MUSTANG CITY COUNCIL
FEBRUARY 4, 2014

The Mustang City Council met in regular session on Tuesday, February 4, 2014, 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, January 31, 2014, at 3:50 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 *(Jason Williams, Pastor, Mustang Christian Church)*

Jason Williams, Pastor, led the assembly in the Pledge and Invocation. He stated it was the beginning of Lint Season and will be holding an Ash Wednesday service. He advised future plans include the annual community Easter egg hunt, Bible School in June and their annual Fall Festival.

C. ROLL CALL

Councilmembers Present:	**Taylor** **Staples** **Bowers** **Jones** **Hagan** **Adams**
Councilmembers Absent:	**Mount**

D. INTRODUCTION OF GUESTS/HEARING OF CITIZENS OR DELEGATES

Wayne Watts, 1632 E. Twinbrook Terrace requested the Council address a list of items he provided in a handout, which included: a grace period for disposing of materials damaged by weather related events; a polymer developed by Oklahoma State University that removes arsenic from water and is also non-hazardous; and the development of a policy prohibiting any past, present, or future official from having any financial or compensatory future interest as an official from COWRA.

Cathy Jo See, 4400 S. Czech Hall Road addressed the Council, stating for the record, she was representing Cathy Jo See, See Companies and See Development Corporation and not representing any affiliate she is a board member of or any organization. She addressed the Council regarding the Council editorials and disagreements over the past few months stating they are out of hand and she is sick of them. She advised it was even gaining national attention. She stated she represents two national tenants who are Fortune 500 companies, who would like to locate here, but they see the editorials and it discourages them from relocating. She stated the disagreements should be addressed privately and not through the papers and the Council fighting was hurting Mustang. She also thanked the Mayor for his hard work as well stating she hopes he runs for office again and said he and the City Manager were doing a fantastic job and hopes this can all be worked out.

E. NEW BUSINESS, DELETIONS OR CONTINUANCES TO THE AGENDA

None.

F. <u>CONSENT AGENDA</u>

1. Approval of **01/21/14** City Council Minutes
*2. Claims List for **FY '14**
*3. Approval to turn **Past Due Utility Accounts** over to the Collection Agency.
4. Approval of **Resolution No. 14-030**, Directing Filing and Notification of the Publication of the 2014 Supplement to the Mustang City Code.
5. Approval of **Resolution No. 14-031**, Making Changes in the General Fund Budget by Making a Supplemental Appropriation to Increase the 2013-2014 Fiscal Year Budget by $2,000.
6. Approval of **Resolution No. 14-032**, Making Changes in the General Fund Budget by Making a Supplemental Appropriation to Increase the 2013-2014 Fiscal Year Budget by $22.
7. Approval of Annual Agreement with **Area Wide Aging Agency** based out of Redlands Community College to provide Weekly Meal Program for Senior Adults
*8. Approval of **Audit Engagement Letter** Submitted by Anne Marie Elfrink, MS, CPA, for Auditing Services for Fiscal Year Ending June 30, 2014.

*9. Acknowledgement of Receipt of **DEQ Permit No. WL000009130829**, to Construct a 1360', twelve (12) inch water main for the Industrial Access Road Project.

*10. Acceptance of **Maintenance Bonds** for Water Lines and Sewer Lines for Savannah Lakes Addition, Phase 5.

MOTION was made by **Mayor Adams**, seconded by **Councilman Taylor,** to approve Items F-1 thru F-10 of the Consent Agenda.

AYE: Taylor, Staples, Bowers, Jones, Hagan, Adams
NAY: None

G. <u>INFORMATION/REPORTS</u>

1. <u>City Manager</u>

City Manager Rooney stated he provided the Council with the final change order allowing for the installation of the electrical disconnect at Town Center. He stated work had begun Monday and should be completed by the end of the week.

2. <u>City Council</u>

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

Councilman Taylor stated he and his family had the opportunity to see FDNY Rescue 5 truck at the Fire Station and stated it was an emotional experience and thanked Chief Hickman for coordinating with them to get them to come to Mustang. He also advised there will be a breakfast Saturday at the Masonic Lodge, $5.00 per person.

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

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

Councilman Jones congratulated the Library and the Library Director Desiree Webber and her staff for their hard work with the Library renovation and for a great grand opening.

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

Mayor Adams stated:

- He also had the opportunity to visit FDNY Rescue 5 at the Fire Department with his family and that it was great. He stated it was an opportunity to educate our children and Mustang was the only stop in Oklahoma.
- He attended the ribbon cutting at the Library and was very excited to see what it will do for our children and our community and encouraged everyone to visit.
- He attended several meetings over the last several weeks and provided an update on COWRA activities as well as the ACOG 911 Board activities. He responded to Mr. Watts from earlier advising no COWRA member can receive any type of monetary compensation as the City Charters prohibit it.
- Asked City Manager to check with crews regarding spreading a little sand in neighborhood entrances when sanding streets due to bad weather.

a. Appointment of One (1) Commissioner to the Mustang Planning Commission.

Community Development Director Coleman advised there had been one vacancy on the Planning Commission since the resignation of Mr. Douglas Streu. He stated two applications have been received, one from Darrell Noblitt who lives in Ward 6 and one from Jesse Bratton who lives in Ward 1. **Coleman** advised there were already two Commissioners from Ward 6 on the Planning Commission, but none from Ward 1; therefore, he stated staff recommends appointment of Mr. Jesse Bratton to the Mustang Planning Commission.

Councilman Taylor stated he was excited to have Mr. Bratton as part of the Planning Commission stating he has a great sense of passion for the community.

MOTION was made by **Councilman Taylor**, seconded by **Councilwoman Hagan** to approve the appointment of Mr. Jesse Bratton to the Mustang Planning Commission for the term February 4, 2014 through November 1, 2015.

AYE: Taylor, Staples, Bowers, Jones, Hagan, Adams
NAY: None

H. DISCUSSION ITEMS

1. **Discussion, Consideration and Possible Action** regarding Approval of Ordinance No. 1099, Amending Chapter 14 Animals, by (1) Amending Section 14-51(e) to Increase the Reclamation Period for Animals from Three Days to Five Days, and to Remove Methods of Disposition of Animals and Refer to a New Section for Required Disposition of Animals; (2) Adding New Section 14-54 to Provide for Disposition of Impounded Animals; and (3) Adding New Section 14-55 to Provide for Care and Disposition of Ill, Injured or Mistreated Animals; Providing for Repealer; Providing for Severability; and Declaring an Emergency.

City Manager Rooney advised in October, 2013, members of Girl Scout Troop #3107 asked to meet with him to review some concerns they had regarding the City's animal control ordinances and to discuss changes they would like to see realized; Ordinance 1099 is largely a result of the requested changes. He stated he met with Chief Foley and Captain Craig upon receiving the recommended changes to discuss any concerns and/or problems and the Ordinance presented is a result of that review. **Rooney** advised this is the first of what will likely be several upcoming changes to the Animal Control portion of the Code of Ordinances in the upcoming year.

Rooney introduced three members of Girl Scout Troop #3107 who addressed the Council in regards to the Ordinance:

Miss Jennifer Lawrence
Miss Julia Boydston
Miss BreeAnna Martin

Mayor Adams asked if they approved of this Ordinance. All three said yes.

Adams thanked them for their interest and work on this project and for setting an example for others to get involved.

Councilman Taylor stated this was a great opportunity to see the legislative process in work even at the City level. He stated one reason he ran for City Council was to try to motivate younger people to get involved and thanked them for doing that.

MOTION was made by **Mayor Adams**, seconded by **Councilman Taylor,** to approve **Ordinance No. 1099**, Amending Chapter 14 Animals, by (1) Amending Section 14-51(e) to Increase the Reclamation Period for Animals from Three Days to Five Days, and to Remove Methods of Disposition of Animals and Refer to a New Section for Required Disposition of Animals; (2) Adding New Section 14-54 to Provide for Disposition of Impounded Animals; and (3) Adding New Section 14-55 to Provide for Care and Disposition of Ill, Injured or Mistreated Animals; Providing for Repealer; Providing for Severability;

AYE: Taylor, Staples, Bowers, Jones, Hagan, Adams
NAY: None

MOTION was made by **Mayor Adams** and seconded by **Councilman Taylor** to approve the Emergency Clause for **Ordinance No. 1099**.

AYE: Taylor, Staples, Bowers, Jones, Hagan, Adams
NAY: None

2. **Discussion, Consideration and Possible Action Discussion, Consideration and Possible Action** to Accept the Request for Proposals for the Content Management Software and Website Design Services; and to Make an Award of Contract to Aha! Consulting, Inc.

   City Manager Rooney stated Staff put together a Request for Proposals (RFP) for Content Management Software and Website Design Services with an opening date of December 13, 2013 and advised it was published in both local newspapers, the Oklahoma City Journal Record, as well as packets being emailed to over a dozen local website designers. He stated three proposals were received:

   - Lavent Technologies, Norman, OK;
   - Aha! Consulting, Lake Oswego, OR;
   - Civic Plus, Manhattan, KS

Rooney stated Department Directors had a chance to review the proposals before conducting interviews with the companies and all three companies did a good job, but only two (Aha! Consulting and Civic Plus) had any experience with municipalities. He advised after review and completion of presentations, the team felt the proposal from Aha! Consulting seemed more tailored to the City's needs and offered great designs as well as the best quote ($15,000 plus $3,000 for website hosting and customer support).

Rooney stated the City Council authorized $25,000 towards the redevelopment of the City's website as part of the FY 2013-2104 budget. He stated Staff requests to encumber an additional $1,250 in case there are additional costs involved in transferring data from the existing site to the new site with the award total being $19,250.

Councilwoman Staples asked if references were checked.

Rooney advised yes, references were checked for all three bidders and all were good.

Rooney also stated ***Community Development Director Coleman*** led the project and thanked him for a great job.

MOTION was made by **Mayor Adams**, seconded by **Councilman Jones,** to Accept the Request for Proposals for the Content Management Software and Website Design Services; and to Make an Award of Contract to Aha! Consulting, Inc.

AYE: **Taylor, Staples, Bowers, Jones, Hagan, Adams**
NAY: **None**

3. **Discussion, Consideration and Possible Action** regarding Council Work Sessions.

City Manager Rooney stated during the interview process for the selection of the City Manager for the City of Mustang, one of the items discussed was the implementation of Council Work Sessions and stated they were used at the Cities of Owasso and Wrangell while employed there and the Council appeared to be interested. He stated he began the process of communicating his intent to implement Work Sessions in September and December, 2013, and again in January, 2014; however, one citizen had shared concerns with several Council Members regarding the planned locations and legality of the Work Sessions. He stated he included a memorandum from Mr. Miller regarding those concerns in the agenda packet.

Rooney stated Staff had tentatively scheduled the 2nd Tuesday of each month for the meetings as it would fall between the two regularly scheduled meetings each month, but stated this may not work for the majority of the Council and a different date could be selected. He stated he stands behind the implementation and use of Council Work Sessions as an effective manner in which to communicate concerns to the City Council and to assist him in providing effective management of the day-to-day operations of the City of Mustang.

Rooney asked the Council if they wanted Work Sessions and if so, when.

Discussion was held concerning the Work Sessions. **Councilwoman Bowers** asked if the sessions could be held prior to the regular Council meeting. **Mayor Adams** and **Councilman Jones** stated they may have difficulty getting off work early enough to attend if prior to the regular meetings. **Councilwoman Hagan** stated she was not in favor of the Work Sessions and did not want extra meetings when the communication can occur in the regular Council meetings plus, the meetings could be perceived as having a hidden agenda. **Councilwoman Staples** stated she was not certain she would be able to attend the Sessions and was not in favor of them.

Other discussion included whether or not the Work Sessions (Special Meetings) would count towards the number of allowable absences from meetings and how long the meetings would last. **Rooney** stated some meetings could include presentations and having the sessions prior to the meeting would not leave a lot of time. He stated the idea is to discuss items coming up on an agenda and address questions – perhaps an hour and a half to two hours. The question also arose as to whether it would cost the City extra money in having Staff attend additional meetings. **Rooney** stated the majority of the Staff who would be attending the Sessions are salaried employees.

Councilman Taylor asked the City Council to vote yes stating most big league cities have Work Sessions and the more the Council can get together and communicate and chart the correct course, the better. He stated he understands the extra time commitment, but for the Council to not be selfish and to remember the voters who elected them.

Adams reminded Council the Sessions were for additional information and guidance. He stated no decisions can be made.

Further discussion was held concerning how often the meetings should be held as well as when and where to hold them. **Councilwoman Staples** stated holding the Sessions in various locations was a problem in her Ward. **Rooney** stated he proposed the different locations in order to give the Council an opportunity to visit the different departments such as the Fire Department, Police Department, Lift Stations, etc and advised the schedule of locations could be adopted well in advance.

MOTION was made by **Councilman Taylor**, seconded by **Councilman Jones,** to Direct the City Manager to establish the first Work Session on the first Monday in March (March 3, 2014) at 6:30 p.m. at a location to be determined by the City Manager.

AYE: **Taylor, Bowers, Jones, Adams**
NAY: **Staples, Hagan**

MOTION was made by **Councilman Taylor**, seconded by **Mayor Adams,** to hold the first Work Session at the Police Department.

AYE: **Taylor, Bowers, Jones, Adams**
NAY: **Hagan**
ABSTAIN: **Staples**

J. <u>CITY ATTORNEY'S REPORT</u>

1. **Discussion, Consideration and Possible Action** regarding the trial court's decision rendered in the lawsuit styled Howard R. Haralson and Cheri Haralson vs. City of Mustang, et al., Case No. CV-2013-107, District Court, Canadian County, State of Oklahoma, including whether or not to appeal the trial court's decision; and, **Executive Session as authorized by 25 Okla. Stat. §307(B)(4)**.

2. **Discussion, Consideration and Possible Action** regarding Richard D. Sutton and Allison Sutton vs. The City of Mustang, Oklahoma, Severn Trent Environmental Services, Inc. and Bamaco, Inc., Case No. CJ-2009-1049, District Court, Canadian County, Oklahoma; and **Executive Session as authorized by 25 Okla. Stat. §307(B)(4)**.

3. **Discussion, Consideration and Possible Action** regarding a Development Agreement between the City of Mustang and KG Holdings, L.P./W.E.P. Land Holdings, LLC; and **Executive Session as authorized by 25 Okla. Stat. §307(C)(10)**.

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

AYE: Taylor, Staples, Bowers, Jones, Hagan, Adams
NAY: None

TIME ADJOURNED to Executive Session: **8:03 p.m.**

Mayor Adams called the meeting back in session at **8:34 p.m.**

In reference to Item J-1 –

MOTION was made by **Mayor Adams,** seconded by **Councilwoman Bowers** to not pursue an Appeal regarding the trial court's decision rendered in the lawsuit styled Howard R. Haralson and Cheri Haralson vs. City of Mustang, et al., Case No. CV-2013-107, District Court, Canadian County, State of Oklahoma.

AYE: Taylor, Staples, Bowers, Jones, Hagan, Adams
NAY: None

In reference to Item J-2 –

No action was taken, informational purposes only.

In reference to Item J-3 –

MOTION was made by **Mayor Adams,** seconded by **Councilman Taylor** to Approve the Development Agreement between the City of Mustang and KG Holdings, L.P./W.E.P. Land Holdings, LLC;

AYE: Taylor, Staples, Bowers, Jones, Hagan, Adams
NAY: None

K. ADJOURNMENT

MOTION was made by **Mayor Adams**, seconded **Councilwoman Bowers** to adjourn.

AYE: Taylor, Staples, Bowers, Jones, Hagan, Adams
NAY: None

The meeting was adjourned at **8:35 p.m.**

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Jay Adams, Mayor

Attest:

____
Lisa Martin, City Clerk

MUSTANG IMPROVEMENT AUTHORITY
FEBRUARY 4, 2014

The Mustang Improvement Authority met in regular session on Tuesday, February 4, 2014, 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, January 31, 2014, at 3:50 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 8:35 p.m.

B. ROLL CALL

Trustees Present: **Taylor**
Staples
Bowers
Jones
Hagan
Adams

Trustees Absent: **Mount**

C. NEW BUSINESS

None.

D. <u>CONSENT AGENDA</u>

1. Approval of **01/21/14** MIA Minutes.
*2. Claims List for **FY '14**
*****3. Approval to turn **Past Due Utility Accounts** over to the Collection Agency.
*4. Approval of **Audit Engagement Letter** Submitted by Anne Marie Elfrink, MS, CPA, for Auditing Services for Fiscal Year Ending June 30, 2014.
*5. Acknowledgement of Receipt of **DEQ Permit No. WL000009130829**, to Construct a 1360', twelve (12) inch water main for the Industrial Access Road Project.
*6. Acceptance of **Maintenance Bonds** for Water Lines and Sewer Lines for Savannah Lakes Addition, Phase 5.

MOTION was made by **Chairman Adams**, seconded by **Trustee Taylor** to approve Items D-1 through D-6 of the Consent Agenda.

AYE: **Taylor, Staples, Bowers, Jones, Hagan, Adams**
NAY: **None**

E. INFORMATION/REPORTS

1. Trustee Manager

None.

2. Trustees

None.

F. DISCUSSION ITEMS

None.

G. ADJOURNMENT

MOTION was made by **Trustee Jones** and seconded by **Trustee Taylor** to adjourn.

AYE: **Taylor, Staples, Bowers, Jones, Hagan, Adams**
NAY: **None**

Meeting was adjourned at **8:36 p.m.**

____
Jay Adams, Chairman

Attest:

____
Lisa Martin, Secretary