



CITY COUNCIL MINUTES
May 21, 2018

The City Council of the City of The Village, Oklahoma, met in regular session at City Hall on Monday, May 21, 2018, at 7:30 p.m., at 2304 Manchester Drive.

COUNCIL PRESENT

Sonny Wilkinson, Mayor
Bubba Symes, Vice-Mayor
Cathy Cummings, Council Member
Stan Alexander, Council Member
Dave Bennett, Council Member

STAFF PRESENT

Bruce K. Stone, City Manager
Beverly K. Whitener, City Treasurer
Leslie V. Batchelor, City Attorney

ITEM I: CALL TO ORDER.

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

ITEM II: INVOCATION & PLEDGE OF ALLEGIANCE.

Vice-Mayor Symes gave the invocation and led the Council in the Pledge of Allegiance.

ITEM III: APPROVAL OF MINUTES.

Mayor Wilkinson asked if there were any corrections, additions or deletions to the Minutes of the meeting held on May 7, 2018. There were no corrections, additions or deletions and the Council approved the Minutes of the meeting held on May 7, 2018, as written.

ITEM IV: CITIZENS DESIRING TO BE HEARD; PRESENTATIONS.

Mayor Wilkinson stated that this is the time set aside for citizens to address the Council on any matter not on the posted agenda.

There were no citizens desiring to be heard.

ITEM V. PUBLIC HEARING PROVIDING AN OPPORTUNITY FOR PUBLIC INPUT ON THE PROPOSED REZONING OF A 2.175 ACRE TRACT OF LAND BEING A PART OF THE NE/4 OF SECTION 25 TOWNSHIP 13 NORTH, RANGE 4 WEST OF THE INDIAN MERIDIAN, CITY OF THE VILLAGE, OKLAHOMA COUNTY, OKLAHOMA, ALSO KNOWN AS THE FORMER VILLAGE CHURCH OF CHRIST PROPERTY, 3025 CENTER STREET, FROM A-1 SINGLE FAMILY TO A-1 SINGLE FAMILY PLANNED UNIT DEVELOPMENT.

The Mayor stated that this a public hearing to provide an opportunity for public input on the proposed rezoning of a 2.175 acre tract of land at 3025 Center Street from A-1 Single



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Family to A-1 Single Family Mulford Center Planned Unit Development.

Keith Taggert, 10721 Sunrise Boulevard, addressed the Council in opposition to the proposed rezoning. Mr. Taggert provided the Council with a petition signed by residents who are also against the proposed rezoning. Mr. Taggert told the Council that the City has commissioned a study to provide a Masterplan for City parks and should also develop a masterplan for zoning. Mr. Taggert noted that the Council did not accept the Planning Commission's recommendation to deny rezoning of a lot on Hefner and that the Council's action in that rezoning was arbitrary.

City Manager Bruce Stone reviewed the provisions of the proposed Mulford Center Planned Unit Development and compared the proposed lot coverage, setbacks, units per acre and other zoning provisions to other residential developments in The Village. Mr. Stone reviewed the plan for drainage in detail showing maps and illustrations of the proposed plan for handling storm water discharge from the new development.

Several residents addressed the Council and expressed concerns about flooding and the worry that the new development would make flooding worse. City Engineer Bryan Coon explained the drainage plan for Mulford Center and stated that the plan would preserve historic flows and would not increase the flow to adjacent properties, streets or drainage structures. Mr. Coon further advised that the City is currently working on plans to address drainage issues on Northland and Sunrise and would also investigate possible improvements to the channel running to the east of Quail Circle.

Mr. Taggert told the Council that he is opposed to the proposed detention pond and the increase in population density. Mr. Taggert stated that the nine (9) new homes would change the face of the neighborhood. Mr. Coon explained how the detention pond is designed to work and noted that the pond does not hold water after the rain stops and would, therefore, not be a breeding place for mosquitoes.

Peggy Vogt addressed the Council and stated that she is concerned about the maximum coverages and how the houses will look.

Ms. Vogt asked who would check to ensure that buildings do not exceed the coverage restrictions. The City Manager advised that the Building Inspector must do a zoning compliance review as part of the building permit process.

Ms. Vogt asked Mr. Coon if he was the engineer for the Mulford Center development. City Manager Bruce Stone advised that Ms. Vogt is correct by raising this question and that the City Engineer cannot represent a developer and the City at the same time. Mr. Stone advised that, because of this inherent conflict of interest, the City has engaged Johnson & Associates to perform the required 3rd party review of the engineering plans. Mayor Wilkinson read a report



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from Tim Johnson, P.E. who reviewed the preliminary plans and found them to be acceptable.

Ms. Vogt asked who is responsible for maintenance of the detention pond. Mr. Coon stated that the pond would be maintained by the Home Owner's Association.

Mayor Wilkinson told the audience that drainage is on the minds of Council members and that with General Obligation Bond monies, the Council would make an effort to address these drainage issues and concerns.

There being no further comments or questions, the Mayor closed the public hearing.

ITEM VI. CONSIDERATION OF RESOLUTION 05-21-2018 (A) PERTAINING TO THE PROPOSED REZONING OF A 2.175 ACRE TRACT OF LAND ALSO KNOWN AS 3025 CENTER STREET FROM A-1 SINGLE-FAMILY TO A-1 SINGLE-FAMILY MULFORD CENTER PLANNED UNIT DEVELOPMENT.

After a brief discussion, Council Member Bennett moved to approve Resolution 05-21-2018 (A) approving the rezoning of 2.175 acres of land from A-1 Single Family to A-1 Single Family Mulford Center Planned Unit Development. Vice-Mayor Symes seconded the motion. The vote: Yea – Bennett, Cummings, Symes, Alexander and Wilkinson. Nay - none.

ITEM VII. CONSIDERATION OF RESOLUTION 05-21-2018 (B) PERTAINING TO THE PROPOSED PRELIMINARY PLAT OF THE MULFORD CENTER ADDITION TO THE CITY OF THE VILLAGE, OKLAHOMA.

After a brief discussion, Council Member Bennett moved to approve Resolution 05-21-2018 (B) approving the preliminary plat of the Mulford Center Addition to the City of The Village. Council Member Cummings seconded the motion. The vote: Yea – Bennett, Cummings, Symes, Alexander and Wilkinson. Nay - none.

ITEM VIII. CONSIDERATION OF RESOLUTION 05-21-2018 (C) AUTHORIZING THE CITY MANAGER TO OBTAIN COMPETITIVE BIDS FOR 2018 BOND ISSUE STREET IMPROVEMENT PROJECTS, TASKS 1, 2, 6, 7, 8 & 9 CONTAINING APPROXIMATELY 12 MILES OF RESURFACING.

City Manager Bruce Stone advised the Council that the bids for street improvements would be split into five separate contracts to provide an opportunity for several contractors, both large and small, to bid on the work. The city manager gave the Council an overview of the construction specifications.

Mayor Wilkinson about the timeline for these projects. The city manager advised that according to ACOG, ODOT plans to let bids for the Britton Road project in June with bid opening



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in July. Mr. Stone advised that other five contracts for street resurfacing would be put out to bid within the next month with bid openings no later than July. Mr. Stone advised that each contract would require work to be completed within six (6) months.

Vice-Mayor Symes asked if the bids would be awarded to the low bidder. City Attorney Leslie Batchelor advised that the City is bound to accept the lowest and best bid and that very compelling reasons would be needed to reject a low bid. The city manager advised that bidders would be prequalified and that there would be a mandatory pre-bid meeting with all interested bidders.

After a brief discussion, Vice-Mayor Symes moved to approve Resolution 05-21-2018 (C) authorizing the city manager to obtain competitive bids for 2018 Bond Issue Street Improvement Projects. Council Member Cummings seconded the motion. The vote: Yea – Bennett, Cummings, Symes, Alexander and Wilkinson. Nay - none.

ITEM IX. CONSIDERATION OF RESOLUTION 05-21-2018 (D) AUTHORIZING THE CITY MANAGER TO EXECUTE AGREEMENT WITH HUITT-ZOLLARS, INC. FOR ENGINEERING SERVICES RELATED TO THE 2018 GENERAL OBLIGATION BOND STREET PROJECTS – SIDEWALK IMPROVEMENTS.

City Engineer Bryan Coon advised the Council that his proposal for engineering services is for detailed plans for almost 8 miles of new sidewalk. Mr. Coon told the Council that he could provide more generic plans at a reduced cost but advised that bids could be significantly higher. Mr. Coon advised that contractors bidding from generic (less detailed) plans would have a tendency to add to their bids to cover contingencies during construction. Mr. Coon told the Council that his firm would evaluate existing sidewalk and determine what can be used and what needs to be replaced and that detailed plans would ensure compliance with the Americans with Disabilities Act.

After a brief discussion, Council Member Bennett moved to approve Resolution 05-21-2018 (D) authorizing the city manager to execute an agreement with Huitt-Zollars, Inc. for engineering services related to the construction of 41,000 linear feet (7.76 miles) of sidewalk pursuant to the 2018 General Obligation Bond Issue.

ITEM X. CONSIDERATION OF RESOLUTION 05-21-2018 (E) ESTABLISHING THE 911 TAX RATE FOR CALENDAR YEAR 2019.

City Manager Bruce Stone advised the Council that applicable State Law requires the Council to set the 911 tax rate for each calendar year. Mr. Stone advised that rate would remain at 3% of the base telephone line charge.



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After a brief discussion, Council Member Cummings moved to approve Resolution 05-21-2018 (E). Vice-Mayor Symes seconded the motion. The vote: Yea – Bennett, Cummings, Symes, Alexander and Wilkinson. Nay - none.

ITEM XI. CONSIDERATION OF RESOLUTION 05-21-2018 (F) ASSIGNING 911 FEES TO THE ACOG 911 ASSOCIATION FOR FY 2018-19.

City Manager Bruce Stone advised the Council that the assignment of 911 fees authorized by the Council last November expires on June 30, 2018 and would need to be renewed for Fiscal Year 2018-19.

After a brief discussion, Council Member Bennett moved to approve Resolution 05-21-2018 (F) assigning 911 fees to the ACOG 911 Association. Vice-Mayor Symes seconded the motion. The vote: Yea – Bennett, Cummings, Symes, Alexander and Wilkinson. Nay - none.

ITEM XII. CONSIDERATION OF RESOLUTION 05-21-2018 (G) DECLARING THAT 90% OF BUDGETED REVENUES ARE ON HAND AND AUTHORIZING EXPENDITURES EXCEEDING 90% OF APPROVED APPROPRIATIONS.

City Manager Bruce Stone advised the Council that the Municipal Budget Act requires the approval of his resolution every budget year. Mr. Stone advised that on May 14, 2018, the City had collected 95% of budgeted revenues.

After a brief discussion, Council Member Bennett moved to approve Resolution 05-21-2018 (G). Council Member Cummings seconded the motion. The vote: Yea – Bennett, Cummings, Symes, Alexander and Wilkinson. Nay - none.

ITEM XIII. REPORTS:

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

General Fund, 05-07-2018: \$166,570.12

(Note: The payment to EMSA in the amount of \$68,874 was in error and the check was returned by EMSA at the City's request)

b) Manager's Report:

City Manager Bruce Stone reported that the Sales Tax check for May was \$441,960, which is an increase of \$34,117 or 8.36% over the same period last year. Mr. Stone also reported that Use Tax was \$68,025, which is \$44,024 more than the same period last year.



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The city manager reported that the new webpage needs a lot of corrections before it is ready to go live. Mr. Stone told the Council that he would be able to get the review and corrections done after work on the budget is complete.

Mr. Stone reported that the city attorney has obtained the Declaration pages for the NLC Service Line Warranty program and that the document clarifies the extent of coverage. Mr. Stone stated that this should answer the questions the Council has about what is covered by the program and what is not. Mr. Stone advised that the city attorney has also made several amendments to the proposed agreement. The city manager reported that some cities participating in the program report that their residents are often confused about the program, the coverages and how the program works. Mr. Stone advised that the City does not administer the program but would be put in the position of “go-between” when disputes arise between the company and insured residents. The Council expressed reservations about the language for termination of the contract. The city attorney advised that she would review the terms of the agreement and offer appropriate changes at the next meeting.

The city manager showed the Council pictures of the “Flexamat” installed on Lanesboro Drive in Crossings at The Village. Mr. Stone advised that the required crash gate is on order.

The Council scheduled two meetings to work on the FY 2018-19 Budget. The Council agreed to meet on Thursday, May 24, 2018 at 11:30 a.m. and on Tuesday, May 29, 2018 at 11:00 a.m.

Mr. Stone reported that Huitt-Zollars has submitted a proposal to develop a Masterplan for City parks and community signage. Mr. Stone provided copies of the proposal to members of the Council. After a brief discussion, the city attorney recommended that an item be placed on the next agenda for the Council to consider the two Masterplan proposals. (*LAUD Studio proposal vs. Huitt-Zollars proposal*)

Mark Bishop, 1415 Carlisle Court, appeared before the Council to request that the Council allow his landscaping improvements to remain on the right-of-way. Council Member Bennett stated that he looked at the right-of-way encroachments and did not feel that they constitute a threat to the health, safety and welfare of the public. Council Member Bennett stated that the Council should consider allowing the landscaping to remain. Council Member Cummings agreed but expressed reservations about the depth of the water in the ponds and if it would be safe. Mr. Bishop stated that he could install a Plexiglas fence around the ponds to keep children out of the water. Vice-Mayor Symes stated that Mr. Bishop has made improvements all the way to the street. The city manager advised that some of the encroachments expose the City to liability. The city



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attorney concurred and stated that the right-of-way is public property and the encroachments pose a very serious risk. The Mayor asked that this matter be placed on the next agenda for further deliberation and action by the Council.

c) **Monthly Department Reports:** The Council reviewed the monthly Department Reports.

d) **Reports from the Council:**

Council Member Bennett advised that the Fire Department has responded several times to serious medical emergencies involving one of his neighbors. Council Member Bennett praised the Fire Department for their professional service in coming to the aid of this “medically-challenged” individual.

Council Member Cummings congratulated Mike Ray for his Lifetime Achievement Award from the Society of Professional Journalists, Oklahoma Pro Chapter.

Council Member Cummings thanked everyone who worked on The Village Fair and for making it a successful event.

Council Member Cummings reminded everyone about Yoga in the Park and Movie Night on May 26th in Duffner Park.

City Attorney Leslie Batchelor told the Council that she would be on vacation for the next meeting and that Jeff Sabin would attend the meeting on her behalf.

Mayor Wilkinson told the Council that the Oklahoma Tree Bank Foundation is offering grants for trees and that perhaps The Village could become a recipient.

Mayor Wilkinson stated that he has noticed houses that still have their holiday decorations up. The city manager advised that he would ask Code Enforcement to contact these residents and advise them that decorations are supposed to be removed within sixty (60) days of the holiday.

ITEM XIV. NEW BUSINESS.

There was no New Business to come before the Council.



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ITEM XV: ADJOURNMENT

There being no further business, the Mayor adjourned the meeting at 10:00 p.m.

Mayor Wilkinson

Vice-Mayor Symes

Council Member Bennett

Council Member Cummings

City Clerk

Council Member Alexander