



## CITY COUNCIL MINUTES

December 5, 2016

The City Council of the City of The Village, Oklahoma, met in regular session at City Hall on Monday, December 5, 2016, at 7:30 p.m., at 2304 Manchester Drive.

### **COUNCIL PRESENT**

Hutch Hibbard, Mayor  
Chris Bernardy, Vice-Mayor  
C. Scott Symes, Council Member  
Sonny Wilkinson, Council Member  
Dave Bennett, Council Member

### **STAFF PRESENT**

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

### **ITEM I: CALL TO ORDER.**

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

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

Mayor 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 November 21, 2016 regular meeting. There were no corrections, additions or deletions and the Council approved the Minutes of the November 21, 2016 regular meeting as written.

### **ITEM IV: CITIZENS DESIRING TO BE HEARD, PRESENTATIONS.**

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

Ben Mead-Harvey, The Village Library Manager, gave the Council a report on activities and programs at The Village Library.

Jim Bonfiglio, Casady School Director of Operations and Headmaster Nathan Sheldon appeared before the Council. Mr. Bonfiglio showed the Council a PowerPoint presentation explaining their planning for hosting an Arts Festival on the Casady School Campus in April 2017. Mayor Hibbard thanked Mr. Sheldon and Mr. Bonfiglio for coming to the meeting and sharing details of the upcoming event with the Council.

Joshua Trophe, representative of the Oklahoma City-County Health Department, appeared before the Council. Mr. Trophe gave the Council a presentation and



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encouraged the Council to extend the ban on smoking on City-owned property to include the use of vapor products and smokeless tobacco. City Attorney Leslie Batchelor asked Mr. Trophe if state law specifically empowers cities to regulate the use of vapor products on City-owned property. Mr. Trophe advised Ms. Batchelor that he would work with her to provide the appropriate state law references that authorize cities to regulate vapor products.

Beverly Boyd told the Council that the Little Caesar's on Britton Road would create a traffic problem.

**ITEM V:**            **CONSIDERATION OF ORDINANCE 716 AMENDING CHAPTER 24, SECTIONS 24-252 AND 24-254 PERTAINING TO OFF-STREET PARKING REQUIREMENTS; PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.**

City Manager Bruce Stone advised that Ordinance 716 was drafted by legal counsel and seeks to update and modernize the City's off street parking requirements. Mr. Stone told the Council that the provisions generally reduce the amount of parking required and tends to favor the preservation of green area and reduce stormwater discharge to the municipal storm sewer system.

After a brief discussion, Council Member Wilkinson moved to approve Ordinance 716. Council Member Bennett seconded the motion. The vote: Yea – Symes, Wilkinson, Bennett, Bernardy and Hibbard. Nay – none.

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

**ITEM VI:**            **CONSIDERATION OF ORDINANCE 717 AMENDING CHAPTER 20, SECTION 20-16 OF THE VILLAGE CITY CODE PERTAINING TO PERMITTED HEIGHTS FOR SIGNS; PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.**

City Attorney Leslie Batchelor told the Council that the proposed amendment is the result of discussions with representatives of Little Caesar's Pizza regarding the change in sign regulations after Little Caesar's had purchased and rezoned property on Britton Road. Ms. Batchelor advised that the maximum sign height of 15' was not acceptable to the developer. Ms. Batchelor advised that the Ordinance provides for a compromise sign height of 20'. *(Note: the maximum height prior to recent amendments was 35')*



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Council Member Wilkinson stated that he participated in discussions with representatives of Little Caesar but that he is not in favor of amending the Ordinance. Council Member Wilkinson stated that the business could file for a variance before the Board of Adjustment.

Council Member Symes stated that the passage of strict sign regulations after the developer purchased and rezoned the property was not fair and this should be fixed.

Mayor Hibbard agreed that the proposed amendment is a fair compromise.

After a brief discussion, Vice-Mayor Bernardy moved to approve Ordinance 717. Council Member Symes seconded the motion. The vote: Yea – Symes, Bennett, Bernardy and Hibbard. Nay – Wilkinson.

Council Member Symes moved to approve the Emergency Clause. Council Member Bernardy seconded the motion. The vote: Yea – Symes, Bennett, Bernardy and Hibbard. Nay – Wilkinson.

**ITEM VII: CONSIDERATION OF RESOLUTION 12-05-2016 (A) AUTHORIZING THE ISSUANCE OF A BUILDING PERMIT FOR A NEW 3,150 SQUARE FOOT LITTLE CAESAR'S PIZZA ON LOTS 7 & 8, BLOCK 2 CASADY HEIGHTS ADDITION, THE VILLAGE, OKLAHOMA COUNTY, OKLAHOMA.**

City Manager Bruce Stone advised the Council that the Planning & Zoning Commission reviewed the plans for a new Little Caesar's Pizza and adopted Resolution PC 12-05-2016 (A) recommending that the City Council authorize the issuance of a building permit.

Mr. Stone told the Council that the final site plan was the result of negotiations between the staff and the developer. Mr. Stone advised that the accommodations made on both sides were discussed in the Planning Commission meeting including, on-street parking, the location and design of the sign and sidewalks.

City Attorney Leslie Batchelor told the Council that there were several tradeoffs in the final site plan and commended the developer for being flexible and open to suggestions made by the City to improve the aesthetics of the development.

The Council reviewed the site plan and looked at pictures representative of the exterior design of the building.

After a brief discussion, Vice-Mayor Bernardy moved to approve Resolution 12-05-2016 (A) authorizing the issuance of a building permit for Little Caesar's Pizza. Council



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

**ITEM VIII: CONSIDERATION OF RESOLUTION 12-05-2016 (B) APPROVING THE ASSIGNMENT OF 9-1-1 FEES TO 9-1-1 ACOG.**

Mr. Stone advised that the enactment of new 9-1-1 legislation, requires that ACOG provide certain documentation to the newly formed Oklahoma 9-1-1 Management Authority and the Oklahoma Tax Commission, which confirms and certifies the local jurisdiction's population and the proper recipient of the 9-1-1 fees collected on behalf of the local jurisdiction.

Council Member Bennett advised that ACOG has asked all their member Cities to approve the assignment of 911 fees to the ACOG 9-1-1 Association so that ACOG can continue to receive our 9-1-1 fees and keep our regional 9-1-1 system funded and operational.

After a brief discussion, Council Member Bennett moved to approve Resolution 12-05-2016 (B). Council Member Symes seconded the motion. The vote: Yea – Symes, Wilkinson, Bennett, Bernardy and Hibbard. Nay – none.

**ITEM IX: CONSIDERATION OF RESOLUTION 12-05-2016 (C) APPROVING HOLIDAY BONUS FOR CITY EMPLOYEES.**

After a brief discussion, Mayor Hibbard moved to approve Resolution 12-05-2016 (C). Vice-Mayor Bernardy seconded the motion. The vote: Yea – Symes, Wilkinson, Bennett, Bernardy and Hibbard. Nay – none.

**ITEM X: REPORTS:**

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

1. 12/01/2016: *General Fund, \$89,727.22;*
2. 12/01/2016: *Special Park Fund, \$83.10.*

b) **Manager's Report:**

City Manager Bruce Stone reviewed a report from OG&E explaining the reason for recent power interruptions. Mr. Stone advised that OG&E reports that all of the power outages were due to situations beyond the company's control.



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Mr. Stone told the Council that Code Enforcement is attempting to educate the public about the long standing ordinance pertaining to the placement of trash carts. Mr. Stone advised that the door hangers have not all been well-received.

Council Member Wilkinson thanked Sergeant Green for posting explanations to questions on Facebook.

Vice-Mayor Bernardy asked about the RFP for audit services. Mr. Stone advised that this was recommended by legal counsel and that proposals are due January 10.

The city manager reported the ODEQ has approved the City's Stormwater Plan.

Mr. Stone reported that negotiations with the FOP are close to completion.

The Council discussed a report provided by City Prosecutor Matt Love regarding a vicious dog hearing.

The Council reviewed the annual TIF reports.

### **c) Reports from the Council:**

Council Member Wilkinson stated that he would like to see more effort put into public education about city-related services, ordinances, etc.

Council Member Bennett reminded each member of the Council to choose the best decorated house in their respective ward.

Council Member Bennett told the Council that ACOG is in the process of moving to their new location on Lincoln Boulevard. Council Member Bennett advised the Council that there would be an Open House on December 15 from 3:30 p.m. to 6:00 p.m.

Vice-Mayor Bernardy asked Sergeant Green about body cameras. Sergeant Green stated that the department has had body cameras in use for a year and a half. Vice-Mayor Bernardy asked if the department is happy with the policy. Officer Green said that it appears that everyone is happy with the policy.



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The Council discussed setting a time for a special work session to discuss the possible adoption of new regulations for boats, trailers, trucks, recreational vehicles and similar issues.

**ITEM XI:**      **NEW BUSINESS**

There was no New Business to come before the Council.

**ITEM XII:**      **ADJOURNMENT**

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

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Mayor Hibbard

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Vice-Mayor Bernardy

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Council Member Bennett

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Council Member Wilkinson

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City Clerk

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Council Member Symes