

**MUSTANG CITY COUNCIL
APRIL 4, 2017**

The Mustang City Council met in regular session on Tuesday, April 4, 2017, 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, March 31, 2017, at 3:20 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 (Taylor Cockrell, Youth Minister, Lakehoma Church of Christ)

Pastor Cockrell led the assembly in the Pledge and Invocation. He stated he and his wife, Chelsea, moved to Mustang from Abilene, Texas, in February and stated one of the first things they noticed coming into the City were the signs stating "City with a Vision" stating he felt this slogan fit the City and Lakehoma Church of Christ well. He stated he and his wife were both Youth Ministers and as part of this, they try to help the students find a purpose within the City, taking ownership and being plugged in to community projects and such. He also stated they were looking forward to knowing the community better.

C. ROLL CALL

Councilmembers Present:	Riley
	Leete
	Grider
	Jones
	Hagan
	Schweinberg
	Adams

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

None.

E. NEW BUSINESS, DELETIONS OR CONTINUANCES TO THE AGENDA

None.

F. CONSENT AGENDA

1. Approval of **03/21/2017** City Council Minutes.
- *2. Claims List for **FY 2017**.
- *3. Approval to Turn **Past Due Utility Accounts** Over to the Collection Agency.
4. Approval of **Resolution No. 17-034**, Directing Filing and Notification of the Publication of the 2017 Supplement to the Mustang Municipal Code.

MOTION was made by **Councilman Schweinberg**, seconded by **Councilman Grider**, to approve Items F-1 through F-4 of the Consent Agenda.

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

G. INFORMATION/REPORTS

1. City Manager

City Manager Rooney stated he did not have anything to report in addition to the City Manager report available on the City's website.

2. City Council

- a. Approval of **Proclamation** Declaring the Month of April, 2017 as "Autism Awareness Month".

MOTION was made by **Councilman Grider**, seconded by **Councilman Jones**, to approve the Proclamation Declaring the Month of April, 2017 as "Autism Awareness Month".

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

Mayor Adams called Trina Naff-Eaves with her family to the front and read the Proclamation, then presented it to her.

- b. City Council Reports

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

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

Councilman Leete stated he completed the Oklahoma Municipal League's New Official Training required by law stating it was well presented and useful. He also stated he needed to speak with *City Manager Rooney* after the meeting.

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

Councilman Jones stated a citizen in his ward stated a lawn care company has been posting large yellow signs on the front of their storm door without permission. He stated he had spoken with *Community Development Director Helsel* who will be looking into it.

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

Councilman Schweinberg reminded everyone April 22nd and 23rd was the Community Build for the new all-inclusive playground encouraging everyone to help if they could stating he was sure they could use as many people as possible.

Mayor Adams stated he did not have anything to report at this time stating any issues had already been addressed by City Manager and Staff.

H. DISCUSSION ITEMS

1. **Public Hearing, Discussion, Consideration and Possible Action** regarding the Approval of **Ordinance No. 1147** An Ordinance of the City of Mustang, Oklahoma Amending the Zoning Ordinance of the City of Mustang, Oklahoma, as Amended, to Change Certain Property Located in Canadian County, Oklahoma, from "C-2" Commercial Neighborhood District to "C-5" Commercial Intensive District and, Declaring Repealer; Providing for Severability; and Declaring an Emergency.

Community Development Director Helsel stated this was a rezoning application for 1711 ½ E State Highway 152 located near Morgan Road and State Highway 152 behind Morgan Food Mart and owned by Harry Weatherford. She stated Mr. Weatherford also owns property at 1711 and 1713 E. State Highway 152 that abuts this tract and both properties are zoned C-5 and he would like contiguous zoning on his adjacent tracts. She stated he has attempted to lease the existing building several times, but found the zoning too restrictive at C-2 stating he has completely renovated the building within the last six months. **Helsel** stated if the property is rezoned to C-5, a masonry fence will be required wherever the tract abuts residential zoning which would be on the north side.

Helsel stated the character of the neighborhood is an area of mixed uses with commercial zoning and single-family residential zoning nearby. She stated the property to the north is zoned R-1, to the east is C-2, to the west zoned R-E and to the south is C-5. She stated the Long Range Plan calls for commercial/office development in this area and this request is not in conformity with the comprehensive plan.

Helsel stated Staff recommends amending the application from C-5 to C-3 if applicant is willing stating a buffer would still be required at C-3 between this property and residential property. She stated Staff has received calls from property owners on the north side concerned about possible uses allowed under C-5. She stated Planning Commission on March 28th voted to deny the application 6-0 at the C-5 level.

Discussion was held concerning the differences in "P" and "R" in the Zoning Permitted Uses table with it stated "P" means the use is permitted by right and does not need further approval by Planning Commission or Council; and "R" means a Conditional Use Permit would have to be obtained for that use and would require approval by Planning Commission and Council who could place conditions upon the use and is reviewed every two years.

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

AYE: **Riley, Leete, Grider, Jones, Hagan, Schweinberg, Adams**
NAY: **None**

Harry Weatherford, 1107 N. Morgan, addressed the Council stating he was the applicant and property owner and has owned the adjacent property for 28 years and has ran a business there for 25 years stating as far as he knows, has not had any problems with the City or neighbors. He stated the land behind his business is zoned C-2 and has had different businesses there, but seems no one has been able to make a go of it. He stated an opportunity presented itself and he purchased the property and put money into it to renovate it. He stated C-2 does not work for this tract and since his other property there is zoned C-5, he thought he would request C-5 to make it all consistent. He stated he would be willing to amend his request from C-5 to C-3 stating he has some ideas for uses permitted in C-3 and feels he could make a go of it.

Greg Woods, 1729 E. Cottonwood Terr., addressed the Council stating he has lived there since first grade and gave some background of businesses on that property in the past, such as a gym and racquetball court. He stated he has worked with the Oklahoma City Zoning department as well as State Zoning stating he has enforced zoning rules, wrote tickets for those in violation, as well as explained zoning rules to citizens, officials, etc. He stated this property and the residential property lines are touching stating that is how close this property is to the residential property and a masonry fence would not provide that much of a buffer. He also stated there was not much difference between C-3 and C-5.

Woods stated neighboring property has two automobile businesses and they are in violation of their zoning since that property is zoned C-3 and stated there are two junk yards across the street that are grandfathered in and it all takes away from their residential property and did not want to see a use permitted under C-5 or even C-3 at this property as it could also take away from their residential property. He had a recording of the vacuum at a car wash on State Highway 152 next to the Fire Station that runs constantly showing how noisy it is stating this would be permitted under C-3 uses.

He stated Section 122-291 talks about rights of citizens having peace and quiet and with something this close, those rights would be taken away. He stated there are offices in that area which are allowed and plenty of other uses that could be used there. He stated he spoke to all his neighbors on Cottonwood except one and all agree they do not want this change. He requested Council reject the rezoning to C-5 or C-3.

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

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

NAY: None

Councilman Schweinberg asked if the body shops Mr. Woods was referring to was zoned C-5 with **Helsel** stating yes, it would not be permitted in C-3.

Schweinberg stated he would also be concerned about some uses permitted in C-5 or C-3 such as the auto car wash stating, however, the standards set now by the City are stronger and have changed for the better and have more guidelines. He stated with today's technology, there should be ways to filter and soundproof the noise.

Schweinberg stated he realizes there are a lot of opportunities under C-3, but a lot of the uses would require a Conditional Use Permit and the Council would have the right to control what goes in there as well as to review it every two years. He stated he strongly supports rezoning the property at C-3 stating it is a great corner for a nice business to come in and Mr. Weatherford has done a great job cleaning up the property.

Discussion was held regarding whether or not the amendment could be made in this meeting with **City Attorney Miller** stating yes, with the applicant's request and approval to amend to C-3. Mr. Weatherford stated he does approve amending it to C-3.

Other discussion was held regarding the fence requirement on the north edge, with it being stated this would be beneficial to the residential neighborhood if the business failed and a new business came in, the fence would already be there. **Councilman Grider** stated a car wash is permitted in C-2 and would not require a masonry fence stating at least with C-3, the masonry fence would be required.

Other discussion included whether the Planning Commission discussed amending the application to C-3 with **Helsel** stating it was discussed some, but Mr. McDaniel said it would go to City Council anyway, so never really got to that point.

Mayor Adams stated he has lived in that area for almost 25 years as well stating there has been a lot happening there and would like to see the City be proactive and take control stating he does not want to see any continuation of junk yards either. He stated the last Long Range Plan made upgrades and the City is seeing the benefits of those stating the new Plan will bring it to the next level and be even better showing the City is proactive. He stated having C-5 property next to Residential property is something that should not be done, but could see the property being rezoned to C-3 stating that was relevant to any high traffic corridor and would support it.

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MOTION was made by **Councilman Schweinberg**, seconded by **Councilman Leete**, to Approve the Amended **Ordinance No. 1147** An Ordinance of the City of Mustang, Oklahoma Amending the Zoning Ordinance of the City of Mustang, Oklahoma, as Amended, to Change Certain Property Located in Canadian County, Oklahoma, from "C-2" Commercial Neighborhood District to "C-3" Commercial Intensive District and, Declaring Repealer; Providing for Severability.

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

NAY: None

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

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

NAY: None

2. **Discussion, Consideration and Possible Action** regarding Approval of Contract with Red Prairie Design for Architectural Services for Project Labeled Mustang Animal Shelter.

City Manager Rooney stated the City requested a proposal from Red Prairie Design Group for architectural services in the design and expansion of the Mustang Animal Shelter stating design services would begin once the contract is completed. He stated construction is tentatively set to begin in July, 2017 stating the financial impact for the architectural services was \$16,400. **Rooney** stated there was a cost savings due to the architect already being in the area working on the Town Center Expansion.

MOTION was made by **Councilman Schweinberg**, seconded by **Councilman Grider**, to Approve the Contract with Red Prairie Design for Architectural Services for Project Labeled Mustang Animal Shelter.

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

NAY: None

J. CITY ATTORNEY'S REPORT

None.

K. ADJOURNMENT

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

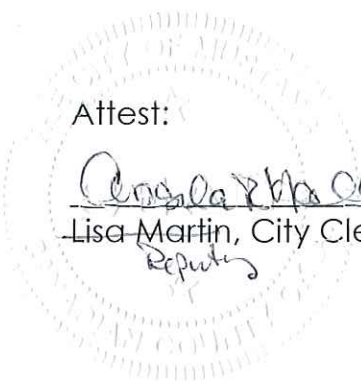
AYE: Riley, Leete, Grider, Jones, Hagan, Schweinberg, Adams

NAY: None

The meeting was adjourned at **7:39 p.m.**


Jay Adams, Mayor

Attest:




Lisa Martin, City Clerk
Deputy

MUSTANG IMPROVEMENT AUTHORITY
APRIL 4, 2017

The Mustang Improvement Authority met in regular session on Tuesday, April 4, 2017, 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, March 31, 2017, at 3:20 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 **7:39 p.m.**

B. ROLL CALL

Trustees Present: Riley
Leete
Grider
Jones
Hagan
Schweinberg
Adams

Trustees Absent: None

C. NEW BUSINESS

None.

D. CONSENT AGENDA

1. Approval of **03/21/2017** MIA Minutes
- *2. Claims List for **FY 2017**
- *3. Approval to Turn **Past Due Utility Accounts** Over to the Collection Agency.

MOTION was made by **Trustee Schweinberg**, seconded by **Trustee Grider**, to approve Items D-1 thru D-3 of the Consent Agenda.

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

NAY: None

E. INFORMATION/REPORTS

1. **Trustee Manager**

None

2. **Trustees**

Mayor Adams stated they have an unofficial count for the Ward 6 election stating a victory for *Councilman Schweinberg* with 81% of the votes.

F. DISCUSSION ITEMS

None.

G. ADJOURNMENT

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

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

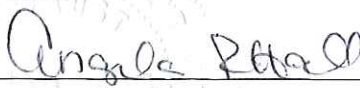
NAY: None

Meeting was adjourned at **7:40 p.m.**



Jay Adams, Chairman

Attest:



Lisa Martin, Secretary
Deputy