

**MUSTANG CITY COUNCIL
AUGUST 7, 2012**

The Mustang City Council met in regular session on Tuesday, August 7, 2012 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 3, 2012 at 3:00 p. m. and Amended on Monday, August 6, 2012 at 4:50 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 (Pastor Dave Bryan, Chisholm Heights Baptist Church)

Pastor Dave Bryan led the assembly in the Prayer and the Pledge of Allegiance. He stated that Sunday was the first day they were in their new building.

C. ROLL CALL

Roll was called by the City Clerk, Trisha Winham and the attendance was as follows:

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

City Manager Rutledge introduced Janet Isaacs, the new Finance Director for the City.

Isaacs spoke to Council about her background and stated that she was Finance Director for the City of Mustang from 1987 to 1994. She came from the City of Owasso where she was Assistant Finance Director.

E. NEW BUSINESS, DELETIONS OR CONTINUANCES TO THE AGENDA

City Manager Rutledge pulled Item H-7 from the agenda. The agenda was amended to add Item No. H-7 but he pulled it for tonight.

F. CONSENT AGENDA

1. Approval of **07/05/12** City Council Special Meeting Minutes.
2. Approval of **07/17/12** City Council Minutes.
- *3. Approval of Claims List for FY '12
- *4. Approval of Claims List for FY '13
- *5. Approval to Turn Past Due Utility Accounts Over to the Collection Agency.
6. Approval of **Resolution No. 13-001**, Making Changes in the General Fund Budget by Making a Supplemental Appropriation to Increase the 2012-2013 Fiscal Year Budget by \$1,435.00.
7. Approval to Renew Agreement between the City of Mustang and the **Mustang Chamber of Commerce**.
8. Approval of City of Mustang Borrowing Resolution for Fiscal Year 2012-2013 as submitted by Bankers Credit Card Service.
9. Acceptance of a Federal E-Rate Matching Grant in the Amount of \$6,343.00 for Liberty's Two T-1 lines for Fiscal year 2012-2013.
10. Acceptance of \$3,000 Grant for eBook Collection Enhancement from Oklahoma Department of Libraries for Mustang Library.
11. Approval to Renew Contract between the City of Mustang and **Blackboard Connect** (Reverse 911) for FY 2012-2013.

Councilman Mount asked that Item F-3 and F-4 be pulled for discussion.

MOTION was made by **Councilman Grubbs**, seconded by **Councilman Jones** to approve items F-1, 2 and 5 through 11 of the Consent Agenda.

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

Mount asked, in reference to Item F-3 the claims list, about gun conversion for \$416.70 under the Police Department.

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Chief Foley explained that the Police Department has seven (7) 12 gauge shot guns that were bought short but they were not short enough to fit in the new cars.

He stated that the new vehicles are lower and smaller so the shot guns cannot fit in them. He stated that they had to shorten the shot guns, with ATF approval, to fit in the vehicles and this was the cost to do that.

Councilman Mount asked about Page 4, \$9,518 poles and fencing. He would like details on the fence. What kind of fence, what it is made of, etc.

Justin Battles, Parks/Recreation Director stated that this is part of the tornado damage at the baseball fields. He stated that it is residential wire and commercial grade poles. It is all replacement of storm damage and is covered by the City's insurance policy.

MOTION was made by **Councilman Mount**, seconded by **Councilwoman Hagan** to approve Item F-3 of the Consent Agenda.

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

Councilman Mount asked, in reference to item F-4, Page 4, mowing and maintenance costs. Why are we spending money on lawn care now?

City Manager Rutledge stated that is abatement on property. We pay for it to be mowed now but the City is reimbursed for that later.

Mount asked about Fire Department lawn care.

Rutledge stated that he thought that the Fire Department has a spray contract for their lawn.

Mount asked about volunteer firefighter payroll in the amount of \$1,250. He didn't know we had them on payroll.

Rutledge stated that they are paid for calls they respond to.

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Laura Anderson, Human Resources Director, explained that the City budgeted for volunteers and the \$1,250 is mileage reimbursement that they divide up. We budgeted \$1200 a month mileage reimbursement for our volunteer firefighters.

Mount asked if they are treated like employees.

Anderson stated that there are no taxes and that it is basically mileage for them to come in.

Mount stated that he just didn't understand how that worked.

Anderson also stated that the Fire Department takes care of their lawn.

Mount asked about the ammunition cost for the Police Department in the amount of \$7,003. He stated that he uses that much in a period of four to six weeks for shooting. He wanted to know how long this ammunition lasts the Police Department.

Chief Foley stated that the City does not own a range so they use Yukon's. He explained what type of ammo they use and stated that this is the cost of ammo for the entire year. They have to qualify twice a year and they go to Yukon to do this. We do not pay a fee to use this range.

MOTION was made by **Councilman Mount**, seconded by **Councilwoman Hagan** to approve Item F-4 of the Consent Agenda.

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

NAY: None

G. INFORMATION/REPORTS

1. City Manager

City Manager Rutledge stated that he spoke with the Fire Chief tonight before the meeting and they are sending a truck to El Reno to help with an apartment fire.

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Rutledge stated that Czech Hall Road is completed and the street lights at the corner of Czech Hall and 152 have been improved. He stated that Schwarz did a good job. This job came in \$44,000 under budget.

Rutledge reported that Rollin' Acres has been completed and the citizens in that area are very pleased.

He talked about the sidewalk at Forest along S. Czech Hall Road being completed and the cost was under \$3,000.

Rutledge stated that he would be going to Phoenix on Thursday with COWRA and they are paying all of the expenses. He stated that he would be back on Friday morning.

2. City Council

Councilman Taylor stated that there is a Masonic Lodge Breakfast on Saturday morning from 7:00 a.m. to 10:00 a.m.

Taylor thanked the City Manager for the new trash cans for Old City Park.

Taylor talked about the fencing on the SE corner of the park being down again.

City Manager Rutledge stated that this fence has been fixed twice before. He stated that someone keeps coming back and tearing it down.

Taylor stated that is a big problem.

Rutledge stated that he would look into it. We had this discussion at budget time regarding cameras and this would be a beneficial use of these cameras.

Taylor also asked about the toddler swing that has been missing in the park for quite some time.

Battles stated that he put swings in at Wildhorse and Centennial but he will get that ordered and taken care of. Old City Park is one of our problem parks.

Taylor asked for an update on the rules and regulations of the Parks/Recreation Department.

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Battles stated that he emailed those to Taylor right after the last Council Meeting.

Taylor did not receive them.

Taylor stated that the Black Board Connect call was confusing. He stated that the Fire Department was using their sprinkler so the call was confusing as to what people could do in reference to sprinklers.

Taylor stated that the City should determine a better way to get the information out there.

Rutledge stated that Black Board Connect is the best way but he had conflicting information from Oklahoma City when he sent that out. After he sent it Oklahoma City had a change in how to treat the water rationing so it was confusing.

Rutledge stated that he attempted to send another message but Black Board Connect was having problems so he couldn't.

Adams stated that Oklahoma City changed their mind three times now on how to handle the water rationing.

Taylor stated that citizens take this seriously and we owe it to them to give them correct information.

Taylor stated if you get a gut feeling that something isn't right with things going on around you, then listen to that and say something to someone.

Councilman Bowers stated that she was contacted by two people this week. One of them gave her an article on water purification. She has filed this for future reference.

Bowers reminded everyone to register to vote.

Councilman Jones said, thanks for letting him take a vacation. He thanked Ward IV for getting involved in City issues. He talked about a note that he received with a Happy Face.

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Councilman Mount stated that he has been very busy since the last Council meeting. Citizens are still unhappy about the Severn Trent Contract and the way that came about.

He stated that he has had calls regarding the ball fields and engineering and survey work being done on it. He talked about some numbers in last year's budget such as \$132,000 for infrastructure, grading and drainage. He does not know what has happened with that \$132,000. Then on the November 1, 2011 City Council Meeting \$21,000 for topographical survey and master grading plan and then on PO #12-1608 there is \$46,527.50 for EST and ball field construction. He asked how many hundreds of thousands of dollars have been spent on engineering and surveys, etc. How much more money are we going to have to spend for ball fields, etc. There are a lot of unanswered questions.

Mount also stated that his son who pays his bills and raised twin daughters in Mustang has not received a water bill for the last three months but he has received a cut off notice. He stated that for the last 3 months his son has had to go to City Hall to pay his bill. He stated that he doesn't know what has to be done to fix this but it needs to be fixed.

Rutledge explained that the City found out that with bulk mail which is over 500 pieces is sent to Oklahoma City Post Office where it is distributed. He doesn't know why the mail doesn't come back but staff is working with the Post Office to get this figured out. The cut off notices don't go to the Oklahoma City Post Office so they don't have a problem making it to the homes.

Rutledge stated that staff takes this very seriously and are working on the issue but we have no control over the Post Office. The Post Office is also concerned about this. Hopefully this will get this resolved shortly.

Taylor reminded everyone that they could view and pay their bill on line.

Battles explained to Council regarding Mount's questions on the ball fields that several of those bills have been paid. Staff has a Plan in hand and will go out for bid after they receive additional information. He stated that EST has been very helpful. He stated that they have a survey and grade plan in hand and we are actually saving money by not hiring another architect or engineer for this project.

Grubbs stated that the \$132,000 he thought was moved around to carry over into the next budget.

Adams stated that it is still in streets budget and would be used for parking in baseball fields.

Jones stated that we have a full agenda could we proceed.

Mount stated that he was done.

H. DISCUSSION ITEMS

1. **Discussion, Consideration and Possible Action** Regarding Approval of Preliminary Plat for Wild Horse Village Subdivision, 161 W. Strasburg Way, Submitted by Rick Whisner.

Melissa Helsel, City Planner reported that this preliminary plat has been submitted by Rick Whisner and contains 24 lots. The total acreage is 3.35 acres and lies just west of Braums. It has a cul-de-sac that is less than 500 feet and meets City Code and meets Fire Department comments. It has been approved by EST and the Planning Commission approved it unanimously at their meeting on July 24, 2012.

Helsel stated that the Final Plat was presented to the Planning Commission at the same time.

Councilman Grubbs recued himself from this discussion due to the fact that he is the Engineer for this project.

Melissa Helsel stated that staff recommends approval. If approved, this work will start immediately.

Councilman Taylor feels that it would be an appropriate time to bring up the rental rules and regulations. He would like to table this.

Mayor Adams stated that what he was talking about was for existing properties. The new properties would have to pass all the regulations to be able to complete the project.

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Mr. Whisner commented that their intention is to rent them. They are not low end properties and he has no intention of selling these.

MOTION was made by **Councilwoman Hagan** and seconded by **Mayor Adams** to approve.

AYE: Bowers, Jones, Hagan, Adams

NAY: Taylor, Mount

2. **Discussion, Consideration and Possible Action** Regarding Approval of Final Plat for Wild Horse Village Subdivision, 161 W. Strasburg Way, Submitted by Rick Whisner.

Mayor Adams stated that this property would be subject to the Rules and Regulations for rental use.

Melissa Helsel commented that this is basically the same as the Preliminary Plan. The Planning Commission approved this unanimously.

MOTION was made by **Councilman Taylor** and seconded by **Councilman Mount** to table item H2 pending further review of the Rules and Regulations for Rental Property in the City of Mustang.

AYE: Taylor, Mount

NAY: Bowers, Jones, Hagan, Adams

Motion failed.

MOTION was made by **Mayor Adams** and seconded by **Councilwoman Hagan** to approve the Final Plat.

AYE: Bowers, Jones, Hagan, Adams

NAY: Taylor, Mount

Motion passed.

3. **Discussion, Consideration and Possible Action** Regarding Approval of **Resolution No. 13-002 and Project Agreement** between the Oklahoma Department of Transportation and State Job No. 28535(04) Consisting of Improvements to Traffic Signals; Signal Upgrades and Interconnect on SH 152.

Mike Rutledge stated this is the final document for letting to bid for updating/replacement of existing stop lights, controllers, signal heads, etc. The cost to the City of Mustang is limited to the expense of the engineer. All other costs will be the responsibility of ODOT.

Mayor Adams commented that the project has been upgraded to \$495,000. Our part might only be around \$60,000 and it should help drastically with the traffic flow.

Mike Rutledge stated that this is a really big deal for us. People do not understand the type of problems we have had with this. This is a complete replacement of conduit and wiring. ODOT really stepped up on this project.

MOTION was made by **Councilman Mount** and seconded by **Councilman Jones** to approve.

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

NAY: None

4. **Discussion, Consideration and Possible Action** Regarding Approval of **Resolution No. 13-003 and Right-of-Way Public Utility and Encroachment Agreement** between the City of Mustang and the Oklahoma Department of Transportation for Improvements to SH 152; Signal Upgrade STPG-109A(189)AG, Job No. 28535(04) to Improve Traffic Signals; Signal Upgrades and Interconnect on SH 152.

Mike Rutledge explained that this would allow ODOT to get into our Right of Way to do the work on the signal lights, etc.

MOTION was made by **Councilman Grubbs** and seconded by **Mayor Adams** to approve item H4.

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

5. **Discussion, Consideration and Possible Action** Regarding Acceptance of Bid for Maintenance And Operation of Public Streets & Mowing and Maintenance of Public Parks & Facilities.

Mike Rutledge stated that this is to go out for bid on the Street repairs, mowing and maintenance. We have put this out to our plan rooms and published in everything that we could. There were about nine (9) people at the pre-bid but we only received one bid. Some of these nine (9) people were too busy to bid on this project and some had other projects that they were doing at this time.

MOTION was made by **Councilman Grubbs** and seconded by **Councilwoman Bowers** to accept the bid.

Councilman Mount spoke in regards to the fact that only one company put in a bid. He was not happy with this being published in the local papers. He still does not think that we are using our best efforts in publishing these bids. He said that he will always vote "No" when there is only one bid brought to Council for approval.

Mayor Adams commented again that there were nine (9) companies at the pre-bid.

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

6. **Discussion, Consideration and Possible Action** Regarding Awarding Bid for the Maintenance And Operation of Public Streets & Mowing and Maintenance of Public Parks & Facilities.

Mike Rutledge stated that he has talked with Silver Star and we are very comfortable that they are very well qualified to do this job.

Councilman Mount commented that he has read the entire contract and he is not sure of what we are going to get for our \$725,000. He is not able to understand, based on what we are looking at, how anyone could vote for this. This again is a one (1) bid deal and is one of three that we have received in the last few months.

Councilman Grubbs stated that Silver Star is a reputable contractor and is fully qualified for this job. This item is just to award the bid and we are not accepting the contract at this time. Item H7, which is the contract, has been pulled tonight. He would like to move on and approve this item.

MOTION was made by **Councilman Grubbs** and seconded by **Councilwoman Hagan** to Award the Bid.

AYE: Grubbs, Bowers, Jones, Hagan, Adams

NAY: Taylor, Mount

7. **Discussion, Consideration and Possible Action** Regarding Approval of Agreement and Bonds between the City of Mustang and Silverstar Construction, Inc. for Construction and Maintenance of Public Works Projects and Mowing and Maintenance of Public Parks and Facilities

This item was deleted from the agenda.

J. CITY ATTORNEY'S REPORT

MOTION was made by **Councilwoman Hagan**, 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 Negotiations and Approval of Agreement between the City of Mustang/MIA and EST Engineering for Employment as City Engineer. Proposed Executive Session as Authorized by 25 O.S., Section 307(B)(2)

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MOTION was made by **Councilman Taylor**, seconded by **Councilman Jones** to table this Item pending legal review by the City Attorney.

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

2. **Discussion, Consideration and Possible Action** Regarding Approval of Agreement between the City of Mustang and Red Prairie Design for Architect on Town Center Project. Proposed Executive Session as Authorized by 25 O.S. Section 307 (B)(2).

MOTION was made by **Councilman Grubbs**, seconded by **Councilman Taylor** to table this item pending further negotiations.

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

3. **Discussion, Consideration and Possible Action** Regarding Approval of Contract Between the City of Mustang and the IAFF and Authorization for City Attorney and Staff to Take Action as Necessary to Accomplish 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 **Councilwoman Hagan** to approve Item J-3.

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

K. ADJOURNMENT

MOTION was made by **Mayor Adams**, seconded by **Councilwoman Hagan** to adjourn.

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

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The meeting was adjourned at **8:49 p.m.**

MAYOR

ATTEST:

CITY CLERK

**MUSTANG IMPROVEMENT AUTHORITY
AUGUST 7, 2012**

The Mustang Improvement Authority met in regular session on Tuesday, August 7, 2012 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 3, 2012 at 3:00 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 8:49 p.m.

B. ROLL CALL

Trustees Present: Taylor
 Grubbs
 Bowers
 Jones
 Hagan
 Mount
 Adams

Trustees Absent: None

C. NEW BUSINESS

There was no new business.

D. CONSENT AGENDA

1. Approval of **07/17/12** MIA Minutes.
- *2. Claims List for **FY '12**
- * 3. Claims List for **FY '13**
- *4. Approval to Turn Past Due Utility Accounts Over to the Collection Agency.

MOTION was made by **Trustee Jones**, seconded by **Trustee Grubbs** to approve the Consent Agenda.

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

NAY: None

E. INFORMATION/REPORTS

1. Trustee Manager

City Manager Rutledge stated that the Public Works Director, Carl Gray, is no longer with Severn Trent. He stated that Dave Gentry would be taking care of things until they hire someone else.

2. Trustees

No report.

F. DISCUSSION ITEMS

1. **Discussion, Consideration and Possible Action** Regarding Negotiations and Approval of Agreement between the City of Mustang/MIA and EST Engineering for Employment as City Engineer. (Proposed Executive Session as Authorized by 25 O.S., Section 307(B)(2))

MOTION was made by **Trustee Taylor**, seconded by **Trustee Grubbs** to table pending legal review.

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

NAY: None

G. ADJOURNMENT

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

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

NAY: None

The meeting was adjourned at **8:50 p.m.**

CHAIRMAN

ATTEST:

SECRETARY