MUSTANG CITY COUNCIL
AUGUST 21, 2012

The Mustang City Council met in regular session on Tuesday, August 21, 2012 at 7:00 p.m. in the Mustang Municipal Building Council Chambers. Notice of the meeting was posted on Friday, August 17, 2012, at 2:45 p.m.. An Amended Agenda was posted on Monday, August 20, 2012 at 2:25 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

Pastor Dave Bryan of Chisholm Heights Baptist Church led the assembly in Prayer and the Pledge of Allegiance.

Pastor Bryan thanked Council for allowing prayer at the Council Meetings.

C. ROLL CALL

Roll was called by Mary Jo Kappes, Deputy City Clerk and it was as follows:

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

D. INTRODUCTION OF GUESTS/HEARING OF CITIZENS OR DELEGATES

There was none.

E. NEW BUSINESS, DELETIONS OR CONTINUANCES TO THE AGENDA

There was no new business, deletions or continuances to the agenda.

F. CONSENT AGENDA

1. Approval of **08/07/12** City Council Minutes.
*2. Approval of Claims List for FY **'12**
*3. Approval of Claims List for FY **'13**
4. Approval to Turn Past Due Library Accounts Over to the Collection Agency.
5. Approval of **Resolution No. 13-004**, Making Changes in the General Fund Budget by Making a Supplement Appropriation to Increase the 2012-2013 Fiscal Year Budget by $25,000.
6. Approval of **Resolution No. 13-005,** Establishing the Nine-One-One Emergency Telephone Fee Rate for Calendar Year 2013.
7. Approval of **Resolution No. 13-006**, Making changes in the General Fund Budget by Making a Supplemental Appropriation to Increase the 2012-2013 Fiscal Year Budget by $727.00.
8. Approval to Declare Old and Damaged Library Material as Surplus.
*9. Approval of **Engagement Letter for BDO Rebate Service, Inc**. for Calculation of Arbitrage Rebate and Filing of Federal Tax Form 8038-T, if Required for the Mustang Improvement Authority Utility System Revenue Bonds Series 1998 A&B as Required by the Bond Indenture for the Period of September 1, 2008 to September 1, 2012.
*10. Approval of **Engagement Letter for BDO Rebate Service, Inc.** for Calculation of Arbitrage Rebate and Filing of Federal Tax Form 8038-T, if Required for the Mustang Improvement Authority Utility System Refunding Revenue Bonds, Series 2006 for the Period of May 1, 2011 to May 1, 2012.

Councilman Grubbs commented that Item F6 needed to be amended.

Rutledge commented there is a typo on this. On the F6 Commentary the last line says "This rate is the same as last year." That needs to be marked out because the 9-1-1 Emergency Telephone Service fee for 2013 is at 3%.

MOTION was made by **Councilman Grubbs** and seconded by **Councilman Mount** to approve the Consent Agenda as amended.

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

G. INFORMATION/REPORT

1. City Manager

Rutledge commented that our mowing is a little spotty right now. We are trying to do our best until the new mowing contract is approved.

Rutledge then reported that as of right now the towers have 2.6 million gallons of water in it. We have enough water to fight a fire, if need be, and take care of all the other demands on our system. Right now we are in good shape.

a. COWRA Report

Rutledge reported on his trip to Arizona with COWRA. They are working on an alternative water supply for the region. COWRA then had a meeting when they got back on Friday and they decided to pick an engineering firm to work with them and look at the feasibility of this. They chose Gurnsey and they are working out the details of this right now. He will report back to Council when there are further developments. The big hurdle would be how to dispose of the residual.

2. City Council

Councilman Taylor thanked the City Manager for the repairs to the Old City Park. He also asked the City Manager for Plans or options for the live streaming of the meetings on the internet. Also, he would like the City Manager to look into the ability to archive meetings and post them on our website.

City Manager Rutledge stated that not only is Old City Park being vandalized but all the other parks are too. The Blue Whale that we put up not too long ago at Linden Park has been totally destroyed. The walking trails have also been vandalized. We need the citizen's help in deterring this type of thing. If you see something please report it to the Police Department. He reminded Council that he had previously spoken with them regarding cameras in the parks system.

Councilman Taylor also encouraged the citizen's to speak up if they see that something is wrong.

Councilwoman Bowers stated that she has enjoyed meeting some of the people in her Ward this week and would love to meet more.

Councilman Mount stated that he drove up and down Czech Hall Road looking at the blacktop and there were three pickups stopped and four (4) people working at SW 89th. One truck was a Severn Trent Pickup. He thought that Severn Trent was not working on the Streets anymore.

Rutledge commented that until the new contract for streets is approved we have been utilizing Severn Trent at times.

Councilman Mount asked about the $44,000 for Grading and Drainage and that he would like to see a statement for this.

Mayor Adams stated that the $44,000 was not spent and explained. He went on to explain the Route Conditions Report from ACOG. Each Councilmember received a copy of this Report.

Mayor Adams asked when the Website would be accessible to all Departments of the City so they can post their information for the general public's viewing.

Rutledge replied that he is waiting for the templates. He is hoping for the website to be up and running by the first part of October, if not sooner.

Mayor Adams asked where the City was in regards to the Soccer Contract.

Justin Battles replied that Phase A will be done next week and Phase B should be complete the following week. There are four (4) Companies that are interested in Phase A.

Mayor Adams stated that we need to get the Soccer project completed first.

H. DISCUSSION ITEMS

1. **Discussion, Consideration and Possible Action Regarding Approval of Final Plat for Hunters Hill Addition, Section 3 as Submitted by Manco Enterprises/Howard Manwarren.**

Melissa Helsel reported on the Final Plat for Phase III of Hunters Hill Addition. This addition will contain twenty-eight (28) lots. It conforms exactly to the Preliminary Plat. They have met all designing requirements. The water and sewer plans have been approved. We are still waiting for approval on the final drainage and detention submittal. The Planning Commission voted 6-0 (one was absent) in favor of the Plat at their last meeting. Staff recommends approval of this Plat with the understanding that no permits will be issued until the final drainage and detention plans have the engineer's approval.

MOTION was made by **Councilman Grubbs** and seconded by **Councilman Jones** to approve pending that all comments are addressed to the satisfaction of staff prior to any permits being issued.

MOTION was made by **Councilman Taylor** to table Item H1 pending submittal and approval of the drainage and retention.

City Attorney Miller stated that there can only be one (1) motion at a time on the table.

Now for the vote on the **original Motion**:

AYE: Grubbs, Bowers, Jones Hagan, Mount
NAY: Taylor

Mayor Adams stated that Item H1 is approved.

2. Discussion, Consideration and Possible Action Regarding Approval of Agreement between the City of Mustang and EST Engineering for Employment as City Engineer.

Rutledge stated that he and the City Attorney have reviewed this contract and everything is okay. Staff recommends approval.

Councilwoman Bowers stated that she does not like the verbiage in this but she understands that it is legal talk and needs to be in there.

MOTION was made by **Councilman Grubbs** and seconded by **Councilwoman Hagan** to approve.

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

3. Discussion, Consideration and Possible Action Regarding Approval of Agreement between the City of Mustang and Red Prairie Design for Architect on Town Center Project.

Rutledge stated that he and Councilman Grubbs along with the City Attorney met with Red Prairie Designs and they changed their fee down to $142,000.

Councilman Grubbs stated that the reduction is due to Red Prairie Design lowering their fee from 8% down to 7%. The only other change was that they were going to do two (2) renderings but they are now only going to do one (1) rendering. One rendering should be enough.

MOTION was made by **Councilman Grubbs** and seconded by **Councilman Jones** to approve the Red Prairie Design Contract.

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

J. CITY ATTORNEY'S REPORT

***1. Discussion, Consideration and Possible Action Regarding Negotiations and Approval of Agreement, Memorandum of Understanding and Bonds between the City of Mustang/MIA and Silver Star Construction, Inc. for Construction and Maintenance of Public Works Projects and Mowing and Maintenance of Public Parks and Facilities. Proposed Executive Session as Authorized by 25 O.S. Section 307 (B)(2).**

City Attorney Miller stated that staff recommended that Item J1 be discussed in Executive Session.

MOTION was made by **Councilman Grubbs** and seconded by **Councilwoman Hagan** to adjourn to Executive Session.

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

Council returned from Executive Session.

MOTION was made by **Mayor Adams** and seconded by **Councilman Grubbs** to Approve the Silver Star Contract with the amended corrections to the Contract, Bonds and MOU.

AYE: Grubbs, Bowers, Jones, Hagan, Mount, Adams
NAY: Taylor

K. ADJOURNMENT

MOTION was made by **Councilman Grubbs** and seconded by **Councilman Jones** to adjourn the meeting.

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

Meeting was adjourned at **8:07 p.m**.

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Mayor

Attest:

____
City Clerk

MUSTANG IMPROVEMENT AUTHORITY
AUGUST 21, 2012

The Mustang Improvement Authority met in regular session on Tuesday, August 21, 2012, 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, August 17, 2012, at 2:45 p.m. An Amended Agenda was posted on Monday, August 20, 2012, at 2:25 p.m. in compliance with the Open Meeting Law, 25 O.S., Section 301, et. seq.

A. <u>CALL TO ORDER</u>

Chairman Adams called the meeting to order at 8:07 p.m.

B. <u>ROLL CALL</u>

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

Trustees Absent: **None**

C. <u>NEW BUSINESS</u>

None

D. <u>CONSENT AGENDA</u>

1. Approval of **08/07/12** MIA Minutes.
*2. Claims List for **FY '12**
*3. Claims List for **FY '13**
*4. Approval of **Engagement Letter for BDO Rebate Service, Inc**. for Calculation of Arbitrage Rebate and Filing of Federal Tax Form 8038-T, if Required for the Mustang Improvement Authority Utility System Revenue Bonds Series 1998 A&B as Required by the Bond Indenture for the Period of September 1, 2008 to September 1, 2012.
*5. Approval of **Engagement Letter for BDO Rebate Service, Inc.** for Calculation of Arbitrage Rebate and Filing of Federal Tax Form 8038-T, if Required for the Mustang Improvement Authority Utility System Refunding Revenue Bonds, Series 2006 for the Period of May 1, 2011 to May 1, 2012.

MOTION was made by **Trustee Grubbs** and seconded by **Trustee Jones** to approve the Consent Agenda.

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

E. INFORMATION/REPORTS

1. Trustee Manager

Rutledge reported that OEMA is still having problems with the contamination in their carts. This is very dangerous for their employees. He will bring a report and pictures to the next meeting on this matter.

2. Trustees

None

F. DISCUSSION ITEMS

*1. **Discussion, Consideration and Possible Action** Regarding Negotiations and Approval of Agreement, Memorandum of Understanding and Bonds between the City of Mustang/MIA and Silver Star Construction, Inc. for Construction and Maintenance of Public Works Projects and Mowing and Maintenance of Public Parks and Facilities. **(Proposed Executive Session as Authorized by 25 O.S., Section 307(B)(2)**

MOTION was made by **Chairman Adams** and seconded by **Trustee Grubbs** approve the Silver Star Contract, Bonds and Memorandum of Understanding with the proposed corrections.

AYE: Grubbs, Bowers, Jones, Hagan, Adams
NAY: Taylor, Mount

Chairman Adams stated that Item F1 is approved.

G. <u>ADJOURNMENT</u>

MOTION was made by **Trustee Jones** and seconded by **Trustee Hagan** to adjourn the meeting.

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

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

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Chairman

Attest:

____
Secretary