MUSTANG CITY COUNCIL
JUNE 17, 2014

The Mustang City Council met in regular session on Tuesday, June 17, 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 Friday, June 13, 2014, at 4:15 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 **7:00p.m.**

B. PLEDGE OF ALLEGIANCE/INVOCATION (Terry Jones, Councilman)

Councilman Jones led the assembly in the Pledge and Invocation.

C. ROLL CALL

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

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 **06/03/14** City Council Minutes
2. Approval of **06/09/14** City Council Special Meeting (Work Session) Minutes
*3. Claims List for **FY '14**
*4. Approval to Turn **Past Due Utility Accounts** Over to the Collection Agency.
5. Approval of **Resolution No. 14-054**, Establishing the Nine-One-One (9-1-1) Emergency Telephone Fee Rate for Calendar Year 2015.
6. Approval of **Resolution No. 14-055**, Making Changes in the General Fund Budget by Making a Supplemental Appropriation to Increase the 2013-2014 Fiscal Year Budget by $17.
7. Approval of **Resolution No. 14-057**, Making Changes in the Library Fund Budget by Making a Supplemental Appropriation to Increase the 2013-2014 Fiscal Year Budget by $100.
8. Approval of **Resolution No. 14-058**, Making Changes in the General Fund Budget by Making a Supplemental Appropriation to Increase the 2013-2014 Fiscal Year Budget by $941.
9. Approval of **Resolution No. 14-059**, Making Changes in the General Fund Budget by Making a Supplemental Appropriation to Increase the 2013-2014 Fiscal Year Budget by $300.
10. Approval of **Resolution No. 14-060**, Making Changes in the General Fund Budget by Making a Supplemental Appropriation to Increase the 2013-2014 Fiscal Year Budget by $7,500.
11. Approval of **Proclamation** Declaring the Month of July as Parks and Recreation Month.
12. Approval to Renew Agreement with **Smart Technologies, Inc.** for Fiscal Year 2014-2015 for Remote Network Administration.
13. Approval to Renew Agreement with **Mustang Public Schools** to Provide Campus School Resource Officers.
14. Approval to Renew Excess Workers' Compensation Insurance with **Mid-West Employers**.
*15. Acknowledgement of Receipt of **DEQ Amended Permit No. WL000009130829**, to Construct Water Lines as part of the Industrial Access Road Water Line Extension Project.

Councilman Schweinberg requested Item F-3 be pulled.

MOTION was made by **Mayor Adams**, seconded by **Councilman Jones,** to approve Items F-1 thru F-2 and Items F-4 thru F-15 of the Consent Agenda.

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

Councilman Schweinberg inquired about the "A Royal Flush" claim in the amount of $2,921.50 asking if this was for port-a-potties at the baseball fields and if the fee was for the entire summer. He also asked when the concession and restroom facilities would be completed.

Parks and Recreation Director Battles stated the claim is for the port-a-potties at the baseball fields, as well as other services for the restrooms in the parks advising the fee is through June 30, 2014. He stated the contract allowed 45 days for completion of the concession and restroom facilities and should be completed in the next three weeks.

MOTION was made by **Councilman Schweinberg**, seconded by **Councilman Jones**, to approve Item F-3 of the Consent Agenda.

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

G. INFORMATION/REPORTS

1. City Manager

City Manager Rooney stated striping on 89th street was completed today and reminded everyone about the Fire Department's Bean Supper and Firework Display to be held June 28, 2014 beginning at 6:30 p.m.

2. City Council

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

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

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

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

Councilwoman Hagan stated she had attended the OEMA meeting last week and stated she was happy to see them continue with the City.

Councilman Schweinberg stated he had been contacted regarding:

- the water rate hike stating the residents didn't realize the increase was being approved with the approval of the budget. He stated they were concerned with the CPI raises and this raise, that their utility rates could actually raise 11% in the next couple of years.
- in February or April of this year, a resident addressed the Council regarding arsenic removal and would like to discuss this with the City Manager.
- garage sale permit fees – especially when a resident is running a garage sale like a business.

Schweinberg requested to meet with the City Manager to discuss the above items.

Mayor Adams thanked the City Manager and Staff for taking care of road repair issues he had and stated his other items were already resolved as well by the City Manager and/or Staff. He asked if the feed was working on Channel 20 and over the internet.

> **Community Development Director Coleman** stated it should be working over Channel 20, but still having issues with the internet feed.

H. CITY ATTORNEY'S REPORT

1. **Discussion and Consideration** of Potential Claim of Tax Sale Purchaser of Property on which City of Mustang holds Unrecorded Permanent Street/Utilities Right-of-Way; and, **proposed Executive Session as authorized by 25 Okla. Stat. §307(B)(4),** upon advice of City Attorney that disclosure will seriously impair the ability of City Council to conduct the investigation in the public interest.

2. **Discussion and Consideration** Regarding the Agreement between the City of Mustang and The Fraternal Order of Police, for Fiscal Year 2014-15. **Proposed Executive Session as Authorized by 25 O.S., Section 307 (B)(1).**

MOTION was made by **Mayor Adams,** seconded by **Councilman Schweinberg** to adjourn to executive session.

AYE: Staples, Bowers, Jones, Hagan, Schweinberg, Adams
NAY: None

TIME ADJOURNED to Executive Session**: 7:15 p.m.**

Mayor Adams called the meeting back in session at **7:47 p.m.**

J. DISCUSSION ITEMS

*1. **Discussion, Consideration and Possible Action** to Accept Permanent Street/Utilities Right-of-Way previously Granted to City of Mustang by Mustang Leasing, L.L.C.

MOTION was made by **Mayor Adams,** seconded by **Councilwoman Bowers** to Accept Permanent Street/Utilities Right-of-Way previously Granted to City of Mustang by Mustang Leasing, L.L.C.

AYE: Staples, Bowers, Jones, Hagan, Schweinberg, Adams
NAY: None

2. **Discussion, Consideration and Possible Action** to Approve the Agreement between the City of Mustang and The Fraternal Order of Police, for Fiscal Year 2014-15.

MOTION was made by **Councilman Schweinberg,** seconded by **Councilman Jones** to Approve the Agreement between the City of Mustang and The Fraternal Order of Police, for Fiscal Year 2014-15.

AYE: Staples, Bowers, Jones, Hagan, Schweinberg, Adams
NAY: None

3. **Discussion, Consideration and Possible Action** to Approve the Purchase of Two Electronic Scoreboards for New Baseball Complex Utilizing Existing Available Funds.

Parks and Recreation Director Battles stated the scoreboards were not included in the bond for the new ball fields; therefore, he had been searching for sponsors to help purchase six of them (there are six fields). He stated sponsors had purchased four of the six, and this request is to purchase the remaining two scoreboards from the money left over from the purchase of the bleachers. He stated $71,400 was budgeted for bleachers; however, the contract awarded was in the amount of $42,260 so is asking to use $17,950 of the remaining budget for the scoreboards. Battles stated the price included installation and normal warranty.

MOTION was made by **Councilman Schweinberg,** seconded by **Councilwoman Staples** to Approve the Purchase of Two Electronic Scoreboards for New Baseball Complex Utilizing Existing Available Funds.

AYE: Staples, Bowers, Jones, Hagan, Schweinberg, Adams
NAY: None

4. **Discussion, Consideration and Possible Action** Regarding Approval of **Ordinance No. 1103** Amending Chapter 46, Article IV, by Amending Section 46-92 to Change Reference to "Class C (Common)" Fireworks to "Consumer Fireworks" and Defining "Consumer Fireworks", "Display Fireworks" and "Fireworks"; Amending Section 46-93 to Change Reference to Class C (Common) Fireworks to Consumer Fireworks; Amending Section 46-97 to Clarify that Consumer Fireworks may be sold during Stated Dates and Times and Prohibiting the Sale of Other Fireworks; Amending Section 46-98 to Add Requirements on Storage and Handling and Prohibiting Mail, Internet or Other Indirect Sales of Fireworks; Amending Section 46-99 to Refer to Display Fireworks and Consumer Fireworks and to Require State License; Providing for Severability; and Declaring an Emergency.

   Mayor Adams stated the changes to be made in the Ordinance did not affect the discharge of fireworks, but was for clarification of terms in order to match State definitions.

MOTION was made by **Councilman Schweinberg,** seconded by **Councilman Jones** to Approve Ordinance No. 1103.

AYE: Staples, Bowers, Jones, Hagan, Schweinberg, Adams
NAY: None

MOTION was made by **Mayor Adams**, seconded by **Councilman Schweinberg**, to approve the Emergency Clause for Ordinance No. 1103.

AYE: Staples, Bowers, Jones, Hagan, Schweinberg, Adams
NAY: None

*5. **Discussion, Consideration and Possible Action** Regarding Acceptance of Proposals Received for Commercial and Residential Solid Waste Collection Services; Award of the Solid Waste Collection Services Bid submitted by OEMA; and Authorize the City Manager and City Attorney to Develop a Contract for Services based upon the OEMA Proposal.

City Manager Rooney stated Request for Proposals were solicited with three companies responding prior to the deadline, one of which declined to include a proposal. He stated the two companies that submitted proposals were Oklahoma Environmental Management Authority (OEMA) and Waste Corporation of Oklahoma (WCA) stating Tammi Noblitt, Justin Battles and he evaluated the proposals and are recommending award to OEMA as the lowest and best bidder. **Rooney** stated OEMA's proposal had the best rates overall, but they also included one Spring and one Fall Pick-up (both curbside) as opposed to the one curbside pickup under the existing contract as well as providing one free 40 yard roll off container to the City per quarter at no charge. He stated the next step after award would be for the City Council to authorize the City Manager and City Attorney to develop a contract for services based on the bid submitted by OEMA. He also stated rates would be evaluated and if possible, would recommend passing any rate reduction on to the customers.

Steve Wright with WCA addressed the Council regarding their proposal advising their bid promotes recycling and when added together with their trash rates, their bid would be low; however, recycling would have to be a requirement. He stated this would be much better environmentally and he has implemented this in other cities and has been very successful.

David Griesel with OEMA addressed the Council thanking them for the opportunity to service the City for the last five years and for the opportunity to continue that service and stating OEMA is a Title 60 Trust.

MOTION was made by **Mayor Adams**, seconded by **Councilman Schweinberg**, to Accept the Proposals for Commercial and Residential Solid Waste Collection Services; Award the Solid Waste Collection Services Bid to OEMA; and Authorize the City Manager and City Attorney to Develop a Contract for Services based upon the OEMA Proposal.

AYE: Staples, Bowers, Jones, Hagan, Schweinberg, Adams
NAY: None

*6. **Discussion, Consideration and Possible Action** Regarding Acceptance of Bids Received for the Industrial Access Road Waterline and Award the Contract for the Construction of the Industrial Access Road Waterline to Brewer Construction for a Total Contract Cost of $88,644.

City Manager Rooney stated a portion of the recently completed Industrial Access Road that extends east from Sara Road (Hwy 4) to the Armed Forces Readiness Center was in need of a water main advising it was not budgeted for in the FY 2013-2014 budget. He stated the waterline would allow for a looped water system in this area bringing the City of Mustang within compliance of its own regulations and improving water pressures in this developing area.

Rooney stated the waterline was bid and shortly after advertising, the Armed Forces Readiness Center contacted the City regarding a desire to utilize the awarded contractor in order to extend the line an additional 180 feet on their property to make the connection and the City be reimbursed for that portion of the work; therefore, an Addendum was issued adding the extra 180 feet to the bid – "Add Alternate". He stated seven bids were received with the lowest and best bid being submitted by Brewer Construction for a total amount of $88,644 ($77,261.25 for the base bid and $11,382.75 for the Add Alternate) advising the City will be reimbursed the Add Alternate by the Armed Forces Readiness Center as well as for the engineering costs for the Addendum. **Rooney** stated the Armed Forces Readiness Center provided a Letter of Commitment and a copy was included in the agenda packet.

MOTION was made by **Mayor Adams**, seconded by **Councilman Jones**, to Accept the Bids Received for the Industrial Access Road Waterline and Award the Contract for the Construction of the Industrial Access Road Waterline to Brewer Construction for a Total Contract Cost of $88,644.

AYE: Staples, Bowers, Jones, Hagan, Schweinberg, Adams
NAY: None

*7. **Discussion, Consideration and Possible Action** Regarding ODEQ Consent Order 07-438 – Addendum A.

City Manager Rooney advised in February of 2008, Consent Order 07-438 was issued by the Oklahoma Department of Environmental Quality (ODEQ) to the City of Mustang (City)/Mustang Improvement Authority (MIA) to resolve certain environmental compliance issues and ODEQ also issued a "Notice of Non-Compliance" on September 30, 2011 for failing to complete Task F contained within the Consent Order which required the City/MIA to submit a schedule for completing Phase II of the upgrades to the Wastewater Treatment Plant on or before August 1, 2010. He stated on February 24, 2012, ODEQ approved a technical memorandum that proposed a schedule for these improvements that is the basis for the Addendum A of the original Consent Order 07-438 advising items A through F of the Addendum A have been completed as of this date with the remaining steps still needing completed by certain due dates. He also stated the City/MIA is to pay $7,500 to ODEQ by July 10, 2014 (the original letter submitted by ODEQ had a due date of July 1, 2014; however, due to an error by ODEQ, the date was extended to July 10, 2014) stating Severn Trent would reimburse the City/MIA for this amount.

Discussion was held concerning the Canadian River Wasteload Allocation Study advising Phase 2 was supposed to be based on that study; however, it has not been completed yet.

MOTION was made by **Mayor Adams**, seconded by **Councilwoman Staples**, to Authorize the Mayor to sign "Consent Order 07-438 – Addendum A", approving Tasks H and I within the Consent Order, and modifying Task G to read as follows:

> "Respondent agrees to submit to ODEQ for prorated limits for the increase in the 208 Plan Design from 2.0 MGD to 3.0 MGD, unless the results of the Canadian River Wasteload Allocation Study require discharge limits that are less stringent than the prorated limits."

AYE: Staples, Bowers, Jones, Hagan, Schweinberg, Adams
NAY: None

K. ADJOURNMENT

MOTION was made by **Mayor Adams**, seconded **Councilwoman Hagan** to adjourn.

AYE: Staples, Bowers, Jones, Hagan, Schweinberg, Adams
NAY: None

The meeting was adjourned at **8:14 p.m.**

____
Jay Adams, Mayor

Attest:

____
Lisa Martin, City Clerk

MUSTANG IMPROVEMENT AUTHORITY
JUNE 17, 2014

The Mustang Improvement Authority met in regular session on Tuesday, June 17, 2014, at 7:00 p.m. in the Mustang Municipal Building Council. Notice of the meeting was posted on the Bulletin Board outside the Mustang Municipal Building on Friday, June 13, 2014, at 4:15 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 **8:14 p.m.**

B. ROLL CALL

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

Trustees Absent: **Taylor**

C. NEW BUSINESS

None.

D. CONSENT AGENDA

1. Approval of **06/03/14** MIA Minutes
*2. Claims List for **FY '14**
3. Approval of **Resolution No. 14-056**, Making Changes in the 2013 Revenue Bond Fund Budget by Making a Supplemental Appropriation to Increase the 2013-2014 Fiscal Year Budget by $552,500.
*4. Approval to Turn **Past Due Utility Accounts** Over to the Collection Agency.
*5. Acknowledgement of Receipt of **DEQ Amended Permit No. WL000009130829**, to Construct Water Lines as part of the Industrial Access Road Water Line Extension Project.

MOTION was made by **Trustee Schweinberg**, seconded by **Trustee Hagan,** to approve Items D-1 thru D-5 of the Consent Agenda.

AYE: Staples, 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** to Accept Permanent Street/Utilities Right-of-Way previously Granted to City of Mustang by Mustang Leasing, L.L.C.

MOTION was made by **Chairman Adams**, seconded by **Trustee Bowers** to Accept Permanent Street/Utilities Right-of-Way previously Granted to City of Mustang by Mustang Leasing, L.L.C.

AYE: Staples, Bowers, Jones, Hagan, Schweinberg, Adams
NAY: None

*2. **Discussion, Consideration and Possible Action** Regarding Acceptance of Proposals Received for Commercial and Residential Solid Waste Collection Services; Award of the Solid Waste Collection Services Bid submitted by OEMA; and Authorize the City Manager and City Attorney to Develop a Contract for Services based upon the OEMA Proposal.

MOTION was made by **Trustee Schweinberg**, seconded by **Trustee Staples** to Accept the Proposals for Commercial and Residential Solid Waste Collection Services; Award the Solid Waste Collection Services Bid to OEMA; and Authorize the City Manager and City Attorney to Develop a Contract for Services based upon the OEMA Proposal.

AYE: Staples, Bowers, Jones, Hagan, Schweinberg, Adams
NAY: None

*3. **Discussion, Consideration and Possible Action** Regarding Acceptance of Bids Received for the Industrial Access Road Waterline and Award the Contract for the Construction of the Industrial Access Road Waterline to Brewer Construction for a Total Contract Cost of $88,644.

MOTION was made by **Trustee Schweinberg**, seconded by **Trustee Staples**, to Accept the Bids Received for the Industrial Access Road Waterline and Award the Contract for the Construction of the Industrial Access Road Waterline to Brewer Construction for a Total Contract Cost of $88,644.

AYE: Staples, Bowers, Jones, Hagan, Schweinberg, Adams
NAY: None

*4. **Discussion, Consideration and Possible Action** Regarding ODEQ Consent Order 07-438 – Addendum A.

MOTION was made by **Chairman Adams**, seconded by **Trustee Schweinberg**, to Authorize the Mayor to sign "Consent Order 07-438 – Addendum A", approving Tasks H and I within the Consent Order, and modifying Task G to read as follows:

"Respondent agrees to submit to ODEQ for prorated limits for the increase in the 208 Plan Design from 2.0 MGD to 3.0 MGD, unless the results of the Canadian River Wasteload Allocation Study require discharge limits that are less stringent than the prorated limits."

AYE: Staples, Bowers, Jones, Hagan, Schweinberg, Adams
NAY: None

G. ADJOURNMENT

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

AYE: Staples, Bowers, Jones, Hagan, Schweinberg, Adams
NAY: None

Meeting was adjourned at **8:17 p.m.**

____
Jay Adams, Chairman

Attest:

____
Lisa Martin, Secretary