

**MUSTANG CITY COUNCIL
MAY 4, 2021**

The Mustang City Council met in regular session on Tuesday, May 4, 2021, at 7:00 p.m. in the Mustang Municipal Building Council Chambers. Notice of the meeting was posted as required on Friday, April 30, 2021, at 10:20 a.m. and 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 James Waugh, Pastor, Lakehoma Church of Christ

Pastor Waugh led the assembly in the Pledge and Invocation. He stated the Church adopted Centennial Elementary School stating they gave out 89 Blessing Baskets at the school and was very proud of his congregation. He stated they also help the Fire Department each year at the Freedom Celebration stating the Church has a desire to reach out and serve.

C. ROLL CALL

Councilmembers Present:	Ray
	Teeples
	Grider
	Jones
	McKenzie
	Sholund
	Schweinberg

Councilmembers Absent:	None
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D. PRESENTATION AND RECOGNITION

Presentation of Plaque and Recognition of Outgoing Mayor Jess Schweinberg.

Vice Mayor Grider presented a plaque to *Mayor Schweinberg* thanking him for his service and leadership. **Mayor Schweinberg** thanked everyone and told Council to ask themselves why they are doing this job and if it is for the title, then they are doing it for the wrong reason and reminded them they represent the whole city.

E. OATH OF OFFICE

E.1 Oath of Office

Mayor Schweinberg swore in Mayor Brian Grider;

Mayor Grider swore in Councilmembers:

Ward I Councilmember Michael Ray;
Ward III Councilmember James Wald

E.2 Election of Vice Mayor

MOTION was made by **Mayor Grider**, seconded by **Councilman Wald**, to Elect *Councilman Ray* as Vice Mayor.

Mayor Grider opened the item for discussion. **Councilman Sholund** asked that he be considered for the position as well.

Roll Call was taken for the motion on the floor to Elect *Councilman Ray* as Vice Mayor:

AYE: Grider, Ray, Wald, Jones

NAY: Teeples, McKenzie, Sholund

F. INTRODUCTION OF GUESTS/HEARING OF CITIZENS/DELEGATES

Bryce Henderson, 639 W. Linden Dr, addressed the Council regarding the possibility of a skate park being built in Mustang and provided background regarding the sport as well as discussion regarding revenue generated from competitions.

Discussion was held regarding the area needed for a skate park with Mr. Henderson stating about a third of a football field and maybe add on as you go if possible.

G. NEW BUSINESS, DELETIONS OR CONTINUANCES TO THE AGENDA

None

H. CONSENT AGENDA

- H.1 Approval of 04/06/2021 City Council Minutes.
- H.2 *Claims List for FY 2021.
- H.3 *Approval to Turn Past Due Utility Accounts over to Collection Agency.
- H.4 Approval to Turn Past Due Library Accounts over to Collection Agency
- H.5 Acceptance of Umpire Building Donated by the Mustang Youth Sports Association to Wild Horse Park Baseball Complex.
- H.6 Acceptance of Donation from the Youth Soccer Association in the amount of \$5,000.00 for the Purchase of a Fence for the Soccer Complex.
- H.7 Approval to Nominate Mr. Mike Bailey and Mr. Craig Stephenson to the Oklahoma Municipal Assurance Group (OMAG) Board of Trustees.
- H.8 Approval of Retirement from Oklahoma Municipal Retirement Fund (OkMRF) for Gayla Early, Court Clerk.

MOTION was made by **Vice Mayor Ray**, seconded by **Councilman Sholund**, to Approve the Consent Agenda Items H-1 thru H-8.

AYE: Ray, Teeples, Wald, Jones, McKenzie, Sholund, Grider

NAY: None

I. INFORMATION/REPORTS

- I.1 City Manager Report

City Manager Rooney reminded Council of the OMAG Recognition training to be held June 15, 2021, stating the time would be either 5:30 or 6:00 pm.

- I.2 City Council Reports

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

Vice Mayor Ray did not have anything to report at this time.

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

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

Councilman Jones stated he was pleased to see so many here tonight and congratulated Mayor Grider.

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

Councilman Sholund congratulated Mayor Grider and Vice Mayor Ray.

Mayor Grider thanked everyone for attending and thanked the Council and former Mayor Schweinberg for his service and mentoring.

- I.3 Appointment of One (1) Member and One (1) Alternate to the ACOG Board of Directors and its Committees, the OEMA Board of Directors, and the Traffic Commission.

MOTION was made by **Mayor Grider**, seconded by **Councilman Sholund**, to Appoint Mayor Grider as Member and Appoint Vice Mayor Ray as Alternate Member to the ACOG Board of Directors and its Committees.

AYE: Ray, Teeples, Wald, Jones, McKenzie, Sholund, Grider

NAY: None

MOTION was made by **Vice Mayor Ray**, seconded by **Councilman Jones**, to Appoint City Manager Rooney as Member and Appoint Assistant City Manager Battles as Alternate Member to the OEMA Board of Directors.

AYE: Ray, Teeples, Wald, Jones, McKenzie, Sholund, Grider

NAY: None

MOTION was made by **Mayor Grider**, seconded by **Councilman Sholund**, to Appoint Councilman Teeples as Member to the Traffic Commission.

AYE: Ray, Teeples, Wald, Jones, McKenzie, Sholund, Grider

NAY: None

J. DISCUSSION ITEMS

- J.1 Public Hearing, Discussion, Consideration and Possible Action, including, but not limited to, Approval, Denial, Amendment, Revision or Conditional Approval, in Whole or in Part of Ordinance No. 1223, 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-E, Rural Estates District," and Declaring Repealer, Providing for Severability and Declaring an Emergency.

Community Development Director Helsel stated the applicant is requesting to rezone a 5.2 acre parcel located on the south side of E. SW 59th Street between Morgan Road and County Line Road. She stated the purpose is to split the tract into three housing lots stating it was in line with the surrounding area. **Helsel** also provided information regarding surrounding property as well as utilities and services.

Mayor Grider opened the Public Hearing.

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

MOTION was made by **Councilman Teeples**, seconded by **Vice Mayor Ray**, to Approve Ordinance No. 1223.

AYE: Ray, Teeples, Wald, Jones, McKenzie, Sholund, Grider

NAY: None

MOTION was made by **Councilman Teeples**, seconded by **Councilman McKenzie**, to Declare an Emergency.

AYE: Ray, Teeples, Wald, Jones, McKenzie, Sholund, Grider

NAY: None

- J.2 Discussion, Consideration and Possible Action, including, but not limited to, Approval, Denial, Amendment, Revision or Conditional Approval, in Whole or in Part of Resolution No. 21- 045, a Resolution of the City of Mustang, Oklahoma, Commemorating the 1921 Tulsa Race Massacre.

City Manager Rooney provided background regarding the 1921 Tulsa Race Massacre stating the proposed Resolution was provided to the Oklahoma Municipal League (OML) by the City of Mustang and was then distributed to all communities in Oklahoma by OML in hopes that many of them would stand with the City of Tulsa in commemorating this dark day in its history and the history of Oklahoma.

Mayor Grider read the Proclamation out loud.

Councilman McKenzie encouraged anyone who had not visited Tulsa's Greenwood District to do so and stated he was discouraged regarding HB 1775 regarding teachers being prohibited from teaching certain messages about race and hoped the bill would be vetoed by the Governor.

MOTION was made by **Councilman McKenzie**, seconded by **Councilman Sholund**, to Approve Resolution 21-045.

AYE: Ray, Teeples, Wald, Jones, McKenzie, Sholund, Grider
NAY: None

- J.3 Discussion, Consideration and Possible Action, including but not limited to Amendment, Modification, Conditional Approval or Rejection, in Whole or in Part, of Proposed Addendum to Video Services Agreement between the City of Mustang and Southwestern Bell Telephone Company d/b/a AT&T Oklahoma.

City Attorney Miller stated the City entered into an agreement with Southwestern Bell Telephone Company (SWBT) d/b/a AT&T in October, 2007, regarding their U-Verse services through IP-Enabled Video Services and agreed to pay to the City a 5% fee on revenues from this new service. He stated the agreement was for an initial term of five years stating it was not renewed at the end of the five years, but SWBT continued to pay the fee. **Miller** stated SWBT requested a formal renewal of the agreement for an additional five year term.

MOTION was made by **Councilman Sholund**, seconded by **Councilman McKenzie**, to Approve the Addendum to Video Services Agreement between the City of Mustang and Southwestern Bell Telephone Company d/b/a ATT Oklahoma.

AYE: Ray, Teeples, Wald, Jones, McKenzie, Sholund, Grider
NAY: None

- J.4 Discussion, Consideration and Possible Action, including, but not limited to, Approval, Denial, Amendment, Revision or Conditional Approval, in Whole or in Part of Ordinance No. 1222, an Ordinance Adopting an Employee Retirement System, Defined Contribution Plan for the City of Mustang, Oklahoma; Providing Retirement Benefits for Eligible Employees of the City of Mustang, Oklahoma; Providing for Purpose and Organization; Providing for Definitions; Providing for Eligibility and Participation; Providing for Employer and Employee Contributions; Providing for Accounting, Allocation, and Valuation; Providing Benefits; Providing for Required Notice; Providing for Amendments and Termination; Providing for Transfer to and from Other Plans; Creating a Committee and Providing for Powers, Duties, and Rights of Committee; Providing for Payment of Certain Obligations; Providing for Duration and Payment of Expenses; Providing for Effective Date; Providing for Vesting Schedules; Providing for a Fund to Finance the System to be Pooled with Other Incorporated Cities, Towns and their Agencies and Instrumentalities for Purposes of Administration, Management, and Investment as Part of the Oklahoma Municipal Retirement Fund; Providing for Payment of All

Contributions under the System to the Oklahoma Municipal Retirement Fund for Management and Investment; Providing for Non-Alienation of Benefits and Loss of Benefits for Cause; Providing for Non-Alienation of Benefits and Loss of Benefits for Cause; Adopting those Amendments Mandated by the Internal Revenue Code; Providing for Repealer and Severability; and Declaring an Emergency.

City Manager Rooney stated the Defined Contribution Plan is a voluntary supplemental plan in addition to the City's retirement system stating the City would match the employee's contribution up to 2% of the employee's pay. He stated the plan would go into effect August 1, 2021, and funds are included in the proposed budget. **Rooney** stated the supplemental plan was open to uniform and non-uniform employees.

Councilman Sholund stated he had met with the City Manager previously about what could be done for City employees stating he wholeheartedly supported this.

MOTION was made by **Councilman Sholund**, seconded by **Councilman Jones**, to Approve Ordinance No. 1222.

AYE: Ray, Teeples, Wald, Jones, McKenzie, Sholund, Grider
NAY: None

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

AYE: Ray, Teeples, Wald, Jones, McKenzie, Sholund, Grider
NAY: None

- J.5 Discussion, Consideration and Possible Action, including, but not limited to, Approval, Denial, Amendment, Revision or Conditional Approval, in Whole or in Part of Master Defined Contribution Plan Joinder Agreement between the City of Mustang and the Oklahoma Municipal Retirement Fund.

City Manager Rooney stated this is the Joinder Agreement that goes with Ordinance No. 1222 in item J.4.

MOTION was made by **Mayor Grider**, seconded by **Councilman McKenzie**, to Approve the Master Defined Contribution Plan Joinder Agreement between the City of Mustang and the Oklahoma Municipal Retirement Fund.

AYE: Ray, Teeples, Wald, Jones, McKenzie, Sholund, Grider
NAY: None

K. MATTERS FOR EXECUTIVE SESSION

- K.1 Discussion, Consideration and Possible Action, including, but not limited to, Approval, Denial, Amendment, Revision or Conditional Approval, in Whole or in Part of FY 2021-22 Bargaining Agreement between the City of Mustang and the International Association of Fire Fighters (IAFF); and proposed Executive Session as authorized by 25 Okla. Stat. §307(B)(1).
- K.2 Discussion, Consideration and Possible Action, including, but not limited to, Approval, Denial, Amendment, Revision or Conditional Approval, in Whole or in Part of Oklahoma Municipal Retirement Fund Plan Amendment regarding Terms of Employment of an IT Director; 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: Ray, Teeples, Wald, Jones, McKenzie, Sholund, Grider

NAY: None

TIME ADJOURNED to Executive Session: **7:52 p.m.**

Mayor Grider called the meeting back in session at **8:09 p.m.**

In reference to Item K.1 –

MOTION was made by **Councilman Sholund**, seconded by **Councilman Wald** to Proceed as Discussed in Executive Session.

AYE: Ray, Teeples, Wald, Jones, McKenzie, Sholund, Grider

NAY: None

In reference to Item K.2 –

MOTION was made by **Vice Mayor Ray**, seconded by **Councilman McKenzie** to Proceed as Discussed in Executive Session.

AYE: Ray, Teeples, Wald, Jones, McKenzie, Sholund, Grider

NAY: None

L. DISCUSSION ITEMS (CONTINUED)

- L.1 Discussion, Consideration and Possible Action, including, but not limited to, Approval, Denial, Amendment, Revision or Conditional Approval, in Whole or in Part of Ordinance No. 1224, an Ordinance Amending the Employee Retirement System, Defined Benefit Plan for City of Mustang, Oklahoma; Providing Retirement Benefits for Eligible employees of City of Mustang, Oklahoma; Pertaining to the Definition of Compensation; Pertaining to Vesting for IT Director; Providing for Repealer and Severability; and Declaring an Emergency.

City Manager Rooney stated this ordinance amended the Employee Retirement System pertaining to the definition of compensation and vesting for the IT Director.

MOTION was made by **Vice Mayor Ray**, seconded by **Councilman Jones**, to Approve Ordinance No. 1224.

AYE: Ray, Teeples, Wald, Jones, McKenzie, Sholund, Grider

NAY: None

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

AYE: Ray, Teeples, Wald, Jones, McKenzie, Sholund, Grider

NAY: None

- L.2 Discussion, Consideration and Possible Action, including, but not limited to, Approval, Denial, Amendment, Revision or Conditional Approval, in Whole or in Part of Master Defined Contribution Plan Joinder Agreement between the City of Mustang and the Oklahoma Municipal Retirement Fund

City Manager Rooney stated this is the Joinder Agreement that goes with Ordinance No. 1224 in item L.1.

MOTION was made by **Councilman Sholund**, seconded by **Councilman McKenzie**, to Approve the Master Defined Contribution Plan Joinder Agreement between the City of Mustang and the Oklahoma Municipal Retirement Fund.

AYE: Ray, Teeples, Wald, Jones, McKenzie, Sholund, Grider

NAY: None

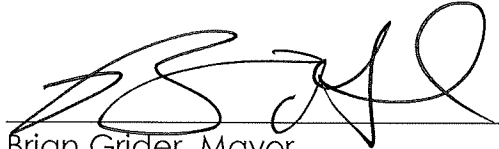
K. ADJOURNMENT

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

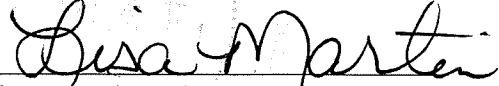
AYE: Ray, Teeples, Wald, Jones, McKenzie, Sholund, Grider

NAY: None

The meeting was adjourned at **8:11 p.m.**


Brian Grider, Mayor

Attest:


Lisa Martin, City Clerk