MUSTANG CITY COUNCIL
MUSTANG MUNICIPAL BUILDING
1501 N. MUSTANG ROAD
MUSTANG, OKLAHOMA 73064

JUNE 20, 2017
7:00 P.M.

AGENDA

A. CALL TO ORDER

B. PLEDGE OF ALLEGIANCE/INVOCATION

Randy Sholund, Pastor, Life Tabernacle Pentecostal Church

C. ROLL CALL

D. INTRODUCTION OF GUESTS/HEARING OF CITIZENS OR DELEGATES

E. NEW BUSINESS, DELETIONS OR CONTINUANCES TO THE AGENDA

F. CONSENT AGENDA

These items are considered on the Consent Agenda so that members of the City Council by unanimous consent can designate routine agenda items to be approved by one motion. If any item proposed on the Consent Agenda does not meet with approval of all Councilmember's that item will be removed and heard in regular order.

1. Approval of **06/06/2017** City Council Minutes.
*2. Claims List for **FY 2017**.
3. Approval to **Deny Tort Claim** by Jeremy Spengler, date of incident May 1, 2017, in the amount of $2,000.
4. Approval to Renew **Excess Workers' Compensation Insurance** with Midwest Employers Policy.

G. INFORMATION/REPORTS

1. City Manager

2. City Council

   a. Appointment of Brian Patric to Leisure Services Board for Ward Six Representative

   b. Presentation to Warriors for Freedom.

   c. City Council Reports

H. DISCUSSION ITEMS

1. **Discussion, Consideration and Possible Action** regarding Approval of **Ordinance No. 1149**, an Ordinance of the City of Mustang, Oklahoma, Amending Chapter 34, by Amending Section 34-35 to Change the Number of 911 Abuses or False Alarms after which Notice will be sent and a Fee Imposed for Subsequent 911 Abuses or False Alarms; Amending Chapter 42, by Amending Section 42-34(A) and 42-34(C) to Increase the Fee for 911 Abuses and False Alarms Exceeding Five per Fiscal Year; Declaring Repealer; Providing for Severability; and Declaring an Emergency.

2. **Discussion, Consideration and Possible Action** regarding First Reading and Setting Date for Consideration of **Ordinance No. 1150**, an Ordinance of the City of Mustang, Oklahoma, Amending Chapter 90, of the Code of Ordinances of the City of Mustang, Oklahoma, by Adding Section 90-7, Partially Vacating an Easement Dedicated to the City of Mustang, which Easement is located East of and Adjacent to Lot 8 of Mitchell Addition to the City of Mustang, Canadian County, Oklahoma, According to the Recorded Plat Thereof, as more particularly described; Declaring Repealer; Providing for Severability; and Declaring an Emergency.

3. **Discussion, Consideration and Possible Action** regarding Approval of **Resolution No. 17-039** and the Oklahoma Department of Transportation Project Agreement No. 27901(04), Local Traffic Detour for State Highway 152 Project.

*4. **Discussion, Consideration and Possible Action** regarding Approval of Contract for Operation, Maintenance, and Management of the Water and Wastewater Treatment Facilities for the City of Mustang.

J. CITY ATTORNEY'S REPORT

1. **Discussion, Consideration and Possible Action** regarding potential purchase and acceptance of permanent and temporary easements and authorization for Mayor and City Staff to execute necessary documents to accomplish the same; and, **proposed Executive Session as authorized by 25 Okla. Stat. §307(3)**.

K. ADJOURNMENT

***Items Considered Concurrently on the MIA Agenda.**

MUSTANG CITY COUNCIL
JUNE 6, 2017

The Mustang City Council met in regular session on Tuesday, June 6, 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, June 2, 2017, at 2:00 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 (Terry Jones, Councilmember, Ward IV).

Councilman Jones led the assembly in the Pledge and Invocation.

C. ROLL CALL

Councilmembers Present: **Leete**
Grider
Jones
Hagan
Schweinberg
Adams

Councilmembers Absent: **Riley**

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 **05/16/2017** City Council Minutes.
*2. Claims List for **FY 2017**.
*3. Approval to Turn **Past Due Utility Accounts** over to the Collection Agency.
4. Approval to Turn **Past Due Library Accounts** over to the Collection Agency.
5. Approval to Renew **Agreement** with the Canadian County Sheriff's Office to Hold Excess Prisoners.
6. Acceptance of **Playground Sign** donated by Metro Signs for Accessible Playground Area.

7. Acceptance of **Document Camera and Headphones Junction Box** purchased by the Friends of the Mustang Public Library for the Mustang Library.
8. Approval to **Declare Decommissioned Badges as Surplus and Authorize Disposal** of those Items.

*9. Approval to **Declare Certain Items as Surplus and Authorize Disposal** of those Items.

Councilmember Schweinberg requested Item F-6 be pulled for discussion.

MOTION was made by **Councilman Schweinberg**, seconded by **Councilman Grider**, to approve Items F-1 through F-5 and F-7 through F-9 of the Consent Agenda.

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

MOTION was made by **Councilman Grider**, seconded by **Councilman Leete**, to approve Item F-6 of the Consent Agenda.

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

G. INFORMATION/REPORTS

1. City Manager

City Manager Rooney stated he did not have anything in addition to the written report.

2. City Council

a. Recognition of Mustang Resident Travis Mackenzie

Mayor Adams brought Mr. Mackenzie forward and presented a letter of recognition to him for his efforts going above and beyond when it comes to aiding his community and lending a helping hand.

b. Approval and Presentation of **Proclamation** Declaring June 23, 2017, as "Mustang Broncos Baseball Day" in the City of Mustang.

Mayor Adams read the Proclamation declaring June 23, 2017 as "Mustang Broncos Baseball Day" in the City of Mustang and presented a Proclamation to each player, coach and team manager.

MOTION was made by **Mayor Adams**, seconded by **Councilman Schweinberg**, to Approve the Proclamation Declaring June 23, 2017, as "Mustang Broncos Baseball Day" in the City of Mustang.

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

b. City Council Reports

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

Councilman Leete congratulated the Mustang Broncos baseball team. He also thanked Lynly Grider and her team for the fantastic event held Saturday for the dedication of the new all-inclusive playground stating a lot of effort had been put into it and he appreciated their hard work.

Councilman Grider thanked everyone who attended the playground dedication on Saturday stating he had very little to do with it, that it was all the Mustang Parks Foundation and volunteers. He thanked the community, staff, and elected officials for attending stating it was a great day for the community and the focus on quality of life in Mustang. He stated he had received some phone calls regarding the trash not being picked up on Memorial Day stating the City Manager's report explained it well. He stated he is also still receiving positive phone calls regarding installation of speed tables and it was nice to see community support on this.

Councilman Jones stated he also received some phone calls regarding trash pick up on Memorial Day and stated he had received a phone call regarding the parking of trailers and RVs overnight and has spoken to *Community Development Director Helsel*.

Councilwoman Hagan stated she had forwarded some code enforcement issues to the City Manager who is working on them.

Councilman Schweinberg congratulated the Mustang Broncos baseball team and also stated the dedication of the all-inclusive playground on Saturday was a magnificent event stating the Mustang Parks Foundation did a great job. He stated one of the biggest concerns coming from the recent development of the comprehensive plan was quality of life stating everyone needs to take time to drive through our parks and see how wonderful they are thanking *Assistant City Manager and Parks Director Battles* and his Staff for making them so wonderful.

Mayor Adams stated everything he had to say has been covered by everyone and he agrees with it all.

H. DISCUSSION ITEMS

*1. **Public Hearing** on **Fiscal Year 2017-2018** Annual Budget for the City of Mustang, the Mustang Improvement Authority and Related Funds in Accordance with State Statutes.

City Manager Rooney gave a Powerpoint presentation providing an overview of the budget revenues and expenses. He stated any questions received were posted on the website with answers stating they had received a question from the Library Board regarding the reason a certain item was cut stating it was resolved satisfactorily. **Rooney** thanked *Finance Director Watts* and Staff for their hard work.

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

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

Chris Parker, 621 S. Castle Rock, addressed the Council regarding budget allocations to clean up known issues in spillways and if the drainage budget included taking care of these issues.

Mayor Adams stated the drainage budget takes care of the City's required responsibility of drainage areas owned by the City.

Parker stated two years ago, massive flooding occurred in the City, as well as the State, stating a bunch of trees washed downstream in the drainage ditch behind his house taking out bridges people had built and the bridges and trees crashed into his and his neighbor's yards. He stated the City was notified and came out and dug up that area, but left debris in their yards stating once it dried up, they would be back to remove it. He stated one year later, it was still in his yard, so he cleaned it up paying out of pocket stating he took the City to court on this, and even with that, the City still has not done anything about the known issues with the drainage ditch in this area.

Adams stated the issue was adjudicated in court and if there was anything new and above what was adjudicated in court, to talk with the City Manager for him to address.

Parker stated he also was not happy with code enforcement in Mustang stating the Code Enforcement Officer would look at the spillway, without getting out of her pick up, and write warning tickets to everyone instead of looking at the individual properties where she would see the jungle at E. Linden Lane. He stated it was disheartening when a citizen takes the City to court identifying major issues and still one year later, nothing has been done. He requested the City to please take care of the overgrowth along E. Linden Lane.

Adams requested Mr. Parker get with the City Manager to work with him on this.

Harold McWhirter, 417 E. Hilcrest, addressed the Council stating he had spoken with *Assistant City Manager Battles* regarding the recent storm damage stating he and others could not afford the clean up and asked if there was anything in the budget allowing for that.

Adams stated in some prior flooding events, the Governor and FEMA had issued a declaration of disaster where cities were able to get reimbursed for clean up, but that did not happen with the recent flooding event stating only the Governor had issued an emergency and this does not provide reimbursement to cities. He stated without reimbursement, the City did not have room in the budget for additional clean up like this.

McWhirter stated it would be nice to include this in the budget instead of improvements to baseball fields and parks.

Adams stated they would take that under advisement.

Parker suggested the City provide a free drop off point for citizens to take their limbs and debris.

Adams stated the City provided a free dump point for three weeks after the storm.

McWhirter stated some people do not have transportation or the ability to get their limbs to the drop off point.

City Manager Rooney stated numerous volunteers were available offering assistance stating the information was provided on the City's website and other media and citizens could also call the City.

Debra Sholtess, 630 W. Linden, addressed the Council stating an issue that so many older people have is they do not have access to a computer or internet and do not know assistance is available.

Rooney stated information was also shared with both newspapers and people could call in stating there was only so much the City could do to provide the information without going door to door.

Adams stated there were great volunteer groups such as churches, boy scout troops as well as neighbors helping each other.

Rooney stated even after the free dump site was closed, the Code Enforcement Officer provided another free pass to those who still had debris in their yards stating in his opinion, the City went above and beyond. He stated the City still incurred a cost with this cleanup with EPA approved burning starting yesterday.

McWhirter asked if there were any provisions for emergency services outside of Fire and Police.

Adams stated no.

Councilman Grider stated the large storms that came through a few years ago cost $1.7 M and trying to build approximately $2 M into a $22 M budget would be an increase of 10% for just one or two storms.

McWhirter asked if the City had looked into the cost of equipment to handle this type of thing at the City level.

Rooney stated typically, the City does not budget for a one time per year storm event and does the best we can if it occurs.

Assistant City Manager Battles stated all public works is contracted and the City does not have any public works employees stating money could be spent on equipment, but do not have the people to run it. He stated this is why you do not see those costs since this service is contracted. He also stated the City will be spending over $100,000 just trying to get rid of the debris from this one storm event.

Parker stated he would like to get a listing of all public works contracts and work they contributed to the City for the last six months. He stated a couple of weeks ago, he had seen three men with weed eaters wearing yellow vests edging yards on S Mustang Road and S Highway 152 stating these are areas that are normally pristine and cared for and if the City is contracting to pay them to do that work versus cleaning out multiple spillways with major issues, then this was a major conflict of interest. He stated he is concerned the City knows about the major overgrowth issues in spillways and drainage ditches, but does not do anything about them.

Adams requested he speak with the City Manager and the City should only be working on City owned property.

Pastor Travis Mackenzie, 639 W. Linden Drive, addressed the Council stating he retired from the City of Sacramento after 25 years and asked if the City had a recycling program in regards to debris. He stated they were able to grind the trees, mix it with some type of compost, and give back to the residents.

Rooney stated there was not one for tree debris as the Oklahoma Department of Environmental Quality (ODEQ) does not allow the City to provide the chips to the public due to possible tree disease in the chips that could spread to other trees.

Battles stated anything normally chipped up goes to the landfill and spread there due to ODEQ not allowing the City under our current permit to give it to the citizens as the City Manager stated. He stated the reason the debris was having to be burned was due to people mixing metal in with the wood and in 1 ½ weeks of chipping, metal had destroyed the machine three times. He stated in order to be able to recycle it, there would have to be a change at the State level as well as require additional contractual items.

Mackenzie asked if the budget included any type of painted cross walks or something at the parks to get people to slow down stating children are there and people drive by way too fast.

Adams stated the City is looking into installing speed tables which would help with this sort of thing stating they are striped, raised and visible and would help slow down drivers stating the City was excited about moving forward with these.

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

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

*2. **Discussion, Consideration and Possible Action** regarding Approval of **Resolution No. 17-038**, Approving the **Fiscal Year 2017-2018** Budget for the City of Mustang, Mustang Improvement Authority and Related Funds.

MOTION was made by **Councilman Schweinberg**, seconded by **Councilman Jones**, to Approve **Resolution No. 17-038**, Approving the **Fiscal Year 2017-2018** Budget for the City of Mustang, Mustang Improvement Authority and Related Funds.

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

*3. **Discussion, Consideration and Possible Action** regarding Awarding Services for Operation, Maintenance, and Management of the Water and Wastewater Treatment Facilities for the City of Mustang.

Assistant City Manager Battles stated Council had accepted proposals for the operation, maintenance, and management of the water and wastewater treatment facilities for the City of Mustang and this item was to award it stating a letter from Cowan Engineering was included in the packet recommending award to the lowest bidder, Severn Trent at $1,592,750. He stated the contract would be included in the next City Council agenda.

MOTION was made by **Councilman Schweinberg**, seconded by **Councilwoman Hagan**, to Award Services for Operation, Maintenance, and Management of the Water and Wastewater Treatment Facilities for the City of Mustang to Severn Trent Environmental Services, Inc. in the amount of $1,592,750.

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

J. CITY ATTORNEY'S REPORT

1. **Discussion, Consideration and Possible Action** regarding potential purchase and acceptance of permanent and temporary easements and authorization for Mayor and City Staff to execute necessary documents to accomplish the same; and, **proposed Executive Session as authorized by 25 Okla. Stat. §307(3).**

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

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

TIME ADJOURNED to Executive Session: **7:47 p.m.**

Mayor Adams called the meeting back in session at **8:02 p.m.**

In reference to Item J-1 –

MOTION was made by **Councilman Schweinberg,** seconded by **Councilman Leete** to Approve the Acceptance of Permanent and Temporary Easements from Robert Key, Mitchell and Ronette Drye, James A. Folmer III, Ryan and Amy Booth, Benjamin Conley, and Authorization for the Mayor and Staff to execute necessary documents to complete Acceptance of Easements.

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

K. ADJOURNMENT

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

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

The meeting was adjourned at **8:03 p.m.**

_____
Jay Adams, Mayor

Attest:

_____
Lisa Martin, City Clerk

FUND: 01 - GENERAL FUND SUMMARY REPORT

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 01		MAYOR AND COUNCIL				
17-0462	01-C0108	COWAN GROUP ENGINEERING, LL	ENGINEERING SERVICES	6/2017	201706135412	636.00
					DEPARTMENT TOTAL:	636.00
DEPARTMENT: 11		CITY MANAGER				
17-0023	01-A0122	ALLIANCE MAINTENANCE, INC	JANITORIAL SERVICE	6/2017	93059	675.00
17-1940	01-C0020	CANADIAN COUNTY CLERK	FILING FEES FOR EASEMENTS	6/2017	R508563	195.00
17-0198	01-M0234	MUSTANG TIMES	ADS FOR JOB OPENINGS/PUBL	6/2017	MT602454	82.60
17-0393	01-P0045	PETTY CASH	PETTY CASH EXPENDITURES	6/2017	201706155451	134.45
17-1966	01-P0099	PRINCIPAL LIFE INSURANCE CO	RETIREE INSURANCE	6/2017	201706135393	146.58
17-1464	01-S0093	SMART TECHNOLOGIES, INC	HDMI CABLE FOR MONITOR	6/2017	717322	16.99
17-1965	01-U0220	USAVISION, INC	RETIREE INSURANCE	6/2017	201706135394	29.25
17-1789	01-V0007	VICKERS PHOTOGRAPHY, INC.	PORTRAIT FOR BUILDINGS	6/2017	201706135428	200.00
17-1840	01-V0007	VICKERS PHOTOGRAPHY, INC.	FIRE DEPT GROUP PICTURE	6/2017	201706135429	175.00
					DEPARTMENT TOTAL:	1,654.87
DEPARTMENT: 12		LIBRARY				
17-0243	01-B1023	BTAC ACQUISITION CORP.	BOOKS FOR COLLECTION	6/2017	5014555795	488.97
17-0675	01-B1023	BTAC ACQUISITION CORP.	BOOKS FOR COLLECTION	6/2017	5014577395	51.49
17-1298	01-B1023	BTAC ACQUISITION CORP.	BOOKS FOR COLLECTION	6/2017	5014567789	181.80
17-0477	01-C0278	COX COMMUNICATIONS, INC.	MONTHLY MODEM USE	6/2017	201706135408	10.96
17-0429	01-F0094	FLEETCORE TECHNOLOGIES, INC	FUEL FOR LIBRARY VAN	6/2017	NP50582742B	19.38
17-1321	01-M0263	MIDWEST TAPE, LLC	NON PRINT MATERIALS	6/2017	95080458	71.83
17-1794	01-M0263	MIDWEST TAPE, LLC	NON PRINT MATERIALS	6/2017	95106880	247.74
17-0393	01-P0045	PETTY CASH	PETTY CASH EXPENDITURES	6/2017	201706155451	23.82
17-0518	01-T0048	CENGAGE LEARNING	LARGE PRINT BOOKS	6/2017	60599058	525.42
					DEPARTMENT TOTAL:	1,621.41
DEPARTMENT: 13		PARKS AND RECREATION				
17-1942	01-B0225	BARBARA BRUNKEN	RENTAL REFUND	6/2017	201706135407	200.00
17-0601	01-B1019	BEN E. KEITH COMPANY	SNACKS FOR ASP	6/2017	63536115	550.76
17-0678	01-C0189	TODD D. ABRELL	WEIGHT ROOM EQUIPMENT	6/2017	7523A	284.23
17-0799	01-C0189	TODD D. ABRELL	FITNESS EQUIPMENT	6/2017	7523D	325.00
17-0848	01-C0189	TODD D. ABRELL	REPAIR TO EQUIPMENT	6/2017	7523C	34.24
17-1314	01-C0189	TODD D. ABRELL	REPAIRS TO EQUIPMENT	6/2017	7523	347.41
17-2011	01-C0278	COX COMMUNICATIONS, INC.	FITNESS TV'S	6/2017	201706145440	45.53
17-1958	01-C0282	MEGAN CULLISON	SWIMMING LESSON REFUND	6/2017	201706135388	40.00
17-1227	01-F0078	DAIOHS USA, INC	COFFEE SERVICE	6/2017	177517	102.20
17-1640	01-F0094	FLEETCORE TECHNOLOGIES, INC	FUEL CHARGES	6/2017	NP50582742C	608.23
17-1893	01-F0112	FORTE PAYMENT SYSTEMS, INC	CREDIT CARD READERS	6/2017	25718	555.00
17-1826	01-M0001	STAR COMMUNICATION CORPORAT	ADVERTISING FOR P&REC	6/2017	4452	150.00
17-1968	01-O0035	OKLAHOMA ELECTRIC COOPERATI	ELECTRIC SERVICE	6/2017	201706135419	4,111.16
17-1979	01-O0055	OG&E COMPANY	ELECTRIC SERVICE	6/2017	201706135416	27.48
17-2007	01-O0274	BRITTONY OVERSTREET	POOL PARTY REFUND	6/2017	201706145439	150.00
17-0393	01-P0045	PETTY CASH	PETTY CASH EXPENDITURES	6/2017	201706155451	39.54
17-2008	01-R0178	MALVINA REED	SWIM LESSON REFUND	6/2017	199504	90.00

FUND: 01 - GENERAL FUND SUMMARY REPORT

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 13		PARKS AND RECREATION				
17-1846	01-S0093	SMART TECHNOLOGIES, INC	WI-FI ANTENNA	6/2017	717329	548.00
17-1943	01-S0294	AMBER SCHOONMAKER	RENTAL REFUND	6/2017	198807	45.00
					DEPARTMENT TOTAL:	8,253.78
DEPARTMENT: 15		GENERAL GOVERNMENT				
17-1953	01-A7777	AHA CONSULTING, INC.	ANNUAL WEBSITE HOSTING	6/2017	266	250.00
17-0048	01-F0078	DAIOHS USA, INC	COFFEE SERVICE	6/2017	177515	34.50
17-1968	01-O0035	OKLAHOMA ELECTRIC COOPERATI	ELECTRIC SERVICE	6/2017	201706135419	798.45
17-1963	01-O0180	OK TAX COMMISSION	SALES TAX PERMIT	6/2017	201706135391	20.00
17-1967	01-O1177	OK TAX COMMISSION	SALES TAX PAYABLE	6/2017	201706135392	3,929.69
17-0318	01-S0085	SILVER STAR CONSTRUCTION	MAINTENANCE CONTRACT	6/2017	24492	73,172.45
17-0013	01-S0093	SMART TECHNOLOGIES, INC	OPERATOR SYSTEM MAINTENAN	6/2017	717343	3,179.95
17-1974	01-S0306	SETH B SHAY	PEST CONTROL	6/2017	201706135425	600.00
					DEPARTMENT TOTAL:	81,985.04
DEPARTMENT: 16		TRANSFERS				
17-0053	01-G0026	GENERAL RESERVE FUND	TRANSFER HOTEL TAX COLLEC	6/2017	201706145436	7,000.00
17-1197	01-L0045	LIMITED PURPOSE FUND	10% EXCESS OVER $800,000.	6/2017	201706135403	4,072.63
17-0064	01-M0210	MUSTANG IMPROVEMENT AUTHORI	SALES TAX TRANSFER	6/2017	201706135400	440,726.33
17-0085	01-S0205	STREET IMPROVEMENT FUND	STREET FUNDING	6/2017	201706135399	15,000.00
					DEPARTMENT TOTAL:	466,798.96
DEPARTMENT: 18		TOWN CENTER				
17-0494	01-A0060	CHARRICK ASSOCIATES	KEYS & DOOR REPAIRS	6/2017	F77475	368.80
17-1972	01-A0060	CHARRICK ASSOCIATES	NEW LOCKING LOCK	6/2017	F77475A	183.90
17-1358	01-A0110	ALL SEASON BUILDING SUPPLY,	EQUIPMENT & SUPPLIES	6/2017	104229	16.95
17-1821	01-A0110	ALL SEASON BUILDING SUPPLY,	MISC. SUPPLIES	6/2017	106763	34.74
17-0213	01-A0122	ALLIANCE MAINTENANCE, INC	CLEANING OF TOWN CENTER	6/2017	93058	4,435.00
17-1883	01-C0117	CLEARWATER ENTERPRISE, LLC	GAS USAGE	6/2017	201706135409	87.80
17-1923	01-D0089	DAVE'S SAFE & LOCK LLC	KEYS & DOOR REPAIRS	6/2017	5921	125.00
17-1037	01-K0033	KONE, INC	MAINTENANCE FOR ELEVATOR	6/2017	949625351	746.04
17-1968	01-O0035	OKLAHOMA ELECTRIC COOPERATI	ELECTRIC SERVICE	6/2017	201706135419	11,147.53
17-0701	01-P0055	PLUMBCO, INC	REPAIRS TO RESTROOM	6/2017	201706155446	199.00
17-1786	01-P0055	PLUMBCO, INC	REPAIRS TO RESTROOM	6/2017	201706135424	345.00
17-1945	01-P0055	PLUMBCO, INC	REPAIR IN RESTROOM	6/2017	201706135423	1,100.00
17-1910	01-S1165	INTERLINE BRANDS, INC	JANITORIAL SUPPLIES	6/2017	402931943	340.83
17-1941	01-S1165	INTERLINE BRANDS, INC	JANITORIAL SUPPLIES	6/2017	402931935	701.78
17-1825	01-W0139	WEATHERMAN MECHANICAL, INC	HVAC MISC. REPAIRS	6/2017	3198115975	162.45
					DEPARTMENT TOTAL:	19,994.82

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 19		BALL COMPLEX				
17-1761	01-A0110	ALL SEASON BUILDING SUPPLY,	ZIP TIES, TOOLS, MISC.	6/2017	105777	158.29
17-0214	01-A0131	JAMES HILLIS	PORT A POTTIES	6/2017	18715	147.00
17-1902	01-B1019	BEN E. KEITH COMPANY	FOOD FOR CONCESSION	6/2017	63531049A	201.49
17-1919	01-B1019	BEN E. KEITH COMPANY	FOOD FOR CONCESSION	6/2017	63537187a	3,000.00
17-1939	01-B1019	BEN E. KEITH COMPANY	FOOD FOR CONCESSION	6/2017	63537187	3,035.44
17-1984	01-C0189	TODD D. ABRELL	REPAIRS FOR EQUIPMENT	6/2017	7523E	148.59
17-1645	01-F0078	DAIOHS USA, INC	DRINKS FOR CONCESSION	6/2017	177516	67.25
17-0183	01-F0094	FLEETCORE TECHNOLOGIES, INC	BULK FUEL	6/2017	NP50582742D	449.30
17-1550	01-I1119	STEPHEN WHOLESALE CO, INC.	FOOD FOR CONCESSION	6/2017	6714842B	35.54
17-1801	01-I1119	STEPHEN WHOLESALE CO, INC.	FOOD FOR CONCESSION	6/2017	6714842	669.64
17-1926	01-I1119	STEPHEN WHOLESALE CO, INC.	FOOD FOR CONCESSION	6/2017	6719473	2,057.14
17-1924	01-M1000	MAZZIO'S MUSTANG INC	PIZZA'S FOR CONCESSION	6/2017	387386	624.00
17-1968	01-O0035	OKLAHOMA ELECTRIC COOPERATI	ELECTRIC SERVICE	6/2017	201706135419	2,029.05
17-1979	01-O0055	OG&E COMPANY	ELECTRIC SERVICE	6/2017	201706135416	1,808.10
17-1925	01-O0230	SHAWN A. LEWELLYN	MINI MELTS FOR CONCESSION	6/2017	1060	1,120.00
17-1802	01-P0144	BOTTLING GROUP, LLC	DRINKS FOR CONCESSION	6/2017	97706158	1,195.86
17-1927	01-P0144	BOTTLING GROUP, LLC	DRINKS FOR CONCESSION	6/2017	96317306	4,818.30
17-1971	01-S0270	SPORTS PLANET,LLC	SHIRTS FOR SOFTBALL	6/2017	1117	841.50
17-1983	01-S1002	STERLING J. BEECROFT, LLC	REPAIRS OF ELEC. TIMER	6/2017	3338	167.00
17-1403	01-S1165	INTERLINE BRANDS, INC	JANITORIAL SUPPLIES	6/2017	402186639	383.59
17-1908	01-S1165	INTERLINE BRANDS, INC	JANITORIAL SUPPLIES	6/2017	402186647	901.97
17-0224	01-U0009	US FOODS, INC	FOOD FOR CONCESSION	6/2017	5610571	171.14
					DEPARTMENT TOTAL:	24,030.19
DEPARTMENT: 20		AQUATICS				
17-1719	01-C0044	CARDINAL POOLS OF OKLAHOMA,	CHEMICALS FOR AQUATICS	6/2017	230024	630.00
17-1785	01-C2015	PRO STAINLESS & SHEET METAL	SHOWER CHASE COVERS	6/2017	201706145438	299.06
17-1817	01-C2015	PRO STAINLESS & SHEET METAL	DRAIN COVER & INSTALLATIO	6/2017	201706145437	2,254.94
17-1893	01-F0112	FORTE PAYMENT SYSTEMS, INC	CREDIT CARD READERS	6/2017	25718	13.00
17-1962	01-M0270	KAHLE MAYFIELD	PAINTING AT AQUATICS	6/2017	6002-3	1,000.00
17-1968	01-O0035	OKLAHOMA ELECTRIC COOPERATI	ELECTRIC SERVICE	6/2017	201706135419	1,387.37
17-1970	01-O0166	STATE OF OKLAHOMA	BATHING LICENSE	6/2017	201706135421	50.00
17-1718	01-P0055	PLUMBCO, INC	OPENING OF POOL	6/2017	201706155447	200.00
17-1784	01-P0055	PLUMBCO, INC	PARTS FOR SHOWERS IN REST	6/2017	201706155448	119.00
17-1823	01-P0055	PLUMBCO, INC	REPAIR OF SHOWERS	6/2017	201706155449	810.00
17-1988	01-P0055	PLUMBCO, INC	INSTALLATION OF NEW SHOWE	6/2017	201706155444	3,472.00
17-0318	01-S0085	SILVER STAR CONSTRUCTION	MAINTENANCE CONTRACT	6/2017	24492	88.85
17-1720	01-S9983	SUNBELT POOLS, INC	CHEMICALS FOR AQUATICS	6/2017	28509-1	765.05
17-1672	01-T0112	TRUMAN D. YOUNG	REPAIR OF FUNBRELLA	6/2017	201706135427	380.00
					DEPARTMENT TOTAL:	11,469.27

FUND: 01 - GENERAL FUND SUMMARY REPORT

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 21		FINANCE				
17-1732	01-C0006	COMPUTER SUPPLIES & SERVICE	PROBATION CONTRACTS	6/2017	24558	206.73
17-1764	01-C0006	COMPUTER SUPPLIES & SERVICE	DEFERRAL CONTRACTS	6/2017	24556	296.46
17-0049	01-F0094	FLEETCORE TECHNOLOGIES, INC	FUEL CHARGES	6/2017	NP50582742A	18.09
17-0080	01-P8888	PITNEY BOWES GLOBAL FINANCI	SMART MAILER-MAILER MACHI	6/2017	3303721866	4,100.00
					DEPARTMENT TOTAL:	4,621.28
DEPARTMENT: 31		COMMUNITY DEVELOPMENT				
17-0152	01-C0020	CANADIAN COUNTY CLERK	FILING FEES FOR ABATEMENT	6/2017	r507819	41.00
17-1609	01-C0020	CANADIAN COUNTY CLERK	FILING FEES FOR ABATEMENT	6/2017	r511010	30.00
17-0147	01-C185	OK CONST. INDUSTRIES BOARD	RENEWAL FOR INSPECTOR LIC	6/2017	201706135418	35.00
17-1586	01-F0094	FLEETCORE TECHNOLOGIES, INC	BULK FUEL	6/2017	NP50582742	429.52
17-1608	01-O0096	OKLAHOMA UNIFORM BUILDING C	COLLECTION OF STATE FEES	6/2017	201706135422	436.00
17-1725	01-V0050	CELLCO PARTNERSHIP	CELL PHONE	6/2017	9786213181	176.86
17-0825	01-X0004	JOHN RYCZKOWSKI	MOWING & CLEANING ABATEME	6/2017	201706135435	75.00
17-1613	01-X0004	JOHN RYCZKOWSKI	BULK ABATEMENT FEES	6/2017	201706135430	625.00
					DEPARTMENT TOTAL:	1,848.38
DEPARTMENT: 41		POLICE				
17-0128	01-A0122	ALLIANCE MAINTENANCE, INC	DEPARTMENTAL CLEANING	6/2017	93060	1,295.00
17-1944	01-C0011	CHICKASAW TELECOM, INC.	RELOCATE PHONE LINE	6/2017	92015	170.44
17-1883	01-C0117	CLEARWATER ENTERPRISE, LLC	GAS USAGE	6/2017	201706135409	399.65
17-0135	01-D0090	STATE OF OKLAHOMA	OLETS USER FEES	6/2017	09-1704781	350.00
17-0137	01-F0078	DAIOHS USA, INC	COFFEE SERVICE	6/2017	177523	123.56
17-0138	01-F0094	FLEETCORE TECHNOLOGIES, INC	FUEL CHARGES	6/2017	NP50582705	3,767.29
17-0449	01-L0096	WILLIAM A AND LAURA L RIDLE	JAIL LAUNDRY	6/2017	2543,2647, 2677,24	141.00
17-0111	01-M0055	SANTIAGO BRENNAN'S MCDONALD	PRISONER MEALS	6/2017	5737-5787	364.51
17-1239	01-M0170	DAVID L. MORRIS	VEHICLE REPAIRS & PARTS	6/2017	201706135415	88.00
17-0109	01-M0286	JIMANI VENTURES INC.	OIL CHANGES	6/2017	255417	302.90
17-1968	01-O0035	OKLAHOMA ELECTRIC COOPERATI	ELECTRIC SERVICE	6/2017	201706135419	4,578.02
17-1896	01-P0068	DAVID W. BURGST	CALL FOR SERVICE CARDS	6/2017	5768	275.00
17-1697	01-T2800	DAVID M. OTWELL	POLYGRAPH FOR NEW HIRE	6/2017	201706135426	225.00
17-0100	01-V0050	CELLCO PARTNERSHIP	MOBILE DATA TERMINAL USAG	6/2017	9786213181A	550.00
17-1649	01-W0118	OLIVIA WILSON	REMOVE & ADD PATCHES	6/2017	163153	1,044.00
					DEPARTMENT TOTAL:	13,674.37

FUND: 01 - GENERAL FUND SUMMARY REPORT

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 42		ANIMAL CONTROL				
17-0138	01-F0094	FLEETCORE TECHNOLOGIES, INC	FUEL CHARGES	6/2017	NP50582705	94.49
17-0112	01-L0096	WILLIAM A AND LAURA L RIDLEL	LAUNDRY SERVICE	6/2017	2487	33.50
17-0108	01-M0236	MUSTANG VETERINARY HOSPITAL	VETERINARY CHARGES	6/2017	201706135414	295.00
17-1831	01-S1002	STERLING J. BEECROFT, LLC	ELECTRICAL REPAIRS	6/2017	3369	440.00
17-0100	01-V0050	CELLCO PARTNERSHIP	MOBILE DATA TERMINAL USAG	6/2017	9786213181A	29.87
					DEPARTMENT TOTAL:	892.86
DEPARTMENT: 51		FIRE				
17-1574	01-A0039	A.S.C. INC.	VEHICLE REPAIR & MAINT.	6/2017	60141	25.04
17-1690	01-A0039	A.S.C. INC.	VEHICLE REPAIR & MAINT.	6/2017	63186	4.49
17-1691	01-A0110	ALL SEASON BUILDING SUPPLY,	BUILDING REPAIR & MAINT.	6/2017	106745	4.69
17-1834	01-A0110	ALL SEASON BUILDING SUPPLY,	MISC. BUILDING REPAIR	6/2017	108186	44.83
17-0123	01-C1012	JOHN I. GARCIA	LAWN SPRAYING	6/2017	49293	135.00
17-1034	01-F0094	FLEETCORE TECHNOLOGIES, INC	VEHICLE FUEL	6/2017	NP50582741	882.55
17-0122	01-G0040	GENTRY SERVICE & REPAIR, IN	SERVICE HVAC	6/2017	170552	400.00
17-1973	01-G0040	GENTRY SERVICE & REPAIR, IN	REPAIR EAST SIDE UNIT	6/2017	170551	300.00
17-1689	01-O0025	O'REILLY AUTOMOTIVE STORES,	VEHICLE REPAIR & MAINT.	6/2017	0309-194146	9.09
17-1832	01-O0025	O'REILLY AUTOMOTIVE STORES,	VEHICLE MAINT. & REPAIR	6/2017	0309-196278	7.33
17-1968	01-O0035	OKLAHOMA ELECTRIC COOPERATI	ELECTRIC SERVICE	6/2017	201706135419	1,012.13
17-1759	01-S0287	SOONER TRUCK REPAIR, INC.	BRAKE REPAIR ON E-4	6/2017	W3200	2,119.00
17-1829	01-S0287	SOONER TRUCK REPAIR, INC.	ELECTRICAL TROUBLE SHOOTI	6/2017	w3223	1,792.85
17-1584	01-T1087	THOMAS ENERGY SYSTEMS, INC	AIR TEST FOR SCBA COMPRES	6/2017	939250	120.00
17-0121	01-U0055	UNIFIRST HOLDINGS, INC.	SHOP TOWEL SERVICE	6/2017	8251190947	41.45
17-1840	01-V0007	VICKERS PHOTOGRAPHY, INC.	FIRE DEPT GROUP PICTURE	6/2017	201706135429	175.00
					DEPARTMENT TOTAL:	7,073.45
DEPARTMENT: 61		STREETS				
17-1979	01-O0055	OG&E COMPANY	ELECTRIC SERVICE	6/2017	201706135416	188.96
					DEPARTMENT TOTAL:	188.96
					FUND TOTAL:	644,743.64

FUND: 04 - IMPOUND FEE FUND SUMMARY REPORT

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 41		POLICE - IMPOUND				
17-1806	01-P0100	PROGRAPHICS, INC	IMPOUND FEE ENVELOPES	6/2017	2637	32.60
					DEPARTMENT TOTAL:	32.60
					FUND TOTAL:	32.60

FUND: 05 - PARK IMPROVEMENT SUMMARY REPORT

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 00		ADMINISTRATION				
17-1270 .	01-L0045	LIMITED PURPOSE FUND	TRANS. TO LIMITED PURPOSE	6/2017	201706135389	23,300.00
					DEPARTMENT TOTAL:	23,300.00
					FUND TOTAL:	23,300.00

FUND: 07 - LIBRARY FUND SUMMARY REPORT

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 07		ADMINISTRATION				
17-1569	01-B1023	BTAC ACQUISITION CORP.	BOOKS FOR COLLECTION	6/2017	5014555794	408.69
17-1620	01-R0144	RECORDED BOOKS, INC	ONLINE MAGAZINES & EBOOKS	6/2017	1849	2,520.00
17-1949	01-R0144	RECORDED BOOKS, INC	ZINIO CONTENT	6/2017	1849a	917.86
					DEPARTMENT TOTAL:	3,846.55
					FUND TOTAL:	3,846.55

FUND: 39 - LIMITED PURPOSE SUMMARY REPORT

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 15		GENERAL GOVERNMENT				
17-1706	01-M0269	MCMULLEN CONSTRUCTION AND D	CITY HALL SECURITY	6/2017	201706135386	14,967.00
					DEPARTMENT TOTAL:	14,967.00
DEPARTMENT: 19		BALL COMPLEX				
17-1499	01-S1002	STERLING J. BEECROFT, LLC	INSTALLING LIGHTS	6/2017	3373	549.00
17-1710	01-S1002	STERLING J. BEECROFT, LLC	REPLACING FAN & LIGHTS	6/2017	3368	510.00
					DEPARTMENT TOTAL:	1,059.00
DEPARTMENT: 31		COMMUNITY DEVELOPMENT				
17-0530	01-H0106	HALFF ASSOCIATES, INC.	COMPREHENSIVE PLANNING	6/2017	1427	4,000.00
					DEPARTMENT TOTAL:	4,000.00
					FUND TOTAL:	20,026.00

FUND: 69 - RISK MANAGEMENT SUMMARY REPORT

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 00		ADMINISTRATION				
17-1935	01-E0063	EXCEL THERAPY SPECIALISTS-O	WORKERS COMP CLAIM	6/2017	201706135404	336.75
17-1934	01-M1044	MODERN MEDICAL, INC	WORKERS COMP CLAIM	6/2017	201706135405	20.06
17-1933	01-R0159	SAMI S DAHR MD PLLC	WORKERS COMP CLAIM	6/2017	201706135406	55.82
					DEPARTMENT TOTAL:	412.63
					FUND TOTAL:	412.63

City of Mustang
City Council
Agenda Item Commentary

1. ITEM NO. F-3
2. MEETING DATE: June 20, 2017
3. TITLE: Approval to deny Tort Claim by Jeremy Spengler, date of incident May 1, 2017, in the amount of $2,000.
4. COUNCIL ACTION: Approve/Deny
5. INITIATOR: Lisa Martin, City Clerk
6. BACKGROUND:

   Claimant, Jeremy Spengler, submitted this tort claim May 8, 2017, stating water main work was being performed and when water was turned back on, a surge in pressure caused under sink water filter to pop-off causing constant flow of water under sink. Claim was submitted to the Oklahoma Municipal Assurance Group (OMAG) who investigated the claim and recommended it be denied, stating they found no liability on the City's part regarding this incident. The claimant will have 180 days after notification of denial to file any lawsuit.

7. FINANCIAL IMPACT:
8. STAFF COMMENTS: Recommend Approval
9. STAFF SOURCE: Timothy Rooney, City Manager
10. RESOLUTION / ORDINANCE NO.

OMAG
3650 S. Boulevard • Edmond, OK 73013 • omag.org
405.657.1400 • 800.234.9461 • FAX 405.657.1401

June 7, 2017

City of Mustang
Attn: Lisa Martin
1501 N. Mustang Road
Mustang, OK 73064

RE:	Member	:	City of Mustang
	Claimant	:	Jeremy Spengler
	Date of Loss	:	5/1/2017
	Claim No.	:	203422-ME

Dear Ms. Martin:

We have completed our investigation regarding the above referenced claim. It is our recommendation to the City of Mustang that this claim be denied. We find no liability on the City's part regarding this incident.

Under the Governmental Tort Claims Act, 51 Okla. Sec. 157(A), this claim will be deemed denied ninety (90) days after it was received by the City of Mustang. 51 Okla. Stat. Sec. 157 (B) requires any lawsuit under the Act to be commenced within one hundred eighty (180) days after denial of the claim.

Thus to begin the 180-day statute of limitations prior to 8/6/17, you must deny this claim in writing before 8/6/17. For the 180-day period to start running, the claimant **must be notified at the address on the claim within five (5) days of the denial**. To document compliance with the Act, we recommend that you send notice of denial of this claim by certified mail.

Please advise us as soon as possible of any official action taken by you on denial of this claim.

Sincerely,

Mary Ellis

Mary Ellis, CPCU, AIC
Claims Supervisor

OMAG

3650 S. Boulevard • Edmond, OK 73013 • omag.org
405.657.1400 • 800.234.9461 • FAX 405.657.1401

June 7, 2017

Mr. and Mrs. Jeremy Spengler
1336 W. Whippoorwill Way
Mustang, OK 73064

RE:	Member	:	City of Mustang
	Claimant	:	Jeremy Spengler
	Date of Loss	:	5/1/2017
	Claim No.	:	203422-ME

Dear Mr. and Mrs. Spengler:

As the adjuster for the Oklahoma Municipal Assurance Group, the insurer for the City of Mustang, I am recommending denial of this claim and find no liability on the City of Mustang's part for this claim.

The workers involved in turning the water off and on to install a water sampling station followed proper procedures in opening an outside faucet and turning the water on slowly. Their actions did not create any excess water pressure or a "surge" in pressure. Based on this information we are recommending denial of this claim to the City of Mustang.

Sincerely,

Mary Ellis, CPCU, AIC
Claims Supervisor

cc: City of Mustang ✓

NOTICE OF TORT CLAIM

OKLAHOMA MUNICIPAL ASSURANCE GROUP - MUNICIPAL LIABILITY PROTECTION PLAN

A. CLAIMANT REPORT

To the CITY OF MUSTANG

Public entity you are filing this claim against.

PLEASE PRINT OR TYPE AND SIGN

IMPORTANCE NOTICE: The filing of this form with the City Clerk's office is only the initial step in the claim process and does not indicate in any manner the acceptance of responsibility by the City or its related entities. Written notice is required by law and shall be filed with the City Clerk within one (1) year from the date of occurrence. It will then be sent to OMAG Claims Dept. for investigation. You may expect them to contact you. Failure to file within such time frame may result in the clain mitations to your claim may apply (See Oklahoma Statues Title 51, Section 151-172).

CLAIMANT(S) JEREMY SPENGLER
ADDRESS 1336 W WHIPPOORWILL WAY
MUSTANG OK 73064

CLAIMANT(S) SOC [redacted]
CLAIMANT(S) DATI [redacted]
PHONE: HOME [redacted]

(Continue on another sheet if needed for any information requested)

1. DATE AND TIME OF INCIDENT 5/1/( ) a.m. (1:30) p.m.
2. LOCATION OF INCIDENT 1336 W WHIPPOORWILL WAY, KITCHEN & DINNING ROOM
3. DESCRIBE INCIDENT WATER MAIN WORK WAS BEING PERFORMED AND WHEN WATER WAS TURNED BACK ON A "SURGE" IN PRESSURE CAUSED UNDER SINK WATER FILTER TO POP-OFF CAUSING CONSTANT FLOW OF WATER UNDER SINK
4. LIST ALL PERSONS AND/OR PROPERTY FOR WHICH YOU ARE CLAIMING DAMAGES: JEREMY & RACHEL SPENGLER

BODILY INJURY: WAS CLAIMANT INJURED? YES___ NO X If yes, complete this section

Describe injury _____

WERE YOU ON THE JOB AT THE TIME OF INJURY? YES___ NO X If so, please give name, address and phone number of company

NAME OF DOCTOR OR HOSPITAL N/A

ALL MEDICAL BILLS (attach Copies) $_____
LIST OTHER DAMAGES CLAIMED $_____
TOTAL BODILY INJURY ..... $_____

PROPERTY DAMAGE: Proof that you are the owner of the vehicle or property allegedly damaged as specified in your claim will be required.

VEHICLE NAME_____ BODY TYPE_____ YEAR_____

NOTE: If damage is to a vehicle, a photocopy of your motor vehicle title is required.

IF NOT A VEHICLE, DESCRIBE PROPERTY AND LOSS_____

PROPERTY DAMAGE (Attach repair bills or two estimates) $ 2000 FOR DEDUCTABLE
LIST OTHER DAMAGES CLAIMED $_____
TOTAL PROPERTY ..... $EST. $2000 FOR DEDUCTABLE

5. NAME OF YOUR INSURANCE CO.		AMOUNT CLAIMED	AMOUNT RECEIVED
USAA	[redacted]	PENDING DEDUCTABLE	

6. The names of any witnesses known to you.

Name	Address	Phone Number
RACHEL SPENGLER	1336 W WHIPPOORWILL WAY	[redacted]

STATE THE EXACT AMOUNT OF COMPENSATION YOU WOULD ACCEPT AS FULL SETTLEMENT ON THIS CLAIM.

TOTAL CLAIM ..... $ 2000 FOR DEDUCTABLE OR INSPECTION/REPAIR COSTS

Jeremy M. Spengler
SIGNATURE(S)

5/8/17
DATE

11/06

CONTINUE ON THE BACK

B. THIS SECTION IS FOR USE BY THE PUBLIC ENTITY WHICH RECEIVES THE CLAIM

To inquire about this claim you may write to OMAG Claims Dept. or call 1-800-234-9461; or in Edmond call 657-1400

This Notice of Tort Claim was received by Lisa Martin

(Title) City Clerk, on May 8, 20 17

For further information on this claim contact Dennis Merrill

(Title) Severn Trent, Proj. Mgr., by telephone at (405) 376-7710

The following reports, statements or other documentation, which support our understanding of the facts relating to this claim, are attached:

Persons who have knowledge of the circumstances surrounding this claim are:

	Name	Title/Position	Telephone
1.			
2.			
3.			
4.			

Submitted by: Lisa Martin Date May 8, 20 17

Title: City Clerk

AFTER THE PUBLIC ENTITY HAS RECEIVED THIS CLAIM, PLEASE PROVIDE INFORMATION REQUESTED ABOVE AND IMMEDIATELY SEND TO:

OMAG Claims Dept.
3650 S. Boulevard
Edmond, OK 73013-5581
Fax (405) 657-1401

CITY OF MUSTANG

AGENDA ITEM COMMENTARY

1. ITEM NUMBER F-4

2. MEETING DATE: June 20, 2017

3. TITLE: Excess Workers' Compensation Insurance

4. COUNCIL ACTION: Approve/Deny

5. INITIATOR: Laura Anderson, Human Resources Director

6. BACKGROUND: The City of Mustang is self-insured for Workers' Compensation and we are required by state law to maintain Excess Workers' Compensation coverage. This coverage has a renewal date of July 1, 2017. Barney Welch, agent-of-record, secured a quote from our current carrier, Midwest Employers and was able to negotiate a 2-yr rate guarantee and a small decrease in premium if we move from a $350,000 retention to a $400,000 retention (the $350,000 retention rate will no longer be offered by Midwest Employers after the new fiscal year).

7. FINANCIAL IMPACT: $ 70,153

8. STAFF COMMENTS: Recommend Approval of the Midwest Employers Policy and payment of premium.

9. STAFF SOURCE: Laura Anderson, Human Resources Director

City of Mustang
Specific Excess Workers Compensation Renewal Quote
Policy Period: 7/1/2017-7/1/2018

POLICY TERMS	Expiring 7/1/17	Option 1	Option 2	Option 3
Named States	OK	OK	OK	OK
Carrier:	Midwest Employers	Midwest Employers	Midwest Employers	Midwest Employers
SPECIFIC:				
Specific Limit	STATUTORY	STATUTORY	STATUTORY	STATUTORY
Specific Retention	$350,000	$350,000	$400,000	$400,000
Specific Retention - 7710 OK	$500,000	$500,000	$500,000	$500,000
Specific Retention - 7711 OK	$500,000	$500,000	$500,000	$500,000
Specific Retention - 7720 OK	$500,000	$500,000	$500,000	$500,000
EMPLOYERS LIABILITY:				
Employers Liability Limit	$1,000,000	$1,000,000	$1,000,000	$1,000,000
Employers Liability Retention	See Specific	See Specific	See Specific	See Specific
AGGREGATE:				
Aggregate Limit	N/A	NA	NA	NA
Aggregate Retention	N/A	NA	NA	NA
Estimated Aggregate Retention	N/A	NA	NA	NA
Minimum Aggregate Retention	N/A	NA	NA	NA
RATING BASE:				
Est. Annual Payroll	$5,830,500	$6,222,000	$6,222,000	$6,222,000
Est. Annual Manual Premium	$230,761	$246,729	$246,729	$246,729
Length of Policy (Years)	1 year	1 year	1 year	2 years
Est. Policy Normal Premium	$230,761	$246,729	$246,729	$493,458
Rate per $100 of Payroll	1.1538	1.1764	1.1275	1.1275
PREMIUM:				
Total Est Policy Prd Premium	$67,272	$73,196	$70,153	$140,306
Policy Minimum Premium	$60,272	$65,876	$63,138	$126,275
Deposit Premium	$67,272	$73,196	$70,153	$70,153
Total Deposit Due	$67,272	$73,196	$70,153	$70,153
Terrorism Risk Ins Act of 2002 Included in total Deposit	$2,018	$2,196	$2,105	$2,105

CONDITIONS / COMMENTS:

* MECC must be notified of any aircraft changes occurring during the policy period. MECC A+ Best Rating

Associated Underwriters, Inc.
Barney Welch

6/7/2017

CITY OF MUSTANG

AGENDA ITEM COMMENTARY

1. ITEM NO. H-1

2. MEETING DATE: JUNE 20, 2017

3. TITLE: AN ORDINANCE OF THE CITY OF MUSTANG, OKLAHOMA, AMENDING CHAPTER 34, BY AMENDING SECTION 34-35 TO CHANGE THE NUMBER OF 911 ABUSES OR FALSE ALARMS AFTER WHICH NOTICE WILL BE SENT AND A FEE IMPOSED FOR SUBSEQUENT 911 ABUSES OR FALSE ALARMS; AMENDING CHAPTER 42, BY AMENDING SECTION 42-34(A) AND 42-34(C) TO INCREASE THE FEE FOR 911 ABUSES AND FALSE ALARMS EXCEEDING FIVE PER FISCAL YEAR; DECLARING REPEALER; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

4. COUNCIL ACTION: APPROVE/REJECT

5. INITIATORS: Melissa Helsel; Community Development Director

6. BACKGROUND: At a fall work session, the City Council discussed changes to the enforcement of the procedures for false alarm occurrences in the city. Previously each entity or property owner was given nine free false alarms in a fiscal year and then charged $15.00 for each incident over nine.

This new ordinance gives offenders 5 free false alarms, and states that the entity or property owner will receive a warning after three. Each subsequent false alarm will be charged at a rate of $50 per incident.

Each emergency services response to a false alarm is costly, and the current procedures don't offer enough incentive for business or organizations to change their practices. Staff feels that this new ordinance comes closer to reflecting the actual cost of response to false alarms in the city and will provide the incentive for business and organizations to put measures in place to prevent false alarms from occurring.

7. FINANCIAL IMPACT: None

8. STAFF COMMENTS: Staff recommends approval of the ordinance.

9. STAFF SOURCE: Melissa Helsel, Community Development Director

10. CITY ATTORNEY'S COMMENTS:

11. RESOLUTION/ORDINANCE NO. 1149

ORDINANCE 1149

AN ORDINANCE OF THE CITY OF MUSTANG, OKLAHOMA, AMENDING CHAPTER 34, BY AMENDING SECTION 34-35 TO CHANGE THE NUMBER OF 911 ABUSES OR FALSE ALARMS AFTER WHICH NOTICE WILL BE SENT AND A FEE IMPOSED FOR SUBSEQUENT 911 ABUSES OR FALSE ALARMS; AMENDING CHAPTER 42, BY AMENDING SECTION 42-34(A) AND 42-34(C) TO INCREASE THE FEE FOR 911 ABUSES AND FALSE ALARMS EXCEEDING FIVE PER FISCAL YEAR; DECLARING REPEALER; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

1

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MUSTANG, OKLAHOMA:

SECTION 1. That Chapter 34 of the Code of Ordinances of the City of Mustang, Oklahoma, be and hereby is amended by amending Section 34-35 to read as follows:

Sec. 34-35. - Fee for abuse of 911 service.

(a) Any person who owns a telephone or who is charged line or rent charges from the telephone utility, who uses the 911 number for non-emergency calls or who allows minor children to use the 911 number for non-emergency purposes, after notification, may be assessed a fee as set forth in section 42-34 for the sixth and each subsequent abuse, such fee to go for the maintenance and any other expense of the system.

(b) When records in the city's possession indicate that at least three false alarm incidents, composed of false alarms and/or false complaints and/or reporting of false information and/or calls made for non-emergency purposes on the 911 number, occurred within any one fiscal year, the alarm administrator shall notify the telephone owner/subscriber/renter, by mail to the Owner's address:

1. Of the number of false alarm incidents on record; and

2. That any more than five responses to false alarm incidents in any one fiscal year will result in assessment of a service fee at the rate set forth in section 42-34 per false alarm incident after the first five.

(c) When the city's records indicate that three false alarm incidents have occurred within one fiscal year, the alarm administrator shall notify the telephone owner/subscriber/renter by certified mail of the number of false alarm incidents on record. The alarm user will be notified that any false alarm incident beyond the fifth on record may be the subject of a separate assessment in the amount set forth in section 42-34 for the sixth and each subsequent abuse, such fee to go for the maintenance and any other expense of the system.

SECTION 2. That Chapter 42, of the Code of Ordinances of the City of Mustang, Oklahoma, be and hereby is amended by amending Section 42-34(a) and 42-34(c) to read as follows:

Sec. 42-34. - Chapter 34: Emergency services.

(a) Fee for abuse of 911 service. The fee referred to in section 34-35, to be paid by persons abusing the 911 emergency service, shall be $50.00.

(b) [*This subsection is unchanged.*]

(c) False alarm fee. The fee for false alarms referred to in section 34-54 shall be $50.00 per response.

SECTION 3. EFFECTIVE DATE

This ordinance shall take effect as of 12:01 a.m. on July 1, 2017.

SECTION 4. REPEALER

All former ordinances or parts of Ordinances conflicting or inconsistent with the provisions of this Ordinance are hereby repealed.

SECTION 5. SEVERABIL1TY.

If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, said portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this Ordinance.

SECTION 6. EMERGENCY.

It being immediately necessary for the preservation of the public health, peace and safety of the City of Mustang and inhabitants thereof, an emergency is hereby declared to exist by reason whereof, this Ordinance shall be in full force and effect from and after its passage and approval, as provided by law.

PASSED AND APPROVED this 20th day of June, 2017.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED as to form this 20th day of June, 2017.

_____
City Attorney

CITY OF MUSTANG

AGENDA ITEM COMMENTARY

1. ITEM NO. H-2

2. MEETING DATE: June 20, 2017

3. TITLE: First Reading and Setting of Date for Consideration of an Ordinance of the City of Mustang, Oklahoma, Amending Chapter 90, of the Code of Ordinances of the City of Mustang, Oklahoma, by Adding Section 90-7, Partially Vacating an Easement Dedicated to the City of Mustang, which Easement is Located East of and Adjacent to Lot 8 of Mitchell Addition to the City of Mustang, Canadian County, Oklahoma, According to the Recorded Plat Thereof, as more Particularly Described Below; Declaring Repealer; Providing for Severability; And Declaring an Emergency.

4. COUNCIL ACTION: Initial Reading and Setting of Public Hearing

5. INITIATOR: Community Development Department

6. Project Description: Jerry and Lisa Bailey of 1830 E Lily Lane and Terry Payne of 1904 E Lily Lane have submitted an application for vacation of a right-of-way easement in Mitchell Addition. There is an undeveloped 60-foot right of way between the two properties. The west half has been maintained by the Baileys and the east half is heavily treed. The south end of this right of way area dead-ends into a residential property to the south, so there would be no need to develop this area in the future.

The City of Mustang does not have any utilities in this area. A public hearing notice for the vacation will be sent to all property owners within 300 feet, and to all utility franchisees within the city. They will have the opportunity to protest the proposed vacation.

7. FINANCIAL IMPACT: None

8. STAFF COMMENTS: This is an initial reading as indicated by Section 102-1(1) of the Municipal Code. Staff recommends that August 1, 2017 be set as the date for final consideration (must be at least 30 days after initial reading).

9. STAFF SOURCE: Melissa Helsel, Community Development Director

10. CITY ATTORNEY'S COMMENTS:

11. RESOLUTION/ORDINANCE NO. 1150

ORDINANCE 1150

AN ORDINANCE OF THE CITY OF MUSTANG, OKLAHOMA, AMENDING CHAPTER 90, OF THE CODE OF ORDINANCES OF THE CITY OF MUSTANG, OKLAHOMA, BY ADDING SECTION 90-7, PARTIALLY VACATING AN EASEMENT DEDICATED TO THE CITY OF MUSTANG, WHICH EASEMENT IS LOCATED EAST OF AND ADJACENT TO LOT 8 OF MITCHELL ADDITION TO THE CITY OF MUSTANG, CANADIAN COUNTY, OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF, AS MORE PARTICULARLY DESCRIBED BELOW; DECLARING REPEALER; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MUSTANG, OKLAHOMA:

SECTION 1. AMENDMENT

That Chapter 90 of the Code of Ordinances of the City of Mustang, Oklahoma, be and hereby is amended by adding Section 90-7 to read as follows:

Section 90-6. Vacation of Easement East of and Adjacent to Lot 8 of Mitchell Addition, an addition to the City of Mustang, Canadian County, Oklahoma, according to the recorded plat thereof.

A. The Final Plat for Mitchell Addition, an addition to the City of Mustang, was recorded on April 28, 1962, with the County Clerk of Canadian County, State of Oklahoma (hereinafter, the "Plat").

B. Pursuant to ordinances of the City of Mustang, and by operation of law, the Plat dedicated to the City of Mustang, and the City of Mustang accepted the public dedication of, *inter alia*, an easement for street purposes, which easement extends south of the terminus point of South Mitchell Lane, with a width of Sixty (60) feet and a length of approximately 299.5 feet along the east side of said Lot 8 (hereinafter, the "Easement"), and more particularly described as follows:

A tract of land being a part of Mitchell Addition, an addition to Mustang, Canadian County, Oklahoma, according to the recorded plat thereof, being more particularly described as follows:
COMMENCING at the Northeast Corner of Lot Eight (8), Mitchell Addition; Thence N 89°58'39" E along a distance of 30.00 feet to the centerline of South Mitchell Lane said point being the POINT OF BEGINNING; Thence, N 89°58'39" E along a distance of 30.00 feet to a point on the East line of the recorded plat of Mitchell Addition; Thence, S 00°17'36" E along the East line of said recorded plat of Mitchell Addition, a distance of 299.52 feet to the Southeast corner of said recorded plat of Mitchell Addition; Thence, N 90°00'00" W along the South line of said recorded plat of Mitchell Addition, a distance of 30.00 feet to a point on the centerline of South Mitchell Lane; Thence, N 00°17'36" W along the centerline of South Mitchell Lane, a distance of 299.51 feet to the POINT OF BEGINNING.
Said tract having an area of 8985.53 Square Feet, 0.206 Acres, more or less.

-and-

A tract of land being a part of Mitchell Addition, an addition to Mustang, Canadian County, Oklahoma, according to the recorded plat thereof, being more particularly described as follows:
BEGINNING at the Northeast Corner of Lot Eight (8), Mitchell Addition; Thence N 89°58'39" E along a distance of 30.00 feet to the centerline of South Mitchell Lane; Thence, S 00°17'36" E along the centerline of South Mitchell Lane, a distance of 299.51 feet to a point on the South line of said Mitchell Addition; Thence, N 90°00'00" W along the South line of said Mitchell Addition, a distance of 30.00 feet to the Southeast corner of said Lot Eight (8); Thence, N 00°17'36" W along the East line of said Lot Eight (8), a distance of 299.50 feet to the POINT OF BEGINNING.
Said tract having an area of 8985.18 Square Feet, 0.206 Acres, more or less.

C. The South 299.50 feet of South Mitchell Lane has not been completed as a street, the City of Mustang does not currently occupy the Easement for utility purposes, and has no future intentions to use the Easement. The City of Mustang believes it to be necessary and expedient to, and hereby does, vacate the Easement.

D. At least 30 days prior notice has been given by the City Clerk to holders of franchises or others determined by the City Council to have a special right or privilege to use the public way or easement, and to all owners of record, as shown by the current year's tax rolls in the office of the county treasurer, abutting the public way or easement, and to owners of record of property within 300 feet of the Easement.

E. The City of Mustang reserves the absolute right to reopen the Easement without expense to the City, and this ordinance shall not affect the right to maintain, repair, reconstruct, operate or remove utilities, public service corporations, franchise holders, or transmission company facilities or services therein, nor shall such closing affect private ways existing by operation of law.

SECTION 2. REPEALER

All former ordinances or parts of Ordinances conflicting or inconsistent with the provisions of this Ordinance are hereby repealed.

SECTION 3. SEVERABILITY.

If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, said portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this Ordinance.

SECTION 4. EMERGENCY.

It being immediately necessary for the preservation of the public health, peace and safety of the City of Mustang and inhabitants thereof, an emergency is hereby declared to exist by reason whereof, this Ordinance shall be in full force and effect from and after its passage and approval, as provided by law.

PASSED AND APPROVED and Emergency Clause voted upon separately and passed and approved this _____ day of June, 2017.

_____
Mayor

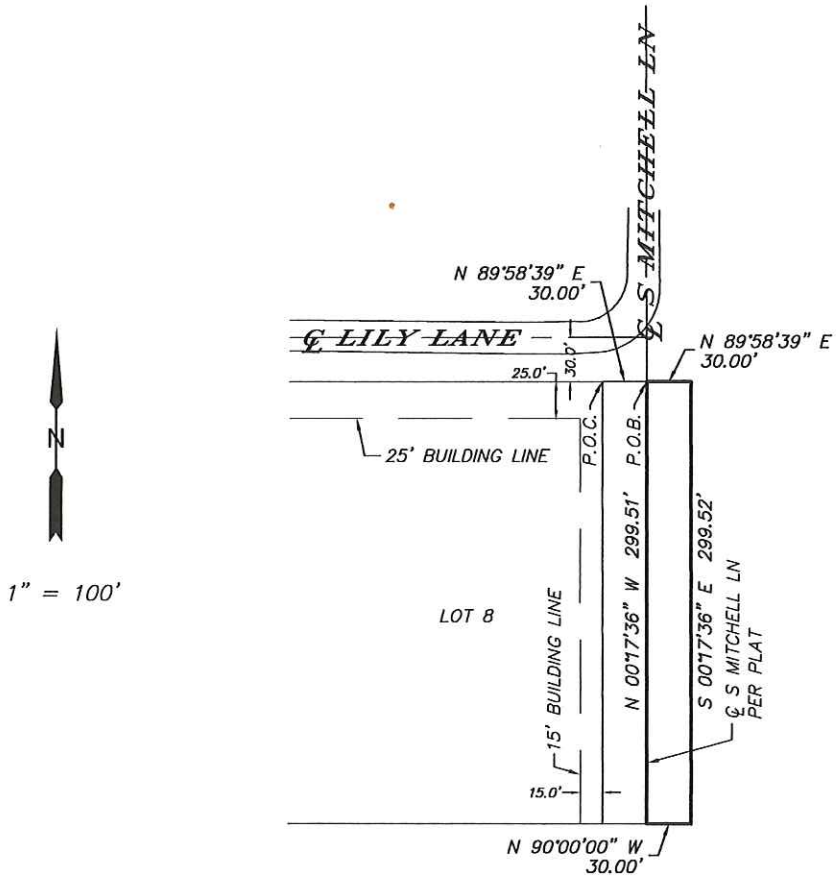
ATTEST:

_____
City Clerk

APPROVED as to form this _____ day of June, 2017.

_____
City Attorney

EASEMENT EXHIBIT

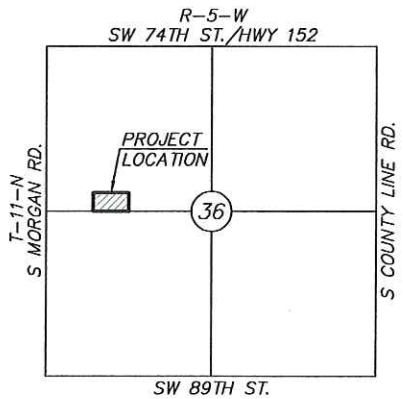


LEGAL DESCRIPTION

Legal description prepared by Ryan R. Doudican, RPLS 1591, 5/31/2017. Basis of bearing is S 90°00'00" W along the South line of the Northwest Quarter (NW/4), Section Thrirty-six (36), Township Eleven (11) North, Range Five (5) West of the Indian Meridian, Canadian County, Oklahoma.

A tract of land being a part of Mitchell Addition, an addition to Mustang, Canadian County, Oklahoma according to the recorded plat thereof, being more particularly described as follows:
COMMENCING at the Northeast corner of Lot Eight (8), Mitchell Addition;
Thence N 89°58'39" E a distance of 30.00 feet to the centerline of South Mitchell Lane said point being the POINT OF BEGINNING;
Thence N 89°58'39" E a distance of 30.00 feet to a point on the East line of the recorded plat of Mitchell Addition;
Thence S 00°17'36" E along the East line of said recorded plat of Mitchell Addition, a distance of 299.52 feet to the Southeast corner of said recorded plat of Mitchell Addition;
Thence N 90°00'00" W along the South line of said recorded plat of Mitchell Addition, a distance of 30.00 feet to a point on the centerline of South Mitchell Lane;
Thence N 00°17'36" W along the centerline of South Mitchell Lane, a distance of 299.51 feet to the POINT OF BEGINNING.

Said tract having an area of 8985.53 Square Feet, 0.206 Acres, more or less.



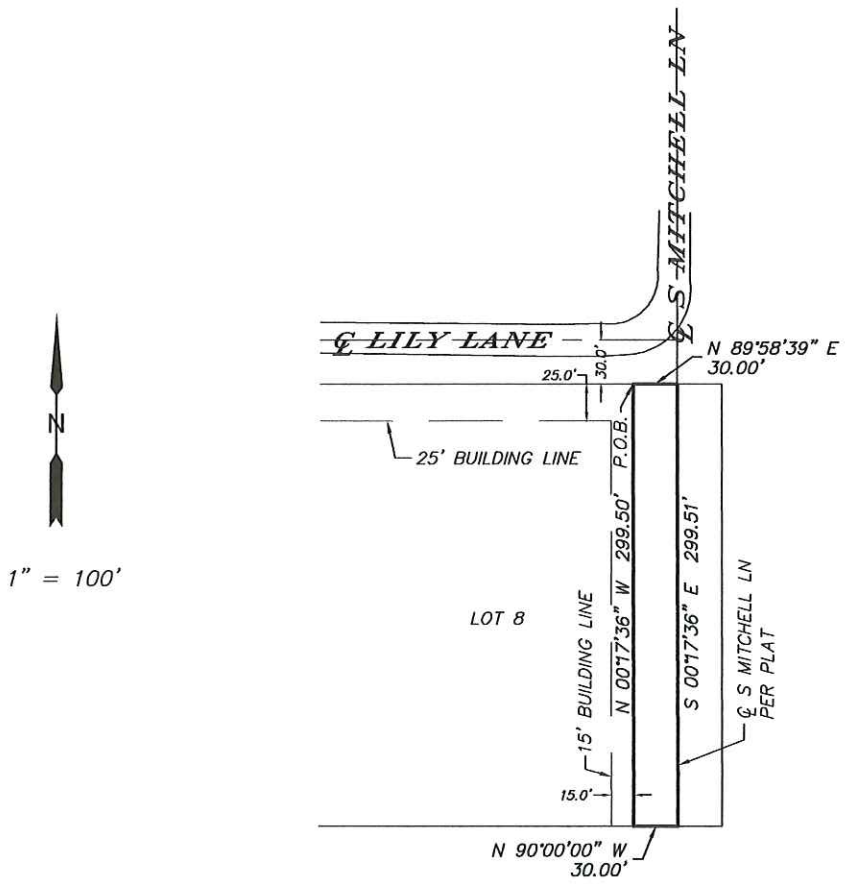
This document is an easement exhibit only and is not a boundary survey.

OKLAHOMA SURVEY CO

12509 S. 71ST EAST AVE. BIXBY, OK 74008
(405) 821-5656 CA#4717 EXP. 30 JUNE 2017

EASEMENT EXHIBIT 1830 E. LILY LANE MUSTANG, OK 73064 CANADIAN COUNTY OKLAHOMA	SCALE 1"=100' DATE: 5/31/2017 SHEET 1 OF 1 PROJECT NO. 2629

EASEMENT EXHIBIT

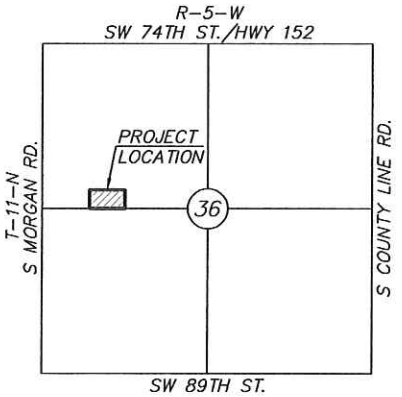


LEGAL DESCRIPTION

Legal description prepared by Ryan R. Doudican, RPLS 1591, 3/27/2017. Basis of bearing is S 90°00'00" W along the South line of the Northwest Quarter (NW/4), Section Thrirty-six (36), Township Eleven (11) North, Range Five (5) West of the Indian Meridian, Canadian County, Oklahoma.

A tract of land being a part of Mitchell Addition, an addition to Mustang, Canadian County, Oklahoma according to the recorded plat thereof, being more particularly described as follows:
BEGINNING at the Northeast corner of Lot Eight (8), Mitchell Addition;
Thence N 89°58'39" E a distance of 30.00 feet to the centerline of South Mitchell Lane;
Thence S 00°17'36" E along the centerline of said South Mitchell Lane, a distance of 299.51 feet to a point on the South line of said Mitchell Addition;
Thence N 90°00'00" W along the South line of said Mitchell Addition, a distance of 30.00 feet to the Southeast corner of said Lot Eight (8);
Thence N 00°17'36" W along the East line of said Lot Eight (8), a distance of 299.50 feet to the POINT OF BEGINNING.

Said tract having an area of 8985.18 Square Feet, 0.206 Acres, more or less.

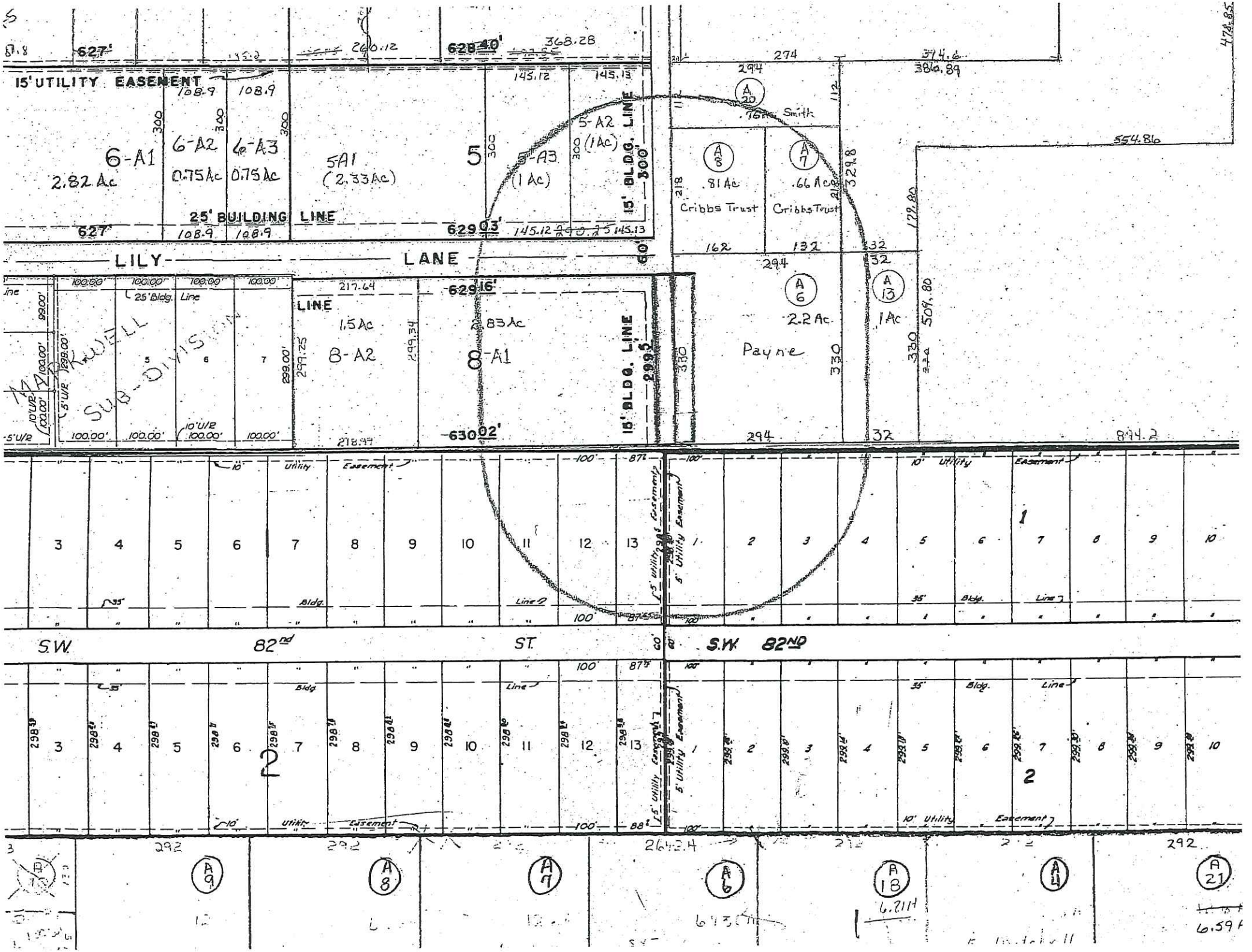


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EASEMENT EXHIBIT 1830 E. LILY LANE MUSTANG, OK 73064 CANADIAN COUNTY OKLAHOMA	SCALE 1"=100' DATE: 3/27/2017 SHEET 1 OF 1 PROJECT NO. 2629


15' UTILITY EASEMENT
6-A1
2.82 Ac
6-A2
0.75 Ac
6-A3
0.75 Ac
5A1
(2.33 Ac)
5
5-A2
(1 Ac)
5-A3
(1 Ac)
15' BLDG. LINE
300'
25' BUILDING LINE
627'
629.03'
LILY LANE
60'
A 20
.76 Ac
Smith
A 8
.81 Ac
Cribbs Trust
A 7
.66 Ac
Cribbs Trust
A 6
2.2 Ac
Payne
A 13
1 Ac
554.86
509.80
329.8
129.80
884.2
8-A2
1.5 Ac
8-A1
1.83 Ac
15' BLDG. LINE
299.34
299.25
218.99
629.16'
630.02'
217.64
LINE
SUB-DIVISION
25' Bldg. Line
5' U/E
10' U/E
100.00'
89.00'
298.00'
S.W. 82nd ST.
S.W. 82ND
10' Utility Easement
5' Utility Easement
35' Bldg. Line
100'
87.5'
88.5'
1
2
3
4
5
6
7
8
9
10
11
12
13
292
2642.4
A 9
A 8
A 7
A 6
A 18
6.21H
A 21
6.59 H

CITY OF MUSTANG

AGENDA COMMENTARY

1. ITEM: H-3

2. MEETING DATE: June 20, 2017

3. TITLE: Approval of resolution 17-039 and Department of Transportation project agreement no. 27901(04), local traffic detour for State Highway 152 project

4. COUNCIL ACTION: Approve/Deny

5. INITIATOR: Justin Battles, Assistant City Manager

6. BACKGROUND: The Oklahoma Department of Transportation will be improving State Highway 152 from Clear Springs Road to State Highway 81 in Union City. During construction traffic will be diverted onto alternate routes within the City of Mustang which consists of Clear Springs and Frisco Road. The Department of Transportation has agreed to improve Clear Springs by adding an asphalt overlay and striping prior to construction of State Highway 152. Additional improvements will be made to 59th Street which is the responsibility of Oklahoma City. The resolution and agreement are attached.

7. FINANCIAL IMPACT:

8. STAFF'S COMMENTS: Staff recommends approval

9. STAFF SOURCE: Justin Battles, Assistant City Manager

RESOLUTION NO. 17-039

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF MUSTANG, OKLAHOMA:

WHEREAS, it is in the best interest of the City of Mustang, Oklahoma, to execute that certain project agreement for Job Piece Number 27901(04), by and between the City of Mustang and the Oklahoma Department of Transportation;

NOW THEREFORE, it is hereby resolved that the Mayor is hereby authorized and directed to execute the above described agreement on behalf of the City of Mustang, and duly signed by the Mayor on this _____ day of _____, 20___.

CITY OF MUSTANG

_____
Mayor

ATTEST:

_____
City Clerk

Approved as to form and legality this _____ day of _____, _____

_____
City Attorney

STATE OF OKLAHOMA DEPARTMENT OF TRANSPORTATION
PROJECT AGREEMENT NO. 27901(04)

SH-152: Shoulders and resurface from US-81 in Union City to Cemetery Road in Mustang utilizing SW 59th St between US-81 and Cemetery Road and Clear Springs Road between SW 59th Street to SH-152 as a local traffic detour and including improvements to SW 59th St. During Construction, SH-152 will also be a one lane, one-way facility between Clear Springs Rd and Frisco Rd.

THIS AGREEMENT, made the day and year last written below, by and among the City of Mustang, hereinafter referred to as the **CITY** and the Department of Transportation of the State of Oklahoma, hereinafter referred to as the **DEPARTMENT**, for the following intents and purposes and subject to the following terms and conditions, to wit:

WITNESSETH:

WHEREAS, the **DEPARTMENT** is charged under the laws of the State of Oklahoma with the construction and maintenance of state highways and bridges; and,

WHEREAS, the **DEPARTMENT**, as part of its responsibilities for the construction and maintenance of state highways and bridges, must cooperate with the local entities of government to allow the location, construction and maintenance of mutual use facilities pursuant to Title 69 OS §304; and

WHEREAS, receipt of the benefits of this project will require that the **CITY** assume certain financial obligations; and,

WHEREAS, the **CITY** is a municipal corporation and charter city created and existing under the Constitution and laws of Oklahoma; and,

NOW THEREFORE, subject to the limitations herein before described and the limitations of applicable Oklahoma law, the **DEPARTMENT** and the **CITY**, in consideration of the mutual covenants and stipulations as set forth herein, do mutually promise and agree as follows:

SECTION 1: PROJECT AGREEMENT

The **DEPARTMENT** will request approval from the Transportation Commission for participation in the project that consists of **SH-152: Shoulders and resurface from US-81 in Union City to Cemetery Road in Mustang utilizing SW 59th St between US-81 and Cemetery Road and south on Clear Springs Road between SW 59th Street to SH-152 as a local traffic detour and including improvements to SW 59th St. During Construction, SH-152 will also be a one lane, one-way facility between Clear Springs Rd and Frisco Rd**.

1.1 The **DEPARTMENT** will provide a two inch (2") cold milling and asphalt overlay and new traffic stripe on Clear Springs Road for this detour

1.2 The **CITY** shall by resolution, duly authorize the execution of this agreement by proper officials and attach copies of such resolution to this agreement.

1.3 The **CITY** is agreeable to allow Clear Springs Road to carry additional local traffic and/or serve as a designated detour routes during this reconstruction.

1.4 The **CITY** shall expect additional local traffic on Clear Springs Road and Frisco Road St, throughout construction of the SH-152 improvement project and shall be responsible for any additional maintenance required on the detoured streets resulting from use by the anticipated increased traffic.

1.5 The **DEPARTMENT** and the **CITY** mutually recognize that each party is a governmental entity subject to the provisions of the Governmental Tort Claims Act (51 O.S. § 151 et seq.). The **DEPARTMENT** and **CITY** hereby mutually agree that each is and may be held severally liable for any and all claims, demands, and suits in law or equity, of any nature whatsoever, paying for damages or otherwise, arising from any negligent act or omission of any of their respective employees, agents or officers which may occur during the prosecution or performance of this agreement to the extent provided in the Governmental Tort Claims Act. Each party agrees to severally bear all costs of investigation and defense of claims arising under the Governmental Tort Claims Act and any judgments which may be rendered in such cause to the limits provided by law. Nothing in this section shall be interpreted or construed to waive any legal defense which may be available to a party or any exemption, limitation or exception which may be provided by the Governmental Tort Claims Act.

SECTION 2: **NOTICES**

2.1 All notices, demands, requests, or other communications which may be or are required to be given, served or sent by either party to the other pursuant to this agreement shall be in writing and shall be deemed to have been properly given or sent:

2.1.1 If intended for the **DEPARTMENT**, by mailing first class mail or, if sender prefers, by registered or certified mail, return receipt requested, with postage prepaid addressed to:

Oklahoma Department of Transportation
Division 4 Engineer
Brian Taylor
P.O. Box 471
Perry, Oklahoma, 73077

2.1.2 If intended for the **CITY**, by mailing by first class mail or, if sender prefers, by registered or certified mail, return receipt requested, with postage prepaid, addressed to:

City of Mustang
Mayor Jay Adams
1501 N. Mustang Rd
Mustang, Oklahoma 73064

THIS SPACE LEFT INTENTIONALLY BLANK

IN WITNESS WHEREOF, the Deputy Director of the **DEPARTMENT** or designee, pursuant to authority vested by the Transportation Commission, has hereunto subscribed his name as Deputy Director/Chief Engineer of the **DEPARTMENT** and the **CITY** have each severally executed same pursuant to authority prescribed by law. The **CITY** on the ___ day of _____, 20____, and the **DEPARTMENT** on the ___ day of _____, 20____.

CITY OF MUSTANG

Reviewed For Form And Legality:

_____
City Attorney Date

Attest:

_____ _____
City Clerk Date Mayor Date

STATE OF OKLAHOMA DEPARTMENT OF TRANSPORTATION

Recommended For Approval: **Approved As To Form And Legality:**

_____ _____
Division 4 Engineer Date General Counsel Date

Approved:

_____
Deputy Director Date

CITY OF MUSTANG

AGENDA COMMENTARY

1. ITEM: H-4

2. MEETING DATE: June 20, 2017

3. TITLE: Contract approval for operation, maintenance, and management of the water and wastewater treatment facilities for the City of Mustang

4. COUNCIL ACTION: Approve/Deny

5. INITIATOR: Justin Battles, Assistant City Manager

6. BACKGROUND:

The City of Mustang and its engineering firm, Cowan Engineering, published public notice for company's interested in submitting qualifications and proposals for operations, maintenance, and management of the water and wastewater treatment facilities. Three proposals where received, accepted, and awarded to the lowest qualified bidder. The contract for these services is attached.

Severn Trent - $1,592,750.00

7. FINANCIAL IMPACT: $1,592,750.00

8. STAFF'S COMMENTS: Staff recommends approval of the contract.

9. STAFF SOURCE: Justin Battles, Assistant City Manager

MUSTANG IMPROVEMENT AUTHORITY
MUSTANG MUNICIPAL BUILDING
1501 N. MUSTANG ROAD
MUSTANG, OKLAHOMA 73064

JUNE 20, 2017
7:00 P.M.

AGENDA

A. CALL TO ORDER

B. ROLL CALL

C. NEW BUSINESS

D. CONSENT AGENDA

These items are considered on the Consent Agenda so that members of the Improvement Authority by unanimous consent can designate routine agenda items to be approved by one motion. If any item proposed on the Consent Agenda does not meet with approval of all Trustees that item will be removed and heard in regular order.

1. Approval of **06/06/2017** MIA Minutes
*2. Claims List for **FY 2017**

E. INFORMATION/REPORTS

1. Trustee Manager

2. Trustees

F. DISCUSSION ITEMS

*1. **Discussion, Consideration and Possible Action** regarding Approval of Contract for Operation, Maintenance, and Management of the Water and Wastewater Treatment Facilities for the City of Mustang.

G. ADJOURNMENT

***Items Considered Concurrently on the City Council Agenda.**

MUSTANG IMPROVEMENT AUTHORITY
JUNE 6, 2017

The Mustang Improvement Authority met in regular session on Tuesday, June 6, 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, June 2, 2017, at 2:00 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 **8:03 p.m.**

B. ROLL CALL

Trustees Present: **Leete**
Grider
Jones
Hagan
Schweinberg
Adams

Trustees Absent: **Riley**

C. NEW BUSINESS

None.

D. CONSENT AGENDA

1. Approval of **05/16/2017** MIA Minutes
*2. Claims List for **FY 2017**
*3. Approval to Turn **Past Due Utility Accounts** Over to the Collection Agency.
*4. Approval to **Declare** Certain Items as Surplus and Authorize Disposal of those Items.

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

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

E. INFORMATION/REPORTS

1. Trustee Manager

None

2. Trustees

F. DISCUSSION ITEMS

*1. **Public Hearing** on **Fiscal Year 2017-2018** Annual Budget for the City of Mustang, the Mustang Improvement Authority and Related Funds in Accordance with State Statutes.

MOTION was made by **Trustee Schweinberg,** seconded by **Chairman Adams**, to open the matter for Public Hearing.

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

There being none, **MOTION** was made by **Chairman Adams**, seconded by **Trustee Schweinberg**, to close the Public Hearing.

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

*2. **Discussion, Consideration and Possible Action** regarding Approval of **Resolution No. 17-038**, Approving the **Fiscal Year 2017-2018** Budget for the City of Mustang, Mustang Improvement Authority and Related Funds.

MOTION was made by **Trustee Schweinberg**, seconded by **Trustee Jones**, to Approve **Resolution No. 17-038**, Approving the **Fiscal Year 2017-2018** Budget for the City of Mustang, Mustang Improvement Authority and Related Funds.

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

*3. **Discussion, Consideration and Possible Action** regarding Awarding Services for Operation, Maintenance, and Management of the Water and Wastewater Treatment Facilities for the City of Mustang.

MOTION was made by **Trustee Grider**, seconded by **Trustee Schweinberg**, to Award Services for Operation, Maintenance, and Management of the Water and Wastewater Treatment Facilities for the City of Mustang to Severn Trent Environmental Services, Inc. in the amount of $1,592,750.

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

G. ADJOURNMENT

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

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

Meeting was adjourned at **8:05 p.m.**

_____
Jay Adams, Chairman

Attest:

_____
Lisa Martin, Secretary

FUND: 68 - IMPROVEMENT AUTHORITY SUMMARY REPORT

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 68		GENERAL GOVERNMENT				
17-0030	01-B0024	BANCFIRST	2014B BOND PAYMENT	6/2017	201706135398	17,930.42
17-0032	01-B0024	BANCFIRST	2014A BOND PAYMENT	6/2017	201706135397	189,990.84
17-1964	01-B0120	NOTE FUND	4TH PENNY EXCESS	6/2017	201706135395	30,403.99
17-1991	01-B0263	RYAN BOOTH	ACQUIRE PERMANENT EASEMEN	6/2017	201706135432	8,350.00
17-0840	01-C0108	COWAN GROUP ENGINEERING, LL	89TH STREET IMPROVEMENTS	6/2017	3075	28,361.00
17-1990	01-C0248	BENJAMIN CONLEY	ACQUIRE PERMANENT EASEMEN	6/2017	201706135431	4,450.00
17-1992	01-F0122	JAMES A FOLMER III	ACQUIRE PERMANENT EASEMEN	6/2017	201706135433	750.00
17-0051	01-G0030	GENERAL FUND	TRANSFER OPERATING FUNDS	6/2017	201706135396	230,000.00
17-1985	01-G0030	GENERAL FUND	TRANSFER OPERATING FUNDS	6/2017	201706135385	150,000.00
17-1812	01-I0015	TYLER TECHNOLOGIES, INC	REMIT PLUS MACHINE	6/2017	025-191807	3,705.00
17-0062	01-L0045	LIMITED PURPOSE FUND	3RD PENNY EXCESS	6/2017	201706135402	86,439.14
17-1706	01-M0269	MCMULLEN CONSTRUCTION AND D	CITY HALL SECURITY	6/2017	201706135387	10,000.00
17-0393	01-P0045	PETTY CASH	PETTY CASH EXPENDITURES	6/2017	201706155450	26.06
17-0084	01-S0205	STREET IMPROVEMENT FUND	12.5% FRANCHISE FEE	6/2017	201706135401	15,000.00
					DEPARTMENT TOTAL:	775,406.45
DEPARTMENT: 72		WATER				
17-0390	01-C0108	COWAN GROUP ENGINEERING, LL	ROCKWELL GROUND STORAGE T	6/2017	3067	12,600.00
17-0462	01-C0108	COWAN GROUP ENGINEERING, LL	ENGINEERING SERVICES	6/2017	201706135411	4,368.50
17-1976	01-C0135	THE CITY OF OKLAHOMA CITY	WATER PURCHASE	6/2017	201706135413	69,216.56
17-1989	01-E0104	E&E LAWN CARE, INC	LANDSCAPE WATER WELLS	6/2017	182	9,700.00
17-1968	01-O0035	OKLAHOMA ELECTRIC COOPERATI	ELECTRIC SERVICE	6/2017	201706135420	16,309.23
17-1979	01-O0055	OG&E COMPANY	ELECTRIC SERVICE	6/2017	201706135417	454.09
17-0235	01-S0057	SEVERN TRENT SERVICES INC	PUBLIC WORKS CONTRACT	6/2017	20498	90,274.90
					DEPARTMENT TOTAL:	202,923.28
DEPARTMENT: 75		SEWER				
17-0839	01-C0108	COWAN GROUP ENGINEERING, LL	WWTP EXPANSION & MODIFICA	6/2017	3068	37,303.25
17-1883	01-C0117	CLEARWATER ENTERPRISE, LLC	GAS USAGE	6/2017	201706135410	68.90
17-1968	01-O0035	OKLAHOMA ELECTRIC COOPERATI	ELECTRIC SERVICE	6/2017	201706135420	1,762.00
17-1979	01-O0055	OG&E COMPANY	ELECTRIC SERVICE	6/2017	201706135417	85.78
17-0235	01-S0057	SEVERN TRENT SERVICES INC	PUBLIC WORKS CONTRACT	6/2017	20498	50,779.63
					DEPARTMENT TOTAL:	89,999.56

FUND: 68 - IMPROVEMENT AUTHORITY SUMMARY REPORT

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 78		SANITATION				
17-0318	01-S0085	SILVER STAR CONSTRUCTION	MAINTENANCE CONTRACT	6/2017	24492a	8,000.00
					DEPARTMENT TOTAL:	8,000.00
					FUND TOTAL:	1,076,329.29

FUND: 70 - MIA RESERVE SUMMARY REPORT

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 70		ADMINISTRATION				
17-0462	01-C0108	COWAN GROUP ENGINEERING, LL	ENGINEERING SERVICES	6/2017	201706135412A	7,250.70
17-2002	01-S0057	SEVERN TRENT SERVICES INC	WATER PRODUCTION METER	6/2017	19710	14,300.00
					DEPARTMENT TOTAL:	21,550.70
					FUND TOTAL:	21,550.70
					GRAND TOTAL:	1,790,241.41