MUSTANG CITY COUNCIL
JANUARY 17, 2012

The Mustang City Council met in regular session on Tuesday, January 17, 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 Friday, January 13, 2012 at 11:15 a.m. in compliance with the requirements of 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 Jones led the assembly in Prayer and the Pledge of Allegiance.

C. ROLL CALL

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

D. INTRODUCTION OF GUESTS/HEARING OF CITIZENS OR DELEGATES

Councilman Jones then asked the Boy Scout Pack #885 to say the Pledge of Allegiance again since they did such a good job the first time.

Mayor Landrith presented each Boy Scout a City of Mustang Pin.

1. Presentation for the Central Oklahoma Water Resources Authority (COWRA) by Richard Riley.

Mayor Landrith introduced County Commissioner's Anderson, Jack Stuart and former Mayor Richard Riley and Riley gave a report on COWRA.

Richard Riley spoke to Council regarding COWRA. He complimented Council on all of their efforts. He stated that they are searching for alternative water supplies. COWRA is responsible for the science and research to find an alternative water supply. We have searched literally all over Oklahoma for this water source. We have looked for surface water and ground water and this search showed that the best source of water we have available is right here with us. We began to study this and we came to the conclusion that the best thing is a procedure called Reverse Osmosis. We are looking hard for the City of Mustang to find an alternative water supply. He went on to speak of Dasani Water and the fact that he called and spoke to a representative of this company. They use Reverse Osmosis in the production of their water. After this procedure the water is so pure that they have to add minerals to make the water taste better. That is how pure the water is.

Mr. Riley then introduced Sean Leppard who is a representative of COWRA. Mr. Leppard stated that there are three criteria that must be met:

1. Quality
2. Quantity
3. Cost

As COWRA this has been our goal. We look at these three criteria and judge any project on these three criteria. We all know the demand. Canadian County is the fastest growing County in Oklahoma. Over the last 10 years you are looking at 31% growth. Between now and 2060, over the next 50 years, you are looking at going from 106,000 residents to 150,000 residents. So we are not done growing yet. You also must look at the rates. In 2001 EPA came out and said that you have to lower your arsenic from 50 parts per billion to 10 parts per billion. COWRA was formed in 2002 and started looking at alternative water sources. The pipeline from Arbuckle Simpson cost was about $200 million. In 2003 legislature met and put a moratorium on this and said that we could not have this water. Until that point in time COWRA thought we had this problem solved. In 2005 a report was finished regarding good ground water around and along South Canadian River. This was good quality water that did not have the arsenic in it. This issue came to about $63 million. This included the treatment plant and the transmission to get the water where it needed to go.

Mr. Leppard joined COWRA in 2006 and spoke with people from the State Capital and the Water Resources Board. There was a lot of concern about us doing this basically because Oklahoma City was redoing Bricktown and they did not want us to do anything to affect the water levels. They encouraged us to look at some other options. At that point since the state kept us from doing one project we started looking in other areas. The next project we looked at was doing a well field in Cleveland County. We had some people come to us and say that we could buy this water supply but we would have to pipe it to Canadian County. The problem with this was that they would maintain the ownership of this water. We were not buying the ownership of this water, but instead, we were just buying the right to use the water. This is the same contract that we now have with Oklahoma City. We have no long term control over your water rates. The landowner does. Cleveland County also had the same water quality that we do. In Cleveland County the chromium 6 is much higher than what we now have. That issue was dismissed due to this.

Mr. Leppard then spoke regarding Lake Sardis. For the City of Mustang, without the transmission costs from Oklahoma City to Mustang, it was going to cost about $7.00 per thousand gallons of water. We would be looking at quadrupling our costs. The report stated that we should look for other options. We then went back to the drawing table.

He then spoke regarding brackish water. Brackish water is salt water. This water has gone down in price tremendously but at that time we had not considered brackish water because it is not usable. Mr. Leppard went down to Texas to see what they are doing with brackish water and saw that it really made sense. The plant that they are talking about and for this area the cost would be about $40 million to $60 million. This is for the same amount of water and is right under us. If we can provide a safe quality product that is cost efficient over the long term it will be a tremendous thing for Mustang.

The last thing Mr. Leppard discussed was about Chromium 6. There is only one technology recommended to get rid of it. This technology is Reverse Osmosis. As COWRA's goal we want to give us the best choices that we can make and That it will be flexible. If we do nothing as a region and Oklahoma City goes ahead with Sardis Lake then they will pass the cost onto us.

He went on to explain his trip to Arlington, Texas and their plant. One of the things that we are excited about is what is called a Public, Private Partnership. This is where the company would come in and build the project; finance the project and operate the project for 20 years and then turn it over to that entity. We are not suggesting that you do that but just consider it as an option. We are looking for state support at this time in case we decide to go forward with this.

Commissioner Anderson spoke to Council regarding Reverse Osmosis plants that he visited in Texas. He was able to see how successful they were in treating their water. They are utilizing a resource that no one was using at that time. He feels COWRA has done a very good job and supports this concept. The question now becomes a partnership issue.

Commissioner Stuart commented that he was impressed with the trip to Texas. He wants to stress the partnership in their Project between the State, County and Municipality. They showed us in two days how this can be done. He was impressed with the fact that the large towns did not mind giving the small towns equal vote. As we proceed, we are assured that we will not be doing this alone. We will be doing this with the Water Resources Board and with the DEQ. Our State Representatives are also very supportive.

Mr. Riley spoke about the trip to Texas and the fact that when they went down there they had OWRB, DEQ, OML and the State Chamber with them. They will bring more information to them before this is finalized.

Councilman Jones thanked each of the individuals that spoke here tonight.

Councilman Adams stated that one thing we have learned and need to understand is that Mustang is not going to solve this by ourselves. One thing he has learned in his term is that we can accomplish more when we work together rather than trying to do it ourselves.

E. NEW BUSINESS, DELETIONS OR CONTINUANCES TO THE AGENDA

None

F. <u>CONSENT AGENDA</u>

1. Approval of **01/03/12** City Council Minutes.
*2. Approval of Claims List for **FY '12**
3. Approval of **Resolution No. 12-019**, Making Changes in the General Fund Budget by Making a Supplemental Appropriation to Increase the 2011-2012 Fiscal Year Budget by $1,000.00.
*4. Approval of Receipt of DEQ Permit No. WL000009110919, Permit to Construct Water Lines for St. Anthony's Clinic, 120 N. Chisholm Trail Way.

MOTION was made by **Mayor Landrith** and seconded by **Councilman Adams** to approve the Consent Agenda Items F1 and F3.

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

Councilwoman Hagan asked that Consent Agenda Item F4 be pulled for discussion.

Councilman Grubbs asked that Consent Agenda F2 be pulled for discussion.

Councilman Grubbs questioned the Parks and Recreation's request for a storage unit for the Christmas Tree roughly in the amount of $450.00 for six month's rent.

Battles stated that they store six indoor Christmas Trees, the one large outdoor tree, decorations and Spooktacular things. The Town Center does not have enough room to store these things. We looked at several options but decided to get a storage unit.

Councilman Grubbs stated that the only reason he brought this up is to let everyone know that we are out of storage room.

MOTION was made by **Mayor Landrith** and seconded by **Councilman Grubbs** to approve Consent Agenda item F2.

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

Councilwoman Hagan wanted a little explanation for a Special Permit.

Rutledge stated that we have always done this. At SH 152 and Chisholm Trail they have to tap into our water. This has to be approved through DEQ. This needs to be officially acknowledged by the City.

MOTION was made by **Councilwoman Hagan** and seconded by **Councilman Jones** to approve Consent Agenda Item F4.

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

G. INFORMATION/REPORTS

1. City Manager

Rutledge stated that we have quite a few projects right now. Some new building projects are coming in so we are getting a few plans coming in.

2. City Council

Mayor Landrith acknowledged that the oldest resident in Mustang passed away this weekend and expressed his condolences to the family.

Councilman Adams asked the City Manager to set up an Engineering Status Meeting on our projects for road construction and the signal light project.

Councilman Grubbs and Councilman Jones both agreed with Councilman Adams and stated that they wished to also be involved in this meeting.

Councilman Grubbs wanted to remind the citizens of Mustang that there is an Upcoming Bond Election on March 6, 2012. He encouraged everyone to vote on this issue. He also commented that we are preparing a presentation for the citizens to come and listen to what this Bond Issue is all about.

He also commented that the LED sign in front of the Community Center is very hard to read and he has received a lot of complaints in regards to this. We spent a lot of money on this sign and hopes that this is looked into.

Battles reported that they are going through a learning period on this system. He will try to fix this problem.

Councilman Green stated that he is sorry to see former Mayor Richard Riley leave COWRA. He knows that Mr. Riley has worked very hard for COWRA. He also asked if we are carrying the load on the water project or is everyone on board with this.

Commissioner Anderson stated that currently Mustang, Yukon, Calumet, Okarche, Canadian County and Piedmont are current on their memberships with COWRA. It is a very critical point as to what will happen with the water.

City Attorney Miller stated that this is not an agenda item and cannot be discussed tonight.

Councilman Jones reminded everyone that there is also an important School Board Election and asked everyone to get out and vote.

Councilwoman Hagan agreed with Councilman Grubbs that the LED sign is difficult to read. She hopes that Ward V turns out to vote for the March 6th election.

She went on to express her appreciation to Severn Trent for the work that they did on Linden Park. It still needs some work but it is looking much better.

Councilman Mount stated that he has received a few calls that he would like to share with Council. They concern the sewage treatment plant and the odor that it emits. He drove down SW 59th Street with his windows up and the smell almost stunk them out of the car. He feels that this is a curable problem. We need to look into this problem. We need to see if the plant is being operated properly. If it is being operated properly then he feels that we need to proceed with solving this problem. He feels this should be the City of Mustang's first priority.

Rutledge stated that he will get started working on this problem.

Mayor Landrith stated that the City Manager is getting some drawings ready for a presentation on the Bond Issue.

H. <u>DISCUSSION ITEMS</u>

1. **Discussion, Consideration and Possible Action** Regarding Approval of Application to Amend Letter of Credit Issued by Yukon National Bank (YNB) and Promissory Note (Renewal Note).

MOTION was made by **Mayor Landrith** and seconded by **Councilman Adams** to approve Item H1.

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

2. **Public Hearing, Discussion, Consideration and Possible Action** Regarding Approval of **Ordinance No. <u>1065</u>,** Amending the Zoning Ordinance of the City of Mustang as Amended to Change Certain Property Located in Canadian County from "C-3", Commercial General District to "C-5" Commercial General District and Declaring Repealer; Providing for Severability and Declaring an Emergency.

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

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

The Applicant spoke to Council stating that this place has been closed for quite some time now. Someone now wants to open it and bring more jobs and business to Mustang.

Councilman Grubbs asked if this was going to be used as a car lot? The applicant stated "Yes". Grubbs then asked if we could regulate the cleanliness of this lot.

The Applicant explained that they have four lots in Oklahoma City and they are not junk lots. We carry nice cars and late model cars and trucks. We also line them up very nicely. He is a citizen of Mustang and has been since 2006.

Councilman Mount asked if there would be any substantial changes in this property.

The Applicant stated that it would just be painting and lighting for the display of the vehicles. The sales office will have between two to three people in the business.

Mayor Landrith asked if Council could make it a conditional C-5 change?

Helsel stated that the only way to do this is through a PUD. With a PUD they would have to bring it up to current landscaping codes. Anything that is non-conforming would have to be brought up to code. Planning Commission approved this unanimously. Staff recommends approval due to the fact that it is at a major intersection in the City. It does not abut any residential building.

Mayor Landrith stated that he has not had a lot of positive feedback on a car lot in that area.

Applicant stated that they will maintain this property very well.

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

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

Councilman Grubbs stated that he would like the City to consider a simplified Plan Unit Development Process. This is the same thing that Oklahoma City has. It is any lot under five (5) acres. You can go in and specify one single use and typically have more people to vote for these when you can control the use. He would like the City to draw something up.

City Attorney Miller stated that this cannot be discussed because it is not an Agenda Item. Councilman Grubbs stated that it has to do with this Item but City Attorney Miller stated that Grubbs asked for consensus of Council and it is not appropriate to do that.

MOTION was made by **Councilman Adams** and seconded by **Councilman Mount** to approve **Ordinance No. 1065**.

AYE: Adams, Grubbs, Jones, Hagan, Mount
NAY: Green, Landrith

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

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

3. **Discussion, Consideration and Possible Action** Regarding Approval of **Ordinance No. 1066**, Amending Chapter 94, Article II Division 2 of the Code of Ordinances of the City of Mustang, Oklahoma by Adding Section 94-55, Conversion of Non-Conforming Signs to Allow Existing Non-Conforming Billboards to Convert to Multiple Message or Electronic Signage and Establishing Requirements; Declaring Repealer; Providing for Severability and Declaring an Emergency.

Helsel reported that this was brought before Council previously. The staff made some recommendations and City Attorney Miller reviewed and made some changes. We are now bringing this back to Council for approval.

Grubbs stated that he would like to see all applications come before Council.

City Attorney Miller stated that this can be done but he recommends that he take it back and present it with the new verbage at a later date.

Grubbs stated that the Traffic Commission will make a recommendation to the City Council.

Mayor Landrith stated that this will be on the next City Council Meeting Agenda.

No action was taken on Discussion Item H3.

4. **Discussion, Consideration and Possible Action** Regarding Approval of Interlocal Agreement between the City of Mustang and the City of Oklahoma City to Allow LED Signs to be Loaned for Enhanced Notification of Traffic Control at the Intersection of SW 59th and N. Clear Springs.

Rutledge explained that this item is to report that Oklahoma City has requested LED signs at SW 59th and Highway 92 (North Clear Springs Road) to give advanced notification that there are now stop signs at that intersection. This will be for a period of 90 days.

MOTION was made by **Councilman Adams** and seconded by **Councilman Jones** to approve Item H4.

Mayor Landrith asked if there was any way to make the LED signs permanent. His concern is that people have been driving this road for many years. He understands Oklahoma City controls what happens at that intersection but he is worried about the safety of just having stop signs there.

Grubbs stated that he shares his concern.

Rutledge stated that is why they put in the 90 day use period with the ability to extend if necessary. He thinks that using these signs in high traffic areas has worked previously. Oklahoma City has seen the importance of this. However, they have asked for assistance in the usage of this and he thinks that we would be remiss if we do not do this.

Adams commented that the ultimate solution would be lights, but that is not an option for us because we do not have control over this. This is a better option.

Mayor Landrith explained that he had a good friend that really wants to see a street light there and that is why he will vote “No” on this item.

Jones asked the newspapers to let people know about this issue.

Hagan asked if the 90 day extension is only a one-time thing. Rutledge replied “No” that it is at our discretion. She then asked about the lighting at this intersection because it is very dark. When we take the LED signs down she is worried that there will be more accidents. Can we make them permanent?

Rutledge stated we are trying to make people see the stop signs.

Adams stated that the cost of each sign is about $1,500 and thinks that we need more signs.

Hagan asked if they could be made permanent and Rutledge replied that it is at the discretion of the City Manager. Hagan asked if this came before City Council would the City Manager do this. Rutledge replied “Absolutely”.

AYE: Adams, Grubbs, Green, Jones, Hagan, Mount
NAY: Landrith

5. **Discussion, Consideration and Possible Action Regarding** Placing Plaques in Memoriam in City Facilities.

Mayor Landrith asked for this to be on the Agenda tonight. He talked with the City Manager to figure out a way to honor folks who went above and beyond the call of duty. What does Council think?

Adams stated that we need to be very cautious about this. This could become too common place and lose its’ importance. We need to make sure that it is for the right reasons.

Mayor Landrith is against putting up plaques. These plaques are very expensive and the City would have to buy them. Maybe we could do a Walk of Fame and have the Historical Society do this.

Jones stated that we already have a wonderful avenue to honor our citizens. For example: Boy Scouts, Round-Up club, etc. We need to bring these people forward and have a presentation at the Council Meetings. We need to celebrate our citizens and let’s find ways to do this.

Mayor Landrith agrees with Jones but he feels there should be something more permanent. Some important things get lost in history. He does not think it is too much to ask to have an inscription, etc. so that these people are remembered.

Battles commented that there is already a Walk of Fame.

Coeta Morrell stated that as far as she is concerned she does not care if anyone knows that she named Wild Horse Park or not. She knows she did, her family knows she did and most everyone knows that she did. We need to recognize people while they are living, not after they die.

No action was taken.

J. CITY ATTORNEY'S REPORT

None

K. ADJOURNMENT

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

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

Meeting was adjourned at **8:35 p.m**.

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Mayor

Attest:

____
City Clerk

MUSTANG IMPROVEMENT AUTHORITY
JANUARY 17, 2012

The Mustang Improvement Authority met in regular session on Tuesday, January 17, 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 Friday, January 13, 2012 at 11:15 a.m. in compliance with the requirements of the Open Meeting Law, 25 O.S., Section 301, et. seq.

A. CALL TO ORDER

Chairman Landrith called the meeting to order at 8:35 p.m.

B. ROLL CALL

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

Trustees Absent: **None**

C. NEW BUSINESS

None

D. CONSENT AGENDA

1. Approval of **01/03/12** City Council Minutes.
*2. Approval of Claims List for **FY '12**
*3. Approval of Receipt of DEQ Permit No. WL000009110919, Permit to Construct Water Lines for St. Anthony's Clinic, 120 N. Chisholm Trail Way.

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

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

Meeting was adjourned at **8:36 p.m.**

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Chairman

Attest:

____
Secretary