MUSTANG CITY COUNCIL
SEPTEMBER 4, 2012

The Mustang City Council met in regular session on Tuesday, September 4, 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, August 30, 2012, at 4:30 p.m. in compliance with the Open Meeting Law, 25 O.S., Section 301, et. seq.

A. CALL TO ORDER

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

B. PLEDGE OF ALLEGIANCE/INVOCATION (Pastor Jim McNabb, The Bridge AG)

Associate Pastor Kenneth McGee with The Bridge AG led the assembly in the Pledge of Allegiance and the Prayer.

Pastor McGee talked about their new building being completed and the additional Sunday school space being remodeled for the children's ministry.

C. ROLL CALL

Roll was called by Trisha Winham, City Clerk and it was as follows:

Councilmembers Present:	**Taylor**
	Bowers
	Jones
	Hagan
	Mount
	Adams
Councilmembers Absent:	**Grubbs**

D. INTRODUCTION OF GUESTS/HEARING OF CITIZENS OR DELEGATES

John Kyrianis spoke to Council and thanked them for their service to the community along with City employees and Fire and Police and ambulance. He also thanked his Ward I Councilmember Matthew Taylor for doing a great job in representing Ward I. Kyrianis stated that they love him in his Ward. He also stated that we need more young people like Councilman Taylor.

Kyrianis talked about the spirit of a child and making a special day for the children in the City. We read about all the children that get abused and molested. He feels that the people that do this do not have any rights. Maybe if we have a "Spirit of a Child" Day then maybe this will snowball and maybe we can have a National Holiday for these children. Our future is our Children. He feels this is a most holy thing that we can do for our children.

Councilman Taylor thanked Kyrianis for his words and stated that it is a pleasure to serve Ward I citizens.

E. NEW BUSINESS, DELETIONS OR CONTINUANCES TO THE AGENDA

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

F. <u>CONSENT AGENDA</u>

1. Approval of **08/21/12** City Council Minutes.
*2. Claims List for **FY '13**
*3. Approval to Turn Past Due Utility Accounts Over to Collection Agency.
4. Approval of **Resolution No. 13-007**, Making Changes in the General Fund Budget by Making a Supplemental Appropriation to Increase the 2012-2013 Fiscal Year Budget by **$1,822**.
5. Approval of **Resolution No. 13-008,** Making Changes in the General Fund Budget by Making a Supplemental Appropriation to Increase the 2012-2013 Fiscal Year Budget by **$1,975**.
6. Approval of **Resolution No. 13-009,** Making Changes in the General Fund Budget by Making a Supplemental Appropriation to Increase the 2012-2013 Fiscal Year Budget by **$874**.
7. Approval to Turn Past Due Library Accounts Over to Collection Agency.
8. Approval of **2012 Library Board Annual Report** Filed with the Oklahoma Department of Libraries.

Councilman Mount asked that **Items F-1 and 2** be pulled for separate discussion.

MOTION was made by **Councilman Taylor,** seconded by **Councilwoman Bowers** to approve Items F-3 through 8 of the Consent Agenda**.**

AYE: Taylor, Bowers, Jones, Hagan, Mount, Adams
NAY: None

Councilman Mount stated that in the minutes the Mayor asked where the City was in regards to the Soccer Contract. He wanted an update on this issue.

Justin Battles, Parks/Recreation Department stated that Phase A has been published to go out for bid and there will be a pre-bid conference at 10:00 a.m. on September 12, 2012 and the bids will be opened at 2:00 p.m. on September 21, 2012. He stated that Phase B is being worked on by the engineers and should be able to publish the notice to bid next week sometime. He feels that we may have at least three bidders and maybe more.

MOTION was made by **Councilman Taylor**, seconded by **Councilman Mount** to approve Item F-1.

AYE: Taylor, Bowers, Jones, Hagan, Mount, Adams
NAY: None

Councilman Mount asked, in reference to Item F-2, about engineering services under street and drainage improvements, Page 7 of the claims list. He stated that the contract is set forth with two options, lump sum payment or by hour. Will this be done as a lump sum or by the hour? He also wanted to know where we were on the street and drainage improvements.

Rutledge explained LED light contract was not to exceed $60,000 and we came in under the $60,000.

The sight plan reviews for Community Development is done at an hourly rate.

Mount asked about $44,000 on street and drainage on page 7.

Rutledge stated that the engineering services are tied to the Czech Hall Road Project.

MOTION was made by **Councilman Mount**, seconded by **Councilwoman Bowers** to approve Item F-2.

AYE: Taylor, Bowers, Jones, Hagan, Mount, Adams
NAY: None

G. INFORMATION/REPORTS

1. City Manager

City Manager Rutledge stated that there were 250 cars registered at the car show and the citizens seemed excited and happy with the show. He stated that Silver Star worked very hard to get the City ready for the car show. He also stated that there was a tremendous amount of staff at the car show and thinks it was a huge success.

He talked about the car show moving the World Headquarters to Mustang permanently someday to showcase their Club.

Rutledge stated that the mowing crews are mowing drainage ditches now. They are working diligently trying to get things done for Western Days this next week-end.

Councilman Taylor talked about the West Nile disease and that there have been two cases reported in Canadian County. He stated that Oklahoma County is having more of a problem than Canadian County.

City Manager Rutledge stated that the City has received equipment from the Health Department to help get rid of mosquitoes but it got here to late in the year last year but it can be used this year. He stated that when the mowing is done staff will get pro-active in taking care of the mosquito issue.

Steve Shawn, Silver Star Construction spoke to Council regarding using the City of Moore's equipment for the mosquitoes hopefully in the next 3 or 4 days. The chemicals are totally people and pet friendly.

Rutledge stated that he had a phone call today regarding repair work to be done on rodeo club roads. We will try to put down some asphalt before the show.

Rutledge talked about recurring debris showing up in recycling bins and he explained that these are hand sorted and are causing problems for employees doing the sorting. This problem is getting worse by the day. Food and by products are being put in these recycling carts. Some people are getting needle sticks from the debris in these carts. This is putting our recycling program in jeopardy. We are continuing to work on this issue and will keep Council updated. It may be too dangerous to the workers to continue this program.

Councilman Taylor pointed out that this program is a privilege and may need to be taken away.

Rutledge stated that he thinks some people may use it for another trash cart.

Councilman Jones asked if we had any laws in regards to this recycling issue.

Rutledge replied we have nothing in specific but we are doing research on what other Cities are doing in regards to this problem.

2. <u>City Council</u>

Councilman Taylor stated that the Mason's are having breakfast this Saturday before the Western Days Parade. He invited everyone to attend.

He stated that there is a stop sign northbound at South Chris Lane that is blocked by a huge tree and City Manager Rutledge stated that he has already looked at it and taken care of it.

Taylor commented that he would like to see an Oklahoma Flag at the Police Station and the Fire Station.

Taylor also stated that mosquito bites are more prevalent in the early morning and evening hours. Please use caution this weekend.

Taylor asked for a schedule for heavy trash pick-up. He stated that he would like to know when we do it each year.

Rutledge stated that he did not have the schedule with him tonight.

Taylor asked that the City Manager give a report at the next meeting on this.

Mayor Adams stated that he thinks it is done once in the Spring and once in the Fall.

Taylor asked what the cost would be to do this pick up quarterly in lieu of twice a year.

City Manager Rutledge stated that he would check on that for him.

Councilwoman Bowers stated that the park has been painted and it looks very nice in Ward III.

Rutledge commented that he met some citizens at the Park and they seemed very pleased with everything that had been done.

Councilman Jones stated that he loves Ward IV and appreciates all the City services. He also thanked the City for the Czech Hall Road Project.

Councilman Mount stated that he had a call from Mr. Gordon who lives in East Pointe Addition and he thinks the City needs one more ordinance. He stated that people need to get unsightly garbage cans out of their front yard. Mr. Gordon stated that he called the City about this and they told him that the ordinance in place now states that the poly carts need to be removed from the curb within 24 hours of pick up. Councilman Mount stated that it just doesn't say that it needs to be removed within 24 hours of pick up but it also stated it must be put behind the front building line.

Mount stated that he informed Mr. Gordon of that but hasn't heard anything from him since then so he hoped that helped answer his question. Mount also stated that in his opinion we have an ordinance that addresses that issue.

Councilman Mount stated that he has been getting a constant complaint from his wife regarding the water problem at his house. For 18 years they did not have a water problem but they do now since February and she asks at least twice a week when it will be fixed. She asks does the City know what the problem is and can they fix it? There will be a full flow of water then it goes up and down. His answer to his wife is that "Yes" the City is aware of this and "No" it is not going to be fixed. Council had appropriated $250,000 to fix this problem but the new Mayor suggested in the paper that he is going to use the $250,000 to cover a shortage on the Severn Trent Contract.

Mayor Adams stated that the $250,000 for the sewer lift station on the west side of town wouldn't have anything to do with Mount's water.

Mount stated that that he did not agree.

Mayor Adams stated that he does not have the authority to do what Mount is saying he is trying to do. Those things have to go before Council.

City Manager Rutledge asked who would be attending the Western Days event and who would be handing out candy at the Parade.

Hagan stated that she would not be handing out candy. She will not pass out hard candy for children.

Taylor and **Mount** would not be available to attend and pass out candy.

Mayor Adams commented on the Proclamation that the Mustang Fire Department received from the City of Norman for their assistance with the fires in their area.

H. DISCUSSION ITEMS

1. **Public Hearing, Discussion, Consideration and Possible Action Regarding Approval of Ordinance No. 1074, Amending the Zoning Ordinance of the City of Mustang as Amended to Change Certain Property Located in Canadian County from "C-2" Commercial Neighborhood District to "C-3" Commercial General District and Declaring Repealer; Providing for Severability and Declaring an Emergency.**

Melissa Helsel, Planning Director, reported to Council that the applicant is requesting a change in zoning from "C-2' Commercial Neighborhood to "C-3" Commercial General District. The property is approximately 1.87 acres located at the Northeast corner of North Country Club Terrace and East SH 152. The physical address is 1805 E. SH 152. It is undeveloped at this time.

She stated that Valir currently operates a Physical Therapy office in Mustang but would like to build a larger clinic on this site. The minimum zoning district that allows a medical facility is C-3, Commercial General.

She pointed out that a preliminary site plan is included in Council's packet but this plan is subject to change and is presented to give a general idea of the developer's plans. The traffic count is approximately 22,000. The Fire and Police

Departments had no problems with this. Staff and the Planning Commission recommended approval because it goes along with the Comprehensive Plan.

Councilman Taylor stated that he is concerned because there is an error in the legal description of the property and he asked the City Attorney if this has been corrected.

City Attorney Miller stated that there was and it has been corrected. There was about a two foot difference so staff contacted the surveyor in regards to this issue and everyone that should have been notified was notified.

Councilman Taylor also commented that the intersection at Country Club Terrace looks a bit narrow. He feels that there is a greater traffic safety issue here than we think.

Mayor Adams stated that he feels that the traffic for a medical office would only be about 40 to 50 cars a day and would probably enter off of SH 152 instead of Country Club. He feels that these two roads could handle this traffic. This is just his opinion because he lives in this area and knows the area well.

MOTION was made by **Councilman Jones** and seconded by **Councilwoman Hagan** to open the meeting to a **Public Hearing**.

AYE: Taylor, Bowers, Jones, Hagan, Mount, Adams
NAY: None

No one spoke in favor or against this Item.

MOTION was made by **Mayor Adams** and seconded by **Councilman Jones** to close the **Public Hearing**.

AYE: Taylor, Bowers, Jones, Hagan, Mount, Adams
NAY: None

MOTION was made by **Mayor Adams** and seconded by **Councilwoman Hagan** to approve Item H1.

AYE: Taylor, Bowers, Jones, Hagan, Mount, Adams
NAY: None

MOTION was made by **Mayor Adams** and seconded by **Councilman Jones** to approve the Emergency Clause.

AYE: Taylor, Bowers, Jones, Hagan, Mount, Adams
NAY: None

2. **Discussion, Consideration and Possible Action Regarding Appointment of One (1) City Council Member as Alternate to the COWRA Board of Directors.**

Rutledge voiced his concern regarding the need for an alternate to the COWRA Board of Directors who can vote for the City of Mustang. If Richard Riley did not attend these meetings Mustang would have no vote. The Alternate would vote for Mustang when Mr. Riley is unable to attend these meetings.

Mayor Adams asked Council to consider appointing him as the Alternate.

MOTION was made by **Councilman Jones** and Seconded by **Councilwoman Hagan** to Appoint **Mayor Adams** as the Alternate to the COWRA Board of Directors.

AYE: Taylor, Bowers, Jones, Hagan, Mount, Adams
NAY: None

J. <u>CITY ATTORNEY'S REPORT</u>

There was no report.

K. ADJOURNMENT

MOTION was made by **Mayor Adams** and seconded by **Councilwoman Hagan** to adjourn the meeting.

AYE: Taylor, Bowers, Jones, Hagan, Mount, Adams
NAY: None

Meeting was adjourned at **7:50 p.m**.

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Mayor

Attest:

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City Clerk

MUSTANG IMPROVEMENT AUTHORITY
SEPTEMBER 4, 2012

The Mustang Improvement Authority met in regular session on Tuesday, September 4, 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, August 30, 2012, at 4:30 p.m. in compliance with the Open Meeting Law, 25 O.S., Section 301, et. seq.

A. CALL TO ORDER

Chairman Adams called the meeting to order at 7:50 p.m.

B. ROLL CALL

Councilmembers Present:	**Taylor**
	Bowers
	Jones
	Hagan
	Mount
	Adams
Councilmembers Absent:	**Grubbs**

C. NEW BUSINESS

There was no new business.

D. <u>CONSENT AGENDA</u>

1. Approval of **08/21/12** MIA Minutes.
*2. Claims List for **FY '13**
3. Approval of **Resolution No. 13-010,** Making Changes in the Mustang Improvement Authority Fund Budget by Making a Supplemental Appropriation to Increase the 2012-2013 Fiscal Year Budget by $35,449.
*4. Approval to Turn Past Due Utility Accounts Over to Collection Agency.

MOTION was made by **Chairman Adams** and seconded by **Trustee Jones** to approve Items 1 through 4 of the Consent Agenda.

AYE: Taylor, Bowers, Jones, Hagan, Mount, Adams
NAY: None

E. INFORMATION/REPORTS

1. Trustee Manager

City Manager Rutledge stated that COWRA is having a Special Meeting on Thursday, September 6th and the Chairman will need to attend that meeting.

2. Trustees

No report.

F. ADJOURNMENT

MOTION was made by **Chairman Adams**, seconded by **Trustee Bowers** to adjourn the meeting.

AYE: Taylor, Bowers, Jones, Hagan, Mount, Adams
NAY: None

Meeting was adjourned at **7:51 p.m.**

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Chairman

Attest:

____
Secretary