MUSTANG CITY COUNCIL
JULY 1, 2014

The Mustang City Council met in regular session on Tuesday, July 1, 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, June 27, 2014, at 11:34 a.m. An Amended Agenda was posted on Friday, June 27, 2014, at 2:05 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 **7:00p.m.**

B. PLEDGE OF ALLEGIANCE/INVOCATION (Jeff LeDuc, Associate Pastor, First Baptist Church Mustang)

Jeff LeDuc, Associate Pastor, led the assembly in the Pledge and Invocation. He stated the pre-school and children's building addition was nearing completion and was very thankful for those who gave to this project. He stated the church's attendance was still good despite all the construction and advised of a new members class that will begin soon.

C. ROLL CALL

Councilmembers Present:	**Taylor**
	Staples
	Bowers
	Jones (left at 8:36 p.m.)
	Hagan
	Schweinberg
	Adams
Councilmembers Absent:	**None**

D. INTRODUCTION OF GUESTS/HEARING OF CITIZENS OR DELEGATES

John Karayianis, 616 E Elder Ln, addressed the Council regarding recycling as well as concerns regarding the City's budget.

E. NEW BUSINESS, DELETIONS OR CONTINUANCES TO THE AGENDA

City Manager Rooney advised the Fiscal Year stated in Item F-4 should be 2014-2015 instead of 2013-2014.

F. CONSENT AGENDA

1. Approval of **06/17/14** City Council Minutes
*2. Claims List for **FY '14**
*3. Approval to Turn **Past Due Utility Accounts** Over to the Collection Agency.
4. Acceptance of Both a **Federal E-Rate Grant** in the Amount of $6,168.00 and a **State Universal Service Fund Grant** in the Amount of $6,168.00 for Library's Two T-1 Lines for Fiscal Year 2013-2014.
5. Approval to Renew Agreement with the **Mustang Chamber of Commerce** for Fiscal Year 2014-2015.
6. Approval of Installation of **Directional Signs** for the Mustang Animal Shelter.
7. Approval of **Modifications to A/V Control Room** in the City Council Chambers.
*8. Acknowledgement of Receipt of **DEQ Permit No.SL000009140453**, for the Construction of approximately 3985 L.F. of 8-inch I.D. Sanitary Sewer Collection Line and Appurtenances to Serve the Hyde Park Addition.
9. Acceptance of Friends of the Library Donation of a **Dedicated Laptop** for SMART Board in Library's Education Room.
10. Request for an **Oklahoma Department of Transportation Study** Concerning the Speed Limit on East State Highway 152 between Sara Road and Country Club Drive.

Councilman Taylor requested Items F-1 and F-10 be pulled.
Mayor Adams requested Item F-2 be pulled.

MOTION was made by **Mayor Adams**, seconded by **Councilman Taylor,** to approve Items F-3 thru F-9 of the Consent Agenda.

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

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

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

Mayor Adams advised the claims list had been amended wherein additional claims had been added stating a list was provided this evening for Council review and that these claims were not included in the agenda packet on Friday. He stated the additional claims were due to end of one fiscal year and start of a new fiscal year and the motion to approve the claims would need to include the amendment.

MOTION was made by **Mayor Adams**, seconded by **Councilman Schweinberg,** to approve Item F-2 with of the Consent Agenda including the additional claims listed in the Amendment.

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

Discussion was held concerning Item F-10 regarding the Request for an Oklahoma Department of Transportation (ODOT) Study concerning the Speed Limit on East State Highway 152 between Sara Road and Country Club Drive. **Councilman Taylor** stated he had spoken to several city residents who were concerned with the motivation behind this study and stated Mr. Weatherford's concerns did not appear to be about the speed through this area, but rather was about the congestion and safety and the problems it creates for customers trying to turn into his businesses. **Chief Foley** stated drivers currently either do not see the speed limit sign lowering the speed limit to 45 or they ignore it and felt the ODOT study would be beneficial in telling the City if the speed limit adjustments would help with the congestion or not, and felt it would improve safety in the area.

Other discussion included what possible actions the ODOT study could advise and the possibility of center turn lanes and islands.

MOTION was made by **Councilwoman Staples**, seconded by **Councilman Jones**, to approve Item F-10 of the Consent Agenda.

AYE: **Staples, Bowers, Jones, Hagan, Schweinberg, Adams**
NAY: **Taylor**

G. INFORMATION/REPORTS

1. City Manager

City Manager Rooney reminded residents be safe during the July 4th holiday and to pick up their trash.

2. City Council

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

Councilman Taylor stated he was proud to have First Baptist Church Mustang as part of Ward 1 and exciting to see the growth and change. He requested the City Manager provide an update regarding the Parks and Recreation department's maintenance budget.

Councilwoman Staples did not have anything to report at this time.

Councilwoman Bowers advised of a curb problem that the City is currently looking into. She also stated some residents have mentioned the Shelter Grant process was a little difficult, but City Staff had been very helpful and reminded everyone that we wanted to make sure everything was done correctly with this being a federal grant. She also asked everyone to be careful with fireworks on the 4th and to clean up after themselves.

Councilman Jones thanked the Fire Department and everyone involved with the firework show and dinner on June 28th stating it was great.

Councilwoman Hagan stated there seemed to be a placement problem with the speed limit signs on Silver Drive and asked if they could be reviewed. She also asked everyone to be careful on the 4th and to clean up after themselves.

Councilman Schweinberg also thanked the Fire Department and everyone involved with the fireworks show and dinner on June 28th. He stated he had received emails regarding the maintenance of the parks such as the need for more mulch, sandburs, dirt/sand around the swings and slides, etc. He stated he had also heard a couple of comments regarding the restroom facilities needing attention.

Mayor Adams asked the City Manager to check the mowing schedule before the 4th.

City Manager Rooney stated they were trying to get everything mowed prior to July 4th; however, the rain had been an issue.

a. ***Re-Appointment of Three (3) Members to the Mustang Public Library Board.***

MOTION was made by **Councilman Schweinberg**, seconded by **Councilwoman Staples** to approve the re-appointment of Mr. Bill Edwards, Mr. Jack Price and Ms. Sharyl Allen to the Mustang Public Library Board, for the term July 1, 2014 through June 30, 2017.

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

b. ***Re-Appointment of Three (3) Members to the Mustang Leisure Services Board.***

MOTION was made by **Councilman Schweinberg**, seconded by **Councilman Jones** to approve the re-appointment of Ms. Theresa Flannery (Ward 2), Mr. Bob Graham (Ward 4), and Mr. Chuck Orefice (Ward 5) to the Mustang Leisure Services Board, for the term July 1, 2014 through June 30, 2017.

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

DISCUSSION ITEMS

1. **Discussion, Consideration and Possible Action** to Approve **Resolution 14-061**; Naming the Road Lying in the 600 Block of South State Highway 4 (a/k/a a part of the North Half of the Southwest Quarter of the Northwest Quarter of Section 35, Township 11 North, Range 05 West) East Thunderbird Lane.

   Community Development Director Coleman stated a concrete road linking the Armed Forces Readiness Center (AFRC) campus to S. State Highway 4 (S. Sara Rd) was completed earlier this year as part of an Oklahoma Department of Transportation Industrial Access Road project; however, the new road remains unnamed. He stated Colonel Cole, Commander of the AFRC has suggested "Thunderbird Lane" for its name. **Coleman** stated the Planning Commission endorsed the AFRC's recommendation by a unanimous (5-0) vote and stated a sign pole and stop sign are already positioned at this intersection with just the sign and installation hardware needing to be purchased.

MOTION was made by **Councilman Jones**, seconded by **Councilwoman Staples** to Approve Naming the Road Lying in the 600 Block of South State Highway 4 (a/k/a a part of the North Half of the Southwest Quarter of the Northwest Quarter of Section 35, Township 11 North, Range 05 West) East Thunderbird Lane

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

2. **Discussion, Consideration and Possible Action** to Approve the Electronic Billboard Conversion at 448 E State Highway 152.

   Senior City Planner Helsel stated City Council approved an Ordinance in early 2012 allowing the conversion of a non-conforming billboard sign to an electronic display under certain conditions. She stated Mr. Curt Callahan, Callahan Outdoor Advertising, currently owns a billboard at 448 E SH 152 and would like to convert it to an electronic display. **Helsel** stated Mr. Callahan has provided all of the documents necessary for the permit application with the exception of structural drawings from a state licensed engineer as he did not want to invest additional funds in his application until he was certain the concept was acceptable to the City. She stated the Mustang Traffic Commission recommended approval upon the following conditions: (1) the sign must remain the same size as before the conversion; and (2) the applicant must provide engineered drawings prior to the issuance of a permit.

   Councilman Taylor asked if the billboard was more than 300 feet from the residence located nearby as required in the Ordinance under Section 94-55 and it was determined that it was not.

   Discussion included if the 300 feet was from any direction or just from the electronic side of the display with **City Attorney Miller** advising the Ordinance does not state from which direction the sign is pointing.

   Other discussion included the appearance of the electronic display being more attractive than normal billboards and with the electronic side of the display facing west, it should not be a problem to the residence. Mr. Curt Callahan also addressed the Council providing more information regarding the electronic display. **Miller** stated the Ordinance would need to be amended in order to approve the conversion.

MOTION was made by **Mayor Adams,** seconded by **Councilman Taylor** to Table the Electronic Billboard Conversion at 448 E State Highway 152 to the next City Council meeting in order for City Staff and City Attorney to Draft an Amendment to the Ordinance that would clarify single or double faced signs and measurements

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

3. **Discussion, Consideration and Possible Action** to Authorize the City Manager and City Attorney to Negotiate Contracts for Engineering Services.

City Manager Rooney stated Request for Qualifications for Engineering firms was solicited with 16 firms responding prior to the deadline. He stated the list was narrowed to six firms who were invited to make a presentation to a committee consisting of ***Mayor Adams, Councilman Schweinberg, Community Development Director Coleman, Parks and Recreation Director Battles***, and himself. He stated the six firms were:

- EST
- Myers Engineering
- JGVEngineering
- Guernsey
- Meshack
- Cowan Group

Rooney stated while all the firms were qualified, upon review of the submittals from each firm, as well as the presentations made before the committee, the committee determined that several firms had strengths in specific areas and as a result, recommends that engineering services for the City of Mustang be divided as follows:

- JGVEngineering - Subdivision and Commercial Construction Review
- Cowan Group – Water/Wastewater and other engineering as assigned
- EST – Roads and Transportation
- Meshak – Drainage and Stormwater

Rooney stated all four firms were contacted and all are still interested in contracting with the City as stated above.

MOTION was made by **Mayor Adams,** seconded by **Councilman Jones** to Authorize the City Manager and City Attorney to Negotiate Contracts for Engineering Services.

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

*4. **Discussion, Consideration and Possible Action** to Accept the Bid Received for the Modifications to Lift Station No. 3 (West Side Lift Station - Lakehoma) and Award the Contract to Trent Construction, LLC for the amount of $174,021.

City Manager Rooney stated in the March 18, 2014 City Council meeting, representatives from EST reviewed the designs for the modification to Lift Station No. 3 (West Side Lift Station – Lakehoma) with City Council authorizing City Staff to go out for bid for this project. He stated bids were solicited with one bid being submitted by Trent Construction LLC in the amount of $174,021 stating the engineer's estimate was $200,000. Rooney stated EST has reviewed the bid submitted and is recommending the City award the contract to Trent Construction LLC.

Rooney stated in FY2013, Council approved the budget of $207,600 for engineering services and repairs (West Side Lift Station project) with the funding carrying forward to FY2014. He stated with actual expenditures of $27,781.25 (and encumbrances of $24,718.75) for engineering services in the current year, there will be $155,100 remaining for the project advising there is sufficient funding for the additional cost of $18,921 from the Limited Purpose Fund reserves to be applied to this project.

Discussion was held concerning the timeframe for this project with it being stated around six months.

MOTION was made by **Mayor Adams,** seconded by **Councilman Schweinberg** to Accept the Bid Received for the Modifications to Lift Station No. 3 (West Side Lift Station - Lakehoma).

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

MOTION was made by **Councilman Taylor,** seconded by **Councilwoman Staples** to Award the Contract to Trent Construction LLC in the amount of $174,021 for the Modifications to Lift Station No. 3 (West Side Lift Station - Lakehoma).

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

5. **Discussion, Consideration and Possible Action** To Grant a Waiver from the City of Mustang Water System Policy for Cedar Springs Industrial Park Sec. 2.

   Senior City Planner Helsel stated Mr. Steve Landes, P.E., The Land Run Group, designed the Cedar Springs plats under the assumption that the City's completion of the Industrial Access Road Water Main project would eliminate the requirement for his client to loop the 8-inch water main that serves Highline Ln and Industrial Ln in the current Cedar Springs Industrial Park; however, she stated this is not the case as there are already three hydrants on this dead-end line and it must be looped to accommodate a fourth as per the Water System Policy (December, 2003). She stated to complete the loop, Mr. Landes and the owner will have to establish an easement along the property lines between either Lot 5 and Lot 6 or Lot 6 and Lot 7 of the proposed addition.

   Steve Landes, P.E., The Land Run Group, addressed the City Council stating when originally reviewing everything, they thought there were two hydrants and his client would add the third one and stated the City Atlas also only shows two hydrants and they just missed it. He stated his client was never opposed to looping the water main, but didn't think it was necessary to have five hydrants in a 300 foot radiance, but is not opposed to looping it if the waiver isn't approved.

MOTION was made by **Councilwoman Staples**, seconded by **Councilman Taylor**, to Deny a Waiver from the City of Mustang Water System Policy for Cedar Springs Industrial Park Sec. 2.

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

6. **Discussion, Consideration and Possible Action** to Approve or Deny Preliminary Plat Application PP-3-10-14-1-35, Cedar Springs Industrial Park II, Land Run Group, LLC. Open for Public Hearing.

   Senior City Planner Helsel stated the applicant, Land Run Group LLC, requests approval of a Preliminary Plat for Cedar Springs Industrial Park, Section 2 Addition advising this addition is zoned C-5, Commercial Intensive District, and the design of the subdivision meets the criteria for C-5 development. She stated the subdivision contains approximately 7.21 acres and the number of lots was reduced from nine to eight with no common areas and each property owner being required to maintain the area within the drainage easement on his property. **Helsel** stated the general character of the area is commercial/industrial and the long-range plan calls for Light Industrial development in this area, so the request does not conform to the comprehensive plan.

   Helsel stated the City Engineer and Fire Department have both approved this plat, and the Police chief did not find any problems that would affect public health and safety. She stated the Planning Commission voted 5:0 to recommend approval of the Preliminary Plat at their June 24, 2014 meeting and staff recommends approval.

MOTION was made by **Councilman Jones**, seconded by **Mayor Adams**, to Approve, the Preliminary Plat Application PP-3-10-14-1-35, Cedar Springs Industrial Park II, Land Run Group, LLC with Amendments to the Water Line Configuration.

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

MOTION was made by **Mayor Adams**, seconded by **Councilwoman Staples**, to Re-Visit the issue in order to hold a Public Hearing.

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

Mayor Adams opened the matter for Public Hearing.

There being no public discussion, **MOTION** was made by **Mayor Adams**, seconded by **Councilman Taylor**, to close the Public Hearing.

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

MOTION was made by **Mayor Adams**, seconded by **Councilman Jones**, to Approve, the Preliminary Plat Application PP-3-10-14-1-35, Cedar Springs Industrial Park II, Land Run Group, LLC with Amendments to the Water Line Configuration.

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

7. **Discussion, Consideration and Possible Action** to Approve or Deny the Final Plat Application FP-3-10-14-1-35 Cedar Springs Industrial Park II, Land Run Group, LLC.

   Senior City Planner Helsel stated the Final Platt does not include the Easement for the water line to be looped as discussed in Item H-5 and stated the Planning Commission voted 5:0 to recommend approval of the plat contingent upon City Council granting the exception to the water policy (H-5).

MOTION was made by **Mayor Adams**, seconded by **Councilman Schweinberg**, to Return the Final Plat Application FP-3-10-14-1-35 Cedar Springs Industrial Park II, Land Run Group, LLC to the Planning Commission.

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

I. CITY ATTORNEY'S REPORT

1. **Discussion, Consideration, and Possible Action** regarding Independent School District No. 69 of Canadian County, Oklahoma vs. City of Mustang, et al., Case No. CV-2014-102, District Court, Canadian County, Oklahoma; and **proposed Executive Session as authorized by 25 Okla. Stat. §307(B)(4).**

MOTION was made by **Mayor Adams,** seconded by **Councilwoman Staples** to adjourn to executive session.

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

TIME ADJOURNED to Executive Session: **8:24 p.m.**

Councilman Jones left at this time.

Mayor Adams called the meeting back in session at **8:36 p.m.**

In reference to Item I-1 –

MOTION was made by **Mayor Adams**, seconded by **Councilman Scweinberg** that the City of Mustang not oppose the vacation sought by Independent School District No. 69 provided (1) any City owned water lines are terminated at the west side of Snyder and within the easement that will remain after any vacation proceedings, at Mustang School's expense, and (2) sewer lines are terminated at the west side of South Snyder and lampholes are installed by Mustang School at Mustang School's expense and City retains necessary easement rights to access the lampholes, and authorize the City Attorney to proceed accordingly.

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

K. ADJOURNMENT

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

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

The meeting was adjourned at **8:37 p.m.**

Jay Adams

Jay Adams, Mayor

Attest:

Lisa Martin

Lisa Martin, City Clerk

MUSTANG IMPROVEMENT AUTHORITY
JULY 1, 2014

The Mustang Improvement Authority met in regular session on Tuesday, July 1, 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, June 27, 2014, at 11:34 a.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 **8:37 p.m.**

B. ROLL CALL

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

Trustees Absent: **Jones**

C. NEW BUSINESS

None.

D. CONSENT AGENDA

1. Approval of **06/17/14** MIA Minutes
*2. Claims List for **FY '14**
*3. Approval to Turn **Past Due Utility Accounts** Over to the Collection Agency.
*4. Acknowledgement of Receipt of **DEQ Permit No. SL000009140453**, for the Construction of approximately 3985 L.F. of 8-inch I.D. Sanitary Sewer Collection Line and Appurtenances to Serve the Hyde Park Addition.

Trustee Taylor requested Item D-1 be pulled.
Chairman Adams requested Item D-2 be pulled.

MOTION was made by **Chairman Adams**, seconded by **Trustee Taylor,** to approve Items D-3 thru D-4 of the Consent Agenda.

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

MOTION was made by **Chairman Adams**, seconded by **Trustee Schweinberg,** to approve Item D-1 of the Consent Agenda.

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

MOTION was made by **Chairman Adams**, seconded by **Trustee Taylor,** to approve Item D-2 with of the Consent Agenda including the additional claims listed in the Amendment.

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

E. INFORMATION/REPORTS

1. **Trustee Manager**

   None.

2. **Trustees**

   None.

F. DISCUSSION ITEMS

*1. **Discussion, Consideration and Possible Action** to Accept the Bid Received for the Modifications to Lift Station No. 3 (West Side Lift Station - Lakehoma) and Award the Contract to Trent Construction, LLC for the amount of $174,021.

MOTION was made by **Chairman Adams,** seconded by **Trustee Schweinberg** to Accept the Bid Received for the Modifications to Lift Station No. 3 (West Side Lift Station - Lakehoma).

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

MOTION was made by **Trustee Taylor,** seconded by **Trustee Schweinberg** to Award the Contract to Trent Construction LLC in the amount of $174,021 for the Modifications to Lift Station No. 3 (West Side Lift Station - Lakehoma).

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

G. ADJOURNMENT

MOTION was made by **Trustee Schweinberg** and seconded by **Trustee Taylor** to adjourn.

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

Meeting was adjourned at **8:41 p.m.**

Jay Adams

Jay Adams, Chairman

Attest:

Lisa Martin

Lisa Martin, Secretary