

**MUSTANG CITY COUNCIL
JANUARY 2, 2019**

The Mustang City Council met in regular session on Wednesday, January 2, 2019, at 7:00 p.m. in the Mustang Municipal Building Council Chambers. Notice of the meeting was posted as required on Friday, December 28, 2018, at 10:10 a.m. in compliance with the Open Meeting Law, 25 O.S., Section 301, et. seq.

A. CALL TO ORDER

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

B. PLEDGE OF ALLEGIANCE/INVOCATION Cameron Whaley, Pastor, Canadian Valley Baptist Church

Pastor Whaley led the assembly in the Pledge and Invocation. He stated this was his 10th year of ministry here and was eager to see what the Lord brings to the community stating it was an exciting time for the church and community with so many people migrating this way.

C. ROLL CALL

Councilmembers Present:	Leete
	Grider
	Jones
	Noblitt
	Schweinberg

Councilmembers Absent:	Pratt
	McKenzie

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 **12/04/2018** City Council Minutes.
- *2. Claims List for **FY 2019**.
- *3. Approval to Turn **Past Due Utility Accounts** over to the Collection Agency.
4. Approval to Turn **Past Due Library Accounts** over to the Collection Agency.
- *5. Acknowledgement of **Receipt of DEQ Permit** No. WL000009180910, to Construct Water Lines for Mustang High School Performing Arts Center Project.

- *6. Acknowledgement of **Receipt of DEQ Permit** No. WL000009180830, to Construct Water Lines for Pine Canyon Addition.
- *7. Acknowledgement of **Receipt of DEQ Permit** No. SL000009180831, to Construct Sewer Lines for Pine Canyon Addition.

MOTION was made by **Councilman Noblitt**, seconded by **Councilman Jones**, to Approve Items F-1 thru F-7 of the Consent Agenda.

AYE: Leete, Grider, Jones, Noblitt, Schweinberg
NAY: None

G. INFORMATION/REPORTS

1. City Manager Report

City Manager Rooney stated the City Manager report was posted online today and distributed to everyone this evening. He also stated Silver Star Construction was on top of road conditions and ready for whatever weather may come.

2. City Council Reports

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

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

Councilman Grider stated he had heard from a few people regarding the street lights being out on State Highway 152 stating OG&E were dragging their feet.

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

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

Mayor Schweinberg wished everyone a Happy New Year.

H. DISCUSSION ITEMS

1. **Discussion, Consideration and Possible Action** regarding Approval of **Ordinance No. 1179**, An Ordinance of The City of Mustang, Oklahoma, Authorizing the Gift and Transfer of Certain Real Property Described herein to Independent School District No. I-69, Canadian County, Oklahoma, and Authorizing and Directing the Mayor to Execute Documents to Complete the Transfer; Providing for Severability; and Declaring an Emergency.

Assistant City Manager Battles stated the City owns approximately 75 feet of land where Mustang Public Schools is planning to construct their new Performing Arts Center stating the City no longer utilizes the land and is donating it to Mustang Public Schools.

MOTION was made by **Councilman Grider**, seconded by **Councilman Noblitt**, to Approve Ordinance No. 1179, An Ordinance of The City of Mustang, Oklahoma, Authorizing the Gift and Transfer of Certain Real Property Described herein to Independent School District No. I-69, Canadian County, Oklahoma, and Authorizing and Directing the Mayor to Execute Documents to Complete the Transfer; Providing for Severability.

AYE: Leete, Grider, Jones, Noblitt, Schweinberg
NAY: None

The Emergency Clause was not voted upon due to number of Councilmembers present.

- *2. **Discussion, Consideration and Possible Action** regarding Approval of Agreement between the City of Mustang Public Works Authority (MIA) and Oklahoma City Water Utilities Trust to Provide Wholesale Water Service.

Assistant City Manager Battles stated Staff has been working with the City of Oklahoma City on a new agreement for the purchase of water stating the City currently operates under a take-or-pay agreement and will be moving to a service availability agreement.

Discussion was held regarding possible savings going towards well field expenses.

MOTION was made by **Councilman Noblitt**, seconded by **Councilman Jones**, to Approve the Agreement between the City of Mustang Public Works Authority (MIA) and Oklahoma City Water Utilities Trust to Provide Wholesale Water Service.

AYE: Leete, Grider, Jones, Noblitt, Schweinberg
NAY: None

3. **Public Hearing, Discussion, Consideration and Possible Action** regarding Approval of **Ordinance No. 1180**, An Ordinance of the City of Mustang, Oklahoma, Amending the Zoning Ordinance of The City of Mustang, Oklahoma, as Amended, to Change Certain Property Located in Canadian County, Oklahoma, from "R-4 PUD" Multiple Family Planned Unit Development District to "R-4/C-2 PUD" Multiple Family Planned Unit Development District and, Declaring Repealer; Providing for Severability; and Declaring an Emergency. (Rezoning Application RZ-11-16-16-1-27, Laurel Springs, Ron Walters Homes, NW/4, Section 27, R-4 PUD to R-4 & C-2 PUD)

City Planner Shepard stated the applicant, Ron Walters Homes, has submitted an application to amend the Laurel Springs R-4 PUD to a mixed use PUD of R-4 and C-2, multiple family and commercial neighborhood district stating the applicant wishes to lease commercial space in the 2nd floor space of the clubhouse.

Discussion was held regarding the allowed uses and requirements.

MOTION was made by **Mayor Schweinberg**, seconded by **Councilman Grider**, to Open the Matter for Public Hearing.

AYE: Leete, Grider, Jones, Noblitt, Schweinberg

NAY: None

There being none, **MOTION** was made by **Councilman Grider**, seconded by **Councilman Jones**, to Close the Public Hearing.

AYE: Leete, Grider, Jones, Noblitt, Schweinberg

NAY: None

MOTION was made by **Councilman Leete**, seconded by **Councilman Jones**, to Approve Ordinance No. 1180, An Ordinance of the City of Mustang, Oklahoma, Amending the Zoning Ordinance of The City of Mustang, Oklahoma, as Amended, to Change Certain Property Located in Canadian County, Oklahoma, from "R-4 PUD" Multiple Family Planned Unit Development District to "R-4/C-2 PUD" Multiple Family Planned Unit Development District and, Declaring Repealer; Providing for Severability. (Rezoning Application RZ-11-16-16-1-27, Laurel Springs, Ron Walters Homes, NW/4, Section 27, R-4 PUD to R-4 & C-2 PUD).

AYE: Leete, Grider, Jones, Noblitt, Schweinberg

NAY: None

The Emergency Clause was not voted upon due to number of Councilmembers present.

4. **Discussion, Consideration and Possible Action** regarding Approval of **Resolution No. 19-026**, a Resolution of The City Council of the City of Mustang, Oklahoma, Designating Wreckers to be used when Impounding Vehicles, Creating a Wrecker Rotation System and Imposing Requirements for Providing Wrecker Services when Requested by the City of Mustang.

City Manager Rooney stated in the December Council meeting, Mr. Randy Nelson of Lane's Towing addressed the Council regarding a requirement in the City's wrecker service policy, Resolution No. 16-021, that requires wrecker service providers to have an office and storage facility within one mile of the city limits of Mustang. He stated he met with Mr. Nelson as requested by Council and discussed the request with *Police Chief Grossclose*. **Rooney** stated to please note, if the one mile requirement is extended to three miles, any additional wrecker service providers that locate an office and storage facility within the three miles of the Mustang city limits and goes through the necessary steps, may be added to the rotation schedule.

A public hearing was added to this item by *Mayor Schweinberg*.

MOTION was made by **Councilman Noblitt**, seconded by **Councilman Jones**, to Open the Matter for Public Hearing.

AYE: Leete, Grider, Jones, Noblitt, Schweinberg

NAY: None

Tina Karbs, 623 S. Clear Springs Road and Jennifer Bourgeois, 907 W. Dorchester Way, owner of Bronco Towing, addressed the Council stating the City has two towing companies inside the one mile limit stating four towing companies were not needed for a city that is only 12 square miles stating it could also be unsafe. They also stated a company outside the city limits would not pay taxes to the City of Mustang. They advised a larger company was also moving within three miles of the City and would also fall into this category.

Randy Nelson, 200 S. Cedar Springs Lane, Lane's Towing, stated towing companies go to other towns as well and adding another wrecker service would be beneficial to serving the City of Mustang.

MOTION was made by **Councilman Grider**, seconded by **Councilman Jones**, to Close the Public Hearing.

AYE: Leete, Grider, Jones, Noblitt, Schweinberg
NAY: None

Discussion was held regarding this being a heated topic when discussed a couple of years ago with it being stated it does not prevent wrecker service providers outside the one mile limit from servicing anyone who may call them, they just would not be added to the police rotation schedule. It was also stated a wrecker service used by the City prior to the Resolution fell outside of the one mile requirement and was no longer included on the rotation.

Other discussion included increasing competition by expanding the one mile to three miles which could lower the prices.

MOTION was made by **Councilman Noblitt**, seconded by **Councilman Jones**, to Approve Resolution No. 19-026, a Resolution of The City Council of the City of Mustang, Oklahoma, Designating Wreckers to be used when Impounding Vehicles, Creating a Wrecker Rotation System and Imposing Requirements for Providing Wrecker Services when Requested by the City of Mustang.

AYE: Leete, Jones, Noblitt
NAY: Grider, Schweinberg

5. **Discussion, Consideration and Possible Action** regarding Approval of Fitness Passport Service Agreement between the City of Mustang and OptumHealth Care Solutions, LLC.

Assistant City Manager Battles stated United Healthcare members are eligible to receive pre-determined monthly membership rates to the Recreation Center when they enroll in the Fitness Passport program stating OptumHealth Care Solutions LLC will reimburse the City this pre-determined amount for each member.

MOTION was made by **Councilman Grider**, seconded by **Councilman Jones**, to Approve the Fitness Passport Service Agreement between the City of Mustang and OptumHealth Care Solutions, LLC.

AYE: Leete, Grider, Jones, Noblitt, Schweinberg
NAY: None

6. **Discussion, Consideration and Possible Action** regarding:
 - a. Acceptance of Bids for Project Labeled South Mustang Road Widening and Reconstruction Project.
 - b. Awarding Lowest Qualified Bid for Project Labeled South Mustang Road Widening and Reconstruction Project.

Assistant City Manager Battles stated Staff recommends accepting the four bids received for the above named project as well as recommends awarding to the lowest and best bidder, T.J. Campbell Construction Co. in the amount of \$2,269,647.01.

MOTION was made by **Councilman Noblitt**, seconded by **Councilman Jones**, to Accept all Bids for Project Labeled South Mustang Road Widening and Reconstruction Project.

AYE: Leete, Grider, Jones, Noblitt, Schweinberg
NAY: None

MOTION was made by **Councilman Noblitt**, seconded by **Councilman Jones** to Award to the lowest and best bidder, T. J. Campbell Construction Co., in the amount of \$2,269,647.01 for Project Labeled South Mustang Road Widening and Reconstruction Project.

AYE: Leete, Grider, Jones, Noblitt, Schweinberg
NAY: None

J. CITY ATTORNEY'S REPORT

1. **Discussion, Consideration and Possible Action** regarding Potential Purchase and Acceptance of Permanent and Temporary Easements and Authorization for Mayor and City Staff to Execute Necessary Documents to Accomplish the Same; and, Proposed Executive Session as Authorized by 25 Okla. Stat. §307(B)(3).

MOTION was made by **Councilman Leete**, seconded by **Councilman Grider** to adjourn to Executive Session.

AYE: Leete, Grider, Jones, Noblitt, Schweinberg
NAY: None

TIME ADJOURNED to Executive Session: **7:43 p.m.**

Mayor Schweinberg called the meeting back in session at **7:50 p.m.**

In reference to Item J-1 –

MOTION was made by **Councilman Leete**, seconded by **Councilman Noblitt** to Approve the Acceptance of Permanent and Temporary Easements from Timothy and Lacey Morris and authorization for the Mayor and Staff to execute necessary documents to complete acceptance of the easements.

AYE: Leete, Grider, Jones, Noblitt, Schweinberg

NAY: None

K. ADJOURNMENT

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

AYE: Leete, Grider, Jones, Noblitt, Schweinberg

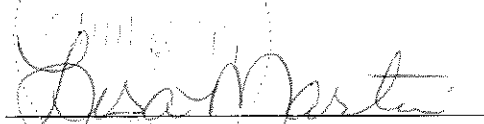
NAY: None

The meeting was adjourned at **7:51 p.m.**



Jess Schweinberg, Mayor

Attest:



Lisa Martin, City Clerk

**MUSTANG IMPROVEMENT AUTHORITY
JANUARY 2, 2019**

The Mustang Improvement Authority met in regular session on Wednesday, January 2, 2019, at 7:00 p.m. in the Mustang Municipal Building Council Chambers. Notice of the meeting was posted as required on Friday, December 28, 2018, at 10:10 a.m. in compliance with the Open Meeting Law, 25 O.S., Section 301, et. seq.

A. CALL TO ORDER

Chairman Schweinberg called the meeting to order at **7:51 p.m.**

B. ROLL CALL

Trustees Present: **Leete**
 Grider
 Jones
 Noblitt
 Schweinberg

Trustees Absent: **Pratt**
 McKenzie

C. NEW BUSINESS

None.

D. CONSENT AGENDA

1. Approval of **12/04/2018** MIA Minutes
- *2. Claims List for **FY 2019**
- *3. Approval to Turn **Past Due Utility Accounts** over to the Collection Agency.
- *4. Acknowledgement of **Receipt of DEQ Permit** No. WL000009180910, to Construct Water Lines for Mustang High School Performing Arts Center Project.
- *5. Acknowledgement of **Receipt of DEQ Permit** No. WL000009180830, to Construct Water Lines for Pine Canyon Addition.
- *6. Acknowledgement of **Receipt of DEQ Permit** No. SL000009180831, to Construct Sewer Lines for Pine Canyon Addition.

MOTION was made by **Trustee Noblitt**, seconded by **Trustee Grider**, to approve Items D-1 through D-6 of the Consent Agenda.

AYE: Leete, Grider, Jones, Noblitt, Schweinberg

NAY: None

E. INFORMATION/REPORTS

1. **Trustee Manager**
None.
2. **Trustees**
None.

F. DISCUSSION ITEMS

- *1. **Discussion, Consideration and Possible Action** regarding Approval of Agreement between the City of Mustang Public Works Authority (MIA) and Oklahoma City Water Utilities Trust to Provide Wholesale Water Service.

MOTION was made by **Trustee Noblitt**, seconded by **Trustee Jones**, to Approve the Agreement between the City of Mustang Public Works Authority (MIA) and Oklahoma City Water Utilities Trust to Provide Wholesale Water Service.

AYE: Leete, Grider, Jones, Noblitt, Schweinberg
NAY: None

G. ADJOURNMENT

MOTION was made by **Trustee Grider**, seconded by **Trustee Noblitt**, to adjourn.

AYE: Leete, Grider, Jones, Noblitt, Schweinberg
NAY: None

Meeting was adjourned at **7:52 p.m.**


Jess Schweinberg, Chairman

Attest:


Lisa Martin, Secretary