MUSTANG CITY COUNCIL
JANUARY 21, 2014

The Mustang City Council met in regular session on Tuesday, January 21, 2014, at 7:00 p.m. in the Mustang Municipal Building Council Chambers. Notice of the meeting was posted on the Bulletin Board outside the Mustang Municipal Building on Monday, January 20, 2014, at 4:00 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 *(Josh Shelton,Youth Pastor, Canadian Valley Baptist Church)*

Josh Shelton, Youth Pastor, led the assembly in the Pledge and Invocation. He stated the youth program was thriving and had doubled in size in the last year. He stated they had started a discipleship program to teach the youth to teach others and to prepare the younger generation to be able to take over when their time comes.

C. ROLL CALL

Councilmembers Present:	**Taylor**
	Staples
	Bowers
	Jones
	Hagan
	Mount
	Adams
Councilmembers Absent:	**None**

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 **01/07/14** City Council Minutes
*2. Claims List for **FY '14**
3. Approval of **Resolution No. 14-027**, Making Changes in the Library Fund Budget by Making a Supplemental Appropriation to Increase the 2013-2014 Fiscal Year Budget by $13,387.
4. Approval of **Resolution No. 14-028**, Making Changes in the General Fund Budget by Making a Supplemental Appropriation to Increase the 2013-2014 Fiscal Year Budget by $1,428.
*5. Acceptance of **Maintenance Bonds** for Water Lines and Sewer Lines for Magnolia Trace Phase 5.

MOTION was made by **Councilman Taylor**, seconded by **Councilwoman Staples,** to approve Items F-1 thru F-5 of the Consent Agenda.

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

G. INFORMATION/REPORTS

1. City Manager

City Manager Rooney stated there had been some advertising and marketing regarding a circus to be held at the Town Center this weekend and wanted to make sure everyone knew it was not a circus in the sense of elephants, tigers, etc., but was actually a magic show. He stated he had heard they were advertising pony rides; however, their rental agreement does not state anything about horses, etc.

a. Quarterly Presentation of Financial Statements ending December 31, 2013

Finance Director Watts gave a presentation of the City of Mustang and Mustang Improvement Authority's (MIA) quarterly financial statements ending December 31, 2013, advising the Sales Tax for the month of January, 2014 totaled $786,849.85 which is 3.5% above the budget and equivalent to $26,850.00. She stated the year to date 4.7% increase is due to building materials as well as the new restaurants. **Watts** advised the State Use Tax totaled $30,599.47 and the General Fund Net Change in Fund Balance totaled $69,683.00 due to the increase in sales tax, special event donations, the Shop with a Cop program, Homeland Security Bulletproof Vest grant, and insurance reimbursements. She stated the percentage of reserves was 9.68% and advised the MIA Net Change in Fund Balance year to date was a loss of $126,026.00 due to the completion of the sewer effluent repairs.

2. <u>City Council</u>

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

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

Councilwoman Hagan stated she was glad to be present this evening and that she had received one phone call regarding the rezoning item later in the agenda.

Councilman Jones stated his heart goes out to the family who lost their home north of Mustang to fire and stated he appreciated the Fire and Police Departments. He also stated Mustang Church of the Nazarene held their ground breaking and was an exciting time for them.

Councilwoman Bowers stated it had been quiet in her Ward and also thanked the Fire Department.

Councilwoman Staples asked what road work was being done on SW 59th Street from Sara Rd. to Mustang Rd.

City Manager Rooney advised this was a City of Oklahoma City project, but his understanding was the road work included patching, then overlay.

Staples asked why they were not going further west on SW 59th Street.

Rooney stated he did not know, but would ask Oklahoma City.

Councilman Taylor reminded everyone that there was an ongoing burn ban and to please follow it. He also invited everyone to the Masonic Lodge Country Breakfast to benefit the Mustang Pom Squad on Saturday from 7:00 am – 10:00 am for $5.00.

Mayor Adams stated he had received calls on several items, but City Staff had already taken care of them. He stated Silverstar Construction had received the contract from the City of Oklahoma City for the roadwork on SW 59th Street, which is Mustang's contractor. He stated the City of Mustang was performing patchwork on SW 89th Street in preparation for re-surfacing once the weather was a little warmer.

Taylor asked if Silverstar Construction trucks being used on SW 59th Street had the City of Mustang logo on them.

Adams stated he didn't believe so.

a. Appointment of One (1) Member to the Leisure Board.

Parks and Recreation Director Battles advised there was a vacancy for Ward 5 on the Leisure Board and stated Mr. Charles Orefice had volunteered to fill that vacancy. He stated Mr. Orefice has vast experience with the Oklahoma Tourism and Recreation department and also ran Little Sahara producing a profit for them. He stated Mr. Orefice lived in Ward 1, but spoke with ***Councilwoman Hagan*** who was happy to have him represent Ward 5.

Councilwoman Hagan stated she was very appreciative of him volunteering.

MOTION was made by **Councilwoman Hagan**, seconded by **Councilman Taylor** to approve the appointment of Mr. Charles Orefice to the Leisure Board, for the term January 21, 2014 through June 30, 2014.

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

H. DISCUSSION ITEMS

1. **Discussion, Consideration and Possible Action** to Approve the Municipal Lease/Purchase of Five (5) Police Vehicles with RCB Bank for a Three Year Term; documents to include, but not limited to, Lease/ Purchase Agreement, Resolution, and Statement of Essential Use; and Authorizing Staff to Execute Documents.

   City Manager Rooney advised the FY 2013-14 City of Mustang Budget included funding in the amount of $58,450.00 for the lease/purchase of Police vehicles as well as funding in the amount of $9,550.00 for emergency equipment to accompany the vehicles. He stated through research and negotiation by the Police staff, they were able to obtain five vehicles (three Tahoes and two Impalas) instead of three as originally anticipated and obtain financing with an interest rate in the amount of 2.05% from RCB Bank. He stated banks in the City of Mustang were also surveyed; however, none had this product available nor could they provide a rate as low as 2.05%. He stated the purchase was made in compliance with the Oklahoma State Vehicle Contract SW035.

   Discussion was held concerning the necessary equipment being included, the rate being a fixed rate and the fact that five vehicles were purchased instead of three, but still coming in under budget by $3,513.96. A question was raised regarding the first payment being included on the January 7, 2014 claims list. **Rooney** advised the claim was approved at the last meeting, but the check will be printed only if the lease/purchase agreement and other documents are approved tonight.

   Several Council Members expressed their excitement regarding the fleet upgrade and thanked the Police staff for their work in getting the reduced rate.

MOTION was made by **Mayor Adams**, seconded by **Councilman Jones,** to approve the Municipal Lease/Purchase of Five (5) Police Vehicles with RCB Bank for a Three Year Term; documents to include, but not limited to, Lease/ Purchase Agreement, Resolution, and Statement of Essential Use; and Authorizing Staff to Execute Documents.

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

2. **Discussion, Consideration and Possible Action** to Approve the Surplus of Fixed Asset #2078 – Salt and Sand Drop in Spreader.

   City Manager Rooney advised the spreader was purchased in 2007 when Severn Trent was under contract for street maintenance and is currently sitting in the Public Works yard not being utilized by the City of Mustang; one reason being the City does not have a vehicle large enough for it to be dropped into and used. He stated Silver Star Construction has expressed interest in the spreader, but in order to do so, must declare the item surplus, and then put out for public bid in accordance with Section 2-194, 195, and 196 of the Mustang Code of Ordinances.

   Discussion was held concerning other equipment to be brought to Council to surplus and the possibility of utilizing a company named Govdeals.com who would auction the equipment for the City, as well as whether or not municipalities could bid on the equipment, including the spreader, with ***City Attorney Miller*** advising yes, they would be able to bid.

MOTION was made by **Mayor Adams**, seconded by **Councilman Taylor,** to approve the Surplus of Fixed Asset #2078 – Salt and Sand Drop in Spreader.

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

3. **Public Hearing, Discussion, Consideration and Possible Action** regarding Approval of **Ordinance No. 1098**, Amending the Zoning Ordinance of the City of Mustang, Oklahoma, as Amended, to Change Certain Property Located in Canadian County, Oklahoma, from I-1 Light Industrial District to C-5 Commercial Intensive District, and, Declaring Repealer; Providing for Severability; and Declaring an Emergency – **The Land Run Group, LLC 400 Block S. Industrial Lane**

   Senior City Planning Director Helsel stated the applicant is The Land Run Group, LLC with the property being located at the south end of S. Industrial Lane consisting of approximately 7.21 acres. She stated their reason for rezoning is to avoid industrial uses that may utilize outside storage as they would like to keep the property under commercial standards for all tenants or landowners. She advised if rezoned, the applicant intends to plat this property into individual lots and they will extend public water, sewer and streets to serve the subdivision.

Helsel advised the property to the east is zoned C-5, to the south is I-1, to the west is I-1 and to the north is an I-2/C-4 PUD and the long-range plan calls for light industrial development in this area, so the request does not conform to the comprehensive plan. She stated the Planning Commission voted 6:0 to recommend approval of the application at their January 14, 2014 meeting and staff recommends approval as well as the parcel is surrounded by industrial and heavy commercial districts and staff does not see that the rezoning would create adjacent incompatible land uses.

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

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

Todd Martin 1240 W. SW 59th Street, Mustang, OK is the property owner and addressed the Council. He stated the intent of the rezoning was to develop the property into a nice commercial area where they could make a long-term investment into the community. He stated it would be more of an upscale commercial area to provide service with the expansion of the armory and to others and appreciates the Council's consideration.

There being no further public discussion, **MOTION** was made by **Mayor Adams**, seconded by **Councilman Jones**, to close the Public Hearing.

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

MOTION was made by **Mayor Adams**, seconded by **Councilwoman Staples,** to Approve **Ordinance No. 1098**, Amending the Zoning Ordinance of the City of Mustang, Oklahoma, as Amended, to Change Certain Property Located in Canadian County, Oklahoma, from I-1 Light Industrial District to C-5 Commercial Intensive District, and, Declaring Repealer; Providing for Severability; and Declaring an Emergency, **The Land Run Group, LLC, 400 Block S. Industrial Lane**

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

MOTION was made by **Mayor Adams** and seconded by **Councilman Taylor** to approve the Emergency Clause for **Ordinance No. 1098**.

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

The emergency clause **passed**.

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

1. **Discussion** Regarding Cottonwood Development, LLC v. City of Mustang, et al., Case No. CV-2013-76, District Court, Canadian County, State of Oklahoma; and **Executive Session as authorized by 25 O.S., Section 307(B)(4)**.

TIME ADJOURNED to Executive Session: **7:30 p.m.**

Mayor Adams called the meeting back in session at **7:40 p.m.**

In reference to Item J-1 –

No action was taken, informational purposes only.

K. ADJOURNMENT

MOTION was made by **Mayor Adams**, seconded **Councilman Taylor** to adjourn.

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

The meeting was adjourned at **7:40 p.m.**

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Jay Adams, Mayor

Attest:

____
Lisa Martin, City Clerk

MUSTANG IMPROVEMENT AUTHORITY
JANUARY 21, 2014

The Mustang Improvement Authority met in regular session on Tuesday, January 21, 2014, at 7:00 p.m. in the Mustang Municipal Building Council Chambers. Notice of the meeting was posted on the Bulletin Board outside the Mustang Municipal Building on Monday, January 20, 2014, at 4:00 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 7:40 p.m.

B. ROLL CALL

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

Trustees Absent: **None**

C. NEW BUSINESS

None.

D. CONSENT AGENDA

1. Approval of **01/07/14** MIA Minutes.
*2. Claims List for **FY '14**
*3. Acceptance of **Maintenance Bonds** for Water Lines and Sewer Lines for Magnolia Trace Phase 5.

MOTION was made by **Chairman Adams**, seconded by **Trustee Taylor** to approve Items D-1 through D-3 of the Consent Agenda.

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

E. INFORMATION/REPORTS

1. Trustee Manager

None.

2. Trustees

None.

F. DISCUSSION ITEMS

None.

G. ADJOURNMENT

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

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

Meeting was adjourned at **7:41 p.m.**

Jay Adams, Chairman

Attest:

Lisa Martin, Secretary