



Mustang City Council

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

Mustang City Council

MUSTANG CITY COUNCIL

Tuesday, August 02, 2022 - 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 07/12/2022 City Council Minutes.

F.2 Approval of 07/26/2022 City Council Special Meeting (Work Session) Minutes.

F.3 *Claims List for FY 2022.

F.4 *Claims List for FY 2023.

F.5 *Approval to Turn Past Due Utility Accounts over to Collection Agency.

F.6 Approval of Resolution No. 23-003 making Changes in the General Fund Budget by Making a Supplemental Appropriation to Increase the 2022-2023 Fiscal Year Budget by \$72,921.

F.7 Approval of Resolution No. 23-004 making Changes in the Park Improvement Fund Budget by Making a Supplemental Appropriation to Increase the 2022-2023 Fiscal Year Budget by \$30,000.

F.8 Approval of Resolution No. 23-005 making Changes in the Park & Recreation Donation Fund Budget by Making a Supplemental Appropriation to Increase the 2022-2023 Fiscal Year Budget by \$5,000.

F.9 Approval of Resolution No. 23-006 making Changes in the Limited Purpose Capital Fund Budget by Making a Supplemental Appropriation to Increase the 2022-2023 Fiscal Year Budget by \$551,549.

F.10 Approval of Resolution No. 23-007 making Changes in the Street & Drainage Fund Budget by Making a Supplemental Appropriation to Increase the 2022-2023 Fiscal Year Budget by \$30,712.

G. INFORMATION/REPORTS

G.1 City Manager Report

G.2 Presentation to Warriors for Freedom.

G.3 Presentation by Wild Horse Gardens & Market.

G.4 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 Third-Party Inspection Reporting Agreement between the City of Mustang and IROL Operations, Inc.
- H.2** Consideration of Purchase of Active Shooter Response Equipment.
- H.3** Consideration of Acceptance of Perpetual Easements from: (1) Larry D. Hunter and Nelda I. Hunter, Trustees of the Larry D. Hunter & Nelda I. Hunter Revocable Trust; and (2) The Rent Company, an Oklahoma corporation.
- H.4** 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.
- H.5** Consideration of Ordinance No. 1263, an Ordinance of the City of Mustang, Oklahoma Amending Chapter 18, Article VII of the Code of Ordinances of the City of Mustang, Oklahoma, by: (1) Amending Section 18-317 to Adopt the 2018 International Fuel Gas Code, as is Currently Adopted by the Oklahoma Uniform Building Code Commissioner pursuant to 59 O.S. §1000.23; (2) Amending Section 18-318 to Adopt City and State Amendments to the 2018 International Fuel Gas Code, all Regulating and Governing Fuel Gas Systems and Gas-fired Appliances and Providing for the Issuance of Permits and Collection of Fees therefor; Providing for Repealer and Severability; and Declaring an Emergency.

- H.6** Consideration of Ordinance No. 1264, an Ordinance of the City of Mustang, Oklahoma, Amending Chapter 18, Article II: (1) Section 18-31A to Adopt the 2018 International Building Code and Certain Appendices; (2) Section 18-31b to Adopt City and State Amendments to the 2018 International Building Code and Certain Appendices; (3) Section 18-32A to Adopt the 2018 International Existing Building Code and Certain Appendices; (4) Section 18-32B to Adopt City and State Amendments to the 2018 International Existing Building Code, All for the Purpose of Regulating and Governing the Conditions and Maintenance of all Property, Buildings and Structures by Providing the Standards for Supplied Utilities and Facilities and other Physical Things and Conditions Essential to Ensure that Structures are Safe, Sanitary and Fit for Occupancy and Use, and the Condemnation of Buildings and Structures Unfit for Human Occupancy and Use, and the Demolition of such Structures in the City of Mustang, Providing for the Issuance of Permits and Collection of Fees therefor, as herein provided; Providing for Repealer and Severability; and Declaring an Emergency.
- H.7** Consideration of Ordinance No. 1265, an Ordinance of the City of Mustang, Oklahoma, Amending Chapter 46, Article III of the Code of Ordinances of the City of Mustang: (1) Section 46-61 to Adopt the 2018 International Fire Code Regulating and Governing the Safeguarding of Life and Property from Fire and Explosion Hazards arising from the Storage, Handling and Use of Hazardous Substances, Materials and Devices, from Conditions Hazardous to Life or Property in the Occupancy of Buildings and Premises, and Providing for the Issuance of Permits and Collection of Fees therefor; (2) Section 46-62 to Adopt Amendments to the 2018 International Fire Code; and (2) Amending Section 46-63 to Reference and Adopt Certain Geographic Limits for the 2018 International Fire Code; Providing for Repealer and Severability; Declaring Existing Rights Unimpaired; Ordering Publication; and, Declaring an Emergency.
- H.8** Consideration of Ordinance No. 1266, an Ordinance of the City of Mustang, Oklahoma, Amending Chapter 18, Section IV, Division 1 of the Code of Ordinances of the City of Mustang by: (1) Amending Section 18-171 to Adopt the International Mechanical Code, 2018 Edition, Regulating and Governing the Design, Construction, Quality of Materials, Erection, Installation, Alteration, Repair, Location, Relocation, Replacement, Addition to, Use or Maintenance of Mechanical Systems, as herein provided and as currently Adopted by the Oklahoma Uniform Building Code Commission pursuant to 59 O.S. §1000.23, and Providing for the Issuance of Permits and Collection of Fees therefor; (2) Amending Section 18-172 to Identify Amendments to the International Mechanical Code, 2018 Edition, as Adopted by the City of Mustang and Adding Provision for Proceedings and Appeal to the Board of Adjustment; and (3) Repealing Sections

18-191 through 18-196 Creating the Mechanical Board; Providing for Repealer and Severability; Protecting Existing Rights; and Declaring an Emergency.

- H.9** Consideration of Ordinance No. 1267, an Ordinance of the City of Mustang, Oklahoma, Amending Chapter 18, Article III, Section 18-61 of the Code of Ordinances of the City of Mustang to Adopt the 2020 National Electrical Code, and Certain Amendments thereto Providing Standards for and Governing Electrical Systems, Wiring Design, Protection and Installation Methods, Regulating Electrical Materials, Equipment, Special Equipment and Other Physical Things and Conditions Essential to Ensure that such Systems are Safe and Fit for Use as herein provided, as Currently Adopted by the Oklahoma Uniform Building Code Commission pursuant to 59 O.S. §1000.23, and Providing for the Issuance of Permits and Collection of Fees therefor; Repealing All Ordinances and Parts of the Ordinances in Conflict therewith; Providing for severability; and Declaring an Emergency.
- H.10** Consideration of Ordinance No. 1268, an Ordinance of the City of Mustang, Oklahoma Amending Chapter 18, Article V, Division 1 of the Code of Ordinances of the City of Mustang by Amending: (1) Section 18-221 to Adopt the 2018 International Plumbing Code, as currently Adopted and Amended by the Oklahoma Uniform Building Code Commission pursuant to 59 O.S. §1000.23, Providing for the Issuance of Permits and Collection of Fees therefor; and (2) Section 18-222 to Adopt City and State Amendments to the 2018 International Plumbing Code; providing for Repealer and Severability; and Declaring an Emergency.
- H.11** Consideration of Ordinance No. 1269, an Ordinance of the City of Mustang, Oklahoma, Amending Chapter 18, Article II: (1) Section 18-33.A to Adopt the 2018 International Residential Code for One- and Two-Family Dwellings,, including Commentaries and Appendix H (Patio Covers), Appendix J (Existing Buildings and Structures), and Appendix U (Automatic Fire Sprinkler Systems) Regulating and Governing the Construction, Alteration, Movement, Enlargement, Replacement, Repair, Equipment, Location, Removal and Demolition of Detached One- and Two-Family Dwellings and Multiple Single-Family Dwellings (Townhouses) not more than Three Stories in Height with Separate Means of Egress in the City of Mustang; and (2) Section 18-33.B Adopting City and State Amendments to the 2018 International Residential Code for One- and Two-Family Dwellings; Providing for Repealer and Severability; and Declaring an Emergency.

- H.12** Consideration of Ordinance No. 1270, an Ordinance of the City of Mustang, Oklahoma, Amending the Code of Ordinances of the City of Mustang, Oklahoma, Chapter 106, Article VII, Section 106-444(i) to Require Installation of Fire Department Connections be Approved by the Fire Marshal and to Except Existing Buildings Retrofitted with Sprinkler Systems from the Distance Requirement to a Fire Hydrant; Declaring Repealer; Providing for Severability; and Declaring an Emergency.
- H.13** Consideration of Ordinance No. 1271, an Ordinance of the City of Mustang, Oklahoma, Amending Chapter 122, Article II, Sections 122-124(a)(1), 122-130 and 122-131 to Authorize the Board of Adjustment to Hear Appeals from Administrative Decisions of Code Enforcement Officers and Establish Procedures for such Appeals; Providing for Repealer; Providing for Severability; and Declaring an Emergency.
- H.14** *Consideration of Contract and Bonds for Project Labeled Lift Station No. 4.
- H.15** *Consideration of Contract and Bonds for Project Labeled W. Forster Drive Roadway Reconstruction.

I. MATTERS FOR EXECUTIVE SESSION

- I.1** Consideration of certain litigation involving the City of Mustang, Oklahoma, and certain opioid manufacturers, retailers and distributors, including but not limited to: (1) City of Mustang v. Purdue Pharma L.P., et al., Case No. CIV-19-339, United State District Court, W.D. Oklahoma; (2) In re National Prescription Opiate Litigation, Case No. 1:17-MD-2804, United States District Court, N. D. Ohio; (3) In re Insys Therapeutics, Inc., et al., Case No. 19-11292, United State Bankruptcy Court, D. Delaware; (4) In re Purdue Pharma, L.P., et al., Case No. 19-23649, United States Bankruptcy Court, S.D. New York; and (3) In re Mallinckrodt PLC, et al., Case No. 20-12522, United State Bankruptcy Court, D. Delaware; and, proposed executive session as authorized by 25 Okla. Stat. §307(B)(4).

- I.2** Consideration of Resolution No. 23-008, a Resolution of the City of Mustang approving participation by the City of Mustang in the Distributors Oklahoma Settlement Agreement, authorizing and approving the settlement and release of claims asserted by the City of Mustang against certain opioid manufacturers and distributors, including McKesson Corporation, Cardinal Health, Inc., and AmerisourceBergen, and authorizing and directing the Mayor of the City of Mustang to execute the Settlement Participation Form included as Exhibit G to the Distributors Oklahoma Settlement Agreement, the Memorandum of Understanding Regarding Certain Opioid Litigation Proceeds with the State of Oklahoma (the “Sharing Agreement”) and Addendum to the Sharing Agreement Regarding Certain Opioid Litigation Proceeds, and ratifying the prior actions of its legal counsel in executing documents necessary for the City of Mustang, Oklahoma, to participate in such settlement agreement.
- I.3** Consideration of Resolution No. 23-009, a Resolution of the City of Mustang approving participation by the City of Mustang in the Janssen Oklahoma subdivision Oklahoma Opioid Settlement Agreement, authorizing and approving the settlement and release of claims asserted by the City of Mustang against opioid manufacturers and distributors, including Johnson & Johnson, Janssen Pharmaceuticals, Inc., Ortho-McNeil Janssen Pharmaceuticals, Inc., and Janssen Pharmaceutica, Inc., and directing the Mayor of the City of Mustang to execute the Janssen Oklahoma Subdivision Opioid Settlement Agreement as Exhibit C, and authorizing its counsel to take all actions required by Exhibit C and the Janssen Oklahoma Subdivision Opioid Settlement Agreement to effectuate the Janssen Oklahoma Subdivision Opioid Settlement Agreement for the benefit of City of Mustang, Oklahoma.
- I.4** Consideration of Warrant of Authority providing authority to legal counsel in connection with resolution of City of Mustang claims in *In re Mallinckrodt PLC, et al.*, Case No. 20-12522, United State Bankruptcy Court, D. Delaware; and, proposed executive session as authorized by 25 Okla. Stat. §307(B)(4).
- I.5** Consideration regarding City Manager's Employment Contract; and, proposed Executive Session as authorized by 25 Okla. Stat. 307(B)(1).

J. ADJOURNMENT

Note:

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