MUSTANG CITY COUNCIL
AUGUST 20, 2013

The Mustang City Council met in regular session on Tuesday, August 20, 2013, 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, August 16, 2013, at 1:45 p.m. An Amended Agenda was posted on Monday, August 19, 2013, at 11:20 a.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 *(Dave Bryan, Pastor, Chisholm Heights Baptist Church)*

Dave Bryan, Pastor, led the assembly in the Pledge and Invocation. He advised the church will be celebrating 50 years as a congregation this October and will have special events and speakers.

C. ROLL CALL

Councilmembers Present:	**Taylor**
	Staples
	Bowers
	Jones
	Hagan
	Mount
	Adams
Councilmembers Absent:	**None**

D. INTRODUCTION OF GUESTS/HEARING OF CITIZENS OR DELEGATES

Mayor Adams introduced Mustang's new City Manager, Timothy Rooney, and welcomed him to the City of Mustang

E. NEW BUSINESS, DELETIONS OR CONTINUANCES TO THE AGENDA

None.

F. <u>CONSENT AGENDA</u>

1. Approval of **08/06/13** City Council Minutes
*2. Claims List for **FY '13**
*3. Claims List for **FY '14**
4 Approval to Turn **Past Due Library Accounts** Over to Collection Agency.
5. Approval of **Resolution No. 14-005** Making Changes in the General Fund Budget by making a Supplemental Appropriation to Increase the 2013-2014 Fiscal Year Budget by $1,753.00.
6. Approval to Renew Contract with **Youth and Family Services, Inc.** for 2013/2014.
7. Approval to Renew the Business Associate Agreement with **Youth and Family Services, Inc.**
8. Acceptance of **Easement** for OG&E Power Line for Wild Horse Park Baseball Complex.
9. Acceptance of **Oklahoma Homeland Security Grant** #350.090 – Antennas and Installation (for previous approved/awarded Grant 250.078-three 800MHz radios).
*10. Discussion and Possible Action on **Awarding Bid** for the Project titled Sanitary Sewer Outfall Pipe (Effluent Outfall Line) per ODEQ Consent Order 12-151.

Mayor Adams asked that Items F-7 and F-10 be pulled for discussion.

Councilwoman Bowers asked that Item F-9 be pulled for discussion.

MOTION was made by **Mayor Adams**, seconded by **Councilman Jones** to approve Items F-1 through F-6 and Item F-8 of the Consent Agenda.

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

ITEM F-7: Approval to Renew the Business Associate Agreement with **Youth and Family Services, Inc.**

Mayor Adams stated this item was pulled at the request of ***City Attorney Jonathan Miller*** to provide more time for review and clarification.

Councilman Taylor requested the City Manager provide agreements/contracts to the City Attorney in a timely manner in order for proper review prior to the City Council meeting.

MOTION was made by **Mayor Adams**, seconded by **Councilman Mount** to approve Item F-7 of the Consent Agenda following subsequent City Attorney Review.

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

ITEM F-9: Acceptance of **Oklahoma Homeland Security Grant** #350.090 – Antennas and Installation (for previous approved/awarded Grant 250.078-three 800MHz radios).

Councilwoman Bowers asked if it was too late for the City to accept the grant since "Schedule A" states the due date to accept the proposed award is August 15, 2013.

Police Chief Foley advised he had been in contact with Homeland Security who stated, in writing, they would accept the paperwork after the August 15, 2013, due date.

MOTION was made by **Councilwoman Bowers**, seconded by **Councilman Jones** to approve Item F-9 of the Consent Agenda.

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

ITEM F-10: Discussion and Possible Action on **Awarding Bid** for the Project titled Sanitary Sewer Outfall Pipe (Effluent Outfall Line) per ODEQ Consent Order 12-151.

Mayor Adams advised this item was being brought back to Council for approval due to the August 6, 2013, Agenda which stated the award was to be made to Continental Construction.

Councilman Mount stated EST, Inc. provided an engineer's estimate on this project November 12, 2012, of $97,520.00. He stated the City is now awarding the project at $183,781.00, which is a vast difference. He also stated EST, Inc. was paid $17,000.00 for the work on this project.

MOTION was made by **Mayor Adams**, seconded by **Councilwoman Bowers** to approve Item F-10 of the Consent Agenda.

AYE: Taylor, Bowers, Jones, Hagan, Adams
NAY: Staples, Mount

G. <u>INFORMATION/REPORTS</u>

1. <u>City Manager</u>

City Manager Rooney stated he was very happy to be here and thanked City Staff for welcoming him. He also stated he had a chance to meet a few members of the community at Positive Posse and looks forward to serving the City of Mustang as the City Manager. He had no reports at this time.

2. <u>City Council</u>

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

Councilman Mount stated he received several calls since the last Council meeting; however, his phone line was also down for several days during that time and was not able to send or receive calls.

Councilwoman Hagan welcomed ***City Manager Rooney*** to the City of Mustang.

Councilman Jones he was excited about the upcoming Western Days and events. He also welcomed ***City Manager Rooney*** to Mustang.

Councilwoman Bowers stated it had been quiet in her Ward and also welcomed ***City Manager Rooney*** to Mustang.

Councilwoman Staples stated she had received quite a few calls regarding animals. She requested Section 14 of the City of Mustang Code of Ordinances regarding dog and cat licenses be placed on the next Council agenda. Staples also welcomed ***City Manager Rooney*** to the City of Mustang.

Councilman Taylor stated he was excited about Western Days as well as the Canadian County Fair and provided information regarding the Fair. He asked ***City Manager Rooney*** to provide an update at the next Council meeting regarding the Cox line hanging over the traffic lights at State Hwy 152 and Sara Road. **Taylor** requested ***Finance Director Watts*** to provide a first quarter financials update presentation at the next City Council meeting. He also stated he had an opportunity to have lunch with the City Manager over the weekend and welcomed him to the City as well.

Parks and Recreation Director Battles stated Cox had been out for a couple of days working on the poles, then just left. He stated he had a call into Cox, but had not heard back.

Mayor Adams advised he was also working on issues regarding the Animal Shelter and will be setting a meeting with the City Manager and Police Chief to discuss. He stated he was looking forward to Western Days. He also thanked ***Justin Battles*** who served as the Interim City Manager, stating a lot was asked of him and he exceeded far beyond what was expected. He stated he was very impressed with what he accomplished and felt more was accomplished over the last six months than in the preceding three years. **Adams** stated the Positive Posse gave ***Battles*** an "Att A Boy" award for his service.

A standing ovation was given to ***Mr. Battles***.

Adams stated when the City began the hunt for a new City Manager, they would not settle for just anyone and 52 applications later, it was obvious we were down to the best and welcomed ***City Manager Rooney*** to the City of Mustang.

H. DISCUSSION ITEMS

1. **Discussion, Consideration and Possible Action** Regarding Approval of **Ordinance No. 1091**, Amending Chapter 18 of the Ordinances of the City of Mustang, Oklahoma, by adding Section 34(C) to Impose a Temporary Moratorium on Permit Fees for Storm Shelters and Establishing the Effective Date for such Moratorium; Providing for Repealer and Severability; and Declaring an Emergency.

Councilman Taylor advised he was glad to see this Amendment going before Council and stated he felt it was the least the City could do to help encourage storm shelters.

MOTION was made by **Councilman Taylor**, seconded by **Councilwoman Staples** to approve **Ordinance No. 1091**.

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

MOTION was made by **Mayor Adams** and seconded by **Councilman Taylor** to approve the Emergency Clause for **Ordinance No. 1091**.

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

2. **Discussion, Consideration and Possible Action** Regarding Approval of Contract with 4M Trenching for the Construction of the Project Titled Effluent Outfall Line in reference to ODEQ Consent Order 12-151.

Parks and Recreation Director Battles stated this is the Oklahoma Department of Environmental Quality (ODEQ) approved contract between the City of Mustang and 4M Trenching, Inc.

City Attorney Miller advised he reviewed the contract and bonds and has requested a couple of changes to the bonds, but does approve them dependent upon those changes being made.

MOTION was made by **Mayor Adams** and seconded by **Councilman Taylor** to approve the Contract with 4M Trenching for the Construction of the Project Titled Effluent Outfall Line in reference to ODEQ Consent Order 12-151 dependent upon the changes requested by ***City Attorney Miller*** being completed.

AYE: Taylor, Bowers, Jones, Hagan, Adams
NAY: Staples, Mount

*3. **Discussion, Consideration and Possible Action** Regarding Chapter 10 Section 10-85(b) of the City of Mustang Code of Ordinances concerning Operation and Conduct – Parades.

Councilman Taylor stated this section prohibits anyone from throwing candy from a float or moving vehicle or handing out candy or other items along a parade route. He stated he looks forward to handing out candy; however, the Council should follow any Ordinances of the City. He stated he wanted to bring this before Council in this meeting to discuss and if Council approves changing it, bring an Amended Ordinance with an Emergency Clause to Council at the next City Council meeting for approval, which would be prior to Western Days.

MOTION was made by **Councilman Taylor** to bring back Chapter 10 Section 10-85(b) to the next City Council meeting to repeal the section of the Ordinance relating to prohibiting handing out candy.

Mayor Adams asked if ***Taylor*** would entertain changing his motion to repeal Section 10-85(b) in its entirety.

Councilwoman Hagan advised she was opposed to changing the Ordinance as she was very concerned about children choking on the hard candy.

Taylor read aloud Chapter 10 Section 10-85(b) of the City of Mustang Code of Ordinances.

Adams stated the Ordinance not only prohibits throwing and handing out candy, but also other items. He stated currently, pamphlets and bottles of water are also handed out which is prohibited.

MOTION was made by **Councilman Taylor,** seconded by **Mayor Adams**, to direct the City Manager's Office to author an Ordinance to Amend Chapter 10 of the City of Mustang Code of Ordinance by Repealing Section 10-85(b) including an Emergency Clause.

AYE: Taylor, Staples, Bowers, Jones, Mount, Adams
NAY: Hagan

J. <u>CITY ATTORNEY'S REPORT</u>

1. **Discussion, Consideration and Possible Action** Regarding Negotiations with the Mustang FOP for Fiscal Year 2013-2014 and authorization for City Attorney and Staff to Take Action Necessary to Accomplish the Same. **Proposed Executive Session as Authorized by 25 O.S., Section 307 (B)(2) and 25 O.S., Section 307 (B) (4)"**

MOTION was made by **Mayor Adams,** seconded by **Councilman Jones** to adjourn to executive session.

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

TIME ADJOURNED to Executive Session: **7:35 p.m.**

Mayor Adams called the meeting back in session at **8:05 p.m.**

In reference to Item J-1 –

MOTION was made by **Mayor Adams,** seconded by **Councilman Jones** to Proceed as Discussed in Executive Session.

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

K. ADJOURNMENT

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

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

The meeting was adjourned at **8:05 p.m.**

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Jay Adams, Mayor

Attest:

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Lisa Martin, City Clerk

MUSTANG IMPROVEMENT AUTHORITY
AUGUST 20, 2013

The Mustang Improvement Authority met in regular session on Tuesday, August 20, 2013, 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, August 16, 2013, at 1:45 p.m. An Amended Agenda was posted on Monday, August 19, 2013, at 11:20 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 8:05 p.m.

B. ROLL CALL

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

Trustees Absent: **None**

C. NEW BUSINESS

None.

D. <u>CONSENT AGENDA</u>

1. Approval of **08/6/13** MIA Minutes.
*2. Claims List for **FY '13**
*3. Claims List for **FY '14**
*4. Discussion and Possible Action on **Awarding Bid** for the Project titled Sanitary Sewer Outfall Pipe (Effluent Outfall Line) per ODEQ Consent Order 12-151.

Mayor Adams asked that Item D-4 be pulled for discussion.

MOTION was made by **Chairman Adams**, seconded by **Trustee Taylor** to approve Items D-1 through D-3 of the Consent Agenda.

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

ITEM D-4: Discussion and Possible Action on **Awarding Bid** for the Project titled Sanitary Sewer Outfall Pipe (Effluent Outfall Line) per ODEQ Consent Order 12-151.

Mayor Adams advised this item was being brought back to the Authority for approval due to the August 6, 2013, Agenda which stated the award was to be made to Continental Construction.

MOTION was made by **Chairman Adams**, seconded by **Councilman Taylor** to approve Item D-4 of the Consent Agenda.

AYE: Taylor, Bowers, Jones, Hagan, Adams
NAY: Staples, Mount

E. <u>INFORMATION/REPORTS</u>

1. Trustee Manager

None.

2. Trustees

None.

F. <u>DISCUSSION ITEMS</u>

*1. **Discussion, Consideration and Possible Action** Regarding Approval of Contract with 4M Trenching for the Construction of the Project Titled Effluent Outfall Line in reference to ODEQ Consent Order 12-151.

City Attorney Miller advised he reviewed the contract and bonds and has requested a couple of changes to the bonds, but does approve them dependent upon those changes being made.

MOTION was made by **Chairman Adams** and seconded by **Trustee Taylor** to approve the Contract with 4M Trenching for the Construction of the Project Titled Effluent Outfall Line in reference to ODEQ Consent Order 12-151 dependent upon the changes requested by ***City Attorney Miller*** being completed.

AYE: Taylor, Bowers, Jones, Hagan, Adams
NAY: Staples, Mount

F. <u>ADJOURNMENT</u>

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

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

Meeting was adjourned at **8:08 p.m.**

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Jay Adams, Chairman

Attest:

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Lisa Martin, Secretary