MUSTANG CITY COUNCIL
AUGUST 7, 2018

The Mustang City Council met in regular session on Tuesday, August 7, 2018, at 7:00 p.m. in the Mustang Municipal Building Council Chambers. Notice of the meeting was posted as required on Friday, August 3, 2018, at 10:50 a.m in compliance with the Open Meeting Law, 25 O.S., Section 301, et. seq.

A. CALL TO ORDER

Mayor Schweinberg called the meeting to order at **7:00 p.m.**

B. PLEDGE OF ALLEGIANCE/INVOCATION Dave Bryan, Pastor, Chisholm Heights Baptist Church

Pastor Bryan led the assembly in the Pledge and Invocation. He stated everything was going well at the Church and stated he was expecting a new grandson on Friday.

C. ROLL CALL

Councilmembers Present:
Pratt
Leete
Grider
Ward V - Vacant
Noblitt
Schweinberg

Councilmembers Absent: **Jones**

D. INTRODUCTION OF GUESTS/HEARING OF CITIZENS OR DELEGATES

Troy Shilling, 944 W. Jonathan Way, addressed the Council regarding speeding in his neighborhood and the City's speed table process. He stated he was not sure his neighborhood would meet all the requirements to be approved for speed tables, for instance 400 vehicles per day, and asked the Council to revisit the policy with the understanding each neighborhood is different. He stated the neighborhood was willing to help in any way possible to help mitigate the cost.

City Manager Rooney stated one of the biggest concerns of the City was whether or not the majority of residents on the street receiving the speed tables, wanted them. He advised Mr. Shilling to go through the process and apply and if denied, the City may still be able to approve it based on the neighborhood.

Sandy Malega, 1029 W. Windsor Way, addressed the Council regarding speeding and property preservation issues. She requested the City address new codes for property preservation for such issues including, but not limited to, damaged garage doors, flaking paint and roofing stating there are houses in the City in need of repair and sometimes in the process of repair for months on end, but due to the lack of codes, the Code Enforcement Officer is not able to issue citations nor the City require them to upkeep the property.

E. NEW BUSINESS, DELETIONS OR CONTINUANCES TO THE AGENDA

None.

F. CONSENT AGENDA

1. Approval of **07/03/2018** City Council Minutes.
2. Approval of **07/17/2018** City Council Special Meeting (Work Session) Minutes.
*3. Claims List for **FY 2018**.
*4. Claims List for **FY 2019**.
*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 of **Resolution No. 19-005** making Changes in the Library Fund Budget by making a Supplemental Appropriation to Increase the 2018-2019 Fiscal Year Budget by $1,466.
8. Approval of **Resolution No. 19-007** making Changes in the General Fund Budget by making a Supplemental Appropriation to Increase the 2018-2019 Fiscal Year Budget by $8,750.
9. Approval to Renew Agreement with the **Canadian County Sheriff's Office** to hold Excess Prisoners.

MOTION was made by **Councilman Noblitt**, seconded by **Councilman Grider**, to Approve Items F-1 thru F-9 of the Consent Agenda.

AYE: Pratt, Leete, Grider, Noblitt, Schweinberg
NAY: None

G. INFORMATION/REPORTS

1. **City Manager Report**

   City Manager Rooney called Commander Paul Ray, American Legion Post 353, Mustang, Oklahoma, to the front where Mr. Ray recognized Police Officer Jeff Six and Firefighter Byron Smith as recipients of the State of Oklahoma's Law Enforcement Officer and Firefighter of the year awards stating they will represent Oklahoma at the national level.

Rooney also provided dates for the next big trash pick-up day stating it begins Saturday, September 29, 2018 through Saturday, October 20, 2018. He stated former *Councilwoman Hagan* had a big role in having a second curbside pickup added for the City residents.

2. **City Council Reports**

a. Appreciation and Recognition of former Ward V Councilwoman **Linda Hagan.**

Mayor Schweinberg and **Councilman Noblitt** recognized former Ward V Councilwoman Linda Hagan for over 30 years of public service to the City and presented her with a plaque and flowers.

b. **Appointment** of One (1) Member and One (1) Alternate to the OEMA Board of Directors.

Mayor Schweinberg stated *Councilwoman Hagan* was the primary representative and *Councilman Jones* the alternate representative on the OEMA Board of Directors stating with Hagan's resignation, the Council will need to appoint new primary and alternate representatives.

City Manager Rooney stated *Councilman Jones* is willing to serve as the primary representative and Staff would recommend *Assistant City Manager Battles* to serve as the alternate representative.

MOTION was made by **Councilman Noblitt,** seconded by **Councilman Leete,** to Appoint Councilman Jones as Member to the OEMA Board of Directors and Assistant City Manager Battles as Alternate Member to the OEMA Board of Directors.

AYE: Pratt, Leete, Grider, Noblitt, Schweinberg
NAY: None

c. City Council Reports

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

Councilman Noblitt stated the City should have more than one person apply to serve on City Council stating when he was appointed to the Ward VI seat, he was the only citizen who applied and the City currently only has one applicant for the Ward V seat recently vacated by Councilwoman Hagan. He encouraged citizens to apply and to encourage others they may know to apply.

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

Councilman Leete stated it had been quiet in his Ward stating anytime he has the opportunity to thank the Police and Fire departments, he does and wanted to especially congratulate the two receiving the State award. He also thanked former Councilwoman Hagan for her service and stated he would miss her.

Councilman Grider stated he had spoken to Mr. Shilling who addressed the Council earlier and encouraged him to come tonight. He stated he had also received a call regarding mandatory recycling and if recycled improperly, for the home owner to be fined.

Mayor Schweinberg stated he did not have anything to report at this time stating he was honored to be able to present the plaque and flowers to former Councilwoman Hagan and appreciated having Councilman Noblitt present along with him.

H. DISCUSSION ITEMS

1. **Discussion, Consideration and Possible Action** regarding Request to Declare Surplus Three (3) Police Chargers, Units #202, #203, #210 and Authorize Disposal of those Items; and Proposed Interlocal Cooperation Agreement between the City of Mustang and the City of Guthrie to sell Three (3) Police Chargers to the City of Guthrie.

   Police Chief Groseclose stated a unique opportunity presented itself where the Police Department could sell police vehicles no longer needed and, at the same time, be able to help another municipality in need of them. He stated the vehicles were originally to be sold to a used police vehicle company, but found that the City of Guthrie was in need and Guthrie offered to purchase them for the same dollar amount of $21,500. He stated the three vehicles would need to be declared surplus and the agreement with the City of Guthrie be approved.

Councilman Noblitt asked how old the vehicles were with **Chief Groseclose** stating they were 2010 and had a lot of miles.

Councilman Noblitt also asked if there were any standards as to when to sell the vehicles and that sort of thing with **Chief Groseclose** responding that in the past, they were driven to the point of no value and given away stating they now try to stop driving them at a certain point and sell them while they still had a little value and perhaps help another community at the same time.

MOTION was made by **Councilman Leete,** seconded by **Councilwoman Pratt,** to Declare Surplus the Three (3) Vehicles, Units 202, 203 and 210 and Authorize Disposal of those Items.

AYE: Pratt, Leete, Grider, Noblitt, Schweinberg
NAY: None

MOTION was made by **Mayor Schweinberg,** seconded by **Councilman Noblitt,** to Approve the Interlocal Cooperation Agreement between the City of Mustang and the City of Guthrie to sell Three (3) Police Chargers to the City of Guthrie.

AYE: Pratt, Leete, Grider, Noblitt, Schweinberg
NAY: None

2. **Discussion, Consideration and Possible Action** regarding Approval of Municipal Lease/Purchase of Two (2) Police Vehicles with RCB Bank for a Three (3) Year Term; documents to include, but not limited to, Lease/Purchase Agreement, **Resolution No. 19-008**, and Statement of Essential Use; and Authorizing Staff to Execute Documents.

Police Chief Groseclose stated the purchase of the two police vehicles would replace the three vehicles discussed above stating the loan would be through RCB Bank as in the past stating the interest rate is a little higher, but is still the best they could find. He stated the vehicles would be fully equipped and were approved in the FY2019 budget.

MOTION was made by **Councilman Noblitt,** seconded by **Councilman Grider**, to Approve the Municipal Lease/Purchase of Two (2) Police Vehicles with RCB Bank for a Three (3) Year Term; documents to include, but not limited to, Lease/Purchase Agreement, **Resolution No. 19-008**, and Statement of Essential Use; and Authorizing Staff to Execute Documents.

AYE: Pratt, Leete, Grider, Noblitt, Schweinberg
NAY: None

*3. **Discussion, Consideration and Possible Action** regarding **Resolution No. 19-006**, A Joint Resolution of the City Council of the City of Mustang and the Mustang Improvement Authority Amending the Ambulance Assessment Fee and Providing for an Effective Date.

City Manager Rooney stated when reviewing the budget for FY2019, there was a need to raise the Ambulance Assessment Fee due to surrounding cities opting out of EMSA. He stated the City of Yukon pulled out and Staff is monitoring their contract. He stated Staff is recommending the fee be increased from $1.50 to $2.50.

MOTION was made by **Councilman Noblitt**, seconded by **Councilman Leete**, to Approve **Resolution No. 19-006**, A Joint Resolution of the City Council of the City of Mustang and the Mustang Improvement Authority Amending the Ambulance Assessment Fee and Providing for an Effective Date.

AYE: Pratt, Leete, Grider, Noblitt, Schweinberg
NAY: None

4. **Discussion, Consideration and Possible Action** regarding **Ordinance No. 1170**, an Ordinance of the City of Mustang, Oklahoma, Amending (1) Chapter 26, by Amending Section 26-48 to Remove Requirement that an Expungement Fee be placed into Designated Funds; Declaring Repealer; Providing for Severability; and Declaring an Emergency.

City Attorney Miller stated Council approved in last month's City Council meeting to enact an expungement fee stating the fee was to be deposited 50% to the Police Fund and 50% to the Court Fund. He stated costs relating to processing of expungement orders are actually paid out of the General Fund stating this ordinance changes where the funds are deposited.

MOTION was made by **Councilman Noblitt**, seconded by **Councilman Leete**, to Approve **Ordinance No. 1170**, an Ordinance of the City of Mustang, Oklahoma, Amending (1) Chapter 26, by Amending Section 26-48 to Remove Requirement that an Expungement Fee be placed into Designated Funds; Declaring Repealer; Providing for Severability.

AYE: Pratt, Leete, Grider, Noblitt, Schweinberg
NAY: None

No vote was taken to Declare an Emergency as six "Aye" votes are required for passage and only five members were in attendance.

*5. **Discussion, Consideration and Possible Action** regarding **Ordinance No. 1171**, an Ordinance of the City of Mustang, Oklahoma, Amending Chapter 2 by Adding New Section 2-177 Providing for a Convenience fee to Recoup Costs Incurred by the City for Use of Electronic Payment Methods on Certain Transactions, Setting the Amount of the Convenience Fee, and Defining Terms; Providing for Severability; Providing for Repealer; Setting an Effective Date; and Declaring an Emergency.

City Manager Rooney stated as discussed in the July 17th Work Session, this ordinance is the result of the City's payment of almost $70,000 in merchant fees for fiscal year 2018. He stated State statute allows cities to charge a convenience fee when a customer utilizes a debit or credit card for payment stating Staff recommends a convenience fee of $2.50 per transaction be charged except at Parks & Recreation where the $2.50 transaction fee is only charged on amounts exceeding $10 and not charged at remote sites such as ballpark concession stands and entry gates.

MOTION was made by **Councilman Noblitt**, seconded by **Councilwoman Pratt**, to Approve **Ordinance No. 1171**, an Ordinance of the City of Mustang, Oklahoma, Amending Chapter 2 by Adding New Section 2-177 Providing for a Convenience fee to Recoup Costs Incurred by the City for Use of Electronic Payment Methods on Certain Transactions, Setting the Amount of the Convenience Fee, and Defining Terms; Providing for Severability; Providing for Repealer; Setting an Effective Date.

AYE: Pratt, Leete, Grider, Noblitt, Schweinberg
NAY: None

No vote was taken to Declare an Emergency as six "Aye" votes are required for passage and only five members were in attendance.

J. CITY ATTORNEY'S REPORT

1. **Discussion, Consideration and Possible Action** regarding Potential Purchase and Acceptance of Permanent and Temporary Easements and Authorization for Mayor and City Staff to Execute Necessary Documents to Accomplish the Same; and, Proposed Executive Session as Authorized by 25 Okla. Stat. §307(B)(3).

MOTION was made by **Mayor Schweinberg,** seconded by **Councilman Noblitt** to adjourn to executive session.

AYE: Pratt, Leete, Grider, Noblitt, Schweinberg
NAY: None

TIME ADJOURNED to Executive Session**: 7:41 p.m.**

MOTION was made by **Mayor Schweinberg,** seconded by **Councilman Leete** to return from executive session.

AYE: Pratt, Leete, Grider, Noblitt, Schweinberg
NAY: None

TIME RETURNED from Executive Session: **7:45 p.m.**

In reference to Item J-1 –

MOTION was made by **Councilman Noblitt,** seconded by **Councilman Leete** to Approve the Acceptance of Permanent and Temporary Easements from Charles and Donna Mills, Denis and Toni Valentin, Jamie Mansell, James and Suzanne Mansell, Dale and Sharon Owens, and Authorization for the Mayor and Staff to Execute necessary documents to complete Acceptance of the Easements.

AYE: Pratt, Leete, Grider, Noblitt, Schweinberg
NAY: None

K. ADJOURNMENT

MOTION was made by **Mayor Schweinberg**, seconded by **Councilman Grider**, to adjourn.

AYE: Pratt, Leete, Grider, Noblitt, Schweinberg
NAY: None

The meeting was adjourned at **7:46 p.m.**

Jess Schweinberg, Mayor

Attest:

Lisa Martin

Lisa Martin, City Clerk

MUSTANG IMPROVEMENT AUTHORITY
AUGUST 7, 2018

The Mustang Improvement Authority met in regular session on Tuesday, August 7, 2018, at 7:00 p.m. in the Mustang Municipal Building Council Chambers. Notice of the meeting was posted as required on Friday, August 3, 2018, at 10:50 a.m. in compliance with the Open Meeting Law, 25 O.S., Section 301, et. seq.

A. CALL TO ORDER

Chairman Schweinberg called the meeting to order at **7:46 p.m.**

B. ROLL CALL

Trustees Present: **Pratt**
Leete
Grider
Ward V - Vacant
Noblitt
Schweinberg

Trustees Absent: **Jones**

C. NEW BUSINESS

None.

D. CONSENT AGENDA

1. Approval of **07/03/2018** City Council Minutes
*2. Claims List for **FY 2018**
*3. Claims List for **FY 2019**
*4. Approval to Turn **Past Due Utility Accounts** over to the Collection Agency.

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

AYE: Pratt, Leete, Grider, Noblitt, Schweinberg
NAY: None

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

1. **Trustee Manager**
None.

2. **Trustees**
None.

F. DISCUSSION ITEMS

*1. **Discussion, Consideration and Possible Action** regarding **Resolution No. 19-006**, A Joint Resolution of the City Council of the City of Mustang and the Mustang Improvement Authority Amending the Ambulance Assessment Fee and Providing for an Effective Date.

MOTION was made by **Trustee Noblitt,** seconded by **Trustee Grider**, to Approve **Resolution No. 19-006**, A Joint Resolution of the City Council of the City of Mustang and the Mustang Improvement Authority Amending the Ambulance Assessment Fee and Providing for an Effective Date.

AYE: Pratt, Leete, Grider, Noblitt, Schweinberg
NAY: None

*2. **Discussion, Consideration and Possible Action** regarding **Ordinance No. 1171**, an Ordinance of the City of Mustang, Oklahoma, Amending Chapter 2 by Adding New Section 2-177 Providing for a Convenience fee to Recoup Costs Incurred by the City for Use of Electronic Payment Methods on Certain Transactions, Setting the Amount of the Convenience Fee, and Defining Terms; Providing for Severability; Providing for Repealer; Setting an Effective Date; and Declaring an Emergency.

MOTION was made by **Trustee Leete**, seconded by **Trustee Noblitt**, to Approve **Ordinance No. 1171**, an Ordinance of the City of Mustang, Oklahoma, Amending Chapter 2 by Adding New Section 2-177 Providing for a Convenience fee to Recoup Costs Incurred by the City for Use of Electronic Payment Methods on Certain Transactions, Setting the Amount of the Convenience Fee, and Defining Terms; Providing for Severability; Providing for Repealer; Setting an Effective Date.

AYE: Pratt, Leete, Grider, Noblitt, Schweinberg
NAY: None

No vote was taken to Declare an Emergency as six "Aye" votes are required for passage and only five members were in attendance.

G. ADJOURNMENT

MOTION was made by **Trustee Leete**, seconded by **Trustee Noblitt**, to adjourn.

AYE: Pratt, Leete, Grider, Noblitt, Schweinberg
NAY: None

Meeting was adjourned at **7:47 p.m.**

Jess Schweinberg, Chairman

Attest:

Lisa Martin, Secretary