

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

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- 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

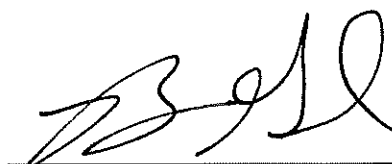
NAY: None

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



Attest: ☆


Lisa Martin, City Clerk


Brian Grider, Mayor