MUSTANG CITY COUNCIL
MARCH 17, 2015

The Mustang City Council met in regular session on Tuesday, March 17, 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, March 13, 2015, at 9:15 a.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 (Terry Jones, Councilmember, Ward 4)

C. ROLL CALL

Councilmembers Present: **Taylor**
Bowers
Jones
Hagan
Schweinberg
Adams

Councilmembers Absent: **Staples**

D. INTRODUCTION OF GUESTS/HEARING OF CITIZENS OR DELEGATES

Mr. Donal Mount, 2000 E. State Highway 152, addressed the Council regarding Item Number H-3 – which is approval to purchase a new tractor and flail mower for right of way and park maintenance. He provided a handout which included excerpts from the City's current contract with Silver Star Construction for maintenance and operation of public streets and mowing and maintenance of public parks and facilities stating he was concerned with this purchase as the contractor, in his opinion, should be providing the equipment.

Mayor Adams advised Mr. Mount to review Article 3 of the contract which states what equipment the contractor is required to have on site and to speak with the City Manager for more information.

Assistant City Manager Battles stated Article 3.1.1 includes equipment the contractor is to have on site with Article 3.1.2 being equipment charged to the City at an hourly rate.

E. NEW BUSINESS, DELETIONS OR CONTINUANCES TO THE AGENDA

None.

F. CONSENT AGENDA

1. Approval of **03/03/15** City Council Minutes.
2. Approval of **03/09/15** City Council Work Session Minutes
*3. Claims List for **FY'15**
4. Approval to Turn **Past Due Library Accounts** over to the Collection Agency.
5. Approval of **Resolution No. 15-046** making changes in the General Fund Budget by making a Supplemental Appropriation to Increase the 2014-2015 Fiscal Year Budget by $191.
6. Approval of **Resolution No. 15-047** making changes in the General Fund Budget by making a Supplemental Appropriation to Increase the 2014-2015 Fiscal Year Budget by $4,000.
*7. Approval of **First Amendment** to the Operation, Maintenance, and Management Services Agreement between Severn Trent Environmental Services, Inc. and the Mustang Improvement Authority.

MOTION was made by **Councilman Taylor**, seconded by **Councilman Schweinberg,** to approve Items F-1 thru F-7 of the Consent Agenda.

AYE: **Taylor, Bowers, 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 his City Manager's report.

Assistant City Manager Battles provided a powerpoint presentation providing an update on capital improvement projects including completed projects, current projects such as WWTP Phase II A, Wastewater/ Sewer Lines, Water Hydraulic Model, and South Mustang Road. He also provided information regarding the City's NPDES permit, maintenance of decant equalization pumps, and a recent ODEQ site visit.

2. City Council

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

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

Councilwoman Bowers did not have anything to report at this time, but did state the person she had mentioned in a prior meeting being interested in becoming a member of the Planning Commission, Mr. Darrell Johnson, was in attendance this evening and she would recommend he be appointed to the Commission.

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

Councilwoman Hagan stated she attended the OEMA meeting on Thursday advising they will be expanding the landfill stating it will be quite a process.

Councilman Schweinberg thanked ***Assistant City Manager Battles*** and his team for their hard work.

Mayor Adams congratulated the Mustang High School boys' basketball team for winning the State Championship and having a perfect season at 28-0. He thanked ***Community Development Director Helsel*** for her work in bringing Oncue, which is an Oklahoma company, to Mustang located at Hwy 152 and Sara stating this had been a long process and great to see it happen. He also congratulated the University of Science and Arts girls' softball team in being nationally ranked stating two Mustang girls, one being his daughter, were on the team. **Adams** also stated this is the last meeting before the election April 7, 2015, and wished everyone good luck.

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

City Manager Rooney stated Mr. Karl Mengers moved outside of City limits and resigned from the Planning Commission. He stated the opening had been advertised in the newspaper and placed on the City's website for approximately two weeks with two applications being received.

Rooney stated the City received applications from Darrell Johnson, Ward 3 resident, and Jan Yakish, Ward 6 resident, stating the Commission currently has two representatives from Ward 3 and one representative from Ward 6. He stated the code allows the City to appoint from any ward if no applications have been received from the unrepresented ward stating since the Commission already has two Commissioners from Ward 3, Staff is recommending the appointment of Jan Yakish, Ward 6.

Councilwoman Bowers stated she would recommend appointment of Darrell Johnson.

MOTION was made by **Councilman Schweinberg**, seconded by **Councilman Jones,** to appoint Ms. Jan Yakish to the Mustang Planning Commission.

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

H. DISCUSSION ITEMS

*1. **Discussion, Consideration and Possible Action** regarding Acceptance of Bids for Project titled 59th Street Bridge Waterline Relocation.

Assistant City Manager Battles stated in 2014, Oklahoma City notified the City of Mustang they would be constructing a new bridge on 59st Street between Czech Hall Road and Clear Springs stating the City of Mustang would need to relocate a current waterline as the new bridge will be constructed for a future four lane road. He stated the City asked if it was possible to design around the water line or if not, pay for the relocation stating the engineer of Oklahoma City stated no to both requests.

Battles stated Cowan Group wrote specifications and the waterline relocation was put out for public bid with the bid opening occurring March 12, 2015 at 10:00 a.m. He stated the City received four bids:

Davenport Construction - $75,876.00
Trent Construction - $65,350.00
Utili-Link, Inc. - $112,000.00
RDM Construction - $39,900.00

Battles stated Staff recommends acceptance of all bids except for Utili-Link, Inc. whose bid contained a calculation error.

MOTION was made by **Councilman Schweinberg**, seconded by **Councilwoman Bowers,** to Accept all Qualified Bids for Project titled 59th Street Bridge Waterline Relocation.

Motion was Amended by **Councilman Schweinberg**, seconded by **Councilwoman Bowers** to Accept all Qualified Bids, except for the bid submitted by Utili-Link, Inc., for Project titled 59th Street Bridge Waterline Relocation.

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

*2. **Discussion, Consideration and Possible Action** regarding Awarding of Bid for Project titled 59th Street Bridge Waterline Relocation.

Assistant City Manager Battles stated Cowan Group reviewed the bids and are recommending the bid be awarded to the low bidder, RDM Construction at $39,900.00. He stated Staff had concerns with their bid being so low, but Cowan Group did speak with them and they can do the project for the amount listed.

Battles stated the project would be funded by the MIA Reserve Fund utilizing the capital improvement fee charged to each utility account stating all amounts collected must be applied to water and wastewater maintenance and construction per Ordinance No. 1106.

Discussion was held concerning how much money was in the fund as well as Oklahoma City not paying for the relocation.

MOTION was made by **Councilman Schweinberg**, seconded by **Councilman Jones,** to Award the Bid for Project titled 59th Street Bridge Waterline Relocation to RDM Construction in the amount of $39,900.00.

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

3. **Discussion, Consideration and Possible Action** regarding Approval of Purchase of a New Tractor and Flail Mower for Right of Way and Park Maintenance.

Assistant City Manager Battles stated the City currently owns a 1997 Ford Tractor and Alamo Flail Mower used to mow right of ways and large park areas stating the tractor and mower continually have issues and are placed out of service for repair more often than it is in service. He stated Silver Star Construction does an excellent job maintaining and repairing equipment, but the equipment is worn out. He stated Staff weighed the cost benefits of repairing the equipment or replacing it, stating Staff determined replacement would be the best option.

Battles addressed the concerns of a citizen stating Article 3.1.1 of the contract lists the equipment required to be on site while Article 3.1.2 lists additional prices the City would pay at an hourly rate for use of equipment not listed in 3.1.1. He stated the verbiage can be confusing and was written by a previous City Manager. **Battles** stated Silver Star Construction is a good contractor who provides equipment and services not required in the contract and at no additional cost to the City.

Discussion was held concerning the contract language as well as there always being a possibility the contract could be discontinued where City Staff would have to take over the responsibilities and would need the equipment. It was stated this purchase would replace current equipment owned by the City as the current equipment had out-lived its life.

Councilwoman Bowers asked if Silver Star paid the City for the use of City equipment with it being stated no, but do provide maintenance of the equipment. She also asked about Section 1.7.3 where it mentions mowers provided by the contractor with it being stated those are different than the tractor and mower Staff is requesting to buy.

Councilwoman Bowers asked the reason for purchasing a John Deere as she has been told it was higher and parts and repairs are also more expensive. **Assistant City Manager Battles** stated other brands were listed on the state contract; however, they were higher than the John Deere and stated John Deere parts were easily accessible and they have had trouble in the past obtaining parts on other brands.

Discussion was held concerning the unsafe condition of the current tractor as well as being environmentally conscious as the tractor leaks a considerable amount of oil. Other discussion included the timeline with mowing season approaching and needing to order the new tractor and mower now as the mower will need approximately 6 weeks build time.

Additional discussion included purchasing from state contract as opposed to the City bidding it with it being stated the tractor and mower on state contract had been competitively bid with the State normally being able to obtain better pricing due to volume purchasing. It was also stated the City routinely utilizes the state contracts for purchases, including the Police vehicles.

Councilwoman Bowers asked ***Battles*** to provide pricing where Silver Star purchases the tractor and mower and the City pays rental fees.

MOTION was made by **Councilwoman Bowers** to table this item to the next City Council meeting, April 7, 2015.

Motion died for lack of a second.

MOTION was made by **Councilman Taylor**, seconded by **Councilman Schweinberg,** to Approve the Purchase of a new Tractor and Flail Mower.

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

4. **Discussion, Consideration and Possible Action** regarding Approval of the Municipal Lease/Purchase of One (1) Police Vehicle with RCB Bank for a Three Year Term; documents to include, but not limited to, Lease/Purchase Agreement, Resolution No. 15-048, and Statement of Essential Use; and Authorizing Staff to Execute Documents.

City Manager Rooney stated this was a lease/purchase for the Police Department in the total amount of $39,902.16 for a Dodge Ram pickup with special service package plus added necessary emergency equipment and installation. He stated financing would be provided through RCB Bank. He stated this purchase was part of the plan to replace vehicles in the Police Department and had been done for the last three years stating the purchase was included in the budget.

MOTION was made by **Councilman Schweinberg**, seconded by **Councilman Taylor,** to Approve the Municipal Lease/Purchase of One (1) Police Vehicle with RCB Bank for a Three Year Term; documents to include, but not limited to, Lease/Purchase Agreement, Resolution No. 15-048, and Statement of Essential Use; and Authorizing Staff to Execute Documents.

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

J. CITY ATTORNEY'S REPORT

None.

K. ADJOURNMENT

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

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

The meeting was adjourned at **7:51 p.m.**

Jay Adams, Mayor

Attest:

Lisa Martin, City Clerk

MUSTANG IMPROVEMENT AUTHORITY
MARCH 17, 2015

The Mustang Improvement Authority met in regular session on Tuesday, March 17, 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, March 13, 2015, at 9:15 a.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 **7:51 p.m.**

B. ROLL CALL

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

Trustees Absent: **Staples**

C. NEW BUSINESS

None.

D. CONSENT AGENDA

1. Approval of **03/03/15** MIA Minutes
*2. Claims List for **FY '15**
*3. Approval of **First Amendment** to the Operation, Maintenance, and Management Services Agreement between Severn Trent Environmental Services, Inc. and the Mustang Improvement Authority.

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

AYE: **Taylor, Bowers, 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 Acceptance of Bids for Project titled 59th Street Bridge Waterline Relocation.

MOTION was made by **Trustee Schweinberg**, seconded by **Trustee Taylor,** to Accept all Qualified Bids, except for the bid submitted by Utili-Link, Inc., for Project titled 59th Street Bridge Waterline Relocation.

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

*2. **Discussion, Consideration and Possible Action** regarding Awarding of Bid for Project titled 59th Street Bridge Waterline Relocation.

MOTION was made by **Trustee Schweinberg**, seconded by **Trustee Jones,** to Award the Bid for Project titled 59th Street Bridge Waterline Relocation to RDM Construction in the amount of $39,900.00.

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

G. ADJOURNMENT

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

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

Meeting was adjourned at **7:54 p.m.**

Jay Adams, Chairman

Attest:

Lisa Martin, Secretary