MUSTANG CITY COUNCIL
NOVEMBER 18, 2014

The Mustang City Council met in regular session on Tuesday, November 18, 2014, 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, November 14, 2014, at 1:40 p.m. in compliance with the Open Meeting Law, 25 O.S., Section 301, et. seq.

A. CALL TO ORDER

Vice Mayor Taylor called the meeting to order at **7:00 p.m.**

B. PLEDGE OF ALLEGIANCE/INVOCATION (Dave Owens, Pastor, Christ Lutheran Church)

Dave Owens, Pastor, led the assembly in the Pledge and Invocation. He stated this was a busy season for the church and they were currently preparing Thanksgiving baskets to hand out to those in need this weekend.

C. ROLL CALL

Councilmembers Present:	**Taylor** **Bowers** **Jones** **Hagan** **Schweinberg**
Councilmembers Absent:	**Staples** **Adams**

D. INTRODUCTION OF GUESTS/HEARING OF CITIZENS OR DELEGATES

None.

E. NEW BUSINESS, DELETIONS OR CONTINUANCES TO THE AGENDA

None.

F. CONSENT AGENDA

1. Approval of **11/04/14** City Council Minutes.
*2. Claims List for **FY'15**
3. Approval to **Deny Tort Claim** by Tom and Adrian Beadel, date of incident September 9, 2014, in the Amount of $111.95.
4. Approval of Continuing **Disclosure Policies and Procedures.**
*5. Approval of **Change Order #1** for Project Titled Lift Station 3 in the Amount of $26,103.15.
*6. Approval of **Final Payment** for Project Titled Lift Station 3 in the Amount of $200,124.15 to Trent Construction, LLC.

Councilman Schweinberg requested Items F-5 and F-6 be pulled.
Councilman Taylor requested Item F-1 be pulled.

MOTION was made by **Vice Mayor Taylor**, seconded by **Councilman Schweinberg,** to approve Items F-2 thru F-4 of the Consent Agenda.

AYE: **Taylor, Bowers, Jones, Hagan, Schweinberg**
NAY: **None**

MOTION was made by **Councilman Schweinberg**, seconded by **Councilman Jones,** to approve Item F-1 of the Consent Agenda.

AYE: **Jones, Hagan, Schweinberg**
NAY: **None**
ABSTAIN: **Taylor, Bowers**

Councilman Schweinberg requested Item F-5 be explained.

Assistant City Manager Battles stated this Change Order was needed in order to meet Department of Labor regulations regarding the mandatory precautionary measures required before entry is permitted into the wet well. He stated the existing grinder pump was not in compliance with Department of Labor rules, and stated the new pump will have the guide rails required to remove it without entering the confined space. **Battles** stated Severn Trent did not request this modification, but instead, pointed out the issue of not being in compliance with the Department of Labor regulations.

Discussion included whether or not this could have been addressed at the beginning of the process with **Battles** stating in his opinion, yes.

Other discussion included the dollar amount budgeted for this project and from where the additional funds would come. **Finance Director Watts** stated the project was budgeted in the amount of $179,820 and stated the Limited Purpose Fund, which is the Capital Improvement Fund, has more than 30% reserves, so the additional funds would come from reserves.

MOTION was made by **Councilman Schweinberg**, seconded by **Vice Mayor Taylor,** to approve Item F-5 of the Consent Agenda.

AYE: **Taylor, Bowers, Jones, Hagan, Schweinberg**
NAY: **None**

MOTION was made by **Councilman Schweinberg**, seconded by **Councilman Jones,** to approve Item F-6 of the Consent Agenda.

AYE: **Taylor, Bowers, Jones, Hagan, Schweinberg**
NAY: **None**

G. INFORMATION/REPORTS

1. City Manager

Assistant City Manager Battles stated an email was received today from the City of Oklahoma City advising the 59th Street Bridge project would be delayed 60 to 90 days as Caddo Electric will be moving an electric line.

Vice Mayor Taylor asked if the impact on 59th Street would be the same.

Battles stated he would think the road would still be open during the electric line move; however, there probably could be times one lane or the other might be closed – he did state this was speculation on his part.

Battles stated agenda packets for the December 2, 2014 City Council/MIA meeting would be delivered on Wednesday due to the holidays and to let Staff know if you would be out of town and would prefer to not have your package delivered.

Battles also stated he was currently working on an inquiry from ***Councilwoman Bowers***.

2. City Council

Vice Mayor Taylor asked the Councilmembers if they had anything to report in their respective Wards:

Councilman Schweinberg stated he had received a couple of calls regarding the streets and the ice, as well as a call from a resident whose property abuts to the new Prairie Hills subdivision and would like to discuss the possibility of tapping into the water and sewer lines.

Councilwoman Hagan stated she had received a couple of calls regarding the food truck ordinance with one call being positive and one call not so positive.

Councilman Jones did not have anything to report at this time.

Councilwoman Bowers had the following to report:

- She had a good time in India, but good to be home;
- She was contacted by one resident regarding an issue stating ***Assistant City Manager Battles*** was handling it;
- She attended the OEMA meeting and stated OEMA was reviewing the possibility of expanding into other territories and also advised if your normal trash pick-up day is Thursday, that during the week of Thanksgiving, your trash would be picked up on Wednesday;
- Advised citizens that Ward 3 was up for re-election stating the filing period for anyone interested was December 1st through December 3rd.

Vice Mayor Taylor stated Wards 1, 3 and the Mayor were all up for re-election and the filing period for all three positions was December 1st through December 3rd.

Vice Mayor Taylor invited everyone to the Community Breakfast at the Masonic Lodge on Saturday morning. He also stated the Mustang High School football team would be heading to Tulsa on Saturday for the State Semi-finals stating the bus would be receiving a Police escort out of town to the Kilpatrick turnpike and encouraged everyone to wish them good luck.

H. DISCUSSION ITEMS

None.

J. CITY ATTORNEY'S REPORT

Discussion of a lawsuit styled *Cottonwood Development, LLC v. City of Mustang, et al.*, Case No. CV-2013-76, District Court, Canadian County, Oklahoma; and **proposed Executive Session as Authorized by 25 O.S., Section 307(B)(4)**.

Discussion of a lawsuit styled *Quail Lake Estates Homeowners Association, an Oklahoma Not for Profit Corporation vs. City of Mustang, Oklahoma, et al.*, Case No. CJ-2011-348, District Court, Canadian County, Oklahoma; and, **proposed Executive Session as authorized by 25 Okla. Stat. §307(B)(4)**.

MOTION was made by **Vice Mayor Taylor,** seconded by **Councilwoman Bowers** to adjourn to executive session.

AYE: **Taylor, Bowers, Jones, Hagan, Schweinberg**
NAY: **None**

TIME ADJOURNED to Executive Session: **7:13 p.m.**

Vice Mayor Taylor called the meeting back in session at **7:20 p.m.**

In reference to Item J-1 –

No motion taken, information purposes only.

In reference to Item J-2 –

No motion taken, information purposes only.

K. ADJOURNMENT

MOTION was made by **Councilman Schweinberg**, seconded **Councilman Jones** to adjourn.

AYE: **Taylor, Bowers, Jones, Hagan, Schweinberg**
NAY: **None**

The meeting was adjourned at **7:20 p.m.**

Jay Adams, Mayor

Attest:

Lisa Martin, City Clerk

MUSTANG IMPROVEMENT AUTHORITY
NOVEMBER 18, 2014

The Mustang Improvement Authority met in regular session on Tuesday, November 18, 2014, at 7:00 p.m. in the Mustang Municipal Building Council. Notice of the meeting was posted on the Bulletin Board outside the Mustang Municipal Building on Friday, November 14, 2014, at 1:40 p.m. in compliance with the Open Meeting Law, 25 O.S., Section 301, et. seq.

A. CALL TO ORDER

Vice Chairman Taylor called the meeting to order at **7:20 p.m.**

B. ROLL CALL

Trustees Present: **Taylor**
Bowers
Jones
Hagan
Schweinberg

Trustees Absent: **Staples**
Adams

C. NEW BUSINESS

None.

D. CONSENT AGENDA

1. Approval of **11/04/14** MIA Minutes
*2. Claims List for **FY '15**
*3. Approval of **Change Order #1** for Project Titled Lift Station 3 in the Amount of $26,103.15.
*4. Approval of **Final Payment** for Project Titled Lift Station 3 in the Amount of $200,124.15 to Trent Construction, LLC.

Councilman Taylor requested Item D-1 be pulled.

MOTION was made by **Trustee Schweinberg**, seconded by **Trustee Bowers,** to approve Items D-2 thru D-4 of the Consent Agenda.

AYE: **Taylor, Bowers, Jones, Hagan, Schweinberg**
NAY: **None**

MOTION was made by **Councilman Schweinberg**, seconded by **Councilman Jones**, to approve Item D-1 of the Consent Agenda.

AYE: **Jones, Hagan, Schweinberg**
NAY: **None**
ABSTAIN: **Taylor, Bowers**

E. INFORMATION/REPORTS

1. Trustee Manager

None.

2. Trustees

None.

F. DISCUSSION ITEMS

None.

G. ADJOURNMENT

MOTION was made by **Trustee Jones** and seconded by **Trustee Hagan** to adjourn.

AYE: **Taylor, Bowers, Jones, Hagan, Schweinberg**
NAY: **None**

Meeting was adjourned at **7:21 p.m.**

Jay Adams, Chairman

Attest:

Lisa Martin, Secretary