

**MUSTANG CITY COUNCIL
JUNE 2, 2020**

The Mustang City Council met in regular session on Tuesday, June 2, 2020, at 7:00 p.m. in the Mustang Municipal Building Council Chambers. Notice of the meeting was posted as required on Friday, May 29, 2020, at 10:45 a.m. in compliance with the Open Meeting Law, 25 O.S., Section 301, et. seq.

A. CALL TO ORDER

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

B. PLEDGE OF ALLEGIANCE/INVOCATION Jim Harris, Pastor, Clear Springs Church.

Pastor Harris led the assembly in the Pledge and Invocation. He thanked Council for all they do and especially at such a crazy time as this. He stated he leans on the Bible verse James 1:19 where it states to be quick to listen, slow to speak, and slow to anger stating he uses it as a personal guide for himself and would be good for all of us.

C. ROLL CALL

Councilmembers Present:	Ray
	Grider
	Jones
	McKenzie
	Sholund
	Schweinberg

Councilmembers Absent:	Teeple
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E. INTRODUCTION OF GUESTS/HEARING OF CITIZENS OR DELEGATES

None

E. NEW BUSINESS, DELETIONS OR CONTINUANCES TO THE AGENDA

None.

F. CONSENT AGENDA

1. Approval of **05/05/2020** City Council Minutes.
- *2. Claims List for **FY 2020**.
- *3. Approval to Turn **Past Due Utility Accounts** over to the Collection Agency.
4. Approval of **Resolution No. 20-031** making Changes in the Library Fund Budget by making a Supplemental Appropriation to Increase the 2019-2020 Fiscal Year Budget by \$1,500.
5. Approval of **Resolution No. 20-035** making Changes in the Library Fund Budget by making a Supplemental Appropriation to Increase the 2019-2020 Fiscal Year Budget by \$2,500.

6. Approval of **Resolution No. 20-036**, a Resolution of the City of Mustang Establishing the Nine-One-One (9-1-1) Emergency Telephone Fee Rate for Fiscal Year 2021.
7. **Acknowledgement of Transfer** of City Property, Glock Mod. 17 9mm S/N BGEU911, to Lieutenant Daniel Hall, Comm. #342 upon his resignation in good standing effective May 31, 2020, after 12 years of honorable service to the City of Mustang, which has been the historical past practice of the Police Department.
8. Approval to **Declare Certain Items as Surplus** and Authorize Disposal of those Items.
9. Approval of **Prisoners Public Works Project** Contract between the City of Mustang and the Oklahoma Department of Corrections.

MOTION was made by **Vice Mayor Grider**, seconded by **Councilman Sholund**, to Approve the Consent Agenda Items F-1 thru F-9.

AYE: Ray, Grider, Jones, McKenzie, Sholund, Schweinberg
NAY: None

G. INFORMATION/REPORTS

1. City Manager Report

a. City Manager Report

City Manager Rooney stated a blood drive would be held at Town Center next Tuesday, June 9, 2020, starting at 1:00 pm stating blood is definitely needed right now.

2. City Council Reports

a. City Council Reports

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

Councilman Ray congratulated *Parks and Recreation Director Heasley* for 20 years of service at the City stating he appreciates all she does.

Vice Mayor Grider stated he had received a few phone calls, but mostly in regards to when the City would be opening the parks, pool, and splash pad.

Councilman Jones stated it was wonderful to see people enjoying themselves outside again.

Councilman McKenzie stated he has personally dealt with racism; however, he did not condone the tearing up of businesses stating it does not help the cause.

Councilman Sholund stated he had a constituent call in regards to construction on Mustang Road making it difficult to see the stop signs. He stated he completed his Masters in Business Administration this week.

Mayor Schweinberg stated when first elected to City Council, *Assistant City Manager Battles* told him to pick a project in which he could be passionate stating he chose the Splash Pad. He stated it has been a long time coming and is great to see it built and to see so many families enjoying it. He also encouraged citizens to respect each other's space and to honor people's wishes who are still concerned with the pandemic. He told *Fire Chief Carruth* it was wonderful to see the new fire truck outside

H. DISCUSSION ITEMS

1. **Public Hearing** on Fiscal Year 2020-2021 Annual Budget for the City of Mustang, the Mustang Improvement Authority and Related Funds in Accordance with State Statutes.

Mayor Schweinberg opened the Public Hearing.

There being none, **Mayor Schweinberg** closed the Public Hearing.

City Manager Rooney provided a review of the proposed Fiscal Year 2020-2021 Annual Budget.

City Manager Rooney and **Council** thanked *Finance Director Watts* for her hard work preparing the budget, especially this year with the pandemic and oil crash.

2. **Discussion, Consideration and Possible Action** regarding **Resolution No. 20-033**, a Resolution of the City Council of the City of Mustang, Oklahoma, Supplementing Resolution No. 15-058 by Allowing a Limited Transfer from the Limited Purpose Fund to the City's General Fund; Establishing Limits and Guidelines; Providing an Effective Date; and Providing for Repealer.

Finance Director Watts stated this Resolution was needed in order to adopt the proposed Fiscal Year 2020-2021 budget stating it was a supplement to Resolution 15-058. She stated this Resolution allows the City to transfer from the Limited Purpose Fund to the City's General Fund during each fiscal year stating the City has sufficient funds in the Limited Purpose Fund in order to do this.

MOTION was made by **Councilman Ray**, seconded by **Councilman Sholund**, to Approve Resolution No. 20-033.

AYE: Ray, Grider, Jones, McKenzie, Sholund, Schweinberg

NAY: None

- *3. **Discussion, Consideration and Possible Action** regarding **Resolution No. 20-032**, Approving the Fiscal Year 2020-2021 Budget for the City of Mustang, Mustang Improvement Authority and Related Funds and Establishing Budget Amendment Authority.

MOTION was made by **Vice Mayor Grider**, seconded by **Councilman Jones**, to Approve Resolution No. 20-032.

AYE: Ray, Grider, Jones, McKenzie, Sholund, Schweinberg

NAY: None

- *4. **Discussion, Consideration and Possible Action** regarding Change Order #2 for Project labeled Mustang Animal Welfare Center.

Assistant City Manager Battles stated the change order increases the depth of footings and adds two additional floor drains as recommended by Miller-Tippens once soil testing was completed. He stated the additional \$5,003.63 would be taken out of the \$50,000 contingency.

MOTION was made by **Councilman Sholund**, seconded by **Councilman McKenzie**, to Approve Change Order #2 for Project labeled Mustang Animal Welfare Center.

AYE: Ray, Grider, Jones, McKenzie, Sholund, Schweinberg

NAY: None

5. **Public Hearing, Discussion, Consideration and Possible Action** regarding **Ordinance No. 1203**, 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-1" General Agricultural and Oil and Gas District to "R-1" Single Family District and, Declaring Repealer; Providing for Severability; and Declaring an Emergency. (Rezoning Application RZ-3-16-20-1-33, 1300-1400 Block S Czech Hall Road, Crafton Tull & Associates.)

Community Development Director Helsel stated the applicant was requesting to rezone approximately 40 acres from A-1 General Agricultural and Oil and Gas District to R-1 Single Family District to develop a sub-division containing 150 lots. She stated although the long range plan calls for R-E Rural Estates, Planning Commission and Staff felt R-1 would also be appropriate with property to the east and west being zoned R-1.

Mayor Schweinberg opened the Public Hearing.

There being none, **Mayor Schweinberg** closed the Public Hearing.

Councilmen Sholund and **McKenzie** voiced concerns regarding the size of homes and lots built under R-1 zoning and it possibly lowering property values in this area.

Discussion was held by other Councilmembers and the City Manager concerning this being a zoning request and not approval of house plans or lot sizes with it being stated R-1 would be appropriate zoning for this area as some of the surrounding property was also zoned R-1.

Mayor Schweinberg stated out of approximately 120 letters sent to surrounding property owners, only one person responded with concerns stating he appeared at the Planning Commission meeting where his concerns were discussed. **Schweinberg** stated no concerns have been received since then and no one is here this evening to address Council. He also stated Planning Commission voted unanimously to approve this rezoning request 6-0.

Brad Reid, Crafton Tull & Associates, 300 Parkway Boulevard, Oklahoma City, OK, applicant, addressed the Council providing information regarding the proposed rezoning stating in his experience, he had yet to see new development hurt existing property values and stated he felt they were meeting the current City ordinances.

Discussion was held concerning the issues of not approving the Emergency Clause. **City Manager Rooney** stated the ordinance would not take effect for 30 days instead of immediately and there would be additional expense in that the entire ordinance would have to be published in the newspaper.

MOTION was made by **Mayor Schweinberg**, seconded by **Vice Mayor Grider**, to Approve Ordinance No. 1203.

AYE: Ray, Grider, Jones, Schweinberg
NAY: McKenzie, Sholund

MOTION was made by **Mayor Schweinberg**, seconded by **Vice Mayor Grider**, to Declare an Emergency.

AYE: Ray, Grider, Jones, Schweinberg
NAY: McKenzie, Sholund

The Emergency Clause did not pass.

6. **Discussion, Consideration and Possible Action** regarding Preliminary Plat Application PP-3-16-20-1-33, Mustang Farms, 1300-1400 Block S Czech Hall Road, Crafton Tull & Associates, approximately 39.77 acres, 150 lots.

Community Development Director Helsel stated this was the property discussed in the previous rezoning item stating the lots as described meet R-1 code requirements. She stated there are three ingress/egress points to the subdivision stating the plat has been approved by Staff and the City Attorney. She stated Planning Commission voted unanimously to approve the preliminary plat and Staff also recommends approval.

MOTION was made by **Vice Mayor Grider**, seconded by **Mayor Schweinberg**, to Approve the Preliminary Plat.

AYE: Ray, Grider, Jones, Schweinberg
NAY: McKenzie, Sholund

7. **Discussion, Consideration and Possible Action** regarding Preliminary Plat Application PP-3-25-20-2-35, Wild Horse Canyon, 800-1200 Blocks S Sara Road, Best Choice Homes, approximately 70.639 acres, 277 lots.

Community Development Director Helsel stated this was the preliminary plat for Wild Horse Canyon located south of Industrial Gasket on Sara Road. She stated this was their second preliminary plat stating significant changes were made including an enlarged commercial area and a lift station in the southeast corner. She stated Council approved the previous preliminary plat. **Helsel** stated the lots meet the size requirements for R-1 Districts and the plat has been approved by Staff and the City Attorney. She stated Planning Commission voted unanimously to approve the preliminary plat and Staff also recommends approval.

MOTION was made by **Vice Mayor Grider**, seconded by **Councilman Sholund**, to Approve the Preliminary Plat.

AYE: Ray, Grider, Jones, McKenzie, Sholund, Schweinberg

NAY: None

8. **Discussion, Consideration and Possible Action** regarding **Ordinance No. 1204**, an Ordinance of the City of Mustang, Oklahoma, Amending Chapter 18, Article II, Section 18-31B to Require Onsite Debris Containers During Building Demolition, Remodel, Addition and Construction, and Renumbering certain Subsections; Providing for Repealer; Providing for Severability; and Declaring an Emergency.

Community Development Director Helsel stated this ordinance will require a minimum 4 square yard trash receptacle on construction sites to reduce trash and construction material, as well as trash blowing onto other properties. She stated the receptacle must be covered at night and on weekends and be emptied on a regular basis by a professional disposal service.

MOTION was made by **Vice Mayor Grider**, seconded by **Councilman Ray**, to Approve Ordinance No. 1204.

AYE: Ray, Grider, Jones, McKenzie, Sholund, Schweinberg

NAY: None

MOTION was made by **Vice Mayor Grider**, seconded by **Councilman Jones**, to Declare an Emergency.

AYE: Ray, Grider, Jones, McKenzie, Sholund, Schweinberg

NAY: None

9. **Discussion, Consideration and Possible Action** regarding **Ordinance No. 1205**, an Ordinance of the City of Mustang, Oklahoma, Amending Chapter 106, Article V, Section 106-298(8) of the Code of Ordinances of the City of Mustang, Oklahoma, to Provide for Wider Right-of-Way for Easement Purposes in Certain Circumstances; Declaring Repealer; Providing for Severability; and Declaring an Emergency.

Community Development Director Helsel stated this ordinance allows for wider street easements allowing the City or developer to require greater right-of-way widths in case of utility locations or preservation of trees.

Discussion was held regarding the current width requirements with **Helsel** stating on a collector street, the requirement is 60 feet and on a local street, the requirement is 50 feet. She provided further examples and clarification.

MOTION was made by **Vice Mayor Grider**, seconded by **Councilman McKenzie**, to Approve Ordinance No. 1205.

AYE: Ray, Grider, Jones, McKenzie, Sholund, Schweinberg

NAY: None

MOTION was made by **Councilman Ray**, seconded by **Councilman Sholund**, to Declare an Emergency.

AYE: Ray, Grider, Jones, McKenzie, Sholund, Schweinberg

NAY: None

10. **Discussion, Consideration and Possible Action** regarding **Ordinance No. 1206**, an Ordinance of the City of Mustang, Oklahoma, Amending Chapter 106, Article V, Section 106-300 of the Code of Ordinances of the City of Mustang, Oklahoma, to Provide Requirements for Utility Easements, Installations within Easements, and Use of Easements; Declaring Repealer; Providing for Severability; and Declaring an Emergency.

Community Development Director Helsel stated this ordinance corrects certain utility easement requirements to reflect current practices providing more detail about the size and location of easements on subdivision plats. She stated it was needed with regard to easement requirements along boundaries in subdivisions for front, rear and side yards stating most of this section had not been updated since 1977.

MOTION was made by **Councilman Sholund**, seconded by **Councilman McKenzie**, to Approve Ordinance No. 1206.

AYE: Ray, Grider, Jones, McKenzie, Sholund, Schweinberg
NAY: None

MOTION was made by **Vice Mayor Grider**, seconded by **Councilman Jones**, to Declare an Emergency.

AYE: Ray, Grider, Jones, McKenzie, Sholund, Schweinberg
NAY: None

11. **Discussion, Consideration and Possible Action** regarding **Resolution No. 20-037**, a Resolution of the City Council of the City of Mustang regarding the Community Development Block Grant (CDBG) 2020 Small Cities Program.

Community Development Director Helsel stated her Department was in the process of applying for a CDBG Grant from the Federal Department of Housing and Urban Development (HUD) and as part of this process, HUD requires a resolution of support from the City Council to apply for the grant.

MOTION was made by **Vice Mayor Grider**, seconded by **Councilman Jones**, to Approve Resolution No. 20-037.

AYE: Ray, Grider, Jones, McKenzie, Sholund, Schweinberg
NAY: None

12. **Discussion, Consideration and Possible Action** regarding **Resolution No. 20-038**, a Resolution of the City Council of the City of Mustang regarding Request for a Community Development Block Grant to Facilitate Development of Meadows Park, a "Pocket Park" within the City of Mustang, Oklahoma.

Community Development Director Helsel stated this resolution identifies Meadows Park as a pocket park located within Meadows Addition and primarily serving that addition stating it would allow Staff to submit a grant application for CDBG funds to the Federal Office of Housing and Urban Development. **Helsel** stated the plan for the CDBG grant would be to build a recreational trail in the park to include covered benches and safety lighting.

MOTION was made by **Councilman McKenzie**, seconded by **Councilman Sholund**, to Approve Resolution No. 20-038.

AYE: Ray, Grider, Jones, McKenzie, Sholund, Schweinberg
NAY: None

J. CITY ATTORNEY'S REPORT

None.

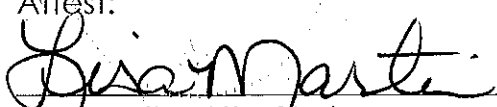
K. ADJOURNMENT

MOTION was made by **Vice Mayor Grider**, seconded by **Councilman Ray**, to adjourn.

AYE: Ray, Grider, Jones, McKenzie, Sholund, Schweinberg

NAY: None

The meeting was adjourned at **7:59 p.m.**

Attest:

Lisa Martin, City Clerk


Jess Schweinberg, Mayor