

**MUSTANG CITY COUNCIL
APRIL 2, 2013**

The Mustang City Council met in regular session on Tuesday, April 2, 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, March 29, 2013 at 2:45 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

Pastor Robert Gregg of Lakehoma Church of Christ led the assembly in Prayer and the Pledge of Allegiance.

C. ROLL CALL

Councilmembers Present:	Taylor
	Grubbs
	Bowers
	Jones
	Hagan
	Mount
	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 **03/19/13** City Council Minutes.
- *2. Claims List for **FY '13**
3. Approval of **Resolution No. 13-041**, Making Changes in the General Fund Budget by Making a Supplemental Appropriation to Increase the 2012-2013 Fiscal Year Budget by **\$800.00**.

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- *4. Approval of **Maintenance Bonds** for Water/Sewer Lines and Paving/Drainage for Sara Homestead Addition Phase III.
- 5. Approval of **Retirement** from Oklahoma Municipal Retirement Fund (OMRF) for Mike Rutledge former City Employee.
- *6. Acceptance of **Permit to Construct No. ST000009130185** from the Oklahoma Department of Environmental Quality in Reference to Case No. 12-151 the Effluent Outfall Line.
- 7. Acceptance of **2010 OKC UASI Grant** in the Amount of **\$7,575.97** – Homeland Security Grant Program for the Mustang Fire Department.

City Manager Battles asked that Consent Agenda Item 1 be pulled for discussion.

MOTION was made by **Councilman Mount** and seconded by **Councilman Jones** to approve Consent Agenda Items F2 through F7.

AYE: Taylor, Grubbs, Bowers, Jones, Hagan, Mount, Adams

NAY: None

Battles stated that there are two corrections on the March 19, 2013 minutes. Where it talks about tasers and the Police Department it should be changed from Councilman Mount to Councilman Taylor. Councilman Taylor is the one that made the comment.

Also, on page 16 on the last paragraph where it says "they put" should be changed to "both of you all should" under Mayor Adams' statement.

MOTION was made by **Councilman Mount** and seconded by **Councilman Jones** to approve Consent Agenda Item F1 subject to the changes.

AYE: Taylor, Grubbs, Bowers, Jones, Hagan, Mount, Adams

NAY: None

G. INFORMATION/REPORTS

1. City Manager

Battles reported that the work has begun on the Town Center. We do ask our citizens for their patience with our construction fencing but it is for their safety.

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He spoke with Mr. Anderson and Caddo Electric and we should be receiving the bills effective in April. This is for Cedar Springs Industrial Park. Mr. Anderson has been paying this bill but it is a public road.

At the March 15th meeting Mr. Scrivner handed out a letter to Council. He explained that the water lines in question are service lines and not main lines so it is not subject to DEQ testing like the water mains are.

He also reminded Council in reviewing the Applications a lot is put on the Applicant. We do not have the money to do a survey. The current practices we use are pretty standard for cities of our size. Letters are not taken lightly and we are always open to change. The City Manager's office was fully aware of what was going on.

Battles announced that City Clerk, Trisha Winham, is retiring on May 3, 2013. We are really sad because Trisha has been a great addition for a number of years.

He went on to say that he found four sets of plans for Vision 2000 Bond. Everything that was on that bond is being built exactly as it was on the bond. He encouraged Councilman Taylor to get with him to go over all this information.

2. **City Council**

Councilman Taylor attended an Easter Egg Hunt put on by The Bridge AG Church in Meadows Park. It was good to see all the smiles.

This morning he had the privilege to be a watch dogs (Dad's with great students). This program is on a voluntary basis and it shows the father's role and it is good for the kids to see this.

He spoke about the Agenda 21 bill. He encouraged everyone to contact Senator Cliff Brand and ask that HB1412 be heard. Senator Brand's phone number is 521-5543.

Councilwoman Hagan stated that she had a few code violations problems but the City Manager took care of them.

Councilman Mount stated that he received a phone call from a company in Stillwater that has something that takes arsenic out of the water. He feels that it is something that we need to look into.

Battles replied that he received the same phone call and he has contacted this company and will look into this further.

Mayor Adams asked where we're at on the traffic signal project and **Battles** replied that they have been at it for about three weeks and the estimate was six weeks.

Mayor Adams asked if they resolved the mounting bracket issue and **Amanda** with EST explained that they will rotate this if they can. The City's design is a unique design so this is a problem but will work on it.

Councilman Mount asked if there would be any additional money for Engineering fees and **Battles** replied "No".

Mayor Adams stated that he had 48 contacts this week and everyone was positive in text.

H. DISCUSSION ITEMS

1. **Public Hearing, Discussion, Consideration and Possible Action Regarding Approval of Ordinance No. 1081**, An Ordinance Of The City Of Mustang, Oklahoma, Amending Chapter 18, Article II, By Repealing In Their Entirety Sections 18-31 Through 18-33 And: (1) Enacting Section 18-31.A **Adopting The 2009 International Building Code**, As It May From Time To Time Be Amended; (2) Enacting Section 18-31.B Adopting City And State Amendments To The 2009 International Building Code; (3) Enacting Section 18-32.A Adopting The 2009 International Existing Building Code, As It May From Time To Time Be Amended; (4) Enacting Section 18-32.B Adopting City And State Amendments To The 2009 International Existing Building Code; (5) Enacting Section 18-33.A Adopting The 2009 International Residential Code For One And Two Family Dwellings, As It May From Time To Time Be Amended; And (6) Enacting Section 18-33.B Adopting City And State Amendments To The 2009 International Residential Code For One And Two Family Dwellings; All For The Purpose Of Regulating And Governing The

Conditions And Maintenance Of All Property, Buildings And Structures By Providing The Standards For Supplied Utilities And Facilities And Other Physical Things And Conditions Essential To Ensure That Structures Are Safe, Sanitary And Fit For Occupancy And Use, And The Condemnation Of Buildings And Structures Unfit For Human Occupancy And Use, And The Demolition Of Such Structures In The City Of Mustang, Providing For The Issuance Of Permits And Collection Of Fees Therefore, As Herein Provided And Including Amendments As May From Time To Time Be Made To Such Codes By The Oklahoma Uniform Building Code Commission Pursuant To 59 O.S. § 1000.23; Providing For Repealer And Severability; And Declaring An Emergency.

City Manager Battles stated that this is a discussion that was continued from the last Council Meeting.

Mayor Adams opened the meeting to a Public Hearing.

Robert Crout of **1100 S. Wild Rose Drive** spoke to Council as a Board Member of the Oklahoma Association of Builders. The Association appreciates it when Council includes them in discussion when codes are being changed and they would affect the Builders. We endorse them and respectfully ask that you do this. He has talked with the Community Development Director in regards to this matter. We are just trying to adopt what the State has adopted.

David Dunn of **1829 W. Cedar Ridge Drive** introduced to Council a friend here who would like to speak on his behalf.

Donovan who resides at **105 S. Czech Hall Place** in **Yukon** was at the meeting to educate Mustang on the International Code Standards. He explained Agenda 21. He stated that he was asking Council to stop and look at this and not stop the people's rights. He listed several things that Mustang would sacrifice if this was adopted.

Wanita Holland of **337 W. Pines Way** stated that she did a lot of research on this and went on to speak of Agenda 21. This would force us out of the suburbs and into the City. They control you and you control us. The environment takes precedence over human rights. This is something I never thought we would have to fight about in Mustang.

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Tonia Patterson at **10212 SW 28th in Yukon** is concerned that HB 1412 will not be heard by the Senate. Council is the citizen's voice here. She asked that Council stand for sovereignty. She also asked what does an International entity have to do with us.

Jason Tim of **806 E. Pointe Court Lane in Mustang** stated that this will not be resolved at the National level but at the City level. He knows something about Agenda 21 and has studied this extensively. They are not evil people but they are just lost in all of this. Mustang needs to find a separate deal and reject these ICC codes. We do need to have sound building codes but we need to reject any International codes.

MOTION was made by **Mayor Adams** and seconded by **Councilman Jones** to close the Public Hearing.

AYE: Taylor, Grubbs, Bowers, Jones, Hagan, Mount, Adams

NAY: None

Robert Coleman stated that he does not study United Nation events. He does keep a watch on World News but does not study them. He feels that some of the modifications to these codes reflect that we are a state that respects our own liberty and our own property ownership. This is the only code that he knows of that addresses a lot of the modern building materials that we see. No code is perfect. We are now going by the 2003 Building Codes.

Councilman Jones stated that he is concerned that we will be substandard in our flexibility for growth.

Coleman stated that the thing that we run into are the new products and new ways of doing something are constantly changing. If we do not adopt the International Code he does not know what Code we will adopt as a standard. He went over the Codes that they are not asking to be adopted.

He went on to explain that there are minimum room sizes because when they hit 100 square feet a permit is required. There are a lot of people that want to bring in portable buildings and that is why we brought in the minimum room size before a permit is required. If an applicant feels they are being treated unjustly, they can bring this problem before the Board of Adjustment for an appeal.

Councilman Grubbs stated that staff has nothing to operate by. They need something to give them direction.

Mayor Adams stated that our staff knows what is best and they are recommending approval of this.

Coleman stated that some products in the code we will never see but they are still in the code. Our Department looks at our jobs as being a help rather than a hindrance. We want as good of a house or structure built that we possibly can give the citizens. We issue a lot of permits here and we do not have the additional personnel to attend these Councils that the ICC have around the country.

Councilman Grubbs stated that the Central Oklahoma Homeowners Association and the National Homeowners Association has sent a representative to encourage the adoption of these codes. They are people who make a living building homes and they would like a standard code to go by.

Councilman Mount stated that he wrote a letter to the Legislators and the Governor about this. He is interested in the citizen's basic rights. We were advised that the governor appoints the Oklahoma Uniform Building Code Commission. Mount is not ready to accept this. If we approve these Ordinances and allow this to happen, have we given up the basic rights of our citizens.

Councilman Taylor commented that it was good to see and hear all of the different opinions on this issue. He received calls from Washington State to Florida on this issue. He heard from Mark Roberts with the ICC out of the Louisiana office and he said it was nothing to worry about. He said that it might have been a bad idea to put International in front of the name. Taylor received calls from all over the country saying that this is not a big deal.

He went on to say that he supports Governor Fallin but is disappointed in some of the decisions that she has made. Nobody makes all the right decisions. Council is in a tricky position. Governor Fallin has adopted these codes as a minimum standard for municipalities and he does not agree with it. This is a threat to the local property rights.

Councilman Jones asked Coleman if we adopt this then how long do we work under this code and **Coleman** stated that typically it is three years. Some are already testing 2012 codes. You can amend any part of the code that you want to.

MOTION was made by **Councilman Grubbs** and seconded by **Councilman Jones** to approve Item H1.

AYE: Grubbs, Jones, Adams

NAY: Taylor, Bowers, Hagan, Mount

2. **Public Hearing, Discussion, Consideration and Possible Action**
Regarding Approval of **Ordinance No. 1082**, An Ordinance Of The City Of Mustang, Oklahoma, Amending Chapter 18, Article III, Division 1, Section 18-61 Of The Code Of Ordinances Of The City Of Mustang, By **Adopting The 2011 Edition Of The National Electrical Code**, As Published By The National Fire Prevention Association, And As It From Time To Time May Be Amended, Providing Standards For And Governing Electrical Systems, Wiring Design, Protection, And Installation Methods, Regulating Electrical Materials, Equipment, Special Equipment And Other Physical Things And Conditions Essential To Ensure That Such Systems Are Safe And Fit For Use As Herein Provided, And As Currently And From Time To Time May Be Amended By The Oklahoma Uniform Building Code Commission Pursuant To 59 O.S. §1000.23, And Providing For The Issuance Of Permits And Collection Of Fees Therefore; Repealing All Ordinances And Parts Of The Ordinances In Conflict Therewith; Providing For Severability; And Declaring An Emergency.

Battles stated that the hospital must submit everything under the 2009 codes. If we do not approve Item H1 than we should either table or vote on the rest of the Items.

Discussion continued.

Councilman Grubbs asked that Council move on.

Mayor Adams opened the meeting to a Public Hearing.

MOTION was made by **Mayor Adams** and seconded by **Councilman Grubbs** to close the Public Hearing.

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

MOTION was made by **Councilman Grubbs** and seconded by **Mayor Adams** to approve the National Electrical Code-- Item H2.

Mayor Adams stated that Councilman Taylor has made some good points about this International issue. This one is based on the National codes not the International Codes. He asked Taylor if the National Codes are part of Agenda 21. Councilman Taylor went on to read a commentary.

Mayor Adams stated that this is not an ICC issue here.

Councilman Mount asked why the difference in the updates.

Coleman stated it is two different organizations.

Mayor Adams stated the Oklahoma Building Association is asking Council to adopt the 2009 building codes and the 2011 electrical codes.

The vote was taken and was as follows:

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

3. **Public Hearing, Discussion, Consideration and Possible Action**
Regarding Approval of **Ordinance No. 1083**, An Ordinance Of The City Of Mustang, Oklahoma, Amending Chapter 18, Section IV, Division 1 Of The Code Of Ordinances Of The City Of Mustang, By (1) Repealing Existing Section 18-171 And Enacting New Section 18-171 **Adopting The International Mechanical Code, 2009 Edition**, And As It From Time To Time May Be Amended, Regulating And Governing The Design, Construction, Quality Of Materials, Erection, Installation, Alteration, Repair, Location, Relocation, Replacement, Addition To, Use Or Maintenance Of Mechanical Systems As Herein Provided, And As Currently And As It From Time To Time May Be

Amended By The Oklahoma Uniform Building Code Commission Pursuant To 59 O.S. §1000.23, And Providing For The Issuance Of Permits And Collection Of Fees Therefore; And (2) Repealing Existing Section 18-172 And Enacting New Section 18-172 To Identify Amendments To The International Mechanical Code, 2009 Edition, As Adopted By The City Of Mustang, Oklahoma; Providing For Repealer And Severability; And Declaring An Emergency.

Mayor Adams opened the meeting to a Public Hearing.

Juanita Holland of **337 W. Pines Way** stated that she knows nothing about codes. How can we vote for something that we know nothing about. She said that it is okay to vote "No" sometimes.

MOTION was made by **Mayor Adams** and seconded by **Councilman Grubbs** to close the Public Hearing.

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

MOTION was made by **Councilman Grubbs** and seconded by **Councilman Jones** to approve Item H3.

Mayor Adams stated that the reason that we are looking at codes is because we have a well trained staff that tells us that there are standards that we need to look at. He went on to explain. He is looking at it from a local point of view. He wants to make sure that things are built to a standard that is safe for everyone. We as Council need to look at this on the local level instead of the International level.

Councilman Taylor reminded Council that if these are not adopted the City would not be without a code.

Mayor Adams commented that our standards are outdated.

Councilman Grubbs stated that we are growing up and moving forward.

Councilman Mount stated that a number of his family is in the building trades and he has spoken with them about these changes. They did not know what the differences were between the 2009 and 2011 codes.

Roll Call vote was taken and was as follows:

AYE: Grubbs, Jones, Adams

NAY: Taylor, Bowers, Hagan, Mount

4. **Public Hearing, Discussion, Consideration And Possible Action**
Regarding Approval Of **Ordinance No. 1084**, An Ordinance Of The City Of Mustang, Oklahoma Amending Chapter 18, Article V, Division 1 Of The Code Of Ordinances Of The City Of Mustang, By (1) Amending Section 18-221 **To Adopt The 2009 Edition Of The International Plumbing Code**, And As From Time To Time Amended, Regulating And Governing The Standards For All Plumbing Fixtures, Piping, Appurtenances And Other Physical Things And Conditions Essential To Ensure That Such Systems Are Safe, Sanitary And Fit For Use As Herein Provided, And As Currently And From Time To Time May Be Amended By The Oklahoma Uniform Building Code Commission Pursuant To 59 O.S. §1000.23, And Providing For The Issuance Of Permits And Collection Of Fees Therefore; And (2) Adding New Section 18-222 To Identify Amendments To The 2009 Edition Of The International Plumbing Code As Adopted By The City Of Mustang, Oklahoma; Providing For Repealer And Severability; And Declaring An Emergency.

Mayor Adams opened the meeting to a Public Hearing.

MOTION was made by **Mayor Adams** and seconded by **Councilwoman Bowers** to close the Public Hearing.

AYE: Taylor, Grubbs, Bowers, Jones, Hagan, Mount, Adams

NAY: None

MOTION was made by **Councilman Grubbs** and seconded by **Councilman Jones** to approve Item H4.

AYE: Grubbs, Jones, Adams

NAY: Taylor, Bowers, Hagan, Mount

5. **Public Hearing, Discussion, Consideration And Possible Action**
Regarding Approval Of **Ordinance No. 1085**, An Ordinance Of The City Of Mustang, Oklahoma Amending Chapter 18 Of The Code Of Ordinances Of The City Of Mustang, By (1) Creating Article VII, Fuel Gas Code, And Adding New Section 18-317 **Adopting The 2009 Edition Of The International Fuel Gas Code**, As It May Be From Time To Time Be Amended, And As Currently And From Time To Time May Be Amended By The Oklahoma Uniform Building Code Commission Pursuant To 59 O.S. §1000.23, Regulating And Governing Fuel Gas Systems And Gas-Fired Appliances, And Providing For The Issuance Of Permits And Collection Of Fees Therefore; And (2) Creating New Section 18-318 To Identify Amendments To The International Fuel Gas Code, 2009 Edition, As Adopted By The City Of Mustang, Oklahoma; Providing For Repealer And Severability; And Declaring An Emergency.

Mayor Adams opened the meeting to a Public Hearing.

MOTION was made by **Mayor Adams** and seconded by **Councilman Grubbs** to close the Public Hearing.

AYE: Taylor, Grubbs, Bowers, Jones, Hagan, Mount, Adams

NAY: None

MOTION was made by **Councilman Grubbs** and seconded by **Councilman Jones** to approve Item H5.

AYE: Grubbs, Jones, Adams

NAY: Taylor, Bowers, Hagan, Mount

6. **Public Hearing, Discussion, Consideration and Possible Action**
Regarding Approval of **Ordinance No. 1086**, An Ordinance Of The City Of Mustang, Oklahoma, Amending Chapter 46, Article III Of The Code Of Ordinances Of The City Of Mustang, By (1) Amending Section 46-61 **To Adopt The 2009 Edition Of The International Fire Code**, Including Appendix Chapters B And C, As It May From Time To Time Be Amended, And As Currently And From Time To Time May Be Amended By The Oklahoma Uniform Building Code Commission Pursuant To 59 O.S. §1000.23, Regulating And Governing The

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Safeguarding Of Life And Property From Fire And Explosion Hazards Arising From The Storage, Handling And Use Of Hazardous Substances, Materials And Devices, And From Conditions Hazardous To Life Or Property In The Occupancy Of Buildings And Premises In The City Of Mustang, Oklahoma, Providing For The Issuance Of Permits And Collection Of Fees Therefore; (2) Amending Section 18-62 To Identify Amendments To The 2009 Edition Of The International Fire Code As Adopted By The City Of Mustang, Oklahoma; (3) Amending Section 46-63 Adopting Certain Geographic Limits For The 2009 International Fire Code; (4) Repealing Chapter 46, Article III Section 46-64 In Its Entirety; And (5) Renumbering Section 46-65 To Section 46-64; Providing For Repealer And Severability; And Declaring An Emergency.

Mayor Adams opened the meeting to a Public Hearing and **MOTION** was made by **Mayor Adams** and seconded by **Councilman Grubbs** to close the Public Hearing.

AYE: Taylor, Grubbs, Bowers, Jones, Hagan, Mount, Adams

NAY: None

MOTION was made by **Councilman Grubbs** and seconded by **Councilman Jones** to approve Item H6.

AYE: Grubbs, Jones, Adams

NAY: Taylor, Bowers, Hagan, Mount

7. **Discussion, Consideration and Possible Action** Regarding Approval of **Resolution No. 13-039**, Serving As Notice To The Public And To The State Of Oklahoma Uniform Building Code Commission That The City Of Mustang Has Formally Adopted The 2009 International Building Code.

City Attorney Miller stated that it is in the best interest of the Council to strike Item #7 since the other codes were not adopted.

MOTION was made by **Mayor Adams** and seconded by **Councilman Grubbs** to strike Item H7.

AYE: Taylor, Grubbs, Bowers, Jones, Hagan, Mount, Adams

NAY: None

- *8. **Discussion, Consideration and Possible Action** Regarding Approval of Easement Agreement, Waterline Easement, and Road Right-of-Way and License Agreement between **Bitterroot Land and Cattle Company** and the City of Mustang.

Battles extended a thank you to Mr. Hight for being patient with us through this process. There were no major changes to the easement agreement that was in Council's packet. We will keep the easement at about a 25 foot buffer. Also, we included a sprinkler system for the landscaping. All of this will grant us the right to build this road.

MOTION was made by **Councilman Grubbs** and seconded by **Councilman Jones** to approve Item H8 with the revised additions.

Councilman Mount stated that on the commentary there are some revised dollar amounts. The total financial impact is \$437,088 for grant funding and the revised agreement has some revised dollar amounts.

Battles stated that there is \$5,000 additional for the water line.

Councilman Mount asked if we are paying Bitterroot Land and Cattle Company or the Hight's for the easement?

Battles stated "No".

Councilwoman Hagan asked if the bridge area would hold the heavy equipment.

Battles stated "yes".

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

9. **Discussion, Consideration and Possible Action** Regarding Acceptance of Bids for the Wild Horse Park Baseball Complex.

City Manager Battles stated that they received six (6) bids for the Baseball Complex.

MOTION was made by **Councilman Grubbs** and seconded by **Councilman Taylor** to accept the Bids for the Wild Horse Park Baseball Complex.

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

10. **Discussion, Consideration and Possible Action** Regarding Awarding of Bid for Wild Horse Park Baseball Complex Dirt Work, Sod and Irrigation and Approval of **Resolution No. 13-042** to Enter into Standard Form of Agreement between Owner and Contractor and Authorizing the Mayor and City Clerk to Execute any and all Documents Necessary to Accomplish the Provisions of this Resolution.

Battles reported that this Item is to award the bid. Mid-America Golf and Landscape was the lowest bidder at \$450,415.28 and staff recommends awarding to Mid-America Golf and Landscape.

Councilman Grubbs asked if this includes the grading, sod, irrigation and if it come within our budget and **Battles** stated it does include all of this and it came in a little under budget.

MOTION was made by **Councilman Grubbs** and seconded by **Councilman Taylor** to award the bid to **Mid-America Golf and Landscape for \$450,415.28.**

Councilman Mount commented on Appendix D it says Soccer Complex and he is thinking this should be changed.

Battles stated it should say Baseball Complex but it is irrelevant. He is more concerned where the heads are located and the safety of it.

Councilman Mount would like for it to be right since we have worked with both the Baseball Complex and the Soccer Fields.

MOTION was made by **Councilman Grubbs** and seconded by **Councilman Jones** to approve with recommended changes to Appendix D to say Baseball Complex.

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

11. **Discussion, Consideration and Possible Action** Regarding Approval of Lease Agreement Between the Ford Motor Credit Corporation and the City of Mustang for Three (3) 2012/2013 Chevrolet PPV Tahoes for the Mustang Police Department.

Battles reported that this is a formality and this is the actual agreement with the Ford Motor Credit. One of our vehicles is outside for Council to look at.

MOTION was made by **Councilman Grubbs** and seconded by **Councilman Jones** to approve Item H11.

Councilman Taylor stated that this is nice but this will not fix the problem. Their fleet is in complete need of updating.

AYE: Taylor, Grubbs, Bowers, Jones, Hagan, Mount, Adams

NAY: None

12. **Discussion, Consideration and Possible Action** Regarding Authorization to Replace Collision Totaled 2010 Dodge Charger, Unit #201 with New 2012 Dodge Charger Using Existing FY '13 Limited Purpose Police Capital Budget and Settlement from Oklahoma Municipal Assurance Group.

Battles explained that one of our units was totaled due to a Drunk Driver. We want to replace it with a new vehicle. We will harvest some of the equipment from the old vehicle and transfer to the new vehicle.

Chief Foley stated that Corporal Drake is doing okay. He is doing physical therapy at this time.

Councilman Taylor stated that it is no secret how he feels about drunk driving. He wishes Corporal Drake a speedy recovery.

MOTION was made by **Councilman Jones** and seconded by **Councilman Grubbs** to approve Item H12.

AYE: Taylor, Grubbs, Bowers, Jones, Hagan, Mount, Adams

NAY: None

13. **Discussion, Consideration and Possible Action** Regarding Approval of Letter of No Objection to the Installation of Landscaping at Williamson Farms, SW 119th and Meridian.

Battles commented that this is for the Installation of the Landscaping at Williamson Farms. The letter that is in there is a similar letter as in 2012 which protects us.

MOTION was made by **Councilman Grubbs** and seconded by **Councilman Taylor** to approve item H13.

AYE: Taylor, Grubbs, Bowers, Jones, Hagan, Mount, Adams

NAY: None

J. CITY ATTORNEY'S REPORT

City Attorney Miller advises Council to adjourn to Executive Session on the following items.

MOTION was made by **Mayor Adams** and seconded by **Councilman Jones** to adjourn to Executive Session.

AYE: Taylor, Grubbs, Bowers, Jones, Hagan, Mount, Adams

NAY: None

1. **Discussion, Consideration and Possible Action** Regarding Proposed Workers' Compensation Settlement Claim No. 2008-05 and Authorization for City Attorney and Staff to Take Action Necessary to Accomplish Same. **Proposed Executive Session 25 O.S., Section 307 (B) (4).**

MOTION was made by **Mayor Adams** and seconded by **Councilman Jones** to proceed as discussed.

AYE: Taylor, Grubbs, Bowers, Jones, Hagan, Mount, Adams

NAY: None

2. **Discussion, Consideration and Possible Action** Regarding Proposed Workers' Compensation Settlement Claim No. 2010-07 and Authorization for City Attorney and Staff to Take Action Necessary to Accomplish Same. Proposed Executive Session 25 O.S., Section 307 (B) (4).

MOTION was made by **Mayor Adams** and seconded by **Councilman Jones** to proceed as discussed.

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

3. **Discussion, Consideration and Possible Action** Regarding Proposed Workers' Compensation Settlement Claim No. 2011-08 and Authorization for City Attorney and Staff to Take Action Necessary to Accomplish Same. **Proposed Executive Session 25 O.S., Section 307 (B) (4).**

MOTION was made by **Mayor Adams** and seconded by **Councilman Grubbs** to proceed as directed.

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

- *4. **Discussion, Consideration and Possible Action** Regarding Consent Order Case No. 12-240 Received from Oklahoma Department of Environmental Quality Relating to Timely Submission of Discharge Monitoring Reports. **Proposed Executive Session as Authorized by 25 O.S., Section 307 (B)(4).**

MOTION was made by **Mayor Adams** and seconded by **Councilman Jones** to approve Consent Order No. 12-240 as presented by DEQ and to give authorization for the Chairman of the MIA to execute.

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

5. **Discussion, Consideration and Possible Action** Regarding the Hiring of a City Manager and Authorization for City Staff and City Attorney to Take Action Necessary to Accomplish the Same. ***Proposed Executive Session as Authorized by 25 O.S., Section 307 (B)(1).***

MOTION was made by **Mayor Adams** and seconded by **Councilman Grubbs** to proceed as discussed.

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

K. ADJOURNMENT

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

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

Meeting was adjourned at **9:50 p.m.**

Mayor

Attest:

City Clerk

MUSTANG IMPROVEMENT AUTHORITY
APRIL 2, 2013

The Mustang Improvement Authority met in regular session on Tuesday, April 2, 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, March 29, 2013 at 2:45 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 9:50 p.m.

B. ROLL CALL

Trustees Present: Taylor
 Grubbs
 Bowers
 Jones
 Hagan
 Mount
 Adams

Trustees Absent: None

C. NEW BUSINESS

None

D. CONSENT AGENDA

- *1. Approval of **03/19/13** MIA Minutes.
- *2. Claims List for **FY '13**
- *3. Approval of **Maintenance Bonds** for Water/Sewer Lines and Paving/Drainage for Sara Homestead Addition Phase III.
- *4. Acceptance of **Permit to Construct No. ST000009130185** from the Oklahoma Department of Environmental Quality in Reference to Case No. 12-151 the Effluent Outfall Line.

MOTION was made by **Chairman Adams** and seconded by **Trustee Grubbs** to Approve Consent Agenda Items D1-4.

City Attorney Miller asked that item D3 be pulled.

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MOTION was made by **Chairman Adams** and seconded by **Trustee Grubbs** to amend the MOTION to the Approval of Items D1, 2 and 4.

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

City Attorney Miller asked Council to approve with the stipulation that they submit a second Power of Attorney.

MOTION was made by **Chairman Adams** and seconded by **Trustee Grubbs** to Approve Item D3 with the stipulation that they provide the correct Power of Attorney.

AYE: Taylor, Grubbs, Bowers, Jones, Hagan, Mount, 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 Easement Agreement, Waterline Easement and Road Right-of-Way and License Agreement between ***Bitterroot Land and Cattle Company*** and the City of Mustang.

MOTION was made by **Trustee Taylor** and seconded by **Trustee Jones** to approve Item F1.

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

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- *2. **Discussion, Consideration and Possible Action** Regarding Consent Order Case No. 12-240 Received from Oklahoma Department of Environmental Quality Relating to Timely Submission of Discharge Monitoring Reports. **Proposed Executive Session as Authorized by 25 O.S., Section 307 (B)(4).**

MOTION was made by **Chairman Adams** and seconded by **Trustee Grubbs** to approve Consent Order No. 12-240 as presented by the Department of Environmental Quality and authorization for the Chairman of the MIA to execute such agreement.

AYE: Taylor, Grubbs, Bowers, Jones, Hagan, Mount, Adams

NAY: None

G. ADJOURNMENT

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

AYE: Taylor, Grubbs, Bowers, Jones, Hagan, Mount, Adams

NAY: None

Meeting was adjourned at **9:51 p.m.**

Chairman

Attest:

Secretary