MUSTANG CITY COUNCIL
FEBRUARY 21, 2012

The Mustang City Council met in regular session on Tuesday, February 21, 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, February17, 2012 at 4:20 p.m. and Amended and Posted on Friday, February 17, 2012 at 4:40 p.m. in compliance with the requirements of the Open Meeting Law, 25 O.S., Section 301, et. seq.

A. CALL TO ORDER

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

B. PLEDGE OF ALLEGIANCE/INVOCATION (Pastor Phil Sellars, Mustang Christian Church)

Pastor Jason Williams with Mustang Christian Church led the assembly in the Pledge of Allegiance and the prayer. He also mentioned some activities that would be going on at the church for the year such as the Easter Egg Hunt and Vacation Bible School.

C. ROLL CALL

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

Councilmembers Present:	**Adams**
	Grubbs
	Green
	Jones (arrived 7:05)
	Hagan
	Mount
	Landrith
Councilmembers Absent:	**None**

D INTRODUCTION OF GUESTS/HEARING OF CITIZENS OR DELEGATES

Mayor Landrith asked for anyone who wanted to speak on items other than Item H1.

Frank Chambers of 930 W. Dorchester Way stated that he has lived there since 1978. Today the odor of cow manure was in the air. He stated If necessary, he will pay a veterinarian to tell him what the odor is and then submit it to Council. He feels that Braum's is the problem. He is willing to help in any way to resolve this matter.

City Manager Rutledge stated that Braum's is not in our area but he will check to see what can be done about it. He does not know if there is anything he can do, but he will check.

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 **02/07/12** City Council Minutes.
*2. Approval of Claims List for **FY '12**
3. Approval of **Resolution No. 12-021**, Making Changes in the General Fund Budget by Making a Supplemental Appropriation to Increase the 2011-2012 Fiscal Year Budget by $2,346.
4. Approval of **Resolution No. 12-022**, Making Changes in the General Fund Budget by Making a Supplemental Appropriation to Increase the 2011-2012 Fiscal Year Budget by $2,226.
5. Approval of Retirement Request by **Gloria Shotwell** through Oklahoma Municipal Retirement Fund (OMRF) to be Effective March 3, 2012.

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

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

G. INFORMATION/REPORTS

1. City Manager

Rutledge explained the Utility Billing issue that was mentioned in a letter from Monte James regarding the sewer rate. He explained how the sewer rate was calculated. He also read the Ordinance that was addressing this issue.

Rutledge went on to report that OEMA is receiving syringes and medical waste in the recycling carts. These carts are hand sorted by OEMA employees. He stated that we are looking into new labels for the recycling carts. We have also been trying to notify the resident's who keep doing this. He asked the newspaper for their help in this matter.

He informed everyone that there will be a street closing from February 27th through February 29th at SH 152 and Johnson.

a. Report on Cost Breakdown of Bond Issue

Councilman Grubbs made a presentation regarding the two Bond Issues coming up on March 6th. One is for the Town Center Expansion and the other is the Sports Complex. The Town Center Extension will increase the square footage by 7,200 square feet. It will increase the meeting room by approximately 3,500 square feet. This will provide more area for the Community Activities.

The Sports Complex will include fields, concession stands and restrooms. He stated that our population now is 17,395 which has increased drastically in the last ten years.

The costs for these projects are as follows:

Town Center	$2.2 million
Youth Sports Complex	$1.52 million
Bond Issue Costs	$60,000

Grubbs stated that eight events at the Town Center have outgrown the capacity of the Banquet Hall and we have had to turn down some people due to this fact. We have also lost some events due to the fact that we do not have enough room. Our existing Baseball Complex is right beside the Sewer Plant. He stated that sometimes even he does not want to go to his children's games.

We have taken this to a bare minimum to get this done. We are also looking at some Grants to help us with this project. In the spring of 2011 there were 880 kids for baseball and every kid has one or two parents coming to support the team. It is packed. In the fall of 2011 there were 528 kids for baseball and for football there were 350 kids. That is nearly 1800 kids in there every week and that is without including the parents. He stated that we will pay for this with our millage rate. After this year we will receive no further millage due to the fact that all of our bond issues will be paid off. The average annual levy will be 2.24% but it will start out higher but then it will get lower. This is just an average per year.

Mayor Landrith stated that he is asking the citizen's to keep the millage going and add just a little more to it for these projects. He asked everyone to come out and vote.

A citizen asked about Grants and Councilman Grubbs tried to explain that they are not counting on Grants but it is a possibility.

2. <u>City Council</u>

Councilman Adams stated that he, Councilman Jones and the City Manager met with EST to get an update on several transportation projects for the City. The City was approved by ACOG to receive $275,000 for the signalization project. This includes all lights up and down SH 152 to be changed to LED lights. We will also synchronize these lights for better traffic flow. If we do not have this project under contract by September, we lose the money. The engineers are helping the City Manager in regards to this matter. This is to be brought back at the next meeting.

Adams went on to speak in regards to South Czech Hall Road. The plans are completed and the bid documents are to be in our hands in the next 30 days. We talked with the engineers regarding a possible left turn lane in front of Centennial School. Since there is a house just on the south side of the Centennial area it would more than double our costs. Maybe in the future, when the problem gets bad enough, the school might think about partnering with the City to solve this problem. Currently, the school does not think that this is an issue. Maybe they will later on.

Adams then spoke in regards to the resurfacing of the streets in Rollin' Acres. The engineers have already started work on this project and should also have the bid documents in hand in the next 30 days.

Adams went on to speak regarding the second phase to the Armory Road. We are going to move ahead with this project so that we can move all of the traffic to Sara Road instead of going out onto SH 152.

He again reiterated that we need to get started on the signalization project so that we do not lose the monies.

Adams stated that he has received calls from individuals who live in apartments in the City regarding handicap parking. People are abusing these handicap parking spots.

Chief Foley stated that the statute allows for certain parking enforcement in private parking lots. He asked if the City's Ordinance is in conformance with the State Statute. He was not made aware of this problem but will look into this.

Adams stated that the last thing that he would like to clarify is in regards to the Utility Billing issue. He recommended to Council that they put together a committee to look into this and review the sewer billing and maybe come up with a clear idea of how this process is done.

Councilman Grubbs stated that the Youth Pastor has a lot of youth who want to do work around the community and he wanted Grubbs to speak with Council for ideas. They are willing to offer their time to work around the Community.

Councilman Jones stated that the wonderful Citizens in Ward IV appreciate the reflective tape or signs that the City is putting on the curve on SW 89th and Czech Hall Road.

Councilman Mount stated that he had a number of phone calls but they are regarding agenda items that will be discussed later.

Mayor Landrith stated that he has received calls regarding the four wheeler noise in a residential area.

Rutledge stated he thought the property owner took care of the problem.

Mayor Landrith also said that he received several calls in regards to the sewer calculations. He thinks that they should follow the recommendation of Councilman Adams.

Mayor Landrith asked about forming a Committee and meeting on Thursday at 6:30 p.m. at the Police Department. Councilman Mount stated that he feels they need to look and see where we are before we do anything else.

City Attorney Miller stated that there are time restraints and they have talked about those issues.

H. DISCUSSION ITEMS

1. **Public Hearing, Discussion, Consideration and Possible Action** Regarding Approval of **Ordinance No. 1067,** Amending the Zoning Ordinance of the City of Mustang as Amended to Change Certain Property Located in Canadian County from "C-5" Commercial Intensive District to "R-4 PUD" Multiple Family Residential Planned Unit Development District and Declaring Repealer; Providing for Severability and Declaring an Emergency. **Located at 220 N. Chisholm Trail Way, DRE Investments, Inc./Garland Bell.**

Melissa Helsel reported that the Builder is not here at the meeting tonight. This Agenda Item is a request to build 14 separate units with three drives at 220 Chisholm Way. The Fire Department has issues with no turn around. These units could be 1 or 2 bedroom units and they could be two stories. The Long Range Plan calls for Commercial in this area. The Planning Commission did not approve this issue. Citizens have filed a petition with 150 signatures against the rezoning.

Helsel stated that the applicant asked for a continuance until the next meeting to give them time to meet with the property owners.

MOTION was made by **Councilman Adams** and seconded by **Councilwoman Hagan** to deny the continuance.

Grubbs stated that he spoke with residents and he is the one that asked the Developer to meet with the property owners. He wanted to hear what the citizens had to say along with the Developer. He knows that as a City our dollars come from our businesses and without businesses we have no City. It is important to work with our business owners. He told the Developer that he did not like his PUD and that he needed to speak with the property owners. This project will not make or break the City but he is also the developer on the Health Care Facility also. He made that happen and it would be fair to him to be heard.

Councilman Jones stated that the fact that the applicant is not here tonight speaks volumes.

Mayor Landrith asked how long the Developer has had to speak with the Public.

Helsel stated they have had since December and this is their second idea.

Mount stated that he feels that the Developer has had ample time to meet with the citizens. He thinks that they should move ahead. He feels the citizens are as important as the business people. He stated that Council represents the citizens.

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

MOTION was made by **Mayor Landrith** and seconded by **Councilman Adams** to open the meeting to a Public Hearing.

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

Brad Homer of 632 Alamo Way stated that he is the Planning Commissioner for Ward II. He had not been notified of the meeting on Thursday. He said that he has received more calls and e-mails regarding this issue than he has had in the past six years on the Planning Commission. He feels the petition speaks for itself on how the citizens feel about this matter. We have over 400 homes in our addition and there is only two ways in for these homes. There is not much parking in this development. There would be a lot of parking on Chisholm Trail Way. There is also a drainage issue and he passed out pictures of these issues. There are three homes directly north of the property that would receive all of the water. It also does not follow the Long Range Comprehensive Plan.

Grubbs stated that he is not in support of the project. He also does not want to see C-5 in his back yard either.

Darlene Donnelly of 113 N. Silver Way in the Shadow Ridge Addition spoke to Council regarding this matter. She is not in favor of this being in her back yard. There will be all kinds of parking issues, etc.

Arica Estepp lives at 117 N. Silver Way and she does not want a road and 14 units in her back yard.

Jerry McNeil is one of the petition carriers. He tried to talk to DRE but there was no talking to him. They were here at the Planning Commission meeting and then just left. The Developer has had ample opportunity to speak with the property owners. We are still against this matter.

Allen Hyle of 705 W. Alamo Way spoke to Council and said that he moved to Mustang about a year and a half ago. We have a beautiful neighborhood. He is one of the people that signed the petition.

Sue Demuth 304 N. Geronimo Way is an RN and she thinks if you put that many houses in a small area there is no way First Responders could fit in that area. She is concerned with everyone's safety.

MOTION was made by **Mayor Landrith** and seconded by **Councilman Adams** to close the Public Hearing.

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

MOTION was made by **Mayor Landrith** and seconded by **Councilman Adams** to Deny Item H1.

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

2. **Public Hearing, Discussion, Consideration and Possible Action** Regarding Approval of **Ordinance No. 1068,** Amending the Zoning Ordinance of the City of Mustang 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. **Located at 717 W. SW 89th Street – Jason Clement**.

Helsel handed out pictures regarding this rezoning. There is no sewer or water service for this property. This is the same request as was requested in 2005. The Planning Commission approved this Application.

MOTION was made by **Councilman Adams** and seconded by **Mayor Landrith** to open the meeting to a Public Hearing.

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

No one spoke.

MOTION was made by **Mayor Landrith** and seconded by **Councilman Adams** to close the Public Hearing.

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

MOTION was made by **Mayor Landrith** and seconded by **Councilman Adams** to approve Item H2.

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

MOTION was made by **Mayor Landrith** and seconded by **Councilman Jones** to approve the Emergency Clause.

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

3. **Discussion, Consideration and Possible Action** Regarding Authorization for City Manager to Facilitate an Electronic Town Hall Educational Forum.

Mayor Landrith stated that he asked the City Manager to put this back on the agenda after he had looked into this further and asked him to bring back more information on this item for Council to discuss.

MOTION was made by **Mayor Landrith**, seconded by **Councilman Adams** to authorize the City Manager to put something together for Blackboard Connect information and send it out to the Public regarding the Bond Issue.

Councilwoman Hagan asked if Council votes yes are they voting for the electronic town hall educational forum.

Grubbs pointed out that this is just for informational purposes only.

Mount stated that he would need answers to a few things before he voted and what would be the first and last cost; if there is a monthly cost and how much City Employee and City Manager time this would require. He stated that he represents the citizens and if we are going to spend money for this he wants to know what we are buying with this.

Mayor Landrith stated that this is not the original item. This is for Blackboard Connect that we already have. There is no additional cost for this.

City Attorney Miller stated in reading the agenda item this discussion did not encompass a Motion to use the Blackboard Connect.

Councilman Mount read the Motion that was made at the last meeting**.**

Mayor Landrith stated that he talked to the City Manager and came up with this idea.

Mount stated again that he was concerned with total cost and manpower, etc.

City Manager Rutledge stated that this would be minimum price and can accomplish same thing at less price since can reach citizens and doesn't cost any additional funds to utilize Blackboard Connect.

Mayor Landrith stated that it would be just one message.

Hagan stated so this would be totally away from the Town Hall Electronic Forum and if a citizen doesn't like it they can hang up. She stated that is not what the agenda commentary reads. It reads like what we did at the last meeting.

Mayor Landrith stated that he talked to the City manager about this and came up with using Blackboard Connect instead of Electronic Forum. He stated if it doesn't work blame it on him.

Hagan questioned again about the reading of the Agenda Item versus what they are discussing. Do we need to change the Commentary of the Agenda Item?

Adams stated since there is some confusion on this why not withdraw Item H-3 and add to Special Meeting that the Mayor talked about.

Council talked about pulling Item H-3 and just authorizing the City Manager to go forward with using Blackboard Connect for this item.

MOTION was made by **Mayor Landrith**, seconded by **Councilman Adams** to withdraw Item H-3 as discussed.

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

4. **Discussion, Consideration and Possible Action** Regarding Approval of Letter of No Objection to Installation of Landscaping at Williamson Farms, SW 119th Street and Meridian.

City Attorney Miller pointed out that some verbiage was changed in the letter. He then read Paragraph 4 to Council in regards to these changes.

MOTION was made by **Councilman Adams**, seconded by **Mayor Landrith** to approve H-4 with recommended amendments.

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

J. CITY ATTORNEY'S REPORT

There was no report.

K. ADJOURNMENT

MOTION was made by **Mayor Landrith** and seconded by **Councilman Adams** to adjourn.

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

The meeting was adjourned at **8:30 p.m**.

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Mayor

Attest:

____
City Clerk

MUSTANG IMPROVEMENT AUTHORITY
FEBRUARY 21, 2012

The Mustang Improvement Authority met in regular session on Tuesday, February 21, 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, February17, 2012 at 4:20 p.m. and Amended and Posted on Friday, February 17, 2012 at 4:40 p.m. in compliance with the requirements of the Open Meeting Law, 25 O.S., Section 301, et. seq.

A. CALL TO ORDER

Chairman Landrith called the meeting to order at **8:30** p.m.

B. ROLL CALL

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

Trustees Absent: **None**

C. NEW BUSINESS

There was no new business.

D. CONSENT AGENDA

1. Approval of **02/07/12** MIA Minutes.

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

MOTION was made by **Trustee Adams**, seconded by **Trustee Mount** to approve the Consent Agenda.

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

E. INFORMATION/REPORTS

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

There were no reports.

F. ADJOURNMENT

MOTION was made by **Trustee Adams** and seconded by **Chairman Landrith** to adjourn.

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

Meeting was adjourned at **8:31 p.m.**

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Chairman

Attest:

____
Secretary