

AGENDA

A. CALL TO ORDER

B. PLEDGE OF ALLEGIANCE/INVOCATION

Randy Sholund, Pastor, Life Tabernacle Pentecostal

C. ROLL CALL

D. INTRODUCTION OF GUESTS/HEARING OF CITIZENS OR DELEGATES

E. NEW BUSINESS, DELETIONS OR CONTINUANCES TO THE AGENDA

F. CONSENT AGENDA

These items are considered on the Consent Agenda so that members of the City Council by unanimous consent can designate routine agenda items to be approved by one motion. If any item proposed on the Consent Agenda does not meet with approval of all Councilmembers that item will be removed and heard in regular order.

1. Approval of **05/19/15** City Council Minutes.
- *2. Claims List for **FY'15**
- *3. Approval to Turn **Past Due Utility Accounts** over to the Collection Agency.
4. Approval of **Resolution No. 15-055** making changes in the General Fund Budget by making a Supplemental Appropriation to Increase the 2014-2015 Fiscal Year Budget by \$610,000.
5. Approval to **Deny Tort Claim** by Rudy Frescas, Date of Incident May 2, 2015, in the amount of \$287.97.
6. Approval to **Deny Tort Claim** by Scott Johnson, Date of Incident May 4, 2015, in the amount of \$1,964.89.

G. INFORMATION/REPORTS

1. City Manager
Included in Agenda packet.
2. City Council

H. DISCUSSION ITEMS

1. **Discussion, Consideration and Possible Action** regarding Approval of **Resolution 15-054**, Adding a Vendor Fee for Outdoor Sports Complexes.
2. **Discussion, Consideration and Possible Action** regarding Approval of Final Plat Application FP-2-2-15-1-27, Savannah Lakes Addition, Phase 6, Premium Land, LLC, 59 Lots.
- *3. **Public Hearing on Fiscal Year 2015-2016** Annual Budgets for the City of Mustang, the Mustang Improvement Authority and Related Funds in Accordance with State Statutes.
- *4. **Discussion, Consideration and Possible Action** regarding Approval of **Resolution No. 15-057**, Approving the **Fiscal Year 2015-2016** Budgets for the City of Mustang, Mustang Improvement Authority and Related Funds.
5. **Discussion, Consideration and Possible Action** regarding Approval to Permanently Disable Resolution 05-027 and Approve a **Resolution 15-058** to Increase the Excess Limit from \$500,000 to \$800,000.

J. CITY ATTORNEY'S REPORT

None.

K. ADJOURNMENT

***Items Considered Concurrently on the MIA Agenda.**

**MUSTANG CITY COUNCIL
MAY 19, 2015**

The Mustang City Council met in regular session on Tuesday, May 19, 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, May 15, 2015, at 3:05 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 (Reverend Wayne Hendricks, First Baptist Church Mustang)

Reverend Hendricks led the assembly in the Pledge and Invocation. He stated he was a past pastor with the Free Grace Baptist Church in Mustang and is currently a member at First Baptist Church in Mustang stating it was a very warm, friendly, and supportive church where they serve God and one another. He offered encouragement to Council and quoted scripture from Micah reminding everyone (1) to be just in all doings; (2) have a merciful spirit; and (3) to walk humbly.

C. ROLL CALL

Councilmembers Present:	Riley
	Staples
	Grider
	Jones
	Hagan
	Schweinberg
	Adams

Councilmembers Absent:	None
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D. INTRODUCTION OF GUESTS/HEARING OF CITIZENS OR DELEGATES

Mayor Adams introduced Canadian County Commissioner Dave Anderson who was in attendance this evening.

E. NEW BUSINESS, DELETIONS OR CONTINUANCES TO THE AGENDA

None.

F. CONSENT AGENDA

1. Approval of **05/05/15** City Council Minutes.
- *2. Approval of **05/07/15** City Council/MIA Special Meeting (Budget Session) Minutes.
3. Approval of **05/11/15** City Council Special Meeting (Work Session) Minutes.
- *4. Approval of **05/14/15** City Council/MIA Special Meeting (Budget Session) Minutes.
- *5. Claims List for **FY'15**
6. Approval to Turn **Past Due Library Accounts** over to the Collection Agency.
7. Approval of **Resolution No. 15-053** making changes in the General Fund Budget by making a Supplemental Appropriation to Increase the 2014-2015 Fiscal Year Budget by \$4,525.
8. Approval of **Automated Teller Machine "ATM" site** for the Mustang Town Center as Submitted by Cornerstone Bank.
9. Approval of **Cox Cable Franchise Extension Agreement**.

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, Jones, Hagan, Schweinberg, Adams
NAY: None

G. INFORMATION/REPORTS

1. City Manager

City Manager Rooney advised the event planned for last Saturday, Trails for Tails, was rescheduled to Saturday, May 30, 2015 due to the wet conditions in the park.

- a. Approval and Presentation of **Proclamation** Declaring May 22, 2015, as "Mustang Broncos Small Advanced Cheer Squad Day"

Mayor Adams introduced Cheer Sponsor Katelyn Caudle and read the Proclamation declaring May 22, 2015, as "Mustang Broncos Small Advanced Cheer Squad Day". Squad members were introduced and handed a Proclamation.

- b. Presentation of Plaque and Recognition of Outgoing Personnel Board Member John Ripley

Human Resources Director Anderson stated Mr. Ripley had served on the Personnel Board since 1988 and was moving out of state. She stated due to health concerns, he was not able to attend this evening; however, Mr. Gary Shidell, who is a founding member of the Personnel Board, was here to accept on his behalf.

Mr. Shidell thanked **Anderson** and the City on Mr. Ripley's behalf and stated he would be very happy to present the plaque to him.

2. City Council

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

Councilman Riley stated he had received a couple of calls regarding drainage issues and stated he met with Castle Rock 3 addition to discuss the drainage behind the houses there. He stated the City was aware of the issue. He also stated he had visited with a neighbor of his who had some flooding in her house which may have possibly been caused by construction behind her residence and stated the City was aware of this issue as well.

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

Councilman Grider stated he had talked with one person regarding erosion at their residence due to construction behind her house. He stated she had not contacted the City, but does have plans to call.

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

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

Councilman Schweinberg did not have anything to report at this time, but stated two of the new police vehicles were in the parking lot tonight and if everyone had not had a chance to see them, encouraged everyone to do so.

Mayor Adams stated he had also received some calls regarding drainage issues stating the City had received approximately 14.5 inches of rain so far in the month of May (according to Channel 5 weather) and the City was trying to help the best they could where possible. He also gave a COWRA update stating due to the rain, the drilling of the test wells had stopped and hopefully would resume soon.

H. DISCUSSION ITEMS

1. **Appointment** of One (1) Member and One (1) Alternate to the ACOG Board of Directors and its Committees, the OEMA Board of Directors, and the Appointment of One (1) Councilmember to the Traffic Commission.

City Manager Rooney stated yearly appointments are made to the ACOG Board and Committees as well as the Traffic Commission after the Municipal Elections. He stated appointments were also necessary for the OEMA Board of Trustees. **Rooney** provided a list of the boards and committees and who the current members were.

Discussion was held concerning a staff member be named as an alternate where possible in order to make certain the City of Mustang is represented when a Councilmember may not be able to attend one of the meetings.

MOTION was made by **Councilman Schweinberg**, seconded by **Councilwoman Staples**, to appoint Mayor Adams as Member, and Councilman Grider as Alternate, to the ACOG Board of Directors, Intermodal Transportation Policy Committee, Garber Wellington Policy Committee, and the 911 Association Board of Directors.

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

MOTION was made by **Mayor Adams**, seconded by **Councilman Schweinberg**, to appoint Councilwoman Hagan as Member, and Councilman Jones as Alternate, to the OEMA Board of Trustees.

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

MOTION was made by **Mayor Adams**, seconded by **Councilman Riley**, to appoint Councilwoman Staples to serve on the Traffic Commission.

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

2. **Discussion, Consideration and Possible Action** regarding OMAG Annual Elections.

City Manager Rooney stated the City of Mustang is a member of the Oklahoma Municipal Assurance Group (OMAG) and utilizes OMAG as its insurer for its general liability, auto liability, public official bond, and physical property.

Rooney stated each year, OMAG conducts elections for positions on their Board of Trustees stating two positions were up for election. He stated there were seven nominees for the two available seats including the two incumbents, Ms. Shelite of Fort Cobb and Mr. Stephenson of Ponca City. He stated Staff was not aware of any concerns regarding OMAG or the service provided by the incumbents and would recommend the City of Mustang cast its official ballot in favor of Ms. Shelite and Mr. Stephenson.

MOTION was made by **Mayor Adams**, seconded by **Councilman Schweinberg**, to cast the City of Mustang's official ballot in favor of Ms. Patti Shelite and Mr. Craig Stephenson.

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

3. **Discussion, Consideration and Possible Action** regarding Review and Grant of Extension for Special Use Permit Application SUP-4-9-13-1-28, Diamond Partners, LLC, 200 Block N. Mustang Road, Ice Vending Machine.

Community Development Director Helsel stated a Special Use Permit was granted to Diamond Partners, LLC in May, 2013, to place an ice vending machine in the Silver City Shopping Center parking lot stating the vending machine has been in operation since that time with no complaints being received. She stated the owner of the business and the property owner have not changed nor has the owner extended, enlarged or increased intensity of the business.

Helsel stated per municipal code, the City Council will review all special use permits every two years and consider a 2-year extension if all conditions imposed continue to be met. She stated Staff recommends approval of this 2-year extension stating that Staff believes all imposed conditions continue to be met and this use does not seem to present a problem in its current location.

MOTION was made by **Councilman Schweinberg**, seconded by **Councilman Jones**, to Grant a 2-year Extension for Special Use Permit Application SUP-4-9-13-1-28, Diamond Partners, LLC, 200 Block N. Mustang Road, Ice Vending Machine.

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

4. **Public Hearing, Discussion, Consideration and Possible Action** regarding Approval of Conditional Use Permit Application CUP-4-9-15-1-31, 1716 W. State Highway 152, Diane Stafford, Garden Supply Store.

Community Development Director Helsel stated this property is located where the old 7-11 store was at 1716 W. State Highway 152 on Clear Springs Road and State Highway 152. She stated it was recently rezoned to C-3 with four lots containing approximately 2.33 acres stating the applicant intends to use all four lots for a garden supply store, although only three lots may be utilized. She stated a Conditional Use Permit (CUP) was required for this type of business in C-3 zoning and stated when it was brought up during the rezoning, there were no complaints.

Helsel stated the developer of the garden supply store would be required to place at least a 6-foot masonry fence along all developed property lines that abut residentially zoned districts which would be on the south and west sides. She stated the use conforms to the comprehensive plan and the Planning Commission voted 6:0 to approve the CUP and Staff recommends approval stating Staff has not received any complaints or concerns regarding the use and feels this is an appropriate use in this area.

Discussion was held concerning if the garden supply store would be inside or outside with it being stated the retail operation would be inside with green houses erected on the outside

MOTION was made by **Mayor Adams**, seconded by **Councilman Schweinberg**, to open the matter for Public Hearing.

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

There were no requests to speak.

MOTION was made by **Mayor Adams**, seconded by **Councilman Schweinberg**, to close the Public Hearing.

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

MOTION was made by **Councilman Grider**, seconded by **Councilman Schweinberg**, to Approve Conditional Use Permit Application CUP-4-9-15-1-31, 1716 W. State Highway 152, Diane Stafford, Garden Supply Store.

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

5. **Public Hearing, Discussion, Consideration and Possible Action** regarding Approval of Ordinance No. 1126, Amending the Zoning Ordinance of the City of Mustang, Oklahoma, as Amended, to Change Certain Property Located in Canadian County, Oklahoma, from "C-3" Commercial General District to "C-4" Shopping Center District and, Declaring Repealer, Providing for Severability; and Declaring an Emergency. (Rezoning Application RZ-4-16-15-1-35, Viva Mustang, LLC – Gerardo Villasenor, Manager, 1404 E. State Highway 152.)

Community Development Director Helsel stated the applicant is requesting a change in zoning classification from C-3 to C-4 for property located east of Moncoupe Lane, across from the Silver Stallion on E. State Highway 152. She stated the property would be used for a Mexican restaurant, Viva Mustang, LLC, and the applicant would like to be able to serve alcohol. She stated the restaurant was a permitted use under C-3, but alcohol is not and would require C-4 zoning.

Helsel stated the developer would be required to place at least a 6-foot masonry fence along all developed property lines that abut residentially-zoned districts and the applicant intends to bring sanitary sewer to these parcels that are not currently served. She provided the character of the neighborhood stating the request does not conform to the long range plan; however, the plan is 12 years old and the City has changed a lot since that time stating once the plan is updated, Staff will recommend that the frontage along SH152 be designated for commercial/retail east to Morgan Road.

Helsel stated the Planning Commission voted 6:0 to recommend approval and Staff recommends approval of this application at the C-4 level.

MOTION was made by **Mayor Adams**, seconded by **Councilman Schweinberg**, to open the matter for Public Hearing.

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

There were no requests to speak.

MOTION was made by **Mayor Adams**, seconded by **Councilman Schweinberg**, to close the Public Hearing.

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

MOTION was made by **Councilman Schweinberg**, seconded by **Councilwoman Staples**, to Approve Ordinance No. 1126, Amending the Zoning Ordinance of the City of Mustang, Oklahoma, as Amended, to Change Certain Property Located in Canadian County, Oklahoma, from "C-3" Commercial General District to "C-4" Shopping Center District and, Declaring Repealer, Providing for Severability.

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

MOTION was made by **Councilman Schweinberg**, seconded by **Councilwoman Hagan**, to Declare an Emergency.

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

6. **Discussion, Consideration and Possible Action** regarding Approval of Preliminary Plat Application PP-9-23-14-1-30, Hunter's Springs Addition, Rausch Coleman Development Group, 222 lots.

Community Development Director Helsel stated the applicant is requesting approval of a Preliminary Plat for Hunter's Springs Addition stating this was the third Preliminary Platt for this addition as it has expired twice. She stated the developer reduced the total number of lots to 222 with two common areas stating the total acreage for the entire subdivision is 55.75 acres and the two common areas include a total of 5.11 acres. She stated the maintenance of the common areas will be the responsibility of the homeowners association.

Helsel stated she received a petition from neighboring citizens requesting the subdivision not have a connection to N. Betty's Way to the north stating the plat does not show a connection to N. Betty's Way or to Trent Acres Addition at this time.

Helsel stated the plat has been approved by Fire, Police, Staff, City Engineer and City Attorney and Planning Commission voted 6:0 to recommend approval. She stated Staff recommends approval of the plat with the condition that the easement along the western edge be increased from 15 feet to 20 feet. She provided information regarding the surrounding areas and stated the request does conform to the comprehensive plan.

Discussion was held concerning drainage stating the developer had incorporated drainage improvements requested by the Planning Commission and the City Attorney. **Helsel** stated the plat was also approved by Don Vick who is very conscientious about proper drainage.

Councilman Jones asked if a through street at N. Betty's Way or other area could be added at a later time without Council consent. **Helsel** stated they would have to amend the plat in order to do that and then would have to go through Planning Commission and Council for approval. It was requested if a "No Through" street sign could be placed at Betty's Way – especially during construction with Helsel stating the developer has been contacted.

Other discussion included if there were any concerns from residents at Hunter's Way with it being stated no.

MOTION was made by **Councilman Schweinberg**, seconded by **Councilman Jones**, to Approve Preliminary Plat Application PP-9-23-14-1-30, Hunter's Springs Addition, Rausch Coleman Development Group, 222 lots.

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

7. **Discussion, Consideration and Possible Action** regarding Approval of Final Plat Application FP-9-23-14-1-30, Hunter's Springs Addition, Rausch Coleman Development Group, 123 lots.

Community Development Director Helsel stated the request for approval of the Final Plat for Hunter's Springs Addition is Phase I of the preliminary plat heard previously. She stated it included 123 lots and two common areas with the total acreage for the first phase of this subdivision being approximately 33.29 acres and the two common areas include a total of 5.11 acres. She stated the maintenance of the common areas will be the responsibility of the homeowners association.

Helsel stated the City Attorney's comments address the filing of an easement to create the additional 10-foot utility easement along the north side by separate instrument stating the City requires a 20-foot easement. She stated it will require City Attorney approval prior to filing.

Helsel provided information regarding the surrounding areas stating the request conforms to the comprehensive plan and the plat has been approved by Fire, Police, Staff, City Engineer and City Attorney. She stated the Planning Commission voted 6:0 to approve the Final Plat with the conditions that the easement along the west side be increased to 20 feet, and the easement to create the 10-foot easement along the north side is approved by Staff and filed and Staff recommends approval with the condition listed by Planning Commission.

Discussion was held concerning drainage areas not being listed on the plat with **Helsel** stating it would be listed on the final drainage plans that comes to the City for approval.

MOTION was made by **Mayor Adams**, seconded by **Councilman Schweinberg**, to Approve Final Plat Application FP-9-23-14-1-30, Hunter's Springs Addition, Rausch Coleman Development Group, 123 lots with the conditions that the easement along the west side be increased to 20 feet, and the easement to create the 10-foot easement along the north side is approved by Staff and filed.

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

- *8. **Discussion, Consideration and Possible Action** regarding Approval of an Amended and Restated Permanent Easement, which will amend the Permanent Easement previously granted by Covenant Development Corporation to the City of Mustang in order to move the water line easement, and to authorize the Mayor to negotiate and execute the final document with the property owner, Westmoore Community Church, Inc., to effect such amendment.

City Attorney Miller stated this item was listed on the last City Council agenda, but had to be pulled. He stated this was in regards to the relocation of an easement requested by the property owner. The City approved amending the Permanent Easement in a previous meeting; however, language changes were requested and their engineer slightly adjusted the easement location.

Miller stated as before, he would recommend approval with the condition the City of Mustang be provided with appropriate subordination agreements to make certain that any liens or encumbrances put on the property since the City obtained its original easements will be subordinated through the City's new easements.

MOTION was made by **Mayor Adams**, seconded by **Councilwoman Hagan**, to Approve the Amended and Restated Permanent Easement, which will amend the Permanent Easement previously granted by Covenant Development Corporation to the City of Mustang in order to move the water line easement, and to authorize the Mayor to negotiate and execute the final document with the property owner, Westmoore Community Church, Inc., to effect such amendment, with the condition the City be provided the subordination agreements as outlined by the City Attorney.

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

9. **Discussion, Consideration and Possible Action** regarding Approval of Resolution No. 15-052 Supporting a Request for the Deannexation of Property from the City of Oklahoma City.

City Manager Rooney stated as discussed in the March 9th and May 11th Work Sessions, Mr. Robert Crout and several property owners of land south of SW 89th Street and adjacent to the City of Mustang are seeking to be deannexed from the City of Oklahoma City. He stated as part of this process, the City of Oklahoma City has asked the City of Mustang to pass a resolution acknowledging the request of the property owners and supporting their request. He stated it is Staff's understanding this step is necessary in order for Oklahoma City to begin the process.

Rooney stated neighboring property owners adjacent to the property outlined in Exhibit A have also expressed interest in the possible deannexation of their property from Oklahoma City; however, this Resolution only addresses the property outlined in Exhibit A. He stated Staff plans to meet with the other property owners in the coming weeks, but has not done so at this time.

Rooney stated Council is not approving annexation at this time stating if the City of Oklahoma City approves the deannexation, then an application for annexation would still need to occur and be approved by the City of Mustang.

Mayor Adams stated he hopes this makes it clear that the City is not annexing any property at this time, but instead is passing a resolution in support of the property owners as they proceed with Oklahoma City.

MOTION was made by **Councilman Schweinberg**, seconded by **Councilwoman Staples**, to Approve Resolution No. 15-052 Supporting a Request for the Deannexation of Property from the City of Oklahoma City.

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

10. **Discussion, Consideration and Possible Action** regarding Code of Ethics.

City Manager Rooney stated in previous Work Sessions, adoption of a proposed Code of Ethics was discussed with it being found a Code of Ethics had already been adopted in March, 2006 that was to be reviewed annually by the City Council, Commissions and Boards, as well as signed each year by the members affirming they had read and understood them.

Rooney stated it was Staff's intent to include the Code of Ethics and the signature affirmation with all elected and appointed officials moving forward. He stated the signature affirmation page was provided in the packets for signature.

Councilman Schweinberg asked (1) if the City has a Code of Ethics in place; (2) if it needs to be reviewed and voted on annually; and (3) if it was a Resolution or Ordinance.

City Attorney Miller answered stating (1) the City does have an adopted Code of Ethics in place; (2) there is a provision to review them annually, but does not have to be re-approved annually; and (3) it was not an Ordinance, but more of a policy and procedure.

Schweinberg stated he has been on record in favor and support of a Code of Ethics stating he would sign it asking if the Councilmembers were required to sign it.

Miller stated he had not reviewed whether or not a Councilmember was required to sign it.

Rooney stated the signature affirmation states the member has read and understood the Code of Ethics, not that they agree with them.

Discussion was held concerning whether or not it should be placed on the next Work Session especially since there are two new Councilmembers on the Council.

Councilman Grider stated elected officials represent the citizens and should have a Code of Ethics and he was prepared to sign it.

Councilman Riley stated he agreed with **Councilman Grider** stating it was not different from what you would sign with your employer and he would also sign it.

Councilman Jones asked if a member broke the code, what the legal ramification was.

Rooney stated the Code references self policing and enforcing by the Council, the group would decide.

Councilwoman Hagan stated there was not a law stating a member had to sign it and she would not sign it.

All signatures were received except for **Councilwoman Hagan**.

No motion was needed for this item.

J. CITY ATTORNEY'S REPORT

None.

K. ADJOURNMENT

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

AYE: Riley, Staples, Grider, Jones, Hagan, Schweinberg, Adams

NAY: None

The meeting was adjourned at **8:08 p.m.**

Jay Adams, Mayor

Attest:

Lisa Martin, City Clerk

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 01						
15-2032	01-A0164	MAYOR AND COUNCIL LAURA ANDERSON	RECEPTION FOR COUNCIL	5/2015	201505261178	27.99
15-2011	01-C0108	COWAN GROUP	ENGINEERING SERVICES	5/2015	201505261182	1,603.66
15-0365	01-H0045	STEVEN HUDDLESTON	COURT APPEARANCES	5/2015	201505261171	1,600.00
15-1913	01-M0115	MTM RECOGNITION CORPORATION	PLAQUE FOR OUTGOING BOARD	5/2015	216349	79.00
15-0556	01-W0001	WHEATLEY, SEGLER, OSBY & MILEGAL SERVICES/RETAINER		5/2015	15618	2,239.95
DEPARTMENT TOTAL:						5,550.60
DEPARTMENT: 11						
15-2032	01-A0164	CITY MANAGER LAURA ANDERSON	RECEPTION FOR COUNCIL	5/2015	201505261178	290.04
15-2001	01-B0186	JUSTIN BATTLES	TUITION REIMBURSEMENT	5/2015	201505261180	700.00
15-2014	01-D1082	DELTA DENTAL	RETIREE INSURANCE	5/2015	201505261167	261.36
15-1811	01-M0001	MUSTANG NEWS CORPORATION	LEGAL PUBLICATIONS	5/2015	60135	90.00
15-2013	01-U0220	USAVISION GROUP ACCOUNTS	RETIREE INSURANCE	5/2015	201505261169	39.00
DEPARTMENT TOTAL:						1,380.40
DEPARTMENT: 12						
15-1098	01-02560	LIBRARY MIDWEST TAPE	NONPRINT MATERIALS	5/2015	92776932	66.83
DEPARTMENT TOTAL:						66.83
DEPARTMENT: 13						
15-2006	01-00230	PARKS AND RECREATION LAWRENCE GRECH	BALLON TWISTER FOR EVENT	5/2015	789	150.00
15-0051	01-00530	TODD D. ABRELL	PREVENTATIVE MAINTENANCE	5/2015	6540	250.00
15-0338	01-A0114	PHIL & HELEN SCHUMINSKY MUS	STORAGE RENTALS	5/2015	201505271194	87.00
15-1934	01-A0223	ABRAKADOODLE OKC	SUMMER CAMP ART PROGRAM	5/2015	201505261179	525.00
15-1916	01-B0160	SPORT SUPPLY GROUP INC	SPORTS EQUIPMENT FOR CAMP	5/2015	96938286	137.16
15-1149	01-B1019	BEN E KEITH FOOD SERVICE	SNACKS FOR ASP	5/2015	62737912	81.60
15-1891	01-B1026	B&C APPAREL	T-SHIRTS FOR TAILS EVENT	5/2015	29302	618.00
15-1491	01-N0108	SPRINT SOLUTIONS, INC.	ASP/CAMP CELL PHONES	5/2015	597274785-085	155.52
DEPARTMENT TOTAL:						2,004.28

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 15						
15-0312	01-03660	GENERAL GOVERNMENT	COX COMMUNICATIONS	TELEPHONE/INTERNET	5/2015 201505261181	6,262.80
15-0338	01-A0114	PHIL & HELEN SCHUMINSKY MUS	STORAGE RENTALS	5/2015 201505271194		230.00
15-0313	01-D0088	DEPT OF CORRECTIONS	INMATE LABOR	5/2015 UNC2015-MUS-3160		61.83
15-0131	01-K0127	KG HOLDINGS	STAGE INCENTIVE PAY	5/2015 201505261168		4,833.33
15-0170	01-N0025	FIRST CHOICE COFFEE	CITY HALL COFFEE SERVICE	5/2015 110055		63.65
15-0374	01-P1051	PITNEY BOWES	BULK POSTAGE	5/2015 201505271189		4,081.26
DEPARTMENT TOTAL:						15,532.87
DEPARTMENT: 18						
15-1674	01-E0065	TOWN CENTER	INTERLINE BRANDS, INC	SUPPLIES	5/2015 337112155	491.37
DEPARTMENT TOTAL:						491.37
DEPARTMENT: 19						
15-1902	01-B1019	BALL COMPLEX	BEN E KEITH FOOD SERVICE	BEVERAGES FOR CONCESSIONS	5/2015 62737622	2,062.45
15-1904	01-I1119	STEPHEN WHOLESALE CO, INC.	FOOD FOR CONCESSION	5/2015 403060		1,568.41
15-1599	01-N0025	FIRST CHOICE COFFEE	SUPPLIES FOR CONCESSION	5/2015 110057		225.55
15-2004	01-O1159	JOE OGLSBY	FLAG FOOTBALL OFFICIAL	5/2015 210		80.00
15-1790	01-P0144	BOTTLING GROUP, LLC	DRINKS FOR CONCESSIONS	5/2015 81137158		1,103.65
DEPARTMENT TOTAL:						5,040.06
DEPARTMENT: 20						
15-1969	01-B1019	AQUATICS	BEN E KEITH FOOD SERVICE	FOOD FOR CONCESSIONS	5/2015 62744881,62744609	1,274.95
15-2027	01-C0044	CARDINAL POOLS OF OK, INC	CHEMICALS FOR POOL	5/2015 205907		525.00
15-1971	01-I1119	STEPHEN WHOLESALE CO, INC.	FOOD FOR CONCESSIONS	5/2015 6295486		516.91
15-1968	01-P0144	BOTTLING GROUP, LLC	DRINKS FOR CONCESSION	5/2015 81137157		945.49
15-2028	01-R0049	REDLANDS COMM. COLLEGE	LIFEGUARD TRAINING	5/2015 42315/03		610.00
15-1470	01-S9983	SUNBELT POOLS, INC	REPAIRS TO POOL	5/2015 15532-1		20,000.00
15-2044	01-S9983	SUNBELT POOLS, INC	REPAIR POOL	5/2015 15532-1-		4,267.00
DEPARTMENT TOTAL:						28,139.35

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 31 COMMUNITY DEVELOPMENT						
15-1921	01-M0170	DAVID L. MORRIS	NEW TIRES & ALIGNMENT	5/2015	201505261185	365.00
DEPARTMENT TOTAL:						365.00
DEPARTMENT: 41 POLICE						
15-1622	01-01370	STREETS LLC MECHANICAL	CONTRERPLACE EXHAUST FAN MOTOR	5/2015	46544	892.00
15-2000	01-03410	LETTERING EXPRESS	DECALS FOR UNIT 203	5/2015	36521	100.00
15-1926	01-B5525	BAKER BALLISTICS	BAKER PATROL BAT, BAG	5/2015	comm1131444	9,260.00
15-1619	01-L0014	LAW ENFORCEMENT TARGETS	PORTABLE RUNNER TARGET SY	5/2015	274494	1,896.64
15-0048	01-M0055	SANTIAGO BRENNANS MCDONALD	SPRISONER MEALS	5/2015	7003-134	309.06
15-1886	01-M0182	MUSTANG COLLISION CENTER,	IREPAIRS TO UNIT 203	5/2015	6854	1,470.70
15-0049	01-N0025	FIRST CHOICE COFFEE	COFFEE SERVICE	5/2015	110062	104.00
15-0026	01-Q0010	QUILL CORPORATION	OFFICE & JAIL SUPPLIES	5/2015	3725953	158.20
15-1322	01-S0206	STOLZ TELECOM, LLC	REMOVE EQUIPMENT/VEHICLES	5/2015	4733-0	455.00
15-0030	01-T0029	THOMSON WEST PUBLISHING	MISC NEWSLETTERS	5/2015	0831661569	19.93
15-1210	01-W0020	WALMART COMMUNITY BRC	OFFICE SUPPLIES, JAIL SUP	5/2015	201505271190	109.65
15-1885	01-W0020	WALMART COMMUNITY BRC	EXTERIOR HARD DRIVE	5/2015	201505271191	175.86
15-1181	01-W0167	DYLAN WILSON	TUITION REIMBURSEMENT	5/2015	201505291197	700.00
DEPARTMENT TOTAL:						15,651.04
DEPARTMENT: 42 ANIMAL CONTROL						
15-1210	01-W0020	WALMART COMMUNITY BRC	OFFICE SUPPLIES, JAIL SUP	5/2015	201505271190	91.65
DEPARTMENT TOTAL:						91.65
DEPARTMENT: 51 FIRE						
15-1543	01-00740	STACYS CUSTOM STRIPES	LETTERING FOR VEHICLES	5/2015	2648	500.00
15-1994	01-01700	COMLINK	BATTERIES FOR RADIOS	5/2015	21609	148.15
15-1828	01-A0110	ALL SEASON BUILDING SUPPLY,	BUILDING MAINT.	5/2015	29225	25.62
15-0136	01-C1118	CLEANERS OF PEBBLECREEK	UNIFORM CLEANING	5/2015	L39957	7.60
15-0134	01-G0040	GENTRY SERVICE & REPAIR,	INH VAC MAINTENANCE	5/2015	150464	400.00
15-1831	01-00025	O'REILLY AUTOMOTIVE, INC	VEHICLE REPAIR - MAINT.	5/2015	0309-449426	16.21
15-1985	01-00061	BILL JUSTICE	HEARTSAVER CARS, ACLS CAR	5/2015	115	70.00
15-1854	01-P0161	PHYSIO CONTROL	PEDIATRIC FAST PATCHES	5/2015	S3569580	367.79
15-1043	01-W0020	WALMART COMMUNITY BRC	CLEANING SUPPLIES	5/2015	201505261188	270.52
15-1380	01-W0020	WALMART COMMUNITY BRC	MISC SUPPLIES	5/2015	201505261187	37.82
15-1602	01-W0020	WALMART COMMUNITY BRC	MISC. CHARGES FOR APRIL	5/2015	201505261186	89.27
DEPARTMENT TOTAL:						1,932.98
FUND TOTAL:						76,246.43

5/29/2015 9:01 AM
FUND: 05 - PARK IMPROVEMENT

PURCHASE ORDER CLAIM REGISTER

PAGE: 4
SUMMARY REPORT

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 00		ADMINISTRATION				
15-1808	01-L0070	LUTHER SIGN CO, INC.	SIGNS FOR DOG PARK	5/2015	10272	640.60
DEPARTMENT TOTAL:						640.60
FUND TOTAL:						640.60

5/29/2015 9:01 AM
FUND: 07 - LIBRARY FUND

PURCHASE ORDER CLAIM REGISTER

PAGE: 5
SUMMARY REPORT

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 07 ADMINISTRATION						
15-2048	01-G0030	GENERAL FUND	TRANSFER STATE AID FUNDS	5/2015	201505291198	7,000.00
15-2019	01-H0003	THE OLD HARDWARE STORE, INC	BOOK FOR LIBRARY	5/2015	20517	55.00
DEPARTMENT TOTAL:						7,055.00
FUND TOTAL:						7,055.00

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 15						
15-1401	01-T0800	GENERAL GOVERNMENT DATA MANAGEMENT, INC.	TIMECLOCK PLUS	5/2015	351044	7,310.09
DEPARTMENT TOTAL:						7,310.09
DEPARTMENT: 41						
15-1849	01-W0020	POLICE WALMART COMMUNITY BRC	NEW VEHICLE FLOORMATS	5/2015	201505271192	71.64
DEPARTMENT TOTAL:						71.64
DEPARTMENT: 51						
15-1189	01-S0206	FIRE STOLZ TELECOM, LLC	RADIOS INSTALLED & OUTFIT	5/2015	4298-0	7,771.29
DEPARTMENT TOTAL:						7,771.29
FUND TOTAL:						15,153.02

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 00						
15-1975	01-00910	JOHN A. MUNNEKE, MD	WORKERS COMP CLAIM	5/2015	201505261173	536.62
15-1979	01-01920	MCMC, LLC	WORKERS COMP CLAIM	5/2015	201505261174	43.70
15-1976	01-A87	ASSOCIATED UNDERWRITERS, INEXCESS WC POLICY		5/2015	501192	6,155.00
15-2031	01-K0014	KENT C HENSLEY MD	WORKERS COMP CLAIM	5/2015	201505261176	500.00
15-1978	01-M0240	HEALTHSMART BENEFIT SOLUTION	WORKERS COMP CLAIM	5/2015	201505261172	420.00
15-2030	01-00175	OK TAX COMMISSION	WORKERS COMP CLAIM	5/2015	201505261177	198.69
15-1977	01-P0149	PHARMTOX SOLUTIONS	WORKERS COMP CLAIM	5/2015	201505261175	1,807.21
DEPARTMENT TOTAL:						9,661.22
FUND TOTAL:						9,661.22

May 2015

VISA

511	CITY MANAGER	\$ 121.15
512	LIBRARY	\$ 1,600.00
513	PARKS & RECREATION	\$ 7,500.00
515	GENERAL GOVERNMENT	\$ 4,300.00
518	TOWN CENTER	\$ 3,500.00
521	FINANCE	\$ 185.06
531	COMM. DEV.	\$ 200.00
541	POLICE	\$ 1,800.00
551	FIRE	\$ 6,000.00
	TOTAL	\$ 25,206.21

May 2015 PAYROLL

<u>DEPT</u>		
511	CITY MANAGER	\$ 38,785.47
512	LIBRARY	\$ 37,716.01
513	PARKS & RECREATION	\$ 80,403.13
518	TOWN CENTER	\$ 6,883.03
519	BALL COMPLEX	\$ 20,090.63
520	AQUATICS	\$ 13,827.70
521	FINANCE	\$ 53,312.20
531	COMMUNITY DEVELOPMENT	\$ 41,670.97
541	POLICE	\$ 252,165.55
542	ANIMAL CONTROL	\$ 3,971.80
543	OHSG GRANT	\$ 3,293.59
551	FIRE	\$ 173,743.22
TOTAL		\$ 725,863.30

CITY OF MUSTANG

AGENDA ITEM COMMENTARY

- 1. ITEM NO.** F-3
- 2. DATE** June 2, 2015
- 3. TITLE:** Approval to turn past due utility accounts over to the collection agency.
- 4. COUNCIL ACTION:** Approve or Deny
- 5. INITIATOR:** Janet Watts, Finance Director,
- 6. BACKGROUND:** The attached utility accounts are past due and need to be sent to collections. Total balance is \$2,456.29 excluding collection agency fees.
- 7. STAFF SOURCE:** Janet Watts
- 8. FINANCIAL IMPACT:** Bad debt write-off of \$2,456.29
- 9. STAFF COMMENTS:** Recommends turning accounts over to collections.
- 10. CITY ATTORNEY'S COMMENTS:**
- 11. RESOLUTION/ORDINANCE NO.** N/A

JANA FERRELL - COLLECTIONS

06/02/2015

ACCOUNT NUMBER	NAME	SERVICE ADDRESS	MAILING ADDRESS	BALANCE	AGENCY FEE	TOTAL FEE
21-0065-14-0 START DATE: 6-18-14 FINAL DATE: 3-23-15	BRADSTREET, TROY	218 N CANADIAN TERR MUSTANG, OK 73064	218 N CANADIAN TERR MUSTANG, OK 73064	\$ 336.92		
22-0881-08-0 START DATE: 1-29-14 FINAL DATE: 3-31-15	BURGESS, DANIEL	253 E ATLANTA TERR MUSTANG, OK 73064	329 E CHARLOTTE TERR MUSTANG, OK 73064	\$ 119.98		
15-0046-07-0 START DATE: 1-2-15 FINAL DATE: 4-8-15	CAGLE, JANESEA	429E HILLCREST LN MUSTANG, OK 73064	808 MONTREAL DR YUKON, OK 73099	\$ 168.61		
09-0264-01-0 START DATE: 2-27-14 FINAL DATE: 4-3-15	CLARK, SHANE	825 W PERRY DR MUSTANG, OK 73064	2590 ANTHONYS CIRCLE STEAMBOAT SPRINGS, CO 80487	\$ 119.90		
14-0228-07-0 START DATE: 5-23-13 FINAL DATE: 3-31-15	EDWARDS, REBECCA	107 E FORSTER LN MUSTANG, OK 73064	107 E FORSTER LN MUSTANG, OK 73064	\$ 67.44		
17-0054-07-0 START DATE: 9-15-10 FINAL DATE: 3-30-15	FETTERS, FRANK & MISTY	332 E HILLCREST LN MUSTANG, OK 73064	905 SHINNEY BRIDGE CT YUKON, OK 73099	\$ 74.58		
06-0410-05-0 START DATE: 4-15-14 FINAL DATE: 3-30-15	FOSTER, PAUL	911 W PRAIRIE WIND WAY MUSTANG, OK 73064	6122 HILLSIDE DR ALGER, MI 48610	\$ 58.91		
22-0036-11-0 START DATE: 3-8-13 FINAL DATE: 4-15-15	FREEMAN, DEAVON	401 E MAGNOLIA TERR MUSTANG, OK 73064	401 E MAGNOLIA TERR MUSTANG, OK 73064	\$ 119.07		
05-0131-07-0 START DATE: 11-12-14 FINAL DATE: 4-9-15	HERVEY, MICHAEL	318 W WINDSOR WAY MUSTANG, OK 73064	1601 GLEN OAK RD NORMAN, OK 73026	\$ 97.75		
06-0148-03-0 START DATE: 6-20-14 FINAL DATE: 4-9-15	HORTON, ANGELA S	910 W KYLE WAY MUSTANG, OK 73064	815 E SUERA TERR MUSTANG, OK 73064	\$ 41.19		
14-0057-06-0 START DATE: 6-10-13 FINAL DATE: 4-6-15	LOONEY, BRANDON	927 S LEWIS LN MUSTANG, OK 73064	927 S LEWIS LN MUSTANG, OK 73064	\$ 378.15		
21-0213-07-0 START DATE: 12-15-14 FINAL DATE: 3-26-15	REDMON, SUZANNE	238 N CANADIAN TERR MUSTANG, OK 73064	238 N CANADIAN TERR MUSTANG, OK 73064	\$ 203.58		
09-0256-05-0 START DATE: 5-13-13 FINAL DATE: 4-6-15	STEELMAN, ALLEN	826 W PERRY DR MUSTANG, OK 73064	101 LOCHWOOD LN YUKON, OK 73099	\$ 108.53		
06-0155-01-0 START DATE: 2-10-14 FINAL DATE: 3-24-15	SULLIVAN, JOHN	1130 W GLADYS WAY MUSTANG, OK 73064	5001 S MORGAN RD OKC, OK 73179	\$ 26.85		
06-0045-03-0 START DATE: 6-24-10 FINAL DATE: 4-1-15	SWITCH, MELINDA	1109 W GRIGGS WAY MUSTANG, OK 73064	700 SAGEBRUSH YUKON, OK 73099	\$ 161.29		
06-0398-16-0 START DATE: 1-7-15 FINAL DATE: 4-2-15	VINSON, GARY & JENNIFER	923 W GRIGGS WAY MUSTANG, OK 73064	923 W GRIGGS WAY MUSTANG, OK 73064	\$ 103.91		
06-0432-05-0 START DATE: 11-13-12 FINAL DATE: 3-16-15	WARDLAW, KAMMY	216 N SHANNON WAY MUSTANG, OK 73064	2709 RYDER DR YUKON, OK 73099	\$ 55.36		
22-0539-01-0 START DATE: 11-13-02 FINAL DATE: 3-24-15	WEISSER, SANDRA	216 N MONTABELLA TERR MUSTANG, OK 73064	216 N MONTABELLA TERR MUSTANG, OK 73064	\$ 214.27		

ACCOUNTS: 18

TOTALS: \$ 2,456.29 \$ 859.70 \$ 3,315.99

CITY OF MUSTANG

AGENDA ITEM COMMENTARY

1. ITEM NO. F-4

2. MEETING DATE: June 2, 2015

3. TITLE:

Discussion, Consideration and Possible Action to Approve Resolution No. 15-055 for a Budget Supplemental in the General Fund for the Fiscal Year 2014-2015.

4. COUNCIL ACTION: Approve/Deny

5. INITIATOR: Janet Watts, Finance Director

6. BACKGROUND:

The City has collected revenues in excess of the original budgeted projections in fiscal year 2015. Sales tax is recorded as revenue within the General Fund and transfers a dedicated portion to the Mustang Improvement Authority as required by the revenue bond indenture.

A supplemental appropriation to increase the General Fund in the amount of \$610,000 to be appropriated in fiscal year 2015.

7. FINANCIAL IMPACT:

8. STAFF COMMENTS:

9. STAFF SOURCE: Janet Watts, Finance Director

10. ORDINANCE /RESOLUTION NO. 15-055

RESOLUTION NO. 15-055

A RESOLUTION TO MAKE CHANGES IN THE GENERAL FUND BUDGET BY MAKING A SUPPLEMENTAL APPROPRIATION TO INCREASE THE 2014-2015 FISCAL YEAR BUDGET BY \$610,000.

WHEREAS, The City has collected revenues in excess of the original budgeted projections in fiscal year 2015. Sales tax is recorded as revenue within the General Fund and transfers a dedicated portion to the Mustang Improvement Authority as required by the revenue bond indenture;

WHEREAS, the Council desires to appropriate funds;

NOW THEREFORE, BE IT RESOLVED, by the Council that the following supplemental appropriation be made:

SUPPLEMENTAL APPROPRIATION

Revenues:	
Sales Tax (01-42173)	\$340,000
Transfer from MIA (01-46868)	170,000
Use Tax (01-42174)	<u>100,000</u>
Total	<u>\$610,000</u>

Expenditures:	
Transfer to MIA Sales Tax (01-516-5868)	\$340,000
Fund Balance Reserve (01-517-5555)	<u>270,000</u>
Total	<u>\$610,000</u>

This is to certify that the above and foregoing Resolution was dully **ADOPTED** and **APPROVED** by the Mayor and City Council this **2nd** day of **June 2015**.

Mayor

ATTEST:

City Clerk

City of Mustang
City Council
Agenda Item Commentary

1. ITEM NO. F-5
2. MEETING DATE: June 2, 2015
3. TITLE: Approval to deny Tort Claim by Rudy Frescas, date of incident May 2, 2015, in the amount of \$287.97.
4. COUNCIL ACTION: Approve/Deny
5. INITIATOR: Lisa Martin, City Clerk
6. BACKGROUND:

Claimant, Rudy Frescas, submitted this tort claim May 16, 2015, for damage to tires he stated was caused from hitting a pot hole on Sara Rd between State Highway 152 and SW 59th Street on Saturday, May 2nd at 10:30 pm. Claim was submitted to the Oklahoma Municipal Assurance Group (OMAG) who investigated the claim and recommended it be denied, stating they found no liability on the City's part for this claim. The claimant will have 180 days after notification of denial to file any lawsuit.

The next agenda item is also for damage to tires from hitting the same pot hole early Monday morning, May 4th. The City was notified by both claimants the morning of May 4th and repairs were made immediately. The City was not aware of the pot hole until notification that morning after the vehicles had hit the hole.

7. FINANCIAL IMPACT:
8. STAFF COMMENTS: Recommend Approval
9. STAFF SOURCE: Timothy Rooney, City Manager
10. RESOLUTION / ORDINANCE NO.



Oklahoma Municipal Assurance Group

3650 S. Boulevard • Edmond, OK 73013-5581 • 405/657-1400 • 800/234-9461 • fax: 405/657-1401 • www.omag.org

May 21, 2015

City of Mustang
Attn: Lisa Martin
1501 N. Mustang Road
Mustang, OK 73064

RE: Member : City of Mustang
Claimant : Rudy Frescas
Date of Loss : 5/2/2015
Claim No. : 200434-LR

Dear Ms. Martin:

We have completed our investigation regarding the above referenced claim. It is our recommendation to the City of Mustang that this claim be denied. We find no liability on the City's part regarding this incident.

Under the Governmental Tort Claims Act, 51 Okla. Sec. 157(A), this claim will be deemed denied ninety (90) days after it was received by the City of Mustang. 51 Okla. Stat. Sec. 157 (B) requires any lawsuit under the Act to be commenced within one hundred eighty (180) days after denial of the claim.

Thus to begin the 180-day statute of limitations prior to 8/16/15, you must deny this claim in writing before 8/16/15. For the 180-day period to start running, the claimant **must be notified at the address on the claim within five (5) days of the denial.** To document compliance with the Act, we recommend that you send notice of denial of this claim by certified mail.

Please advise us as soon as possible of any official action taken by you on denial of this claim.

Sincerely,

Lori Randall
Claims Examiner



Oklahoma Municipal Assurance Group

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May 21, 2015

Rudy Frescas
11124 SW 42nd Place
Mustang, OK 73064

RE: Member : City of Mustang
 Claimant : Rudy Frescas
 Date of Loss : 5/2/2015
 Claim No. : 200434-LR

Dear Mr. Frescas:

As the adjuster for the Oklahoma Municipal Assurance Group, the insurer for the City of Mustang, I am recommending denial of this claim and find no liability on the City's part for this claim.

A municipality may be liable only if it had prior notice of a defect or problem and failed to take appropriate remedial action within a reasonable time before the damage occurred.

The City of Mustang had no notice of this issue prior to your incident. Based on this information we are recommending denial of this claim to the City of Mustang.

Sincerely,

Lori Randall
Claims Examiner

cc: City of Mustang



Oklahoma Municipal Assurance Group

3650 S. Boulevard • Edmond, OK 73013-5581 • 405/657-1400 • 800/234-9461 • fax: 405/657-1401 • www.omag.org

May 19, 2015

Rudy Frescas
11124 SW 42nd Place
Mustang, OK 73064

Re: Member	:	City of Mustang
Claimant	:	Rudy Frescas
Date of Loss	:	5/2/2015
Claim Number	:	200434-LR

Dear Mr. Frescas,

This will acknowledge receipt of the above captioned claim. The undersigned will be directing the handling of this matter and will be in touch in the near future.

Sincerely,

Lori Randall
Claims Examiner

LR/jp

cc: City of Mustang

Lisa Martin

From: Rudy Frescas
Sent: Saturday, May 16, 2015 2:33 PM
To: Lisa Martin
Subject: Re: City of Mustang - Tor Claim
Attachments: Tort Claim Form.pdf; Rim Repair.pdf; Hibdon Alignment Quote.pdf; Big O Alignment Quote.pdf; Walmart Tire Quote.pdf; Hibdon Tire Quote.pdf; Honda Title copy.pdf; IMG_4014.jpg; IMG_4013.jpg; IMG_4002.jpg; IMG_4012.jpg

Good Morning,

Attached is the Tort Claim along with all the required documents for this claim. I was waiting for the repairs on the rim itself to ensure it could be salvaged. It was repaired yesterday and the attached estimates are for alignment and a new tire (size 205/40/17). Please let me know if there is anything else that you may need. I went to the site the same day we spoke and found the pothole was filled in earlier that morning but I will still attach some photos. Thank you for all of your help on this matter.

-Rudy Frescas

On Mon, May 4, 2015 at 10:05 AM, Lisa Martin <lmartin@cityofmustang.org> wrote:

Good morning,

Attached is the Tort Claim form we discussed this morning. Please complete the first page and return to me - email is fine or you can deliver or mail to the address listed below.

Remember to attach either an estimate or an invoice with it and if you have pictures, please attach those as well.

Thanks,

Lisa Martin

City Clerk, City of Mustang

1501 N. Mustang Road

Mustang, OK 73064

[\(405\) 376-7700](tel:4053767700)

NOTICE OF TORT CLAIM**OKLAHOMA MUNICIPAL ASSURANCE GROUP - MUNICIPAL LIABILITY PROTECTION PLAN****A. CLAIMANT REPORT**

To the City of Mustang, Oklahoma
Public entity you are filing this claim against.

PLEASE PRINT OR TYPE AND SIGN

IMPORTANCE NOTICE: The filing of this form with the City Clerk's office is only the initial step in the claim process and does not indicate in any manner the acceptance of responsibility by the City or its related entities. Written notice is required by law and shall be filed with the City Clerk within one (1) year from the date of occurrence. It will then be sent to OMAG Claims Dept. for investigation. You may expect them to contact you. Failure to file within such time frame may result in the claim being barred in its entirety. Other limitations to your claim may apply (See Oklahoma Statutes Title 51, Section 151-172).

CLAIMANT(S) Rudy Frescas CLAIMANT(S) SOCIAL SECURITY NO.
ADDRESS 11124 SW 42nd Place CLAIMANT(S) DATE OF BIRTH
PHONE: HOME () BUS. () N/A

Continue on another sheet if needed
for any information requested)

1. DATE AND TIME OF INCIDENT May 2nd/ () a.m. (1030) p.m.
2. LOCATION OF INCIDENT Sara Road, Southbound lane, between SH 152 and SW 59th
3. DESCRIBE INCIDENT While driving southbound on Sara rd., I drove over a deep pothole with my passenger side tires. Upon exiting the vehicle, I then inspected the wheels for damage and found that the rim and tire on the front passenger side were visibly damaged. Car also is pulling to one side which indicates the alignment will now require service or calibration.

4. LIST ALL PERSONS AND/OR PROPERTY FOR WHICH YOU ARE CLAIMING DAMAGES:

BODILY INJURY: WAS CLAIMANT INJURED? YES NO X If yes, complete this section

Describe injury

WERE YOU ON THE JOB AT THE TIME OF INJURY? YES NO If so, please give name, address and phone number of company

NAME OF DOCTOR OR HOSPITAL

ALL MEDICAL BILLS (attach Copies) \$
LIST OTHER DAMAGES CLAIMED \$
TOTAL BODILY INJURY..... \$

PROPERTY DAMAGE: Proof that you are the owner of the vehicle or property allegedly damaged as specified in your claim will be required.

VEHICLE NAME Honda Civic BODY TYPE Coupe YEAR 1997

NOTE: If damage is to a vehicle, a photocopy of your motor vehicle title is required.

IF NOT A VEHICLE, DESCRIBE PROPERTY AND LOSS

PROPERTY DAMAGE (Attach repair bills or two estimates) \$ 287.97
LIST OTHER DAMAGES CLAIMED \$ \$0.00
TOTAL PROPERTY \$ 287.97

5. NAME OF YOUR INSURANCE CO. USAA CASUALTY INSURANCE POLICY NO. AMOUNT CLAIMED \$0.00 AMOUNT RECEIVED \$0.00

6. The names of any witnesses known to you.

N/A

Name	Address	Phone Number
<u></u>	<u></u>	<u></u>
<u></u>	<u></u>	<u></u>

STATE THE EXACT AMOUNT OF COMPENSATION YOU WOULD ACCEPT AS FULL SETTLEMENT ON THIS CLAIM.

TOTAL CLAIM \$ 287.97

SIGNATURE(S) 

15 May 2015
DATE

B. THIS SECTION IS FOR USE BY THE PUBLIC ENTITY WHICH RECEIVES THE CLAIM

To inquire about this claim you may write to OMAG Claims Dept. or call 1-800-234-9461; or in Edmond call 657-1400

This Notice of Tort Claim was received by Lisa Martin
(Title) City Clerk, on May 18, 20 15

For further information on this claim contact Lisa Martin
(Title) City Clerk, by telephone at (405) 376-7700

The following reports, statements or other documentation, which support our understanding of the facts relating to this claim, are attached:

Dale Simpson Street Sup 405-317-9046
SilverStar Const.

Persons who have knowledge of the circumstances surrounding this claim are:

	<u>Name</u>	<u>Title/Position</u>	<u>Telephone</u>
1.			
2.			
3.			
4.			

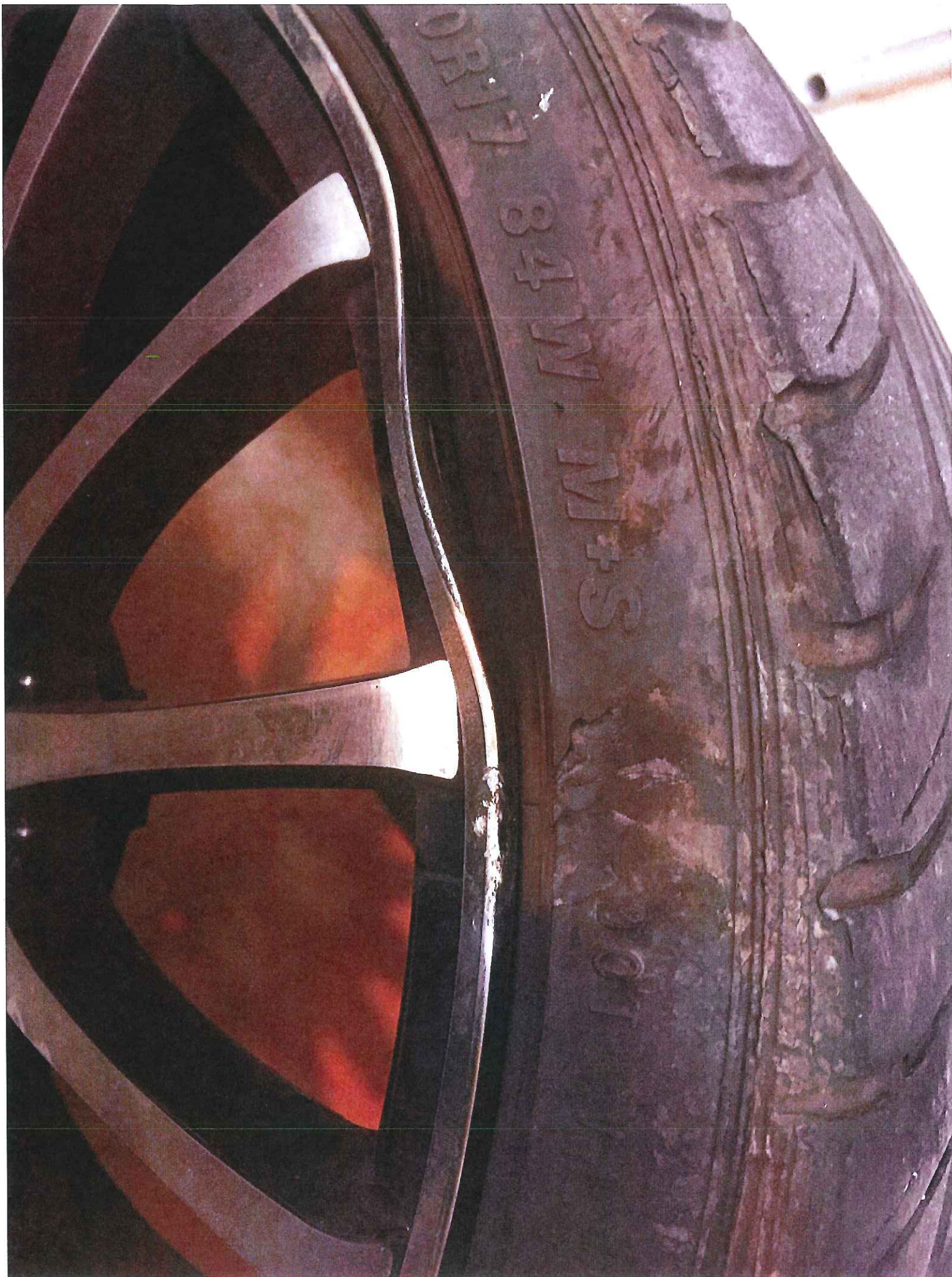
Submitted by: Lisa Martin Date 5-18, 20 15

Title: _____

AFTER THE PUBLIC ENTITY HAS RECEIVED THIS CLAIM, PLEASE PROVIDE INFORMATION REQUESTED ABOVE AND IMMEDIATELY SEND TO:

OMAG Claims Dept.
3650 S. Boulevard
Edmond, OK 73013-5581
Fax (405) 657-1401







Wheel Repair

Reparación de Rines • Modificación y Reparación en Trailers de Trabajo
We Can Fix Most Rims • Buy, Sell & Trade Rims • New & Used Tires

3021 S. Robinson Oklahoma City, Ok73109

INVOICE

DATE / FECHA

5	15	15
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CUSTOMER / CLIENTE

NAME / NOMBRE

ADRESS / DOMICILIO

CITY / CIUDAD

TEL.

AL INSTRUCTIONS

Note: All finished work left more than 30 days can be sold to compensate for labor and material used. Thank you for your business.
 Todo trabajo terminado que no sea recogido después de 30 días, podrá ser vendido o utilizado para recuperar gastos de trabajo y materiales.

QUOTE
1018592
05/08/2015

HIBDON TIRES PLUS
13405 N. PENNSYLVANIA AVE
OKLAHOMA, OK. 73120-9008

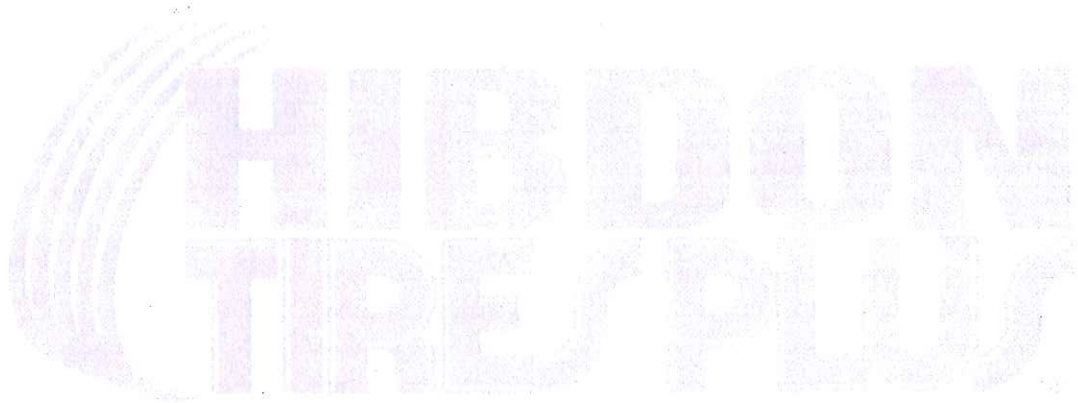
SERVICE ADVISOR:
06 GILBERT
405.749.0100

NO CUSTOMER

LIC # VIN #
IN 01/01/70 12:00AM EST. MILEAGE 0

Store # 329504

QUOTE								
Description	Article Number	T#	Qty	Part	Labor	Extended Price	Job Total	
ALIGNMENT SERVICE ALIGNMENT SERVICE	7004578		1		84.99	84.99	84.99	



Prices valid for 30 days.

Summary	
Parts	0.00
Labor	84.99
Shop Supplies	5.10
Sub	90.09
Tax	0.43
Total	90.52



THIS IS NOT AN INVOICE- DO NOT PAY

www.hibdoninc.com

HIBDON STD LP 7205592 - REV 12/12
Page 1 of 1

See reverse side for Warranty Information



We Support ASE
Testing and
Quote 1018592-405001

Page: 1

QUOTE ONLY

Quote No. -90281

Date 05/09/2015

Salesperson ROY HARRIS

BIG O TIRES #036040 6040

401 N. MUSTANG ROAD

MUSTANG, OK 73064

Phone

(405) 237-3232

BAR No.

EPA No.

Not an Invoice - Do not Pay

Part Number	Description	Qty	FET	Each	Extended
LAB AL41Y	1 YEAR COMPLETE WHEEL ALIGNMENT	1.0	0.00	79.99	79.99

All Parts are new, unless otherwise specified.

Quote Totals

Shop Supplies	4.80
FET	0.00
SubTotal	79.99
Sales Tax	0.00
Total:	84.79

Walmart
Tire & Lube Express

Dealer Info

WAL-MART SUPERCENTER #517
951 E STATE HIGHWAY 152
MUSTANG, OK 73064

(405) 376-4549

Name	Description	Qty	Retail Cost	Total
1087816	205/40ZR17XL, Nitto, Neo Gen	1	\$90.00 FET \$0.00	\$90.00

Taxes not included. Additional state fees and disposal fees may apply

Sub Total	\$90.00
Tax	\$0.00
Total	\$90.00

Valve Stem \$3
Road hazard \$10
Rotation \$9
Mounting \$5

Before tax \$117

Destiny Hanley

QUOTE
1018592
05/08/2015

HIBDON TIRES PLUS
13405 N. PENNSYLVANIA AVE
OKLAHOMA, OK. 73120-9008

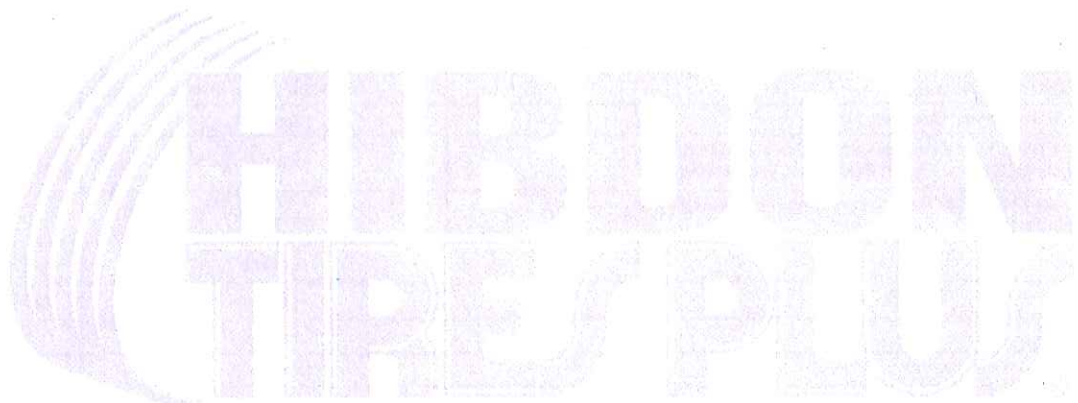
SERVICE ADVISOR:
06 GILBERT
405.749.0100

NO CUSTOMER

LIC # VIN #
IN 01/01/70 12:00AM EST. MILEAGE 0

Store # 329504

QUOTE							Extended Price	Job Total
Description	Article Number	T#	Qty	Part	Labor			
FALKEN TIRE PACKAGE								115.26
28923780 ZIEX 912 BL 205/40R17 84W 40,000 Mile	114742		1	82.00			82.00	
Limited Warranty								
OKLAHOMA SCRAP TIRE FEE	7096822		1		2.50		2.50	
LIFETIME NEW TIRE WHEEL BALANCE LABOR	7013627		1		15.50		15.50	
LIFETIME RUBBER VALVE	7024341		1	0.50			0.50	
7006304 TIRE REPLACEMENT CERTIFICATE	7006304		1	14.76			14.76	
LOW PROFILE TIRE INSTALLATION	7006472		1		N/C		N/C	



Prices valid for 30 days.

Summary	
Parts	97.26
Labor	18.00
Shop Supplies	0.93
Sub	116.19
Tax	6.99
Total	123.18



THIS IS NOT AN INVOICE- DO NOT PAY

HIBDON STD LP 7008552 - REV 12/12
Page 1 of 1

See reverse side for Warranty Information



Quote# 1041027405001

City of Mustang
City Council
Agenda Item Commentary

1. ITEM NO. F-6
2. MEETING DATE: June 2, 2015
3. TITLE: Approval to deny Tort Claim by Scott Johnson, date of incident May 4, 2015, in the amount of \$1,964.89.
4. COUNCIL ACTION: Approve/Deny
5. INITIATOR: Lisa Martin, City Clerk
6. BACKGROUND:

Claimant, Scott Johnson, submitted this tort claim May 5, 2015, for damage to tires he stated was caused from hitting a pot hole at the intersection of Sara Rd and Suera Terrace on Monday, May 4th at 6:45 am. Claim was submitted to the Oklahoma Municipal Assurance Group (OMAG) who investigated the claim and recommended it be denied, stating they found no liability on the City's part for this claim. The claimant will have 180 days after notification of denial to file any lawsuit.

The previous agenda item is also for damage to tires from hitting the same pot hole Saturday night, May 2nd. The City was notified by both claimants the morning of May 4th and repairs were made immediately. The City was not aware of the pot hole until notification that morning after the vehicles had hit the hole.

7. FINANCIAL IMPACT:
8. STAFF COMMENTS: Recommend Approval
9. STAFF SOURCE: Timothy Rooney, City Manager
10. RESOLUTION / ORDINANCE NO.



Oklahoma Municipal Assurance Group

3650 S. Boulevard • Edmond, OK 73013-5581 • 405/657-1400 • 800/234-9461 • fax: 405/657-1401 • www.omag.org

May 15, 2015

City of Mustang
Attn: Lisa Martin
1501 N. Mustang Road
Mustang, OK 73064

RE: Member : City of Mustang
Claimant : Scott Johnson
Date of Loss : 5/4/2015
Claim No. : 200373-KW

Dear Ms. Martin:

We have completed our investigation regarding the above referenced claim. It is our recommendation to the City of Mustang that this claim be denied. We find no liability on the City's part regarding this incident.

Under the Governmental Tort Claims Act, 51 Okla. Sec. 157(A), this claim will be deemed denied ninety (90) days after it was received by the City of Mustang. 51 Okla. Stat. Sec. 157 (B) requires any lawsuit under the Act to be commenced within one hundred eighty (180) days after denial of the claim.

Thus to begin the 180-day statute of limitations prior to 8/3/15, you must deny this claim in writing before 8/3/15. For the 180-day period to start running, the claimant **must be notified at the address on the claim within five (5) days of the denial**. To document compliance with the Act, we recommend that you send notice of denial of this claim by certified mail.

Please advise us as soon as possible of any official action taken by you on denial of this claim.

Sincerely,

Kyle Waid
Claims Examiner



Oklahoma Municipal Assurance Group

3650 S. Boulevard • Edmond, OK 73013-5581 • 405/657-1400 • 800/234-9461 • fax: 405/657-1401 • www.omag.org

May 15, 2015

Scott Johnson
3800 St. Augustine
Mustang, OK 73064

RE: Member : City of Mustang
Claimant : Scott Johnson
Date of Loss : 5/4/2015
Claim No. : 200373-KW

Dear Mr. Johnson:

As the adjuster for the Oklahoma Municipal Assurance Group, the insurer for the City of Mustang, I am recommending denial of this claim and find no liability on the City's part for this claim.

Sincerely,

Kyle Waid
Claims Examiner

cc City of Mustang



Oklahoma Municipal Assurance Group

3650 S. Boulevard • Edmond, OK 73013-5581 • 405/657-1400 • 800/234-9461 • fax: 405/657-1401 • www.omag.org

May 6, 2015

Scott Johnson
3800 St. Augustine
Mustang, OK 73064

Re: Member	:	City of Mustang
Claimant	:	Scott Johnson
Date of Loss	:	5/4/2015
Claim Number	:	200373-KW

Dear Mr. Johnson,

This will acknowledge receipt of the above captioned claim. The undersigned will be directing the handling of this matter and will be in touch in the near future.

Sincerely,

Kyle Waid
Claims Examiner

KW/jp

cc: City of Mustang

Lisa Martin

From: Scott Johnson
Sent: Tuesday, May 05, 2015 3:41 PM
To: Lisa Martin
Subject: Wheel Claim from Pot-Hole
Attachments: repair estimate.jpg; Tire Estimate.png; Tort Form.jpg; unnamed.jpg; unnamed1.jpg; unnamed2.jpg; unnamed3.jpg; unnamed4.jpg; unnamed5.jpg; unnamed6.jpg; unnamed7.jpg; unnamed8.jpg; unnamed9.jpg; unnamed10.jpg; WheelEstimate.png

Mrs. Martin,

Please see all photos of damages and the hole, in Sara Rd that caused this damage. I was only able to find one place that still has these wheels in stock.

As for the Tires, please make note "only" the R/F tire has sustained damage "broken sidewall cord/bubble in sidewall" and the R/R tire is still usable. Both R/R and R/F wheels were damaged, as pictured.

See attached estimate screen shots, damages, invoice, and Completed Tort form to help with your investigations. Also, I did see that the hole was repaired yesterday by 5:30pm and I do commend your team in the efforts they have made to restore our streets

Thank you for your time and please advise me ASAP, on the next steps to take as my vehicle is out of commission until repaired.

Scott Johnson

NOTICE OF TORT CLAIM

OKLAHOMA MUNICIPAL ASSURANCE GROUP - MUNICIPAL LIABILITY PROTECTION PLAN

A. CLAIMANT REPORT

To the City of Mustang

Public entity you are filing this claim against.

PLEASE PRINT OR TYPE AND SIGN

IMPORTANCE NOTICE: The filing of this form with the City Clerk's office is only the initial step in the claim process and does not indicate in any manner the acceptance of responsibility by the City or its related entities. Written notice is required by law and shall be filed with the City Clerk within one (1) year from the date of occurrence. It will then be sent to OMAG Claims Dept for investigation. You may expect them to contact you. Failure to file within such time frame may result in the claim being barred in its entirety. Other limitations to your claim may apply (See Oklahoma Statutes Title 51, Section 151-172).

CLAIMANT(S) Scott Johnson
ADDRESS 3800 St. Augustine
Mustang, OK 73064

CLAIMANT(S) SOCIAL SECURITY NO. [REDACTED]
CLAIMANT(S) DATE OF BIRTH [REDACTED]
PHONE: HOME [REDACTED]

Continue on another sheet if needed for any information requested)

- DATE AND TIME OF INCIDENT 5/4/13 (16:45) a.m. () p.m.
- LOCATION OF INCIDENT Intersection of SARA Rd & SUERA Terr.
- DESCRIBE INCIDENT I was driving south on SARA Rd, with on-coming traffic. At approx 35 miles per hour, I was unable to avoid pot-hole, as traffic was coming. Both RF & RR wheels were bent, RF wheel cracked, RF tire has side wall damage, & Alignment is off

4. LIST ALL PERSONS AND/OR PROPERTY FOR WHICH YOU ARE CLAIMING DAMAGES:

BODILY INJURY: WAS CLAIMANT INJURED? YES ☐ NO ☒ If yes, complete this section
Describe injury No injuries occurred, other than a good scare

WERE YOU ON THE JOB AT THE TIME OF INJURY? YES ☐ NO ☒ If so, please give name, address and phone number of company

NAME OF DOCTOR OR HOSPITAL N/A

ALL MEDICAL BILLS (attach Copies) \$ N/A

LIST OTHER DAMAGES CLAIMED \$ N/A

TOTAL BODILY INJURY.....\$ N/A

PROPERTY DAMAGE: Proof that you are the owner of the vehicle or property allegedly damaged as specified in your claim will be required.

VEHICLE NAME 2007 Chevrolet Tahoe BODY TYPE SUV YEAR 2007

NOTE: If damage is to a vehicle, a photocopy of your motor vehicle title is required.

IF NOT A VEHICLE, DESCRIBE PROPERTY AND LOSS

PROPERTY DAMAGE (Attach repair bills or two estimates) \$ 1,964.89

LIST OTHER DAMAGES CLAIMED \$ 0

TOTAL PROPERTY\$ 1,964.89

5. NAME OF YOUR INSURANCE CO. U.S.A.A. POLICY NO. [REDACTED] AMOUNT CLAIMED 0 AMOUNT RECEIVED 0

6. The names of any witnesses known to you.

Billy Loyd
Name

3209 Tenkiller Court
Address

[REDACTED]
Phone Number

Name

Address

Phone Number

STATE THE EXACT AMOUNT OF COMPENSATION YOU WOULD ACCEPT AS FULL SETTLEMENT ON THIS CLAIM.

TOTAL CLAIM\$ 1,964.89

Scott Johnson
SIGNATURE(S)

DATE

B. THIS SECTION IS FOR USE BY THE PUBLIC ENTITY WHICH RECEIVES THE CLAIM

To inquire about this claim you may write to OMAG Claims Dept. or call 1-800-234-9461; or in Edmond call 657-1400

This Notice of Tort Claim was received by Lisa Martin
(Title) City Clerk, on May 5, 20 15
For further information on this claim contact Lisa Martin
(Title) City Clerk, by telephone at (405) 376-7700

The following reports, statements or other documentation, which support our understanding of the facts relating to this claim, are attached:

Pictures of pot hole taken by our Street Superintendent
+ Email stating it was 2.5 inches deep at its worst

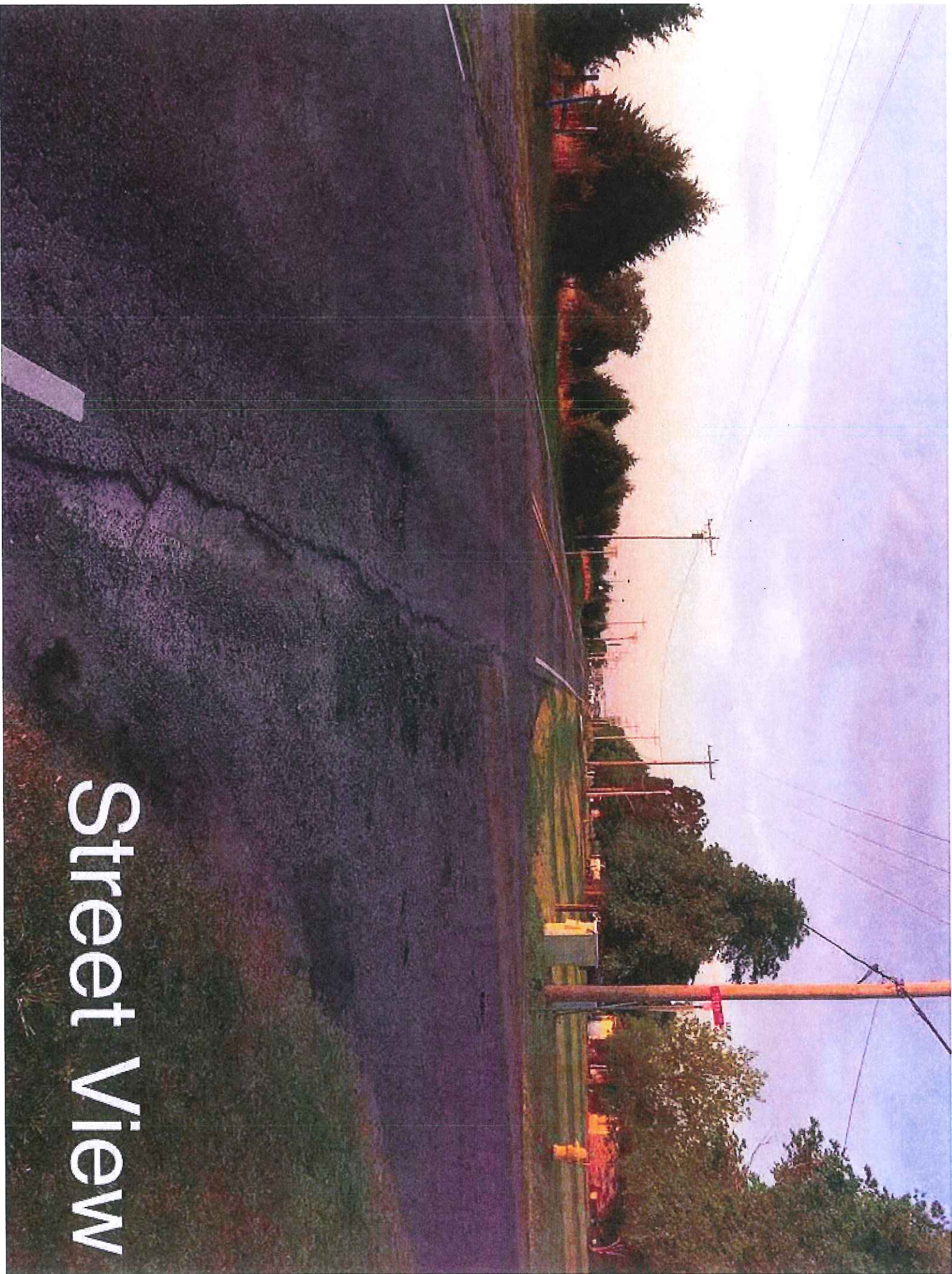
Persons who have knowledge of the circumstances surrounding this claim are:

	Name	Title/Position	Telephone
1.	<u>Dale Simpson</u>	<u>Silverstar Constr.</u> <u>Street Sup.</u>	<u>405-317-9046</u>
2.	<u></u>	<u></u>	<u></u>
3.	<u></u>	<u></u>	<u></u>
4.	<u></u>	<u></u>	<u></u>

Submitted by: Lisa Martin Date May 6, 20 15
Title: City Clerk

AFTER THE PUBLIC ENTITY HAS RECEIVED THIS CLAIM, PLEASE PROVIDE INFORMATION REQUESTED ABOVE AND IMMEDIATELY SEND TO:

OMAG Claims Dept.
3650 S. Boulevard
Edmond, OK 73013-5581
Fax (405) 657-1401

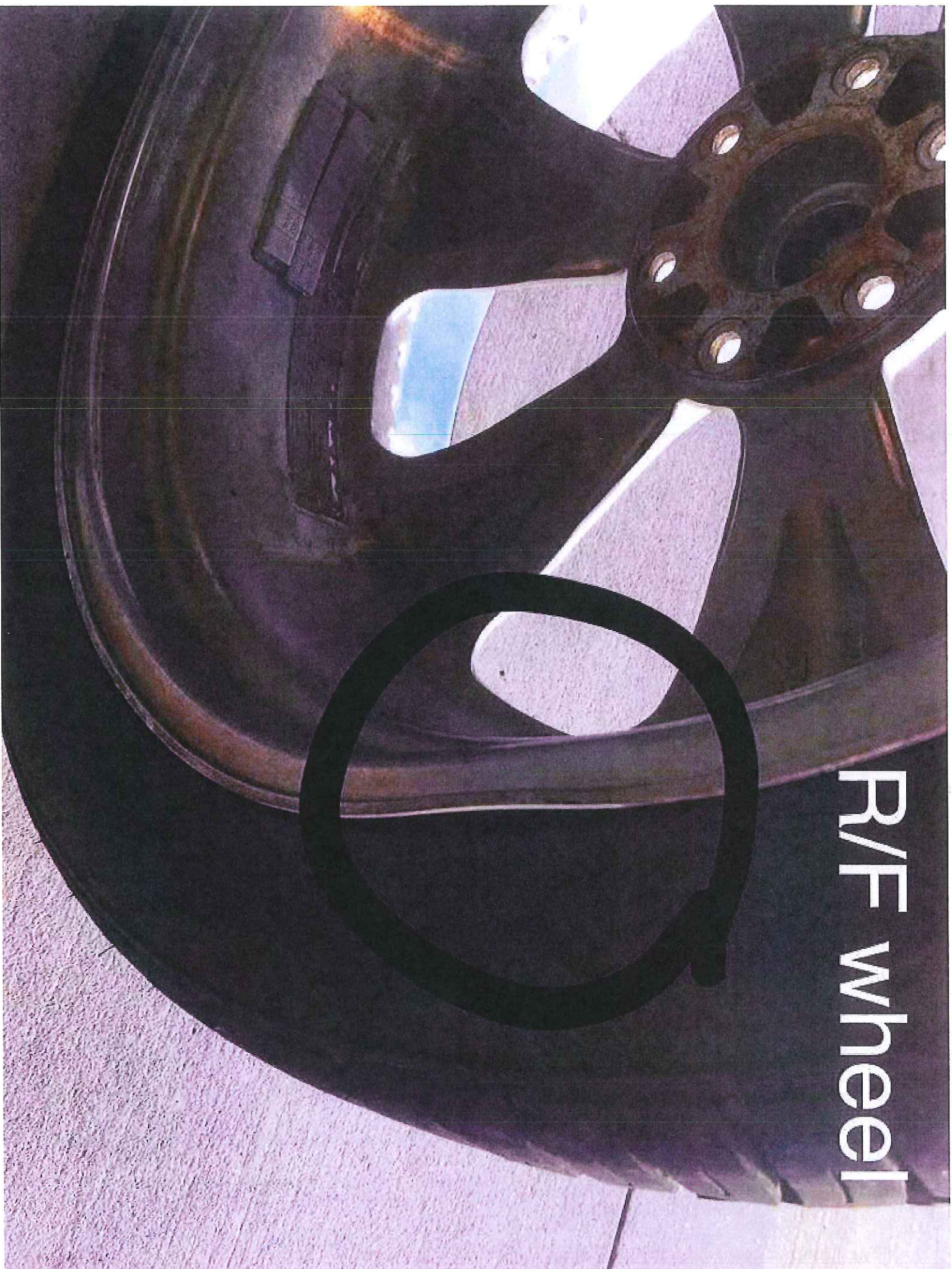


Street View

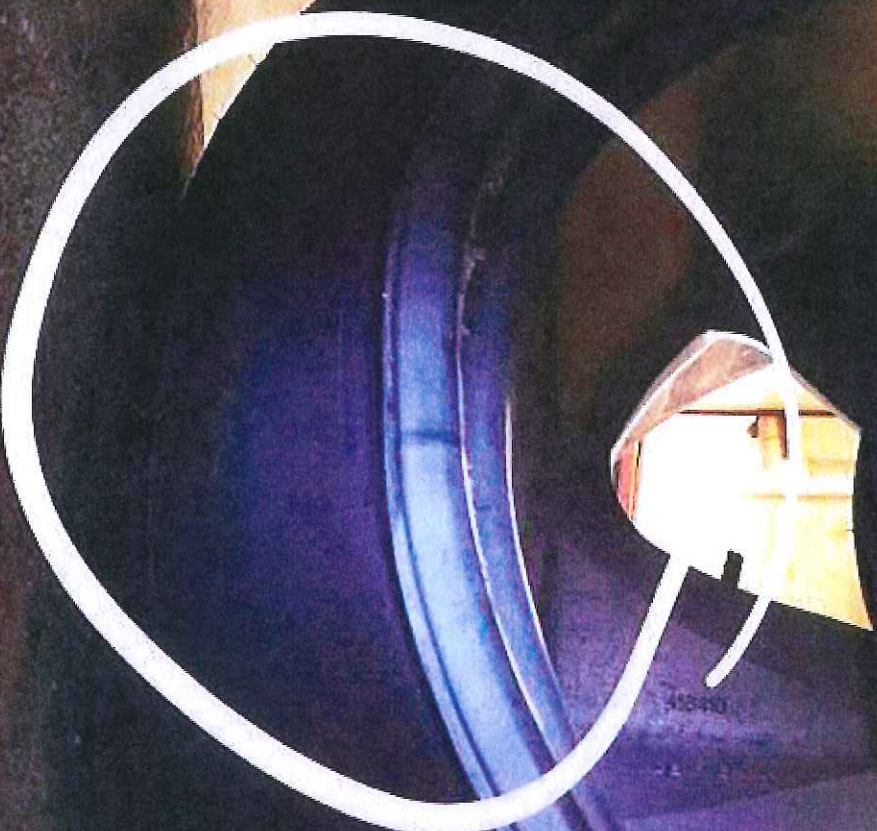
Close-Up of Hole



R/F wheel



R/R wheel damaged



COMBINED COSTS FROM
INTERNET ESTIMATES
DISCOUNTTIRES.COM
THEWHEELCONNECTION.COM

Invoice No.

INVOICE

Customer

Name Scott Johnson
Address 3800 St Augustine
City Mustang State ok ZIP 73064
Phone [REDACTED]

Date 10/2/1996
Order No.
Rep.
FOB

Qty	Description	Unit Price	TOTAL
0	www.thewheelconnection.com	\$0.00	\$0.00
2	Chip Foose Nitrous Six 24x10 Chrome wheel (R/R & R/F)	\$699.00	\$1,398.00
1	Shipping of wheels to Mustang, Ok	\$122.50	\$122.50
0		\$0.00	\$0.00
0	www.discounttire.com	\$0.00	\$0.00
1	Nitto 420S tire 295/35R24 (Right front tire)	\$293.00	\$293.00
2	Mount and Balance	\$16.00	\$32.00
1	Enviromental Fee (State Required)	\$3.50	\$3.50
1	Tax OK @ 8.85%	\$25.94	\$25.94
1	Alignment	\$89.95	\$89.95

Payment Details

- ☐ Cash
☒ Check
☐ Credit Card

Name
CC #

Expires

SubTotal	\$1,964.89
Shipping & Handling	\$0.00
Taxes State	
TOTAL	\$1,964.89

Office Use Only

Insert Fine Print Here

Insert Farewell Statement Here



Like

Tuesd

- ge
- Wheels
- Tires
- Gallery
- Blow-Out
Specials
- Spin

Select Make

Search By Brand

Test Drive The **All New Wheel Visualizer**



START HERE



Your Shopping Cart

Qty	Product	Price	Product Total
2	Foose NitrousSix 24x10 Chrome	\$699	\$1398
2			Subtotal before shipping \$1398
Empty CartUpdate QtyCalculate Shipping -->			

Important Shipping Instructions

All shipments sent via UPS ground.

No delivery on Saturday or Sunday.

For HI and AK residents UPS can only ship via 2nd day or overnight and shipping time will not be guaranteed.

All orders require 24-48 hours processing time before shipping.



 **Nitto**
NT 420S (40270)
295 /35 R24 110H XL BSW

qty:

1

[Update](#)[Special Order](#)**Tires****\$293.00**[Environmental Fee \(State Required\)](#)**\$3.50**[Installation & Lifetime Spin Balancing](#)**\$16.00**

We Recommend Certificates

Certificates for Repair, Refund or Replacement

With a certificate, if your tire fails due to defect, or incurs road hazard damage that cannot be repaired, Discount Tire will replace it at no additional charge down to 3/32" of tread remaining (Within the 1st 3 years of ownership).

[Learn More](#)

(1) Certificates for Nitto NT 420S

\$50.00

Your Total

Subtotal**\$312.50****OK 8.85% Sales Tax****\$25.94****Total "Out the Door" Price****\$338.44**[Checkout](#)

CITY OF MUSTANG
AGENDA COMMENTARY

1. ITEM: H-1

2. MEETING DATE: June 2, 2015

3. TITLE: Approval of Resolution 15-054, adding a vendor fee for outdoor sports complexes

4. COUNCIL ACTION: Approve/Deny

5. INITIATOR: Justin Battles, Assistant City Manager

6. BACKGROUND: Currently the City of Mustang allows vendors to set up and sell items in the sports complexes. Vendors are required to fill out a permit and pay a fee to set up in the complex. The Parks and Recreation Department requires the vendor not sell any items that compete with the concession stand operated by the City. The attached resolution sets the fee that will be required for a vendor to set up and operate.

League night vendor fee: \$25 per location
Tournament vendor fee: \$100 per location

7. FINANCIAL IMPACT:

8. STAFF'S COMMENTS: Staff recommends approval. Staff recommends an effective date of July 1.

9. STAFF SOURCE: Justin Battles, Assistant City Manager

RESOLUTION NO. 15-054

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MUSTANG
AMENDING RESOLUTION NO. 15-008; ADDING A VENDOR FEE FOR
OUTDOOR SPORTS COMPLEX; DECLARING REPEALER; ESTABLISHING
SEVERABILITY; AND DECLARING AN EFFECTIVE DATE**

Whereas, Wild Horse Park and the Community Center for the City of Mustang will be available for numerous events and participation by members of the Mustang community, and

Whereas, certain of these events and facilities will be available to the public at no charge; other of these facilities will be available to the public at a charge sufficient to provide and maintain the event or facility.

Whereas, the rates for these events and terms and conditions thereof are established and set forth for the benefit of the public.

**BE IT THEREFORE RESOLVED BY THE CITY COUNCIL OF THE
CITY OF MUSTANG;**

- 1) The following charges and rates are hereby established for events and facility use at Wild Horse Park Mustang Community Center and Aquatics Park.

I. WILD HORSE PARK RECREATION MEMBERSHIPS & FEES

1. BASEBALL, SOFTBALL, AND SOCCER COMPLEX

Adult Softball League Gate Fee \$2.00 per person

*No Gate charge for children Age 14 and under and persons 60 and over

Vendor Fees \$100 per weekend, \$25 per league night

2. AQUATICS COMPLEX

Gate Fees – Mustang Residents (any person living within the boundaries of the Mustang school district)

Regular Admissions \$5.00 per day

Seniors \$3.00 per day

*No charge for children Age 3 and under

Gate Fees – Non-Residency

Regular Admission \$5.00 per day

Group Admissions \$3.00 per day

Season Passes – Mustang Residents (any person living within the boundaries of the Mustang school district)

Individual Passes	\$55.00 per season
Family Passes	\$200.00 per season

Season Passes – Non-Residency

Individual Passes	\$65.00 per season
Family Passes	\$210.00 per season

Pool Parties

After Hours- 2 Hour Rental \$300

II. COMMUNITY CENTER RECREATION MEMBERSHIPS

1. **General Memberships** – Entitles individual access to Indoor Walking/Jogging Track; Gymnasium; Climbing Wall during designated hours. Also provides enrollment in aerobics at a discounted rate.(per year rate)

	<u>Resident (anyone with Mustang school district)</u>	<u>Non-Resident</u>
Senior Citizen (60 and over)	\$10.00 (Card Charge)	\$60.00
Individual	\$50.00	\$65.00
Family	\$115.00	\$175.00

Community Day: Sundays from 1:00 pm to 3:30 pm. Access to a General Membership Free to the public during these designated times.

2. **Deluxe Memberships** – General Membership plus onsite babysitting services on a first come-first served basis, use of the Cardio/Weight Room & Aerobics.

	<u>(Resident (anyone within Mustang school district)</u>	<u>Non-Resident</u>
Seniors	\$10.00 Month	\$25.00 Month
Individual	\$15.00 Month	\$37.00 Month
Family	\$33.00 Month	\$78.00 Month

3. **Daily Rates/ Card Replacements**

	<u>Resident (anyone within Mustang school district)</u>	<u>Non-Resident</u>
Day Pass	\$3 w/ Resident ID Card	\$5 per visit

Replacement Card: \$10 per card

Look-Up Member Fee: \$2 per day (members entering without membership card)
(All memberships require ID Scanned Membership Card)

4. **Aerobics Membership** – All Classes offered per week. Fee provides access to all classes per month. Aerobics is included in deluxe membership.

Monthly Rates:

With No Membership	\$30.00 per month
With General Membership	\$25.00 per month
Per Class	\$5.00 per Class
Seniors	10% Discount of above rates

III. GENERAL SERVICES

Class Rooms: No Charge – Reservations taken

Meeting Rooms:

One Side (room C or D)	\$60.00 per 4 Hour Session
One Side (room C or D)	\$120 (All Day, Consecutive Sessions)

Both Sides	\$120.00 per 4 Hour Session
	\$240.00 (All Day)

Banquet Hall: (A,B, and Great Room)

One Side (A or B)	\$160.00 per 4 Hour Session
One Side (A or B)	\$200.00 per 6 Hour Session

Both Sides (A& B)	\$320.00 per 4 Hour Session
	\$480.00 (All Day, Consecutive Sessions)

Great Room	\$350.00 per 6 hour session
Great Room	\$550.00 (All Day, Consecutive Sessions)

Full Banquet Hall Rental (A,B, & Great Room) \$975 All Day Rental

Kitchen:	\$75.00 per rental
Great Lawn Gazebo:	\$100 per rental (all day)

- 2) Any Resolution or parts thereof inconsistent with this Resolution are hereby repealed.
- 3) This Resolution shall be come effective upon passage and approval.

This Resolution was approved by the City of Mustang, this _____ day of _____, 2013.

ATTEST:

The City of Mustang

City Clerk

Mayor

CITY OF MUSTANG

AGENDA ITEM COMMENTARY

1. ITEM NO. H-2

2. MEETING DATE: June 2, 2015

3. TITLE: Final Plat Application FP-2-2-15-1-27, Savannah Lakes Addition, Phase 6, Premium Land, LLC, 59 lots.

4. COUNCIL ACTION: Discussion, Consideration and Possible Action to Approve or Deny Final Plat Application

5. INITIATOR: Community Development Department

6. **PROJECT DESCRIPTION:** The applicant requests approval of the Final Plat for Savannah Lakes Addition, Phase 6. This land is zoned R-1, Single Family Residential and all lots meet the minimum size and setback requirements for this zoning district. This plat will finish out the subdivision. This final plat is in substantial conformity with the Preliminary Plat. The preliminary plat is more than five years old, so Planning Commission approved the extension of time for filing.

Project Description: There will be a total of 59 lots and one large common area. The total acreage for the first phase of this subdivision is approximately 19.48 acres and the common area includes a total of 2.472 acres. The maintenance of the common areas will be the responsibility of the homeowners association which will exist in perpetuity.

The city engineer and fire department have both approved this plat, and the police chief did not find any problems that would affect public health and safety.

Character of Neighborhood: The general character of the area is low density residential.

Zoning and Uses of Property Nearby: The property to the north is in Oklahoma City's city limits, to the south and west is R-1 and to the east is Sara Homestead PUD.

Conformance with Long-Range Plan: The long-range plan calls for Low Density Residential development in this area, so the request does conform to the comprehensive plan.

Utilities and Services: There is public water and sewer available to serve this development. The developer will extend these services throughout the subdivision.

Planning Commission Findings: The Planning Commission voted 5:0 to recommend approval of this Final Plat at their 5-26-15 meeting with the extension of time for filing. Please see

attached minutes. Please note: These minutes have not yet been approved by the Planning Commission.

7. FINANCIAL IMPACT: None

8. STAFF COMMENTS: Staff recommends approval of this final plat and the extension of time. This property is already zoned R-1 and the attached plat conforms to R-1 zoning regulations. Staff feels that this is not an incompatible land use with the surrounding area, and the plat has been approved by fire, police, staff, city engineer and city attorney.

9. STAFF SOURCE: Melissa Helsel, Community Development Director

10. CITY ATTORNEY'S COMMENTS:

11. RESOLUTION/ORDINANCE NO. _____

PLANNING COMMISSION MEETING

MINUTES MAY 26, 2015

The Mustang Planning Commission met in a regular session on Tuesday, May 26, 2015 at 7:00 p.m. at the Mustang Municipal Building, City Council Chambers at 1501 N. Mustang Road. Notification of the meeting was posted Wednesday May 20, 2015 in the foyer of the Mustang Municipal Building in compliance with the Open Meeting Act (25 OAS, Section 301, et. seq.)

I. CALL MEETING TO ORDER: Chairman **Billy McDaniel** called the meeting to order at 7:00 p.m.

II PLEDGE OF ALLEGIANCE

III. ROLL CALL

MEMBERS PRESENT:

Commissioner **Billy McDaniel**, Chairman
Commissioner **Jesse Bratton**
Commissioner **Dan Hix**, Secretary
Commissioner **Brad Homer**, Vice-Chairman
Commissioner **Jan Yakish**

MEMBERS ABSENT: Commissioner **Jerry Brown**
Commissioner **Brett Brown**

STAFF PRESENT: **Melissa Helsel**, Community Development Director
Gayla Early, Office Administrator

CITY ATTORNEY: City Attorney, **Jonathan Miller**, was in attendance.

IV. APPROVAL OF MINUTES: Approval of Minutes from May 12, 2015 Planning Commission Meeting.

Commissioner **Homer** made a motion to approve the minutes from the **May 12, 2015** Planning Commission meeting and Commissioner **Yakish** seconded the motion. The motion was approved unanimously.

V. INTRODUCTION OF GUESTS AND VISITORS/HEARING OF CITIZENS AND DELEGATES:

VI. PUBLIC HEARING, DISCUSSION, CONSIDERATION AND RECOMMENDATION ON:

1. Final Plat Application FP-2-2-15-1-27, Savannah Lakes Addition, Phase 6, Premium Land, LLC, 59 lots and requested extension of time to file final plat.

Community Development Director Melissa Helsel provided a brief overview of the location of the final phase of Savannah Lakes subdivision. This section includes approximately 19.48 acres and will contain 59 lots and a large common area. The common area is 2.472 acres in size. The streets, water lines and sewer lines will all be public. The applicant is Premium Land, LLC.

The land is already zoned R-1 and all the lots meet the minimum requirements for size and setbacks for R-1 districts.

The plat conforms to the original preliminary plat which was filed a very long time ago. Therefore the applicant is asking for an extension on the five-year time period to file a final plat. The municipal code gives the Planning Commission the authority to grant an extension if the final plat is filed more than five years after the preliminary plat.

There will be 59 lots and a large pond area for drainage. The maintenance of the common area will be the responsibility of the property owners association which will exist in perpetuity.

The City Engineer has approved this plat. The developer and the engineer have worked together to try to help solve the problem of water on SW 59th Street just north of this subdivision. Oklahoma City has a very undersized tin horn under SW 59th and this developer has over-compensated for their runoff to try and assist with the issue.

The fire department has approved the location of the fire hydrants and circulation pattern. The police department did not find anything that would affect public health and safety. The city attorney had comments initially, but these have been addressed.

The general character of the area is low density residential. The property to the north is in Oklahoma City, to the south and west is R-1 and to the east is Sara Homestead PUD. The long-range plan calls for low density residential development in this area, so the request does conform to the comprehensive plan.

Staff recommends approval of the final plat. The property is already zoned R-1 and this will finish out the subdivision. This is compatible with the surrounding area and all fire, police, staff, city engineer and city attorney comments have been addressed and complied with.

Chairman McDaniel opened the public hearing.

Jason Spencer of Crafton Tull Engineering came forward on behalf of the applicant. He stated that this is the final phase of the subdivision. It does conform directly to the preliminary plat. He asked for their approval.

Hearing no further comments, **Mr. Hix** made a motion to close the public hearing. **Mr. Homer** seconded the motion. The motion was approved unanimously.

Mr. Hix stated that it seems pretty straight-forward. **Mr. Homer** agreed.

Mr. Homer made a motion to recommend approval of this final plat application to the Mustang City Council and grant the time extension for filing. **Mr. Bratton** seconded the motion. A roll call vote was taken:

Jan Yakish	Yes
Dan Hix	Yes
Jesse Bratton	Yes
Brad Homer	Yes
Billy McDaniel	Yes

The motion passed 5- 0.

Mr. McDaniel announced that this item would be heard at the City Council meeting next Tuesday night, on June 2nd.

VII. NEW BUSINESS: No new business was declared.

X. COMMISSIONER, STAFF COMMENTS:

Mr. Hix asked about the City Council's decisions on the items from their last Planning Commission meeting.

Ms. Helsel explained that the rezoning application for the Mexican restaurant passed. The Conditional Use Permit application for the Garden Center passed. The preliminary and final plats for Hunter's Springs passed as well. There was a review for the Ice Vending Machine in the Silver Center parking lot and that special use permit was extended for two years.

XI. ADJOURNMENT:

Commissioner Homer made a motion to adjourn. **Commissioner Bratton** seconded the motion, which was approved unanimously. The meeting was adjourned at 7:10 p.m.

CHAIRMAN

DATE

SECRETARY

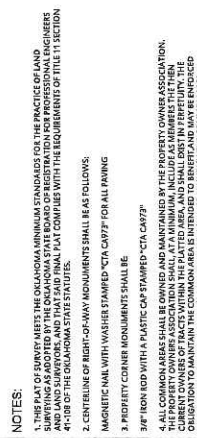


Savannah
Lakes 6

Google earth

©2015 Google

312 E Raleigh Terrace



CITY OF MUSTANG

AGENDA ITEM COMMENTARY

1. **ITEM NO.** H-4

2. **MEETING DATE:** June 2, 2015

3. **TITLE:**

Discussion, Consideration, and Possible Action on Resolution 15-057 Approving the Fiscal Year 2015-2016 Budgets for the City of Mustang, Mustang Improvement Authority and Related Funds.

4. **COUNCIL ACTION:** Approve/Deny

5. **INITIATOR:** Timothy Rooney, City Manager

6. **BACKGROUND:**

In accordance with State Statutes, the Public Hearing must be held on the proposed budget 15 days prior to the start of the fiscal year. The budget summary and notice of the public hearing was published in the newspaper(s) five days prior to this hearing.

The annual budget hearing is the public's opportunity to be heard.

Approval of the fiscal year 2015-2016 budget includes the following:

- Hiring of a Police Officer; Firefighter; Grounds Keeper Manager (Ball Complex); Library Youth Services Assistant (PT); and Animal Control Officer (PT)
- No increase in employee health care costs which is a result of joining the Oklahoma Public Employees Health and Welfare Consortium
- Mandated increase to the Oklahoma Municipal Retirement Fund contributions from 10.64% to 11.79%
- Three percent (3%) cost of living adjustment for union employees
- Three percent (3%) cost of living adjustment or retirement adjustment for non-union employees (TBD)
- Permanently disable Resolution 05-027 and adopt a new resolution to change 10% of sales tax revenue received in excess from \$500,000 to \$800,000 in a month transferred to the Limited Purpose Fund for the purpose of maintaining, constructing, and improving infrastructure system and fund capital improvements
- Completion of Heights Addition project
- Improvements to 89th Street from Morgan Road to County Line Road

- Capital improvements totaling \$900,556 and reserving fund balance of \$896,444 for next year's carryover
- Transfer of funds to Workers Compensation Fund of \$75,000 (split between the General Fund and MIA) to cover annual excess workers compensation coverage
- Root control in sewer line to prevent sewer overflows and reduce pipe damage - \$22,500 allocated.

7. FINANCIAL IMPACT:

8. STAFF COMMENTS:

9. STAFF SOURCE: Timothy Rooney, City Manager

10. ORDINANCE /RESOLUTION NO. 15-057

11. ATTACHMENT: Appendix A

RESOLUTION 15-057

A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF MUSTANG, OKLAHOMA, BUDGET FOR THE FISCAL YEAR 2015-2016 AND ESTABLISHING BUDGET AMENDMENT AUTHORITY.

Whereas, the City of Mustang has adopted the provisions of the Oklahoma Municipal Budget Act (the Act) in O.S. Sections 17-201 through 17-216; and

Whereas, the City Manager has prepared a budget for the fiscal year ending June 30, 2016 (fiscal year 2015-2016) consistent with the Act; and

Whereas, the Act in section 17-215 provides the Chief Executive Office of the City, or designee, as authorized by the governing body, to transfer any unexpended and unencumbered appropriation from one department to another within the same fund(s); and

Whereas, the budget has been formally presented to the Mustang City Council at least 30 days prior to the start of the fiscal year in compliance with Section 17-205; and

Whereas, the governing body has conducted a Public Hearing on the proposed budget for the fiscal year ending June 30, 2016, at least 15 days prior to the start of the fiscal year, and published notice of the Public Hearing in compliance with Section 17-208 of the Act, and

Now, therefore, be it resolved by the Mayor and City Council of the City of Mustang, Oklahoma;

Section 1: The City Council of the City of Mustang does hereby adopt the fiscal year 2015-2016 budget on the 2nd day of June 2015 with total resources available in the amount of \$60,664,383 and total fund/departamental appropriations in the amount of \$60,664,383 (included reserves of \$8,272,594). Legal appropriations (spending and/or encumbering limits) are hereby established as provided in Appendix A to this Resolution.

Section 2: The City Council does hereby authorize the City Manager, or designee, to transfer any unexpended and unencumbered appropriations, at any time throughout fiscal year 2015-2016, from one department to another within a fund, without further approval by the City Council.

Section 3: All supplemental appropriations (increase) or decrease in the total appropriations of a fund shall be adopted at a meeting of the City Council and filed with the State Auditor and Inspector.

PASSED AND APPROVED this **2nd** day of **June 2015**.

Mayor

ATTEST:

City Clerk

**APPENDIX A
CITY OF MUSTANG
PROPOSED BUDGET
FY 2015-2016**

	General Fund	Special Revenue Funds	Capital Project Funds	Debt Service Fund	Enterprise Fund	Internal Service Fund	Total Funds
BEGINNING FUND BALANCE/ NET WORKING CAPITAL - ESTIMATED	\$ 2,200,000	\$ 1,213,000	\$ 1,077,500	\$ 255,000	\$10,606,238	\$ 470,000	\$15,821,738
RESOURCES:							
Ad Valorem Taxes				353,000			353,000
Charges for Services	1,041,000				7,723,000		8,764,000
Other Fees Tax and Franchise Fees Licenses and Permits		8,000				75,000	83,000
Fines	11,421,500				9,900,000		21,321,500
Interest Income	279,600						279,600
Miscellaneous Revenues	451,515	5,000					456,515
Transfers	8,000	4,360	5,500	1,000	8,850	3,000	30,710
	185,300	10,000			63,020	6,000	264,320
	7,710,000	581,000	882,000		4,117,000		13,290,000
Total Resources	21,096,915	608,360	887,500	354,000	21,811,870	84,000	44,842,645
Total Available for Appropriations	23,296,915	1,821,360	1,965,000	609,000	32,418,108	554,000	60,664,383
APPROPRIATIONS:							
Mayor and Council	202,475						202,475
City Manager	482,831						482,831
Library	455,818	33,700	3,785				493,303
Parks and Recreation	978,695	49,900	7,236				1,035,831
General Government	1,501,000	5,000	800		317,620	250,000	2,074,420
Town Center	316,675		181,000				497,675
Ball Complex	536,675		70,640				607,315
Aquatics	222,870		70,895				293,765
Finance	617,555						617,555
Community Development	508,875		105,250				614,125
Police	2,951,616	61,900	210,950				3,224,466

Animal Control	72,795		1,000				73,795
Fire	1,982,075		202,000				2,184,075
Streets	175,000	653,500					828,500
Water			215,000		2,562,440		2,777,440
Sewer					1,169,510		1,169,510
Sanitation					980,000		980,000
Debt Service 2014B				314,520	3,643,750		3,958,270
Construction Projects					7,195,238		7,195,238
Transfers	10,243,200				12,838,000		23,081,200
Total Appropriations	\$ 21,248,155	\$ 804,000	\$ 1,068,556	\$ 314,520	\$28,706,558	\$ 250,000	\$52,391,789
Estimated Ending Fund Balance/ Net Working Capital	\$ 2,048,760	\$ 1,017,360	\$ 896,444	\$ 294,480	\$ 3,711,550	\$ 304,000	\$ 8,272,594

NOTICE OF PUBLIC HEARING OF PROPOSED BUDGET

A public hearing on the FY 2015-2016 City of Mustang budget will be held at 7:00 p.m. on June 2, 2015, at Mustang City Hall for the purpose of discussing the City budget for the fiscal year beginning July 1, 2015. The public hearing is open to the public and citizen comments on the proposed budget will be welcome. Copies of the proposed FY2015-2016 budget are available for review in the Office of the City Clerk, Library (Town Center) and City's Website @ www.cityofmustang.org

CITY OF MUSTANG
AGENDA ITEM COMMENTARY

1. ITEM NO. H-5

2. MEETING DATE: June 2, 2015

3. TITLE:

Discussion, Consideration and Possible Action Regarding Approval to Permanently Disable Resolution 05-027 and Approve a Resolution 15-058 to Increase the Excess Limit from \$500,000 to \$800,000.

4. COUNCIL ACTION: Approve/Deny

5. INITIATOR: Timothy D. Rooney, City Manager

6. BACKGROUND:

Resolution 05-027 states that the City shall transfer to the Infrastructure Capital Improvement Fund (Limited Purpose) ten-percent (10%) of sales tax revenues received in excess of \$500,000 in an individual month. The ten-percent (10%) shall be calculated on proceeds in excess of \$500,000 after deducting the amounts legally restricted by statute, resolution, ordinance, bond indenture, or other legally binding document. (see attached resolution).

It is the recommendation of staff to permanently disable resolution 05-027 and approve a new resolution 15-058 to increase the excess from \$500,000 to \$800,000 in an individual month.

7. FINANCIAL IMPACT:

8. STAFF COMMENTS:

9. STAFF SOURCE: Timothy D. Rooney, City Manager

10. ORDINANCE /RESOLUTION NO. 15-058

**CITY OF MUSTANG, OKLAHOMA
RESOLUTION NO. 15-058**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MUSTANG
DESIGNATING A PORTION OF SALES TAX FOR INFRASTRUCTURE AND
CAPITAL IMPROVEMENTS; ESTABLISHING GUIDELINES; PROVIDING
EFFECTIVE DATES; AND PROVIDING FOR REPEALER**

WHEREAS, the City of Mustang desires to maintain and improve the infrastructure systems and fund capital improvements by establishing a source to fund the improvements;

WHEREAS, the City of Mustang has the desires to provide guidelines related to those designated funds;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Mustang:

Section 1. Content.

The City shall transfer to the Limited Purpose Fund, for the purpose of maintaining, constructing and improving the infrastructure systems within the corporate limits of the City of Mustang and fund capital improvements, ten-percent (10%) of sales tax revenue received in excess of \$800,000 in an individual month. However, the ten-percent (10%) shall be calculated on proceeds in excess of \$800,000 after deducting the amounts legally restricted by statute, resolution, ordinance, bond indenture, or other legally binding document.

Section 2. Effective Date. BE IT FURTHER RESOLVED that this Resolution shall be effective on the beginning of fiscal year 2016 (July 1).

Section 3. Repealer: All resolutions or parts of resolution in conflict with the provision of this resolution are hereby repealed.

ADOPTED AND APPROVED by the City Council of the City of Mustang, Oklahoma on the **2nd day of June 2015.**

Mayor

ATTEST:

City Clerk

**CITY OF MUSTANG, OKLAHOMA
RESOLUTION NO 05-027**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MUSTANG
DESIGNATING A PORTION OF SALES TAX FOR INFRASTRUCTURE
IMPROVEMENTS; ESTABLISHING GUIDELINES; PROVIDING EFFECTIVE
DATES; AND PROVIDING FOR REPEALER**

WHEREAS, the City of Mustang desires to maintain and improve the infrastructure systems and establish a source to fund the improvement;

WHEREAS, the City of Mustang has the desires to designate funds for infrastructure improvements and provide guidelines related to those designated funds;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Mustang:

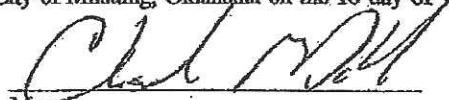
Section 1. Content.

The city shall transfer to the Infrastructure Capital Improvement Fund, for the purpose of maintaining, constructing and improving the infrastructure systems within the corporate limits of the City of Mustang, ten-percent (10%) of sales tax revenue received in excess of \$500,000 in an individual month. However, the ten-percent (10%) shall be calculated on proceeds in excess of \$500,000 after deducting the amounts legally restricted by statute, resolution, ordinance, bond indenture, or other legally binding document.

Section 2. Effective Date: BE IT FURTHER RESOLVED that this Resolution shall become effective on the date of its approval.

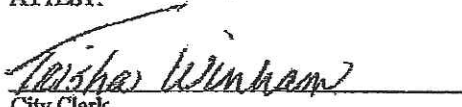
Section 3. Repealer. All resolutions or parts of resolution in conflict with the provision of this resolution are hereby repealed

ADOPTED AND APPROVED by the City Council of the City of Mustang, Oklahoma on the 16 day of November 2004.



Mayor

ATTEST:



City Clerk

AGENDA

- A. CALL TO ORDER
- B. ROLL CALL
- C. NEW BUSINESS
- D. CONSENT AGENDA

These items are considered on the Consent Agenda so that members of the Improvement Authority by unanimous consent can designate routine agenda items to be approved by one motion. If any item proposed on the Consent Agenda does not meet with approval of all Trustees that item will be removed and heard in regular order.

- 1. Approval of **05/19/15** MIA Minutes
- *2. Claims List for **FY '15**
- *3. Approval to Turn **Past Due Utility Accounts** over to the Collection Agency.
- 4. Approval of **Resolution No. 15-056** making changes in the Mustang Improvement Authority Fund Budget by making a Supplemental Appropriation to Increase the 2014-2015 Fiscal Year Budget by \$510,000.

E. INFORMATION/REPORTS

- 1. Trustee Manager
- 2. Trustees

F. DISCUSSION ITEMS

- *1. **Public Hearing on Fiscal Year 2015-2016** Annual Budgets for the City of Mustang, the Mustang Improvement Authority and Related Funds in Accordance with State Statutes.
- *2. **Discussion, Consideration and Possible Action** regarding Approval of **Resolution No. 15-057**, Approving the **Fiscal Year 2015-2016** Budgets for the City of Mustang, Mustang Improvement Authority and Related Funds.

G. ADJOURNMENT

***Items Considered Concurrently on the City Council Agenda.**

MUSTANG IMPROVEMENT AUTHORITY
MAY 19, 2015

The Mustang Improvement Authority met in regular session on Tuesday, May 19, 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, May 15, 2015, at 3:05 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 **8:08 p.m.**

B. ROLL CALL

Trustees Present: Riley
Staples
Grider
Jones
Hagan
Schweinberg
Adams

Trustees Absent: None

C. NEW BUSINESS

None.

D. CONSENT AGENDA

1. Approval of **05/05/15** MIA Minutes
- *2. Approval of **05/07/15** City Council/MIA Special Meeting (Budget Session) Minutes.
- *3. Approval of **05/14/15** City Council/MIA Special Meeting (Budget Session) Minutes.
- *4. Claims List for **FY '15**

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

AYE: Riley, Staples, Grider, Jones, Hagan, Schweinberg, Adams

NAY: None

E. INFORMATION/REPORTS

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

F. DISCUSSION ITEMS

- *1. **Discussion, Consideration and Possible Action** regarding Approval of an Amended and Restated Permanent Easement, which will amend the Permanent Easement previously granted by Covenant Development Corporation to the City of Mustang in order to move the water line easement, and to authorize the Mayor to negotiate and execute the final document with the property owner, Westmoore Community Church, Inc., to effect such amendment.

MOTION was made by **Mayor Adams**, seconded by **Councilman Schweinberg**, to Approve the Amended and Restated Permanent Easement, which will amend the Permanent Easement previously granted by Covenant Development Corporation to the City of Mustang in order to move the water line easement, and to authorize the Mayor to negotiate and execute the final document with the property owner, Westmoore Community Church, Inc., to effect such amendment, with the condition the City be provided the subordination agreements as outlined by the City Attorney.

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

G. ADJOURNMENT

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

AYE: Riley, Staples, Grider, Jones, Hagan, Schweinberg, Adams
NAY: cfd None

Meeting was adjourned at **8:10 p.m.**

Jay Adams, Chairman

Attest:

Lisa Martin, Secretary

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 68 GENERAL GOVERNMENT						
15-1528	01-B0024	BANCFIRST	2009 BOND PAYMENT	5/2015	201505261170	21,939.67
15-2039	01-B0024	BANCFIRST	2013 BOND PAYMENT	5/2015	201505271195	93,569.50
15-0970	01-E0043	EMSA	SUBSIDY PAYMENTS	5/2015	201505261184	39,426.00
DEPARTMENT TOTAL:						154,935.17
DEPARTMENT: 72 WATER						
15-2011	01-C0108	COWAN GROUP	ENGINEERING SERVICES	5/2015	201505261183	11,999.08
DEPARTMENT TOTAL:						11,999.08
DEPARTMENT: 75 SEWER						
15-2011	01-C0108	COWAN GROUP	ENGINEERING SERVICES	5/2015	201505261183	19,727.22
DEPARTMENT TOTAL:						19,727.22
DEPARTMENT: 78 SANITATION						
15-0285	01-00121	O.E.M.A.	MONTHLY SANITATION	5/2015	29707	78,003.43
DEPARTMENT TOTAL:						78,003.43
FUND TOTAL:						264,664.90

5/29/2015 9:01 AM
FUND: 70 - MIA RESERVE

PURCHASE ORDER CLAIM REGISTER

PAGE: 9
SUMMARY REPORT

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 70		ADMINISTRATION				
15-2011	01-C0108	COWAN GROUP	ENGINEERING SERVICES	5/2015	201505261183	2,906.22
					DEPARTMENT TOTAL:	2,906.22
					FUND TOTAL:	2,906.22
					GRAND TOTAL:	376,327.39

MUSTANG IMPROVEMENT AUTHORITY

AGENDA ITEM COMMENTARY

1. ITEM NO. D-4

2. MEETING DATE: June 2, 2015

3. TITLE:

Discussion, Consideration and Possible Action to Approve Resolution No. 15-056 for a Budget Supplemental in the Mustang Improvement Authority Fund for the Fiscal Year 2014-2015.

4. COUNCIL ACTION: Approve/Deny

5. INITIATOR: Janet Watts, Finance Director

6. BACKGROUND:

The City has collected revenues in excess of the original budgeted projections in fiscal year 2015. Sales tax is recorded as revenue within the General Fund and transfers a dedicated portion to the Mustang Improvement Authority as required by the revenue bond indenture.

A supplemental appropriation to increase the MIA Fund in the amount of \$510,000 to be appropriated in fiscal year 2015.

7. FINANCIAL IMPACT:

8. STAFF COMMENTS:

9. STAFF SOURCE: Janet Watts, Finance Director

10. ORDINANCE /RESOLUTION NO. 15-056

RESOLUTION 15-056

A RESOLUTION TO MAKE CHANGES IN THE MUSTANG IMPROVEMENT AUTHORITY FUND BUDGET BY MAKING A SUPPLEMENTAL APPROPRIATION TO INCREASE THE 2014-2015 FISCAL YEAR BUDGET BY \$510,000.

WHEREAS, The City has collected revenues in excess of the original budgeted projections in fiscal year 2015. Sales tax is recorded as revenue within the General Fund and transfers a dedicated portion to the Mustang Improvement Authority as required by the revenue bond indenture;

WHEREAS, the Trustees desires to appropriate funds;

NOW THEREFORE, BE IT RESOLVED, by the Trustees that the following supplemental appropriation be made:

SUPPLEMENTAL APPROPRIATION

Revenues:	
Sales Tax (68-42181)	\$340,000
Restricted Carryover (68-45199)	<u>170,000</u>
	<u>\$510,000</u>
Expenditures:	
Fund Balance Reserve (68-568-5555)	\$340,000
Transfer to General Fund (68-568-5801)	<u>170,000</u>
	<u>\$510,000</u>

This is to certify that the above and foregoing Resolution was dully **ADOPTED** and **APPROVED** by the Trustees on this **2nd** day of **June 2015**.

Chairman

ATTEST:

City Clerk