



Mustang City Council

**MUSTANG MUNICIPAL BUILDING
1501 N. MUSTANG ROAD
MUSTANG, OKLAHOMA 73064**

Mustang City Council

MUSTANG CITY COUNCIL

Tuesday, March 07, 2023 - 7:00 PM
MUSTANG MUNICIPAL BUILDING
1501 N. MUSTANG ROAD
MUSTANG, OKLAHOMA 73064

- A. **CALL TO ORDER**
- B. **PLEDGE OF ALLEGIANCE/INVOCATION**
Dave Bryan, Senior Pastor, Chisholm Heights Baptist Church
- C. **ROLL CALL**
- D. **INTRODUCTION OF GUESTS/HEARING OF CITIZENS OR DELEGATES**
- E. **NEW BUSINESS, DELETIONS OR CONTINUANCES TO THE AGENDA**

Official action can be taken on items that appear on the agenda or are brought up as new business. In reviewing and responding to any agenda item, the Council may, in whole or in part, adopt, approve, conditionally approve, ratify, deny, defer, amend, strike or continue any agenda item. When more information is needed to act on an item, Council may refer the matter to the City Manager, to the Municipal Counselor, or to a board or commission for additional study. Items may be deferred or continued indefinitely or to a specific date or stricken from the agenda entirely.

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 Councilmembers, that item will be removed and heard in regular order. In reviewing and responding to any agenda item, the Council may, in whole or in part, adopt, approve, conditionally approve, ratify, deny, defer, amend, strike or continue any item.

F.1 Approval of 02/07/2023 City Council Minutes.

F.2 *Claims List for FY 2023.

F.3 Approval to Turn Past Due Library Accounts over to Collection Agency.

F.4 Approval of Resolution No. 23-025 making Changes in the Distributor Oklahoma Settlement Fund Budget by Making a Supplemental Appropriation to Increase the 2022-2023 Fiscal Year Budget by \$50,000.

G. INFORMATION/REPORTS

G.1 City Manager Report

G.2 City Council Reports

H. DISCUSSION ITEMS

The following numbered items listed for consideration are included for discussion and action by the City Council. In reviewing and responding to any agenda item, the Council may, in whole or in part, adopt, approve, conditionally approve, ratify, deny, defer, amend, strike or continue any item.

- H.1** Consideration of Ordinance No. 1280, (A) an Ordinance of the City of Mustang, Oklahoma, Declaring Certain Police Vehicles Surplus, Authorizing the Sale of such Vehicles to Other Public Agencies and Authorizing and Directing the City Manager to Execute Documents to Complete the Transfers, and Providing for Severability; and (B) an Agreement for Sale of Surplus Police Vehicles to Rush Springs, Oklahoma.
- H.2** Consideration of Ordinance No. 1281, (A) an Ordinance of the City of Mustang, Oklahoma, Declaring Certain Police Vehicles Surplus, Authorizing the Sale of such Vehicles to Other Public Agencies and Authorizing and Directing the City Manager to Execute Documents to Complete the Transfers, and Providing for Severability; and (B) an Agreement for Sale of Surplus Police Vehicles to Logan County, Oklahoma.
- H.3** Public Hearing and Consideration of Ordinance No. 1282, an Ordinance of The City of Mustang, Oklahoma, Amending the Zoning Ordinance of The City of Mustang, Oklahoma, as Amended, to Change Certain Property Located in Canadian County, Oklahoma, from a Mixed Use Planned Unit Development to an Amended Mixed Use Planned Unit Development, Declaring Repealer, and Providing for Severability.

- H.4** Consideration of Ordinance No. 1283, an Ordinance of the City of Mustang, Oklahoma, Amending Chapter 14 by: (1) Amending Article I, Section 14-1 to Amend and Add Certain Definitions; (2) Repealing Article V, Division 3, Sections 14-191 through 14-197, in their Entirety and Enacting a New Article V, Division 3, Sections 14-191 through 14-198 to Rename Division 3, State the Purpose of Licensing, Provide for Licensing of Animal Establishments and Animal Shelters, Provide Exceptions, Impose Licensing Conditions, Provide the License Term, and Provide for Fees; (3) Repealing Article V, Division 4, Sections 14-221 through 14-226 in their Entirety and Enacting New Division 4, Sections 14-221 through 14-234, to Rename Division 4, Require Submission of Plans and specifications, Setting Submission Standards, Providing Exceptions, Establishing Requirements for Physical Facilities, Providing Sanitation, Food, Hydration, Separation, Vaccination, Diseased Animal Handling and Enclosure Requirements, Providing Location and Commercial Breeder Requirements, and Providing for License Revocation; (4) Amending Chapter 42, Section 42-14, to Provide for Fees; (5) Amending Chapter 122, Section 122-212, to Add Animal Shelter in the Table of Permitted Uses; (6) Amending Chapter 122, Section 122-472 to Add Animal Shelter and Kennel in the Table of Permitted Uses; (7) Amending Chapter 122, Section 122-641, to Add Kennel and Animal Shelter in the Table of Permitted Uses; Providing for Repealer; Providing for Severability; and Declaring an Emergency.

I. MATTERS FOR EXECUTIVE SESSION

- I.1** Consideration of Royal Homes, LLC v. City of Mustang and the City Council for the City of Mustang, Case No. CV-2022-13, District Court, Canadian County, Oklahoma, including possible approval of retention agreement with outside counsel; and, Proposed executive session as authorized by 25 Okla. Stat. §307(B)(4).
- I.2** Consideration of DHD Corp. v. City of Mustang and the City Council for the City of Mustang, Case No. CV-2022-79, District Court, Canadian County, Oklahoma, including possible approval of retention agreement with outside counsel; and, Proposed executive session as authorized by 25 Okla. Stat. §307(B)(4).

J. **ADJOURNMENT**

Note:

***Items considered concurrently on the MIA Agenda.**



Agenda Item No: F.1

Mustang City Council Agenda Item Report

Meeting Date: March 7, 2023

Submitted by: Lisa Martin

Submitting Department: City Clerk

Item Type: Minutes

Agenda Section: CONSENT AGENDA

Subject Title:

Approval of 02/07/2023 City Council Minutes.

Recommendation:

Approve

Initiator:

Lisa Martin

Background:

Minutes from the February 7, 2023, City Council meeting.

Financial Impact:

Staff Comments:

Attachments:

[02.07.2023 City Council Minutes.pdf](#)

**MUSTANG CITY COUNCIL
FEBRUARY 7, 2023**

The Mustang City Council met in regular session on Tuesday, February 7, 2023, at 7:00 p.m. in the Mustang Municipal Building Council Chambers. Notice of the meeting was posted as required on Friday, February 3, 2023, at 9:50 a.m. in compliance with the Open Meeting Law, 25 O.S., Section 301, et. seq.

A. CALL TO ORDER

Vice Mayor Ray called the meeting to order at **7:00 p.m.**

B. PLEDGE OF ALLEGIANCE/INVOCATION James Waugh, Pastor, Lakehoma Church of Christ and Councilmember, Ward IV.

Pastor Waugh led the assembly in the Pledge and Invocation.

C. ROLL CALL

Councilmembers Present:	Ray
	Leete
	Waugh
	McKenzie
	Sholund

Councilmembers Absent:	Wald
	Grider

D. INTRODUCTION OF GUESTS/HEARING OF CITIZENS OR DELEGATES

None.

E. NEW BUSINESS, DELETIONS OR CONTINUANCES TO THE AGENDA

None.

H. CONSENT AGENDA

- F.1 Approval of 01/03/2023 City Council Minutes.
- F.2 Approval of 01/12/2023 City Council Special Meeting (Work Session) Minutes.
- F.3 *Claims List for FY 2023.
- F.4 Approval to Turn Past Due Library Accounts over to Collection Agency.
- F.5 Approval of Resolution No. 23-021 making Changes in the Library Fund Budget by Making a Supplemental Appropriation to Increase the 2022-2023 Fiscal Year Budget by \$17,128.

- F.6 Approval of Resolution No. 23-022 making Changes in the Library Fund Budget by Making a Supplemental Appropriation to Increase the 2022-2023 Fiscal Year Budget by \$13,274.

MOTION was made by **Councilman Sholund**, seconded by **Councilman McKenzie**, to Approve the Consent Agenda Items F.1 thru F.6.

AYE: Ray, Leete, Waugh, McKenzie, Sholund

NAY: None

G. INFORMATION/REPORTS

G.1 City Manager Report

City Manager Rooney corrected an item on the City Manager's Report stating the Police Department graph on page 13 was mislabeled. He stated FY 23 went with the bottom graph and FY 22 with the top.

G.3 City Council

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

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

Councilman Waugh stated he had received calls and texts regarding an item that is expected to be on the March City Council agenda.

Councilman McKenzie stated some lights in his ward were out and referred them to the appropriate company.

Councilman Sholund stated he had also received some calls regarding an item on the upcoming March agenda and stated some in his ward experienced electrical outages as well.

Vice Mayor Ray stated all was good in his ward. He wished *Mayor Grider* the best with his mission trip in Mexico stating he appreciates all he does. He also encouraged everyone to shop local.

H. DISCUSSION ITEMS

- H.1 *Consideration of Proposed Change Orders (PCO) 10 & 14-22 for the Project Labeled Mustang Fire Station #2.

Fire Chief Carruth stated the change orders represent several items needing addressed to keep the project in compliance and moving forward on time stating six items were debit items and two items were credits due to a decrease in material costs as well as a cancellation of costs associated with two of the change orders. He stated this cost neutral agreement was reached through negotiating a noted deficiency and a noted project need. **Carruth** stated the total change order request is \$13,999.86 leaving \$56,572.15 in contingency funding.

MOTION was made by **Councilman Waugh**, seconded by **Councilman McKenzie** to Approve Change Orders 10 and 14-22 for the Project Labeled Mustang Fire Station #2.

AYE: Ray, Leete, Waugh, McKenzie, Sholund

NAY: None

- H.2 Consideration of Resolution No. 23-024, A Resolution of the City of Mustang, Oklahoma, Authorizing the City to Enter into and the Mayor to Execute a Project Agreement for the Installation of Emergency Vehicle Warning Signal along US-152 by and between the City of Mustang and the Oklahoma Department of Transportation, and of related Project Agreement for the Installation of Emergency Vehicle Warning Signal along US-152 at the City of Mustang Fire Station #2 Driveway between the City of Mustang and the Oklahoma Department of Transportation.

City Manager Rooney stated the emergency signal for Fire Station #2 would be like the one we currently have at the Fire Station in order to stop traffic when a fire truck is being deployed. He stated the Oklahoma Department of Transportation requested the agreement be approved in order for the City to receive authorization to install the signal.

Discussion was held regarding how the traffic signal is operated as well as the length of time before it's installed. **Rooney** stated it would have to bid first.

MOTION was made by **Councilman McKenzie**, seconded by **Councilman Sholund** to Approve Resolution No. 23-024 and Project Agreement.

AYE: Ray, Leete, Waugh, McKenzie, Sholund

NAY: None

- H.3 Consideration of Resolution No. 23-023, a Resolution of the City of Mustang, Oklahoma, Supporting the Efforts of the Mustang School District.

City Manager Rooney stated Mustang Public Schools will have a School Board Election on February 14, 2023, stating if approved, the bond proceeds will be directed to addressing the needs of current students and to prepare for the forecasted growth. He stated as in the three most recent Mustang Public School Bond Elections, Staff has placed a Resolution of Support on the agenda for consideration by the Mustang City Council urging voters to educate themselves and exercise their right to vote.

Vice Mayor Ray stated his wife and he support this bond stating it is important for the future of our kids.

Rooney stated the Resolution would be placed on the City's website and Facebook page.

MOTION was made by **Councilman Sholund**, seconded by **Councilman McKenzie** to Approve Resolution No. 23-023.

AYE: Ray, Leete, Waugh, McKenzie, Sholund

NAY: None

I. MATTERS FOR EXECUTIVE SESSION:

- I.1 Consideration of Royal Homes, LLC v. City of Mustang and the City Council for the City of Mustang, Case No. CV-2022-13, District Court, Canadian County, Oklahoma, including possible approval of retention agreement with outside counsel; and, Proposed executive session as authorized by 25 Okla. Stat. §307(B)(4).
- I.2 Consideration of DHD Corp. v. City of Mustang and the City Council for the City of Mustang, Case No. CV-2022-79, District Court, Canadian County, Oklahoma, including possible approval of retention agreement with outside counsel; and, Proposed executive session as authorized by 25 Okla. Stat. §307(B)(4).

MOTION was made by **Vice Mayor Ray**, seconded by **Councilman Sholund** to adjourn to Executive Session.

AYE: Ray, Leete, Waugh, McKenzie, Sholund

NAY: None

TIME ADJOURNED to Executive Session: **7:12 p.m.**

Vice Mayor Ray called the meeting back into Session.

TIME RETURNED from Executive Session: **7:40 p.m.**

In reference to Item I.1 –

MOTION was made by **Councilman Waugh**, seconded by **Councilman McKenzie**, that the City of Mustang retain the Spencer Fane Law Firm under the Agreement as presented to Assist in Defending the City's Interest in the Lawsuit filed by Royal Homes, LLC.

AYE: Ray, Leete, Waugh, McKenzie, Sholund

NAY: None

In reference to Item I.2 –

MOTION was made by **Councilman Waugh**, seconded by **Councilman McKenzie**, that the City of Mustang retain the Spencer Fane Law Firm under the Agreement as presented to Assist in Defending the City's Interest in the Lawsuit filed by DHD Corp.

AYE: Ray, Leete, Waugh, McKenzie, Sholund

NAY: None

J. ADJOURNMENT

MOTION was made by **Councilman Sholund**, seconded by **Councilman Waugh**, to adjourn.

AYE: Ray, Leete, Waugh, McKenzie, Sholund

NAY: None

The meeting was adjourned at **7:41 p.m.**

Brian Grider, Mayor

Attest:

Lisa Martin, City Clerk



Agenda Item No: F.2

Mustang City Council Agenda Item Report

Meeting Date: March 7, 2023

Submitted by: Kelly Walbaum

Submitting Department: Finance

Item Type: Approval

Agenda Section: CONSENT AGENDA

Subject Title:

*Claims List for FY 2023.

Recommendation:

Approve

Initiator:

Rebecca Croft

Background:

Claims List for FY 2023

Financial Impact:

\$404,816.82

Staff Comments:

Attachments:

[GENERAL FUND CLAIMS LIST FY23.pdf](#)

FUND: 01 - GENERAL FUND

SUMMARY REPORT

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 01 CITY ATTORNEY						
23-1031	01-U0147	UNIVERSITY OF OKLAHOMA	CENTBOUNDARY REDISTRICTING	11/2022	GIS-2753	700.00
DEPARTMENT TOTAL:						700.00
DEPARTMENT: 11 CITY MANAGER						
23-1382	01-B0274	HEALTH CARE SERVICE CORPORATION	ACOBRA INSURANCE - H EVANS	2/2023	202302148232	2,365.92
DEPARTMENT TOTAL:						2,365.92
DEPARTMENT: 12 LIBRARY						
23-0968	01-B1023	BTAC UNITED ACQUISITION	HOLBOOKS	1/2023	5018144219	67.10
23-0613	01-C1014	CENGAGE LEARNING, INC.	LARGE PRINT BOOKS	10/2022	79504089	55.98
23-0607	01-C1068	CDW LLC	SUPPLIES	1/2023	GM67049	470.72
23-0607	01-C1068	CDW LLC	SUPPLIES	2/2023	GP46812	447.92
23-0421	01-E0082	ENVISIONWARE, INC.	PC RESERVATION	2/2023	INV-US-63495	725.00
23-0604	01-M0263	MIDWEST TAPE, LLC	JUVENILE A/V	1/2023	503298839	100.43
23-0604	01-M0263	MIDWEST TAPE, LLC	JUVENILE A/V	2/2023	503337158	110.24
23-1338	01-M0332	ANNE CONAWAY-CAMPBELL	MORALPOP & PALETTE	2/2023	202302158245	80.00
DEPARTMENT TOTAL:						2,057.39
DEPARTMENT: 13 PARKS AND RECREATION						
23-1303	01-C0106	CINTAS CORPORATION NO. 2	JANITORIAL SUPPLIES	2/2023	4146134638A	24.30
23-0066	01-C0286	CIVICPLUS, LLC	CIVIC REC SOFTWARE FEES	1/2023	253570	731.83
23-0220	01-O0035	OKLAHOMA ELECTRIC COOPERATIVE	ELECTRIC SERVICE	2/2023	202302158249	3,122.78
23-0219	01-O0055	OKLAHOMA GAS & ELECTRIC	COMETRIC SERVICE	2/2023	202302158251	944.79
23-0074	01-W0201	WEX BANK	FUEL CHARGES	1/2023	87032023	380.30
DEPARTMENT TOTAL:						5,204.00
DEPARTMENT: 15 GENERAL GOVERNMENT						
23-0352	01-C0011	CHICKASAW TELECOM, INC.	MAINTENANCE AGREEMENT	11/2022	59594	2,592.00
23-0326	01-D0088	STATE OF OKLAHOMA - DEPARTMENT	MINMATE LABOR	1/2023	UNCCC-3060123	540.00
23-0222	01-O0010	ONE GAS, INC.	NATURAL GAS SERVICE	2/2023	202302158265	576.70
23-0220	01-O0035	OKLAHOMA ELECTRIC COOPERATIVE	ELECTRIC SERVICE	2/2023	202302158249	794.91
23-0219	01-O0055	OKLAHOMA GAS & ELECTRIC	COMETRIC SERVICE	2/2023	202302158255	1,536.94
23-0294	01-P0199	PUBLIC STORAGE	STORAGE UNIT #508	3/2023	202302158256	100.00
23-0342	01-Q0003	QUIK PRINT OF OKLAHOMA CITY	PRINTING SERVICES	2/2023	757885	385.46
23-0353	01-Q0082	QUADIENT LEASING USA, INC	SOFTWARE LEASE-STUFFER	1/2023	N9787318	262.18
23-1419	01-RF0049	JAMES HADLEY	REFUND OF DEPOSIT - SPAY	2/2023	202302158258	25.00
23-0399	01-S0085	SILVER STAR CONSTRUCTION	COSTREET & MOWING CONTRACT	1/2023	33602	69,275.08 ✓
23-0350	01-S0173	STANDLEY SYSTEMS, LLC	COPIER LEASE/USAGE	2/2023	INV1464459	2,305.25
DEPARTMENT TOTAL:						78,393.52

FUND: 01 - GENERAL FUND

SUMMARY REPORT

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 18		TOWN CENTER				
23-0091	01-A0227	ALLIED ELEVATOR SERVICES,	IMONTHLY MAINTENANCE	2/2023	2152353	175.00
23-1168	01-C0106	CINTAS CORPORATION NO. 2	JANITORIAL SUPPLIES	2/2023	4146134638	846.72
23-0288	01-C0117	CLEARWATER ENTERPRISE, LLC	NATURAL GAS SERVICE	2/2023	20591-02301	1,156.13
23-0099	01-H0165	HD SUPPLY, INC	JANITORIAL SUPPLIES	1/2023	727898306	95.49
23-0997	01-L0052	LOCKE SUPPLY CO	JANITORIAL SUPPLIES	2/2023	48682161-00	69.82
23-0222	01-00010	ONE GAS, INC.	NATURAL GAS SERVICE	2/2023	202302158265	279.05
23-0220	01-00035	OKLAHOMA ELECTRIC COOPERATIE	ELECTRIC SERVICE	2/2023	202302158249	5,647.19
23-0094	01-S0380	SUMMIT FIRE & SECURITY	MONITORING TOWN CENTER	1/2023	573012721	396.00
23-1107	01-S0380	SUMMIT FIRE & SECURITY	ALARM REPAIRS	2/2023	573012894	320.00
DEPARTMENT TOTAL:						8,985.40
DEPARTMENT: 19		BALL COMPLEX				
23-0113	01-A0131	A ROYAL FLUSH, LLC	DOG PARK RESTROOM	2/2023	36171	237.00
23-0858	01-B1019	BEN E. KEITH COMPANY	CONCESSION SUPPLIES	2/2023	65932814	187.50
23-0114	01-F0144	405 TECHNOLOGY SOLUTIONS,	LFEEES FOR POS SYSTEM	2/2023	2189	111.16
23-0740	01-I1119	STEPHENSON WHOLESALE CO.,	ICONCESSION SUPPLIES	2/2023	7680852	195.10
23-0220	01-00035	OKLAHOMA ELECTRIC COOPERATIE	ELECTRIC SERVICE	2/2023	202302158249	829.24
23-0219	01-00055	OKLAHOMA GAS & ELECTRIC COME	ELECTRIC SERVICE	2/2023	202302158251	137.08
23-1314	01-P0144	BOTTLING GROUP, LLC	BEVERAGE SUPPLIES	2/2023	00695856	3,582.50
23-1323	01-R0208	ROGERS BASE COMPANY	SET OF BASES	1/2023	2281	1,321.18
23-1104	01-S0265	SIMPLOT AB RETAIL INC	DIRT - BASEBALL INFIELDS	2/2023	218064166	3,398.25
23-0125	01-W0201	WEX BANK	FUEL CHARGES	2/2023	87032023A	140.74
DEPARTMENT TOTAL:						10,139.75
DEPARTMENT: 20		AQUATICS				
23-1373	01-H0229	MAKENZIE HUFF	PER DIEM FOR LGIT REVIEW	2/2023	202302148241	120.00
23-0220	01-00035	OKLAHOMA ELECTRIC COOPERATIE	ELECTRIC SERVICE	2/2023	202302158249	160.34
DEPARTMENT TOTAL:						280.34
DEPARTMENT: 21		FINANCE				
23-1366	01-M0234	MUSTANG TIMES LLC	ANNUAL SUBSCRIPTION	2/2023	941	35.00
DEPARTMENT TOTAL:						35.00

FUND: 01 - GENERAL FUND

SUMMARY REPORT

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 31 COMMUNITY DEVELOPMENT						
23-0169	01-M0234	MUSTANG TIMES LLC	LEGAL PUBLICATIONS	1/2023	MT615052	157.95
23-0975	01-00096	OKLAHOMA UNIFORM BUILDING	CBUILDING PERMIT FEES	2/2023	202302158254	580.00
23-0976	01-00096	OKLAHOMA UNIFORM BUILDING	CBUILDING PERMIT FEES	2/2023	202302158253	524.00
23-0171	01-W0201	WEX BANK	FUEL CHARGES	2/2023	87032023B	359.01
DEPARTMENT TOTAL:						1,620.96
DEPARTMENT: 41 POLICE						
23-0012	01-A0039	A.S.C. INCORPORATED	VEHICLE PARTS	1/2023	175951	928.68
23-0001	01-B0119	BOLAY MOBILECOM INC	VHF MOBILE RADIOS	2/2023	80811	1,226.00
23-0830	01-B0119	BOLAY MOBILECOM INC	MOBILE RADIO ORDER	2/2023	80811A	1,072.24
23-1221	01-C0050	SM COKER ENTERPRISES LLC	PLUMBING REPAIRS	2/2023	202302148233	145.00
23-0288	01-C0117	CLEARWATER ENTERPRISE, LLC	NATURAL GAS SERVICE	2/2023	20591-02301	847.06
23-0928	01-C0232	COPS PRODUCTS	UNIFORM FOR NEW OFFICER	1/2023	202209058	731.77
23-0041	01-D0172	EIGHTY-ONE AUTO GROUP, INC	VEHICLE MAINTENANCE	2/2023	508000LR	688.48
23-0040	01-F0078	DAIOHS USA, INC	ICE MACHINE RENTAL/SVC	2/2023	360316	150.00
23-0432	01-G099	GT DISTRIBUTORS, INC.	AMMUNITION	2/2023	INV0938932	819.86
23-1134	01-J1071	JAN-PRO OF OKC	CLEANING SERVICES PD	2/2023	126015	1,585.00
23-0046	01-M0170	DAVID L. MORRIS	VEHICLE REPAIRS	1/2023	01232023-218	1,366.00
23-0222	01-00010	ONE GAS, INC.	NATURAL GAS SERVICE	2/2023	202302158265	242.38
23-0220	01-00035	OKLAHOMA ELECTRIC COOPERATIVE	ELECTRIC SERVICE	2/2023	202302158249	2,934.04
23-0078	01-S0373	RPS AUTO LLC	OIL CHANGES	1/2023	00543-19725	399.70
23-0080	01-T0029	WEST PUBLISHING CORPORATION	CLEAR INVESTIGATIVE TOOL	2/2023	847775540	224.89
23-0119	01-V0028	DIGITAL MARKETS, INC	AUDIO LOGGER SUPPORT	2/2023	6929	3,850.00
23-0121	01-W0201	WEX BANK	FUEL CHARGES	1/2023	87009939	6,656.35
DEPARTMENT TOTAL:						23,867.45
DEPARTMENT: 42 ANIMAL WELFARE						
23-0141	01-H0182	HALO ANIMAL HOSPITAL	VETERINARY SERVICES	1/2023	410413	322.70
23-1135	01-J1071	JAN-PRO OF OKC	CLEANING SERVICES	2/2023	126330	395.00
23-0222	01-00010	ONE GAS, INC.	NATURAL GAS SERVICE	2/2023	202302158265	577.23
23-0219	01-00055	OKLAHOMA GAS & ELECTRIC CO	ELECTRIC SERVICE	2/2023	202302158251	31.50
23-0151	01-P0181	ANTHONY E. LINGER	ALARM MONITORING	2/2023	20230456	41.00
23-0154	01-S0373	RPS AUTO LLC	OIL CHANGES	1/2023	00543-19061	65.24
23-0164	01-W0201	WEX BANK	FUEL CHARGES	1/2023	87009939A	239.31
DEPARTMENT TOTAL:						1,671.98

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 51		FIRE				
23-0868	01-C0232	COPS PRODUCTS	UNIFORM ORDER	10/2022	202207649	735.59
23-0782	01-C1031	CUSTOM IDENTIFICATION PRODUP	PERSONAL PASS TAGS	2/2023	372641	58.50
23-1356	01-M1034	JOSHUA C. MOORE	PER DIEM FOR EMA CONFEREN	2/2023	202302158246	80.00
23-0222	01-00010	ONE GAS, INC.	NATURAL GAS SERVICE	2/2023	202302158265	840.13
23-0182	01-00025	O'REILLY AUTOMOTIVE STORES,	VEHICLE REPAIR/MAINT.	2/2023	0309-208105	40.78
23-0219	01-00055	OKLAHOMA GAS & ELECTRIC COME	ELECTRIC SERVICE	2/2023	202302158251	8.61
23-1378	01-P1052	PECK, MORGAN	PER DIEM EMS CONFERENCE	2/2023	202302158257	80.00
23-1322	01-S0206	STOLZ TELECOM, LLC	STIP LIGHTING SLIDEOUT	2/2023	INV-003010	282.00
23-1354	01-S0337	LEVI SETLIFF	PER DIEM FOR EMA CONFEREN	2/2023	202302158260	80.00
23-1355	01-S1186	JONATHAN SPRAGUE	PER DIEM FOR EMA CONFEREN	2/2023	202302158261	80.00
23-0190	01-W0201	WEX BANK	FUEL CHARGES	1/2023	87002721	200.87
23-1210	01-W0201	WEX BANK	FUEL CHARGES	1/2023	87002721A	1,503.88
DEPARTMENT TOTAL:						3,990.36
DEPARTMENT: 61		STREETS				
23-0303	01-C0278	COX COMMUNICATIONS, INC.	TELEPHONE/INTERNET STREET	2/2023	202302148235	179.92
23-0220	01-00035	OKLAHOMA ELECTRIC COOPERATIE	ELECTRIC SERVICE	2/2023	202302158249	1,044.46
23-0219	01-00055	OKLAHOMA GAS & ELECTRIC COME	ELECTRIC SERVICE	2/2023	202302158251	7,890.17
DEPARTMENT TOTAL:						9,114.55
FUND TOTAL:						148,426.62

FUND: 05 - PARK IMPROVEMENT

SUMMARY REPORT

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 00 ADMINISTRATION						
23-1214	01-A0303	CHANCE WHITENER	GREEN HOUSE FENCE	1/2023	2988	2,865.00
23-1000	01-D0167	ZW USA INC.	DISPOSAL BAGS-DOG PARK	2/2023	530267	277.88
23-1099	01-G0110	PLAYCORE WISCONSIN, INC.	ACCESS RAMP-PLAYGROUND	1/2023	PJI-0200767	952.98
23-1089	01-S0085	SILVER STAR CONSTRUCTION	COMISC CONTRACTUAL SERVICES	1/2023	33603	209.97
DEPARTMENT TOTAL:						4,305.83
FUND TOTAL:						4,305.83

2/15/2023 12:57 PM

PURCHASE ORDER CLAIM REGISTER

PAGE: 61

FUND: 07 - LIBRARY

SUMMARY REPORT

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 07		ADMINISTRATION				
23-1375	01-S0277	SHANKARI PARADEE	QUILT PROGRAM	2/2023	202302158259	100.00
23-0957	01-V2000	PROSPERITY BANK	GRANT SUPPLIES	2/2023	1	
DEPARTMENT TOTAL:						100.00
FUND TOTAL:						100.00

FUND: 14 - STREET/DRAINAGE IMP

SUMMARY REPORT

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 14		ADMINISTRATION				
23-1089	01-S0085	SILVER STAR CONSTRUCTION	COMISC CONTRACTUAL SERVICES	1/2023	33603	11,231.33
					DEPARTMENT TOTAL:	11,231.33
					FUND TOTAL:	11,231.33

FUND: 39 - LIMITED PURPOSE

SUMMARY REPORT

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 01 MAYOR AND COUNCIL						
23-1285	01-C1068	CDW LLC	WIRELESS AP-CHAMBERS	1/2023	GH52247	564.66
DEPARTMENT TOTAL:						564.66
DEPARTMENT: 13 PARK AND RECREATION						
23-1240	01-A0102	ACQUIRE CCTV INC.	ADDITIONAL CAMERAS	2/2023	202302148231	2,500.00
DEPARTMENT TOTAL:						2,500.00
DEPARTMENT: 18 TOWN CENTER						
23-1240	01-A0102	ACQUIRE CCTV INC.	ADDITIONAL CAMERAS	2/2023	202302148231	3,924.00
23-1293	01-C1068	CDW LLC	WIFI ACCESS POINTS	1/2023	GH54311	664.51
DEPARTMENT TOTAL:						4,588.51
DEPARTMENT: 19 BALL COMPLEX						
23-1340	01-S0259	SHOWTIME CONCESSIONS	REPLACE CONCESSION EQUIPM	2/2023	90359	1,700.00
DEPARTMENT TOTAL:						1,700.00
DEPARTMENT: 51 FIRE						
23-1013	01-S0206	STOLZ TELECOM, LLC	COMMAND TRUCK 1	2/2023	INV-003009	786.04
DEPARTMENT TOTAL:						786.04
DEPARTMENT: 72 WATER						
23-0251	01-C1197	CORE & MAIN LP	WATER LINE PARTS	2/2023	S283940	2,229.99
23-0687	01-L0052	LOCKE SUPPLY CO	WATER LINE PARTS	2/2023	48634539-01	465.58
23-1336	01-P0049	PIONEER SUPPLY, LLC	WATERLINE PARTS	2/2023	INV34150	200.52
DEPARTMENT TOTAL:						2,896.09
FUND TOTAL:						13,035.30

FUND: 69 - RISK MANAGEMENT

SUMMARY REPORT

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 00 ADMINISTRATION						
23-1352	01-H1074	HPI PHYSICIANS, LLC	WC CLAIM #2022-10	2/2023	202302148242	285.72
23-1384	01-I0053	INDEPENDENT MEDICAL EXAMINAWC CLAIM #2009-07		2/2023	202302148243	50.00
23-1350	01-M0267	MEDICAL CLAIMS REVIEW SERVIMEDICAL BILL AUDIT FEE		2/2023	202302158244	174.41
23-1351	01-M1237	MCBRIDE CLINIC ORTHOPEDIC HWC CLAIM #2022-13		2/2023	202302158248	111.84
23-1383	01-M1237	MCBRIDE CLINIC ORTHOPEDIC HWC CLAIM #2022-13		2/2023	202302158247	1,257.00
23-1349	01-T024	THE PHYSICIANS GROUP LLC	WC CLAIM #2022-10	2/2023	202302158262	37.70
23-1385	01-W0108	SERVRX, INC.	WC CLAIM #2022-13 2009-07	2/2023	202302158263	2,476.59
DEPARTMENT TOTAL:						4,393.26
FUND TOTAL:						4,393.26

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 01 CITY ATTORNEY						
23-0388	01-C0108	COWAN GROUP ENGINEERING, L	ENGINEERING FEES	2/2023	7138	12,163.65
DEPARTMENT TOTAL:						12,163.65
DEPARTMENT: 11 CITY MANAGER						
23-1444	01-B0274	HEALTH CARE SERVICE CORPOR	AMARCH COBRA HEATH INSURAN	3/2023	202303018287	591.48
23-0036	01-G0133	DALLAS-FORT WORTH HOSPITAL	BACKGROUND CHECKS	2/2023	202303018296	32.75
23-0368	01-M0180	MUSTANG CHAMBER OF COMMERCE	LUNCHEONS & BANQUETS	2/2023	18539	80.00
DEPARTMENT TOTAL:						704.23
DEPARTMENT: 12 LIBRARY						
23-0968	01-B1023	BTAC UNITED ACQUISITION	HOLBOOKS	2/2023	5018164540	218.64
23-0430	01-I0023	INGRAM INDUSTRIES INC.	YOUNG ADULT BOOKS	2/2023	74572390	197.96
23-0967	01-I0023	INGRAM INDUSTRIES INC.	JUVENILE BOOKS	2/2023	74572388	503.69
23-0418	01-M0263	MIDWEST TAPE, LLC	NONPRINT ITEMS	2/2023	503411020	666.84
23-0604	01-M0263	MIDWEST TAPE, LLC	JUVENILE A/V	2/2023	503398087	271.28
23-1493	01-S2021	JULIE SLUPE	PER DIEM - ALA CONFERENCE	2/2023	202303018315	160.00
DEPARTMENT TOTAL:						2,018.41
DEPARTMENT: 13 PARKS AND RECREATION						
23-1303	01-C0106	CINTAS CORPORATION NO. 2	JANITORIAL SUPPLIES	2/2023	4147462352A	24.30
23-0219	01-00055	OKLAHOMA GAS & ELECTRIC	COM ELECTRIC SERVICE	2/2023	202303018310	124.65
23-0063	01-V0050	VERIZON COMMUNICATIONS INC.	HOT SPOT MONTHLY FEES	2/2023	202303018321	300.00
23-0074	01-W0201	WEX BANK	FUEL CHARGES	2/2023	87702853	122.67
DEPARTMENT TOTAL:						571.62
DEPARTMENT: 15 GENERAL GOVERNMENT						
23-0594	01-A1000	ATWOOD DISTRIBUTING L.P.	ATWOODS SALES TAX REBATE	3/2023	202303018285	6,836.29
23-0958	01-A1000	ATWOOD DISTRIBUTING L.P.	ATWOODS SALES TAX PAYABLE	3/2023	202303018286	14,670.89
23-0351	01-C0278	COX COMMUNICATIONS, INC.	TELEPHONE/INTERNET	2/2023	202303018290	7,561.07
23-0326	01-D0088	STATE OF OKLAHOMA - DEPART	MINMATE LABOR	3/2023	UNCCC-306 0223	540.00
23-0302	01-00014	OK MUNICIPAL ASSURANCE GROU	PROPERTY INSURANCE	2/2023	202303018308	34,351.50
23-0341	01-00014	OK MUNICIPAL ASSURANCE GROU	GENERAL LIABILITY INSURAN	2/2023	202303018309	23,790.50
23-0290	01-01177	STATE OF OKLAHOMA	SALES TAX PAYABLE	2/2023	202303018312	293.96
23-0342	01-Q0003	QUIK PRINT OF OKLAHOMA CITY	PRINTING SERVICES	2/2023	758018	657.68
23-0310	01-S0306	SETH B SHAY	PEST CONTROL SERVICES	2/2023	202303018314	600.00
DEPARTMENT TOTAL:						89,301.89

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 18		TOWN CENTER				
23-1168	01-C0106	CINTAS CORPORATION NO. 2	JANITORIAL SUPPLIES	2/2023	4147462352	994.58
23-1249	01-D0144	DON-CO SEWER & DRAIN	PLUMBING REPAIRS	2/2023	5205	195.00
23-1339	01-D0144	DON-CO SEWER & DRAIN	PLUMBING REPAIRS	2/2023	5211	1,000.00
23-1280	01-E0115	ERC ACQUISITION, INC.	GYM WIPES	2/2023	892352	299.70
23-1236	01-F0078	DAIOHS USA, INC	COFFEE SUPPLIES	2/2023	361434	73.35
23-0985	01-H0165	HD SUPPLY, INC	JANITORIAL SUPPLIES	12/2022	722449378	290.02
23-0985	01-H0165	HD SUPPLY, INC	JANITORIAL SUPPLIES	1/2023	725366835	557.00
23-0985	01-H0165	HD SUPPLY, INC	JANITORIAL SUPPLIES	2/2023	730394533	27.07
23-1488	01-P0206	PATRIOT HEAT & AIR LLC	MINI SPLIT REPAIR	2/2023	20217376	513.00
DEPARTMENT TOTAL:						3,949.72
DEPARTMENT: 19		BALL COMPLEX				
23-0137	01-B0154	ICE MAKER SALES & SERVICE,	EQUIPMENT REPAIRS	2/2023	1093834-IN	551.10
23-0858	01-B1019	BEN E. KEITH COMPANY	CONCESSION SUPPLIES	2/2023	65949149	888.69
23-1361	01-B1019	BEN E. KEITH COMPANY	MISC SUPPLIES FOR CONCESS	2/2023	65958560	2,474.73
23-1461	01-D0144	DON-CO SEWER & DRAIN	DE-WINTERIZE RESTROOMS	2/2023	5215	1,125.00
23-0740	01-I1119	STEPHENSON WHOLESALE CO.,	ICONCESSION SUPPLIES	2/2023	7685269	2,106.50
23-1124	01-M0288	RAWLINGS SPORTING GOODS CO.	CUSTOM STAMPED MEN'S	2/2023	87552115	4,212.00
23-0774	01-P0144	BOTTLING GROUP, LLC	CONCESSION SUPPLIES	2/2023	00262207	595.95
23-1314	01-P0144	BOTTLING GROUP, LLC	BEVERAGE SUPPLIES	2/2023	19993503	5,177.25
23-1331	01-W0201	WEX BANK	FUEL CHARGES	2/2023	87702853C	746.78
DEPARTMENT TOTAL:						17,878.00
DEPARTMENT: 20		AQUATICS				
23-1256	01-A1120	AMUSEMENT RESTORATION COMPAA	AQUATIC CENTER MAINTENANC	2/2023	1051	3,413.76
23-1437	01-H0186	APEX SERVICE PARTNERS HOLDIC	CLEARING OF MAIN DRAIN	2/2023	122544538	5,957.65
23-1482	01-H0229	MAKENZIE HUFF	LGI REVIEW FEE	2/2023	202303018299	100.00
DEPARTMENT TOTAL:						9,471.41
DEPARTMENT: 21		FINANCE				
23-0271	01-O0197	OKLAHOMA MUNICIPAL COURT CLOM	CCA WORKSHOPS	11/2022	4843	35.00
23-1478	01-Q0003	QUIK PRINT OF OKLAHOMA CITY	BUSINESS CARDS FOR COURT	2/2023	758113	72.40
23-0311	01-W0201	WEX BANK	FUEL	2/2023	87702853B	30.38
DEPARTMENT TOTAL:						137.78

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 31 COMMUNITY DEVELOPMENT						
23-1473	01-C1101	CENTRAL OKLAHOMA STORMWATER	MEMBERSHIP DUES	2/2023	155XY	1,200.00
23-0169	01-M0234	MUSTANG TIMES LLC	LEGAL PUBLICATIONS	2/2023	MT615055	35.00
23-0172	01-S0373	RPS AUTO LLC	OIL CHANGES	2/2023	00543-20262	178.98
23-0165	01-V0050	VERIZON COMMUNICATIONS INC.	CELL PHONE SERVICE	2/2023	202303018322	195.00
23-0171	01-W0201	WEX BANK	FUEL CHARGES	2/2023	87702853A	289.94
DEPARTMENT TOTAL:						1,898.92
DEPARTMENT: 41 POLICE						
23-0010	01-A1094	DJ HOPKINS INC.	RADAR RECERTIFICATION	2/2023	018417	600.00
23-1367	01-C0050	SM COKER ENTERPRISES LLC	MISC PLUMBING REPAIRS	2/2023	202303018288	195.00
23-1450	01-E0042	EMBLEM ENTERPRISES, INC	PATCH ORDER	2/2023	879780	1,363.02
23-0032	01-F4474	FIRETROL PROTECTION SYSTEMS	FIRE SUPPRESSION AGREEMENT	2/2023	100839454A	1,465.00
23-1475	01-F4474	FIRETROL PROTECTION SYSTEMS	SMOKE DETECTORS	2/2023	100839454	593.28
23-0058	01-S0330	STREETS, LLC	HVAC MAINTENANCE	2/2023	S184-0223	1,770.00
23-0438	01-T0198	TOP TIER TACTICAL, SURVIVAL	BALLISTIC VEST COVER	3/2023	2148-A	190.00
23-0084	01-T1055	BRANDONS TOWN PLAZA CLEANER	UNIFORM CLEANING	2/2023	JAN2023	230.00
23-0116	01-V0050	VERIZON COMMUNICATIONS INC.	CELL PHONES & DATA USAGE	2/2023	202303018320	2,050.00
23-0121	01-W0201	WEX BANK	FUEL CHARGES	2/2023	87710085	6,253.33
DEPARTMENT TOTAL:						14,709.63
DEPARTMENT: 42 ANIMAL WELFARE						
23-0138	01-D0090	OK DEPT. OF PUBLIC SAFETY	OLETS FEES	2/2023	LET-008647A	10.00
23-1135	01-J1071	JAN-PRO OF OKC	CLEANING SERVICES	1/2023	125560	296.26
23-0156	01-V0050	VERIZON COMMUNICATIONS INC.	CELL PHONES & DATA USAGE	2/2023	202303018318	250.00
23-0164	01-W0201	WEX BANK	FUEL CHARGES	2/2023	87710085A	288.64
DEPARTMENT TOTAL:						844.90
DEPARTMENT: 51 FIRE						
23-0864	01-C0065	CASCO INDUSTRIES, INC.	ANNUAL UNIFORM ORDER	2/2023	248210	4,127.64
23-0888	01-C0065	CASCO INDUSTRIES, INC.	ANNUAL BOOT/SHOE ORDER	12/2022	246145	2,344.79
23-1251	01-C0065	CASCO INDUSTRIES, INC.	HELMET BADGES	2/2023	248521	450.00
23-0191	01-C0317	CAPITAL ONE	OTHER SUPPLIES	2/2023	202303018294	34.34
23-1009	01-C2237	COVER 6 COUNSELING, LLC	EVALUATION FOR PEER TEAM	2/2023	108	35.00
23-1455	01-J1063	JOE COOPER FORD OF YUKON,	LUT COOLANT OVERFLOW TANK	2/2023	122904Y	344.20
23-1131	01-L0200	LEXIPOL, LLC	POLICY AND PROCEDURE	12/2022	INVLEX14360	13,298.10
23-1342	01-M2254	MYDER, LLC	BP3 PUMP END	2/2023	ML04701	2,612.00
23-0182	01-O0025	O'REILLY AUTOMOTIVE STORES,	VEHICLE REPAIR/MAINT.	2/2023	0309-211672	83.43
23-1496	01-O0100	OKLAHOMA FIREFIGHTERS PENSIVOLUNTEER DUES B BRADY		2/2023	202303018311	60.00
23-1353	01-S0348	STRYKER SALES, LLC	MASIMO SPO2 SENSOR & CABL	2/2023	4045826M	848.29
23-1406	01-T0002	T & W TIRE LLC	REAR TIRES FOR E-2	2/2023	1090120542	1,535.92
23-0177	01-U0055	UNIFIRST HOLDINGS INC.	SHOP TOWEL SERVICE	2/2023	2770043574	37.86
23-0178	01-V0050	VERIZON COMMUNICATIONS INC.	AIR TIME FOR TABLETS	2/2023	202303018317	500.00
23-1210	01-W0201	WEX BANK	FUEL CHARGES	2/2023	87695177	1,327.74
DEPARTMENT TOTAL:						27,639.31
FUND TOTAL:						181,289.47

FUND: 07 - LIBRARY

SUMMARY REPORT

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 07		ADMINISTRATION				
23-1418	01-C1014	CENGAGE LEARNING, INC.	EXCEL ADULT SOFTWARE	2/2023	80722439	5,500.00
DEPARTMENT TOTAL:						5,500.00
FUND TOTAL:						5,500.00

FUND: 08 - PD TRAFFIC ENFORCEMENT

SUMMARY REPORT

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
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DEPARTMENT: 41		POLICE ENFORCEMENT				
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23-0025	01-D0090	OK DEPT. OF PUBLIC SAFETY	OLETS FEES	2/2023	LET-008647	565.00
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DEPARTMENT TOTAL:						565.00
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FUND TOTAL:						565.00
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FUND: 11 - PARK'S DONATION

SUMMARY REPORT

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 00		ADMINISTRATION				
23-1275	01-D0081	DALLAS RICHARDSON	DJ DAD & DAUGHTER DANCE	2/2023	5343	2,240.00
23-1213	01-G0110	PLAYCORE WISCONSIN, INC.	REPLACEMENT SHADE COVER	1/2023	PJI-0201738	1,376.71
23-1412	01-S0382	SWI INDUSTRIAL SOLUTIONS	EGGS FOR EGGSTRAVAGANZA	2/2023	INV-2971015588	2,880.00
DEPARTMENT TOTAL:						6,496.71
FUND TOTAL:						6,496.71

FUND: 14 - STREET/DRAINAGE IMP

SUMMARY REPORT

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 14		ADMINISTRATION				
23-0286	01-C0108	COWAN GROUP ENGINEERING, LLENGINEERING FEES		2/2023	7160C	5,613.25
DEPARTMENT TOTAL:						5,613.25
FUND TOTAL:						5,613.25

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 13 PARK AND RECREATION						
23-1346	01-R0126	COULTER VENTURES LLC	REPLACEMENT OF CARDIO & W	2/2023	11205524	2,785.28
DEPARTMENT TOTAL:						2,785.28
DEPARTMENT: 20 AQUATICS						
23-1256	01-A1120	AMUSEMENT RESTORATION COMPAAQUATIC CENTER MAINTENANC		2/2023	1051	1,485.62
DEPARTMENT TOTAL:						1,485.62
DEPARTMENT: 51 FIRE						
23-0994	01-C0231	CONRAD FIRE EQUIPMENT	SUV V18 FAN & BATTERIES	1/2023	565694	5,034.04
23-1321	01-S0206	STOLZ TELECOM, LLC	TREMCO COVERT ANTI-THEFT	2/2023	INV-003016	510.00
DEPARTMENT TOTAL:						5,544.04
DEPARTMENT: 61 STREETS						
23-0286	01-C0108	COWAN GROUP ENGINEERING, LLENGINEERING FEES		2/2023	7160G	2,096.70
DEPARTMENT TOTAL:						2,096.70
DEPARTMENT: 72 WATER						
23-0251	01-C1197	CORE & MAIN LP	WATER LINE PARTS	2/2023	S390453	119.95
23-1336	01-P0049	PIONEER SUPPLY, LLC	WATERLINE PARTS	2/2023	INV34409	107.10
DEPARTMENT TOTAL:						227.05
FUND TOTAL:						12,138.69

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 00		ADMINISTRATION				
23-1446	01-C0297	CENTRAL ANESTHESIA ASSOCIATW/C CLAIM #2022-13		2/2023	202303018293	776.08
23-1501	01-E0063	EXCEL THERAPY SPECIALISTS-OWC CLAIM #2022-13 PT		2/2023	202303018295	416.93
23-0039	01-H0174	HEALTHSMART BENEFIT SOLUTIOMONTHLY SERVICE FEE		2/2023	394819	125.00
23-1449	01-H0174	HEALTHSMART BENEFIT SOLUTIOWC CLAIM #2022-11&2022-12		2/2023	202303018298	280.00
23-1503	01-I0053	INDEPENDENT MEDICAL EXAMINAWC CLAIM #2009-07		2/2023	202303018300	50.00
23-1498	01-I1131	INTEGRIS AMBULATORY CARE COWC CLAIM #2022-05 SURGERY		2/2023	202303018301	770.47
23-1445	01-M0267	MEDICAL CLAIMS REVIEW SERVIMEDICAL BILL AUDIT FEE		2/2023	202303018303	233.00
23-1448	01-M0299	B3W LLC WC CLAIM #2022-12&2022-11		2/2023	202303018305	275.15
23-1500	01-M0299	B3W LLC WC CLAIM #2022-13 OFFICE		2/2023	202303018304	228.89
23-1447	01-M1237	MCBRIDE CLINIC ORTHOPEDIC HW/C CLAIM #2022-13		2/2023	202303018307	345.36
23-1502	01-M1237	MCBRIDE CLINIC ORTHOPEDIC HWC CLAIM #2022-13 OFFICE		2/2023	202303018306	7,809.62
23-1499	01-T0200	TOUCHSTONE IMAGING YUKON WC CLAIM #2022-13 MRI		2/2023	202303018316	410.86
DEPARTMENT TOTAL:						11,721.36
FUND TOTAL:						11,721.36

MARCH 2023 VISA

<u>DEPT</u>		
<u>501</u>	ATTORNEY	\$ 250.00
511	CITY MANAGER	\$ 3,000.00
512	LIBRARY	\$ 10,000.00
513	PARKS & RECREATION	\$ 14,000.00
515	GENERAL GOVERNMENT	\$ 2,000.00
518	TOWN CENTER	\$ 500.00
521	FINANCE	\$ 500.00
531	COMM. DEV.	\$ 1,500.00
541	POLICE	\$ 10,000.00
551	FIRE	\$ 7,000.00
TOTAL		\$ 48,750.00

The City Manager has the authority to approve all claim's up to \$50,000 per Ordinance #1153.



Agenda Item No: F.3

Mustang City Council Agenda Item Report

Meeting Date: March 7, 2023

Submitted by: Julie Slupe

Submitting Department: Library

Item Type: Approval

Agenda Section: CONSENT AGENDA

Subject Title:

Approval to Turn Past Due Library Accounts over to Collection Agency.

Recommendation:

Approve.

Initiator:

Julie Slupe

Background:

Past Due Accounts for February, 2023.

Financial Impact:

\$789.69

Staff Comments:

Attachments:

[February 2023 Collections Agency City Council Copy.pdf](#)



Agenda Item No: F.4

Mustang City Council Agenda Item Report

Meeting Date: March 7, 2023

Submitted by: Janet Watts

Submitting Department: Finance

Item Type: Resolution

Agenda Section: CONSENT AGENDA

Subject Title:

Approval of Resolution No. 23-025 making Changes in the Distributor Oklahoma Settlement Fund Budget by Making a Supplemental Appropriation to Increase the 2022-2023 Fiscal Year Budget by \$50,000.

Recommendation:

Approve.

Initiator:

Janet Watts, Finance Director

Background:

The City approved settlements of its opioid-related claims against certain defendants to receive payments from Opioid Distributors.

The settlement payments shall be used for the sole purpose of remediating the harm caused by defendant or to provide restitution for such alleged harms that were previously incurred.

Financial Impact:

\$50,000

Staff Comments:

Attachments:

[23-025 - Supplemental Appropriation - Distributor OK Settlement Fund.pdf](#)

RESOLUTION NO. 23-025

A RESOLUTION TO MAKE CHANGES IN THE DISTRIBUTOR OKLAHOMA SETTLEMENT FUND BUDGET BY MAKING A SUPPLEMENTAL APPROPRIATION TO INCREASE THE 2022-2023 FISCAL YEAR BUDGET BY \$50,000.

WHEREAS, the city approved settlements of its opioid-related claims against certain defendants to receive payments from Opioid Distributors;

WHEREAS, the settlement payments shall be used for the sole purpose of remediating the harm caused by defendant or to provide restitution for such alleged harms that were previously incurred;

WHEREAS, the Council desires to appropriate funds;

NOW THEREFORE, BE IT RESOLVED, by the Council that the following supplemental appropriation be made:

SUPPLEMENTAL APPROPRIATION

Revenues:	
Distributor Oklahoma (19-45191)	\$ 50,000
Expenditures:	
Restricted Fund Balance (19-500-5555)	<u>50,000</u>
Total	<u>\$ 50,000</u>

This is to certify that the above and foregoing Resolution was dully **ADOPTED** and **APPROVED** by the Mayor and City Council this **7th** day of **March 2023**.

Mayor

ATTEST:

City Clerk



Mustang City Council Agenda Item Report

Meeting Date: March 7, 2023

Submitted by: Rob Groseclose

Submitting Department: Police Department

Item Type: Ordinance

Agenda Section: DISCUSSION ITEMS

Subject Title:

Consideration of Ordinance No. 1280, (A) an Ordinance of the City of Mustang, Oklahoma, Declaring Certain Police Vehicles Surplus, Authorizing the Sale of such Vehicles to Other Public Agencies and Authorizing and Directing the City Manager to Execute Documents to Complete the Transfers, and Providing for Severability; and (B) an Agreement for Sale of Surplus Police Vehicles to Rush Springs, Oklahoma.

Recommendation:

Approve

Initiator:

Robert Groseclose

Background:

The Police Department has 2 surplus vehicles that are no longer used. The City of Rush Springs has shown interest to purchase the following vehicles for \$27,000. The vehicles are;

Unit 223 2015 Dodge Charger	2C3CDXAT9FH906871	\$14,500
Unit 224 2015 Dodge Charger	2C3CDXAT5GH192075	\$12,500

Financial Impact:

\$27,000

Staff Comments:

Staff Recommends Approval

Attachments:

[Ordinance No. 1280 - Declare Police Vehicles Surplus and Authorize Sale - City of Rush Springs.pdf](#)

[AGREEMENT FOR SALE - RushSprings2023.docx](#)

ORDINANCE 1280

AN ORDINANCE OF THE CITY OF MUSTANG, OKLAHOMA, DECLARING CERTAIN POLICE VEHICLES SURPLUS, AUTHORIZING THE SALE OF SUCH VEHICLES TO OTHER PUBLIC AGENCIES AND AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE DOCUMENTS TO COMPLETE THE TRANSFERS; AND PROVIDING FOR SEVERABILITY.

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

SECTION 1. PURPOSE.

The City of Mustang owns used police described as follows:

<u>Unit No.</u>	<u>Year</u>	<u>Make and Model</u>	<u>VIN</u>	<u>Price</u>
223	2015	Dodge Charger	2C3CDXAT9FH906871	\$14,500
224	2015	Dodge Charger	2C3CDXAT5GH192075	\$12,500

(the “Vehicles”).

The Vehicles are no longer used by the Mustang Police Department. The City of Mustang declares that the Vehicles are surplus and should be disposed of by the City.

SECTION 2. SALE OF VEHICLES.

The City of Rush Springs, Oklahoma has expressed a need for and a desire to purchase the Vehicles. The City desires to sell the respective Vehicles to The City of Rush Springs in order to enhance the ability of this agency to provide protective services to the public and thereby to cooperatively increase the public safety efforts of all parties. The City of Mustang and The City of Rush Springs are “public agencies” as defined in the Interlocal Cooperation Act set forth in Title 74, § 1001, *et. seq.*, of the Oklahoma Statutes.

Pursuant to Section 4-4 of the Charter of the City of Mustang, and Sec. 2-197(2) of the Code of Ordinances, the City Council hereby authorizes the sale of the Vehicles to The City of Rush Springs, or to some other public agency, for the prices set forth above.

The City Manager of the City of Mustang is hereby authorized and directed to execute the documents necessary to transfer title to the Vehicles to the purchasing public agency or some other public agency.

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. EFFECTIVE DATE.

This ordinance shall be referred to a vote of the electors of the City if a legal and sufficient referendum petition is properly filed within thirty (30) days after its passage; otherwise, it shall go into effect thirty (30) days after its passage.

PASSED AND APPROVED this ____ day of March, 2023.

Brian Grider, Mayor

ATTEST:
[SEAL]

Lisa Martin, City Clerk

APPROVED as to form this ____ day of March, 2023.

City Attorney

**AGREEMENT FOR SALE BETWEEN
THE CITY OF MUSTANG AND THE CITY OF RUSH SPRINGS**

This Agreement for Sale (“Agreement”) is entered into this 7th day of March, 2023, by and between the City of Mustang, a municipal corporation (hereinafter, “Mustang”) and The City of Rush Springs, Oklahoma (hereinafter, “Rush Springs”), pursuant to the Interlocal Cooperation Act, 74 Okla. Stat. § 1001, *et seq.*

WHEREAS, the parties hereto are “public agencies” as defined in the Interlocal Cooperation Act set forth in Title 74, § 1001, *et. seq.*, the Oklahoma Statutes; and

WHEREAS, the parties desire to enter into this Agreement to facilitate the sale by Mustang of used police vehicles to Rush Springs in order to enhance the ability of Rush Springs to provide protective services to the public and to thereby to cooperatively increase the public safety efforts of Mustang and Rush Springs.

NOW, THEREFORE, for and in consideration of the covenants set forth herein, it is hereby agreed by and between the parties that:

1. The City of Mustang hereby sells and transfers to The City of Rush Springs the following used police vehicles, for the prices set forth beside each vehicle, and shall deliver Oklahoma Certificates of Title to The City of Rush Springs for each vehicle:

<u>Unit No.</u>	<u>Year</u>	<u>Make and Model</u>	<u>VIN</u>	<u>Price</u>
223	2015	Dodge Charger	2C3CDXAT9FH906871	\$14,500
224	2015	Dodge Charger	2C3CDXAT5GH192075	\$12,500

(the “Vehicles”).

2. The City of Rush Springs accepts delivery of the Vehicles, and acknowledges and agrees that the Vehicles are accepted in an “as is” condition, with all faults, and that the transfer of the Vehicles from the City of Mustang to The City of Rush Springs is made without express or implied warranty of any kind on the Vehicles, other than that the City of Mustang warrants that it has good title to the Vehicles, free and clear of an encumbrances.

3. The sale of the Vehicles is subject to passage of an ordinance by the City of Mustang authorizing the sale of the Vehicles and the lack of any challenge thereto.

IN WITNESS WHEREOF, we, the contracting parties, by our duly authorized agents, hereto affix our signature and seals on the dates set forth below:

[Remainder of page intentionally left blank.]

Executed this ____ day of March 2023.

THE CITY OF MUSTANG, OKLAHOMA

By _____
Timothy Rooney, City Manager

Executed this ____ day of March, 2023.

THE CITY OF RUSH SPRINGS

By _____
Title: _____



Mustang City Council Agenda Item Report

Meeting Date: March 7, 2023

Submitted by: Rob Groseclose

Submitting Department: Police Department

Item Type: Ordinance

Agenda Section: DISCUSSION ITEMS

Subject Title:

Consideration of Ordinance No. 1281, (A) an Ordinance of the City of Mustang, Oklahoma, Declaring Certain Police Vehicles Surplus, Authorizing the Sale of such Vehicles to Other Public Agencies and Authorizing and Directing the City Manager to Execute Documents to Complete the Transfers, and Providing for Severability; and (B) an Agreement for Sale of Surplus Police Vehicles to Logan County, Oklahoma.

Recommendation:

Approve

Initiator:

Robert Groseclose

Background:

The Police Department has 5 surplus vehicles that are no longer used. The Logan County Sheriffs Office has shown interest to purchase the following vehicles for \$82,500. The vehicles are;

217	2015	Chevrolet Tahoe	1GNLC2EC9FR530479	\$17,500
218	2015	Chevrolet Tahoe	1GNLC2ECXFR533200	\$17,500
219	2015	Chevrolet Tahoe	1GNLC2ECXFR535285	\$17,500
226	2016	Ford Explorer	1FM5K8AR7HGB41268	\$15,000
228	2016	Ford Explorer	1FM5K8ARXHGB47453	\$15,000

Financial Impact:

\$82,500

Staff Comments:

Staff recommends approval

Attachments:

[Ordinance No. 1281 - Declare Police Vehicles Surplus and Authorize Sale - Logan County.pdf](#)

[AGREEMENT FOR SALE - Logan County2023.docx](#)

ORDINANCE 1281

AN ORDINANCE OF THE CITY OF MUSTANG, OKLAHOMA, DECLARING CERTAIN POLICE VEHICLES SURPLUS, AUTHORIZING THE SALE OF SUCH VEHICLES TO OTHER PUBLIC AGENCIES AND AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE DOCUMENTS TO COMPLETE THE TRANSFERS; AND PROVIDING FOR SEVERABILITY.

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

SECTION 1. PURPOSE.

The City of Mustang owns used police described as follows:

<u>Unit No.</u>	<u>Year</u>	<u>Make and Model</u>	<u>VIN</u>	<u>Price</u>
217	2015	Chevrolet Tahoe	1GNLC2EC9FR530479	\$17,500
218	2015	Chevrolet Tahoe	1GNLC2ECXFR533200	\$17,500
219	2015	Chevrolet Tahoe	1GNLC2ECXFR535285	\$17,500
226	2016	Ford Explorer	1FM5K8AR7HGB41268	\$15,000
228	2016	Ford Explorer	1FM5K8ARXHGB47453	\$15,000

(the “Vehicles”).

The Vehicles are no longer used by the Mustang Police Department. The City of Mustang declares that the Vehicles are surplus and should be disposed of by the City.

SECTION 2. SALE OF VEHICLES.

Logan County, Oklahoma has expressed a need for and a desire to purchase the Vehicles. The City desires to sell the respective Vehicles to Logan County in order to enhance the ability of those agencies to provide protective services to the public and thereby to cooperatively increase the public safety efforts of all parties. The City of Mustang and Logan County are “public agencies” as defined in the Interlocal Cooperation Act set forth in Title 74, § 1001, *et. seq.*, of the Oklahoma Statutes.

Pursuant to Section 4-4 of the Charter of the City of Mustang, and Sec. 2-197(2) of the Code of Ordinances, the City Council hereby authorizes the sale of the Vehicles to Logan

County, or to some other public agency, for the prices set forth above.

The City Manager of the City of Mustang is hereby authorized and directed to execute the documents necessary to transfer title to the Vehicles to the purchasing public agency or some other public agency.

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. EFFECTIVE DATE.

This ordinance shall be referred to a vote of the electors of the City if a legal and sufficient referendum petition is properly filed within thirty (30) days after its passage; otherwise, it shall go into effect thirty (30) days after its passage.

PASSED AND APPROVED this ____ day of March, 2023.

Brian Grider, Mayor

ATTEST:
[SEAL]

Lisa Martin, City Clerk

APPROVED as to form this ____ day of March, 2023.

City Attorney

**AGREEMENT FOR SALE BETWEEN
THE CITY OF MUSTANG AND THE LOGAN COUNTY**

This Agreement for Sale (“Agreement”) is entered into this 7th day of April, 2023, by and between the City of Mustang, a municipal corporation (hereinafter, “City”) and Logan County, Oklahoma (hereinafter, “County”), pursuant to the Interlocal Cooperation Act, 74 Okla. Stat. § 1001, *et seq.*

WHEREAS, the parties hereto are “public agencies” as defined in the Interlocal Cooperation Act set forth in Title 74, § 1001, *et. seq.*, the Oklahoma Statutes; and

WHEREAS, the parties desire to enter into this Agreement to facilitate the sale by City of used police vehicles to County in order to enhance the ability of County to provide protective services to the public and to thereby to cooperatively increase the public safety efforts of City and County.

NOW, THEREFORE, for and in consideration of the covenants set forth herein, it is hereby agreed by and between the parties that:

1. The City of Mustang hereby sells and transfers to Logan County the following used police vehicles, for the prices set forth beside each vehicle, and shall deliver Oklahoma Certificates of Title to Logan County for each vehicle:

<u>Unit No.</u>	<u>Year</u>	<u>Make and Model</u>	<u>VIN</u>	<u>Price</u>
217	2015	Chevrolet Tahoe	1GNLC2EC9FR530479	\$17,500
218	2015	Chevrolet Tahoe	1GNLC2ECXFR533200	\$17,500
219	2015	Chevrolet Tahoe	1GNLC2ECXFR535285	\$17,500
226	2016	Ford Explorer	1FM5K8AR7HGB41268	\$15,000
228	2016	Ford Explorer	1FM5K8ARXHGB47453	\$15,000 (the “Vehicles”).

2. Logan County accepts delivery of the Vehicles, and acknowledges and agrees that the Vehicles are accepted in an “as is” condition, with all faults, and that the transfer of the Vehicles from the City of Mustang to Logan County is made without express or implied warranty of any kind on the Vehicles, other than that the City of Mustang warrants that it has good title to the Vehicles, free and clear of an encumbrances.

3. The sale of the Vehicles is subject to passage of an ordinance by the City of Mustang authorizing the sale of the Vehicles and the lack of any challenge thereto.

IN WITNESS WHEREOF, we, the contracting parties, by our duly authorized agents,
hereto affix our signature and seals on the dates set forth below:

[Remainder of page intentionally left blank.]

Executed this ____ day of April, 2023.

THE CITY OF MUSTANG, OKLAHOMA

By _____
Timothy Rooney, City Manager

Executed this ____ day of April, 2023.

LOGAN COUNTY

By _____
Title: _____



Mustang City Council Agenda Item Report

Meeting Date: March 7, 2023

Submitted by: Ryan Connor

Submitting Department: City Planner

Item Type: Ordinance

Agenda Section: DISCUSSION ITEMS

Subject Title:

Public Hearing and Consideration of Ordinance No. 1282, an Ordinance of The City of Mustang, Oklahoma, Amending the Zoning Ordinance of The City of Mustang, Oklahoma, as Amended, to Change Certain Property Located in Canadian County, Oklahoma, from a Mixed Use Planned Unit Development to an Amended Mixed Use Planned Unit Development, Declaring Repealer, and Providing for Severability.

Recommendation:

Approve or Deny Ordinance

Initiator:

Ryan Conner, City Planner

Background:

Planning Commission voted unanimously to recommend approval of the request to amend an existing Planned Unit Development (PUD) at the February 14th Planning Commission meeting with modifications that have already been incorporated into the document by the developer. Those modifications were:

1. The addition of walking trails inside the Common Areas shall be added into the PUD Design Statement.
2. There shall not be any variances to setback requirements within the R-1 or R-2 zoned areas.
3. The title "Zoning Exhibit" shall be changed to "Master Development Plan Map".
4. There shall be a sight-proof fence installed along the North side of the development separating the R-1 Zoning from the adjacent R-E Zoning.
5. A 20 ft landscaping buffer along the West die of N. Hunker Terr shall be included on Tract 4.

On Wednesday March 1st the developer approached staff to ask about a late change to the PUD involving Tract 3, which is zoned for R-2 (duplexes) or C-2 (Commercial) by the 2003 approved version of the PUD. The current requested revision is asking to change Tract 3 to just an R-2 (duplexes) zoning designation, which was

recommended for approval by the Planning Commission. However, after early engineering designs and comparison to City specifications, the developer does not believe the amount of lots they will get for duplexes will be as profitable as the C-2 (commercial) zoning could be. They are now asking if Tract 3 can keep the R-2 or C-2 zoning designation as assigned from the 2003 approved version of the PUD. Staff has concluded that through a PUD process such as this, the City Council would be able to entertain a change to the PUD amendment request at this meeting.

Project Description: The applicant, Lance Mills, P.E. with Cedar Creek Consulting, has submitted an application on behalf of the owners of property to revise the existing Planned Unit Development (PUD) titled "The Borneman Addition" consisting of approximately 130 acres of land. The original PUD was approved in 2003 and consisted of R-1, R-2, C-2, C-3, and C-5 zoned tracts.

This property is located generally in the area to the North, Northeast, and East of the Walmart commercial area, bordered by Hunker Terr to the East and the Rollin Acres subdivision to the North. The property has access along both N. Sara Rd and E. SH 152. Some portions of the PUD have had development/activity since 2003, but generally most of the development has remained undeveloped. The Locke Supply commercial building was constructed in 2021 to the North of Walmart and the Mustang Marketplace Preliminary and Final Plat was approved in October of 2022 in the far Southeast corner of the PUD along E. SH 152 and N. Hunker Terr. There has not been any activity otherwise within the PUD. Due in part to the recent activity with the Mustang Marketplace portion of the PUD, the owners of the property (4 separate owners) have agreed to allow this request to revise portions of the PUD. I have attached to this report a copy of the 2003 approved PUD along with the revised version that is being requested for approval.

Here is a summarization of the requested PUD with notes on deviations from the 2003 version:

PUD Master Development Plan Map

- Tract 1 stays as C-2 Zoning, increases in size, and will consist of the frontage North of the access road from N. Sara Rd and the property just South of the access road.
- Tract 2 stays as C-3 Zoning and is where Locke Supply has already developed along the frontage of N. Sara Rd.
- Tract 3 is the same size and location but was approved by the Planning Commission to remove the zoning designation of "R-2 or C-2" label from 2003 and replace it with just R-2 "Two Family" Zoning (duplexes). The developer asked Planning Commission for a variance allowing 20 ft frontyard setbacks instead of 30 ft but was denied the request. However, the developer contacted staff on March 1st to try and leave the R-2 or C-2 zoning designation as it was approved in 2003.
- Tract 4 has extended in size to include most of what was Tract 5 in the 2003 version and is requesting C-5 zoning for the entire area instead of just C-5 along the frontage and C-2 zoning in the rear. A 20 ft landscaping buffer was added along the West portion of N. Hunker Terr per the modification by the Planning Commission.
- Tract 5 includes only a small portion of the area West of the electric transmission line that was originally part of the 2003 version of Tract 5. The PUD Design Statement for this tract asks for there to be two (2) options
 - Allow it to be C-5 Zoning to be sold to the adjacent commercial property to the West (Walmart) OR to lose the C-5 Zoning designation and become additional Common Area within Tract 6 (R-1 Zoning) owned and maintained by the owner or property association of Tract 6.
- Tract 6 stays in the same location and relative size that it was in the 2003 approved version and stays as R-1 Single Family Zoning. The developer asked Planning Commission for a variance allowing 20 ft frontyard setbacks instead of 30 ft but was denied the request. Tract 6 also had an additional sight-proof privacy fence requirement added along the North lots to separate this area from the neighborhood to the North per the Planning Commission's modification.

PUD Design Statement

- Most of the changes to the PUD Design Statement itself are in part due to the requested changes of the tracts.

- Section I Introduction - Stays the same.
- Section II Property Description/Existing Site Conditions
 - o A Location - Stays the same
 - o B Owner/Developer Info - Added to show the current owners of each tract within the new PUD version.
 - o C Existing Land Use - Updated to reflect the new acreage amounts and zoning designations of each tract to correspond to the PUD Master Development Plan Map.
 - o D Elevation and Topography - Stays the same.
 - o E Drainage - Updated to require drainage impact analysis to be prepared for each stage of the platting.
 - o F Utility Services - Stays the same.
 - o G Fire Protection Services - Stays the same.
- Section III Master Development Plan and Design Statement
 - o A- PUD is updated to describe the intent and purpose of each tract. The changed items to keep note of are:
 1. The exclusions in Tract 4, which are consistent with the 2003 version except removing "Farm Store" and "Warehouse, inside storage" from the exclusion list.
 2. The two options for Tract 5, either being allowed to be sold to the adjacent commercial property or being designated as additional Common Area for Tract 6.
 - o B - Open Space and Green Space - Mostly the same as the 2003 version except for additional language on the Project signs and the Common Areas providing walking trails per the Planning Commission's modification.
 - o C - Traffic Access/Circulation/Parking and Sidewalks - Has been updated to address the maintenance of the common access driveways that were a condition on the Mustang Marketplace plat.
 - o D - Development Phasing - Stays the same

The above breakdown represents the overall tracking of the changes the PUD revision is requesting and the modifications that Planning Commission added to their recommendation for approval. The City Council is still entitled to make any additional requests of the developer to help create a better community. If the requested PUD revision is not approved, the developer is still able to construct according to the standards of the 2003 approved PUD.

Character of Neighborhood: This is an area of undeveloped land mostly with commercial property nearby.

Zoning and Uses of Property Nearby: Property to the north is R-E, Rural Estates and R-1, Single Family and R-E properties to the East. There are commercial properties to the South along St. Hwy 152 and also to the West along N. Sara Rd.

Conformance with Long-Range Plan: The long-range plan calls for this area to be Retail Regional and Residential consistent with the 2003 approved PUD.

Utilities and Services: Public water and sanitary sewer will be utilized within the project area. There will be dedicated roads as well as privately maintained common access driveways in the commercial area.

Financial Impact:

0

Staff Comments:

The requested change by the developer on March 1st to allow Tract 3 to remain a C-2 or R-2 zoning designation was not heard by the Planning Commission but has been reviewed by staff. Staff concludes that the City Council could entertain a change in the request to the PUD because of the negotiation process inherently involved with PUD decisions. Staff recommends approval of the PUD revision consistent with the Planning Commission's decision and contingencies added on February 14th but that if the City Council allows Tract 3 to remain R-2 or C-2 that the developer should be required to develop it as all residential or all

commercial (not intermixed) and be required to Preliminary and Final plat the tract with either option. This would guarantee the Planning Commission and City Council's design input of the tract regardless.

Attachments:

[Ordinance No. 1282 - Amending the Zoning Ordinance - Borneman PUD Revision.pdf](#)

[\(2\) Accompanying Material - Borneman PUD Revision_3-1-2023.pdf](#)

ORDINANCE NO. 1282

AN ORDINANCE OF THE CITY OF MUSTANG, OKLAHOMA AMENDING THE ZONING ORDINANCE OF THE CITY OF MUSTANG, OKLAHOMA, AS AMENDED, TO CHANGE CERTAIN PROPERTY LOCATED IN CANADIAN COUNTY, OKLAHOMA, FROM A MIXED USE PLANNED UNIT DEVELOPMENT TO AN AMENDED MIXED USE PLANNED UNIT DEVELOPMENT; DECLARING REPEALER, AND PROVIDING FOR SEVERABILITY. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MUSTANG, OKLAHOMA:

Section 1. That the Zoning Ordinance of the City of Mustang, Oklahoma, as amended, is hereby amended to change the Official Zoning Map, to include therein the following described property in the City of Mustang, Canadian County, State of Oklahoma from a Mixed Use Planned Unit Development to an amended Mixed Use Planned Unit Development.

LEGAL DESCRIPTION OF COMPLETE PROPERTY FOR REZONING:

A tract of land lying in the Southwest Quarter (SW/4) of Section Twenty-six (26), Township Eleven (11) North, Range Five (5) West of the Indian Meridian, City of Mustang, Canadian County, Oklahoma being more particularly described as follows:

Commencing at the Southwest corner of said SW/4; Thence N 00°10'18" W, along the West line of said SW/4, a distance of 60.00 feet; Thence N 89°55'16" E, parallel with and 60.00 feet North of the South line of said SW/4, a distance of 1448.73 feet; Thence N 00°10'37" W, parallel with the West line of said SW/4, a distance of 40.00 feet to the Point of Beginning; Thence N15°40'47"W a distance of 236.30 feet; Thence N24°17'24"W a distance of 409.56 feet; Thence S89°46'04"W a distance of 258.19 feet to a point on the East line of the Final Plat of WAL-MART NO. 517; Thence N00°10'18"W along the East line of said WAL-MART NO. 517 a distance of 271.58 feet to the Northeast corner of said WAL-MART NO. 517; Thence S89°55'16"W along the North line of said WAL-MART NO. 517 a distance of 960.00 feet to a point on the West line of said SW/4; Thence N00°10'18"W a distance of 1668.10 feet to the Northwest Corner of said SW/4; Thence S89°59'22"E along the North line of said SW/4 a distance of 2644.20 feet to the Northeast corner of said SW/4; Thence S00°17'21"E along the East line of said SW/4 a distance of 2576.00 feet to a point on the North Right-of-Way line of State Highway No. 152 as established in REPORT OF COMMISSIONERS in Case No. CJ-87-1042 recorded in Book 1500, Page 704 and in AGREED JOURNAL ENTRY recorded in Book 1544, Page 574;

Thence along said North Right-of-Way line the following Three (3) courses:

- 1. S89°55'16"W a distance of 1005.00 feet;**
- 2. N00°04'54"W a distance of 40.00 feet;**
- 3. S89°55'16"W a distance of 195.80 feet to the Point of Beginning.**

Containing 5,689,070.62 Sq. Ft. or 130.603 Acres, more or less

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.

PASSED AND APPROVED this ____ day of _____, 2023.

Mayor

ATTEST:

City Clerk

APPROVED as to form this ____ day of _____, 2023.

City Attorney

**PLANNING COMMISSION MINUTES
FEBRUARY 14, 2023**

The Mustang Planning Commission met in a regular session on Tuesday, February 14th, 2023 at 7:00 p.m. at the Mustang Municipal Building, City Council Chambers at 1501 N. Mustang Road.

I. CALL MEETING TO ORDER: Commissioner Susan Dobbins called the meeting to order at 7:00 p.m.

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

MEMBERS PRESENT: Jay Adams, Susan Dobbins, Jesse Bratton, Billy McDaniel, Jerry Brown, John Gassen.

MEMBERS ABSENT: David Russel

STAFF PRESENT: Ryan Conner, Radika Moore, Justin Goodwin

CITY ATTORNEY: Jonathan Miller was in attendance

IV. APPROVAL OF MINUTES: Commissioner John Gassen made a motion to approve the minutes from December 13th 2022 meeting. Commissioner Susan Dobbins seconded the motion. The motion was approved unanimously.

V. INTRODUCTION OF GUESTS AND VISITORS/HEARING OF CITIZENS AND DELEGATES

None

VI. PUBLIC HEARING, DISCUSSION, CONSIDERATION AND RECOMMENDATION ON:

Chairman Billy McDaniel opened the public hearing for the first item at 7:04pm.

1. Rezoning – RZ-1-12-23-1-26

Applicant:	Lance Mills, P.E. – Cedar Creek Consulting, INC
Owner(s):	Mustang Marketplace, LLC – Barajas and Wilson Developments, LLC – Locke Supply – Borneman-Mustang, LLC
Location:	NE corner of E. SH 152 & N. Sara Rd, excluding the Walmart area.

Current Zoning:	Mixed Use Planned Unit Development with R-1, R-2, C-2, C-3, C-5 Tracts
Requested Zoning:	Revision of the Mixed Use Planned Unit Development with R-1, R-2, C-2, C-3, C-5 Tracts
Tract Info:	130.603 ac MOL

Chairman McDaniel introduced the item and called upon City Planner, Ryan Conner, for a staff report.

Mr. Conner gave a presentation of the staff report. He explained the nature of the request to revise the existing 2003 Planned Unit Development (PUD) called the “Borneman Addition”. **Mr. Conner** continued stating the history of the PUD and how development had been slowed but recent sales of tract within the property has prompted the new owners to want to revise portions to fit their current needs. He mentioned that all of the owners of the tracts were a part of the request since the PUD affected the entire property and its development. **Mr. Conner** provided a breakdown of the specific changes from the 2003 version of the PUD and the requested modified version of the PUD:

- Tract 3 of the new proposal is removing the “R-2 or C-2” zoning label for just “R-2”.
- Tract 3 of the new proposal is also asking for a variance for a 20 ft front yard setback instead of the R-2 required 30 ft front yard setback.
- Tract 4 – in the far Southeast corner near the Mustang Marketplace plat – is changing the previous portion from C-2 to C-5, which composed the majority of the original Tract 5.
- Tract 5 would now only include a small portion West of the electric transmission easement and is asking to be either considered for sale to commercial property (Walmart to the West) as C-5 zoned property or to be designated as additional Common Area and zoned the same as Tract 6, R-1.
- Tract 6 is still R-1 Zoning as originally designed, but is asking for a variance for a 20 ft frontyard setback instead of the R-1 required 30 ft front yard setback.
- Most of the other changes are cleaning up language to fit into today’s standards like drainage, sign updates, and the traffic access circulation.

Mr. Conner continued next to explain the character of the area and the surrounding land uses to the subject property. He described the commercial areas to the West and South and residential areas to the North and East across N. Hunker Terr. He further stated that the Long-Range Plan called for the area to be Retail Regional and Residential in the areas indicated by the 2003 PUD. He mentioned the infrastructure including water, sewer, lift stations, and roads being a part of the development with engineering already underway. **Mr. Conner** continued with the staff recommendation, which was to recommend approval of the modifications to the PUD if there were additional stipulations added like landscaping buffers between the residential area and the C-5 area as well as other amenities like walking trails if the setback variances were to be

approved. He mentioned that 20 ft front yard setbacks have not been used in other developments to his knowledge either.

Commissioner Jerry Brown asked **Mr. Conner** why the applicant was asking for the setback variances.

Mr. Conner answered saying that the applicant would have a better explanation.

Chairman Billy McDaniel then opened the Public Hearing at 7:12pm.

The applicant, **Lance Mills**, addressed the Planning Commission to describe the application. **Mr. Mills** mentioned the current plans for the area and what is already being developed and which phases would come next. He mentioned that Tract 3, which comprises the R-2, duplex area of the development, would be the next phase to develop. **Mr. Mills** explained that they have tried to stick with the original content of the 2003 PUD as much as they could, but are asking for the modifications to clean up certain aspects that make more sense with the property today than the conception was in 2003.

Mr. Mills next began to describe the intention of the requested setback variances. He started with Tract 3, the R-2 area, and handed out a preliminary sketch plan for the lots within that area. He mentioned the lots meet the R-2 requirements, but with a 30 ft front yard setback, combined with the rear yard setback, there would be less of a backyard on these properties. He said that people tend to spend more time in their backyards than front yards, so having a larger backyard is usually seen as more desirable.

Mr. Brown stated that a common issue with a reduction in the front yard setback is the unintended increase with street parking because not as many vehicles would be able to fit on the driveways. **Mr. Brown** also mentioned that people in duplex developments might not spend as much time in their backyard as other developments.

Mr. Mills agreed with **Mr. Brown's** points. He continued to say that their intention still was to create more of the back yard space on these lots. The thought behind the setback variance to a 20 ft front yard setback in Tract 6, R-1 zoning, is a similar intention, creating a better back yard space for the property owners.

Commissioner Susan Dobbins asked if the developer had any added amenities to the development that might help the case for the variances.

Mr. Mills mentioned the Common Areas and how they envisioned walking trails within those areas, incorporating the pond in the R-1 area as well.

Ms. Dobbins asked if the detention ponds would hold water.

Mr. Mills mentioned that the detention pond in the commercial area will not, but the pond area in the R-1 area will hold water in its design calculations. He also mentioned

that the walking trails could be shown at the time of the preliminary platting stages of the development.

Commissioner Jay Adams asked if the walking trails within the Common Area could be incorporated into the language of the PUD Design Statement.

Mr. Mills agreed that they could be added.

Chairman Billy McDaniel then addressed the rest of the audience asking for anyone to come speak in support or opposition of the request.

Leon Davis – 1000 N Mae Terr – Addressed the Commission with concern for increased drainage from the property. He also wanted to make sure the electric transmission line was taken into account.

Terry Coffelt – 950 E Whispering Oaks Terr – Spoke to the Commission next with concern for the duplexes in the development and their impact on the home values for their neighborhood to the North. He was also concerned with the size of the lots that would be backing up to their property and not sure if there would be a fence separating them.

Commissioner Jerry Brown wanted to make sure everyone understood the entry into the subject property would not be coming from other additions, but directly from Sara Rd. **Mr. Brown** then asked **Mr. Coffelt** if there could be some sort of fence or greenbelt put behind the lots along the North boundary of the subject property.

Mr. Coffelt said that some sort of fence or separation would be helpful for the property.

Tim Goode – 1000 E Whispering Oaks Terr – Addressed the Commission with concern about the size of the lots that will be backing up to their property. He said he does like the idea of a greenbelt space of fence separating the properties.

Julie Redwine – 1150 E Whispering Oaks Terr – She said she lives just North of the pond in the Rollin Acres addition. She is concerned for how the area will be changed by the development and how drainage could be affected. She understands there will be an adjustment but anything that can help like a fence or greenbelt would be great.

Mr. Brown asked about the water in the area and if there was any runoff problems already.

Ms. Redwine answered **Mr. Brown** by talking about the creek that runs through her property and the site layout it self.

Mr. Brown asked if all of this was on her private property and not part of some sort of drainage easement.

Ms. Redwine confirmed that its all on private property.

Linda Davis – 1000 N Mae Terr – Addressed the Commission to make sure they knew about the runoff in the area already and how there hasn't been a big issue yet, but how she can see the new development causing a problem.

Chairman Billy McDaniel then asked for the applicant to come back to the podium to address the concerns.

Lance Mills, applicant, addressed the drainage concerns and explained how the engineering designs will take everything into account and will not allow any increased drainage from what the historical drainage of the area. **Mr. Mills** also explained that the R-2 Zoning was already part of the 2003 version of the PUD, but they were just requesting to take away the "R-2 or C-2" designation that it was originally given. **Mr. Mills** mentioned the green space near the power lines that will be a sort of amenity and will create a barrier between the residential developments to the North.

Chair McDaniel asked the applicant about the comments asking about a greenbelt or fence along the North side of the development.

Mr. Mills said there would most likely be some type of fence but would be addressed during the platting stages. He mentioned that the setbacks create an issue with adding any sort of additional greenbelt in the rear of the lots. He ended saying that a fence of some sort could be feasible.

Commissioner Jerry Brown wanted to make sure he understood the planned access points into the development. He asked **Mr. Mills** if the two entrances, one off Sara Rd and the other off Hunker Terr, are the two areas. He followed up asking what the main reason for changing the PUD boils down to in the simplest of terms.

Mr. Mills said that the revision request really boils down to the C-5/C-2 zoned area in the Southeast portion of the development and how they are asking for it to be all C-5 instead of the combination. He explained that in 2003 the owner showed a simple workup of how the development could be classified, but didn't really take the lay of the property with the easements and access into full account. He said that this revision would clean up the area and make it more viable for all of the owners.

Mr. Brown asked if the size of the lots in the R-1 zoned area have been determined yet.

Mr. Mills said they would meet standard R-1 zoning.

Chairman McDaniel asked the audience for any additional questions.

Terry Coffelt – 950 E Whispering Oaks Terr – came back to the podium to discuss the

lack of fencing at the Pine Canyon addition to the West of Sara Rd.

Leon Davis – 1000 N Mae Terr – addressed the Commission again about the creek that runs through the property and how his property would be the first to be affected if more development occurs.

Chairman McDaniel answered saying that developments of this sort require engineering to be addressed specifically to not allow further drainage problems to occur.

The Planning Commission closed the public hearing and **Chairman McDaniel** reminded the audience that this is now the time for only the Planning Commission to discuss the item.

City Attorney Jonathan Miller mentioned to the Commission that anything that should be added to the PUD Design Statement should be specifically mentioned in the motion to be included. He also said that the Master Development Plan Map will be a very like image of how the Preliminary Plat staging will take place.

Commissioner Susan Dobbins asked if all of the items should be addressed in the motion or discussed with the applicant.

Mr. Miller said that any items should be discussed with the applicant before adding them.

Commissioner Jay Adams asked **City Planner, Ryan Conner**, what the requirements were for fences in the R-1 residential code.

Mr. Conner answered saying that there are no fencing requirements for separation of residential properties from each other, but only that fencing separation is required when separating commercial from residential property.

Mr. Adams discussed with the Commission that language would need to be added in the PUD Design Statement for a fencing requirement if the Commission agreed. He also mentioned that the Common Areas will need to have language in the PUD requiring them to be installed.

Commissioner Jerry Brown asked the City Attorney if roadway access amongst the PUD can be changed later if the PUD is approved.

Mr. Miller discussed with the Commission about non-substantial changes that could occur with the platting at later stages, but the outline of the approved Master Development Plan Map would be the design moving forward if approved. He expressed the importance of the Master Development Plan Maps because of this.

Commissioner Jay Adams recalled the 2003 version of the PUD when he was on the

City Council. He was able to explain the rationale behind the different tracts and how they were conceptual at the time. He expressed understanding with the applicant wanting to revise the PUD at this time to make more sense of the layout. He also mentioned that the tract with the duplexes had the intent of being contained within itself because of its placement, buffered from the other nearby residential area. He expressed concern for the variance setbacks being asked for. The main concern is parking that will overflow into the street because of the lessened area for parking on the driveways. He was more concerned for the setback variance in the R-1 area than the R-2 area.

Chairman McDaniel also agreed with the location of the duplex tract being self-contained and away from the R-1 housing. He went further to mention that the setback variances could create the street parking problems that the others have already mentioned.

Commissioner Brown said he was not for the setback variances. He also asked **Commissioner Adams** if he could recall a fence separation between developments like this.

Commissioner Adams said there has been sight proof fencing requirements on other developments, but those are often standard for a lot of developers. He mentioned that it could be worth investigating adding something into the ordinances that would require fencing separation between new developments and adjacent properties.

Commissioner Brown further asked questions about the fence requirement along the detention pond area and how the type of fence construction could create drainage issues. He finished saying that he is still not in favor of the setback variances but agrees that there should be a separating fence along the North side of the property.

Chairman McDaniel agreed saying the fence should be separating the new R-1 lots from the existing R-E lots to the North.

City Attorney Jonathan Miller mentioned that the title of the zoning exhibit presented should be changed to Master Development Plan Map to be consistent with the naming conventions require in the PUD regulations.

Commissioner Brown began to make a motion to approve the PUD revision, with contingencies, but the motion needed more discussion amongst the Commissioners to clarify the contingencies.

Vice-Chairman Jesse Bratton asked about the item referred to in the staff report about a landscaping buffer along the West side of N. Hunker Terr.

Mr. Conner addressed the Commission explaining the rationale for the potential landscaping buffer along N. Hunker Terr. He said that the buffer could create more of a sight and sound proof separation from the residential properties on the East side of N.

Hunker Terr and the C-5 property to the West. **Mr. Conner** asked **Mr. Mills** if the placement of the landscaping buffer would be in the correct position.

Mr. Mills, applicant, mentioned to the Commission that he would be okay with an additional 20 ft landscaping buffer along the West side of N. Hunker Terr to accommodate the concerns.

Commissioner Adams recounted the contingencies that should be added to the Motion.

Mr. Miller asked if the Commission wanted to make sure the applicant was okay with the requested revisions.

Mr. Mills addressed the Commission and agreed that all of the contingencies would work for him.

Commissioner Jerry Brown made the MOTION to APPROVE the revised PUD with **Commissioner Jay Adams** seconding the motion with the following contingencies:

1. The addition of walking trails inside the Common Areas should be added into the PUD Design Statement
2. There will NOT be any variances to setback requirements within the R-1 or R-2 zoned areas.
3. The title "Zoning Exhibit" shall be changed to "Master Development Plan Map"
4. There shall be a sight proof fence installed along the North side of the development separating the R-1 Zoning from adjacent the R-E Zoning.
5. A 20 ft landscaping buffer along the West side of N. Hunker Terr shall be included on Tract 4.

The vote was approved unanimously.

Chairman McDaniel informed the audience that the item will now appear before the City Council for the final approval on March 7th, 2023.

VIII. NEW BUSINESS

None.

IX. COMMISSIONER, STAFF COMMENTS

None.

- X. ADJOURNMENT:** **Mr. Adams** made a motion to adjourn. **Mr. Brown** seconded the motion, which was approved unanimously. The meeting was adjourned at 8:12 pm.

CHAIRMAN

DATE

SECRETARY

DRAFT



E Whispering Oaks Ter

Subject Property

*New Arbor Creek
development*

N Sara Rd

E State Hwy 152

N Hunker Ter

S Sara Rd

S Cedar Springs Ln

S Symes Ln

BORNEMAN ADDITION

Mustang, Oklahoma



PLANNED UNIT DEVELOPMENT

APPLICATION NO. RZ-3-28-03-1-26

MAY 30, 2003

Revised March 1, 2023

DEVELOPER:

Barajas and Wilson Development, LLC

11200 S Countyline Road

Oklahoma City, OK 73173

PREPARED BY:

Cedar Creek Consulting, Inc.

11912 N Pennsylvania Ave

Oklahoma City, OK 73120

BORNEMAN ADDITION

Mustang, Oklahoma

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III. MASTER DEVELOPMENT PLAN AND DESIGN CONCEPT

- A. The PUD
- B. Open Space and Green Space
- C. Traffic Access/Circulation and Sidewalks
- D. Development Phasing

EXHIBITS

- A. Planned Unit Master Development Plan
- B. Legal Description of Entire Tract
- C. Legal Description of Individual Tract

I. INTRODUCTION

The Borneman project is proposed as a Planned Unit Development.

The applicant is requesting a rezoning of the property to Planned Unit Development (PUD) and is submitting a Rezoning Application and Master Development Plan. This application supersedes the current Zoning.

A PUD District will allow the necessary flexibility to create a distinctive diverse community with a variety of supporting residential, commercial areas and building types, enhanced open space areas, and creative circulation patterns not normally possible through the current zoning, allowing use of an odd shaped piece of land. Water features will be used and open space will support the area.

II. PROPERTY DESCRIPTION/EXISTING SITE CONDITIONS

A. Location

The tract is located at the NE corner of Sara Road and State Highway 152. The site is bordered on the south and west by the Wal-Mart supercenter.

B. Owner/Developer Information

1. Tract 1- Borneman-Mustang, LLC, 3235 Majestic Cir. Conway, AR 72034
2. Tract 2- LOCKE Supply, 1300 SE 82nd Street, OKC, OK 73143
3. Tract 3- Mustang Marketplace, Tim Cline, 975 E. Riggs Rd #12-140, Chandler, AZ 85249
4. Tract 4- Mustang Marketplace, Tim Cline, 975 E. Riggs Rd #12-140, Chandler, AZ 85249
5. Tract 5- Barajas and Wilson Development, LLC, 11200 S Countyline Rd., OKC, OK 73173
6. Tract 6- Barajas and Wilson Development, LLC, 11200 S Countyline Rd., OKC, OK 73173

C. Existing land Use and Zoning containing 128.52 acres.

The project consists of multi-use zoning purposes. The uses are the following:

Tract 1: C-2 – Commercial Neighborhood District, approx. 14.23 acres
Tract 2: C-3 – General Commercial, approx. 3.64 acres
Tract 3: R-2 or C-2 – Two -Family District, or Commercial Neighborhood but not intermixed, approx. 9.13 acres
Tract 4: C-5 – Commercial Intensive District, approx. 23.89 acres
Tract 5: Reserved C-5 – Commercial Intensive District, approx. 1.23 acres
Tract 6: R-1 – Single-Family District, Residential, approx. 76.40 acres

The commercial along State Highway 152 will supplement the Wal-Mart development (C-4) that has successfully occurred on the east side of Sara Road.

The Development will be served with multiple access points from Sara Road and Highway 152.

D. Elevation and Topography

The site slopes from the south to the north. The elevation of the property is 1,340' above sea level along the south property line and 1,320' above sea level along the north property line. A creek exists in the approximate center of the property.

E. Drainage

The site has an existing pond. This pond will be improved to become an amenity to the project. The pond will be revised to provide detention and become a common open space for the residential development. The pond retains water at all times and will be a reflecting pond at the rear of several single-family areas.

The pond will be the major source of receiving the surface runoff from the site. Tract 4 will have an additional detention pond.

A Drainage Impact Analysis will be prepared at the time of preliminary platting of Tract 6 to illustrate the detention requirements that are required and the solution planned.

F. Utility Services

The required utility services for the property including water, sewer, gas, telephone and electricity are currently located adjacent to the boundaries of the site. Easements will be identified on the Preliminary Plat that will be the next step for platting as per Section 122-799 of the code.

A 27' easement on the east side of Sara Road will be granted to the City of Mustang for a total of 60' from the west line of the Southwest Quarter.

G. Fire Protection Services

The City of Mustang Fire Department will provide fire protection services.

III. MASTER DEVELOPMENT PLAN AND DESIGN STATEMENT

A. PUD

The Planned Unit Development plan was selected for the addition with the intent to compliment future home sites with mixed residential and commercial areas. This type of development has successfully occurred in other cities. Mustang is growing and these uses are a good fit right now. The commercial development adjacent (Wal-Mart) and the recent acquisitions of land have created a need for housing and other related commercial support facilities.

This PUD is designed to accomplish the following:

Tract One (1) – Allow all uses permitted in C-2 except convenience stores.

Tract Two (2) - Allow uses permitted in C-3 and allow a non-alcoholic drive-in restaurant south of Suera Terrace. Ensure adequate curb cuts will be allowed to meet demand of restaurants and other retail services.

Tract Three (3) - Allow uses permitted in R-2 or C-2.

All residential structures will have 75% brick, stone or other masonry product on front elevations. No vinyl siding will be allowed. Each unit will be landscaped according to the City of Mustang's landscaping ordinance. Tract will be all residential or all commercial and will require Preliminary and Final Platting. R-2 or C-2 zoning will be decided by the developer at the time of said Preliminary and Final Platting.

Tract Four (4) - Allow uses permitted in C-5 but exclude the following:

- Ambulance service, office or garage
- Armored car service
- Auto body repair shop
- Auto painting and bodywork
- Bait shop
- Billiards or pool hall
- Bus terminal
- Boat repair, service, rental or sales

Contractor's plant or storage yard
Drinking establishment, alcoholic
Drive- in theater
Electric regulating substation
Equipment sales, service, rental, repair
Exterminator service
Feed and fertilizer sales
Fencing company
Firewood sales
Fuel service
Ice plant
Impoundment yard
Machinery sales and service
Mobile, manufactured homes, trailer sales and service
Motorcycle sales and repair
Pawn shop
Rental center
Truck sales and service
Vending, sales and service
Veterinarian hospital (with outside pens or runs)

There shall be a twenty (20) ft landscaping buffer added to the East side of this tract along N. Hunker Terr north of the platted shared access drive.

Tract Five (5) –

Shall be designated as an area of limits of no access and be limited to one of two development options, which option must be determined on or before the time of submission of the preliminary plat for Tract 6:

Option 1 - Zoned C-5 and be sold to adjacent commercial property, which sale will require an approved lot split of Tract 5 from the remaining property owned by the owner, and amending the adjacent subdivision plat to encompass Tract 5 such that Tract 5 is no longer part of the Borneman Planned Unit Development and becomes a part of the tracts platted on the adjacent property.

Option 2 - If not sold to the adjacent commercial property prior to submission of a Preliminary Plat for Tract 6, the C-5 zoning designation use for Tract 5 shall be deleted, and Tract 5 shall be identified as a common area for Tract 6, shall have the underlying zoning designation of Tract 6, and shall be owned and maintained by the property owner or the then current property owners of the subdivision through the Property Owners Association. The Property Owners Association shall, at a minimum, include as members, the then current owners

of tracts within the platted area and shall exist in perpetuity. The obligation to maintain the common areas is intended to benefit and may be enforced by the City of Mustang.

Tract Six (6) - Allow all uses permitted in R-1.

There shall be a standard sight-proof fence installed along the North boundary of the subject property, maintained by the developer or future property owners.

B. Open Space, Green Space, and Signage

This project will offer an open space. The location will be at the northeast portion of the tract.

Open space of +/- 9 acres or over 7% (net area) of the total site area with particular emphasis on used greenways that will also serve as drainage ways.

The Common Areas shown on the Master Development Plan Map shall be the responsibility of the property owner and the then current property owners of tracts and lots within the Borneman Planned Unit Development, either jointly or through a Property Owners Association. Any Property Owners Association shall, at a minimum, include as members the then current owners of tracts and lots within the Borneman Planned Unit Development and shall exist in perpetuity. The obligation to maintain the common areas is intended to benefit and may be enforced by the City of Mustang.

There shall be walking trails installed within the common areas of the development. The design and locations of said walking trails shall be shown during the platting stages of the project. All walking trails shall be the responsibility of the property owner or through a Property Owners Association.

Three (3) off premise project signs will be allowed and shall be located at the approximate locations shown on the master development plan. Project signs #1 and #3 shall be 2-sided monument signs not exceeding 12' in height with a maximum 150 sf per side. Project sign #2 shall be a shared multitenant pylon sign reserved for the tenants of Tract 4. In addition to these off-premise signs, each lot within the PUD shall be allowed signage in accordance with the City of Mustang sign ordinances. All proposed signage shall meet the setback requirements of the City of Mustang. The signs will be constructed to match the Project architecture and blend with the projects overall design.

C. Traffic access/circulation/parking and sidewalks

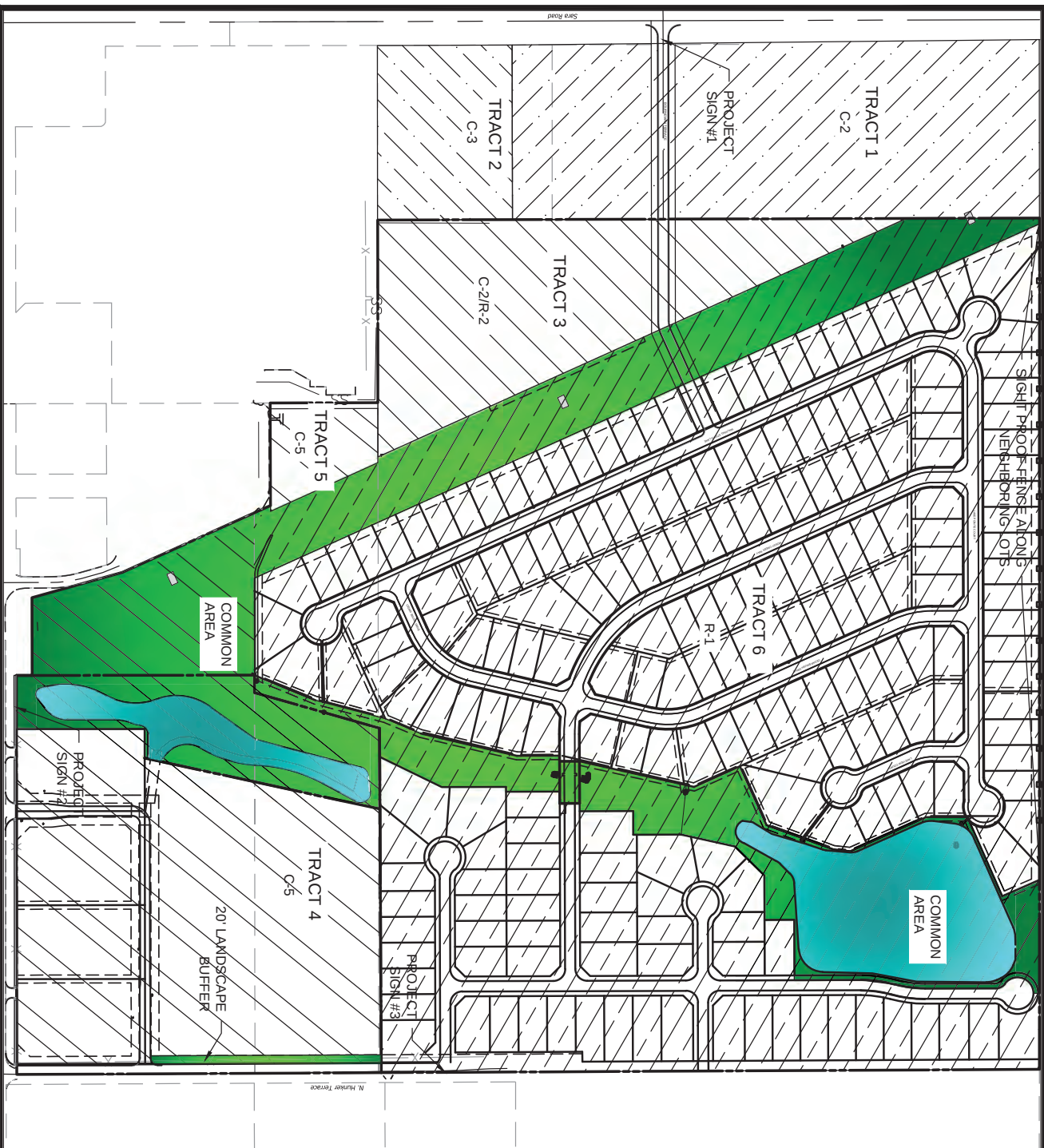
Public roads and/or common access driveways as per normal subdivision regulations will provide the access to the project. The curb cuts will be sized to accommodate 2way traffic. Landscape buffers will accommodate all City of Mustang traffic department sight triangle requirements. All

roadways will be constructed per normal city standards and public roads will be dedicated to the City for maintenance.

The common access driveways platted within the Mustang Marketplace Final Plat (Tract 4) will be maintained privately by the adjoining property owners.

D. Development Phasing

The parcel will be developed in several phases. The ultimate build out will be



MASTER DEVELOPMENT PLAN MAP

MUSTANG, OK

CONCEPT ILLUSTRATION
DRAWING PREPARED MARCH 1, 2023

TRACT 1	C-2	14.23 ACRES	TRACT 4	C-5	22.89 ACRES
TRACT 2	C-3	3.64 ACRES	TRACT 5	C-5	1.23 ACRES
TRACT 3	C-3/R-2	9.13 ACRES	TRACT 6	R-1	76.40 ACRES



BORNEMAN ADDITION

2003 Approved Version

Mustang, Oklahoma

PLANNED UNIT DEVELOPMENT
APPLICATION FOR REZONING AND
MASTER DEVELOPMENT PLAN
APPLICATION NO. RZ-3-28-03-1-26

Prepared By:
SPEAR & McCALEB CO., P.C.
815 W. Main
Oklahoma City, OK 73106
405-232-7715

Revised: May 7, 2003
and May 30, 2003
By:
Eugene E. Borneman P.E.
2309 Berryhill Circle
Edmond, OK 73034
405-348-5353



BORNEMAN ADDITION
Mustang, Oklahoma

2003 Approved Version

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F. Fire Protection Services

III. MASTER DEVELOPMENT PLAN AND DESIGN CONCEPT

A. The PUD

B. Open Space and Green Space

C. Traffic Access/Circulation and Sidewalks

D. Development Phasing

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A. Planned Unit Master Development Plan

B. Legal Description of Entire Tract

C. Legal Description of Individual Tracts (5)

I. INTRODUCTION

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A PUD District will allow the necessary flexibility to create a distinctive diverse community with a variety of supporting residential, commercial areas and building types, enhanced open space areas, and creative circulation patterns not normally possible through the current zoning, allowing use of an odd shaped piece of land. Water features will be used and open space will support the area.

II. PROPERTY DESCRIPTION/EXISTING SITE CONDITIONS

A. Location

The tract is located at the NE corner of Sara Road and State Highway 152. The site is bordered on the west by the new Wal-Mart supercenter.

B. Existing land Use and Zoning

The property is currently zoned A-2 and containing 134.24 acres. The site is currently vacant and has no active uses.

The project consists of multi-use zoning purposes. The uses are the following:

1. C-2 - Commercial Neighborhood District, 6.28 acres.
2. C-3 - General Commercial, 10.57 acres.
3. R-2 or C-2 - Two-Family District, or Commercial Neighborhood, but not intermixed, 9.41 acres.
4. C-5 - Commercial Intensive District, 22.67 acres.
5. C-2 - Commercial Neighborhood District, 11.90 acres
6. R-1 - Single-Family District, Residential, 72.60 acres.

The commercial along State Highway 152 will supplement the Wal-Mart development (C-4) that has successfully occurred on the east side of Sara Road. The tract will have public roads that will serve the development. One public access on State Highway 152 and two accesses on Sara Road will serve the area

C. Elevation and Topography

The site consists of sloping from the south to the north. The elevation of the property is 1,340' above sea level along the south property line and 1,320' above sea level along the north property line. A creek exists in the approximate center of the property.

D. Drainage

The site has an existing pond. This pond will be improved to become an amenity to the project. The pond will be revised to provide detention and become a common open space for the development. The pond retains water at all times and will be a reflecting pond at the rear of several single-family areas. A dam will be constructed that will separate the pond.

The pond will be the major source of receiving the surface runoff from the site.

A Drainage Impact Analysis will be prepared at the time of preliminary platting to illustrate the detention requirements that are required and the solution planned.

E. Utility Services

The required utility services for the property including water, sewer, gas, telephone and electricity are currently located adjacent to the boundaries of the site. Easements will be identified on the Preliminary Plat that will be the next step for platting as per Section 122-799 of the code.

A 27' easement on the east side of Sara Road will be granted to the City of Mustang for a total of 60' from the west line of the Southwest Quarter.

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The City of Mustang Fire Department will provide fire protection services.

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The Planned Unit Development plan was selected for the addition with the intent to compliment future home sites with mixed residential and commercial areas. This type of development has successfully occurred in other cities. Mustang is growing and these uses are a good fit right now. The commercial development adjacent (Wal-Mart) and the recent acquisitions of land have created a need for housing and other related commercial support facilities.

This PUD is designed to accomplish the following:

2003 Approved Version

Tract One - Allow all uses permitted in C-2 except convenience stores.

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Tract Three - Allow uses permitted in R-2 or C-2. All residential structures will have 75% brick, stone or other masonry product on front elevation. No vinyl siding will be allowed. Each unit will be landscaped. Tract will be all residential or all commercial.

Tract Four - Allow uses permitted in C-5 but exclude the following:

- Ambulance service, office or garage
- Armored car service
- Auto body repair shop
- Auto painting and bodywork
- Bait shop
- Billiards or pool hall
- Bus terminal
- Boat repair, service, rental or sales
- Contractor's plant or storage yard
- Drinking establishment, alcoholic
- Drive-in theater
- Electric regulating substation
- Equipment sales, service, rental, repair
- Exterminator service
- Farm store
- Feed and fertilizer sales
- Fencing company
- Firewood sales
- Fuel service
- Ice plant
- Impoundment yard
- Machinery sales and service
- Mobile, manufactured homes, trailer sales and service
- Motorcycle sales and repair
- Pawn shop
- Rental center
- Truck sales and service
- Vending, sales and service
- Veterinarian hospital (with outside pens or runs)
- Warehouse, inside storage

Tract Five - Allow all uses permitted in C-2

Tract Six - Allow uses permitted in R-1

B. Open Space and Green Space

This project will offer an open space. The location will be at the northeast portion of the tract.

Open space of ± 9 acres or over 7% (net area) of the total site area with particular emphasis on used greenways that will also serve as drainage ways.

Three project entry signs will be located at the entries. It will meet and set back requirements of the City of Mustang. The signs will be constructed to match the Project architecture and blend with the projects overall design.

C. Traffic access/circulation/parking and sidewalks

Public roads as per normal subdivision regulations will provide the access to the project. The curb cuts will be sized to accommodate 2way traffic. Landscape buffers will accommodate all City of Mustang traffic department sight triangle requirements. All roadways will be constructed per normal city standards and will be dedicated to the City for maintenance.

D. Development Phasing

The parcel will be developed in several phases. The ultimate build out will be responsive to the demands of real estate investments and opportunities.

**Legal Description
Borneman Property**

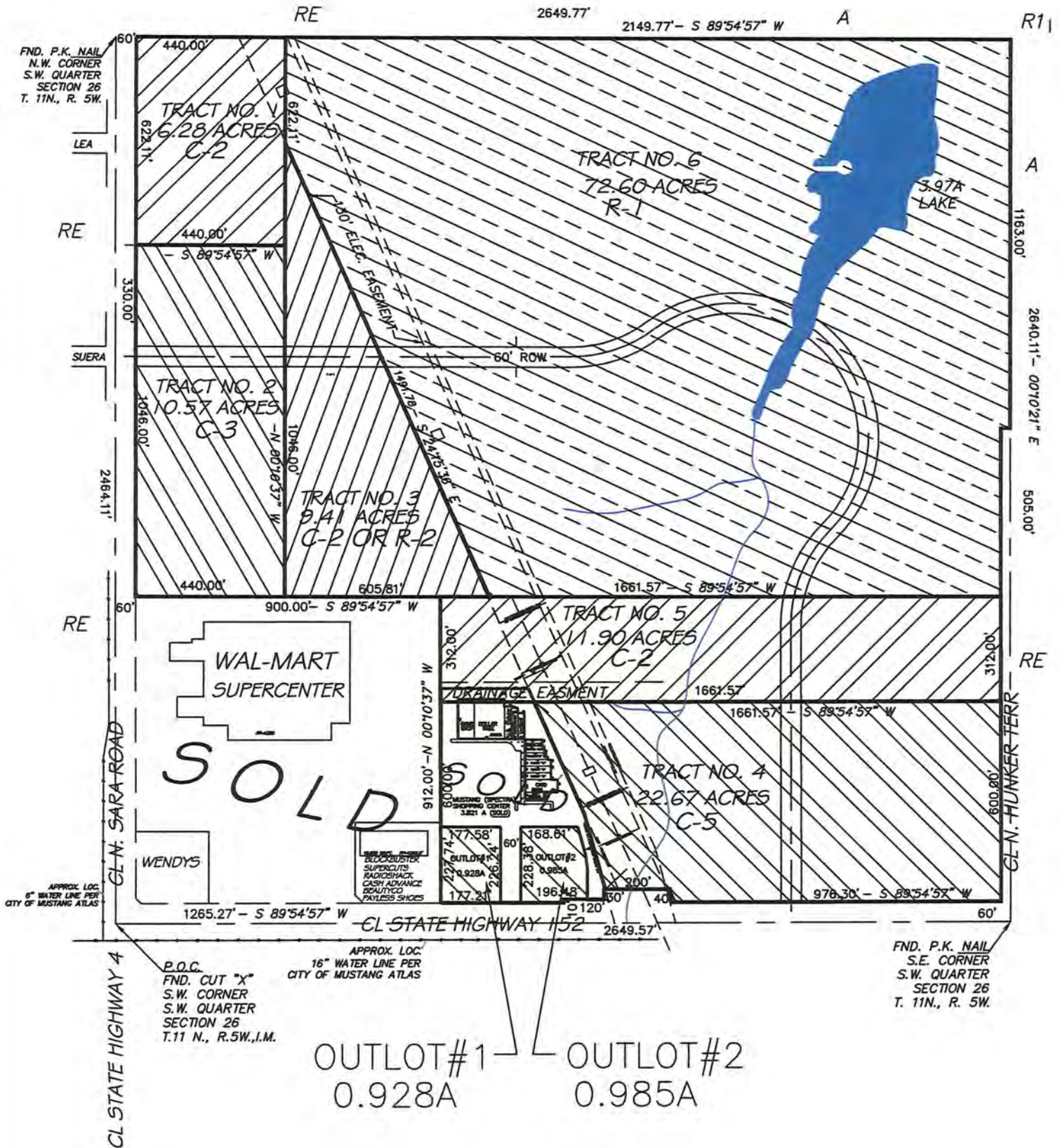
2003 Approved Version

TRACT SUMMARY

Mustang, Canadian County, Oklahoma

May 30, 2003

TRACT #1	273,728.40 SF	6.28 ACRES
TRACT #2	460,240.00 SF	10.57 ACRES
TRACT #3	409,794.10 SF	9.41 ACRES
TRACT #4	987,724.59 SF	22.67 ACRES
TRACT #5	518,409.84 SF	11.90 ACRES
TRACT #6	3,162,566.24 SF	<u>72.60 ACRES</u>
TOTAL		133.43 ACRES



**PUBLIC HEARING NOTICE OF THE
MUSTANG PLANNING COMMISSION**

On Tuesday, February 14, 2023, beginning at 7:00 p.m. in the Council Chambers at Mustang City Hall located at 1501 N Mustang Road, Mustang, OK 73064, a Public Hearing will be conducted on the following:

NOTICE OF REDISTRICTING

CURRENTLY ZONED: Mixed Use Planned Unit Development with R-1, R-2, C-2, C-3, C-5 Tracts

REQUESTED ZONING: Revision of the Mixed Use Planned Unit Development with R-1, R-2, C-2, C-3, C-5 Tracts

APPLICATION BY: Lance Mills, P.E. – Cedar Creek Consulting, INC

PROPERTY OWNER: Mustang Marketplace, LLC - Barajas and Wilson Developments, LLC – Locke Supply – Borneman-Mustang, LLC

GENERAL VICINITY OF PROPERTY: NE corner of E. SH 152 & N. Sara Rd, excluding the Walmart area.

LEGAL DESCRIPTION OF COMPLETE PROPERTY FOR REZONING:

A tract of land lying in the Southwest Quarter (SW/4) of Section Twenty-six (26), Township Eleven (11) North, Range Five (5) West of the Indian Meridian, City of Mustang, Canadian County, Oklahoma being more particularly described as follows:

Commencing at the Southwest corner of said SW/4; Thence N 00°10'18" W, along the West line of said SW/4, a distance of 60.00 feet; Thence N 89°55'16" E, parallel with and 60.00 feet North of the South line of said SW/4, a distance of 1448.73 feet; Thence N 00°10'37" W, parallel with the West line of said SW/4, a distance of 40.00 feet to the Point of Beginning; Thence N15°40'47"W a distance of 236.30 feet; Thence N24°17'24"W a distance of 409.56 feet; Thence S89°46'04"W a distance of 258.19 feet to a point on the East line of the Final Plat of WAL-MART NO. 517; Thence N00°10'18"W along the East line of said WAL-MART NO. 517 a distance of 271.58 feet to the Northeast corner of said WAL-MART NO. 517; Thence S89°55'16"W along the North line of said WAL-MART NO. 517 a distance of 960.00 feet to a point on the West line of said SW/4; Thence N00°10'18"W a distance of 1668.10 feet to the Northwest Corner of said SW/4; Thence S89°59'22"E along the North line of said SW/4 a distance of 2644.20 feet to the Northeast corner of said SW/4; Thence S00°17'21"E along the East line of said SW/4 a distance of 2576.00 feet to a point on the North Right-of-Way line of State Highway No. 152 as established in REPORT OF COMMISSIONERS in Case No. CJ-87-1042 recorded in Book 1500, Page 704 and in AGREED JOURNAL ENTRY recorded in Book 1544, Page 574;

Thence along said North Right-of-Way line the following Three (3) courses:

1. S89°55'16"W a distance of 1005.00 feet;
2. N00°04'54"W a distance of 40.00 feet;
3. S89°55'16"W a distance of 195.80 feet to the Point of Beginning.

Containing 5,689,070.62 Sq. Ft. or 130.603 Acres, more or less

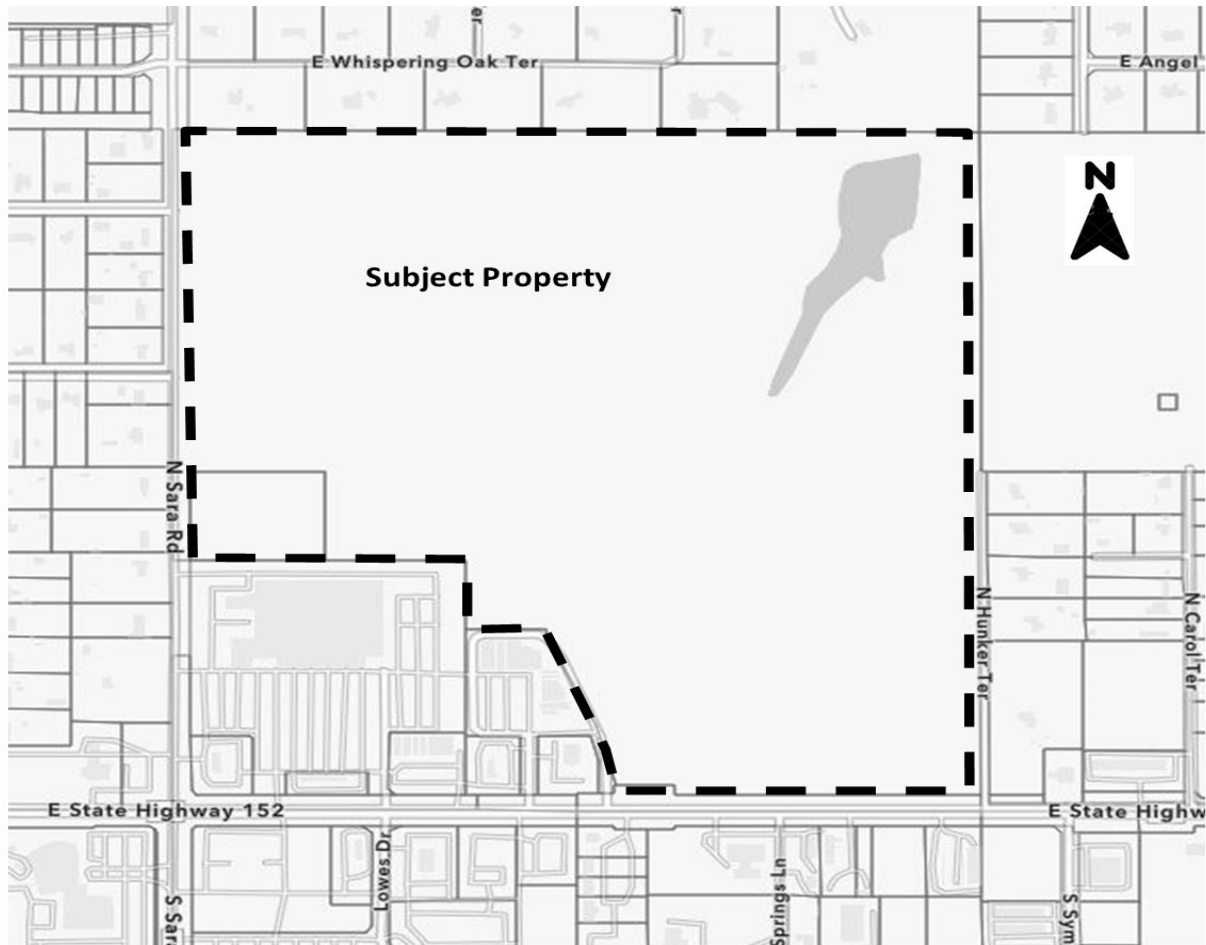
Continue on back >>>

As an interested property owner your comments are invited at the public hearing for or against the request. You may file a written petition and offer oral argument and evidence for or against granting the request.

Please feel free to call the Community Development Department at 405-376-9873 between 8:00 a.m. and 5:30 p.m. to make inquiries about the application.

Respectfully,

Ryan Conner, City Planner



**CITY OF MUSTANG, OKLAHOMA
REZONING APPLICATION
1501 N. Mustang Rd.
MUSTANG, OK 73064**

A SITE PLAN OR LOCATION MAP OUTLINING YOUR PROPOSAL MUST ACCOMPANY THIS APPLICATION.

TO THE MUSTANG PLANNING COMMISSION AND THE CITY COUNCIL OF MUSTANG, OKLAHOMA.

I, the undersigned, do hereby respectfully make application and petition to City Council to amend the zoning map and to ~~change~~ **revise** the zoning district of the Mustang area, from RZ-3-28-03-1-26 District to _____ District, as hereinafter requested and in support of this application, the following facts are shown:

LEGAL DESCRIPTION (if metes and bounds please attach):

See attached

Address or General Location: HWY 152 and Sarah Road

1. The property is located in the Borneman Addition subdivision of the City of Mustang.
2. Current zoning Classification: PUD RZ-03-28-03-1-26
3. Requested Zoning Classification: _____
4. Comprehensive Plan Designation: _____
5. Present Use of Property: commercial/vacant
6. Property ownership list has been furnished: _____
7. If the requested zoning is approved, can the required off-street parking be provided on this property?
yes
8. The property will be served by: (☒) Public, or () Private Water
9. The property will be served by: (☒) Public, or () Private Sanitary Sewer Facilities.
10. With the filing of this application, I acknowledge that I have been informed of all zoning requirements to in regards to the zoning I have requested as witnessed by my signature.

NAME OF APPLICANT: Lance Mills, PE -Cedar Creek Consulting, INC.
ADDRESS OF APPLICANT: 11912 N Pennsylvania Suite D-4, OKC, OK 73120
PHONE # OF APPLICANT: 405.778-3385

NAME OF PROPERTY OWNER: Barajas and Wilson Developments, LLC
ADDRESS OF PROPERTY OWNER: 11200 S Countyline Road, OKC, OK 73173
PHONE # OF PROPERTY OWNER: 405.250-2220

Wendy M. Barajas
Signature of Property Owner

11-16-2022
Date

[Signature]
Signature of Applicant

11/16/22
Date

Ingress and egress to property will be via: Proposed Public Street located between Hunker Terrace and Sarah Road.

Additional information may be attached which provides further detail concerning the requested action or manner of operations of the proposed use.

NAME OF PROPERTY OWNER: Borneman-Mustang, LLC

ADDRESS OF PROPERTY OWNER: 3235 Majestic Cir., Conway, AR 72034

PHONE # OF PROPERTY OWNER: 405.627.9214

Eugene E. Borneman, Manager
Signature of Property Owner

12/5/2022
Date

Signature of Applicant

Date

NAME OF PROPERTY OWNER: Locke Supply
ADDRESS OF PROPERTY OWNER: 1300 SE 82ND ST. Ocala, FL 32179
PHONE # OF PROPERTY OWNER: 405-631-8701

[Signature]
Signature of Property Owner

11/29/22
Date

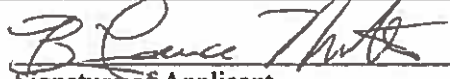
[Signature]
Signature of Applicant

11/29/22
Date

NAME OF PROPERTY OWNER: Mustang Marketplace, LLC
ADDRESS OF PROPERTY OWNER: 975 E. Riggs Rd#12-140 Chandler, AZ 85249
PHONE # OF PROPERTY OWNER: 602.705-6776


Signature of Property Owner

11/16/22
Date


Signature of Applicant

11/16/22
Date



Mustang City Council Agenda Item Report

Meeting Date: March 7, 2023

Submitted by: Jon Miller

Submitting Department: Law

Item Type: Ordinance

Agenda Section: DISCUSSION ITEMS

Subject Title:

Consideration of Ordinance No. 1283, an Ordinance of the City of Mustang, Oklahoma, Amending Chapter 14 by: (1) Amending Article I, Section 14-1 to Amend and Add Certain Definitions; (2) Repealing Article V, Division 3, Sections 14-191 through 14-197, in their Entirety and Enacting a New Article V, Division 3, Sections 14-191 through 14-198 to Rename Division 3, State the Purpose of Licensing, Provide for Licensing of Animal Establishments and Animal Shelters, Provide Exceptions, Impose Licensing Conditions, Provide the License Term, and Provide for Fees; (3) Repealing Article V, Division 4, Sections 14-221 through 14-226 in their Entirety and Enacting New Division 4, Sections 14-221 through 14-234, to Rename Division 4, Require Submission of Plans and specifications, Setting Submission Standards, Providing Exceptions, Establishing Requirements for Physical Facilities, Providing Sanitation, Food, Hydration, Separation, Vaccination, Diseased Animal Handling and Enclosure Requirements, Providing Location and Commercial Breeder Requirements, and Providing for License Revocation; (4) Amending Chapter 42, Section 42-14, to Provide for Fees; (5) Amending Chapter 122, Section 122-212, to Add Animal Shelter in the Table of Permitted Uses; (6) Amending Chapter 122, Section 122-472 to Add Animal Shelter and Kennel in the Table of Permitted Uses; (7) Amending Chapter 122, Section 122-641, to Add Kennel and Animal Shelter in the Table of Permitted Uses; Providing for Repealer; Providing for Severability; and Declaring an Emergency.

Recommendation:

Approval

Initiator:

Jon Miller, City Attorney

Background:

Councilmember James Waugh raised a concern that the City of Mustang had no ordinances providing for licensing and operational requirements for kennels, and requested that ordinances providing for licensing and establishing operating standards be prepared for Council consideration. At the January 2023 work session, discussion was presented on the issues that would be included in a proposed ordinance. The ordinance submitted for consideration by the Council follows that prior discussion.

Financial Impact:

Undetermined

Staff Comments:

Staff recommends approval.

Attachments:

[Ordinance No. 1283 - Amending Chapter 14 - Kennel Licensing and Operation.pdf](#)

ORDINANCE 1283

AN ORDINANCE OF THE CITY OF MUSTANG, OKLAHOMA, AMENDING CHAPTER 14 BY: (1) AMENDING ARTICLE I, SECTION 14-1 TO AMEND AND ADD CERTAIN DEFINITIONS; (2) REPEALING ARTICLE V, DIVISION 3, SECTIONS 14-191 THROUGH 14-197, IN THEIR ENTIRETY AND ENACTING A NEW ARTICLE V, DIVISION 3, SECTIONS 14-191 THROUGH 14-198 TO RENAME DIVISION 3, STATE THE PURPOSE OF LICENSING, PROVIDE FOR LICENSING OF ANIMAL ESTABLISHMENTS AND ANIMAL SHELTERS, PROVIDE EXCEPTIONS, IMPOSE LICENSING CONDITIONS, PROVIDE THE LICENSE TERM, AND PROVIDE FOR FEES; (3) REPEALING ARTICLE V, DIVISION 4, SECTIONS 14-221 THROUGH 14-226 IN THEIR ENTIRETY AND ENACTING NEW DIVISION 4, SECTIONS 14-221 THROUGH 14-234, TO RENAME DIVISION 4, REQUIRE SUBMISSION OF PLANS AND SPECIFICATIONS, SETTING SUBMISSION STANDARDS, PROVIDING EXCEPTIONS, ESTABLISHING REQUIREMENTS FOR PHYSICAL FACILITIES, PROVIDING SANITATION, FOOD, HYDRATION, SEPARATION, VACCINATION, DISEASED ANIMAL HANDLING AND ENCLOSURE REQUIREMENTS, PROVIDING LOCATION AND COMMERCIAL BREEDER REQUIREMENTS, AND PROVIDING FOR LICENSE REVOCATION; (4) AMENDING CHAPTER 42, SECTION 42-14, TO PROVIDE FOR FEES; (5) AMENDING CHAPTER 122, SECTION 122-212, TO ADD ANIMAL SHELTER IN THE TABLE OF PERMITTED USES; (6) AMENDING CHAPTER 122, SECTION 122-472 TO ADD ANIMAL SHELTER AND KENNEL IN THE TABLE OF PERMITTED USES; (7) AMENDING CHAPTER 122, SECTION 122-641, TO ADD KENNEL AND ANIMAL SHELTER IN THE TABLE OF PERMITTED USES; PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

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

SECTION 1. ENACTMENT.

That the Municipal Code of the City of Mustang, Oklahoma, Chapter 14, Article I, Section 14-1 is hereby amended to amend or add the following definitions to the existing definitions:

Sec. 14-1. - Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Animal means any live mammal, bird, fish, reptile, amphibian, vertebrate or invertebrate creature, including domesticated or wild species, except Homo sapiens, and shall include domesticated fowl, fowl or livestock, even though separately defined herein.

Animal shelter means any non-profit, private or public-owned and/or operated facility for the purpose of holding, impounding or caring for animals held under the authority of this chapter or state law.

At large means not within a fenced area, whether on or off the premises of the owner, and not under the direct control of the owner or a person able to safely and humanely restrain the animal.

Domesticated fowl means domesticated chickens, turkeys, ducks, geese, peacocks, homing pigeons and any other domesticated birds including ostriches, emus and rheas.

Feral animal means any wild cat or dog, whether the animal was born in the wild or has reverted to a wild state due to abandonment or lack of domestication.

Fowl means a bird of any kind, excluding "domesticated fowl."

Kennel means any place other than a federal, state or municipal facility, veterinary hospital or medical research institute, where more than three dogs and/or more than three cats beyond the age of six months are kept, harbored, boarded, sheltered, trained for a fee, or bred.

Kitten means a cat under the age of six months.

Livestock means any burros, cattle, horses, sheep, goats, llamas, donkeys, mules, and swine.

Puppy means a dog under the age of six months.

Residential district means those areas of the city included within the residential use districts as fixed and established by the zoning ordinance of the city (chapter [122](#)).

Veterinary hospital or clinic means any place or facility owned or operated by a licensed veterinarian and used for the practice of veterinary medicine in the diagnosis, treatment, and care of diseases of and injuries to animals, or used for the boarding of animals during the diagnosis, treatment or care, or used for the temporary boarding of animals belonging to the veterinarian's clients.

SECTION 2. ENACTMENT.

That the Municipal Code of the City of Mustang, Oklahoma, Chapter 14, Article V, Division 3, is hereby repealed in its entirety, and new Division 3, Sections 14-191 through 14-198 are enacted to read as follows:

DIVISION 3. – ANIMAL ESTABLISHMENT AND ANIMAL SHELTER LICENSES

Sec. 14-191. - Purpose.

The intent of this article is to prevent and reduce the transmission of diseases from animals, particularly, dogs and cats, to preserve the peace, and to promote the health, safety and welfare of the citizens of the City by establishing rules and regulations over all commercial animal establishment and private animal shelter operations within the City.

Sec. 14-192. - Exceptions.

All Federal, State and municipal facilities shall be exempt from the provisions of this article.

Sec. 14-193. – License Required.

- (a) License required. No person shall operate a commercial animal establishment kennel or animal shelter without first obtaining a license in compliance with this division.
- (b) Condition of License. It shall be a condition of the issuance of any license that animal control, code inspectors, building inspectors, police, and State or County Health Department officials shall be permitted to inspect all

animals and the premises where animals are kept at any time; and, if permission for such inspection is refused, it shall be the basis for denial or revocation of a license to the refusing owner.

Sec. 14-194. – Animal Cruelty Conviction.

No person who has been convicted of an offense related to cruelty to animals shall be issued a license to operate a commercial animal establishment or an animal shelter.

Sec. 14-195. - Making false application.

If the applicant for a license under this division has withheld or falsified any information on the application, a license shall not be issued.

Sec. 14-196. – Term; renewal.

A license issued pursuant to this division shall expire one year from its date of issue.

Sec. 14-197. - Transfer.

A license issued under this division is non-transferable.

Sec. 14-198. – License fees.

A person required to procure a license under this division shall pay a license fee to the City. A schedule of fees is hereby levied for the licensing of commercial animal establishments and animal shelters in the amounts established in [Chapter 42 - Fees](#).

Secs. 14-199—14-220. - Reserved.

SECTION 3. ENACTMENT.

That the Municipal Code of the City of Mustang, Oklahoma, Chapter 14, Article V, Division 4, Sections 14-221 through 14-226 are hereby repealed in their entirety, and new Division 4, Sections 14-221 through 14-234 are enacted to read as follows:

DIVISION 4. - KENNEL AND ANIMAL SHELTER REQUIREMENTS

Sec. 14-221. - Submission of plans and specifications; fee.

In addition to any other requirements of this Code, detailed plans and specifications shall be submitted to the Community Development Department to construct or remodel any animal shelter or kennel. Written approval of plans and specifications must be obtained from the Community Development Department prior to any

construction or remodeling. The person submitting plans and specifications for review shall pay to the City the fee established in section 42-14.

Sec. 14-222. - Contents of plans and specifications.

Any plans and specifications for animal shelters or kennels shall be in compliance with this article and must include descriptions of the proposed ventilation system, plumbing equipment, and finishes of floors, walls, and ceilings.

Sec. 14-223. - Exemptions from fee.

No fee is required of any veterinary hospital or government-operated zoological park for the license required by this division.

Sec. 14-224. - Separation of certain areas.

Animal housing areas must be physically separated from areas in which food and/or drink for human consumption is prepared, served or stored and from any living and/or sleeping areas of animal shelter or kennel personnel.

Sec. 14-225. - Physical facilities of animal shelters and kennels.

- (a) Interior building surfaces. Interior building surfaces shall be constructed and maintained so that they are impervious to moisture and may be readily cleaned.
- (b) Electric power. Reliable and adequate electric power shall be provided. Electrical wiring must meet all requirements of [Chapter 18](#) of this Code.
- (c) Water. Adequate potable water shall be provided. Back flow preventers shall be installed on any threaded faucets.
- (d) Heating. Indoor housing for domestic animals shall be sufficiently heated when necessary to protect pet animals from cold, and to provide for their health and comfort. The ambient temperature shall be made consistent with the requirements of the particular species.
- (e) Ventilation. Indoor housing of animals shall be adequately ventilated with fresh air to minimize odors and moisture and to provide for the health and comfort of the animals at all times. Auxiliary ventilation, such as exhaust fans and vents or air conditioning, shall be provided when the ambient temperature is 85 degrees Fahrenheit or higher.
- (f) Lighting. Adequate lighting must be provided a minimum of eight hours per day. Such lighting shall provide a minimum of 25-foot candles of illumination for 30 inches above floor level and must be uniformly distributed. Enclosures must be positioned to protect animals from excessive illumination.
- (g) Drainage. A suitable method shall be provided to rapidly eliminate excess water from animal housing facilities. If drains are used, they shall be properly constructed and kept in good repair. If closed drainage systems are used,

waste water shall be disposed of by connection to a sanitary sewer or any approved sewage disposal system.

Sec. 14-226. - Primary enclosure standards.

- (a) Generally. All enclosures shall be structurally sound and maintained in good repair to protect the animals from injury, to contain them and to prevent vermin from entering. They shall be constructed and maintained to enable the animals to remain dry and clean and to provide convenient access to clean food and water.
- (b) Flooring. The floors of the enclosures shall be constructed to prevent injury to animals' feet and legs. Enclosures for dogs and cats may have wire flooring provided, however, that (1) the wire is of adequate gauge to prevent sagging under the weight of the animals and (2) the wire mesh is small enough to prevent their feet from falling through the mesh.
- (c) Space requirements. Enclosures must be constructed to provide sufficient space to allow each animal to exercise normal postural movements.
- (d) Additional requirement for cats. A receptacle containing sufficient clean litter shall be provided to contain organic wastes.
- (e) Exercise areas. One run must be provided for every 18 primary enclosures. The run must be of sufficient size to allow an animal to break into a run. At least two exercise periods per day of 20 minutes each shall be provided.

Sec. 14-227. - Sanitation.

- (a) Cleaning of animal enclosures. Animal waste shall be removed from enclosures daily and/or as often as may be necessary to prevent contamination of the animals and to reduce disease hazards and odors. Cages shall be cleaned as often as may be necessary to maintain sanitary conditions by washing all surfaces with a detergent solution followed by a safe and effective sanitizer. Animals must be removed from the enclosures during the cleaning process and precautions taken to avoid cross contamination.
- (b) Equipment cleaning. Water and food containers and all other utensils shall be cleaned and sanitized using generally acceptable methods such as the use of heat or chemical sanitizing solution. These containers shall be cleaned and sanitized as often as necessary to maintain sanitary conditions.
- (c) Waste disposal. Animal and food wastes, bedding, dead animals, debris and other organic wastes shall be disposed of in a manner that ensures that vermin infestation, odors, disease hazards and nuisances are minimized.
- (d) Property, generally. The kennel property shall be kept clean, in good repair, and free of trash.
- (e) Pest control. An effective program for the control of insects, ectoparasites and avian and mammalian pests shall be maintained.
- (f) Storage of food and supplies. Supplies of food and bedding shall be stored:
 - (1) off the floor; or

- (2) in waterproof closed containers and adequately protected against infestation or contamination by vermin.
- (g) Dead animals. Animals that die at the facility shall be stored and disposed of in a manner that will not cause a disease hazard or nuisance.

Sec. 14-228. - Food and water.

- (a) All animals shall be fed at least once a day and shall be provided potable water at all times except when under special veterinary care. The food and water shall be free from contamination, palatable, and of sufficient quality and nutritive value to meet the normal daily requirements for the condition and size of the animal. Refrigeration shall be provided for perishable food.
- (b) Food and water containers shall be accessible to the animal and located to minimize contamination by excreta. These containers shall be cleaned daily. Self-feeders and self-waterers may be used if cleaned daily.

Sec. 14-229. - Classification and separation of animals.

Animals housed in the same enclosure shall be maintained in compatible groups, with the following additional restrictions:

- (1) Females. Females in heat shall not be housed in the same primary enclosure with males, except for breeding purposes.
- (2) Aggressive animals. Any aggressive animal shall be housed individually in an enclosure.
- (3) Puppies or kittens. Puppies or kittens shall not be housed in the same primary enclosure with adult dogs or cats other than their dams, except when permanently maintained in breeding colonies.
- (4) Dogs shall not be housed in the same primary enclosure with cats, nor shall dogs or cats be housed in the same primary enclosure with any other species of animals.
- (5) Boarded animals shall not be housed in the same primary enclosure with those from another household unless the owners have been informed of and consented to that arrangement.

Sec. 14-230. - Dogs and cats to be vaccinated against rabies.

Dogs and cats kept in animal shelters or kennels shall be vaccinated against rabies.

Sec. 14-231. - Diseased animals.

- (a) Animals under quarantine or treatment for a communicable disease shall be physically separated from other susceptible animals to minimize dissemination of disease. Such quarantine area should have a separate ventilation system.
- (b) Observation and separation. Animals shall be observed daily for signs of disease. An animal suspected of having an infectious disease shall be

physically separated from other animals until the condition is determined to be noninfectious.

- (c) Humane care. Sick or injured animals shall be provided with access to veterinary care.
- (d) Disposal in a humane manner. Animals with untreatable diseases, or injuries, or of an aggressive nature shall be disposed of in a humane manner.
- (e) Quarantine. In breeding kennels, Animal Control may require laboratory testing of a suitable number of animals or specimens to determine if such animals are disease free. The costs of the laboratory tests shall be the responsibility of the licensee. Quarantine will be lifted only through written release by Animal Control when it is determined a health risk no longer exists.

Sec. 14-232. - Location of Animal Shelter and Kennels.

- (a) Kennels and animal shelters must:
 - (1) Be located in Agricultural, Commercial, Light Industrial or Moderate Industrial zoning districts. Kennel and animal shelter uses in commercial or industrial zoning district will be under review and require a specific use permit.
 - (2) Be conducted no nearer than fifty (50) feet to the boundary of an adjoining property regardless of the zoning classification;
 - (3) Be located on property 100 feet from any residentially zoned property and 300 feet from any residential structure.
 - (4) Be located on a property no smaller than five (5) acres;
 - (5) Comply with required fence screening;
 - (6) Have their principal entrances and exits on an arterial street; and
 - (7) Be constructed and operated so that sounds therefrom are not audible in any adjoining residential, office or commercial district.
- (b) Accessory uses may include confinement facilities for animals, parking, and storage areas.
- (c) No burning of refuse or dead animals shall be permitted and all drainage shall be away from adjoining properties.

Sec. 14-233. - Additional Requirements for Commercial Breeders

- (a) For the purposes of this section, the term “commercial pet breeder” shall have the same meaning as given in Section 30.2 of Title 4 of the Oklahoma Statutes.
- (b) In addition to the above requirements applicable to kennels and animal shelters, commercial pet breeders shall comply with 4 Okla. St. Chapters 1A and 2.
- (c) As required by 11 Okla. St. §22-115.1, no commercial pet breeder shall be located within two thousand five hundred (2,500) feet of a public or private school or licensed day care facility.

Sec. 14-234. - Revocation.

The city manager may, after opportunity for hearing before the city manager or his designate, revoke any kennel or animal shelter license if the person holding the license refuses or fails to comply with this chapter or any law governing the protection and keeping of animals. Any person whose license is revoked shall, within ten days thereafter, humanely dispose of all animals owned, kept or harbored by such person. No part of the license fee shall be refunded.

Secs. 14-25—14-250. - Reserved.

SECTION 4. ENACTMENT.

That the Municipal Code of the City of Mustang, Oklahoma, Chapter 42, Section 42-14, is hereby amended to read as follows:

Sec. 42-14. - Chapter 14: Animals.

- (a) The licensing fees referred to in section 14-198 shall be:
 - (1) Commercial animal establishments\$40.00
 - (2) Animal Shelters\$40.00
- (b) The plan and specification review fee referred to in section 14-221 shall be \$100.00.
- (c) The deposit referred to in section 14-252, to be paid to the city animal control shelter to ensure that an adopted animal will be spayed or neutered, shall be \$25.00.

SECTION 5. ENACTMENT.

That the Municipal Code of the City of Mustang, Oklahoma, Chapter 122, Section 122-212, is hereby amended add the following use to the table of permitted uses:

Sec. 122-212. - Table of permitted uses.

Property and buildings in an A-1 district shall be used only for those uses which have a "P" or an "R" in the A-1 category listed in this section. The letter "P" indicates a use that is permitted by right. The letter "R" signifies a specific use that may be permitted subject to acquiring a specific use permit in accordance with section 122-57, et seq.

Permitted Use	Zoning District A-1

Animal shelter	P

SECTION 6. ENACTMENT.

That the Municipal Code of the City of Mustang, Oklahoma, Chapter 122, Section 122-472, is hereby amended add the following uses to the table of permitted uses:

Sec. 122-472. - Table of permitted uses.

Property and buildings in the defined commercial districts shall be used only for those uses which have a "P" or "R" in the zoning districts listed below. The letter P indicates a use that is permitted by right. The letter R signifies a specific use that may be permitted subject to acquiring a specific use permit in accordance with section 122-57, et seq.

Permitted Uses By Right or Upon Review	Zoning Districts Previous Zoning Designations					
	C1 OPB	C2 CN	C3 CG	C4 SC	C5 CI	C6

Animal shelter		R	R	R	R	

Kennel		R	R	R	R	

SECTION 7. ENACTMENT.

That the Municipal Code of the City of Mustang, Oklahoma, Chapter 122, Section 122-641, is hereby amended add the following uses to the table of permitted uses:

Sec. 122-641. - Table of permitted uses.

Property and buildings in the defined industrial districts shall be used only for those uses which have a "P" or an "R" in the zoning districts listed in the following table. The letter "P" indicates a use that is permitted by right. The letter "R" signifies a specific use that may be permitted subject to acquiring a specific use permit in accordance with section 122-57, et seq.

Permitted Uses	Zoning District		
	I-1	I-2	I-3

Animal shelter	R	R	

	Zoning District		
Permitted Uses	I-1	I-2	I-3
Kennel	R	R	

SECTION 8. REPEALER.

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

SECTION 9. SEVERABILITY.

That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Mustang City Council hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

SECTION 10. 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 7th day of March, 2023.

Brian Grider, Mayor

ATTEST:
[Seal]

Lisa Martin, City Clerk

APPROVED as to form this 7th day of March, 2023.

Jonathan E. Miller, City Attorney