MUSTANG CITY COUNCIL
JANUARY 3, 2012

The Mustang City Council met in regular session on Tuesday, January 3, 2012 at 7:00 p.m. in the Mustang Municipal Building Council Chambers. Notice of the meeting was posted on the Bulletin Board outside the Mustang Municipal Building on Thursday, December 30, 2011 at 1:28 p.m. in compliance with the Open Meeting Law, 25 O.S., Section 301, et. seq.

A. CALL TO ORDER

Mayor Landrith called the meeting to order at 7:00 p.m.

B. PLEDGE OF ALLEGIANCE/INVOCATION

Councilman Terry Jones led the assembly in the Pledge of Allegiance and the prayer.

C. ROLL CALL

Councilmembers Present:	**Adams**
	Grubbs
	Green
	Jones
	Hagan
	Mount
	Landrith
Councilmembers Absent:	**None**

D. INTRODUCTION OF GUESTS/HEARING OF CITIZENS OR DELEGATES

There was none.

E. NEW BUSINESS, DELETIONS OR CONTINUANCES TO THE AGENDA

There was no new business, deletions or continuances to the agenda.

F. CONSENT AGENDA

1. Approval of **12/20/11** City Council Minutes.
2. Approval of **12/15/11** City Council Special Meeting Minutes.
*3. Approval of Claims List for **FY '12**
*4. Approval to Turn Past Due Utility Accounts Over to the Collection Agency.
5. Acceptance of State Aid Funds from the Oklahoma Department of Libraries to the Mustang Public Library.

MOTION was made by **Councilman Adams**, seconded by **Mayor Landrith** to approve the Consent Agenda.

AYE: Adams, Grubbs, Green, Jones, Hagan, Mount, Landrith
NAY: None

G. INFORMATION/REPORTS

1. City Manager

City Manager Rutledge reported that the stop signs at SW 59th and Highway 92 should be put up very quickly. He talked to Oklahoma City representative and they stated that they would be up soon.

2. City Council

Councilman Adams and Councilman Grubbs wished everyone a Happy New Year.

Councilman Jones asked if there could be extra patrol at SW 59th and Highway 92 when the signs do go up.

City Manager Rutledge stated that he would do that when they are put up.

Mayor Landrith went over a list of projects to see where the City Manager is on these projects.

Mayor Landrith stated that hopefully our road and water maintenance contract will be coming up sometime in February.

City Manager stated "yes".

Mayor Landrith asked if S. Czech Hall Road is still scheduled for the June-July time schedule when school is out.

City Manager stated "yes".

Mayor – Rollin Acres is still scheduled for May-June time frame.

Mayor – Silver Drive stated that Councilwoman Hagan would have to address this issue for the next budget year.

Mayor asked if **sidewalks** are set for April-May time frame.

Rutledge stated that we are waiting for spring to come.

Mayor – Light signalization is being worked out.

Mayor- Painting water tower-He stated that the City Manager was going to have the water tower scanned by a company to see what, if anything, needed to be done to it before painting it.

City Manager stated that he has a report and will make it available to Council.

Mayor Landrith asked about **59th & Highway 92**

City Manager Rutledge stated that they are moving forward with the stop signs.

Mayor asked about **East Highway 152 street lights.**

Rutledge stated that we are still working on this to get it resolved.

H. DISCUSSION ITEMS

1. **Public Hearing, Discussion, Consideration and Possible Action** Regarding Approval of **Ordinance No. 1063** Amending the Zoning Ordinance of the City of Mustang as Amended to Change Certain Property Located in Canadian County from "C-1", Office Professional Business District to "R-2" Two Family District and Declaring Repealer; Providing for Severability and Declaring an Emergency. (Located at 1832 & 1840 E. State Highway 152)

Melissa Helsel, City Planner passed out additional information and maps regarding this rezoning to Council. She reported that the applicant is Josh Sechrist and he is requesting that the zoning be changed from C-1 to R-2 on property that is located at 1832 and 1840 E. SH 152. The property has sewer and water service, is undeveloped at this time with heavy cover of trees and brush and the lots are shallow. The Comprehensive Plan calls for light commercial in the front and multi-family residential development to the south of this property.

She stated that the property to the south is zoned R-E, to the west is zoned C-1, to the north is zoned C-5 and to the east is zoned R-E.

She also stated that the Planning Commission voted unanimously to approve this rezoning. Staff also recommends approval.

MOTION was made by **Mayor Landrith**, seconded by **Councilman Adams** to open the Public Hearing.

AYE: Adams, Grubbs, Green, Jones, Hagan, Mount, Landrith
NAY: None

No one spoke in favor of or against the rezoning in the Public Hearing.

MOTION was made by **Mayor Landrith**, seconded by **Councilman Adams** to close the Public Hearing.

AYE: Adams, Grubbs, Green, Jones, Hagan, Mount, Landrith
NAY: None

MOTION was made by **Mayor Landrith**, seconded by **Councilman Green** to approve **Ordinance No. 1063,** Item H-1.

Councilwoman Hagan asked if there would be a circular drive so people could back out easily onto Highway 152.

Josh Sechrist explained that they will have one egress with two car lengths wide and a common drive on the property so all can use the drive. He stated that no one wants to back out on the Highway.

Sechrist stated that they will all have their individual driveway with one common driveway.

Councilman Jones asked how much the rent would be for these and Sechrist stated $950 to $1,000 per month. They will be very nice.

The vote was taken.

AYE: Adams, Grubbs, Green, Jones, Hagan, Mount, Landrith
NAY: None

MOTION was made by **Mayor Landrith**, seconded by **Councilman Jones** to approve **the Emergency Clause.**

AYE: Adams, Grubbs, Green, Jones, Hagan, Mount, Landrith
NAY: None

2. **Discussion, Consideration And Possible Action** With Respect To **Ordinance No. 1064** Of The Council Of The City Of Mustang, Oklahoma, Authorizing The Calling And Holding Of A Special Election In The City Of Mustang, State Of Oklahoma (The "City"), On The 6th Day Of March, 2012, For The Purpose Of Submitting To The Registered Qualified Electors Of Said City The Question Of The Issuance Of The Bonds Of Said City In An Amount Not To Exceed The Sum Of Three Million Six Hundred Thousand Dollars ($3,600,000) To Be Issued In Series To Provide Funds For The Purposes Of (I) Constructing And Equipping An Expansion To The Town Center Building For Purposes Of Expanding The Mustang Municipal Library And The Banquet Room, To Be Owned Exclusively By The City, And (II) Constructing And Equipping A Youth Baseball Complex To Be Located In Wild Horse Park In Mustang, Oklahoma, To Be Owned Exclusively By The City; Levying And Collecting An Annual Tax, In Addition To All Other Taxes, Upon All The Taxable Property In Said City For The Payment Of The Interest And Principal On Said Bonds; And Authorizing Professional Services Agreements Pertaining To The Issuance Of Said Bonds and Declaring an Emergency.

Jon Wolff talked about the upcoming Bond Election and passed out an overview of dollars and cents regarding what would be involved in two separate propositions and what the aggregate bond size would be. We will also go through the Ordinance calling the election and go through the descriptions of the project as required by state law.

He explained that to have the election on March 6th we have to have this Ordinance to the Election Board by Thursday the 5th of January so everything has to be agreed upon tonight.

He stated that there are two propositions being presented. One is for the Library expansion and the Banquet Room expansion and the second proposition is for the ball fields.

Wolff stated that his fee and the Bond Counsel fee would be the same as in previous elections and that is ½ of 1% of the principal amount of the issued Bonds, subject to a minimum fee of $15,000 per issuance of Bonds. Expenses shall also be paid at a fixed amount of $2,500. They receive no payment unless the Bond passes. The City pays nothing for the preparation of the work that goes into preparing for the Bond Issue. When there is a closing of the Bond then they get paid.

Wolff explained that the GO Bond has to be bid competitively and there is an Attorney General's examination fee. The Attorney General's office reviews all documents prepared by the Bond Counsel. He stated if both propositions passed it would be an estimated cost of $60,000 on a $3.6 million Bond Issue. It was $3.5 million but they added the cost of the issuance and each proposition has to be addressed individually.

Jones asked what it will cost the City if neither proposition passes.

Wolff stated the City would have to pay the election costs and publications costs but the City will not owe the Bond Advisors a dime.

Wolff stated that tonight we have to solidify what the City is taking to the voters and he talked about the mill levy now and what we had in the past.

Wolff went over what happens after this goes to the voters on March 6, 2012. There will be a sale of the Bonds and required forms will be prepared for the Attorney General. After a 30 day period passes the Bonds would close around June 1st.

Wolff explained further that this is a 15 year term. We have to look at this fifteen (15) year term and see if it would be advantageous for us to call the bond in eight (8) years. If we would do a five year call it would cost a premium in the interest rate. We feel that an eight (8) or nine (9) year call does not really cost the City. This is a General Obligation Bond Issue. Discussion continued regarding the mill levy.

Mayor Landrith asked the City Manager how he came up with these numbers for the projects.

Rutledge explained that he called several engineers to get the numbers on what it would cost to do this project. We were a little conservative with these numbers. He went on to talk about the Library and Banquet Room Expansions. He stated that there would be six (6) ball fields constructed which consists of dirt work, drainage, etc. The Banquet Room would be a 3,300 square foot expansion.

Battles stated that there are now seven (7) ball fields but they are not multi-use fields. All six of these fields could all be utilized the same as the soft ball fields.

Bond Counselor, Allan Fagin went over the ballot on page 3 that explains that Proposition No. 1 is the expansion of the Library and the Banquet Room in Town Center and Proposition No. 2 is the construction of a Youth Baseball Complex. On page 4, Section 2 the Ordinance described the projects, etc.

Fagin stressed to Council to make sure they are comfortable with the wording in the propositions.

He stated that there is an emergency clause and the Ordinance will be published once in full and it also approves engagement letters for the Bond Counsel and Financial Advisors.

MOTION was made by **Mayor Landrith**, seconded by **Councilman Grubbs** to approve **Ordinance No. 1064, Item H-2** as listed.

AYE: Adams, Grubbs, Green, Jones, Hagan, Mount, Landrith
NAY: None

MOTION was made by **Mayor Landrith**, seconded by **Councilman Grubbs** to declare an emergency.

Councilwoman Hagan asked about the wording in the Ordinance that says the City Clerk will read the Ordinance aloud.

The Attorneys stated that is wording that is always put in by the Attorney General but isn't usually read but it can be.

City Attorney Jon Miller read the heading of the Ordinance to the assembly.

The vote was taken.

AYE: Adams, Grubbs, Green, Jones, Hagan, Mount, Landrith
NAY: None

J. CITY ATTORNEY'S REPORT

There was no report.

K. ADJOURNMENT

MOTION was made by **Mayor Landrith**, seconded by **Councilman Adams** to adjourn.

AYE: Adams, Grubbs, Green, Jones, Hagan, Mount, Landrith
NAY: None

The meeting was adjourned at **8:05 p.m**.

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Mayor

Attest:

____
City Clerk

MUSTANG IMPROVEMENT AUTHORITY
JANUARY 3, 2012

The Mustang Improvement Authority met in regular session on Tuesday, January 3, 2012 at 7:00 p.m. in the Council Chambers. Notice of the meeting was posted on the Bulletin Board outside the Mustang Municipal Building on Thursday, December 30, 2011 at 1:28 p.m. in compliance with the Open Meeting Law, 25 O.S., Section 301, et. seq.

A. CALL TO ORDER

Chairman Landrith called the meeting to order at 8:05 p.m.

B. ROLL CALL

Trustees Present: **Adams**
Grubbs
Green
Jones
Hagan
Mount
Landrith

Trustees Absent: **None**

C. NEW BUSINESS

There was no new business.

D. CONSENT AGENDA

1. Approval of **12/20/11**City Council Minutes.
*2. Approval of Claims List for **FY '12**
*3. Approval to Turn Past Due Utility Accounts Over to the Collection Agency.

MOTION was made by **Chairman Landrith** and seconded by **Trustee Adams** to approve the Consent Agenda.

AYE: Adams, Grubbs, Green, Jones, Hagan, Mount, Landrith
NAY: None

E. INFORMATION / REPORTS

1. **Trustee Manager**
2. **Trustees**

There were no reports.

F. ADJOURNMENT

MOTION was made by **Chairman Landrith** and seconded by **Trustee Adams** to adjourn.

AYE: Adams, Grubbs, Green, Jones, Hagan, Mount, Landrith
NAY: None

Meeting was adjourned at **8:06** p.m.

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Chairman

ATTEST:

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Secretary