area has always been residential and that the proposed rezoning would change the character of the neighborhood. Mr. Taggart presented the Council with information alleging that the May Avenue Office Suites have resulted in lower property values for nearby residential property. Mr. Taggart also expressed concern of increased traffic in the neighborhood.

A resident of Oklahoma City (*name not known*) attended the meeting and stated that he was not against the proposed office suite but expressed his concern about traffic on Hefner. The resident told the Council that making left turns on Hefner is extremely difficult and additional traffic would only make the situation worse. The resident indicated that perhaps a traffic control signal could be installed to minimize the problem.

Larry Hackney, 10713 Sunrise Blvd., appeared before the Council to express his opposition to the rezoning. Mr. Hackney stated that this is an emotional issue for him as the rezoning would "break a covenant with his father-in-law who built his home in a residential area and not a commercial area".



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Peggy Vogt warned of the “domino effect” on Hefner with all of the residences on Hefner eventually becoming commercial property.

Barrett Davidson, 2949 Kerry Lane, commented on the May Avenue Offices Suites. Mr. Davidson told the Council that the office suites are very nice and he sees a lot of younger families with children moving into the area.

The Council discussed the concerns raised by the residents. The discussion focused primarily on traffic concerns, including traffic counts, speeding and accidents.

Some members of the Council wanted more time to get feedback from constituents before rendering a decision. The Mayor asked if the public hearing could be continued at later date. Assistant City Attorney Jeff Sabin advised that the law would allow the continuation of the hearing with proper public notice.

After a discussion, Council Member Cummings moved to continue the public hearing on February 19th. Vice-Mayor Wilkinson seconded the motion. The vote: Yea – Hibbard, Wilkinson, Bennett and Cummings. Nay – none.

ITEM VI: CONSIDERATION OF RESOLUTION 01-15-2018 (A) APPROVING THE REZONING OF BLOCK 2 LOT 6 LAKESIDE ESTATES ADDITION FROM A-1 SINGLE FAMILY TO C-2 COMMERCIAL HEFNER OFFICES PLANNED UNIT DEVELOPMENT.

After a discussion, Vice-Mayor Wilkinson moved to table action on Resolution 01-15-2018 (A) until February 19th. Council Member Cummings seconded the motion. The vote: Yea – Hibbard, Wilkinson, Bennett and Cummings. Nay – none.

ITEM VII: PUBLIC HEARING PROVIDING AN OPPORTUNITY FOR THE PUBLIC TO COMMENT ON PROPOSED ORDINANCE 734 PROVIDING FOR THE AMENDMENT OF CHAPTER 11 AND THE AMENDMENT OF CHAPTER 24 PERTAINING TO THE DEFINITION OF MESSAGE PARLOR AND AUTHORIZING MESSAGE THERAPIST AS A GENERAL USE IN THE C-2 COMMERCIAL ZONING DISTRICT.

The Mayor stated that this a public hearing to provide an opportunity for the public to comment on proposed Ordinance 734.

No citizens wished to comment on the proposed ordinance, which would add of Message Therapist as a General Use in the C-2 Zoning District.

City Manager Bruce Stone advised that the Planning & Zoning Commission unanimously approved Resolution PC 01-15-2018 (B) recommending that the City Council approve Ordinance 734.



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Natalie Stansbury, Co-Owner of Thairapy Lounge, attended the meeting to answer questions about the salon's proposed massage therapy services. Ms. Stansbury told the Council that this would not be a "massage parlor" and would be a serious business with a professional atmosphere. Ms. Stansbury stated that she is excited about the possibility of offering this service to customers in The Village.

Council Member Cummings stated that she visited the new location of Thairapy Lounge and said the space was beautiful and loved the new location.

Assistant City Attorney Jeff Sabin reviewed the details of proposed Ordinance 734. Mr. Sabin told the Council that the ordinance distinguishes between massage parlors and duly licensed massage therapists. Mr. Sabin advised that "Message Therapist" would only be authorized as an accessory use to another primary business. Mr. Sabin explained that preliminary language regulating signage for massage therapy services was removed from the ordinance as the restrictions were deemed unconstitutional.

There was no further discussion and the Mayor closed the public hearing.

ITEM VIII: CONSIDERATION OF ORDINANCE 734 AMENDING CHAPTER 11, SECTION 296, SUBSECTION B) 6) OF THE CODE OF ORDINANCES; AMENDING THE DEFINITION OF MASSAGE PARLOR; AMENDING CHAPTER 24, SECTION 24-188, SUBSECTION A) OF THE CODE OF ORDINANCES; ADDING LICENSED MASSAGE THERAPISTS TO THE LIST OF AUTHORIZED GENERAL USES IN THE C-2 COMMERCIAL ZONING DISTRICT; AMENDING CHAPTER 24, SECTION 24-188, SUBSECTION C) OF THE CODE OF ORDINANCES; AMENDING THE LIST OF EXCLUSIONS IN THE C-2 COMMERCIAL ZONING DISTRICT BY DELETING MASSAGE THERAPIST AS AN EXCLUDED USE; PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

After a brief discussion, Council Member Hibbard moved to approve Ordinance 734. Council Member Cummings seconded the motion. The vote: Yea – Hibbard, Wilkinson, Bennett and Cummings. Nay – none.

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

ITEM IX: CONSIDERATION OF RESOLUTION 01-15-2018 (B) APPROVING THE FINAL PLAT OF THE HIDDEN VILLAGE PHASE 2 ADDITION TO THE CITY OF THE VILLAGE (AKA CROSSINGS AT THE VILLAGE PHASE 2).



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City Manager Bruce Stone reviewed the provisions of the plat. Mr. Stone advised that the plat provides for the addition of 72 new homes and complies with the development regulations adopted for this subdivision, including setbacks, lot size, density and similar zoning requirements.

Mr. Stone advised that the plat has been reviewed by the city engineer and by legal counsel and stated that all noted deficiencies in the plat have been corrected. Mr. Stone told the Council that the Planning & Zoning Commission has reviewed the plat and recommends that it be approved by the Council.

The city manager told the Council that the city engineer has approved all of the civil engineering plans for the development, including the drainage plan, which includes a large storm water retention pond to be located in Common Area F.

Mr. Stone explained a dilemma faced by the developer in providing water to the new subdivision. The city manager told the Council that Oklahoma City regulations require the new water system to loop with existing water lines located in Oklahoma City. Mr. Stone advised that Oklahoma City would not accept a utility easement for the new connecting lines and would only accept water lines installed in a dedicated street right of way. Mr. Stone said that the final plat, therefore, had to be revised to include a dedicated street, which connects Wimbledon Court to NW 104 Terrace. Mr. Stone advised that the developer would have to provide a controlled access gate on The Village side of the new street in order to comply with the provisions of the PUD Design Statement, which governs this development. Mr. Stone advised that the gate would prevent ingress and egress from the new subdivision (via the new street) and that the required gate is shown on the plat.

After a brief discussion, Vice-Mayor Wilkinson moved to approve Resolution 01-15-2018 (B) approving the final plat of the Hidden Village Phase 2 Addition (Crossings at The Village) to the City of The Village. Council Member Cummings seconded the motion. The vote: Yea – Hibbard, Wilkinson, Bennett and -Cummings. Nay – none.

ITEM X: CONSIDERATION OF APPEAL BY ROSS JOHNSON, 10308 NORTH MAY, OF AN ADMINISTRATIVE ORDER TO CORRECT A VIOLATION OF CHAPTER 15, SECTION 15-61 OF THE VILLAGE CITY CODE PERTAINING TO INOPERABLE VEHICLES.

Mr. Ross Johnson appeared before the Council to appeal an Administrative Order to fix a flat tire on his vehicle.

Mr. Ross told the Council that he did not feel that he has been given due process and the City should not be able to impound his vehicle without proper notice. City Manager Bruce Stone advised that impoundment would have been an extreme measure made necessary only if all other attempts to resolve the issue had failed. Mr. Stone advised that in the unlikely event that



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impoundment became necessary, the City would have taken proper steps to provide the notice before impounding the vehicle.

Mr. Stone asked Mr. Johnson if he had fixed the flat tire. Mr. Johnson stated that the flat has been repaired.

The violation was resolved by the Appellant and the Council had no reason to act on the appeal. The Council took no action.

ITEM XI: CONSIDERATION OF APPROVAL OF REVOCABLE RIGHT-OF-WAY PERMIT TO INSTALL A RETAINING WALL AT 3021 KENT DRIVE.

City Manager Bruce Stone explained to the Council that the owner of 3021 Kent Drive would like to install a 12"-high retaining wall on the City right of way in order to prevent erosion of the front yard. Mr. Stone advised that these kind of structures are typically approved by the Council by the issuance of a Revocable Right of Way Permit.

After a brief discussion, Vice-Mayor Wilkinson moved to approve the issuance of a revocable right of way permit for a retaining wall at 3021 Kent Drive. Council Member Cummings seconded the motion. The vote: Yea – Hibbard, Wilkinson, Bennett and Cummings. Nay – none.

ITEM XII. REPORTS:

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

<i>Village Public Works Authority, 12/28/2017:</i>	<i>\$110,371.74</i>
<i>General Fund, 01/04/2018:</i>	<i>\$56,919.39</i>
<i>UBBC Fund, 01/04/2018:</i>	<i>\$268.00</i>
<i>General Fund, 01/016/2008:</i>	<i>\$7,402.42</i>
<i>Special Park Fund, 01/06/2018:</i>	<i>\$7,640.97</i>

b) *Manager's Report:*

City Manager Bruce Stone reported that the monthly sales tax check was for \$433,867.61, which is a decrease of \$45,957 or 9.58% over the same period last year. Mr. Stone reported that Use Tax was up by \$32,122 over the same period last year.

The city manager gave the Council a brief report on the annual dry weather screening program, which was recently conducted by Terracon. Mr. Stone advised that the water samples were taken and analyzed from 17 monitoring locations in The Village.



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Mr. Stone advised that a few of the sampling locations showed results that exceeded acceptable standards of the Clean Water Act for certain pollutants such as phenols and brighteners. Mr. Stone advised that resampling of these locations and secondary tests showed that the samples were within acceptable parameters.

Mr. Stone told the Council that Oklahoma City has notified The Village of plans for drainage improvements that will affect the southwest portion of The Village. Mr. Stone advised that the improvements will be funded by an Oklahoma City bond issue and that the improvements could take place within two (2) years.

c) *Reports from Council:*

Council Member Hibbard gave the Council an update on the “KABoom” playground equipment grant application. Council Member Hibbard told the Council that it looks like the grant will be approved for 2019 in the amount of \$90,000 with a \$10,000 local match. Council Member Hibbard stated that he would like to enlist the support of local businesses to help pay the matching funds.

Vice-Mayor Wilkinson told the Council that he recently saw an article in the Journal Record about “Airbnbs” and thought this might be something The Village might consider allowing.

Vice-Mayor Wilkinson asked about the status of overlay in the 3000 Block of Carlton Way. Mr. Stone advised that A-Tech Paving will come back and extend the pavement as soon as the weather warms up. Mr. Stone advised that the additional work is needed to eliminate a low spot in front of Mr. Sander’s home at 3009 Carlton Way.

Vice-Mayor Wilkinson stated that it might be a good idea for the City to obtain some yard signs to place at various locations to remind people to vote on upcoming elections.

Vice-Mayor Wilkinson thanked everyone who voted in the bond and sales tax election on January 9.

Council Member Cummings also thanked the voters who turned out on Election Day and especially thanked Vice-Mayor Wilkinson for answering all the questions on social media.

Assistant City Attorney Jeff Sabin advised that legal counsel is working on architectural design standards and hoped that the Council could begin discussing the proposals in February.



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City Manager Bruce Stone told the Council that he was proud of the way the Council worked together to promote the bond and sales tax propositions and thanked the Council for showing the leadership to get this before the voters.

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 10:00 p.m.

Mayor Bennett

Vice-Mayor Wilkinson

Council Member Symes

Council Member Cummings

City Clerk

Council Member Hibbard