

**MUSTANG CITY COUNCIL
APRIL 17, 2012**

The Mustang City Council met in regular session on Tuesday, April 17, 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, April 13, 2012 at 2:20 p.m. and an Amended Agenda was posted on Monday, April 16, 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 Landrith called the meeting to order at 7:00 p.m.

B. PLEDGE OF ALLEGIANCE/INVOCATION

Girl Scout Troop #3108 presented the flag and led the assembly in the Pledge of Allegiance. They then presented the Oklahoma Flag.

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

C. ROLL CALL

Councilmembers Present:	Grubbs
	Green
	Jones (arrived at 7:05 p.m.)
	Hagan
	Mount
	Landrith

Councilmembers Absent:	Adams
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D. INTRODUCTION OF GUESTS/HEARING OF CITIZENS OR DELEGATES

Mayor Landrith presented the Girl Scouts and Boy Scouts with their badges.

E. NEW BUSINESS, DELETIONS OR CONTINUANCES TO THE AGENDA

None

F. CONSENT AGENDA

1. Approval of **04/03/12** City Council Minutes.
- *2. Claims List for **FY '12**
3. Approval of **Resolution No. 12-031**, Making Changes in the General Fund Budget by Making a Supplemental Appropriation to Increase the 2011-2012 Fiscal Year Budget by **\$450**.
4. Approval of Engagement Letter with Bradley & Guzzetta, LLC Co-Counsel in Connection with the Cox Cable Franchise Renewal for the City of Mustang.
5. Approval of **Resolution No. 12-032**, Making Changes in the General Fund Budget by making a Supplemental Appropriation to Increase the 2011-2012 Fiscal Year Budget by \$20,500.

MOTION was made by **Mayor Landrith** and seconded by **Councilman Green** to approve Consent Agenda Items F1 through F5.

AYE: Grubbs, Green, Jones, Hagan, Mount, Landrith

NAY: None

G. INFORMATION/REPORTS

1. City Manager

City Manager Rutledge spoke to Council regarding the recent storm damage. He explained that the storm sirens were not activated because the storm originated over Mustang and appeared out of nowhere. It struck homes in the Chisholm Trails and Hunters Hill areas and affected approximately 25 to 30 homes. The damage varied from fences being blown down to windows and garage doors being blown out. We had quite a bit of damage at the Public Works Facility. We lost one building completely and the other building lost its' roof. He felt that there was a very good response from the citizens and staff in helping to clean things up. OEMA came out to help with the debris around the homes that were damaged. He commended everyone who helped out during this time of need. He advised everyone to be on the alert and be prepared because it is the time of year for bad weather.

2. City Council

Mayor Landrith stated that Councilman Adams is in Denver at a conference.

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Councilman Grubbs stated that his house was hit by the tornado. He is just happy to be here. The National Weather Service did not even catch this tornado because he has a weather radio and there was no warning for Mustang.

Grubbs went on to report that The First Baptist Church of Mustang has some teenagers that will be out on Saturdays in June and July to help the Community. There will be quite a lot of teenagers performing this service so they are asking the City Manager for direction as to whom and where this service needs to be done.

City Manager Rutledge stated that he would get back to him on this.

Councilman Jones stated that Councilman Green made a great speech at the last meeting. He then commented that he is thankful for the fact that we had no loss of life during this recent storm. His prayers go out to those with damage.

Mayor Landrith stated that he was glad to see Councilwoman Hagan back. He also stated that his thoughts and prayers are with the family that lost their son when he was hit by a car while riding his motorcycle. He also thanked everyone who participated in the clean up after the storm.

Landrith requested that \$2,500 of the Council's fund go toward speakers and other items that Justin Battles said that they needed.

Battles reported that they could use three speakers. One is a battery operated system which is a portable PA where you can take it wherever it is needed. The other two are just powered speakers. We have a need for these for the City's Activities.

H. DISCUSSION ITEMS

1. **Discussion, Consideration and Possible Action** Regarding Approval to Receive Bids for the Purchase of \$3,600,000 Combined Purpose General Obligation Bonds, Series 2012 of the City and Vote to Award Said Bonds to the Lowest Bidder Complying with the Notice of Sale and Instructions to Bidders or to Reject all Bids.

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Jon Wolff, Municipal Finance Bond Advisor, talked about the Bond Sale. It was held today at 11:00 a.m. Three banks submitted their bids. We are looking at a 15 year term for a \$3.6 million issue. It is fortunate for the City of Mustang that interest rates have dropped off a little in the last week. The lowest bid that was received today was from BOSCO, which is a division of Bank of Oklahoma, and they bid an average interest rate of 2.09% interest rate on a 15 year term. This is a very good rate. James Baker out of Oklahoma City gave an interest rate of 2.19% and the other was from Country Club Bank out of Kansas City and their bid was 2.26%. He then went through the handout that Council received. On page 8 at the bottom of the page the percentage rate of 2.11% should be 2.09%. It worked out well for the City of Mustang. On pages 10 – 13 we canvassed in the last week issues that were comparable to this issue as far as the term and as far as it being a bank qualified issue. The key thing is that we show comparables and that is not just the higher comparables but we show the lower ones also so that Mustang knows how they fall in these categories. The rate that we received today is comparable to a AAA rating. That reflects very well on the financial ability to pay back the debt. We are proposing to close on June 5, 2012. We will submit a transcript to the Attorney General's Office in the next week and there is a statutory thirty (30) day contestability period.

Mayor Landrith asked if the \$60,000 was discounted because both proposals passed.

Mr. Wolff replied that the \$60,000 is for the associated costs for this issue.

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

AYE: Grubbs, Green, Jones, Hagan, Mount, Landrith

NAY: None

2. **Discussion, Consideration and Possible Action** Regarding Approval of **Ordinance No. 1071**, Providing for the Issuance of Combined Purpose General Obligation Bonds, Series 2012, in the Sum of \$3,600,000 by the City of Mustang Authorized at an Election Duly Called and Held for Such Purpose; Prescribing Form of Bonds; Providing for Registration Thereof; Approving the Form of a Continuing Disclosure Certificate; Establishing the City's Reasonable Expectation with Respect to Issuance of Tax-Exempt Obligations for Calendar Year 2012 and Designating Bonds as Qualified Tax-Exempt Obligations; Providing for Levy of an Annual Tax for the Payment of Principal and Interest on the Same and Fixing Other Details of the Issue; and Declaring an Emergency.

City Attorney, Jon Miller, read the Ordinance in full to the assembly.

Mr. Wolff explained that they will prepare a transcript with everything that the Attorney General requires and staff will sign some documents tonight.

MOTION was made by **Mayor Landrith** and seconded by **Councilman Grubbs** to approve **Ordinance No. 1071**.

AYE: Grubbs, Green, Jones, Hagan, Mount, Landrith

NAY: None

MOTION was made by **Mayor Landrith** and seconded by **Councilman Grubbs** to approve declaring an Emergency.

AYE: Grubbs, Green, Jones, Hagan, Mount, Landrith

NAY: None

3. **Public Hearing, Discussion, Consideration and Possible Action** Regarding Approval of **Ordinance No. 1072**, Amending the Zoning Ordinance of the City of Mustang, Oklahoma as Amended to Change Certain Property Located in Canadian County from "A-1" General Agricultural and Oil and Gas District to "R-E" Rural Estates District and Declaring Repealer; Providing for Severability and Declaring an Emergency- Located at 850 N. Chris Terrace – Louis Krivanek.

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MOTION was made by **Mayor Landrith** and seconded by **Councilman Grubbs** to Open the Meeting to a Public Hearing.

AYE: Grubbs, Green, Jones, Hagan, Mount, Landrith
NAY: None

MOTION was made by **Mayor Landrith** and seconded by **Councilman Jones** to Close the Public Meeting.

AYE: Grubbs, Green, Jones, Hagan, Mount, Landrith
NAY: None

Helsel reported that this request is for approximately 3.6522 acres at the North end of Chris Terrace. The general zoning in this area is Agriculture on the East, West and North sides. It is zoned "RE" on the South side. The Long Range Plan calls for Low Density Residential in this area. There is no water or sewer service to this property. The Planning Commission voted at last Tuesday Night's Meeting to unanimously approve this rezoning. Staff also recommends approval.

MOTION was made by **Mayor Landrith** and seconded by **Councilman Mount** to approve item H3.

AYE: Grubbs, Green, Jones, Hagan, Mount, Landrith
NAY: None

MOTION was made by **Mayor Landrith** and seconded by **Councilman Jones** to approve the Emergency Clause.

AYE: Grubbs, Green, Jones, Hagan, Mount, Landrith
NAY: None

4. **Discussion, Consideration and Staff Direction** Regarding Development of Ordinance Restricting Use of Unlicensed Motorized Recreational Vehicles.

Mayor Landrith asked for this to be on the Agenda based on several calls that he has received. We have spent some time on this and it will be interesting to see if we can come up with something regarding this issue. Right now the only

way to get relief is to call the Police Department and ask to file a noise complaint.

City Manager Rutledge stated that he feels some of these problems could be solved by neighbors talking with one another regarding these matters. We have laws on the books that deal with these types of problems. He and the Chief of Police will sit down and discuss some options to this matter. He feels that the Ordinance we have on the books is adequate and we do not need any more Ordinances in regards to this.

Councilman Mount stated that he concurs with what the City Manager said. He feels that we have adequate laws on the books to take care of this issue. People just need to get along with each other. He does not think that we can write a better law than what we already have.

Councilman Grubbs commented that the calls that he has had are regarding the kids who ride South of Dorchester. They are maybe six year old kids and they look like they are having a great time. Grubbs has called the property owner and asked that he try to deal with this directly. The noise can be annoying if you have to listen to this day in and day out. He does not hear the noise very often so it does not bother him.

Councilman Mount stated that he believes that this is a parenting issue. He does not see the City being in the position to take care of this matter better than a parent can. As far as the noise problem we already have laws on the book and it becomes a matter of enforcement.

Mayor Landrith stated that he has looked at different cities ordinances and they have not come up with anything better than what we have on our books.

Councilman Grubbs stated that the only thing that citizens' can do is to call the Police Department and file a noise complaint.

A citizen commented that the problem is not just the noise but the fact that they dart out in front of cars. Someone will get hurt one of these days.

Rutledge stated that he will work with the Chief to regulate this issue a little better. He is going to call the newspaper in regards to this matter.

5. **Discussion, Consideration and Possible Action** Regarding Acceptance of Bids for Notice of Sale of the Mustang Public Library's 1996 Ford Van.

MOTION was made by **Mayor Landrith** and seconded by **Councilman Jones** to approve the Acceptance of Bids for the Library Van.

AYE: Grubbs, Green, Jones, Hagan, Mount, Landrith

NAY: None

6. **Discussion, Consideration and Possible Action** Regarding Awarding Bid for the Mustang Public Library's 1996 Ford Van.

Rutledge explained that they only received one bid for \$225.00.

MOTION was made by **Mayor Landrith** and seconded by **Councilman Jones** to approve Awarding of the Bid to Raymond Sissney in the amount of \$225.00.

AYE: Grubbs, Green, Jones, Hagan, Mount, Landrith

NAY: None

7. **Discussion, Consideration and Possible Action** Regarding Damage to City Facilities and Cost to Repair.

Mayor Landrith asked for this to be on the Agenda tonight but he does not feel that we need it now.

Councilman Grubbs thanked OEMA for helping in his area. He had a number of concerned citizens in his area but help arrived very quickly.

Councilman Jones stated that his understanding was that the storm sirens in Woodward were electronic and not battery. He asked about our storm sirens and what kind they are.

Rutledge stated that he is very comfortable with the system that we have. They are battery back-up. These sirens are tested frequently.

J. CITY ATTORNEY'S REPORT

There was no report.

K. ADJOURNMENT

MOTION was made by **Mayor Landrith** and seconded by **Councilman Jones** to adjourn the meeting.

AYE: Grubbs, Green, Jones, Hagan, Mount, Landrith

NAY: None

Meeting was adjourned at **7:45 p.m.**

Mayor

Attest:

City Clerk

**MUSTANG IMPROVEMENT AUTHORITY
APRIL 17, 2012**

The Mustang Improvement Authority met in regular session on Tuesday, April 17, 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, April 13, 2012 at 2:20 p.m. in compliance with the Open Meeting Law, 25 O.S., Section 301, et. seq.

A. CALL TO ORDER

Chairman Landrith called the meeting to order at 7:45 p.m.

B. ROLL CALL

Trustees Present: **Grubbs**
 Green
 Jones
 Hagan
 Mount
 Landrith

Trustees Absent: **Adams**

C. NEW BUSINESS

Rutledge stated that we had our pre-bid meeting for the Waste Water Treatment Plant and there were a few questions that came up that we need to get the answers to. He requested an extension on the RFP so the bidder will have more time to put their RFP together.

MOTION was made by **Chairman Landrith** and seconded by **Trustee Mount** to give the City Manager an extension to May 14, 2012.

AYE: Grubbs, Green, Jones, Hagan, Mount, Landrith

NAY: None

D. CONSENT AGENDA

1. Approval of **04/03/12** MIA Meeting.
- *2. Claims List for **FY '12**

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MOTION was made by **Chairman Landrith** and seconded by **Trustee Jones** to approve the Consent Agenda.

AYE: Grubbs, Green, Jones, Hagan, Mount, Landrith
NAY: None

E. INFORMATION/REPORTS

- 1. Trustee Manager**
- 2. Trustees**

There were no reports.

F. ADJOURNMENT

MOTION was made by **Chairman Landrith** and seconded by **Trustee Green** to adjourn the meeting.

AYE: Grubbs, Green, Jones, Hagan, Mount, Landrith
NAY: None

Meeting was adjourned at 7:46 p.m.

Attest:

Chairman

Secretary