MUSTANG CITY COUNCIL
APRIL 3, 2012

The Mustang City Council met in regular session on Tuesday, April 3, 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, March 30, 2011 at 1:50 p.m. in compliance with the Open Meeting Law, 25 O.S., Section 301, et. seq.

A. CALL TO ORDER

Vice-Mayor Jay Adams called the meeting to order at 7:00 p.m.

B. PLEDGE OF ALLEGIANCE/INVOCATION (Pastor Clyde Slimp, Lakehoma Church of Christ)

Pastor Robert Gregg led the assembly in the Pledge of Allegiance and the Invocation.

C. ROLL CALL

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

Councilmembers Present:	**Adams**
	Green
	Jones
	Hagan
	Mount
Councilmembers Absent:	**Grubbs**
	Landrith

D. INTRODUCTION OF GUESTS/HEARING OF CITIZENS OR DELEGATES

Justin Battles, Parks/Recreation Director introduced Ashley Whisner the new Senior Center Director.

E. NEW BUSINESS, DELETIONS OR CONTINUANCES TO THE AGENDA

There was no new business, deletions or continuances to the agenda.

F. CONSENT AGENDA

1. Approval of **03/20/12** City Council Minutes.

*2. Claims List for **FY '12**

3. Approval of **Resolution No. 12-027**, Making Changes in the General Fund Budget by Making a Supplemental Appropriation to Increase the 2011-2012 Fiscal Year Budget by $1,200.

4. Approval to Accept Contract from Oklahoma Arts Council to Receive a $1,075.00 Matching Grant to the Mustang Public Library for the Summer Arts Series to be Held in June 2012.

*5. Approval to Turn Past due Utility Accounts Over to the Collection Agency.

6. Approval to Turn Past due Library Accounts Over to the Collection Agency.

7. Approval to Renew the Agreement with Clearwater Enterprises to Purchase Natural Gas for the Town Center Complex, Public Works Facility and Police Station.

8. Approval of **Resolution No. 12-028**, Making Changes in the General Fund Budget by Making a Supplemental Appropriation to Increase the 2011-2012 Fiscal Year Budget by $4,951.73.

9. Approval of **Proclamation** Declaring **April 8-14, 2012** as **"National Telecommunicator Week".**

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

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

G. INFORMATION/REPORTS

1. City Manager

The **City Manager** talked about the storms that hit Dallas today and reminded everyone that it is that season again so "Beware". He stated that he would be out of the office Wednesday through Friday of this week but he could be reached on his cell phone.

2. <u>City Council</u>

Councilman Mount stated that he has had many calls from citizens regarding drainage issue on Mustang Road and Juniper. The City told them that work would be done to repair the drainage problem but they have not seen anything done.

Mount also stated that a citizen who lives on Mohr Lane stated that they can't sit on their back porch/patio due to the dirt being stirred up as cars drive down the street.

Mount also talked about citizens not pleased with Council regarding Severn Trent receiving four extensions to their contract.

City Manager Rutledge stated that he did not think that is a City street but he would check on it.

Hagan mentioned to Justin Battles that she cannot read the sign in front of Town Center most of the time. She stated the print is so small and she can't read it especially when there is a bright background and it doesn't stay on one screen long enough. She has not had any phone calls on this but she cannot read the sign.

Hagan talked about the left hand turn from Highway 152 and the white line is gone so you can't see the margin. It is that way on the north side of 152 and Heights Drive also. The paint is gone.

Hagan stated that she might not be at the next meeting or the next so she wanted Council to know that she is the alternate trustee to OEMA but she wants to be the Trustee to OEMA since the Mayor will no longer be in office and he is the Trustee now. She pointed out that in the past the Mayor brought up the fact that the Trustee should be a member of the Council but he still wants to be the Trustee when he leaves office. She stated that she may not be here to speak for herself but she wanted Council to know that she wants to be the Trustee to OEMA not the Mayor.

Councilman Jones stated that his contact number is 503-3008. He stated that there seems to be some confusion as to what it is.

Jones talked about the new stop signs at SW 59th and Cemetery Road. He stated that the newspapers were out taking pictures of the City Manager, himself and Oklahoma City Councilman McAtee to draw attention to the stop signs.

Councilman Green stated that this is his last chance so he wanted to compliment the Council on work well done and he commended City staff on what they do for the City. He stated that the City staff goes unrecognized but he is very pleased with everyone and the job they do and he thanked them for all of their help. He could not be more pleased in what has happened in the last three years since Rutledge came aboard. He wishes God speed to everyone and sees great things to happen in Mustang.

H. <u>DISCUSSION ITEMS</u>

1. **Discussion, Consideration and Possible Action** Regarding Approval of **Resolution No. 12-029** Fixing the Amount of Bonds to Mature Each Year; Fixing the Time and Place the Bonds are to be Sold; Designating a Paying Agent/Registrar; Approving the Preliminary Official Statement and Distribution thereof and Authorizing the Clerk to Give Notice of Said Sale as Required by Law and Fixing Other Details of the Issue.

Rick Smith with **Municipal Finance Services** spoke to Council regarding the outcome of a successful Bond Election. This Resolution before you is a result of the successful election. Tonight, we are actually taking action to put these bonds out for bid. With interest rates what they are now, it would be appropriate to get these bonds out now and in the market. We do a lot of it on the internet now but they do have to be sold as a competitive issue. Both Propositions were approved by the voters, so we are able to combine those into one sale. Due to combining the Propositions this Resolution is for $3.6 million. This issue is to be paid over a 15 year period. We have set up the date of April 17, 2012 to receive the bids. We will then present them to Council at the April 17th meeting for their consideration. It will then be presented to the Attorney General's Office for a review for accuracy and then they will sign off on it if all is okay. If things go according to schedule the bonds should be made available by early June.

MOTION was made by **Councilman Mount,** seconded by **Councilman Jones** to approve **Resolution No. 12-029**.

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

2. **Public Hearing, Discussion, Consideration and Possible Action** Regarding Approval of **Ordinance No. 1070**, 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.

Melissa Helsel, City Planner reported to Council that this is a one acre tract on SW 89th Street just east of a property that we rezoned in February to "RE". This is a cousin of that property owner to the left. They would like to split off one acre for a home. The area is generally a low density residential area and it is surrounded by Agriculture and Rural Estates zoning. The Long Range Plan does call for low density residential in this area. There is no public water or sewer to this property. The Planning Commission considered this at the March 27th meeting and recommended approval unanimously.

MOTION was made by **Councilman Mount,** seconded by **Councilman Jones** to open the public hearing.

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

MOTION was made by **Vice-Mayor Adams,** seconded by **Councilman Jones** to close the public hearing.

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

MOTION was made by **Councilman Mount,** seconded by **Councilwoman Hagan** to approve **Ordinance No. 1070**.

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

MOTION was made by **Councilman Jones,** seconded by **Councilwoman Hagan** to approve the emergency clause.

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

3. **Discussion, Consideration and Possible Action** Regarding Acceptance of the Proposal from EST Engineering for the Engineering of the LED Signal Head Replacement Project and Synchronization at 7 Intersections in the City of Mustang.

City Manager Rutledge reported that at the last meeting Council authorized the City Manager to negotiate with EST Engineers for preliminary costs report and design. We discussed this at length and came up with a price of $60,000. This was based on the scope of the project and design. We feel this is a very fair price.

MOTION was made by **Councilman Jones,** seconded by **Councilman Hagan** to approve.

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

4. **Discussion, Consideration and Possible Action** Regarding Approval of **Resolution No. 12-030**, Regarding the Commencement of Cable Franchise Renewal Proceedings Under the Federal Cable Communication Policy Act of 1984, as Amended.

City Manager Rutledge stated that this is the next step on the renewal of Cox Com franchise agreement.

Attorney Jonathan Miller stated that under the Federal Cable Act, the City has to formally open the process to commence renewal of the Franchise Agreement. This Resolution will take care of this.

MOTION was made by **Councilman Mount,** seconded by **Councilman Jones** to approve **Resolution No. 12-030**.

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

5. **Discussion, Consideration and Possible Action** Regarding Sending Out a Request for Qualifications for an Architectural Firm to Assist in the Design and Construction of Expansions to the Banquet Hall Facilities and the Mustang Public Library Located in the Mustang Town Center Complex.

Justin Battles asked at this time to send out RFQ's to the qualified Engineering firms. We feel this is an important part of this process to find the right Company to help us move forward and to keep the integrity of our building.

MOTION was made by **Councilman Adams,** seconded by **Councilman Green** to approve Item H-5.

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

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

Vice-Mayor Adams stated since the Mayor is not here and this item was one he wanted to discuss he suggested that Council table it until the next meeting so the Mayor can be here.

MOTION was made by **Councilman Adams,** seconded by **Councilman Jones** to table this item until the next meeting.

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

7. **Discussion, Consideration and Possible Action** Regarding Entering into an Agreement with EST., Inc. for Engineering Services to Provide Conceptual Site Plan and Master Grading Plan for Wild Horse Park Baseball/Soccer Complex.

Justin Battles stated that at the last meeting Council approved EST to move forward with the Conceptual Site Plan and the Master Grading Plan for Wild

Horse Park Baseball/Soccer Complex. There was some concern regarding the scope of work that we had asked for in our request. We then expanded that and he presented this to Council. We had them look at the overall conceptual plan.

MOTION was made by **Vice-Mayor Adams,** seconded by **Councilman Green** to approve Item H-7.

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

8. **Discussion, Consideration and Possible Action** Regarding Entering into an Agreement with EST, Inc. for Engineering Services to Provide Construction Plans for Wild Horse Park Baseball/Soccer Complex.

Justin Battles stated that this is a construction document ready to go to bid. He is still a little reluctant to say a certain timeline because he wants to be open and honest with the public on this project. We have the ability to go out for bid for construction services, we just would not be able to come to an agreement until after the money is available.

MOTION was made by **Councilman Mount,** seconded by **Councilman Jones** to approve Item H-8.

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

J. <u>CITY ATTORNEY'S REPORT</u>

City Attorney Miller pointed out that there are not enough Councilmembers to pass the emergency clause on **Ordinance No 1070**, Item H-2 so the emergency clause did not pass.

K. <u>ADJOURNMENT</u>

MOTION was made by **Councilman Green,** seconded by **Councilman Jones** to adjourn.

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

The meeting was adjourned at **7:33 p.m.**

____
Mayor

Attest:

____
City Clerk

MUSTANG IMPROVEMENT AUTHORITY
APRIL 3, 2012

The Mustang Improvement Authority met in regular session on Tuesday, April 3, 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, March 30, 2012 at 1:50 p.m. in compliance with the Open Meeting Law, 25 O.S., Section 301, et. seq.

A. CALL TO ORDER

Vice-Chairman Adams called the meeting to order at **7:33**

B. ROLL CALL

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

C. NEW BUSINESS

There was no new business.

D. <u>CONSENT AGENDA</u>

1. Approval of **03/20/12** MIA Meeting.
*2. Claims List for **FY '12**
*3. Approval to Turn Past due Utility Accounts Over to the Collection Agency.

MOTION was made by **TrusteeGreen,** seconded by **Trustee Hagan** to approve the Consent Agenda.

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

E. <u>INFORMATION/REPORTS</u>

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

There was no report.

F. ADJOURNMENT

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

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

The meeting was adjourned at **7:34 p.m.**

____
Chairman

Attest:

____
Secretary