

MUSTANG CITY COUNCIL
JUNE 7, 2022

The Mustang City Council met in regular session on Tuesday, June 7, 2022, at 7:00 p.m. in the Mustang Municipal Building Council Chambers. Notice of the meeting was posted as required on Friday, June 3, 2022, at 10:35 a.m. in compliance with the Open Meeting Law, 25 O.S., Section 301, et. seq.

A. CALL TO ORDER

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

B. PLEDGE OF ALLEGIANCE/INVOCATION Randy Sholund, Pastor, Empowered Church.

Pastor Sholund led the assembly in the Pledge and Invocation. He stated he had been with the church in Mustang for almost 32 years and was honored to be a part of this City. He stated the Church was growing and recently opened a branch in Oklahoma City stating, however, you can't build a church without building people. He stated he has seen lives changed radically and is excited about the future.

C. ROLL CALL

Councilmembers Present:	Leete
	Wald
	Waugh
	McKenzie
	Sholund
	Grider

Councilmembers Absent:	Ray
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D. INTRODUCTION OF GUESTS/HEARING OF CITIZENS OR DELEGATES

Kelly Almond, 723 Ebeling Dr, Mustang, OK, addressed the Council regarding a "F Biden" flag being flown in his neighborhood stating it was offensive. He stated he knew it fell under Freedom of Speech and under that, you have to support the right to that freedom even if the speech is something you may hate, but stated this was an ugly thing and was appealing to people's sense of decency.

E. NEW BUSINESS, DELETIONS OR CONTINUANCES TO THE AGENDA

City Manager Rooney stated Item G.2. – Presentation to Warriors for Freedom is being pulled from this agenda and would be rescheduled to a future agenda.

H. CONSENT AGENDA

- F.1 Approval of 05/03/2022 City Council Minutes.
- F.2 *Approval of 05/09/2022 City Council and MIA Special Meeting Minutes.
- F.3 Approval of 05/24/2022 City Council Special Meeting Minutes.
- F.4 *Claims List for FY2022.
- F.5 *Approval to Turn Past Due Utility Accounts over to Collection Agency.
- F.6 Approval to Turn Past Due Library Accounts over to Collection Agency.
- F.7 Approval of Resolution No. 22-028 making Changes in the Library Fund Budget by Making a Supplemental Appropriation to Increase the 2021-2022 Fiscal Year Budget by \$5,640.
- F.8 Approval of Resolution No. 22-029 making Changes in the Library Fund Budget by Making a Supplemental Appropriation to Increase the 2021-2022 Fiscal Year Budget by \$2,500.
- F.9 Approval of Resolution No. 22-030 making Changes in the Library Fund Budget by Making a Supplemental Appropriation to Increase the 2021-2022 Fiscal Year Budget by \$9,772.
- F.10 Approval of Resolution No. 22-034 making Changes in the Library Fund Budget by Making a Supplemental Appropriation to Increase the 2021-2022 Fiscal Year Budget by \$2,365.
- F.11 Approval of Resolution No. 22-031, a Resolution Authorizing Participation in the OMAG Recognition Program.
- F.12 Approval of Resolution No. 22-032, a Resolution Providing Notice of the Publication of Penal and other Ordinances of the City of Mustang, Oklahoma, in a Permanent, Bound Form and Volume; Providing that said Permanent Volume reflects all Ordinances through Ordinance Number 1251, Providing for the Deposit of said Permanent Volume in the Canadian County Law Library; and Providing for the Sale of Said Permanent Volume.
- F.13 Approval of Agreement between the City of Mustang and Mustang Public School System to Provide School Resource Officers for the 2022-2023 School Year.
- F.14 Approval of Interlocal Governmental Cooperation Agreement between the City of Mustang and the Canadian County Sheriff's Office for Renewal of FY2023 Inmate Housing Agreement.
- F.15 Approval of Radio System License Agreement Renewal for FY2023 between the City of Mustang and the City of Oklahoma City.
- F.16 Approval of Teen Space Usage Policy.

- F.17 *Approval of Agreement between the City of Mustang and the Mustang Improvement Authority and Larry and Norma Bledsoe authorizing Sale of Water by City to Customer, resident of Oklahoma City at 5909 Twin Fawn Trail.
- F.18 Acceptance of Streets Maintenance Bond for Symes Commercial Addition, Phase 2.
- F.19 Approval of Retirement from Oklahoma Municipal Retirement Fund (OkMRF) for Ronald Harness, Senior Building Inspector, from the Community Development Department.

Councilman Waugh pulled Item F-17 from the Consent Agenda.

MOTION was made by **Councilman Waugh**, seconded by **Councilman Leete**, to Approve the Consent Agenda Items F.1 thru F.16, and F-18 thru F-19.

AYE: Leete, Wald, Waugh, McKenzie, Sholund, Grider

NAY: None

MOTION was made by **Councilman Waugh**, seconded by **Councilman Wald**, to Approve the Consent Agenda Item F.17 with the inclusion of Fiscal Year 2021-2022 through Fiscal Year 2022-2023 being added as reference on page 2, Item 8.

AYE: Leete, Wald, Waugh, McKenzie, Sholund, Grider

NAY: None

G. INFORMATION/REPORTS

G.1 City Manager Report

City Manager Rooney requested Council to reserve July 26th on their calendar for a Council Work Session.

G.2 Presentation to Warriors for Freedom.

Pulled from Agenda under Item Item E.

G.3 City Council

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

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

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

Councilman Waugh thanked Mr. Almond for addressing the Council stating he had spoken to him about this issue for quite a while.

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

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

Mayor Grider stated there were a few Chamber of Commerce events coming up including events to meet candidates for local seats. He also stated the Governor would be speaking at next week's Positive Posse.

City Manager Rooney introduced *Nic Bailey* as the City's new Parks and Recreation Director, stating he had been the Assistant Director for the last few years.

H. DISCUSSION ITEMS

- H.1 *Public Hearing and Consideration of Resolution 22-033, Approving the Fiscal Year 2022-2023 Budget for the City of Mustang, Mustang Improvement Authority and Related Funds.

City Manager Rooney provided a summary of the budget highlights and stated the proposed budget has been available to the public since May 10th on the website along with any questions and answers regarding the budget. He thanked *Finance Director Watts* and Staff for all their hard work preparing it.

Mayor Grider opened the Public Hearing.

There being none, **Mayor Grider** Closed the Public Hearing.

MOTION was made by **Councilman Sholund**, seconded by **Councilman McKenzie**, to Approve Resolution 22-033.

AYE: Leete, Wald, Waugh, McKenzie, Sholund, Grider

NAY: None

H.2 Consideration to Declare Vehicle as Surplus and Authorize Disposal of Vehicle.

Assistant City Manager Battles stated the Fire Department recently put a new vehicle in service replacing a 2007 out of service Ford F-550 medium duty rescue. He stated Staff is requesting to declare the 2007 vehicle surplus and dispose of the vehicle in accordance with City and State regulations stating it would be placed on an auction site.

MOTION was made by **Councilman Leete**, seconded by **Councilman Waugh**, to Declare the Vehicle Surplus and Authorize Disposal of the Vehicle.

AYE: Leete, Wald, Waugh, McKenzie, Sholund, Grider

NAY: None

H.3 Consideration to Declare Vehicle Parts as Surplus and Authorize Disposal of Vehicle Parts.

Assistant City Manager Battles stated the Fire Department recently put in service a 2023 Chevy 1-ton light duty rescue unit stating items needed to be removed from the vehicle in order to create the rescue unit. Staff is requesting to declare the items surplus and dispose of them in accordance with City and State regulations stating the parts would be placed on an auction site.

MOTION was made by **Councilman Leete**, seconded by **Councilman Sholund**, to Declare the Vehicle Parts Surplus and Authorize Disposal of the Parts.

AYE: Leete, Wald, Waugh, McKenzie, Sholund, Grider

NAY: None

H.4 Consideration to Declare Old Fire Department Extrication Equipment as Surplus and Authorize Disposal of those Items.

Assistant City Manager Battles stated the Fire Department has transitioned from gasoline powered hydraulic extrication tools to electronic and no longer in need of the gasoline tools stating Staff is requesting to declare the items surplus and dispose of them in accordance with City and State regulations.

MOTION was made by **Councilman McKenzie**, seconded by **Councilman Leete**, to Declare the Extrication Equipment Surplus and Authorize Disposal of the Equipment.

AYE: Leete, Wald, Waugh, McKenzie, Sholund, Grider

NAY: None

- H.5 Consideration of Ordinance No. 1260, (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 Comanche, Oklahoma.

Assistant City Manager Battles stated the Police Department has two Chargers no longer in use and upon approval by Council, plans to sell to the City of Comanche for the amount of \$12,500 each. He stated the Ordinance declares the vehicles surplus and authorizes the sale of the vehicles.

MOTION was made by **Councilman McKenzie**, seconded by **Councilman Wald**, to Approve Ordinance No. 1260 and the Agreement for Sale of Vehicles to the City of Comanche.

AYE: Leete, Wald, Waugh, McKenzie, Sholund, Grider

NAY: None

- H.6 Public Hearing and Consideration of Ordinance No. 1257, an Ordinance of The City of Mustang Vacating and Closing an Easement Lying within the Southwest Quarter Of Section 25, Township 11 North, Range 5 West, I.M., City of Mustang, Oklahoma, as More Particularly Described Below; Declaring Repealer; And Providing for Severability.

Community Development Director Helsel stated the first reading for this Ordinance was held April 5th with a date for final consideration being set for this evening. She stated public notice was given as required by law with no responses being received.

Helsel stated an error was found in the survey and legal descriptions stating those are being corrected as well as a letter sent out to the Hunters who own the property to the east stating a response has not been received. She stated there is a sewer line along the property line and stated a 10 foot easement has been agreed upon by both parties to provide the City with access to that line. **Helsel** stated Staff recommends continuing this item to the July 12, 2022 City Council meeting until the survey and legal descriptions are corrected and the easement dedications signed by both parties.

Mayor Grider opened the Public Hearing.

There being none, **Mayor Grider** Closed the Public Hearing.

MOTION was made by **Councilman Wald**, seconded by **Councilman McKenzie**, to Continue Ordinance No. 1257 to the July 12, 2022, City Council meeting.

AYE: Leete, Wald, Waugh, McKenzie, Sholund, Grider
NAY: None

- H.7 *Consideration of Contract and Bonds for the Operation, Maintenance, and Management of the Water and Wastewater Treatment Facilities for the City of Mustang and Mustang Improvement Authority.

Assistant City Manager Battles stated the bids were accepted and awarded in the May 3rd City Council meeting stating this item was to approve the contract and bonds. He stated the bond provided in the packet has been updated and provided the updated copy to everyone for their review.

Battles stated the communication between the City and Wright Water Corp. has been great and stated every employee at the facility has been offered a job with a 10% raise stating all have accepted the offer except for two who chose to go to a different city.

MOTION was made by **Councilman Sholund**, seconded by **Councilman Wald**, to Approve the Contract and Bonds with Wright Water Corporation for project labeled Operation, Maintenance, and Management of the Water and Wastewater Treatment Facilities for the City of Mustang and Mustang Improvement Authority, and the Mayor be Authorized and Directed to Execute the Contract and Approve the Bonds.

AYE: Leete, Wald, Waugh, McKenzie, Sholund, Grider
NAY: None

- H.8 *Consideration of Contract and Bond for Maintenance and Operation of Public Streets and Mowing and Maintenance of Public Parks and Facilities.

Assistant City Manager Battles stated the bids were accepted and awarded in the May 3rd City Council meeting to Silver Star Construction Company stating the City has had a long relationship with Silver Star and very happy with their service and stated they go above and beyond to help.

Battles stated the motion, if to approve, needs to include a requirement that the bond Power of Attorney be provided.

MOTION was made by **Councilman McKenzie**, seconded by **Councilman Sholund**, to Approve the Contract and Bonds with Silver Star Construction Company, Inc. for project labeled Maintenance and Operation of Public Streets and Mowing and Maintenance of Public Parks and Facilities, and the Mayor Authorized and Directed to Execute the Contract and Approve the Bonds, with the Requirement that the Power of Attorney be provided.

AYE: Leete, Wald, Waugh, McKenzie, Sholund, Grider
NAY: None

H.9 *Consideration of Acceptance of Bids for Project Labeled Forster Drive Waterline Relocation.

Assistant City Manager Battles stated as part of the S. Mustang Road Project, W. Forster Drive was identified to be widened at the intersection stating a new turn lane will be included. He stated in order to widen the road, the utility relocations must be completed stating Cowan Engineering designed plans to relocate the existing waterline.

Battles stated bids were opened on May 24th with a total of four bids being received. He stated Pathfinder HDD LLC was very low compared to the other three bids and stated they are a boring company and chose to bore, therefore, not having to subcontract stating the City was comfortable with that number.

MOTION was made by **Councilman Wald**, seconded by **Councilman Waugh**, to Accept the Bids for the Project Labeled Forster Drive Waterline Relocation.

AYE: Leete, Wald, Waugh, McKenzie, Sholund, Grider
NAY: None

H.10 *Consideration of Award of Bid for Project Labeled Forster Drive Waterline Relocation.

Assistant City Manager Battles stated Staff recommends awarding to Pathfinder HDD LLC in the amount of \$67,668 stating Staff is confident in the bid submittal and the amount bid.

MOTION was made by **Councilman Sholund**, seconded by **Councilman McKenzie**, to Award the Bid for the Project Labeled Forster Drive Waterline Relocation to Pathfinder HDD, LLC in the amount of \$67,668.

AYE: Leete, Wald, Waugh, McKenzie, Sholund, Grider
NAY: None

I. MATTERS FOR EXECUTIVE SESSION:

- I.1 Discussion of *Royal Homes, LLC v. City of Mustang and City Council of the City of Mustang*, Case No. CJ-2022-13, District Court, Canadian County, State of Oklahoma; and, Proposed executive session as authorized by 25 Okla. Stat. § 307(B)(4).
- I.2 Discussion of *DHD Corp. v. City of Mustang and City Council of the City of Mustang*, Case No. CJ-2022-79, District Court, Canadian County, State of Oklahoma; and, Proposed executive session as authorized by 25 Okla. Stat. § 307(B)(4).
- I.3 *Consideration of City Attorney Employment Agreement; and, proposed Executive session as authorized by 25 Okla. Stat. §307(B)(1).

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

AYE: Leete, Wald, Waugh, McKenzie, Sholund, Grider
NAY: None

TIME ADJOURNED to Executive Session: **7:34 p.m.**

Mayor Grider called the meeting back into Session.

TIME RETURNED from Executive Session: **8:03 p.m.**

In reference to Item I.1 –

No Motion, Discussion Only.

In reference to Item I.2 –

No Motion, Discussion Only.

In reference to Item I.3 –

MOTION was made by **Councilman Sholund**, seconded by **Councilman McKenzie**, to Approve the City Attorney Employment Agreement.

AYE: Leete, Wald, Waugh, McKenzie, Sholund, Grider
NAY: None

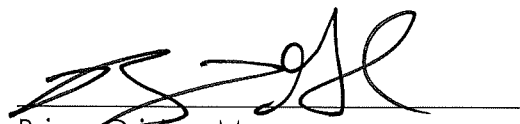
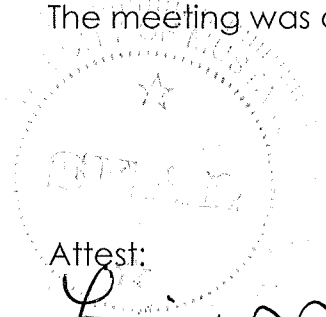
J. ADJOURNMENT

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

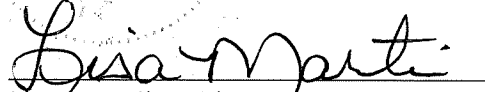
AYE: Leete, Wald, Waugh, McKenzie, Sholund, Grider

NAY: None

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


Brian Grider, Mayor

Attest:


Lisa Martin, City Clerk