MUSTANG CITY COUNCIL
FEBRUARY 7, 2012

The Mustang City Council met in regular session on Tuesday, February 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, February 3, 2012 at 4:40 p.m. in compliance with the requirements of 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 (Pastor Phil Sellars, Mustang Christian Church)

Pastor Jason Williams with Mustang Christian Church led the assembly in the Pledge of Allegiance and the prayer.

C. ROLL CALL

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

Councilmembers Present:	**Adams**
	Grubbs
	Green
	Jones
	Hagan
	Mount
	Landrith
Councilmembers Absent:	**None**

D. INTRODUCTION OF GUESTS/HEARING OF CITIZENS OR DELEGATES

Randy Demuth of 304 N. Geronimo Way in the Chisholm Trail Addition spoke to Council regarding a rezoning change from C-5 to R-4 PUD that is being requested near his neighborhood and they are unanimously against that rezoning. He stated that they are putting together a petition against the rezoning and will have it ready soon. He asked Council if they really want to put up a multi-family complex right next to a very nice neighborhood. He hopes not.

Mayor Landrith acknowledged the presence of Matt Taylor and Linda Bowers who will be sworn in as Councilmembers in May.

Officers from the National Guard Armory spoke to the City regarding the changing of the Responsibilities. The Mayor presented a Key to the City to Riggs and thanked him for working with the City and everything he did for the City during his time here.

Riggs spoke to the assembly and stated that this is his 7th community he served in and it is absolutely the best supporting and the warmest City he has worked in.

They presented the Mayor and Council a Minute Man Statue and expressed to them how nice it has been to work with the City.

E. NEW BUSINESS, DELETIONS OR CONTINUANCES TO THE AGENDA

City Manager Rutledge stated that Item No. 2 under the City Attorney's report will be heard under the MIA.

F. <u>CONSENT AGENDA</u>

1. Approval of **01/17/12** City Council Minutes.
*2. Approval of Claims List for **FY '12**
*3. Approval to Turn Past Due Utility Accounts Over to the Collection Agency.
4. Approval to Renew Agreement with Area Wide Aging Agency to Provide Weekly Meal Program for Senior Citizens.
5. Approval to Turn Past Due Library Accounts Over to the Collection Agency.
6. Approval of **Resolution No. 12-020**, Making Changes in the General Fund Budget by Making a Supplemental Appropriation to Increase the 2011-2012 Fiscal Year Budget by $661.35.
7. Approval of State of Oklahoma Homeland Security Grant for Automated External Defibrillators (AED) for the City of Mustang in the Amount of $5,748.00.
* 8. Approval of Receipt of DEQ Permit No. WL000009110756, Permit to Construct Water Line for Chisholm Heights Baptist Church.

MOTION was made by **Councilman Adams**, seconded by **Councilman Jones** to approve the Consent Agenda.

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

G. INFORMATION/REPORTS

1. City Manager

City Manager Rutledge stated that Justin Battles grandfather passed away and Jean Heasley was present to answer any questions if needed.

He reported that the O&M Manuals for the wastewater Treatment Plant were received from Garver Engineers.

Rutledge stated that Wells No. 3 and 4 are down and Well No. 4 was damaged by a lightning strike.

Rutledge explained, in case the Council had not noticed, the City is selling water to an oil company and it is coming from a hydrant on SW 59th street east of Highway 92.

Rutledge stated that crack sealing has been done at the Police Station and City Hall. There was a company who wanted to demonstrate crack sealing so the City rented a machine for two days.

Rutledge pointed out that a lot of economic development is going on and he would keep Council advised.

2. City Council

Councilman Grubbs stated that he received a noise complaint coming from the SE corner of Dorchester and Czech Hall in an open field. He stated that kids are riding four wheelers and motorcycles on the property and he contacted the property owners and asked them to address the issue. He stated that the police have not been out because it is private property. If the property owners to not take care of this problem, we may need to try to solve the problem ourselves.

City Manager Rutledge stated that he has looked into that.

Councilman Grubbs reminded citizens of the Bond Issue on March 6th and asked everyone to get out and vote. He stated that Friday is the last day to register to vote.

Grubbs stated that the soccer league is having a discussion on February 16th at 7:00 p.m. to educate citizens on the Bond Issue. It is their Board Meeting but they are inviting anyone interested to also be at this meeting.

He talked about a Chamber luncheon on February 23rd at 11:30 and that he would do some information sessions there.

Grubbs asked the City Manager about the requirements by DEQ to update the sewer plant on Phase II.

City Manager Rutledge stated that he sent a letter to DEQ and discussed options with them and he should have an answer back soon.

Grubbs stated that he knows that there are penalties set in on that issue so be proactive on that.

The City Manager stated that he is on top of it.

Councilman Green stated that he hopes everyone gets out and votes for the Bond Issue.

Green stated that Saturday is the Chocolate Festival and he thanked the City Staff for a job well done. He stated that it is a great Festival.

Councilman Jones wished everyone a belated Ground Hog Day. He stated that he met with Governor Fallon regarding rare disease day which is a special event that is coming up on the last day of February. He stated that he would like to speak with the newspaper on this event. He also asked everyone to get out and vote.

Councilwoman Hagan stated that she is really excited about the GO Bond Issue on March 6th and she hopes and prays that it passes.

She also stated that she appreciates the repair work that was done on Elder. She does have a problem with the concrete chunking out on Linden in the Linden Park area. It is getting pretty bad.

Councilman Mount also encouraged everyone to get out and vote for the Bond Issue. This is very important to the City but he also asks that everyone get educated in regards to this.

Mayor Landrith agreed with everyone on the Bond Issue. He stated that they are running out of room at the Community Center.

Landrith talked about the letter in the paper from Monte James and he asked the City Manager to address these issues.

Landrith asked about the sidewalks in the Czech Hall Road area and Rutledge replied that they are working on it.

Mayor Landrith stated that he has also heard complaints on the noise of the four wheelers.

Landrith stated that he has had several requests that our e-mail address be put on the website so that people can address any questions that they have. Rutledge replied that he will be working on the website shortly.

H. <u>DISCUSSION ITEMS</u>

1. **Discussion, Consideration and Possible Action** Regarding Approval of Street Light Policy Governing the Installation of Street Lights Within Public Rights-of-Ways and Public Easements.

Robert Coleman, Community Development Director explained the process of getting street lights placed in certain areas. He stated that he felt like a policy was needed for this and he also wanted to develop an internal policy to match up with the lighting companies. The Traffic Commission requested something be put in place so that they can be more objective in their decisions in this matter. There are two ways to get a street light put up. One is a citizen petition which is when someone wants a light in their addition. Secondly is when a developer wants to get lighting into the addition during the planning process. We just felt that we needed to get control of this matter with an internal policy.

Grubbs stated that he thought this was a great idea and he asked if the developer would be responsible for the lights.

Coleman stated that the developer is responsible for cost of lights up until the time the sub-division is completed.

Coleman stated that the original installation is picked up by the electric company, then, after it is developed, the City takes over cost. He explained further.

Hagan asked if a personal applicant requested a light what would be the method for that.

Coleman stated that there is nothing in our codes right now that addresses a security light on someone's property. This only concerns installations on public property right of ways. We have an application and they have to get their neighbors to sign off on this petition. Half of the people living within 300 feet of this light must sign this petition to be considered. Also, the person who lives adjacent to this light **must** sign this petition.

Hagan stated that she is talking public right-of-way.

Coleman stated that the City has an application and you have to get half of people to sign off on it.

Councilman Jones asked if this was new and Coleman said, yes.

MOTION was made by **Mayor Landrith** and seconded by **Councilman Adams** to approve Item H-1.

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

2. **Discussion, Consideration and Possible Action** Regarding Approval of **Ordinance No. 1066**, Amending Chapter 94, Article II Division 2 of the Code of Ordinances of the City of Mustang, Oklahoma by Adding Section 94-55, Conversion of Non-Conforming Signs to Allow Existing Non-Conforming Billboards to Convert to Multiple Message or Electronic Signage and Establishing Requirements, Permitting Process and Fee; Declaring Repealer; Providing for Severability and Declaring an Emergency.

Robert Coleman, Community Development Director explained that this is a change to Section 8 to the Ordinance that concerns the time between when the application for the sign was filed and when Council made any recommendations or not. It is the intent of the City Council to vote upon applications within 90 days of the signing by applicants.

MOTION was made by **Councilman Adams** and seconded by **Mayor Landrith** to approve **Ordinance No. 1066 Item H-2**.

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

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

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

3. **Discussion, Consideration and Possible Action** Regarding Authorization for City Manager to Facilitate an Electronic Town Hall Educational Forum.

MOTION was made by **Councilman Hagan** to disapprove Item H-3 but there was no second.

Motion failed for lack of a second.

Mayor Landrith stated that he asked the City Manager to put this on the agenda and for the fee to do this he asked him to pay it out of his discretionary fund. He saw this at the National League of Cities two years ago and he thought it might be a good idea. He explained that it is a conference call to talk to residents by having them call in on a 1-800 number.

He stated that it is to cover basics of the City. He also stated that there are around 6,500 houses that would be contacted to participate in this. This is just another way to discuss this with the citizens.

Mayor Landrith pointed out that other cities have tried this.

Councilman Jones stated that he thought this would be worth a look at it. He also stated that funding this would be an important question.

Grubbs asked how many households would be contacted and the City Manager stated 6,500 give or take a few.

He stated that they were going to use Blackboard Connect but they are priority list and we can't use them.

Grubbs talked about it being $2,200 to do this and it takes 30 minutes.

Mayor Landrith tried to explain how this works but hasn't done it before so wasn't exactly sure.

Grubbs asked who the moderator would be and the Mayor said the City Manager.

Grubbs asked what if you get on the Bond Issue and you have opinionated area.

Mayor Landrith stated that you can't do that. He stated that he would have the City Manager look into it more. He also stated that he was willing to use his discretionary fund to fund this.

Grubbs stated that he understands why you want to do this to try to generate more interest and action from the citizens but will that work here?

Hagan stated that she thought Council was taking their responsibility and handing it over to the City Manager. She stated if the citizens are that interested they would call each of them. She stated that she has people come to her house or call her at home. She also stated that she did not think it was a good idea to spend City money on this.

Councilman Mount stated that he agreed with Hagan that this is not a good idea.

Hagan asked how they know that people want that.

Mount stated that he wouldn't want to be in the position to give political answers on this.

City Attorney Miller stated that he has looked at different situations regarding this and there are issues as to how to format the set up, etc. The City Council is not allowed to promote issues coming up for election but they can educate the citizens.

Councilman Jones stated that he did not think Council was ready to vote on this.

MOTION was made by **Councilman Jones**, seconded by **Mayor Landrith** to table this item until next meeting and bring back pending the City Manager looking into this matter and bring back a presentation or documentation.

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

Adams asked if the company could provide the City with more information.

Hagan asked why the Mayor didn't just make a robo call. She stated that she does not want to see this tabled.

J. CITY ATTORNEY'S REPORT

1. **Discussion** of Recent Presentation of Open Meeting Act and Possible Presentation to City Council.

City Attorney Miller stated that he had a successful and well received 20 minute presentation that he did for the Planning Commission and suggests that the Council might like to schedule one for them.

MOTION was made by **Councilman Adams**, seconded by **Mayor Landrith** to schedule at the second meeting in May a presentation by City Attorney regarding the Open Meeting Act.

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

*2. **Discussion** Regarding ***Michael Hensley and Danielle Hensley v. Mustang Improvement Authority, et al***., Case No. CJ-2010-333, District Court, Canadian County, Oklahoma, and Possible Executive Session as Authorized by 25 Okla. Stat. §307(B)(4), Upon Advice of City Attorney that Disclosure of Discussion Item will Seriously Impair the Ability of the MIA to Conduct the Pending Litigation and respond to the claim.

This item was discussed under the MIA.

K. ADJOURNMENT

MOTION was made by **Councilman Adams** and seconded by **Mayor Landrith** to adjourn.

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

The meeting was adjourned at **8:00 p.m**.

____
Mayor

Attest:

____
City Clerk

MUSTANG IMPROVEMENT AUTHORITY
FEBRUARY 7, 2012

The Mustang Improvement Authority met in regular session on Tuesday, February 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, February3 , 2012 at 4:40 p.m. in compliance with the requirements of the Open Meeting Law, 25 O.S., Section 301, et. seq.

A. CALL TO ORDER

Chairman Landrith called the meeting to order at 8:00 p.m.

B. ROLL CALL

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

Trustees Absent: **None**

C. NEW BUSINESS

There was none.

D. <u>CONSENT AGENDA</u>

1. Approval of **01/17/12** MIA Minutes.
*2. Approval of Claims List for **FY '12**
*3. Approval to Turn Past Due Utility Accounts Over to the Collection Agency.
*4. Approval of Receipt of DEQ Permit No. WL000009110756, Permit to Construct Water Line for Chisholm Heights Baptist Church.

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

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

E. INFORMATION/REPORTS

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

There were no reports.

F. CITY ATTORNEY'S REPORT

*1. **Discussion** Regarding ***Michael Hensley and Danielle Hensley v. Mustang Improvement Authority, et al***., Case No. CJ-2010-333, District Court, Canadian County, Oklahoma, and Possible Executive Session as Authorized by 25 Okla. Stat. §307(B)(4), Upon Advice of City Attorney that Disclosure of Discussion Item will Seriously Impair the Ability of the MIA to Conduct the Pending Litigation and respond to the claim.

MOTION was made by **Trustee Jones**, seconded by **Chairman Landrith** to move to Executive Session.

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

The Trustees returned from Executive Session. No Action Was Taken.

G. ADJOURNMENT

MOTION was made by **Trustee Adams** and seconded by **Chairman Landrith** to adjourn.

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

Meeting was adjourned at **8:03 p.m.**

____
Chairman

Attest:

____
Secretary