

**MUSTANG CITY COUNCIL
MARCH 1, 2016**

The Mustang City Council met in regular session on Tuesday, March 1, 2016, 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, February 26, 2016, at 1:50 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 (Dave Bryan, Pastor, Chisholm Heights Baptist Church)

Pastor Bryan led the assembly in the Pledge and Invocation. He stated it was always a privilege to be a part of the City Council meeting. He stated the church was doing well stating a group would be leaving after Easter to go to Israel for a couple of weeks.

C. ROLL CALL

Councilmembers Present:	Riley
	Staples
	Grider
	Jones
	Hagan
	Schweinberg
	Adams

Councilmembers Absent:	None
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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 **02/16/16** City Council Minutes.
- *2. Claims List for **FY'16**
- *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. Approval of **Resolution No. 16-030** making changes in the General Fund Budget by making a Supplemental Appropriation to Increase the 2015-2016 Fiscal Year Budget by \$1,500.
6. Approval of **Resolution No. 16-031**, Directing Filing and Notification of the Publication of the 2016 Supplement to the Mustang Municipal Code.

MOTION was made by **Councilman Schweinberg**, seconded by **Councilman Grider**, to approve Items F-1 thru F-6 of the Consent Agenda.

AYE: Riley, Staples, Grider, Jones, Hagan, Schweinberg, Adams

NAY: None

G. INFORMATION/REPORTS

1. City Manager

City Manager Rooney stated he did not have anything to report in addition to his City Manager report.

a. Special Presentation

City Manager Rooney recognized Ms. Coeta Morrell in a special presentation with naming the new Wild Horse Park entrance road to "W. Morrell Way" and unveiling the sign during the meeting. He stated she was an active participant and leader in the City of Mustang obtaining the Wild Horse Park land as well as providing its name.

2. City Council

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

Councilman Riley stated he attended the fundraiser by the Friends of the Animal Shelter where they played Quartermania stating over \$2,000 was raised for the Animal Shelter. He also congratulated the Parks and Recreation Department for a wonderful time at the Daddy/Daughter Dance.

Councilwoman Staples thanked everyone involved in the limb clean up stating it was an enormous job and she received several complements on behalf of the City and contractor.

Councilman Grider stated he also attended the Daddy/Daughter Dance and had a great time. He also congratulated **Community Development Director Helsel** and her department for the hard work in bringing a nice hotel to town.

Councilman Jones stated he had heard from several citizens regarding the rezoning item on tonight's agenda.

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

Vice Mayor Schweinberg did not have anything to report at this time.

Mayor Adams stated he had a couple of issues he brought to the City Manager and they have been resolved. He stated progress was being made in regards to ODOT projects stating he was excited the walking trails grant was moving forward again.

H. DISCUSSION ITEMS

1. **Public Hearing, Discussion, Consideration and Possible Action** regarding **Ordinance No. 1137**, Amending the Zoning Ordinance of the City of Mustang, Oklahoma, as Amended, to Change Certain Property Located in Canadian County, Oklahoma, from "A-1" General Agricultural and Oil and Gas District to "R-1 PUD" Single Family Residential Planned Unit Development District and Declaring Repealer; Providing for Severability; and Declaring an Emergency. Rezoning Application RZ-1-20-16-1-27, Civil Design & Survey of Oklahoma, 800-900 Block N. Sara Road)

Community Development Director Helsel stated this application was to request rezoning property from A-1 General Agricultural and Oil and Gas District to R-1 PUD Single Family Residential Planned Unit Development, located at the 800-900 block of N. Sara Road. She stated the overall concept is single family residential subdivision with very little individual lawn areas, but will have a lot of common areas, walking trails, gated entry, recreational facilities, and clubhouse with grounds maintenance for the entire PUD.

Helsel stated the property includes approximately 116 homes within approximately 25 acres stating the homes will be a minimum of 1800 square feet in size, costing between \$135 and \$140 per square foot stating the homes will be very close together. She stated a wall will be placed around the perimeter and public sanitary sewer and water will be provided, but the streets will be private stating the maintaining of streets by the HOA is written into the PUD. She listed dimensions of houses and lots proposed as compared to Mustang's minimum requirements. **Helsel** stated it was a unique design for Mustang; however, not unique to Oklahoma or nationwide stating it would appeal to those wanting the exclusivity of a gated community with the ample amenities and common areas that are maintained by the PUD, but not wanting large lots to maintain.

Helsel stated the general character of the area is low density residential and conforms to the long range plan. She stated fire hydrants will be placed at the south end of each of the common access drives and both water and sewer lines will be located at the south end of the subdivision, stating a 15 foot utility easement will be located at the north boundary of the development. **Helsel** stated when development occurs, the engineer will be required to follow all aspects of the City's drainage ordinance and will not be permitted to discharge at any faster rate than currently exists.

Helsel stated the Fire Department, Police Department and City Attorney have approved the application, with changes made at the request of the Fire Department and City Attorney, stating the Planning Commission voted unanimously to recommend approval of the application at their February 23, 2016 meeting. She stated Staff recommends approval of this PUD application stating the proposal fits well within the definition and intent of a Planned Unit Development.

Discussion was held concerning a crash gate, parking, market conditions, turnpike expansion, and drainage. **Helsel** stated the Fire Department did not require a crash gate and overflow parking was available in the common areas, clubhouse, etc. She stated as for market conditions, Edmond has a development like this and is filling fast; however, if any changes were to be made to the development, for instance, due to lack of market, it would have to go back through Planning Commission and City Council. She stated the Oklahoma Turnpike Authority stated at a meeting held recently in Mustang they do not plan for the turnpike to go into Mustang. As for drainage, **Helsel** stated the City Engineer, Don Vick, would review the plans very closely stating the developer will not be permitted to discharge at any faster rate than currently exists and if Mr. Vick sees a way to make an existing problem better, he will suggest it to the developer. **Mayor Adams** also stated work would not begin until the preliminary and final drainage plans were approved.

Mark Ritchie, Civil Design and Survey, on behalf of the applicants and developers, Sheppard and Sons, addressed the Council stating Mustang was a very desirable place to live and as the turnpike comes closer to Mustang, even more people will be willing to move out this way as commuting to the City will become more convenient. He stated they would be required to detain any drainage as well as being required by ordinance to not make drainage worse on the current housing developments.

MOTION was made by **Mayor Adams**, seconded by **Councilman Grider**, to open the matter for Public Hearing.

AYE: Riley, Staples, Grider, Jones, Hagan, Schweinberg, Adams

NAY: None

Jim Sheppard, 1224 E. Highline Road, Sheppard and Sons Construction, on behalf of the developers, addressed the Council stating he had been a resident of Mustang since 1973 and knows this area well and has worked hard to develop their company and reputation. He stated he had been thinking of this idea for awhile and the property lends very well to it. He stated he did not want a crash gate and would not install one if not required. He stated this was a five year building plan and it would not be abandoned stating they cater to large custom homes and are not dependent on their success to determine their own success. He does not feel the turnpike expansion would be a problem, and if anything, would be beneficial. He stated these homes would be owner occupied, not rentals, and would be homes in which to be proud.

Donna Skidmore, 2113 SW 67th Street, Oklahoma City, Oklahoma, addressed the Council stating her parents live at 707 E. Lea Terrace and stated drainage is an issue in this neighborhood with houses having to place sandbags in front of their garages and properties with water still flooding into their homes. She referenced a map and provided information and data regarding the drainage issues stating there was not enough information from the developer regarding how drainage from the new development would be maintained and not create more flooding issues in this area. She requested the Council postpone the rezoning request until a preliminary study including drainage plans was provided, stating she was not against the new development, but did not want it to cause more hardship and flooding.

Robert Duke, 432 E. Magnolia Terrace, Mustang, Oklahoma, addressed the Council stating he had a number of concerns stating the development of the area would decrease the environment and be a negative impact on the peace and tranquility of the community. He stated the development would place an unnecessary strain on the water and sewer that is already over-burdened and stated Mustang needed some green areas and with the way it is going now, Mustang will be paved over from one end to the other. He stated he was told this would increase property values; however, his property taxes were already too high. He stated drainage was a current problem stating he has had 8-12 inches of water flowing around both sides of his house. He also stated he had concerns regarding the wall and requested this decision be postponed until the drainage issues were resolved.

Frank Devous, 512 E. Lea Terrace, Mustang, Oklahoma, addressed the Council stating there was a very bad drainage problem in this area and the bar ditches cannot handle the drainage. He stated he has two shops and the last time there was a heavy rain, both shops flooded stating a high percentage of run-off comes from the acreages being discussed for rezoning. He stated one of the past City Managers and a contractor came out and looked at the drainage problems, caved in culverts, and blockages and both stated it needed repaired, but no one ever followed through.

Adams requested Mr. Devous contact **Assistant City Manager Battles** to discuss the drainage problem stating he will look at it and let him know whether it can or can't be corrected by the City.

Dale Castor, 815 E. Lea Terrace, Mustang, Oklahoma, addressed the Council stating traffic was becoming a big problem in this area with the new developments at Savannah Lakes, Sara Homestead, Ledgestone, the development across from the new Prairie View School, Wal Mart, etc. He stated adding an additional 100 plus homes would add to it and requested the Council wait to make a decision on this until the homes were built in these other developments to see how it affects traffic. He stated he felt 100 homes in 25 acres was too tight and was not being planned right to him. He stated the current water situation was a big problem and had pictures of his back yard being flooded this past summer. He was also concerned with the wall and asked if there was an easement or set back from the property line.

Mr. Castor had remaining time and gave to Ms. Skidmore in order to continue addressing the Council regarding her concerns.

Ms. Skidmore made a comparison of the size of the homes and lots of the new development compared to where her parents live stating the average lot size in this new development is 5,300 square feet and the average lot size on Lea Terrace is 39,000 square feet. She stated her parents' lot is a little larger at 48,735 square feet. She stated in relationship, take one cluster of eight houses in this new development and place on her parents' one lot, and there would still be 1,000 square feet left.

Discussion was held concerning why the public was limited to three minutes to speak, but Staff had more time. **Mayor Adams** stated Staff was allowed more time in order to cover procedures, ordinances, and answer Council questions stating the builder and developers were also limited to the three minutes.

Jose Viejo, 525 E. Lea Terrace, Mustang, Oklahoma, addressed the Council stating one problem not discussed is whether or not the people coming into the new development would be high society type people who may not like their horses, goats, etc. nor their smell. He stated they may want to change their lifestyle. He also stated drainage was a problem.

Mr. Viejo had remaining time and gave to Ms. Skidmore in order to continue addressing the Council regarding her concerns.

Ms. Skidmore provided additional information regarding drainage issues and calculated the area of impermeable surfaces including the homes, street, sidewalk, and drives stating this development would add approximately 10.46 acres of impermeable surface to undeveloped land. She stated she had done some refiguring and that her calculations were a little different from that stated at Planning Commission.

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

AYE: Riley, Staples, Grider, Jones, Hagan, Schweinberg, Adams

NAY: None

Discussion was held concerning the required drainage analysis with **Helsel** stating a drainage analysis would be required with the preliminary plat as well as the final plat, stating both would come back through Planning Commission and City Council for approval. She stated that would be the time to discuss drainage and easements. She stated Ordinance will not allow the developer to make drainage issues worse; however, the developer is not responsible to make their drainage issues better either.

Discussion was also held concerning the wall around the subdivision and the drainage issues it might create.

Mark Ritchie, Civil Design and Survey, on behalf of the applicants and developers, Sheppard and Sons, addressed the Council again stating the wall does not have to touch the ground and would be 3-4 inches above the ground allowing the water to flow through and not be blocked on their property stating the City Engineer would hold him to it stating they could sue him if he did not stay true to his word. He also discussed the columns to be used with the brick wall.

Helsel stated if the rezoning application was approved, the next step would be for the developer's engineer to develop a preliminary plat with drainage analysis to be submitted to the City Engineer, Don Vick, for review and approval. She stated if Mr. Vick does not approve it, then it never goes to Planning Commission or Council. She stated if the preliminary plat with drainage analysis is approved by Mr. Vick, then it would go to Planning Commission and City Council for approval. **Helsel** stated if the preliminary plat with drainage analysis is approved by Planning Commission and City Council, then the developer's engineer develops the final plat with drainage analysis and submits this to Mr. Vick again for review and approval. She stated if approved by the City Engineer, the final plat with drainage analysis goes through Planning Commission and City Council again for approval.

Helsel stated a letter of notification to residents of preliminary and final plat review by Planning Commission and City Council is not required as it is here, and encouraged residents to check agendas in order to know when it would be heard.

Councilman Riley stated he appreciated everyone in attendance and addressing the Council on this issue. He stated he has only been in office for one year and normally his Ward is quiet, so when he receives twice the number of phone calls than usual, he listens. He stated his goal was to be a voice for Ward I. He stated he appreciated the work by the City and developer, but would vote for his Ward.

Adams stated he understands there will be a significant amount of engineering in regards to the drainage and an approval tonight provides the ability for the developer and engineer to begin the engineering and drainage study, which, if approved by the City Engineer, would be brought back through Planning Commission and Council as would the final study. He stated a lot of the drainage issues would be taken care of through this process. He stated the City Engineer is very strict and would hold the developer and his engineer responsible to the requirements and standards as required by ordinance and would not be allowed to make drainage issues worse.

Adams stated there are traffic issues in Mustang, but to remember the City of Mustang, City of Oklahoma City, and the Oklahoma Turnpike Authority are talking about making Sara Rd. a four lane road; therefore, could be street improvements in that area. He stated this was not low income housing and feels people would be happy to spend the money to live there stating as for the smells that may come from surrounding neighborhoods, the buyer should know what is or is not allowed in those areas.

Councilman Schweinberg stated this was a tough item for him as he has stood in front of Council before as a resident of Mustang regarding a large development south of him. He stated he sees this as a great opportunity for the City of Mustang and is sorry that back in the day, there were not better drainage ordinances. He stated this may be an opportunity to correct some of those drainage issues and people should not assume it will only make them worse, but instead, look at it as an opportunity to correct errors made 40 years ago. He stated if it is still an issue, then do not approve the plat.

MOTION was made by **Councilman Schweinberg**, seconded by **Councilman Grider**, to Approve **Ordinance No. 1137**, Amending the Zoning Ordinance of the City of Mustang, Oklahoma, as Amended, to Change Certain Property Located in Canadian County, Oklahoma, from "A-1" General Agricultural and Oil and Gas District to "R-1 PUD" Single Family Residential Planned Unit Development District and Declaring Repealer; Providing for Severability.

AYE: Grider, Schweinberg, Adams

NAY: Riley, Staples, Jones, Hagan

J. CITY ATTORNEY'S REPORT

None.

K. ADJOURNMENT

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

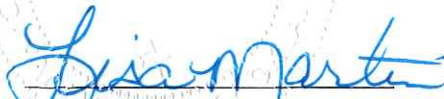
AYE: Riley, Staples, Grider, Jones, Hagan, Schweinberg, Adams

NAY: None

The meeting was adjourned at **8:32 p.m.**


Jay Adams, Mayor

Attest:


Lisa Martin, City Clerk

**MUSTANG IMPROVEMENT AUTHORITY
MARCH 1, 2016**

The Mustang Improvement Authority met in regular session on Tuesday, March 1, 2016, 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, February 26, 2016, at 1:50 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 **8:32 p.m.**

B. ROLL CALL

Trustees Present: Riley
Staples
Grider
Jones
Hagan
Schweinberg
Adams

Trustees Absent: None

C. NEW BUSINESS

None.

D. CONSENT AGENDA

1. Approval of **02/16/16** MIA Minutes
- *2. Claims List for **FY '16**
- *3. Approval to Turn **Past Due Utility Accounts** over to the Collection Agency.

MOTION was made by **Trustee Schweinberg**, seconded by **Trustee Hagan**, to approve Items D-1 thru D-3 of the Consent Agenda.

AYE: Riley, Staples, Grider, Jones, Hagan, Schweinberg, Adams

NAY: None

E. INFORMATION/REPORTS

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

F. DISCUSSION ITEMS

None.

G. ADJOURNMENT

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

AYE: Riley, Staples, Grider, Jones, Hagan, Schweinberg, Adams

NAY: None

Meeting was adjourned at **8:33 p.m.**



Jay Adams, Chairman

Attest:



Lisa Martin, Secretary

