

MUSTANG CITY COUNCIL
MAY 6, 2014, Continued to May 8, 2014

The Mustang City Council met in regular session on Tuesday, May 6, 2014, at 7:00 p.m. in the Mustang Municipal Building Council Chambers, 1501 N. Mustang Road, Mustang, OK, with said meeting being continued to Thursday, May 8, 2014 at 7:00 p.m. at the Mustang Police Department Community Room, 650 E. State Highway 152, Mustang, OK. Notice of the meeting was posted on the Bulletin Board outside the Mustang Municipal Building on Friday, May 2, 2014, at 2:25 p.m. and on Wednesday, May 7, 2014 at 9:25 a.m. for the continuance of the meeting in compliance with the Open Meeting Law, 25 O.S., Section 301, et. seq.

A. CALL TO ORDER

Vice Mayor Jones called the meeting to order at 7:04 p.m.

B. PLEDGE OF ALLEGIANCE/INVOCATION (*Chad Penner, Pastor, Canadian Hills Nazarene Church*)

Chad Penner, Pastor, led the assembly in the Pledge and Invocation. He stated this will be the third summer in a row where the church provides shoes to children going back to school whose parents aren't able to afford them. He stated more than 200 pairs of shoes were provided last year in both Mustang and Yukon schools and stated the church partnered with Kohls and Payless last summer and will still be partnering with them this year.

At this time, the **City Attorney** requested a five minute recess.

Vice Mayor Jones declared a recess at 7:06 p.m.

The meeting was called back into session at 7:12 p.m.

C. ROLL CALL

Councilmembers Present:	Bowers
	Jones
	Hagan

Councilmembers Absent:	Taylor
	Staples
	Mount
	Adams

Notice was given that due to lack of quorum, meeting was continued to Thursday, May 8, 2014, at 7:00 p.m. at the Mustang Police Department Community Room, 650 E. State Highway 152, Mustang, OK.

This meeting was adjourned at 7:15 p.m.

A. CALL TO ORDER

Mayor Adams called the meeting to order at **7:04 p.m., Thursday, May 8, 2014.**

B. PLEDGE OF ALLEGIANCE/INVOCATION (*Terry Jones, Vice Mayor*)

Councilman Jones led the assembly in the Pledge and Invocation.

C. ROLL CALL

Councilmembers Present:	Staples
	Bowers
	Jones
	Hagan
	Adams

Councilmembers Absent:	Taylor
	Mount

Mayor Adams recognized **City Attorney Miller** who provided information regarding Parliamentary Procedure in regards to the continuance of the May 6, 2014 City Council and MIA meetings to May 8, 2014.

City Attorney Miller advised continuance of the City Council and MIA meetings were in compliance with State law and the City of Mustang Charter where, in absence of a quorum, a meeting may be continued to another date and time. He stated there must be public notice given regarding the date, time and location of the continued meeting, which was provided May 6, 2014, and there can be no changes, additions, deletions to the agenda.

D. CONSENT AGENDA

1. Approval of **04/15/14** City Council Minutes
2. Approval of **04/28/14** City Council Minutes

MOTION was made by **Councilman Jones**, seconded by **Councilwoman Bowers**, to approve Items D-1 thru D-2 of the Consent Agenda.

AYE: **Staples, Bowers, Jones, Hagan, Adams**

NAY: **None**

E. ADJOURN SINE DIE

MOTION was made by **Mayor Adams** and seconded by **Councilwoman Hagan** to Adjourn Sine Die.

AYE: Staples, Bowers, Jones, Hagan, Adams

NAY: None

1. PRESENTATION OF PLAQUE AND RECOGNITION OF OUTGOING COUNCILMEMBER DON MOUNT, WARD VI

Plaque was not presented due to **Councilman Mount's** absence.

SWEARING IN OF COUNCILMEMBER LINDA HAGAN, WARD V AND COUNCILMEMBER JESS SCHWEINBERG, WARD VI.

Mustang Judge Steve Huddleston swore in returning Councilmember Linda Hagan and new Councilmember Jess Schweinberg.

(RECEPTION HONORING COUNCILMEMBERS)

F. CALL TO ORDER

Mayor Adams called the meeting to order at 7:19 p.m.

G. ROLL CALL

Councilmembers Present:	Staples
	Bowers
	Jones
	Hagan
	Schweinberg
	Adams

Councilmembers Absent:	Taylor
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H. INTRODUCTION OF GUESTS/HEARING OF CITIZENS OR DELEGATES

None.

J. NEW BUSINESS, DELETIONS OR CONTINUANCES TO THE AGENDA

None.

K. CONSENT AGENDA

- *1. Claims List for **FY '14**
2. Approval of **Resolution No. 14-046**, Making Changes in the Library Fund Budget by Making a Supplemental Appropriation to Increase the 2013-2014 Fiscal Year Budget by \$3,500.
3. Approval of **Resolution No. 14-047**, Making Changes in the General Fund Budget by Making a Supplemental Appropriation to Increase the 2013-2014 Fiscal Year Budget by \$175.
4. Approval of **Resolution No. 14-048**, Making Changes in the General Fund Budget by Making a Supplemental Appropriation to Increase the 2013-2014 Fiscal Year Budget by \$1,612.
5. Approval of **Resolution No. 14-049**, Making Changes in the General Fund Budget by Making a Supplemental Appropriation to Increase the 2013-2014 Fiscal Year Budget by \$581.
6. Approval to **Declare 2006 Ford Crown Victoria, Unit 195, as Surplus** and authorizing Disposal.
- *7. Acknowledgement of Receipt of **DEQ Permit No. WL0000055140002**, to Construct Water Lines for St. Anthony's Healthplex.

Councilwoman Staples asked that Consent Agenda Item K-6 be pulled for discussion.

MOTION was made by **Councilwoman Hagan** and seconded by **Councilwoman Bowers** to approve the Consent Agenda Items K-1 through K-5 and Item K-7.

AYE: Staples, Bowers, Jones, Hagan, Schweinberg, Adams

NAY: None

Councilwoman Staples asked if the Crown Vic was the only car totaled in the wreck where three police vehicles were hit during one traffic stop and if insurance paid.

City Manager Rooney replied yes, it was the only one of the three totaled and insurance did pay.

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MOTION was made by **Councilwoman Staples** and seconded by **Councilwoman Bowers** to approve Consent Agenda Item K-6.

AYE: Staples, Bowers, Jones, Hagan, Schweinberg, Adams

NAY: None

L. INFORMATION/REPORTS

1. City Manager

City Manager Rooney reminded everyone the next Budget Session was set for Thursday, May 15, 2014, at 6:00 p.m. at the Mustang Police Department Community Room, 650 E. State Highway 152, Mustang, OK. He also stated the process for the online surplus auction was beginning with items being added a little at a time.

2. City Council

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

Councilwoman Staples thanked City Staff for their assistance with the situation on Aqua Clear stating it is still chaotic, but does appreciate the help provided.

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

Councilman Jones spoke about "National Night Out" where Parks and Recreation normally holds the event at Town Center including Fire and Police Department involvement. He suggested the neighborhood **Councilwoman Staples** was referring to above hold their own neighborhood National Night Out where they step out and meet their neighbors as part of a crime prevention movement. Jones also stated he had received a call regarding a child on Meadow Lane hit by a car with the person requesting help to slow down traffic there.

Police Chief Foley advised the accident was not due to speed, but due to the child stepping out between two parked cars; however, he stated signs could be placed in the neighborhood and officers are working the area.

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Councilwoman Hagan stated she had received numerous calls with City Staff taking care of all but one which was whether or not Heights Drive would have more panels installed.

City Manager Rooney advised more work would be completed this summer on Heights Dr.

Parks and Recreation Director Battles also stated the project got started later than planned last summer and was not able to complete it due to the start of school and not wanting to create traffic problems. He stated the project would be completed this summer extending it to Highway 152.

Councilman Schweinberg stated he hears several complaints in regards to the odors at the ball fields from the sewage plant. He stated the MS Walk was held at the park this past Saturday and received several compliments, but also heard a few complaints regarding the smell and that he hears this complaint a lot.

Mayor Adams stated Severn Trent was stepping up efforts scientifically to combat the smells at the plant. He also asked about the progress on the Trails grant.

Parks and Recreation Director Battles stated the SRB and other paperwork, except for the appraisals which were being worked on now, had been submitted to the Oklahoma Department of Transportation (ODOT). **Adams** stated the appraisals would be needed to move this forward and asked **Battles** to convey to the appraiser that speed is of the essence.

M. DISCUSSION ITEMS

1. **Discussion, Consideration and Possible Action** regarding the Annual Election Voting for Three (3) Members to the Board of Trustees of the Oklahoma Municipal Assurance Group (OMAG) for three-year terms commencing July 1 2014.

City Manager Rooney advised as a member community of OMAG, the City of Mustang is asked to participate each year in the election of its Board of Trustees with there being three vacancies of the Board this year and five candidates for those vacancies. **Rooney** stated staff recommends the City cast its votes for Mr. Earl Burson, City Manager of Harrah; Ms. Pam Polk, City Manager of Collinsville; and Ms. Janice Cain, City Treasurer of Duncan.

MOTION was made by **Councilwoman Staples**, seconded by **Councilman Schweinberg** to cast its votes as recommended by staff for Mr. Earl Burson, Ms. Pam Polk, and Ms. Janice Cain, for three Members to the Board of Trustees of the Oklahoma Municipal Assurance Group for three-year terms commencing July 1, 2014.

AYE: Staples, Bowers, Jones, Hagan, Schweinberg, Adams

NAY: None

2. **Discussion, Consideration and Possible Action** regarding Approval of **Ordinance No. 1102**, Amending an Ordinance of the City of Mustang, Oklahoma, Amending Chapter 114, Article IX, by Renaming Article IX TO "Impoundment of Vehicles"; Renumbering Existing Section 114-554 to Section 114-564; Renumbering Existing Section 114-553 to 114-555; Renumbering Existing Section 114-552 to 114-554; Renumbering Existing Section 114-551 TO Section 114-553; Adding New Section 114-551 Providing the Purpose and Effect of Impoundment; Adding New Section 114-552 Providing Authority to Impound Vehicles; Adding New Section 114-556 Allowing Impoundment of Vehicles Abandoned on Roadways; Adding New Section 114-557 Allowing Impoundment of Unattended Vehicles on Bridges; Adding New Section 114-558 Allowing Impoundment of Unattended Vehicles Constituting Traffic Hazards; Adding New Section 114-559 Allowing Impoundment of Unattended Vehicles Parking in Prohibited Zones; Adding New Section 114-560 Allowing Impoundment of Vehicles Illegally Parked; Adding New Section 114-561 Allowing Impoundment of Unattended Vehicles Parked in Intersections; Adding New Section 114-562 Allowing Impoundment

of Stolen Vehicles; Adding New Section 114-563 Allowing Impoundment of Vehicles Where Driver is Arrested; Adding New Section 114-565 Providing Place for Impoundment; Adding New Section 114-566 Identifying Circumstances Allowing Impoundment; Adding New Section 114-567 Providing Storage Fees and Costs for Impounded Vehicles; Adding New Section 114-568 Providing for Duration, Release and Payment of Impound Fees; Adding New Section 114-569 Providing for Redemption of Impounded Vehicle; and, Adding New Section 114-570 Providing for Penalty; Declaring Repealer; Providing for Severability; and Declaring an Emergency

City Manager Rooney advised the amendment to this Ordinance would allow the city to charge an administrative fee of \$100 prior to releasing a vehicle from the impound yard. He stated other communities have already made this change and that State Statute allows us to recover our costs.

Police Chief Foley stated the State Legislature amended the law allowing law enforcement officers to either impound vehicles stopped for cause or seize the license plate where the operator is unable to prove the vehicle being driven is covered by insurance, and with the rising costs of operation/administration associated with increased numbers of vehicle impounds, several municipalities have opted to defer these costs by charging the violators an administrative fee prior to releasing the vehicle from the impound yard and the fee would be applicable anytime a vehicle is impounded pursuant to Statute or Ordinance. He stated this would help compensate the Police Department and recoup some of the out of pocket costs.

MOTION was made by **Mayor Adams**, seconded by **Councilman Schweinberg**, to Approve **Ordinance No. 1102**.

AYE: Staples, Bowers, Jones, Hagan, Schweinberg, Adams

NAY: None

MOTION was made by **Mayor Adams** and seconded by **Councilwoman Bowers** to approve the Emergency Clause for **Ordinance No. 1102**.

AYE: Staples, Bowers, Jones, Hagan, Schweinberg, Adams

NAY: None

The emergency clause **passed**.

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N. CITY ATTORNEY'S REPORT

1. Discussion, Consideration and Possible Action Regarding the Agreement between the City of Mustang and The International Association of Fire Fighters, Local 4383, 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: **7:38 p.m.**

Mayor Adams called the meeting back in session at **7:55 p.m.**

In reference to Item N-1 –

MOTION was made by **Councilwoman Staples**, seconded by **Mayor Adams** to Approve the Agreement between the City of Mustang and The International Association of Fire Fighters, Local 4383, for Fiscal Year 2014-15.

AYE: Staples, Bowers, Jones, Hagan, Schweinberg, Adams

NAY: None

O. ADJOURNMENT

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

AYE: Staples, Bowers, Jones, Hagan, Schweinberg, Adams

NAY: None

The meeting was adjourned at **7:55 p.m.**

Jay Adams, Mayor

Attest:

Lisa Martin, City Clerk

**MUSTANG IMPROVEMENT AUTHORITY
MAY 6, 2014, Continued to May 8, 2014**

The Mustang Improvement Authority met in regular session on Tuesday, May 6, 2014, at 7:00 p.m. in the Mustang Municipal Building Council Chambers, 1501 N. Mustang Road, Mustang, OK, with said meeting being continued to Thursday, May 8, 2014 at 7:00 p.m. at the Mustang Police Department Community Room, 650 E. State Highway 152, Mustang, OK. Notice of the meeting was posted on the Bulletin Board outside the Mustang Municipal Building on Friday, May 2, 2014, at 2:25 p.m. and on Wednesday, May 7, 2014 at 9:25 a.m. for the continuance of the meeting in compliance with the Open Meeting Law, 25 O.S., Section 301, et. seq.

A. CALL TO ORDER

Vice Chairman Jones called the meeting to order at 7:16 p.m.

B. ROLL CALL

Trustees Present: **Bowers
Jones
Hagan**

Trustees Absent: **Taylor
Staples
Mount
Adams**

Notice was given that due to lack of quorum, meeting was continued to Thursday, May 8, 2014, at 7:00 p.m. at the Mustang Police Department Community Room, 650 E. State Highway 152, Mustang, OK.

This meeting was adjourned at 7:18 p.m.

A. CALL TO ORDER

Chairman Adams called the meeting to order at **8:12 p.m. on Thursday, May 8, 2014.**

B. ROLL CALL

Trustees Present: Staples
Bowers
Jones
Hagan
Schweinberg
Adams

Trustees Absent: Taylor

C. NEW BUSINESS

None.

D. CONSENT AGENDA

1. Approval of **04/15/14** MIA Minutes.
2. Approval of **04/28/14** MIA Minutes.
- *3. Claims List for **FY '14**
- *4. Acknowledgement of Receipt of **DEQ Permit No. WL0000055140002**,
to Construct Water Lines for St. Anthony's Healthplex.

MOTION was made by **Trustee Staples**, seconded by **Chairman Adams**, to approve Items D-1 thru D-4 of the Consent Agenda.

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

E. INFORMATION/REPORTS

1. Trustee Manager

City Manager Rooney advised he would be out of the office during the next meeting and **Parks and Recreation Director Battles** would be serving as Acting City Manager in his absence.

2. Trustees

Trustee Hagan advised she would be on vacation starting May 17 for approximately three weeks.

F. DISCUSSION ITEMS

None.

G. ADJOURNMENT

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

AYE: Staples, Bowers, Jones, Hagan, Schweinberg, Adams

NAY: None

Meeting was adjourned at **8:00 p.m.**

Jay Adams, Chairman

Attest:

Lisa Martin, Secretary