

**MUSTANG CITY COUNCIL
AUGUST 4, 2015**

The Mustang City Council met in regular session on Tuesday, August 4, 2015, 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, July 31, 2015, at 2:30 p.m. An Amended Agenda was posted on Monday, August 3, 2015, at 11:30 a.m. in compliance with the Open Meeting Law, 25 O.S., Section 301, et. seq.

A. CALL TO ORDER

Vice 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 he had just returned this morning from a mission trip in Mexico where they provided Vacation Bible School, a dental clinic, construction work and other mission work needed. He stated the summer was full of activities between camps, trips and Vacation Bible School and thanked the City and community for their support.

C. ROLL CALL

Councilmembers Present:	Riley
	Staples
	Grider
	Hagan
	Schweinberg

Councilmembers Absent:	Jones
	Adams

D. INTRODUCTION OF GUESTS/HEARING OF CITIZENS OR DELEGATES

John Gatliff, 1104 E. North Lakeview Lane, addressed the Council regarding Item H-1 stating his opposition to Ordinance 1128 and if anything, it should be amended in the opposite direction. He stated the proposed ordinance is a one size fits all stating the large lots in R-E districts provides freedom not seen in the other districts and the City should amend along a more modern code. He stated those who purchased large lots should not be restricted.

Mickey White, 1232 W. Churchill Way, President of the Shannon Place Home-owners Association, addressed the Council regarding a couple of issues in the Shannon Place Addition:

1. He stated speeding was still a big problem in the addition, especially on Shannon Way, and although the police presence earlier helped, it was still a problem. He stated he had spoken with **Community Development Director Helsel** who has helped lead them towards addressing the Traffic Commission and perhaps obtaining more speed limit signs, but requested the Police patrol the area again, if possible.
2. He stated another issue was the retention pond north of Shannon Way and the drainage/channel ditch stating water drains into the pond and ditch from other areas besides Shannon Place Addition stating mowing and maintenance has not been able to be completed due to standing water, vegetation, and debris. He requested the City clean out the north side of the pond in order for mowing to be completed and requested assistance along the drainage ditch. He stated he did not agree with the City when told the pond and ditch belonged to the property owners stating some of the owners were elderly and not capable of maintaining it. He stated erosion was also occurring along the ditch causing some of the homeowners' fences to fall and offered to walk the ditch with any City personnel and show them the problems.

E. NEW BUSINESS, DELETIONS OR CONTINUANCES TO THE AGENDA

None.

F. CONSENT AGENDA

1. Approval of **07/21/15** City Council Minutes.
- *2. Claims List for **FY'15**
- *3. Claims List for **FY'16**
- *4. Approval to Turn **Past Due Utility Accounts** over to the Collection Agency.
- *5. Acknowledgement of **Receipt of DEQ Permit** No. WL000009150459 to Construct Water Lines and Appurtenances for Savannah Lakes 6th Addition.
6. Approval to **Declare Certain Items Surplus** and Authorizing Disposal of those Items.
7. Approval to **Declare Certain Items Surplus** and Authorizing Disposal of those Items.

8. Approval of **Resolution No. 16-004** for a Budget Supplemental in the Library Fund for the Fiscal Year 2015-2016.
- *9. Approval of **Change Order #2** for Project Titled 59th Street Bridge Waterline Relocation.

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

AYE: Riley, Staples, Grider, Hagan, Schweinberg
NAY: None

G. INFORMATION/REPORTS

1. City Manager

City Manager Rooney recognized the Mustang Fire Department for receiving the James Clark Award as the Emergency Medical Response Agency of the Year from the Oklahoma EMT Association and presented the award to the Firefighters.

2. City Council

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

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

Councilwoman Staples requested the issues at Shannon Place Addition be included on the next Work Session agenda.

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

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

Vice Mayor Schweinberg reminded everyone that Western Days was September 12th and requested Councilmembers participation. He also stated everyone should be proud of the Fire Fighters, Police Officers and Staff in Mustang with their accomplishments and awards and how well the City operates.

H. DISCUSSION ITEMS

1. **Discussion, Consideration and Possible Action** regarding Approval of Ordinance No. 1128, Amending Chapter 122, Section 122-844(3) Relating to Storage and Parking of Automobiles in Residential Districts by Amending the Existing Language to Include the R-E Zoning District within its Coverage; Declaring a Repealer; Providing for Severability; and Declaring an Emergency.

Community Development Director Helsel stated currently, Mustang Code requires any automobile parked in the front yard in the R-1, R-2, R-3 and R-4 districts be parked on a permitted driveway; however, the Code currently does not include the R-E (Rural Estates) district. She stated this has caused confusion, especially when a neighborhood has both R-1 and R-E zoning districts with a regulation applying to one property, but not the other. She stated Code Enforcement has received calls on this, but since the property is zoned R-E, it is not a violation. She stated it does not restrict parking on the side or rear yards.

Helsel stated the Planning Commission voted 4:0 recommending approval and Staff also recommends approval.

Discussion was held concerning whether or not this was a big issue. **Helsel** stated it was not a huge problem, but is a repetitive issue especially concerning R-1 and R-E neighborhoods. She stated it improved the appearance in the R-1 neighborhoods.

Councilwoman Staples stated she did not see this to be a problem and that most people in R-E districts would not park on the front lawn.

Councilwoman Hagan also stated she was opposed to this and that people should be able to park in their front yard.

Vice Mayor Schweinberg stated parking on the front lawn was one of the most non-aesthetically appealing things that you could do and by passing this amendment, Council would be providing Staff the tools needed to enforce it.

City Manager Rooney stated it happens quite a bit and Staff could pull the complaints and show to Council stating it was unanimously approved by Planning Commission.

Discussion was held if there were any other complaints other than that presented earlier by Mr. Gatliff with **Helsel** stating no, and that no one appeared before Planning Commission to argue against it. She stated when a complaint is received in one of the other districts, the Code Enforcement Officer gives a warning and does not ticket the property owner immediately.

Other discussion was held concerning whether or not Code Enforcement worked on weekends with it being stated not normally.

Councilman Grider stated he was in favor of the amendment, but would like for the property owners to be notified of the change.

MOTION was made by **Councilman Riley**, seconded by **Councilman Grider**, to Approve Ordinance No. 1128, Amending Chapter 122, Section 122-844(3) Relating to Storage and Parking of Automobiles in Residential Districts by Amending the Existing Language to Include the R-E Zoning District within its Coverage; Declaring a Repealer; Providing for Severability.

AYE: Riley, Grider, Schweinberg

NAY: Staples, Hagan

The motion failed.

2. **Public Hearing, Discussion, Consideration and Possible Action** regarding Approval of Ordinance No. 1129, Amending the Zoning Ordinance of the City of Mustang, Oklahoma, as Amended, to Change Certain Property Located in Canadian County, Oklahoma, from "A-1" General Agricultural and Oil and Gas District to "R-1" Single Family Residential District and, Declaring a Repealer; Providing for Severability; and Declaring an Emergency.

Community Development Director Helsel stated the applicant, Chet Leonhardt, was requesting a zoning change from A-1 General Agricultural to R-1 Single Family Residential stating the property was located on the Southwest Corner of N. Clear Springs Road and SW 59th Street. She stated it contains approximately 31.84 acres and stated the intention of the applicant was to build a single family residential subdivision which would contain approximately 126 lots. She stated a draft layout was provided in the agenda packet, but could change a little.

Helsel stated the general character of the area is low density residential and does conform to the comprehensive long range plan. She stated the developer would be required to conform to all regulations for that district and would install public water, sewer, paving and drainage facilities to serve each home. **Helsel** stated because of the Hunters Spring development, the developer for this property would be able to tap into that infrastructure. She stated the Planning Commission voted 4:0 to recommend approval and Staff also recommends approval. She stated one person spoke at Planning Commission who requested the City do a thorough review of the drainage plans as he was concerned about flooding, but did not speak against the rezoning.

Vice Mayor Schweinberg opened the matter for Public Hearing.

There were no requests to speak.

MOTION was made by **Councilman Grider**, seconded by **Councilman Riley**, to close the Public Hearing.

AYE: Riley, Staples, Grider, Hagan, Schweinberg

NAY: None

MOTION was made by **Councilwoman Hagan**, seconded by **Councilman Riley**, to Approve Ordinance No. 1129, Amending the Zoning Ordinance of the City of Mustang, Oklahoma, as Amended, to Change Certain Property Located in Canadian County, Oklahoma, from "A-1" General Agricultural and Oil and Gas District to "R-1" Single Family Residential District and, Declaring a Repealer; Providing for Severability.

AYE: Riley, Staples, Grider, Hagan, Schweinberg

NAY: None

Vote was not taken to Declare an Emergency due to insufficient number of Councilmembers present.

3. **Discussion, Consideration and Possible Action** on proposed Cable Franchise Extension Agreement between the City of Mustang and CoxCom, Inc., extending the current franchise through November 17, 2015.

City Attorney Miller stated as discussed in Work Session, an extension is being requested by both parties in order to provide more time to complete negotiations and finalize the contract.

MOTION was made by **Councilman Grider**, seconded by **Councilwoman Staples**, to Approve the extension of the current Cox Cable Franchise Agreement between the City of Mustang and CoxCom, Inc., through November 17, 2015.

AYE: Riley, Staples, Grider, Hagan, Schweinberg
NAY: None

J. CITY ATTORNEY'S REPORT

1. **Discussion, Consideration and Possible Action** of *Phillips, Coventon, Quillian & Banner, PLLC v. City of Mustang, Oklahoma ex rel. Mustang Police Department and Chuck Foley, Chief of Police*, Case No. CV-2015-129, District Court, Canadian County, Oklahoma; and, Proposed Executive Session as authorized by 25 Okla. Stat. §307(B)(4).

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

AYE: Riley, Staples, Grider, Hagan, Schweinberg,
NAY: None

TIME ADJOURNED to Executive Session: **7:38 p.m.**

Vice Mayor Schweinberg called the meeting back in session at **7:41 p.m.**

In reference to Item J-1 –

No motion taken, information purposes only.

K. ADJOURNMENT

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

AYE: Riley, Staples, Grider, Hagan, Schweinberg
NAY: None

The meeting was adjourned at **7:41 p.m.**



Jay Adams, Mayor

Attest:



Lisa Martin, City Clerk

**MUSTANG IMPROVEMENT AUTHORITY
AUGUST 4, 2015**

The Mustang Improvement Authority met in regular session on Tuesday, August 4, 2015, 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, July 31, 2015, at 2:30 p.m. An Amended Agenda was posted on Monday, August 3, 2015, at 11:30 a.m. in compliance with the Open Meeting Law, 25 O.S., Section 301, et. seq.

A. CALL TO ORDER

Vice Chairman Schweinberg called the meeting to order at **7:41 p.m.**

B. ROLL CALL

Trustees Present: Riley
Staples
Grider
Hagan
Schweinberg

Trustees Absent: Jones
Adams

C. NEW BUSINESS

None.

D. CONSENT AGENDA

1. Approval of **07/21/15** MIA Minutes
- *2. Claims List for **FY '15**
- *3. Claims List for **FY '16**
- *4. Approval to Turn **Past Due Utility Accounts** over to the Collection Agency.
- *5. Acknowledgement of **Receipt of DEQ Permit** No. WL000009150459 to Construct Water Lines and Appurtenances for Savannah Lakes 6th Addition.
- *6. Approval of **Change Order #2** for Project Titled 59th Street Bridge Waterline Relocation.

MOTION was made by **Trustee Staples**, seconded by **Trustee Hagan**, to approve Items D-1 thru D-6 of the Consent Agenda.

AYE: Riley, Staples, Grider, Hagan, Schweinberg

NAY: None

E. INFORMATION/REPORTS

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

F. DISCUSSION ITEMS

None.

G. ADJOURNMENT

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

AYE: Riley, Staples, Grider, Hagan, Schweinberg

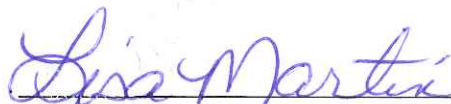
NAY: None

Meeting was adjourned at **7:42 p.m.**



Jay Adams, Chairman

Attest:



Lisa Martin, Secretary