MUSTANG CITY COUNCIL
APRIL 7, 2015

The Mustang City Council met in regular session on Tuesday, April 7, 2015, 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, April 3, 2015, at 3:55 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 (Bob Greg, Pastor, Lakehoma Church of Christ)

C. ROLL CALL

Councilmembers Present: **Taylor**
Staples
Bowers
Jones (arrived at 7:05)
Hagan
Adams

Councilmembers Absent: **Schweinberg**

D. INTRODUCTION OF GUESTS/HEARING OF CITIZENS OR DELEGATES

Mayor Adams introduced Kevin Riley, Councilmember Elect, Ward I.

E. NEW BUSINESS, DELETIONS OR CONTINUANCES TO THE AGENDA

None.

F. CONSENT AGENDA

1. Approval of **03/17/15** City Council Minutes.
*2. Claims List for **FY'15**
*3. Approval to Turn **Past Due Utility Accounts** over to the Collection Agency.
4. Approval of **Resolution No. 15-049** making changes in the Impound Fee Fund Budget by making a Supplemental Appropriation to Increase the 2014-2015 Fiscal Year Budget by $10,000.
5. Approval of **Resolution No. 15-050** making changes in the General Fund Budget by making a Supplemental Appropriation to Increase the 2014-2015 Fiscal Year Budget by $3,673.
6. Approval of **Resolution No. 15-051** - Oklahoma Municipal Retirement Fund Proposed Amendment, Restatement and Continuation Trust Indenture.
*7. Acceptance of **Sanitary Sewer Easement** for the Mustang Public Schools ROTC Training Center.

MOTION was made by **Councilman Taylor**, seconded by **Councilwoman Staples,** to approve Items F-1 thru F-7 of the Consent Agenda.

AYE: **Taylor, Staples, Bowers, Hagan, Adams**
NAY: **None**

G. INFORMATION/REPORTS

(Councilman Jones arrived at this time.)

1. City Manager

a. Recognition of Mustang American Legion, Post #353, Fire, Police, and Non-Uniform Employees of the Year.

City Manager Rooney recognized the three employees who were recently recognized by the Mustang American Legion, Post #353, as Fire, Police and Non-Uniform Employees of the Year and had them come to the front as he read their bios:

- Captain Craig Carruth - Mustang Fire Fighter of the Year (was unable to attend the meeting);
- Sargeant Mike Wallace - Police Officer of the Year;
- Ms. Jean Heasley - Non-Uniform Employee of the Year

Rooney thanked the American Legion for this program and honoring the City's employees.

Mr. Ray with the American Legion thanked the City of Mustang for providing quality employees stating it was a privilege, although not an easy task, to select the Employees of the Year.

b. Annual Mayor's Day of Recognition for National Service Presentation

City Manager Rooney introduced Mr. Jeff Probst with Retired Senior Volunteer Program (RSVP).

Mr. Probst stated RSVP engages senior volunteers in helping provide services to the Mustang community stating over 700 hours of service had been provided to the Mustang area equaling a monetary contribution of $14,970. Mr. Probst provided ***Mayor Adams*** with a mock check in that amount.

City Manager Rooney stated in addition to his City Manager report, ***Assistant City Manager Battles***, would provide a brief update of the Community Garden.

Battles provided an update regarding the Community Garden stating onions were the only items planted at this time; however a lot of labor had been completed by volunteers and the garden was moving along.

2. City Council

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

Councilman Taylor thanked ***Assistant City Manager Battles*** for the Community Garden upgrade and encouraged everyone to visit the Farmers' Market this season. He congratulated the employees recognized as Employees of the Year and stated there would be a Masonic Lodge breakfast on Saturday and as always, the public was invited.

Councilwoman Staples thanked the City of Oklahoma City for resurfacing 59th Street. She also thanked the American Legion and congratulated the Employees of the Year.

Councilwoman Bowers stated she had received calls regarding trash in the parks and advised them to contact City Hall and they would take care of it. She also stated she was saddened to hear of the passing of Ben Green, former Councilman for Ward 3.

Councilman Jones also congratulated the Employees of the Year. He stated he had received inquiries regarding Twin Acres and Spitler Lakes additions stating the City Manager and Community Development Director were working on it.

Councilwoman Hagan stated she had received an invitation inviting all of the Council to attend the 40th Anniversary of Youth and Family Services located in El Reno, Oklahoma.

Mayor Adams stated he also had a heavy heart upon learning of the passing of Ben Green stating he would be missed. He stated he had also received calls regarding Spitler Lakes addition stating with the recent winds and rain, dirt could be a problem, but that the City was on top of it. He stated he enjoyed the OnCue groundbreaking on Monday and was excited to have an Oklahoma company coming to town stating this OnCue would have a unique look.

Taylor asked if some type of small memorial could be placed in the Park in honor of Ben Green, perhaps a park bench or something of that nature.

H. DISCUSSION ITEMS

1. **Public Hearing, Discussion, Consideration and Possible Action** regarding Approval of **Ordinance No. 1122**, Amending the Zoning Ordinance of the City of Mustang, Oklahoma, as Amended to Change Certain Property Located in Canadian County, Oklahoma, from "C-2" Commercial Neighborhood District to "C-3" Commercial General District and, Declaring Repealer, Providing for Severability; and Declaring an Emergency. (Rezoning Application RZ-2-27-15-1-31, Lam Hoang, 1716 W. State Highway 152.)

Community Development Director Helsel stated this item was for a rezoning application for 1716 W. State Highway 152 on the southwest corner of Clear Springs Road and State Highway 152, formerly the old 7-11 building. She stated the applicant originally requested to rezone from "C-2", Commercial Neighborhood District to "C-4", Shopping Center District; however, through discussions with the Planning Commission and surrounding neighbors, it was concluded that rezoning to "C-3", Commercial General District was more appropriate since the property abuts to so much "R-1" property.

Helsel stated the property contains approximately 2.33 acres and is comprised of four lots with two buildings already located on the property. She stated the applicant's intention is to allow a lawn and garden center to utilize the larger existing building on the site and if that falls through, then perhaps a Vietnamese noodle soup restaurant. She stated under C-3, the applicant would be required to erect a minimum six foot masonry fence along all property lines of developed lots that abut residentially zoned districts.

Helsel stated the long-range plan calls for commercial/office development in this area, so the request does conform to the comprehensive plan. She stated the Planning Commission voted 7:0 to recommend approval of this application at the C-3 level.

Discussion was held concerning if C-3 zoning would allow a restaurant with **Helsel** stating yes, it is allowed with no alcohol. **Helsel** also stated 7-11 has a deed restriction on the property that does not allow a convenience store; however, was not sure of the expiration date.

Mayor Adams opened the matter for Public Hearing.

There were no requests to speak.

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

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

Councilman Taylor and **Mayor Adams** thanked both parties for working together and coming to a solution agreeable to everyone.

MOTION was made by **Councilman Taylor**, seconded by **Councilman Jones,** to Approve **Ordinance No. 1122**, Amending the Zoning Ordinance of the City of Mustang, Oklahoma, as Amended to Change Certain Property Located in Canadian County, Oklahoma, from "C-2" Commercial Neighborhood District to "C-3" Commercial General District and, Declaring Repealer, Providing for Severability.

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

MOTION was made by **Mayor Adams,** seconded by **Councilman Taylor** to Declare an Emergency.

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

2. **Public Hearing, Discussion, Consideration and Possible Action** regarding Approval of **Ordinance No. 1123**, Amending the Zoning Ordinance of the City of Mustang, Oklahoma, as Amended to Change Certain Property Located in Canadian County, Oklahoma, from "R-1" Single-Family District to "C-5" Commercial Intensive District and, Declaring Repealer, Providing for Severability; and Declaring an Emergency. (Rezoning Application RZ-1-30-15-1-33, Joe Anderson, 130 W. State Highway 152.)

   Community Development Director Helsel stated this item was for a rezoning application for 130 W. State Highway 152, which is a parcel of land just west of the City's water tower in the center of town. She stated the property was partially land blocked, but abuts to property owned by Joe Anderson who also has a warehouse in this vicinity and would like to build another one. She stated "C-5", Commercial Intensive District was required for warehousing.

   Helsel stated the property contains a little less than .4 acres and was logical to join with the property next to it. She stated the City acquired 30 feet of right-of-way between the two properties to access the water tower and stated the applicant will ask the City Council for an easement across that right-of-way in order to access the property in this application.

   Helsel stated the developer would be required to place at least a six foot masonry fence along all property lines that abut residentially zoned districts if developed at C-5, stating the water tower is currently zoned R-1. She stated the general character of the area is low density residential and commercial and the long-range plan calls for commercial/retail development in this area, so the request does conform to the comprehensive plan. **Helsel** stated the Planning Commission voted 7:0 to recommend approval of this application.

   Discussion was held concerning accessing the property with parking areas required to be paved.

Mayor Adams opened the matter for Public Hearing.

There were no requests to speak.

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

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

MOTION was made by **Councilman Taylor**, seconded by **Councilman Jones,** to Approve **Ordinance No. 1123**, Amending the Zoning Ordinance of the City of Mustang, Oklahoma, as Amended to Change Certain Property Located in Canadian County, Oklahoma, from "R-1" Single-Family District to "C-5" Commercial Intensive District and, Declaring Repealer, Providing for Severability.

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

MOTION was made by **Mayor Adams**, seconded by **Councilman Jones** to Declare an Emergency.

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

*3. **Discussion, Consideration and Possible Action** regarding Approval of Contract and Statutory Bond with RDM Construction, Inc., for Project Titled 59th Street Bridge Waterline Relocation.

Assistant City Manager Battles stated on March 17, 2015, the City Council awarded the bid for the project titled 59th Street Bridge Waterline Relocation to the low bidder, RDM Construction, Inc. in the amount of $39,900. He stated this item is to approve the contract and Statutory Bond for this project stating the Maintenance and Performance Bonds would be brought to Council at a later meeting for approval. He stated the contract was being brought to Council now for approval in order for the contractor to order their products.

Discussion was held concerning the length of time allocated for this project with **Battles** advising it could be completed in as little as seven days, weather permitting. He stated there was the possibility of needing to work into the evening one day stating citizens would be notified if it does become necessary.

MOTION was made by **Councilman Jones**, seconded by **Councilwoman Bowers,** to Approve the Contract and Statutory Bond with RDM Construction, Inc., for Project Titled 59th Street Bridge Waterline Relocation.

AYE: **Taylor, Staples, Bowers, Jones, Hagan, Adams**
NAY: **None**

J. CITY ATTORNEY'S REPORT

None.

K. ADJOURNMENT

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

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

The meeting was adjourned at **7:36 p.m.**

~~Jay Adams, Mayor~~
Matthew Taylor, Vice Mayor

Attest:

Lisa Martin, City Clerk

MUSTANG IMPROVEMENT AUTHORITY
APRIL 7, 2015

The Mustang Improvement Authority met in regular session on Tuesday, April 7, 2015, 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, April 3, 2015, at 3:55 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 **7:36 p.m.**

B. ROLL CALL

Trustees Present: **Taylor**
Staples
Bowers
Jones
Hagan
Adams

Trustees Absent: **Schweinberg**

C. NEW BUSINESS

None.

D. CONSENT AGENDA

1. Approval of **03/17/15** MIA Minutes
*2. Claims List for **FY '15**
*3. Approval to Turn **Past Due Utility Accounts** over to the Collection Agency.
*4. Acceptance of **Sanitary Sewer Easement** for the Mustang Public Schools ROTC Training Center.

MOTION was made by **Trustee Taylor**, seconded by **Trustee Bowers,** to approve Items D-1 thru D-4 of the Consent Agenda.

AYE: **Taylor, Staples, Bowers, Jones, Hagan, Adams**
NAY: **None**

E. INFORMATION/REPORTS

1. Trustee Manager

None.

2. Trustees

None.

F. DISCUSSION ITEMS

*1. **Discussion, Consideration and Possible Action** regarding Approval of Contract and Statutory Bond with RDM Construction, Inc., for Project Titled 59th Street Bridge Waterline Relocation.

MOTION was made by **Trustee Taylor**, seconded by **Trustee Staples,** to Approve Contract and Statutory Bond with RDM Construction, Inc., for Project Titled 59th Street Bridge Waterline Relocation.

AYE: **Taylor, Staples, Bowers, Jones, Hagan, Adams**
NAY: **None**

G. ADJOURNMENT

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

AYE: **Taylor, Staples, Bowers, Jones, Hagan, Adams**
NAY: **None**

Meeting was adjourned at **7:37 p.m.**

~~Jay Adams, Chairman~~
Matthew Taylor, Vice Chairman

Attest:

Lisa Martin, Secretary