MUSTANG CITY COUNCIL
JUNE 5, 2018

The Mustang City Council met in regular session on Tuesday, June 5, 2018, at 7:00 p.m. in the Mustang Municipal Building Council Chambers. Notice of the meeting was posted as required on Thursday, May 31, 2018, at 5:30 p.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 Michael Ray, Pastor, Empower Church

Pastor Ray led the assembly in the Pledge and Invocation. He stated on behalf of Empower Church, he wanted to thank the Council for their service to the community. He stated the church installed a new sign and have had over 250 people in the Mustang area go through classes offered by the church, such as parenting, anger management, and alcohol addiction stating they are a church for the community.

C. ROLL CALL

Councilmembers Present: **Pratt**
Leete
Grider
Jones
Hagan
Noblitt
Schweinberg

Councilmembers Absent: **None**

D. INTRODUCTION OF GUESTS/HEARING OF CITIZENS OR DELEGATES

None.

E. NEW BUSINESS, DELETIONS OR CONTINUANCES TO THE AGENDA

None.

F. CONSENT AGENDA

1. Approval of **05/01/2018** City Council Minutes.
*2. Approval of **05/07/2018** City Council Special Meeting (Budget Session) Minutes.
*3. Claims List for **FY 2018**.
*4. Approval to Turn **Past Due Utility Accounts** over to the Collection Agency.
5. Approval to Turn **Past Due Library Accounts** over to the Collection Agency.
6. Approval of **Resolution No. 18-043** making Changes in the General Fund Budget by making a Supplemental Appropriation to Increase the 2017-2018 Fiscal Year Budget by $2,937.
7. Approval of **Resolution No. 18-045** making Changes in the Library Fund Budget by making a Supplemental Appropriation to Increase the 2017-2018 Fiscal Year Budget by $3,750.
8. Approval of **Resolution No. 18-047** making Changes in the General Fund Budget by making a Supplemental Appropriation to Increase the 2017-2018 Fiscal Year Budget by $1,337.
9. Approval of **Resolution No. 18-048** Establishing the 9-1-1 Emergency Telephone Fee Rate for Calendar Year 2019.
10. Approval to Renew **Radio System License Agreement** with the City of Oklahoma City.
11. Approval to Renew the **Public Works Contract** between the Department of Corrections and the City of Mustang.
*12. Approval to Renew the **Contract for Maintenance & Operations of Public Streets and Mowing & Maintenance of Public Parks and Facilities** with Silver Star Construction Company.
13. Approval to **Declare Certain Items as Surplus** and Authorize Disposal of those Items.
*14. Approval of **Maintenance Bonds** for Storm Sewer and Paving for Crystal Springs Addition and Release Letter of Credit.

Councilman Noblitt requested Item F-3 be pulled from the Consent Agenda.

MOTION was made by **Councilman Noblitt,** seconded by **Councilman Leete,** to Approve Items F-1 thru F-2 and Items F-4 thru F-14 of the Consent Agenda.

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

3. Claims List for **FY 2018**

Councilman Noblitt requested the City Manager add language to the VISA list stating he has authorization to approve those purchases up to a certain dollar amount since the VISA spreadsheet does not have actual amounts.

MOTION was made by **Councilman Noblitt,** seconded by **Councilman Jones,** to Approve Item F-3 of the Consent Agenda.

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

G. INFORMATION/REPORTS

1. **City Manager Report**

a. Presentation **to Warriors for Freedom.**

City Manager Rooney introduced Mr. Nic Bailey, Sports and Park Manager, who stated the 6th annual Warriors for Freedom Weekend was held in May stating in addition to the youth baseball and softball tournament, a 5K marathon and fun run was added as well as a disc golf tournament. He stated he had a lot of help with the weekend event and introduced Park Staff as well as those from the different sport organizations and representatives of Warrior for Freedom thanking them for their help and support. He stated flags were posted around the park and backstops had names honoring veterans as well as players dressing up for different veterans and stated in addition to this, "Challenge Coins" were created with the Warriors for Freedom weekend logo. Mr. Bailey passed out the coins to the Councilmembers.

Mr. Brad Dick with the Warriors for Freedom, thanked Mr. Bailey and the Parks Staff as well as the Councilmembers and City for all their support and all they do in helping the Warriors for Freedom provide services to the veterans and their families. He stated they strive to bring veterans together through different activities and there is never a charge to them and thanked everyone for their help and support.

Mr. Bailey asked the Warriors for Freedom representatives and Park Staff to the front and presented a check to Warriors for Freedom in the amount of $20,000 stating this was the largest amount raised thus far stating last year's amount was $13,000.

b. Recognition **of American Legion's Employees of the Year.**

City Manager Rooney stated three City employees were recognized by the American Legion in April as the American Legion's Employees of the Year. He introduced the employees and asked them to the front providing background on each one:

- Jerry Calloway, Non-Uniform Employee of the Year
- Corporal Bryon Smith, Fire Dept. Employee of the Year
- Sergeant Jeff Six, Police Dept. Employee of the Year

c. **City Manager Report**

City Manager Rooney did not have anything in addition to his City Manager's report available on the City's website stating individuals can go online and subscribe to receive the report as it is posted.

2. **City Council Reports**

a. City Council Reports

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

Councilman Noblitt stated he was proud of the Warriors for Freedom weekend six years ago and so much more even now and commended everyone on their hard work over the weekend stating Warriors for Freedom is a fabulous organization.

Councilwoman Hagan asked if the City would be spraying for mosquitos.

City Manager Rooney stated no, the City does not do that and could request it of the County, but not sure they do either.

Councilman Jones did not have anything to report at this time.

Councilman Grider stated he received a few phone calls stating some were in regards to an upcoming Planning Commission item and had spoken with the City Manager about it. He stated he wanted to remind everyone, as stated in the City Manager report, that signs were available for combat vets for the firework season. He also thanked City Staff in being so helpful while shooting the video used for the Sales Tax projects update stating he had received a few responses stating they liked the transparency.

Councilman Leete congratulated the Employees of the Year. He also thanked Mr. Bailey, Park and Recreation Staff, and everyone who helped with the Warriors for Freedom weekend stating this was dear to his heart and the fact that it produced what it did was a testament to his leadership and was thankful to have him on staff.

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

City Manager Rooney stated he failed to introduce the City Management Summer Intern, Edigar Kajirwa, under his City Manager's report stating Mr. Kajirwa is a student at the University of Central Oklahoma where he is majoring in Political Science and Economics. He stated he and *Assistant City Manager Battles* met Mr. Kajirwa at a managerial conference stating he had applied for and received a scholarship from CMAO stating he is a shining star and wanting to get into this profession and needed an internship.

Edigar Kajirwa thanked the City, City Council, *City Manager Rooney* and *Assistant City Manager Battles* for taking him in and teaching him about city management. He stated it has been a great fit for him and is learning a lot stating if he had gone elsewhere, he is not sure he would have been exposed to so many different areas and is grateful for the opportunity.

Mayor Schweinberg encouraged everyone to watch, if they have not already, the video regarding the Sales Tax projects to which *Councilman Grider* referred. He also thanked Nic Bailey and everyone for their hard work for the Warriors for Freedom weekend stating they all did a great job. He also encouraged everyone to attend next year as it is a great event.

H. DISCUSSION ITEMS

*1. **Public Hearing** on Fiscal Year 2018-2019 Annual Budget for the City of Mustang, the Mustang Improvement Authority and Related Funds in Accordance with State Statutes.

City Manager Rooney presented a PowerPoint of the FY2019 budget overview stating due to the oil lawsuits in FY2018, it was not a balanced budget this year. He stated the budget includes a projected increase of 2.5% in sales tax for FY2019 and provided information on projected revenues and expenses. **Rooney** thanked *Finance Director Watts* and her Staff for their hard work stating *Watts* does a good job each year with projections.

Councilman Noblitt stated Staff works hard to explain the budget to Council stating much more has been seen than this five minute presentation. He stated Council had to study and appreciated Staff's help.

MOTION was made by **Councilman Jones,** seconded by **Mayor Schweinberg**, to Open the Public Hearing.

AYE: **Pratt, Leete, Grider, Jones, Hagan, Noblitt, Schweinberg**
NAY: **None**

There being none, **MOTION** was made by **Councilman Leete,** seconded by **Mayor Schweinberg**, to Close the Public Hearing.

AYE: **Pratt, Leete, Grider, Jones, Hagan, Noblitt, Schweinberg**
NAY: **None**

Mayor Schweinberg thanked Finance Director Watts and her staff on their hard work and dedication.

MOTION was made by **Councilman Leete,** seconded by **Councilman Jones**, to Approve **Resolution No. 18-044**, Approving the Fiscal Year 2018-2019 Budget for the City of Mustang, Mustang Improvement Authority and Related Funds.

AYE: **Pratt, Leete, Grider, Jones, Hagan, Noblitt, Schweinberg**
NAY: **None**

*2. **Discussion, Consideration and Possible Action** regarding Approval of **Resolution No. 18-044**, Approving the Fiscal Year 2018-2019 Budget for the City of Mustang, Mustang Improvement Authority and Related Funds.

Was approved under Item H-1.

3. **Public Hearing, Discussion, Consideration and Possible Action** regarding Approval of **Ordinance No. 1164**, an Ordinance of the City of Mustang, Oklahoma, Amending the Code of Ordinances of the City of Mustang, Oklahoma, by Vacating and Closing an Alley Lying within Block 4 of the Mustang Original Townsite, as more particularly described in the Ordinance; Declaring Repealer; Providing for Severability; and Declaring an Emergency.

Community Development Director Helsel stated the initial reading for vacating the right-of-way for Mustang Public Schools was held two months ago stating the alleyway was never developed as a right-of-way. She stated there was a public sewer line running through this easement and Mustang Public Schools has relocated the sewer line after receiving approval from the City engineer and DEQ. **Helsel** stated letters were sent to all property owners within 300 feet and to all utility franchises within the City stating no comments have been made. She stated Staff recommends approval of the application to vacate the alleyway easement.

MOTION was made by **Councilman Noblitt,** seconded by **Councilman Leete**, to Open the Public Hearing.

AYE: **Pratt, Leete, Grider, Jones, Hagan, Noblitt, Schweinberg**
NAY: **None**

There being none, **MOTION** was made by **Councilman Jones,** seconded by **Councilman Leete**, to Close the Public Hearing.

AYE: **Pratt, Leete, Grider, Jones, Hagan, Noblitt, Schweinberg**
NAY: **None**

MOTION was made by **Councilman Leete,** seconded by **Councilman Noblitt,** to Approve **Ordinance No. 1164**, an Ordinance of the City of Mustang, Oklahoma, Amending the Code of Ordinances of the City of Mustang, Oklahoma, by Vacating and Closing an Alley Lying within Block 4 of the Mustang Original Townsite, as more particularly described in the Ordinance; Declaring Repealer; Providing for Severability.

AYE: **Pratt, Leete, Grider, Jones, Hagan, Noblitt, Schweinberg**
NAY: **None**

MOTION was made by **Councilman Leete**, seconded by **Councilman Jones**, to Declare an Emergency.

AYE: **Pratt, Leete, Grider, Jones, Hagan, Noblitt, Schweinberg**
NAY: **None**

4. **Discussion, Consideration and Possible Action** regarding Approval of Preliminary Plat Application PP-2-28-18-1-27, Pine Canyon Addition, B & J Investments, LLC, NE/4 Section 29, T11N, R5W, approximately 24.97 acres, 76 lots.

Community Development Director Helsel stated the applicant is B&J Investments, LLC, with the Engineer being Grubbs Consulting stating the applicant has submitted a preliminary plat for Pine Canyon Addition. She stated the area is zoned R-1, contains approximately 25 acres and will contain 76 residential lots. She stated all lots exceed the minimum size requirements for R-1 districts and currently exceed the frontage requirements of 45 feet.

Helsel stated the developer has requested two variances, (1) a 25 foot front yard setback, and (2) a cul-de-sac length of approximately 2300 feet stating the variances were approved by Planning Commission. She stated the City Engineer has reviewed and approved all sanitary sewer, water, paving and drainage plans and the fire department has approved the layout and stated public water and sewer is available to this property.

Helsel stated maintenance of all common areas and drainage facilities will be the responsibility of the property owners' association and no structures or other obstructions may be placed in a drainage easement. She provided surrounding area zoning and stated the long-range plan calls for low density residential development in this area stating the development conforms to the comprehensive plan.

Helsel stated Staff recommends approval of the preliminary plat and Planning Commission voted unanimously to recommend approval of this final plat at their May 8, 2018 meeting.

MOTION was made by **Councilman Jones**, seconded by **Councilman Noblitt**, to Approve the Preliminary Plat Application PP-2-28-18-1-27, Pine Canyon Addition, B & J Investments, LLC, NE/4 Section 29, T11N, R5W, approximately 24.97 acres, 76 lots.

AYE: **Pratt, Leete, Grider, Jones, Hagan, Noblitt, Schweinberg**
NAY: **None**

*5. **Discussion, Consideration and Possible Action** regarding Approval of Contract and Bonds for Wynn Construction for Project labeled Mustang Wastewater Treatment Plant Improvements Phase II C&D.

Assistant City Manager Battles stated in the May 1, 2018 City Council meeting, Council accepted bids and awarded this project to Wynn Construction Co. stating this agenda item is to approve the contract and bonds for Wynn Construction Co. **Battles** stated the project includes expanding the current treatment capacity of the wastewater treatment plant to 3 million gallons per day and stated the contract amount was $4,995,316 which includes the base bid plus three alternates.

MOTION was made by **Councilman Noblitt**, seconded by **Councilman Grider**, to Approve the Contract and Bonds for Wynn Construction for Project labeled Mustang Wastewater Treatment Plant Improvements Phase II C&D.

AYE: **Pratt, Leete, Grider, Jones, Hagan, Noblitt, Schweinberg**
NAY: **None**

6. **Discussion, Consideration and Possible Action** regarding Acceptance of Bids and Awarding of Lowest Qualified Bidder for Project labeled Field Lighting for Wild Horse Park Soccer Complex.

Assistant City Manager Battles stated bids were received to install new lighting on two fields at the Wild Horse Park Soccer Complex stating the lights were purchased directly with bids taken for the installation of the lights, poles and support systems to operate. He stated all bids met specifications and Staff recommends accepting all bids. **Battles** stated Staff recommends awarding the bid to the lowest bidder, Electrical Express, LLC, in the amount of $75,000.

MOTION was made by **Councilman Leete**, seconded by **Councilman Noblitt**, to Accept All Bids for Project labeled Field Lighting for Wild Horse Park Soccer Complex.

AYE: **Pratt, Leete, Grider, Jones, Hagan, Noblitt, Schweinberg**
NAY: **None**

MOTION was made by **Councilman Noblitt**, seconded by **Councilwoman Hagan**, to Award the Bid for Project labeled Field Lighting for Wild Horse Park Soccer Complex to Electrical Express, LLC in the amount of $75,000.

AYE: **Pratt, Leete, Grider, Jones, Hagan, Noblitt, Schweinberg**
NAY: **None**

7. **Discussion, Consideration and Possible Action** regarding Approval of Contract for Electrical Express for Project labeled Field Lighting for Wild Horse Park Soccer Complex.

   Assistant City Manager Battles stated the bid for installation of field lighting for Wild Horse Park Soccer Complex was awarded in the previous item stating this item was for the approval of the contract with Electrical Express, LLC stating the bonds would be included on the July agenda. He stated the project is to be completed within 90 days stating liquidated damages were not included.

MOTION was made by **Councilman Noblitt**, seconded by **Councilman Jones**, to Approve the Contract for Electrical Express for Project labeled Field Lighting for Wild Horse Park Soccer Complex.

AYE: **Pratt, Leete, Grider, Jones, Hagan, Noblitt, Schweinberg**
NAY: **None**

J. CITY ATTORNEY'S REPORT

1. **Discussion** of *John Marion Conrady v. Custodian of Records, Mustang Police Department, in their official capacity; et al.*, Case No. 117039, Supreme Court, State of Oklahoma; and, Proposed Executive Session as authorized by 25 Okla. Stat. §307(B)(4).

2. **Discussion** of *Cottonwood Development, L.L.C. v. City of Mustang*, Case No. CV-2018-142, District Court of Canadian County, State of Oklahoma; and, Proposed Executive Session as authorized by 25 Okla. Stat. §307(B)(4).

MOTION was made by **Councilman Grider,** seconded by **Councilman Jones** to adjourn to executive session.

AYE: **Pratt, Leete, Grider, Jones, Hagan, Noblitt, Schweinberg**
NAY: **None**

TIME ADJOURNED to Executive Session**: 7:53 p.m.**

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

AYE: **Pratt, Leete, Grider, Jones, Hagan, Noblitt, Schweinberg**
NAY: **None**

TIME RETURNED from Executive Session: **8:05 p.m.**

In reference to Item J-1 –

Informational purposes only, no action taken.

In reference to Item J-2 –

Informational purposes only, no action taken.

K. ADJOURNMENT

MOTION was made by **Councilman Grider**, seconded by **Councilwoman Pratt**, to adjourn.

AYE: **Pratt, Leete, Grider, Jones, Hagan, Noblitt, Schweinberg**
NAY: **None**

The meeting was adjourned at **8:06 p.m.**

Jess Schweinberg, Mayor

Attest:

Lisa Martin, City Clerk

MUSTANG IMPROVEMENT AUTHORITY
JUNE 5, 2018

The Mustang Improvement Authority met in regular session on Tuesday, June 5, 2018, at 7:00 p.m. in the Mustang Municipal Building Council Chambers. Notice of the meeting was posted as required on Thursday, May 31, 2018, at 5:30 p.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 **8:06 p.m.**

B. ROLL CALL

Trustees Present: **Pratt**
Leete
Grider
Jones
Hagan
Noblitt
Schweinberg

Trustees Absent: **None**

C. NEW BUSINESS

None.

D. CONSENT AGENDA

1. Approval of **05/01/2018** City Council Minutes
*2. Approval of **05/07/2018** City Council Special Meeting (Budget Session) Minutes.
*3. Claims List for **FY 2018**
*4. Approval to Turn **Past Due Utility Accounts** over to the Collection Agency.
*5. Approval to Renew the **Contract for Maintenance & Operations of Public Streets and Mowing & Maintenance of Public Parks and Facilities** with Silver Star Construction Company.
*6. Acceptance of **Maintenance Bonds** for Storm Sewer and Paving for Crystal Springs Addition.
7. Approval of **Resolution No. 18-046** making Changes in the Mustang Improvement Authority Fund Budget by making a Supplemental Appropriation to Increase the 2017-2018 Fiscal Year Budget by $4,382.
8. Approval to **Declare Certain Items as Surplus** and Authorize Disposal of those Items.

MOTION was made by **Trustee Noblitt**, seconded by **Trustee Leete**, to approve Items D-1 through D-8 of the Consent Agenda.

AYE: **Pratt, Leete, Grider, Jones, Hagan, Noblitt, Schweinberg**
NAY: **None**

E. INFORMATION/REPORTS

1. **Trustee Manager**
None.

2. **Trustees**
None.

F. DISCUSSION ITEMS

*1. **Public Hearing** on Fiscal Year 2018-2019 Annual Budget for the City of Mustang, the Mustang Improvement Authority and Related Funds in Accordance with State Statutes.

MOTION was made by **Trustee Grider,** seconded by **Trustee Pratt**, to Open the Public Hearing.

AYE: **Pratt, Leete, Grider, Jones, Hagan, Noblitt, Schweinberg**
NAY: **None**

There being none, **MOTION** was made by **Trustee Noblitt,** seconded by **Trustee Grider**, to Close the Public Hearing.

AYE: **Pratt, Leete, Grider, Jones, Hagan, Noblitt, Schweinberg**
NAY: **None**

*2. **Discussion, Consideration and Possible Action** regarding Approval of **Resolution No. 18-044**, Approving the Fiscal Year 2018-2019 Budget for the City of Mustang, Mustang Improvement Authority and Related Funds.

MOTION was made by **Trustee Grider,** seconded by **Trustee Jones**, to Approve **Resolution No. 18-044**, Approving the Fiscal Year 2018-2019 Budget for the City of Mustang, Mustang Improvement Authority and Related Funds.

AYE: **Pratt, Leete, Grider, Jones, Hagan, Noblitt, Schweinberg**
NAY: **None**

*3. **Discussion, Consideration and Possible Action** regarding Approval of Contract and Bonds for Wynn Construction for Project labeled Mustang Wastewater Treatment Plant Improvements Phase II C&D.

MOTION was made by **Trustee Noblitt**, seconded by **Trustee Hagan**, to Approve the Contract and Bonds for Wynn Construction for Project labeled Mustang Wastewater Treatment Plant Improvements Phase II C&D.

AYE: **Pratt, Leete, Grider, Jones, Hagan, Noblitt, Schweinberg**
NAY: **None**

G. ADJOURNMENT

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

AYE: **Pratt, Leete, Grider, Jones, Hagan, Noblitt, Schweinberg**
NAY: **None**

Meeting was adjourned at **8:09 p.m.**

Jess Schweinberg, Chairman

Attest:

Lisa Martin, Secretary