

**MUSTANG CITY COUNCIL
DECEMBER 6, 2016**

The Mustang City Council met in regular session on Tuesday, December 6, 2016, 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, December 2, 2016, at 2:05 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 (Brian Grider, Councilman, Ward III)

Councilman Grider led the assembly in the Pledge and Invocation.

C. ROLL CALL

Councilmembers Present:	Leete
	Grider
	Jones
	Hagan
	Schweinberg
	Adams

Councilmembers Absent: **Riley**

D. INTRODUCTION OF GUESTS/HEARING OF CITIZENS OR DELEGATES

Deborah Jansak, 302 S. Owen Dr, addressed the Council stating she was the property owner of the property mentioned in Item H-3 where a permit was granted to install a gate as an access point to W. Rancho Drive stating this vacation would restrict her access to W. Rancho Dr. She provided a hand-out to the Council and highlighted different pages such as:

- Page 3 providing an aerial view of the impacted properties;
- Page 4 showing this portion of West Rancho identified as a "street stub" and not a platted subdivision cul-de sac stating it is also used as a parking lot by adjoining property owners;
- Page 5 which shows granting this vacation of easement would go against current City of Mustang Ordinances, Section 106-295 and 106-298.

Ms. Jansak stated she was granted a permit to place a gate at this spot and planned to use it as an emergency exit for her horses stating if the easement is vacated, it would prevent her from utilizing the gate and would also prevent future development. She stated she also had an issue as a taxpayer of the City giving public roadway to private individuals stating there were 20 plus other stub streets in the City and this would be setting a precedent. She requested the Council deny Ordinance 1141, enforce current Mustang ordinances and honor her granted building permit.

Sara Moore, Bass Law Firm, 201 Robert S. Kerr, Suite 700, Oklahoma City, Oklahoma, addressed the Council on behalf of the applicants stating they are in support of Ordinance 1141 requesting Ms. Jansak not be able to access her property at this particular point stating there were plenty of other access points to her land she could use. She stated they understood a couple of utilities were against vacating the easement stating her clients did not want to move the utilities, but would make sure the utility companies had proper legal access to those lines.

Ms. Moore stated one reason to request to vacate the easement was due to increased traffic and possible agricultural trucks or equipment being parked on Rancho Drive or in front of their homes. She also stated there was currently no buffer zone between the agricultural land and residential lots and this would help create that buffer zone and help create peace between the landowners. She stated Ms. Jansak mentioned this would set a precedent stating the precedent was not in front of Council today, only talking about this particular incident.

Ms. Jansak stated the road on the north side of the property is a private road and she did not have access to it.

Ms. Moore stated it was her understanding the current access point at Rancho Dr had not been accessed before and questioned why it was being needed now stating this access point was not needed.

E. NEW BUSINESS, DELETIONS OR CONTINUANCES TO THE AGENDA

None.

F. CONSENT AGENDA

1. Approval of **11/15/16** City Council Minutes.
- *2. Claims List for **FY'17**.
- *3. Approval to Turn **Past Due Utility Accounts** over to the Collection Agency.
4. Approval to Turn **Past Due Library Accounts** over to the Collection Agency.
- *5. Approval of **Schedule of Meetings** for City Council, Boards and Commissions, and **Holidays** for the City of Mustang/MIA for the Year 2017.
6. Approval of **Retirement** from Oklahoma Municipal Retirement Fund (OMRF) for James Davis, Police Captain.

MOTION was made by **Councilman Schweinberg**, seconded by **Councilman Leete**, to approve Items F-1 through F-6 of the Consent Agenda.

AYE: Leete, Grider, Jones, Hagan, Schweinberg, Adams
NAY: None

G. INFORMATION/REPORTS

1. City Manager

City Manager Rooney stated he did not have anything to report in addition to the City Manager Report provided in the agenda packet and available online.

2. City Council

Mayor Adams asked the Councilmembers if they had anything to report in their respective Wards:

Councilman Leete stated he received a letter this evening from a constituent and would discuss at the next meeting.

Councilman Grider stated he had received phone calls regarding parks and trails, but that was all.

Councilman Jones thanked everyone for their thoughts, prayers and gifts for his unexpected surgery.

Councilwoman Hagan did not have anything to report at this time.

Councilman Schweinberg stated he had the pleasure to attend the Christmas tree lighting the night before stating hats off to **Assistant Parks & Recreation Director Heasley** and staff for their hard work stating it was well attended. He also welcomed back **Councilman Jones**.

Mayor Adams stated he also attended the Christmas tree lighting stating he loved this time of year and thanked the Parks and Recreation Department stating they had some great people doing a great job.

H. DISCUSSION ITEMS

- *1. **Discussion, Consideration and Possible Action** regarding Acceptance of the Comprehensive Annual Financial Report and Report on Internal Control and Compliance with Government Auditing Standards for Fiscal Year ending June 30, 2016.

This item was moved to the end of the Discussion Items.

2. **Discussion, Consideration and Possible Action** regarding Approval of Nunc Pro Tunc Ordinance No. 1129-A , an Ordinance of the City of Mustang, Oklahoma, Amending Ordinance No. 1129 of the City of Mustang, Oklahoma, to Correct Scrivener's Errors in the Legal Description of Certain Property Located in Canadian County, Oklahoma, that was Rezoned by Ordinance No. 1129; Declaring Repealer; Providing for Severability; and Declaring an Emergency.

City Manager Rooney stated Ordinance No. 1129 was approved by City Council on August 4, 2015 where land was rezoned from A-1 to R-1 stating there were no protests at the meeting. He stated the map published in the newspaper was correct; however, there were some scrivener's errors in the legal description where some of the directional calls were switched.

Rooney stated this was not discovered until a new owner attempted to purchase the property for development and contacted the City to point out the errors. He stated the errors are clearly scrivener's errors and letters were sent to the correct property owners within 300 feet. **Rooney** stated this Ordinance would correct the errors.

MOTION was made by **Councilman Grider**, seconded by **Councilman Schweinberg**, to approve Nunc Pro Tunc Ordinance No. 1129-A , an Ordinance of the City of Mustang, Oklahoma, Amending Ordinance No. 1129 of the City of Mustang, Oklahoma, to Correct Scrivener's Errors in the Legal Description of Certain Property Located in Canadian County, Oklahoma, that was Rezoned by Ordinance No. 1129; Declaring Repealer; Providing for Severability

AYE: **Leete, Grider, Jones, Hagan, Schweinberg, Adams**
NAY: **None**

MOTION was made by **Councilman Schweinberg**, seconded by **Councilman Grider**, to declare an emergency.

AYE: **Leete, Grider, Jones, Hagan, Schweinberg, Adams**
NAY: **None**

3. **Discussion, Consideration and Possible Action** regarding Approval of **Ordinance No. 1141**, an Ordinance of the City of Mustang, Oklahoma, Amending Chapter 90, of the Code of Ordinances of the City of Mustang, Oklahoma, by Adding Section 90-6, Partially Vacating a Portion of West Rancho Drive as dedicated to the City of Mustang and reflected on the Plat of Rancho Addition, an Addition to the City of Mustang, Canadian County, Oklahoma, According to the Recorded Plat Thereof, as more particularly described herein; Declaring Repealer; and Providing for Severability.

Mayor Adams stated **City Attorney Miller** has told him this item will have to be tabled due to a Public Hearing not being posted. Discussion was held concerning the December 20th meeting and if both parties would be able to attend.

MOTION was made by **Councilman Schweinberg**, seconded by **Councilman Leete**, to Table this item to the next City Council meeting, December 20, 2016.

AYE: **Leete, Grider, Jones, Hagan, Schweinberg, Adams**
NAY: **None**

- *1. **Discussion, Consideration and Possible Action** regarding Acceptance of the Comprehensive Annual Financial Report and Report on Internal Control and Compliance with Government Auditing Standards for Fiscal Year ending June 30, 2016.

City Manager Rooney stated the reason for pushing this item to the end was due to the auditor being caught in traffic due to a bad wreck on her way here from Tulsa. She thought she would be able to be here at 7:30. **Rooney** stated **Finance Director Watts** will provide the report.

Finance Director Watts stated the City's financial statements were audited by Anne Marie Elfrink, MS, CPA for the fiscal year ending June 30, 2016. She stated she was pleased to announce the independent auditor concluded there was a reasonable basis for rendering an unqualified opinion that the City of Mustang's financial statements are fairly presented in conformity with GAAP. She also stated GFOA awarded the City of Mustang the Certificate of Achievement for Excellence in Financial Reporting for the 22nd consecutive year.

Watts highlighted areas such as page 16 regarding Government Auditing Standards; page 20 regarding total net position increasing by 9.2% or \$4.1 million; and page 120 regarding the "Schedule of Findings" stating financial statements were appropriate.

Watts stated Ms. Elfrink is available for any questions Council may have and thanked the Department Directors and Staff for their cooperation and hard work.

Rooney stated the Finance Department received complements from every group that dealt with them on their work, accuracy, and cooperation stating he was very proud of the work they do and always go above and beyond consistently.

MOTION was made by **Councilman Schweinberg**, seconded by **Councilwoman Hagan**, to Accept the Comprehensive Annual Financial Report and Report on Internal Control and Compliance with Government Auditing Standards for Fiscal Year ending June 30, 2016.

AYE: Leete, Grider, Jones, Hagan, Schweinberg, Adams
NAY: None

J. CITY ATTORNEY'S REPORT

None.

K. ADJOURNMENT

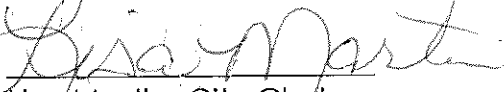
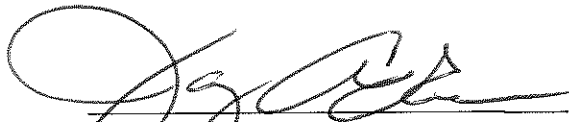
MOTION was made by **Councilman Schweinberg**, seconded by **Councilwoman Hagan**, to adjourn.

AYE: Leete, Grider, Jones, Hagan, Schweinberg, Adams

NAY: None

The meeting was adjourned at **7:23 p.m.**

Attest:


Lisa Martin, City Clerk
Jay Adams, Mayor

**MUSTANG IMPROVEMENT AUTHORITY
DECEMBER 6, 2016**

The Mustang Improvement Authority met in regular session on Tuesday, December 6, 2016, 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, December 2, 2016, at 2:05 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 **7:23 p.m.**

B. ROLL CALL

Trustees Present: Leete
Grider
Jones
Hagan
Schweinberg
Adams

Trustees Absent: Riley

C. NEW BUSINESS

None.

D. CONSENT AGENDA

1. Approval of **11/15/16** MIA Minutes
- *2. Claims List for **FY'17**
- *3. Approval to Turn **Past Due Utility Accounts** over to the Collection Agency.
- *4. Approval of **Schedule of Meetings** for City Council, Boards and Commissions, and **Holidays** for the City of Mustang/MIA for the Year 2017.

MOTION was made by **Trustee Grider**, seconded by **Trustee Leete**, to approve Items D-1 thru D-4 of the Consent Agenda.

AYE: Leete, Grider, Jones, Hagan, Schweinberg, Adams

NAY: None

E. INFORMATION/REPORTS

1. **Trustee Manager**
None
2. **Trustees**
None.

F. DISCUSSION ITEMS

- *1. **Discussion, Consideration and Possible Action** regarding Acceptance of the Comprehensive Annual Financial Report and Report on Internal Control and Compliance with Government Auditing Standards for Fiscal Year ending June 30, 2016.

MOTION was made by **Trustee Grider**, seconded by **Trustee Schweinberg**, to Accept the Comprehensive Annual Financial Report and Report on Internal Control and Compliance with Government Auditing Standards for Fiscal Year ending June 30, 2016.

AYE: Leete, Grider, Jones, Hagan, Schweinberg, Adams
NAY: None

G. ADJOURNMENT

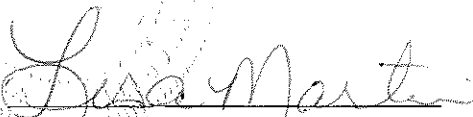
MOTION was made by **Trustee Schweinberg**, and seconded by **Trustee Grider**, to adjourn.

AYE: Leete, Grider, Jones, Hagan, Schweinberg, Adams
NAY: None

Meeting was adjourned at 7:24 p.m.


Jay Adams, Chairman

Attest:


Lisa Martin, Secretary