

AGENDA

A. CALL TO ORDER

B. PLEDGE OF ALLEGIANCE/INVOCATION

Jim McNabb, Pastor, The Bridge Assembly of God

C. ROLL CALL

D. 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.

1. Approval of **08/07/2018** City Council Minutes

E. APPOINTMENT

1. **Discussion, Consideration and Possible Action** regarding Appointment of Councilmember to Represent Ward 5.

F. OATH OF OFFICE

1. **Oath of Office** for Ward 5 Councilmember Appointee.

At this time, the newly appointed Councilmember will take his seat.

G. INTRODUCTION OF GUESTS/HEARING OF CITIZENS OR DELEGATES

H. NEW BUSINESS, DELETIONS OR CONTINUANCES TO THE AGENDA

J. 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.

- *1. Claims List for **FY 2018**
- *2. Claims List for **FY 2019**
- *3. Approval to Turn **Past Due Utility Accounts** over to the Collection Agency.
4. Approval to Turn **Past Due Library Accounts** over to the Collection Agency.

5. Approval of **Resolution No. 19-009** making Changes in the Limited Purpose (Capital) Fund Budget by making a Supplemental Appropriation to Increase the 2018-2019 Fiscal Year Budget by \$21,500.
6. Approval of **Resolution No. 19-010** making Changes in the General Fund Budget by making a Supplemental Appropriation to Increase the 2018-2019 Fiscal Year Budget by \$2,500.
7. Approval of **Resolution No. 19-011** making Changes in the General Fund Budget by making a Supplemental Appropriation to Increase the 2018-2019 Fiscal Year Budget by \$229,050.
8. Approval of **Resolution No. 19-012** making Changes in the Library Fund Budget by making a Supplemental Appropriation to Increase the 2018-2019 Fiscal Year Budget by \$38,333.
9. Approval of **Resolution No. 19-013** making Changes in the Park Improvement Fund Budget by making a Supplemental Appropriation to Increase the 2018-2019 Fiscal Year Budget by \$35,000.
10. Approval of **Resolution No. 19-014** making Changes in the Limited Purpose (Capital) Fund Budget by making a Supplemental Appropriation to Increase the 2018-2019 Fiscal Year Budget by \$126,527.
11. Approval of **Resolution No. 19-015** making Changes in the Library Fund Budget by making a Supplemental Appropriation to Increase the 2018-2019 Fiscal Year Budget by \$4,392.
12. Approval of **Amended Agreement** between the City of Mustang and Mustang Public School System Providing Two (2) School Resource Officers for the FY 2019 School Year.
13. Approval of **Facility User Agreement** for City of Mustang Sports Facilities.
14. Acceptance of **New Fitness Equipment** Donated to the Mustang Fire Station by Mr. Ted Weber with Weber Accounting.

K. INFORMATION/REPORTS

1. City Manager Report
Included in Agenda packet.
2. City Council
 - a. Approval of **Proclamation** declaring September 17 through September 23, 2018, as "Constitution Week".
 - b. Approval of **Proclamation** declaring September 10, 2018 as "Toastmaster's Day".
 - c. City Council Reports

L. DISCUSSION ITEMS

1. **Discussion, Consideration and Possible Action** regarding Approval of Preliminary Plat Application PP-7-12-18-1-25, Prairie Hills Estates Addition, Premium Land, LLC, NE/4 Section 25, T11N, R5W, Approximately 50.97 acres, 188 lots.
2. **Discussion, Consideration and Possible Action** regarding Approval of Preliminary Plat Application PP-7-31-18-2-33, Mustang Commercial Park, 500-600 Block W. State Highway 152, 3 Lots, Gary Owens Carpet & Construction, 11.58 acres.
3. **Discussion, Consideration and Possible Action** regarding Approval of Final Plat Application FP-7-31-18-2-33, Mustang Commercial Park, 500-600 Block W. State Highway 152, 3 Lots, Gary Owens Carpet & Construction, 11.58 acres.
4. **Discussion, Consideration and Possible Action** regarding Approval of Final Plat Application FP-8-1-18-2-27, Pine Canyon Addition, B & J Investments, LLC, Section 27, Approx. 24.97 acres, 76 lots.
5. **Discussion, Consideration and Possible Action** regarding Approval of **Ordinance No. 1172**, an Ordinance of the City of Mustang, Oklahoma, Amending Chapter 6 of the Mustang Code of Ordinances by Repealing Chapter 6, Articles I through IV in their Entirety, and Enacting New Chapter 6, Articles I through III, Establishing Rules and Procedures, Creating Occupation Fees, and Establishing Violations, for ABLE Commission Licensees; Amending Chapter 38, Section 38-38(A)(2) to Change Terms to be consistent with Current Law; Amending Chapter 42, Section 42-6 to Set the Amounts of Occupation Fees for ABLE Commission Licensees; Amending Chapter 1, Section 1-8 to make Maximum Fines and Penalties consistent with State Law; Declaring Repealer; Providing for Severability; and Declaring an Emergency.
6. **Discussion, Consideration and Possible Action** regarding Approval of **Ordinance No. 1173**, an Ordinance of the City of Mustang, Oklahoma: (1) Amending Chapter 22 of the Mustang Code of Ordinances by Adding New Article V Creating Permitting and Licensing Requirements for Retailers, Commercial Growers, Processors and Personal Users of Medical Marijuana, Establishing Permit Fees, and Establishing Location Restrictions and Conditions of Operation; (2) Amending Chapter 122 by Amending Sections 122-212, 122-472 and 122-641 to Include Uses within Zoning Districts for Retailers, Commercial Growers and Processors of Medical Marijuana; and (3) Amending Chapter 42, Section 42-22 by Adding New Subsection 42-22(4) to Set Permit Fees for Retailers, Commercial Growers, Processors, and Personal Users of Medical Marijuana; Declaring Repealer; Providing for Severability; and Declaring an Emergency.

7. **Discussion, Consideration and Possible Action** regarding Approval of **Ordinance No. 1174**, an Ordinance of the City of Mustang, Oklahoma, Amending (1) Chapter 122, Article II, by Amending Section 122-54 to Revise Procedures for Hearing, Consideration and Action on Petitions for Zoning Amendments before the Planning Commission and the City Council; (2) Chapter 18, Article IV, Section 18-312 to Revise Procedures for Hearing, Consideration and Review of Recommendations by Planning Commission on Applications for Permits to Move Buildings; (3) Chapter 74, Article II, Section 74-74 to Revise Procedures for Hearing, Consideration and Review of Recommendations by Planning Commission of Applications for Drilling Permits; (4) Chapter 106, Article III, Section 106-149(b) to Revise Procedures for Hearing, Consideration and Review of Recommendations of Planning Commission on Preliminary Plats; (5) Chapter 106, Article III, Section 106-178 to Revise Procedures for Hearing, Consideration and Review of Recommendations of Planning Commission on Final Plats; (6) Chapter 122, Article II, Section 122-73(c) to Revise Procedures for Hearing, Consideration and Review of Recommendations of Planning Commission on Applications for Special Use Permits; Providing for Repealer and Severability; and Declaring an Emergency.
8. **Discussion, Consideration and Possible Action** regarding First Reading and Setting Date for Consideration of **Ordinance No. 1175** an Ordinance of the City of Mustang, Oklahoma, Amending the Code of Ordinances of the City of Mustang, Oklahoma, by Vacating and Closing an Easement Lying on the South Side of Block 4 of Stewart's Addition, as more Particularly described in the Ordinance; Declaring Repealer; Providing for Severability; and Declaring an Emergency.

M. CITY ATTORNEY'S REPORT

1. **Discussion, Consideration and Possible Action** regarding Potential Purchase and Acceptance of Permanent and Temporary Easements and Authorization for Mayor and City Staff to Execute Necessary Documents to Accomplish the Same; and, Proposed Executive Session as Authorized by 25 Okla. Stat. §307(B)(3).
2. **Discussion** of *John D. Gatliff and Joetta E. Gatliff v. City of Mustang, et al.*, Case No. CJ-2015-217, District Court, Canadian County, Oklahoma; and, proposed executive session as authorized by 25 Okla. Stat. §307(B)(4).
3. **Discussion, Consideration and Possible Action** regarding Application for Forced Pooling filed by Roan Resources LLC, Cause CD No. 201806539, Corporation Commission, State of Oklahoma; and, proposed Executive Session as authorized by 25 Okla. Stat. §307(4).

N. ADJOURNMENT

**MUSTANG CITY COUNCIL
AUGUST 7, 2018**

The Mustang City Council met in regular session on Tuesday, August 7, 2018, at 7:00 p.m. in the Mustang Municipal Building Council Chambers. Notice of the meeting was posted as required on Friday, August 3, 2018, at 10:50 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 Dave Bryan, Pastor, Chisholm Heights Baptist Church

Pastor Bryan led the assembly in the Pledge and Invocation. He stated everything was going well at the Church and stated he was expecting a new grandson on Friday.

C. ROLL CALL

Councilmembers Present:	Pratt
	Leete
	Grider
	Ward V - Vacant
	Noblitt
	Schweinberg

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

Troy Shilling, 944 W. Jonathan Way, addressed the Council regarding speeding in his neighborhood and the City's speed table process. He stated he was not sure his neighborhood would meet all the requirements to be approved for speed tables, for instance 400 vehicles per day, and asked the Council to revisit the policy with the understanding each neighborhood is different. He stated the neighborhood was willing to help in any way possible to help mitigate the cost.

City Manager Rooney stated one of the biggest concerns of the City was whether or not the majority of residents on the street receiving the speed tables, wanted them. He advised Mr. Shilling to go through the process and apply and if denied, the City may still be able to approve it based on the neighborhood.

Sandy Malega, 1029 W. Windsor Way, addressed the Council regarding speeding and property preservation issues. She requested the City address new codes for property preservation for such issues including, but not limited to, damaged garage doors, flaking paint and roofing stating there are houses in the City in need of repair and sometimes in the process of repair for months on end, but due to the lack of codes, the Code Enforcement Officer is not able to issue citations nor the City require them to upkeep the property.

E. NEW BUSINESS, DELETIONS OR CONTINUANCES TO THE AGENDA

None.

F. CONSENT AGENDA

1. Approval of **07/03/2018** City Council Minutes.
2. Approval of **07/17/2018** City Council Special Meeting (Work Session) Minutes.
- *3. Claims List for **FY 2018**.
- *4. Claims List for **FY 2019**.
- *5. Approval to Turn **Past Due Utility Accounts** over to the Collection Agency.
6. Approval to Turn **Past Due Library Accounts** over to the Collection Agency.
7. Approval of **Resolution No. 19-005** making Changes in the Library Fund Budget by making a Supplemental Appropriation to Increase the 2018-2019 Fiscal Year Budget by \$1,466.
8. Approval of **Resolution No. 19-007** making Changes in the General Fund Budget by making a Supplemental Appropriation to Increase the 2018-2019 Fiscal Year Budget by \$8,750.
9. Approval to Renew Agreement with the **Canadian County Sheriff's Office** to hold Excess Prisoners.

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

AYE: Pratt, Leete, Grider, Noblitt, Schweinberg

NAY: None

G. INFORMATION/REPORTS

1. **City Manager Report**
City Manager Rooney called Commander Paul Ray, American Legion Post 353, Mustang, Oklahoma, to the front where Mr. Ray recognized Police Officer Jeff Six and Firefighter Byron Smith as recipients of the State of Oklahoma's Law Enforcement Officer and Firefighter of the year awards stating they will represent Oklahoma at the national level.

Rooney also provided dates for the next big trash pick-up day stating it begins Saturday, September 29, 2018 through Saturday, October 20, 2018. He stated former *Councilwoman Hagan* had a big role in having a second curbside pickup added for the City residents.

2. **City Council Reports**

- a. Appreciation and Recognition of former Ward V Councilwoman **Linda Hagan**.

Mayor Schweinberg and **Councilman Noblitt** recognized former Ward V Councilwoman Linda Hagan for over 30 years of public service to the City and presented her with a plaque and flowers.

- b. **Appointment** of One (1) Member and One (1) Alternate to the OEMA Board of Directors.

Mayor Schweinberg stated *Councilwoman Hagan* was the primary representative and *Councilman Jones* the alternate representative on the OEMA Board of Directors stating with Hagan's resignation, the Council will need to appoint new primary and alternate representatives.

City Manager Rooney stated *Councilman Jones* is willing to serve as the primary representative and Staff would recommend *Assistant City Manager Battles* to serve as the alternate representative.

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

AYE: Pratt, Leete, Grider, Noblitt, Schweinberg

NAY: None

- c. City Council Reports

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

Councilman Noblitt stated the City should have more than one person apply to serve on City Council stating when he was appointed to the Ward VI seat, he was the only citizen who applied and the City currently only has one applicant for the Ward V seat recently vacated by Councilwoman Hagan. He encouraged citizens to apply and to encourage others they may know to apply.

Councilwoman Pratt did not have anything to report at this time.

Councilman Leete stated it had been quiet in his Ward stating anytime he has the opportunity to thank the Police and Fire departments, he does and wanted to especially congratulate the two receiving the State award. He also thanked former Councilwoman Hagan for her service and stated he would miss her.

Councilman Grider stated he had spoken to Mr. Shilling who addressed the Council earlier and encouraged him to come tonight. He stated he had also received a call regarding mandatory recycling and if recycled improperly, for the home owner to be fined.

Mayor Schweinberg stated he did not have anything to report at this time stating he was honored to be able to present the plaque and flowers to former Councilwoman Hagan and appreciated having Councilman Noblitt present along with him.

H. DISCUSSION ITEMS

1. **Discussion, Consideration and Possible Action** regarding Request to Declare Surplus Three (3) Police Chargers, Units #202, #203, #210 and Authorize Disposal of those Items; and Proposed Interlocal Cooperation Agreement between the City of Mustang and the City of Guthrie to sell Three (3) Police Chargers to the City of Guthrie.

Police Chief Groseclose stated a unique opportunity presented itself where the Police Department could sell police vehicles no longer needed and, at the same time, be able to help another municipality in need of them. He stated the vehicles were originally to be sold to a used police vehicle company, but found that the City of Guthrie was in need and Guthrie offered to purchase them for the same dollar amount of \$21,500. He stated the three vehicles would need to be declared surplus and the agreement with the City of Guthrie be approved.

Councilman Noblitt asked how old the vehicles were with **Chief Groseclose** stating they were 2010 and had a lot of miles.

Councilman Noblitt also asked if there were any standards as to when to sell the vehicles and that sort of thing with **Chief Groseclose** responding that in the past, they were driven to the point of no value and given away stating they now try to stop driving them at a certain point and sell them while they still had a little value and perhaps help another community at the same time.

MOTION was made by **Councilman Leete**, seconded by **Councilwoman Pratt**, to Declare Surplus the Three (3) Vehicles, Units 202, 203 and 210 and Authorize Disposal of those Items.

AYE: Pratt, Leete, Grider, Noblitt, Schweinberg

NAY: None

MOTION was made by **Mayor Schweinberg**, seconded by **Councilman Noblitt**, to Approve the Interlocal Cooperation Agreement between the City of Mustang and the City of Guthrie to sell Three (3) Police Chargers to the City of Guthrie.

AYE: Pratt, Leete, Grider, Noblitt, Schweinberg

NAY: None

2. **Discussion, Consideration and Possible Action** regarding Approval of Municipal Lease/Purchase of Two (2) Police Vehicles with RCB Bank for a Three (3) Year Term; documents to include, but not limited to, Lease/Purchase Agreement, **Resolution No. 19-008**, and Statement of Essential Use; and Authorizing Staff to Execute Documents.

Police Chief Groseclose stated the purchase of the two police vehicles would replace the three vehicles discussed above stating the loan would be through RCB Bank as in the past stating the interest rate is a little higher, but is still the best they could find. He stated the vehicles would be fully equipped and were approved in the FY2019 budget.

MOTION was made by **Councilman Noblitt**, seconded by **Councilman Grider**, to Approve the Municipal Lease/Purchase of Two (2) Police Vehicles with RCB Bank for a Three (3) Year Term; documents to include, but not limited to, Lease/Purchase Agreement, **Resolution No. 19-008**, and Statement of Essential Use; and Authorizing Staff to Execute Documents.

AYE: Pratt, Leete, Grider, Noblitt, Schweinberg

NAY: None

- *3. **Discussion, Consideration and Possible Action** regarding **Resolution No. 19-006**, A Joint Resolution of the City Council of the City of Mustang and the Mustang Improvement Authority Amending the Ambulance Assessment Fee and Providing for an Effective Date.

City Manager Rooney stated when reviewing the budget for FY2019, there was a need to raise the Ambulance Assessment Fee due to surrounding cities opting out of EMSA. He stated the City of Yukon pulled out and Staff is monitoring their contract. He stated Staff is recommending the fee be increased from \$1.50 to \$2.50.

MOTION was made by **Councilman Noblitt**, seconded by **Councilman Leete**, to Approve **Resolution No. 19-006**, A Joint Resolution of the City Council of the City of Mustang and the Mustang Improvement Authority Amending the Ambulance Assessment Fee and Providing for an Effective Date.

AYE: Pratt, Leete, Grider, Noblitt, Schweinberg
NAY: None

4. **Discussion, Consideration and Possible Action** regarding **Ordinance No. 1170**, an Ordinance of the City of Mustang, Oklahoma, Amending (1) Chapter 26, by Amending Section 26-48 to Remove Requirement that an Expungement Fee be placed into Designated Funds; Declaring Repealer; Providing for Severability; and Declaring an Emergency.

City Attorney Miller stated Council approved in last month's City Council meeting to enact an expungement fee stating the fee was to be deposited 50% to the Police Fund and 50% to the Court Fund. He stated costs relating to processing of expungement orders are actually paid out of the General Fund stating this ordinance changes where the funds are deposited.

MOTION was made by **Councilman Noblitt**, seconded by **Councilman Leete**, to Approve **Ordinance No. 1170**, an Ordinance of the City of Mustang, Oklahoma, Amending (1) Chapter 26, by Amending Section 26-48 to Remove Requirement that an Expungement Fee be placed into Designated Funds; Declaring Repealer; Providing for Severability.

AYE: Pratt, Leete, Grider, Noblitt, Schweinberg
NAY: None

No vote was taken to Declare an Emergency as six "Aye" votes are required for passage and only five members were in attendance.

- *5. **Discussion, Consideration and Possible Action** regarding **Ordinance No. 1171**, an Ordinance of the City of Mustang, Oklahoma, Amending Chapter 2 by Adding New Section 2-177 Providing for a Convenience fee to Recoup Costs Incurred by the City for Use of Electronic Payment Methods on Certain Transactions, Setting the Amount of the Convenience Fee, and Defining Terms; Providing for Severability; Providing for Repealer; Setting an Effective Date; and Declaring an Emergency.

City Manager Rooney stated as discussed in the July 17th Work Session, this ordinance is the result of the City's payment of almost \$70,000 in merchant fees for fiscal year 2018. He stated State statute allows cities to charge a convenience fee when a customer utilizes a debit or credit card for payment stating Staff recommends a convenience fee of \$2.50 per transaction be charged except at Parks & Recreation where the \$2.50 transaction fee is only charged on amounts exceeding \$10 and not charged at remote sites such as ballpark concession stands and entry gates.

MOTION was made by **Councilman Noblitt**, seconded by **Councilwoman Pratt**, to Approve **Ordinance No. 1171**, an Ordinance of the City of Mustang, Oklahoma, Amending Chapter 2 by Adding New Section 2-177 Providing for a Convenience fee to Recoup Costs Incurred by the City for Use of Electronic Payment Methods on Certain Transactions, Setting the Amount of the Convenience Fee, and Defining Terms; Providing for Severability; Providing for Repealer; Setting an Effective Date.

AYE: Pratt, Leete, Grider, Noblitt, Schweinberg
NAY: None

No vote was taken to Declare an Emergency as six "Aye" votes are required for passage and only five members were in attendance.

J. CITY ATTORNEY'S REPORT

1. **Discussion, Consideration and Possible Action** regarding Potential Purchase and Acceptance of Permanent and Temporary Easements and Authorization for Mayor and City Staff to Execute Necessary Documents to Accomplish the Same; and, Proposed Executive Session as Authorized by 25 Okla. Stat. §307(B)(3).

MOTION was made by **Mayor Schweinberg**, seconded by **Councilman Noblitt** to adjourn to executive session.

AYE: Pratt, Leete, Grider, Noblitt, Schweinberg
NAY: None

TIME ADJOURNED to Executive Session: **7:41 p.m.**

MOTION was made by **Mayor Schweinberg**, seconded by **Councilman Leete** to return from executive session.

AYE: Pratt, Leete, Grider, Noblitt, Schweinberg

NAY: None

TIME RETURNED from Executive Session: **7:45 p.m.**

In reference to Item J-1 –

MOTION was made by **Councilman Noblitt**, seconded by **Councilman Leete** to Approve the Acceptance of Permanent and Temporary Easements from Charles and Donna Mills, Denis and Toni Valentin, Jamie Mansell, James and Suzanne Mansell, Dale and Sharon Owens, and Authorization for the Mayor and Staff to Execute necessary documents to complete Acceptance of the Easements.

AYE: Pratt, Leete, Grider, Noblitt, Schweinberg

NAY: None

K. ADJOURNMENT

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

AYE: Pratt, Leete, Grider, Noblitt, Schweinberg

NAY: None

The meeting was adjourned at **7:46 p.m.**

Jess Schweinberg, Mayor

Attest:

Lisa Martin, City Clerk

City of Mustang
City Council
Agenda Item Commentary

1. ITEM NO. 8-1
2. MEETING DATE: September 4, 2018
3. TITLE: Appointment to Fill Ward 5 Vacancy
4. COUNCIL ACTION: Approve and Appoint
5. INITIATOR: Timothy Rooney, City Manager
6. BACKGROUND: Section 2-9 of the Mustang Charter states "When a vacancy occurs in the office of a Councilmember, except the Mayor, the governing body shall appoint, by a majority vote of the remaining members, a person who resides in the ward of the vacant office to fill the vacancy until the next general municipal election, and until a successor is elected and qualifies. Any vacancy shall then be filled at the next general municipal election by election of a person to complete the balance of any unexpired term. If the vacancy has not been filled within sixty (60) days after it occurs, the governing body shall call for a special election for the purpose of filling the vacancy for the duration of the unexpired term, unless such vacancy occurs within one hundred twenty (120) days prior to the first day of a filing period for the next general municipal election."

The following actions have occurred in order to allow the Council to fill the Ward 5 vacancy:

- Provided an advertisement in both local papers that notifies the public of the Ward 5 Vacancy. The advertisement would state that the City of Mustang City Council is accepting letters of interest from residents of Ward 5 that would be willing to serve and are interested in being appointed to the City Council. Letters were accepted through 11:30 AM on Friday, August 17, 2018.
- Staff received one letter of interest from Mr. Travis McKenzie which has been attached for your information and review.

Staff recommends City Council approval and appointment of Mr. Travis McKenzie to fill the Ward 5 vacancy.

7. FINANCIAL IMPACT: None
8. STAFF COMMENTS: None
9. STAFF SOURCE: Timothy Rooney, City Manager
10. RESOLUTION / ORDINANCE: None
11. ATTACHMENTS: Letter of Interest from Mr. Travis McKenzie

July 5, 2018

Mayor Jess Schweinberg
Vice Mayor Brian Grider
Councilor DeAnna Pratt
Councilor Josh Leete
Councilor Terry Jones
Councilor Darrell Noblitt

Re: Letter of Interest-Ward 5 Vacancy

Honorable Mayor and Councilors,

Please allow this letter to serve as notification of my interest in serving as the Ward 5 Council representative on the Mustang City Council.

I am a registered voter of the City of Mustang and reside at 639 W. Linden Dr. in Ward 5 of the City of Mustang. My wife Angela has lived in Mustang since 2003 and we married and made it our home in 2013.

For me, this would be another opportunity to give back to the community I have called home for more than 5 years. I retired from the City of Sacramento, California after 25 years of service to that community, where I also served as a Local 39 Union Steward for 16 years. I am currently self employed and previous Pastor of Mt. Olive Missionary Baptist Church, in Chickasha, Oklahoma for 6 years. I am now an Associate Minister at Calvary Missionary Baptist Church in Oklahoma City, under the leadership of Pastor Don H. Burton.

I am proud to live in Mustang and witness the positive changes that have been occurring. I look forward to the possibility of serving the citizens residing in Ward 5. If you have any questions, or if I can be of additional assistance to you, please do not hesitate to contact me.

Sincerely,



Travis McKenzie
639 W. Linden Dr.
Mustang, Ok. 73064
(405)416-3875

FUND: 01 - GENERAL FUND

SUMMARY REPORT

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 13 PARKS AND RECREATION						
18-0493	01-A1192	AT&T MOBILITY LLC	CELL PHONES	6/2018	201808158230	63.87
18-0542	01-C0278	COX COMMUNICATIONS, INC.	MO. MODEM SERVICE CHRG	6/2018	201808158227	13.24
18-1904	01-M0293	CHELSEIE MENDOZA	REFUND	6/2018	201808158228	135.00
DEPARTMENT TOTAL:						212.11
DEPARTMENT: 15 GENERAL GOVERNMENT						
18-0155	01-S0085	SILVER STAR CONSTRUCTION	STREET & MOWING CONTRACT	6/2018	201808158229	2,750.00
DEPARTMENT TOTAL:						2,750.00
DEPARTMENT: 18 TOWN CENTER						
18-0343	01-F0078	DAIHOS USA, INC	COFFEE & SUPPLIES	6/2018	215918	35.50
DEPARTMENT TOTAL:						35.50
DEPARTMENT: 19 BALL COMPLEX						
18-2031	01-B0061	BEACON ATHLETICS, LLC	SUPPLIES FOR BALLETFELD	6/2018	492759	2,521.12
DEPARTMENT TOTAL:						2,521.12
DEPARTMENT: 42 ANIMAL WELFARE						
18-0129	01-O0273	OKLAHOMA HUMANE SOCIETY	SPAY/NEUTER SERVICES	6/2018	1740231	25.00
DEPARTMENT TOTAL:						25.00
DEPARTMENT: 51 FIRE						
18-1783	01-C0065	CASCO INDUSTRIES, INC.	NOMEX PANTS	6/2018	197334	1,144.00
18-1997	01-T0002	T & W TIRE LLC	REPLACE DUAL TIRES	6/2018	1100001870	1,578.16
DEPARTMENT TOTAL:						2,722.16
FUND TOTAL:						8,265.89

FUND: 05 - PARK IMPROVEMENT

SUMMARY REPORT

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 00		ADMINISTRATION				
18-1789	01-02067	OKLAHOMA DEPARTMENT OF CORRTRASH CANS ELLIOT PARK		6/2018	710238	478.00
DEPARTMENT TOTAL:						478.00
FUND TOTAL:						478.00

8/16/2018 1:58 PM

PURCHASE ORDER CLAIM REGISTER

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FUND: 14 -- STREET/DRAINAGE IMP

SUMMARY REPORT

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 14		ADMINISTRATION				
18-0155	01-S0085	SILVER STAR CONSTRUCTION	STREET & MOWING CONTRACT	6/2018	201808158229	4,122.50
DEPARTMENT TOTAL:						4,122.50
FUND TOTAL:						4,122.50

8/16/2018 1:58 PM

PURCHASE ORDER CLAIM REGISTER

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FUND: 39 - LIMITED PURPOSE

SUMMARY REPORT

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 31 COMMUNITY DEVELOPMENT						
18-0652	01-H0106	HALFF ASSOCIATES, INC.	COMPREHENSIVE PLANNING SE	6/2018	14630	14,949.04
DEPARTMENT TOTAL:						14,949.04
FUND TOTAL:						14,949.04

FUND: 01 - GENERAL FUND

SUMMARY REPORT

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 13 PARKS AND RECREATION						
18-1903	01-H0154	MICHELE HAGUE	REFUND	6/2018	201808278304	300.00
DEPARTMENT TOTAL:						300.00
DEPARTMENT: 15 GENERAL GOVERNMENT						
18-1931	01-D1051	DEAN ACTUARIES, LLC	GASB 75 - ACTUARIAL STUDY	6/2018	181951	2,925.00
DEPARTMENT TOTAL:						2,925.00
DEPARTMENT: 18 TOWN CENTER						
18-1921	01-L0052	LOCKE SUPPLY CO	WATER FOUNTAIN	6/2018	34977861-00	854.46
DEPARTMENT TOTAL:						854.46
DEPARTMENT: 20 AQUATICS						
18-1750	01-C0233	AMY GROUNDS	STAFF SHIRTS	6/2018	1645	237.90
18-1875	01-C0233	AMY GROUNDS	T-SHIRTS FOR GUARD & SWIM	6/2018	1645A	300.00
DEPARTMENT TOTAL:						537.90
DEPARTMENT: 41 POLICE						
18-0066	01-C1118	GLOBAL BUSINESS, INC.	UNIFORM CLEANING	6/2018	201808288308	236.00
DEPARTMENT TOTAL:						236.00
FUND TOTAL:						4,853.36

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FUND: 11 - PARK & REC DONATION

SUMMARY REPORT

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 00 ADMINISTRATION						
18-1750	01-C0233	AMY GROUNDS	STAFF SHIRTS	6/2018	1645	300.00
DEPARTMENT TOTAL:						300.00
FUND TOTAL:						300.00

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FUND: 39 - LIMITED PURPOSE

SUMMARY REPORT

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 72 WATER						
18-1901	01-I0006	WATER HOLDINGS ACQUISITIONSPUBLIC WORKS CONTRACTOR		6/2018	201808288317	1,968.00
DEPARTMENT TOTAL:						1,968.00
FUND TOTAL:						1,968.00

FUND: 01 - GENERAL FUND

SUMMARY REPORT

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 01 MAYOR AND COUNCIL						
19-0111	01-W0001	WHEATLEY, SEGLER, OSBY & MIATTORNEY EXPENSES/PROSECU		7/2018	18541	154.90
DEPARTMENT TOTAL:						154.90
DEPARTMENT: 11 CITY MANAGER						
19-0478	01-B0186	JUSTIN BATTLES	PER-DIEM FOR ICMA CONFERE	8/2018	201808158238	280.00
19-0059	01-C0020	CANADIAN COUNTY CLERK	FILING FEES ON EASEMENTS	8/2018	R572261	170.00
19-0080	01-M0234	MUSTANG TIMES LLC	LEGAL PUBLICATIONS	8/2018	MT606576	280.30
19-0555	01-O0006	CITY OF OWASSO	WORKSHOP - 5 VOICES	8/2018	201808158247	75.00
19-0615	01-O0207	OK MUNICIPAL MANAGEMENT	SERMEMBERSHIP AGREEMENT	8/2018	201808158256	5,000.00
19-0477	01-R0132	TIM ROONEY	PER-DIEM FOR ICMA	8/2018	201808158252	280.00
19-0526	01-S1179	STANARD & ASSOCIATES, INC.	POLICE OFFICER TESTS	8/2018	SA000038318	240.00
19-0111	01-W0001	WHEATLEY, SEGLER, OSBY & MIATTORNEY EXPENSES/PROSECU		7/2018	18505	662.44
19-0111	01-W0001	WHEATLEY, SEGLER, OSBY & MIATTORNEY EXPENSES/PROSECU		8/2018	18505A	649.48
DEPARTMENT TOTAL:						7,637.22
DEPARTMENT: 12 LIBRARY						
19-0356	01-B1023	BTAC ACQUISITION CORP.	FICTION BOOKS	8/2018	5015101063	226.85
19-0213	01-E0082	ENVISIONWARE, INC.	PC RESERVATION/LPT1 PRINT	8/2018	INV-US-37737	678.64
19-0353	01-M0263	MIDWEST TAPE, LLC	NON-PRINT ITEMS FOR COLLE	8/2018	96334836	224.70
19-0470	01-S0093	SMART TECHNOLOGIES, INC	FORTINET BUNDLE RENEWAL	8/2018	717737	1,100.13
19-0550	01-S0093	SMART TECHNOLOGIES, INC	ACAD INTERNET SECURITY	8/2018	717758	89.94
19-0354	01-T0048	CENGAGE LEARNING	LARGE PRINT BOOKS	8/2018	64229714	31.19
19-0202	01-W0121	COX SUBSCRIPTIONS, INC.	2019 MAGAZINE SUBSCRIPTIO	8/2018	4727061	781.77
DEPARTMENT TOTAL:						3,133.22
DEPARTMENT: 13 PARKS AND RECREATION						
19-0246	01-A1192	AT&T MOBILITY LLC	PHONE SERVICE	8/2018	201808158236	51.87
19-0245	01-B1019	BEN E. KEITH FOODS INC - OKSNACKS FOR CAMP		8/2018	64014771	587.46
19-0268	01-C0278	COX COMMUNICATIONS, INC.	TV FOR TREADMILLS	8/2018	201808158240	82.76
19-0259	01-C0286	CIVICPLUS, INC.	RECREATION SOFTWARE	8/2018	175117	1,319.38
19-0548	01-C0291	MIRANDA CARR	MINI CAMP REFUND	8/2018	201808158242	120.00
19-0248	01-F0094	FLEETCORE TECHNOLOGIES, INC	FUEL	8/2018	NP53949966B	810.69
19-0231	01-L0101	LEISURE ENTERTAINMENT CORP.	SUMMER CAMP FIELD TRIP	8/2018	08021801	770.00
19-0595	01-L1008	JUSTIN LAWRENCE	MUSIC FOR SPECIAL EVENTS	8/2018	201808158245	800.00
19-0265	01-M0220	MUSTANG PUBLIC SCHOOLS	BUS USE - FIELD TRIPS	8/2018	3003	151.13
19-0266	01-M0220	MUSTANG PUBLIC SCHOOLS	BUS USE	8/2018	3000	325.00
19-0094	01-O0055	OKLAHOMA GAS & ELECTRIC	COMOELECTRIC SERVICES	8/2018	201808158248	25.69
19-0496	01-S0236	SWANK MOTION PICTURES, INC	MOVIE LICENSE FOR MOVIES	8/2018	2536628	463.00
19-0563	01-W0182	DAKOTA WHEELER	AFTER SCHOOL PROGRAM REFU	8/2018	10509305	47.50
19-0598	01-W0183	TERESA WOODY	5K TRAINING REFUND	8/2018	10521374	25.00
DEPARTMENT TOTAL:						5,579.48

FUND: 01 - GENERAL FUND

SUMMARY REPORT

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 15 GENERAL GOVERNMENT						
19-0042	01-A0055	ASSOCIATION OF CENTRAL OKLABASIC ASSESSMENT, TRANSP		8/2018	7188	10,577.00
19-0614	01-C0162	CLIFFORD POWER SYSTEMS, INC	SERVICE FOR GENERATOR	8/2018	74753	619.04
19-0065	01-D0088	DEPARTMENT OF CORRECTIONS, INMATE LABOR		8/2018	UNCCC-3060718	945.00
19-0071	01-F0078	DAIOHS USA, INC	CITY HALL COFFEE SERVICE	8/2018	222078	36.50
19-0020	01-M1180	MAIL FINANCE INC.	LEASE PAYMENT ON STUFFING	8/2018	N7278835	1,779.16
19-0094	01-O0055	OKLAHOMA GAS & ELECTRIC COMELECTRIC SERVICES		8/2018	201808158248	85.28
19-0098	01-S0085	SILVER STAR CONSTRUCTION	STREET & MOWING CONTRACT	8/2018	25119	72,015.87
19-0309	01-S0093	SMART TECHNOLOGIES, INC	MAINTENANCE AGREEMENT	8/2018	717752	3,179.95
DEPARTMENT TOTAL:						89,237.80
DEPARTMENT: 18 TOWN CENTER						
19-0426	01-C0106	CINTAS CORPORATION NO. 2	JANITORIAL SUPPLIES	8/2018	64161980	2,017.78
19-0051	01-C0117	CLEARWATER ENTERPRISE, LLC	GAS SERVICE	8/2018	8151-01807	61.50
19-0175	01-F0078	DAIOHS USA, INC	COFFEE SUPPLIES	8/2018	222080	91.45
19-0095	01-O0010	ONE GAS, INC.	GAS SERVICE	8/2018	201808168257	115.96
19-0178	01-S1165	INTERLINE BRANDS, INC	JANITORIAL SUPPLIES & EQU	8/2018	449394899	325.55
DEPARTMENT TOTAL:						2,612.24
DEPARTMENT: 19 BALL COMPLEX						
19-0508	01-B1019	BEN E. KEITH FOODS INC - OKFOOD FOR CONCESSION		8/2018	64010779	3,498.04
19-0250	01-F0094	FLEETCORE TECHNOLOGIES, INC	FUEL	8/2018	NP53949966A	318.96
19-0242	01-I1119	STEPHENSON WHOLESALE CO, IN	FOOD FOR CONCESSION	8/2018	6963088	1,776.67
19-0404	01-L0070	LUTHER SIGN CO	RULE SIGNS FOR SPORTS COM	8/2018	11742	850.30
19-0239	01-M1000	MAZZIO'S MUSTANG INC	PIZZA FOR CONCESSIONS	8/2018	838818	261.00
19-0094	01-O0055	OKLAHOMA GAS & ELECTRIC COMELECTRIC SERVICES		8/2018	201808158248	1,129.70
19-0241	01-P0144	PEPSI-COLA METROPOLITAN BOTDRINKS FOR CONCESSION		8/2018	26305358	1,816.44
19-0238	01-R0107	RODGERS FROZEN TREATS, LLC	MINI MELTS FOR CONCESSION	8/2018	201808158251	560.00
19-0461	01-S0265	J R SIMPLOT COMPANY	FIELD MARKING CHALK & FER	8/2018	218028219	954.60
19-0366	01-W0098	RAWLING SPORTING GOODS CO.,	BATS FOR RESALE	8/2018	84888459	143.30
DEPARTMENT TOTAL:						11,309.01

FUND: 01 - GENERAL FUND

SUMMARY REPORT

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 20		AQUATICS				
19-0321	01-C0044	CARDINAL POOLS OF OKLAHOMA,	AQUATIC CHEMICALS	8/2018	241883	40.95
19-0590	01-S9983	SUNBELT POOLS, INC	CHEMICALS	8/2018	25862-1	1,067.22
DEPARTMENT TOTAL:						1,108.17
DEPARTMENT: 21		FINANCE				
19-0555	01-00006	CITY OF OWASSO	WORKSHOP -- 5 VOICES	8/2018	201808158247	25.00
DEPARTMENT TOTAL:						25.00
DEPARTMENT: 31		COMMUNITY DEVELOPMENT				
19-0278	01-C0020	CANADIAN COUNTY CLERK	FILING FEES FOR ABATEMENT	8/2018	R572256	15.00
19-0279	01-F0094	FLEETCORE TECHNOLOGIES, INC	BULK FUEL	8/2018	NP53949966	672.91
DEPARTMENT TOTAL:						687.91
DEPARTMENT: 41		POLICE				
19-0125	01-A0039	A.S.C. INC.	MISC. VEHICLE PARTS	8/2018	86865	7.80
19-0410	01-A0084	BADGEPASS, INC	SOFTWARE MIGRATION TO SER	8/2018	32163	400.00
19-0456	01-B0078	JANA LEIGH BRENCE	PER DIEM FOR CONFERENCE	8/2018	201808158239	160.00
19-0277	01-B0219	BAILEE BOYD	TUITION REIMBURSEMENT	8/2018	201808158237	293.52
19-0129	01-C0107	CIRCA, INCORPORATED	ANNUAL SERVICE CONTRACT	8/2018	21234	375.00
19-0051	01-C0117	CLEARWATER ENTERPRISE, LLC	GAS SERVICE	8/2018	8151-01807	107.50
19-0038	01-F0078	DAIOHS USA, INC	COFFEE SERVICE & ICE RENT	8/2018	218062	135.00
19-0454	01-G0121	ROB GROSECLOSE	PER DIEM FOR CONFERENCE	8/2018	201808158244	160.00
19-0095	01-O0010	ONE GAS, INC.	GAS SERVICE	8/2018	201808168257	128.84
19-0152	01-R0146	ROGUE COMP. AUTOMOTIVE INC.	OIL CHANGES, TIRE ROTATIO	8/2018	5483	440.81
19-0343	01-S0206	STOLZ TELECOM, LLC	MOUNTING KIT, REPLACEMENT	8/2018	3273	506.10
19-0156	01-T0029	WEST PUBLISHING CORPORATION	CLEAR INVESTIGATIVE TOOL	8/2018	838670057	200.00
19-0274	01-W0167	DYLAN WILSON	TUITION REIMBURSEMENT	8/2018	201808158253	850.00
19-0455	01-W0167	DYLAN WILSON	PER DIEM FOR CONFERENCE	8/2018	201808158254	160.00
DEPARTMENT TOTAL:						3,924.57

FUND: 01 - GENERAL FUND

SUMMARY REPORT

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 42 ANIMAL WELFARE						
19-0141	01-L0096	LAURA L RIDLEY	ANIMAL SHELTER LAUNDRY	8/2018	6938	107.73
19-0148	01-00273	OKLAHOMA HUMANE SOCIETY	SPAY/NEUTER SERVICES	8/2018	1744342	10.00
19-0344	01-S0206	STOLZ TELECOM, LLC	TABLETS FOR ANIMAL WELFARE	8/2018	3271	24.00
DEPARTMENT TOTAL:						141.73
DEPARTMENT: 51 FIRE						
19-0222	01-A0110	ALL SEASON BUILDING SUPPLY	MISC. BUILDING REPAIR	8/2018	152216	7.69
19-0523	01-B0211	ACROSS THE STREET PRODUCTIONS	STUDENT BLUE CARD SUPPORT	8/2018	12-6315	372.72
19-0557	01-C0060	CRAIG CARRUTH	PER-DIEM FOR CONFERENCE	8/2018	201808158241	120.00
19-0325	01-C0065	CASCO INDUSTRIES, INC.	UNIFORM FOR NEW FIREFIGHT	8/2018	197196	277.00
19-0546	01-C0065	CASCO INDUSTRIES, INC.	BUNKER BOOTS	8/2018	197280	370.00
19-0332	01-F0094	FLEETCORE TECHNOLOGIES, INC	FUEL FOR VEHICLES	8/2018	NP53949965	1,329.17
19-0527	01-J1061	WILLIAM A. JUSTICE	CPR/AED/FIRST AID CARDS	8/2018	132A	300.00
19-0502	01-M1034	JOSHUA C. MOORE	TUITION REIMBURSEMENT	8/2018	201808158246	305.55
19-0378	01-P0161	PHYSIO-CONTROL, INC	CODE STAT 10, MAINTENANCE	8/2018	118058862	2,299.25
19-0547	01-P0178	PERKINS PLUMBING INC.	REPLACE TOILET VALVE	8/2018	201808158250	195.00
19-0326	01-S1015	S&S TEXTILES, INC	UNIFORM FOR NEW FIREFIGHT	8/2018	48473	162.00
DEPARTMENT TOTAL:						5,738.38
DEPARTMENT: 61 STREETS						
19-0094	01-00055	OKLAHOMA GAS & ELECTRIC	ELECTRIC SERVICES	8/2018	201808158248	195.28
DEPARTMENT TOTAL:						195.28
FUND TOTAL:						131,484.91

FUND: 05 - PARK IMPROVEMENT

SUMMARY REPORT

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 00		ADMINISTRATION				
19-0173	01-L0123	LEA PARK & PLAY, INC.	REPLACEMENT CURLY CLIMBER	8/2018	6729	890.84
19-0174	01-L0123	LEA PARK & PLAY, INC.	BORDER PANEL	8/2018	6730	663.43
DEPARTMENT TOTAL:						1,554.27
FUND TOTAL:						1,554.27

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FUND: 07 - LIBRARY FUND

SUMMARY REPORT

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 07		ADMINISTRATION				
19-0368	01-M0234	MUSTANG TIMES LLC	AD FOR LET'S TALK ABOUT I	8/2018	MT606566	75.00
19-0190	01-M0263	MIDWEST TAPE, LLC	DVD'S & AUDIOBOOKS FOR YO	8/2018	86312796	363.76
DEPARTMENT TOTAL:						438.76
FUND TOTAL:						438.76

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FUND: 08 - PD TRAFFIC ENFORCEMENT

SUMMARY REPORT

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 41 POLICE ENFORCEMENT						
19-0574	01-S0093	SMART TECHNOLOGIES, INC	MODULAR PATCH PANEL	8/2018	717692	65.00
DEPARTMENT TOTAL:						65.00
FUND TOTAL:						65.00

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PURCHASE ORDER CLAIM REGISTER

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FUND: 14 - STREET/DRAINAGE IMP

SUMMARY REPORT

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 14 ADMINISTRATION						
19-0098	01-S0085	SILVER STAR CONSTRUCTION	STREET & MOWING CONTRACT	8/2018	25119	15,072.97
DEPARTMENT TOTAL:						15,072.97
FUND TOTAL:						15,072.97

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PURCHASE ORDER CLAIM REGISTER

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FUND: 39 - LIMITED PURPOSE

SUMMARY REPORT

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 42		ANIMAL WELFARE				
19-0344	01-S0206	STOLZ TELECOM, LLC	TABLETS FOR ANIMAL WELFARE	8/2018	3271	7,000.00
DEPARTMENT TOTAL:						7,000.00
DEPARTMENT: 61		STREETS				
19-0384	01-A0110	ALL SEASON BUILDING SUPPLY	FRAMING MATERIALS	8/2018	152034	4,976.58
DEPARTMENT TOTAL:						4,976.58
FUND TOTAL:						11,976.58

FUND: 69 - RISK MANAGEMENT

SUMMARY REPORT

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 00		ADMINISTRATION				
19-0584	01-A87	ASSOCIATED UNDERWRITERS, INEXCESS WORKERS COMPENSATI		8/2018	201808158231	828.00
19-0583	01-B0048	BARNUM & CLINTON, PLLC	WORKERS COMP CLAIM	8/2018	201808158232	300.00
19-0582	01-E0143	EMSA-WESTERN DIVISION	WORKERS COMP CLAIM	8/2018	201808158233	818.81
19-0581	01-M0267	MEDICAL CLAIMS REVIEW SERVIMEDICAL BILLS AUDIT FEE		8/2018	201808158234	586.86
19-0580	01-V0106	VALIR OUTPATIENT CLINICS MAWORKERS COMP CLAIM		8/2018	201808158235	445.00
DEPARTMENT TOTAL:						2,978.67
FUND TOTAL:						2,978.67
GRAND TOTAL:						335,769.78

FUND: 01 - GENERAL FUND

SUMMARY REPORT

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 01 MAYOR AND COUNCIL						
19-0057	01-C0108	COWAN GROUP ENGINEERING, L	ENGINEERING FEES	8/2018	3659	6,276.00
19-0062	01-C0245	CRAWFORD & ASSOCIATES, PC	CAFR REVIEW & CONSULTING	8/2018	11770	275.00
19-0010	01-H0045	RALPH STEVEN HUDDLESTON	COURT APPEARANCES	9/2018	201808278283	1,600.00
19-0503	01-M0115	MTM RECOGNITION CORPORATION	PLAQUE FOR OUTGOING COUN	8/2018	5944530	123.06
19-0086	01-M0302	MONNET, HAYES, BULLIS, THOMAS	ATTORNEY FEES	8/2018	201808278292	275.00
19-0029	01-R0090	RISK MANAGEMENT FUND	WORKERS COMP FEES	9/2018	201808278286	30.00
DEPARTMENT TOTAL:						8,579.06
DEPARTMENT: 11 CITY MANAGER						
19-0081	01-M0001	MUSTANG NEWS	LEGAL PUBLICATIONS	8/2018	5898	35.90
19-0080	01-M0234	MUSTANG TIMES LLC	LEGAL PUBLICATIONS	8/2018	MT606783	112.00
19-0538	01-M0234	MUSTANG TIMES LLC	JOB OPENING ADS	8/2018	MT606718	90.00
19-0027	01-P0099	PRINCIPAL LIFE INSURANCE	CORETIREE INSURANCE	9/2018	201808278278	500.00
19-0029	01-R0090	RISK MANAGEMENT FUND	WORKERS COMP FEES	9/2018	201808278286	70.00
19-0537	01-T0098	MUSTANG TIMES LLC	JOB OPENINGS	8/2018	TT15495	75.00
19-0117	01-W0009	WORKERS ASSISTANCE PROGRAM,	EMPLOYEE ASSISTANCE PROGR	8/2018	201808278265	491.40
DEPARTMENT TOTAL:						1,374.30
DEPARTMENT: 12 LIBRARY						
19-0355	01-B1023	BTAC ACQUISITION CORP.	NON-FICTION BOOKS	8/2018	5015131804	31.32
19-0356	01-B1023	BTAC ACQUISITION CORP.	FICTION BOOKS	8/2018	5015131801	166.70
19-0353	01-M0263	MIDWEST TAPE, LLC	NON-PRINT ITEMS FOR COLLE	8/2018	86463579	509.14
19-0029	01-R0090	RISK MANAGEMENT FUND	WORKERS COMP FEES	9/2018	201808278286	10.00
19-0579	01-S0093	SMART TECHNOLOGIES, INC	RENEW LIBRARY DOMAIN	8/2018	717769	133.12
19-0197	01-T0098	MUSTANG TIMES LLC	2019 SUBSCRIPTION RENEWAL	8/2018	201808288316	26.00
19-0205	01-T0142	THE LIBRARY CORPORATION	LS SOFTWARE LICENSE	8/2018	2018110069	200.00
DEPARTMENT TOTAL:						1,076.28
DEPARTMENT: 13 PARKS AND RECREATION						
19-0001	01-A0114	PHIL & HELEN SCHUMINSKY	MUSSTORAGE SERVICES	9/2018	201808278268	98.00
19-0427	01-C0161	PATI COLSTON	PRESENTATION FOR YOUTH	8/2018	2101	50.00
19-0171	01-C1562	RUTH E COUTS	ENSEMBLE TEACHER	8/2018	201808278289	30.00
19-0665	01-H0155	HEATHER HUFF	SPECIAL EVENT SUPPLIES	8/2018	201808288307	110.09
19-0592	01-P0133	KRISTEN POLSON	CRAFT INSTRUCTION/EVENT	8/2018	41518	386.82
19-0632	01-P0196	KRISTY PIPPENS	5K REFUND	8/2018	201808278301	50.00
19-0029	01-R0090	RISK MANAGEMENT FUND	WORKERS COMP FEES	9/2018	201808278286	125.00
19-0495	01-S0093	SMART TECHNOLOGIES, INC	NEW HP HARD DRIVE	8/2018	717747	1,179.00
19-0496	01-S0236	SWANK MOTION PICTURES, INC	MOVIE LICENSE FOR MOVIES	8/2018	2552500	378.00
19-0602	01-S1002	STERLING & SONS ELECTRIC, L	MISC. ELECTRICAL REPAIRS	8/2018	3517	143.00
19-0267	01-V0050	CELLCO PARTNERSHIP	JET PACKS & PHONE	8/2018	9813246519B	173.28
DEPARTMENT TOTAL:						2,723.19

FUND: 01 - GENERAL FUND

SUMMARY REPORT

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 15 GENERAL GOVERNMENT						
19-0001	01-A0114	PHIL & HELEN SCHUMINSKY	MUSSTORAGE SERVICES	9/2018	201808278268	133.00
19-0056	01-C0278	COX COMMUNICATIONS, INC.	TELEPHONE/INTERNET SERVIC	8/2018	201808278288	6,787.55
19-0011	01-I0015	TYLER TECHNOLOGIES, INC	MONTHLY SUPPORT & HOST WE	9/2018	025-234009	250.00
19-0013	01-K0053	KG HOLDINGS, LP	STAGE INCENTIVE PAY	9/2018	201808278271	4,833.33
19-0014	01-K0127	KG SC HOLDINGS, LLC	CASH SAVER-PAYBACK INCENT	9/2018	201808278284	5,000.00
19-0095	01-00010	ONE GAS, INC.	GAS SERVICE	8/2018	201808278296	98.03
19-0023	01-00014	OK MUNICIPAL ASSURANCE GROU	GENERAL LIABILITY INSURAN	8/2018	201808278293	43,737.75
19-0299	01-00069	OK MUNICIPAL LEAGUE	OML ANNUAL SERVICE FEES	8/2018	69212	13,987.27
19-0338	01-01177	STATE OF OKLAHOMA	SALES TAX PAYABLE	8/2018	201808288315	2,200.00
19-0096	01-PI051	THE PITNEY BOWES BANK INC	BULK POSTAGE	8/2018	201808278298	3,441.30
19-0311	01-S0010	SYNCHRONY BANK	ANNUAL MEMBERSHIP DUES	8/2018	201808278302	45.00
19-0099	01-S0173	STANDLEY SYSTEMS, LLC	COPIER LEASE/USAGE	8/2018	879390	2,508.01
DEPARTMENT TOTAL:						83,021.24
DEPARTMENT: 16 TRANSFERS						
19-0016	01-L0045	LIMITED PURPOSE FUND	10% EXCESS OVER \$800,000	9/2018	201808278273	8,000.00
19-0017	01-M0210	MUSTANG IMPROVEMENT AUTHORI	SALES TAX TRANSFER	9/2018	201808278274	480,000.00
DEPARTMENT TOTAL:						488,000.00
DEPARTMENT: 18 TOWN CENTER						
19-0426	01-C0106	CINTAS CORPORATION NO. 2	JANITORIAL SUPPLIES	8/2018	64167309	1,173.78
19-0176	01-L0052	LOCKE SUPPLY CO	LIGHTS & SUPPLIES	8/2018	34975983-00	1.57
19-0642	01-00227	OVERHEAD DOOR COMPANY OF OK	REPAIRS TO OVERHEAD DOORS	8/2018	201808278306	325.00
19-0179	01-P0055	PLUMBCO, INC	REPAIRS TO PLUMBING	8/2018	201808278299	560.00
19-0029	01-R0090	RISK MANAGEMENT FUND	WORKERS COMP FEES	9/2018	201808278286	20.00
19-0178	01-S1165	INTERLINE BRANDS, INC	JANITORIAL SUPPLIES & EQU	8/2018	450151758	162.05
19-0185	01-W0139	WEATHERMAN MECHANICAL, INC	HVAC REPAIRS	8/2018	23317-17806	707.40
DEPARTMENT TOTAL:						2,949.80
DEPARTMENT: 19 BALL COMPLEX						
19-0234	01-B0154	ICE MAKER SALES & SERVICE,	REFRIGERATOR & FREEZER RE	8/2018	1061433A	9.06
19-0622	01-B0154	ICE MAKER SALES & SERVICE,	REPAIR ICE MACHINE	8/2018	1061433	500.00
19-0243	01-B1019	BEN E. KEITH FOODS INC - OK	FOOD FOR CONCESSION	8/2018	64035327	348.86
19-0508	01-B1019	BEN E. KEITH FOODS INC - OK	FOOD FOR CONCESSION	8/2018	64023249	1,433.59
19-0621	01-B1019	BEN E. KEITH FOODS INC - OK	FOOD FOR CONCESSION	8/2018	64028837	1,319.57
19-0242	01-I1119	STEPHENSON WHOLESALE CO,	INFOOD FOR CONCESSION	8/2018	6967255	502.39
19-0577	01-I1119	STEPHENSON WHOLESALE CO,	INFOOD FOR CONCESSION	8/2018	6970554	1,134.35
19-0239	01-M1000	MAZZIO'S MUSTANG INC	PIZZA FOR CONCESSIONS	8/2018	838826	213.00
19-0241	01-P0144	PEPSI-COLA METROPOLITAN BO	TRINKS FOR CONCESSION	8/2018	8050915	1,667.36
19-0601	01-P0144	PEPSI-COLA METROPOLITAN BO	TRINKS FOR CONCESSION	8/2018	7723506	1,427.48
19-0029	01-R0090	RISK MANAGEMENT FUND	WORKERS COMP FEES	9/2018	201808278286	50.00
19-0591	01-S0093	SMART TECHNOLOGIES, INC	REPAIRS TO SOFTBALL WIFI	8/2018	717757	135.00
19-0485	01-S0258	TRAVIS E. GROOMS	REPAIR TO SPRINKLER SYSTE	8/2018	6233	1,261.50
DEPARTMENT TOTAL:						10,002.16

FUND: 01 - GENERAL FUND

SUMMARY REPORT

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 20 AQUATICS						
19-0593	01-C0044	CARDINAL POOLS OF OKLAHOMA,	AQUATIC CHEMICALS	8/2018	244552	640.00
19-0029	01-R0090	RISK MANAGEMENT FUND	WORKERS COMP FEES	9/2018	201808278286	30.00
19-0648	01-S1002	STERLING & SONS.ELECTRIC,	LREPAIR LIGHT & PUMP MOTOR	8/2018	3548A	2,571.00
19-0322	01-S9983	SUNBELT POOLS, INC	AQUATIC CHEMICALS	8/2018	37782-1	285.00
DEPARTMENT TOTAL:						3,526.00
DEPARTMENT: 21 FINANCE						
19-0608	01-Q0003	QUICK PRINT OF OKLAHOMA CIT	CITATION ENVELOPES	8/2018	738068	468.40
19-0029	01-R0090	RISK MANAGEMENT FUND	WORKERS COMP FEES	9/2018	201808278286	40.00
19-0611	01-S0093	SMART TECHNOLOGIES, INC	HP ELITEDESK COMPUTER	8/2018	717771	1,775.00
DEPARTMENT TOTAL:						2,283.40
DEPARTMENT: 31 COMMUNITY DEVELOPMENT						
19-0519	01-A0152	AMERICAN PLANNING ASSOCIAT	IAICP MEMBERSHIP	8/2018	303744-1871	100.00
19-0278	01-C0020	CANADIAN COUNTY CLERK	FILING FEES FOR ABATEMENT	8/2018	R573290	56.00
19-0285	01-00096	OKLAHOMA UNIFORM BUILDING	CCOLLECTION OF STATE FEES	8/2018	201808278294	616.00
19-0029	01-R0090	RISK MANAGEMENT FUND	WORKERS COMP FEES	9/2018	201808278286	70.00
19-0287	01-V0050	CELLCO PARTNERSHIP	CELL PHONE SERVICE	8/2018	9813246519a	176.30
19-0391	01-X0004	JOHN RYCZKOWSKI	MOWING & CLEANING	8/2018	201808288319	1,725.00
DEPARTMENT TOTAL:						2,743.30
DEPARTMENT: 41 POLICE						
19-0130	01-C0162	CLIFFORD POWER SYSTEMS, INC	ANNUAL MAINTENANCE RENEWA	8/2018	PMA-0042739	814.00
19-0412	01-C0232	COPS PRODUCTS	VEST ORDER FOR NEW HIRE	8/2018	20183584	710.00
19-0133	01-C1118	GLOBAL BUSINESS, INC.	UNIFORM CLEANING	8/2018	201808288311	294.00
19-0038	01-F0078	DAIHOS USA, INC	COFFEE SERVICE & ICE RENT	8/2018	222085	92.45
19-0138	01-F0094	FLEETCORE TECHNOLOGIES, INC	FUEL CHARGES	8/2018	NP53949933	4,882.95
19-0136	01-F4474	FIRETROL PROTECTION SYSTEMS	ANNUAL FIRE SUPPRESSION	8/2018	100545870	1,101.69
19-0413	01-M0115	MTM RECOGNITION CORPORATION	BADGES AND NAMEPLATES	8/2018	5944456	231.00
19-0654	01-01277	STATE OF OKLAHOMA	REGISTRATION & TAG-TAHOES	8/2018	201808278263	108.00
19-0029	01-R0090	RISK MANAGEMENT FUND	WORKERS COMP FEES	9/2018	201808278286	710.00
19-0646	01-S0206	STOLZ TELECOM, LLC	CITATION PRINTERS	8/2018	3178	1,546.30
19-0157	01-T1029	THOMAS DAVIS	JAIL LAUNDRY SERVICE	8/2018	2268	322.00
19-0158	01-V0050	CELLCO PARTNERSHIP	WIRELESS TERMINAL USAGE	8/2018	9813246519	29.69
DEPARTMENT TOTAL:						10,842.08

FUND: 01 - GENERAL FUND

SUMMARY REPORT

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 42 ANIMAL WELFARE						
19-0658	01-C0050	KING ENTERPRISES, L.L.C.	MISC. PLUMBING REPAIRS	8/2018	201808288312	105.00
19-0138	01-F0094	FLEETCORE TECHNOLOGIES, INC	FUEL CHARGES	8/2018	NP53949933	69.48
19-0148	01-00273	OKLAHOMA HUMANE SOCIETY	SPAY/NEUTER SERVICES	8/2018	1743414	40.00
19-0029	01-R0090	RISK MANAGEMENT FUND	WORKERS COMP FEES	9/2018	201808278286	15.00
19-0158	01-V0050	CELLCO PARTNERSHIP	WIRELESS TERMINAL USAGE	8/2018	9813246519	105.88
19-0542	01-Y0040	YUKON TROPHY & AWARDS INC	GRAPHICS FOR ACO UNIT	8/2018	818335	275.00
DEPARTMENT TOTAL:						610.36
DEPARTMENT: 44 POLICE DISPATCH						
19-0029	01-R0090	RISK MANAGEMENT FUND	WORKERS COMP FEES	9/2018	201808278286	60.00
DEPARTMENT TOTAL:						60.00
DEPARTMENT: 51 FIRE						
19-0221	01-A0194	AIRGAS, INC.	O2 CYLINDER REFILL	8/2018	9079249797	55.53
19-0612	01-A0279	AIRCO SERVICE INC	EMERGENCY GENERATOR DIAGN	8/2018	2449406	209.00
19-0618	01-G0040	GENTRY SERVICE & REPAIR, INC	REPAIR TO AC UNIT	8/2018	181218	370.00
19-0273	01-L0038	TOM LEWIS	TUITION REIMBURSEMENT	8/2018	201808278291	675.00
19-0540	01-N0125	NATIONAL REGISTRY OF EMERGENCY	UNIFORM PATCHES	8/2018	40665	70.00
19-0095	01-00010	ONE GAS, INC.	GAS SERVICE	8/2018	201808278296	126.36
19-0224	01-00025	O'REILLY AUTOMOTIVE STORES, INC	MISC. VEHICLE REPAIR & M	8/2018	0309-281312	7.66
19-0029	01-R0090	RISK MANAGEMENT FUND	WORKERS COMP FEES	9/2018	201808278286	850.00
19-0459	01-S0308	SELECT COATINGS, INC.	POWER COAT TRAINING DESK	8/2018	12363	300.00
19-0609	01-T0002	T & W TIRE LLC	TIRES FOR VEHICLE	8/2018	1100003598	802.58
19-0227	01-U0055	UNIFIRST HOLDINGS INC	SHOP TOWEL SERVICE	8/2018	825 1299738	41.93
19-0218	01-W0020	WALMART COMMUNITY BRC	MISC. CHARGES	8/2018	201808278303	29.74
DEPARTMENT TOTAL:						3,537.80
DEPARTMENT: 61 STREETS						
19-0094	01-00055	OKLAHOMA GAS & ELECTRIC	ELECTRIC SERVICES	8/2018	201808278295	106.51
19-0177	01-S1002	STERLING & SONS ELECTRIC, INC	ELECTRICAL REPAIRS	8/2018	3541	191.00
DEPARTMENT TOTAL:						297.51
FUND TOTAL:						621,626.48

8/30/2018 11:00 AM

PURCHASE ORDER CLAIM REGISTER

PAGE: 5

FUND: 07 - LIBRARY FUND

SUMMARY REPORT

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 07 ADMINISTRATION						
19-0190	01-M0263	MIDWEST TAPE, LLC	DVD'S & AUDIOBOOKS FOR YO	8/2018	96352818	182.07
19-0619	01-P0124	THE PENWORTHY COMPANY	CHILDREN'S BOOKS	8/2018	543302	2,470.44
DEPARTMENT TOTAL:						2,652.51
FUND TOTAL:						2,652.51

8/30/2018 11:00 AM

PURCHASE ORDER CLAIM REGISTER

PAGE: 6

FUND: 13 - POLICE TECHNOLOGY FEES

SUMMARY REPORT

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 41 POLICE TECHNOLOGY						
19-0134	01-D0090	STATE OF OKLAHOMA	OLETS USER FEES	8/2018	21-1900402	350.00
DEPARTMENT TOTAL:						350.00
FUND TOTAL:						350.00

8/30/2018 11:00 AM

PURCHASE ORDER CLAIM REGISTER

PAGE: 7

FUND: 15 - PERSONAL SERVICE - 10% EX

SUMMARY REPORT

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 41 POLICE						
19-0009	01-G0030	GENERAL FUND	TRANSFER 10% P.S.	9/2018	201808278270	26,000.00
DEPARTMENT TOTAL:						26,000.00
DEPARTMENT: 51 FIRE						
19-0009	01-G0030	GENERAL FUND	TRANSFER 10% P.S.	9/2018	201808278270	26,000.00
DEPARTMENT TOTAL:						26,000.00
FUND TOTAL:						52,000.00

FUND: 39 - LIMITED PURPOSE

SUMMARY REPORT

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 42 ANIMAL WELFARE						
19-0483	01-M0304	METRO EMERGENCY UPFITTERS,	ANIMAL WELFARE VEHICLE UP	8/2018	1212	5,260.00
DEPARTMENT TOTAL:						5,260.00
DEPARTMENT: 61 STREETS						
19-0638	01-P0055	PLUMBCO, INC	PLUMBING TOP OUT AT PW	8/2018	201808278300	4,600.00
19-0596	01-S1002	STERLING & SONS ELECTRIC,	LELECTRICAL INSTALLATION	8/2018	3542	9,630.00
DEPARTMENT TOTAL:						14,230.00
DEPARTMENT: 72 WATER						
19-0217	01-C1197	CORE & MAIN LP	WATER METERS	8/2018	J312066	4,109.06
19-0643	01-P0049	PIONEER SUPPLY, LLC	METER PARTS (RESTOCK)	8/2018	64441	258.00
DEPARTMENT TOTAL:						4,367.06
FUND TOTAL:						23,857.06

FUND: 69 - RISK MANAGEMENT

SUMMARY REPORT

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 00 ADMINISTRATION						
19-0630	01-T0121	TIMOTHY P TYNER	WORKERS COMP CLAIM	8/2018	201808278264	135.16
19-0650	01-T024	THE PHYSICIANS GROUP LLC	WORKERS COMP CLAIM	8/2018	201808278266	88.74
DEPARTMENT TOTAL:						223.90
FUND TOTAL:						223.90
GRAND TOTAL:						1,942,364.81

CITY OF MUSTANG

AGENDA ITEM COMMENTARY

- 1. ITEM NO.** J-3
- 2. DATE:** September 4, 2018
- 3. TITLE:** Approval to turn past due utility accounts over to the collection agency
- 4. COUNCIL ACTION:** Approve or Deny
- 5. INITIATOR:** Janet Watts, Finance Director
- 6. BACKGROUND:** The attached utility accounts are past due and need to be sent to collections. Total balance is \$3,193.10 excluding collection agency fees.
- 7. STAFF SOURCE:** Janet Watts, Finance Director
- 8. FINANCIAL IMPACT:** Bad debt write-off of \$3,193.10
- 9. STAFF COMMENTS:** Recommends turning accounts over to collections.
- 10. CITY ATTORNEY'S COMMENTS:**
- 11. RESOLUTION/ORDINANCE NO.** N/A

JANA FERRELL - COLLECTIONS

09/04/2018

ACCOUNT NUMBER	NAME	SERVICE ADDRESS	MAILING ADDRESS	BALANCE	AGENCY FEE	TOTAL FEE
17-0125-16	BARTER, JASON & KYLIE	328 E HILLCREST LN MUSTANG, OK 73064	328 E HILLCREST LN MUSTANG, OK 73064	\$ 356.46	\$ 124.76	\$ 481.22
START DATE:						
FINAL DATE:						
13-0453-02	BRESSMAN, KRYSTAL & BENJAMIN	418 W CHANTILLY WAY MUSTANG, OK 73064	8735 N HOPE LN YUKON, OK 73099	\$ 29.61	\$ 10.36	\$ 39.97
START DATE:						
FINAL DATE:						
05-0212-12	BROOKS, SKYE	1190 W WESTCHESTER WAY MUSTANG, OK 73064	148 SW 89TH ST #217 OKC, OK 73139	\$ 175.17	\$ 61.31	\$ 236.48
START DATE:						
FINAL DATE:						
17-0338-05	BUSHMAN, CHRIS	629 E LINDEN LN MUSTANG, OK 73064	300 N 4TH ST #1605 ST LOUIS, MO 63102	\$ 85.36	\$ 29.88	\$ 115.24
START DATE:						
FINAL DATE:						
15-0070-05	CHESNUT, STEVE	417 E LINDEN LN MUSTANG, OK 73064	PO BOX 143 MEDICINE PARK, OK 73557	\$ 169.15	\$ 59.20	\$ 228.35
START DATE:						
FINAL DATE:						
07-0074-08	GONZALEZ, PERLITA	751 W FOREST DR MUSTANG, OK 73064	751 W FOREST DR MUSTANG, OK 73064	\$ 305.96	\$ 107.09	\$ 413.05
START DATE:						
FINAL DATE:						
22-0314-10	MATHIS, WENDY & JASON	1012 N PEACHTREE TERR MUSTANG, OK 73064	10428 EXTER AVE YUKON, OK 73099	\$ 101.13	\$ 35.40	\$ 136.53
START DATE:						
FINAL DATE:						
25-0001-00	P & P GROUP LLC	2325 E PINRIC TERR MUSTANG, OK 73064	7120 NW 63RD, BLD 7 BETHANY, OK 73008	\$ 1,394.81	\$ 488.18	\$ 1,882.99
START DATE:						
FINAL DATE:						
17-0315-03	RODGERS, SUSANNAH & JEFF	716 E JUNIPER LN MUSTANG, OK 73064	641 QUAPAW AVE HOT SPRINGS, AR 71901	\$ 112.61	\$ 39.41	\$ 152.02
START DATE:						
FINAL DATE:						
13-0042-09	SHOOK, BRET	410 W CHANTILLY WAY MUSTANG, OK 73064	722 FRANCKTOWN RD RICHLANDS, NC 28574	\$ 25.36	\$ 8.88	\$ 34.24
START DATE:	BRAMLET, NICOLE					
FINAL DATE:						
18-0265-01	TATE, RICHARD	717 E OLIVIA TERR MUSTANG, OK 73064	PO BOX 1344 MUSTANG, OK 73064	\$ 295.98	\$ 103.59	\$ 399.57
START DATE:						
FINAL DATE:						
05-0183-05	THOMPSON, ROBERT	1113 W JOHNATHAN WAY MUSTANG, OK 73064	1346 W ONYX WAY MUSTANG, OK 73064	\$ 51.00	\$ 17.85	\$ 68.85
START DATE:						
FINAL DATE:						
08-0047-14	WAKE, BRADLEY	647 W LINDEN DR MUSTANG, OK 73064	647 W LINDEN DR MUSTANG, OK 73064	\$ 90.50	\$ 31.68	\$ 122.18
START DATE:						
FINAL DATE:						

ACCOUNTS: 13

TOTALS: \$ 3,193.10 \$ 1,117.59 \$ 4,310.69

CITY OF MUSTANG
AGENDA ITEM COMMENTARY

1. **ITEM NO.** J-4
2. **MEETING DATE:** September 4, 2018
3. **TITLE:** Approval to turn past due library accounts over to collection agency.
4. **COUNCIL ACTION:** Approve/Deny
5. **INITIATOR:** Janet Watts, Finance Director
6. **BACKGROUND:**
The attached library accounts are past due and need to be sent to collections.
The total balance is \$1,145.52 excluding collection agency fees.
7. **FINANCIAL IMPACT:**
Inventory loss of \$1,145.52
8. **STAFF COMMENTS:** Recommend Approval
9. **STAFF SOURCE:** Julie Slupe, Library Director
10. **CITY ATTORNEY COMMENTS:**
11. **RESOLUTION/ORDINANCE NO.** N/A

Council Copy
Accounts Sent to Collections
for August, 2018

	A	B	C	D	E
1	Acct #	NAME/RESPONSIBLE PARTY	CITY, STATE, ZIP	BOOK BALANCE	
2	0071329	DEE A. REVELS	YUKON, OK 73099	\$68.97	
3	0070639	TELA R. WEIBLE	MUSTANG, OK 73064	\$52.92	
4	0073855	MICHELLE N. SMITH	OKLAHOMA CITY, OK 73127	\$62.93	
5	0024523	KINLEY MICHAEL PURCELL JR.	MUSTANG, OK 73064	\$88.89	
6	0073822	DAEGAN A. PELITI	MINCO, OK 73059	\$99.36	
7	0073431	MARY MARIE KENNEDY	YUKON, OK 73099	\$50.00	
8	0054150	KASEY K. HUYNH	YUKON, OK 73099	\$85.74	
9	0073801	CHRISTINA M. HENDRICKS	MUSTANG, OK 73064	\$135.93	
10	0073865	BRANDY LEE HELTON	YUKON, OK 73099	\$69.88	
11	0059531	BRITTANY L. GIBSON	MUSTANG, OK 73064	\$58.88	
12	0072103	TERESA L. BRAWDY	MUSTANG, OK 73064	\$81.85	
13	0073983	JENNIFER L. HALL	MUSTANG, OK 73064	\$29.94	
14	0073984	JENNIFER L. HALL	MUSTANG, OK 73064	\$42.93	
15	0073660	KAYLA GARZA	MUSTANG, OK 73064	\$84.22	
16	0071842	MEGAN D. SMITH	MUSTANG, OK 73064	\$44.99	
17	0071843	MEGAN D. SMITH	MUSTANG, OK 73064	\$88.09	
18					
19			TOTAL FOR INDIVIDUALS	\$1,145.52	
20					
21			TOTAL FOR ILL	0.00	
22					
23			OVERALL TOTAL	1,145.52	
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CITY OF MUSTANG
AGENDA ITEM COMMENTARY

1. ITEM NO. J-5

2. MEETING DATE: September 4, 2018

3. TITLE:

Discussion, Consideration and Possible Action to Approve Resolution No. 19-009 for a Budget Supplemental in the Limited Purpose (Capital) Fund for the Fiscal Year 2018-2019.

4. COUNCIL ACTION: Approve/Deny

5. INITIATOR: Janet Watts, Finance Director

6. BACKGROUND:

The City of Mustang received \$21,500 from the City of Guthrie for the sale of (3) Dodge Charger vehicles in fiscal year 2019. The net proceeds of the sale will be deposited to the fund in which the vehicles were originally purchased.

A supplemental appropriation to increase the Limited Purpose (Capital) Fund in the amount of \$21,500 to be appropriated in fiscal year 2019.

7. FINANCIAL IMPACT:

8. STAFF COMMENTS:

9. STAFF SOURCE: Janet Watts, Finance Director

10. ORDINANCE /RESOLUTION NO. 19-009

RESOLUTION NO. 19-009

A RESOLUTION TO MAKE CHANGES IN THE LIMITED PURPOSE (CAPITAL) FUND BUDGET BY MAKING A SUPPLEMENTAL APPROPRIATION TO INCREASE THE 2018-2019 FISCAL YEAR BUDGET BY \$21,500.

WHEREAS, The City of Mustang received \$21,500 from the City of Guthrie for the sale of (3) Dodge Charger vehicles in fiscal year 2019. The net proceeds of the sale will be deposited to the fund in which the vehicles were originally purchased;

WHEREAS, the Council desires to appropriate funds;

NOW THEREFORE, BE IT RESOLVED, by the Council that the following supplemental appropriation be made:

SUPPLEMENTAL APPROPRIATION

Revenues:	
Miscellaneous (39-45193)	\$21,500
Expenditures:	
Restricted Fund Balance (39-515-5552)	21,178
2019 Police Lease-Purchase (39-541-5973)	<u>322</u>
Total :	<u>\$21,500</u>

This is to certify that the above and foregoing Resolution was dully **ADOPTED** and **APPROVED** by the Mayor and City Council this **4th** day of **September 2018**.

Mayor

ATTEST:

City Clerk

CITY OF MUSTANG
AGENDA ITEM COMMENTARY

1. ITEM NO. J-6

2. MEETING DATE: September 4, 2018

3. TITLE:

Discussion, Consideration and Possible Action to Approve Resolution No. 19-010 for a Budget Supplemental in the General Fund for the Fiscal Year 2018-2019.

4. COUNCIL ACTION: Approve/Deny

5. INITIATOR: Janet Watts, Finance Director

6. BACKGROUND:

The Senior Center has been awarded \$2,500 from the State of Oklahoma Department of Commerce/Office of Community Development and Area Wide Aging Agency for fiscal year 2019. The purpose of funding is to be used for \$2,000 (food) and \$500 (for equipment).

A supplemental appropriation to increase the General Fund in the amount of \$2,500 to be appropriated in fiscal year 2019.

7. FINANCIAL IMPACT:

8. STAFF COMMENTS:

9. STAFF SOURCE: Ashley Humphrey, Adult Program Coordinator

10. ORDINANCE /RESOLUTION NO. 19-010

RESOLUTION NO. 19-010

A RESOLUTION TO MAKE CHANGES IN THE GENERAL FUND BUDGET BY MAKING A SUPPLEMENTAL APPROPRIATION TO INCREASE THE 2018-2019 FISCAL YEAR BUDGET BY \$2,500.

WHEREAS, The Senior Center has been awarded \$2,500 from the State of Oklahoma Department of Commerce/Office of Community Development and Area Wide Aging Agency for fiscal year 2019. The purpose of funding is to be used for \$2,000 (food) and \$500 (for equipment);

WHEREAS, the Council desires to appropriate funds;

NOW THEREFORE, BE IT RESOLVED, by the Council that the following supplemental appropriation be made:

SUPPLEMENTAL APPROPRIATION

Revenues:	
Grants - Other (01-45111)	\$2,500
Expenditures:	
Adult Program (01-513-5301)	\$2,000
Equipment (01-513-5371)	<u>500</u>
Total	<u>\$2,500</u>

This is to certify that the above and foregoing Resolution was dully **ADOPTED** and **APPROVED** by the Mayor and City Council this **4th** day of **September 2018**.

Mayor

ATTEST:

City Clerk

CITY OF MUSTANG
AGENDA ITEM COMMENTARY

1. ITEM NO. J-7

2. MEETING DATE: September 4, 2018

3. TITLE:

Discussion, Consideration and Possible Action to Approve Resolution No. 19-011 for a Budget Supplemental in the General Fund for the Fiscal Year 2018-2019.

4. COUNCIL ACTION: Approve/Deny

5. INITIATOR: Janet Watts, Finance Director

6. BACKGROUND:

The City desires to lapse all unexpended encumbered appropriations at fiscal 2018 year-end; and re-approve the outstanding commitments in the immediately following fiscal year 2019.

A supplemental appropriation for approval in the amount of the new purchase order and re-approved contract commitments will be carried forward from the prior year and honored in the immediate fiscal year 2019.

A supplemental appropriation to increase the General Fund in the amount of \$229,050 to be re-appropriated in fiscal year 2019.

7. FINANCIAL IMPACT:

8. STAFF COMMENTS:

9. STAFF SOURCE: Janet Watts, Finance Director

10. ORDINANCE /RESOLUTION NO. 19-011

RESOLUTION NO. 19-011

A RESOLUTION TO MAKE CHANGES IN THE GENERAL FUND BUDGET BY MAKING A SUPPLEMENTAL APPROPRIATION TO INCREASE THE 2018-2019 FISCAL YEAR BUDGET BY \$229,050.

WHEREAS, The City of Mustang has adopted the provisions of the Oklahoma Municipal Budget Act (the Act) applicable to budgeting in 11 O.S. Sections 17-201 through 17-218; and

WHEREAS, 62 O.S. § 310.2 requires the encumbering officer of the City to record encumbrances against authorized appropriations for purchase orders and contracts at the time of commitment in an amount not to exceed the then unencumbered balance of the appropriations for said purpose; and

WHEREAS, The City desires to lapse all unexpended appropriations, including encumbered appropriations at fiscal year; and re-approve the outstanding purchase order and other contract commitments in the immediately following fiscal year and charge such to the appropriations of the immediately following fiscal year; and

WHEREAS, The City desires to carry over the unexpended fund balances into the immediately following fiscal year as income and revenue available to be provided for such new year, including availability for supplemental appropriation;

NOW THEREFORE, BE IT RESOLVED, by the Council that the following supplemental appropriation be made:

SUPPLEMENTAL APPROPRIATION

Revenues:

Vest Grants (01-45111)	\$	3,105
OSHO Grant (01-45112)		8,384
Reserved Carryover (01-45199)		208,727
Transfer from Library Fund – State Aid Grant (01-46807)		<u>8,834</u>
Total:	\$	<u>229,050</u>

Expenditures:

Other Supplies (01-513-5610)	\$	117
Computer Maintenance (01-513-5360)		655
Reserved Fund Balance (01-517-5555)		208,834
Services/Equipment (01-521-5971)		1,567
Uniforms – Vest Grants (01-541-5611)		3,105
Uniforms – Other (01-541-5611)		320
Vehicles Repair/Maintenance (01-541-5621)		1,546
Services/Equipment (01-541-5971)		4,522
OSHO Grant OT (01-543-5102)		7,788
OSHO Grant FICA/Medicare (01-543-5108)		<u>596</u>

Total: \$229,050

This is to certify that the above and foregoing Resolution was dully **ADOPTED** and **APPROVED** by the Mayor and City Council this **4th** day of **September 2018**.

Mayor

ATTEST:

City Clerk

CITY OF MUSTANG
AGENDA ITEM COMMENTARY

1. ITEM NO. J-8

2. MEETING DATE: September 4, 2018

3. TITLE:

Discussion, Consideration and Possible Action to Approve Resolution No. 19-012 for a Budget Supplemental in the Library Fund for the Fiscal Year 2018-2019.

4. COUNCIL ACTION: Approve/Deny

5. INITIATOR: Janet Watts, Finance Director

6. BACKGROUND:

The City desires to lapse all unexpended encumbered appropriations at fiscal 2018 year-end; and re-approve the outstanding commitments in the immediately following fiscal year 2019.

A supplemental appropriation for approval in the amount of the new purchase order and re-approved contract commitments will be carried forward from the prior year and honored in the immediate fiscal year 2019.

A supplemental appropriation to increase the Library Fund in the amount of \$38,333 to be re-appropriated in fiscal year 2019.

7. FINANCIAL IMPACT:

8. STAFF COMMENTS:

9. STAFF SOURCE: Janet Watts, Finance Director

10. ORDINANCE /RESOLUTION NO. 19-012

RESOLUTION NO. 19-012

A RESOLUTION TO MAKE CHANGES IN THE LIBRARY FUND BUDGET BY MAKING A SUPPLEMENTAL APPROPRIATION TO INCREASE THE 2018-2019 FISCAL YEAR BUDGET BY \$38,333.

WHEREAS, The City of Mustang has adopted the provisions of the Oklahoma Municipal Budget Act (the Act) applicable to budgeting in 11 O.S. Sections 17-201 through 17-218; and

WHEREAS, 62 O.S. § 310.2 requires the encumbering officer of the City to record encumbrances against authorized appropriations for purchase orders and contracts at the time of commitment in an amount not to exceed the then unencumbered balance of the appropriations for said purpose; and

WHEREAS, The City desires to lapse all unexpended appropriations, including encumbered appropriations at fiscal year; and re-approve the outstanding purchase order and other contract commitments in the immediately following fiscal year and charge such to the appropriations of the immediately following fiscal year; and

WHEREAS, The City desires to carry over the unexpended fund balances into the immediately following fiscal year as income and revenue available to be provided for such new year, including availability for supplemental appropriation;

NOW THEREFORE, BE IT RESOLVED, by the Council that the following supplemental appropriation be made:

SUPPLEMENTAL APPROPRIATION

Revenues:

Grants - Other (07-45111)	\$ 23,552
State Aid Grants (07-45112)	10,781
Reserved Carryover (07-45199)	<u>4,000</u>
Total:	<u>\$ 38,333</u>

Expenditures:

Miscellaneous (07-507-5630)	\$ 4,000
Grants – Other (07-507-5611)	23,552
State Aid Grants (07-507-5630)	1,947
Transfer to General Fund - State Aid Grant (07-507-5801)	<u>8,834</u>
Total	<u>\$ 38,333</u>

This is to certify that the above and foregoing Resolution was dully **ADOPTED** and **APPROVED** by the Mayor and City Council this **4th** day of **September 2018**.

Mayor

ATTEST:

City Clerk

CITY OF MUSTANG
AGENDA ITEM COMMENTARY

1. ITEM NO. J-9

2. MEETING DATE: September 4, 2018

3. TITLE:

Discussion, Consideration and Possible Action to Approve Resolution No. 19-013 for a Budget Supplemental in the Park Improvement Fund for the Fiscal Year 2018-2019.

4. COUNCIL ACTION: Approve/Deny

5. INITIATOR: Janet Watts, Finance Director

6. BACKGROUND:

The City desires to lapse all unexpended encumbered appropriations at fiscal 2018 year-end; and re-approve the outstanding commitments in the immediately following fiscal year 2019.

A supplemental appropriation for approval in the amount of the new purchase order and re-approved contract commitments will be carried forward from the prior year and honored in the immediate fiscal year 2019.

A supplemental appropriation to increase the Park Improvement Fund in the amount of \$35,000 to be re-appropriated in fiscal year 2019.

7. FINANCIAL IMPACT:

8. STAFF COMMENTS:

9. STAFF SOURCE: Janet Watts, Finance Director

10. ORDINANCE /RESOLUTION NO. 19-013

RESOLUTION NO. 19-013

A RESOLUTION TO MAKE CHANGES IN THE PARK IMPROVEMENT FUND BUDGET BY MAKING A SUPPLEMENTAL APPROPRIATION TO INCREASE THE 2018-2019 FISCAL YEAR BUDGET BY \$35,000.

WHEREAS, The City of Mustang has adopted the provisions of the Oklahoma Municipal Budget Act (the Act) applicable to budgeting in 11 O.S. Sections 17-201 through 17-218; and

WHEREAS, 62 O.S. § 310.2 requires the encumbering officer of the City to record encumbrances against authorized appropriations for purchase orders and contracts at the time of commitment in an amount not to exceed the then unencumbered balance of the appropriations for said purpose; and

WHEREAS, The City desires to lapse all unexpended appropriations, including encumbered appropriations at fiscal year; and re-approve the outstanding purchase order and other contract commitments in the immediately following fiscal year and charge such to the appropriations of the immediately following fiscal year; and

WHEREAS, The City desires to carry over the unexpended fund balances into the immediately following fiscal year as income and revenue available to be provided for such new year, including availability for supplemental appropriation;

NOW THEREFORE, BE IT RESOLVED, by the Council that the following supplemental appropriation be made:

SUPPLEMENTAL APPROPRIATION

Revenues:

Restricted Carryover (05-45199)	\$	25,000
Transfer from Court (05-46803)		<u>10,000</u>
Total:	\$	<u>35,000</u>

Expenditures:

Reserved Fund Balance (05-500-5555)	\$	25,000
Park Improvement Improvements (05-500-5610)		<u>10,000</u>
Total:	\$	<u>35,000</u>

This is to certify that the above and foregoing Resolution was dully **ADOPTED** and **APPROVED** by the Mayor and City Council this **4th** day of **September 2018**.

Mayor

ATTEST:

City Clerk

CITY OF MUSTANG
AGENDA ITEM COMMENTARY

1. ITEM NO. J-10

2. MEETING DATE: September 4, 2018

3. TITLE:

Discussion, Consideration and Possible Action to Approve Resolution No. 19-014 for a Budget Supplemental in the Limited Purpose (Capital) Fund for the Fiscal Year 2018-2019.

4. COUNCIL ACTION: Approve/Deny

5. INITIATOR: Janet Watts, Finance Director

6. BACKGROUND:

The City desires to lapse all unexpended encumbered appropriations at fiscal 2018 year-end; and re-approve the outstanding commitments in the immediately following fiscal year 2019.

A supplemental appropriation for approval in the amount of the new purchase order and re-approved contract commitments will be carried forward from the prior year and honored in the immediate fiscal year 2019.

A supplemental appropriation to increase the Limited Purpose (Capital) Fund in the amount of \$126,527 to be re-appropriated in fiscal year 2019.

7. FINANCIAL IMPACT:

8. STAFF COMMENTS:

9. STAFF SOURCE: Janet Watts, Finance Director

10. ORDINANCE /RESOLUTION NO. 19-014

RESOLUTION NO. 19-014

A RESOLUTION TO MAKE CHANGES IN THE LIMITED PURPOSE (CAPITAL) FUND BUDGET BY MAKING A SUPPLEMENTAL APPROPRIATION TO INCREASE THE 2018-2019 FISCAL YEAR BUDGET BY \$126,527.

WHEREAS, The City of Mustang has adopted the provisions of the Oklahoma Municipal Budget Act (the Act) applicable to budgeting in 11 O.S. Sections 17-201 through 17-218; and

WHEREAS, 62 O.S. § 310.2 requires the encumbering officer of the City to record encumbrances against authorized appropriations for purchase orders and contracts at the time of commitment in an amount not to exceed the then unencumbered balance of the appropriations for said purpose; and

WHEREAS, The City desires to lapse all unexpended appropriations, including encumbered appropriations at fiscal year; and re-approve the outstanding purchase order and other contract commitments in the immediately following fiscal year and charge such to the appropriations of the immediately following fiscal year; and

WHEREAS, The City desires to carry over the unexpended fund balances into the immediately following fiscal year as income and revenue available to be provided for such new year, including availability for supplemental appropriation;

NOW THEREFORE, BE IT RESOLVED, by the Council that the following supplemental appropriation be made:

SUPPLEMENTAL APPROPRIATION

Revenues:

Reserved Carryover (39-45199)	\$	126,527
Total:	\$	<u>126,527</u>

Expenditures:

Capital – Painting Gazebo (39-513-5971)	\$	9,335
Capital – ADA Van - Matching Grant (39-513-5971)		9,500
Capital – Concession Stand Ceiling (39-519-5971)		1,500
Capital – Aquatic - Pavilion (39-520-5971)		11,900
Capital – Aquatic – Vacuum (39-520-5971)		1,200
Capital – Police - Access Control System (39-541-5971)		39,992
Capital – Police – Replace Batteries Back-Up System (39-541-5971)		8,800
Capital – Asphalt Paver (39-561-5971)		35,000
Capital – Streets Metal Building (39-561-5971)		<u>9,300</u>
Total:		<u>\$126,527</u>

This is to certify that the above and foregoing Resolution was dully **ADOPTED** and **APPROVED** by the Mayor and City Council this **4th** day of **September 2018**.

Mayor

ATTEST:

City Clerk

CITY OF MUSTANG
AGENDA ITEM COMMENTARY

1. ITEM NO. J-11

2. MEETING DATE: September 4, 2018

3. TITLE:

Discussion, Consideration and Possible Action to Approve Resolution No. 19-015 for a Budget Supplemental in the Library Fund for the Fiscal Year 2018-2019.

4. COUNCIL ACTION: Approve/Deny

5. INITIATOR: Janet Watts, Finance Director

6. BACKGROUND:

The Library Department received \$4,392 from the Friends of the Mustang Public Library, Inc. for fiscal year 2019. The funds will be used to purchase a SMART Board.

A supplemental appropriation to increase the Library Fund in the amount of \$4,392 to be appropriated in fiscal year 2019.

7. FINANCIAL IMPACT:

8. STAFF COMMENTS:

9. STAFF SOURCE: Julie Slupe, Library Director

10. ORDINANCE /RESOLUTION NO. 19-015

RESOLUTION NO. 19-015

A RESOLUTION TO MAKE CHANGES IN THE LIBRARY FUND BUDGET BY MAKING A SUPPLEMENTAL APPROPRIATION TO INCREASE THE 2018-2019 FISCAL YEAR BUDGET BY \$4,392.

WHEREAS, The Library Department received \$4,392 from the Friends of the Mustang Public Library, Inc. for fiscal year 2019. The funds will be used to purchase a SMART Board;

WHEREAS, the Council desires to appropriate funds;

NOW THEREFORE, BE IT RESOLVED, by the Council that the following supplemental appropriation be made:

SUPPLEMENTAL APPROPRIATION

Revenues:	
Donations (07-45100)	\$4,392
 Expenditures:	
Miscellaneous (07-507-5610)	<u>\$4,392</u>
Total	<u>\$4,392</u>

This is to certify that the above and foregoing Resolution was dully **ADOPTED** and **APPROVED** by the Mayor and City Council this **4th** day of **September 2018**.

Mayor

ATTEST:

City Clerk

CITY OF MUSTANG
AGENDA ITEM COMMENTARY

1. ITEM NO. J-12

2. MEETING DATE: September 4, 2018

3. TITLE: School Resource Officer – Annual Agreement

4. COUNCIL ACTION: Approve/Deny

5. INITIATOR: Robert Groseclose, Chief of Police

6. BACKGROUND: Attached, for your information and review, is a proposed agreement between the City of Mustang and Mustang Public Schools for the purpose of providing two (2) School Resource Officers for the FY19 school year, each day the school is in session, which is a total of 173 instructional days. This agreement was approved at the May meeting, but is coming before Council again due to a correction to the amount from \$138,872 to \$133,795.

7. FINANCIAL IMPACT: If agreement is approved, the City of Mustang would be reimbursed a total amount of \$133,795 of a total cost of \$208,295 for these two positions.

8. STAFF COMMENTS: Staff recommends City Council approval of the School Resource Officer Agreement

9. STAFF SOURCE: Robert Groseclose, Police Chief

10. ORDINANCE /RESOLUTION NO. None

**AGREEMENT BETWEEN THE CITY OF MUSTANG
AND MUSTANG PUBLIC SCHOOL SYSTEM
2018-2019 SCHOOL YEAR**

This agreement entered into between the City of Mustang ("CITY") and the Independent School District No. I-069, Mustang Public School System ("SCHOOL");

Whereas, the SCHOOL has need for two or more full-time, on duty police officers to serve Mustang Public Schools, High School/Middle School campus in the boundaries of the CITY each day school is in session; and

Whereas, the CITY has determined that it is in the best interest of students and residents to provide protection services to the SCHOOL for the purposes, terms and conditions as stated herein;

Witnesseth, for the consideration as stated herein, the parties agree as follows:

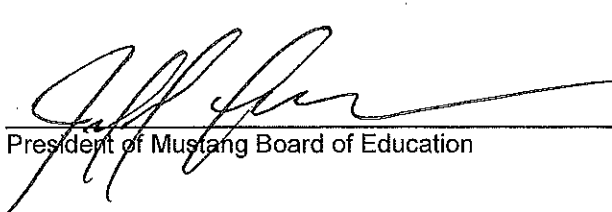
1. The CITY will furnish the services of two (2) experienced Mustang police officers to the SCHOOL no earlier than 7:30 a.m. and no later than 4:30 p.m. each day SCHOOL is in session during the 2018-2019 SCHOOL year, a total of 173 instructional days. The officers will work 8 1/2 consecutive hours & one 8 hour day within the stated time frame with a lunch break in accordance with established policy of the Mustang Police Department. If an unforeseen event occurs where one or both of the assigned officers cannot be present, the CITY will not furnish a substitute officer for that designated period. The CITY agrees to refrain from scheduling both officers off at the same time for training or any other regular foreseen event, unless a substitute officer is scheduled. The CITY further agrees to consult with the SCHOOL principal regarding scheduling of required training and other necessary foreseen events.
2. Both parties will approve the designation of the police officers assigned to the SCHOOL under the terms of this contract. The SCHOOL may request the replacement of the assigned officer, for cause, with thirty (30) days written notice to the Chief of Police, unless this requirement is waived at the sole discretion of the Chief of Police.
3. The primary duty of the assigned officers is to provide community policing law enforcement services on campus, including crime deterrence, crime detection, criminal investigation and apprehension of offenders. It is expressly provided that the services described in this Agreement will not include assignments or duties occurring outside the hours set forth herein or outside the municipal boundaries of the CITY. The CITY is committed to having on duty Mustang police officers working in the SCHOOL to deliver community policing law enforcement services and is willing to work with the SCHOOL to provide additional officers as requested by the SCHOOL when police staffing allows.
4. It is fully understood and agreed by the parties that the assigned officers are, at all times pertinent to this agreement, police officers certified by the State of Oklahoma, commissioned and employed by the CITY. The assigned officers will, at all material times, be under the supervision of the Mustang Police Department. Direction, assignments and duties involving the officers will be coordinated between an appointed representative of the SCHOOL and the Mustang Chief of Police or his/her designee. The assigned officers shall at no time be considered to be in the chain of command of any SCHOOL administrator, or in any other way have their law enforcement actions controlled by any SCHOOL official or employee.
5. The SCHOOL will make reasonable efforts to provide the assigned officers an office area with appropriate furnishings where he/she would be available to students and or perform tasks related to this assignment.

~~\$138,872~~
\$122,795

6. In consideration for the services provided through this Agreement, the SCHOOL agrees to pay the CITY a total amount of ~~\$138,872~~ limited to 2018-19 SCHOOL year only, which is the approximate salary, benefits and expenses to the CITY for two (2) experienced police officers for 173 instructional days. This amount will be paid in nine (9) equal monthly payments, payable on the day following the regular scheduled board meeting for the previous month's services. The first payment will be due on or before September 15, 2018.
7. Should the CITY'S full-time commissioned police officer staffing decrease to a level which jeopardizes the safe and efficient delivery of critical police services to the CITY; the Chief of Police shall retain the right to suspend the school resource officer program in whole or in part based upon the staffing shortage. Reasonable efforts shall be made to maintain the officer assigned to Mustang High School. The SCHOOL at that time agrees to pay the CITY, \$69,436, the approximate annual salary for one (1) experienced school resource officer, limited to 2018-19 SCHOOL year only. The terms of payment shall be as agreed upon in paragraph six (6) of this agreement.
8. This agreement may be canceled by either party upon thirty (30) days written notice to the other. For notice given to the CITY, notice shall be provided to the City Manager. For notice given to the SCHOOL, notice shall be provided to the Chairman of the Mustang School Board.
9. The CITY appoints the Chief of Police and the SCHOOL appoints the Superintendent as their respective designees for carrying out the terms of this Agreement, including the assignment of duties to the assigned police officer.

Mayor, City of Mustang

Date



President of Mustang Board of Education

8/20/18

Date

CITY OF MUSTANG
AGENDA COMMENTARY

1. **ITEM:** J-13
2. **MEETING DATE:** September 4, 2018
3. **TITLE:** Approval of Facility User Agreement for City of Mustang sports facilities
4. **COUNCIL ACTION:** Approve/Deny
5. **INITIATOR:** Nic Bailey Sports & Parks Manager
6. **BACKGROUND:** Facility user agreement for the football complex was approved at the July 5, 2016 city council meeting. This agreement is set to be renewed on a yearly basis. Agreement is attached.
7. **FINANCIAL IMPACT:**
8. **STAFF'S COMMENTS:** Staff recommends approval of agreement with the Mustang Youth Football Association
9. **STAFF SOURCE:** Nic Bailey Sports & Parks Manager

Sports Facility Agreement
Wild Horse Park Football Agreement

This Agreement, made and entered into this 4th day of September, 2018 between the City of Mustang (the "CITY") and the Mustang Youth Football Association, a not for profit corporation (hereinafter called "Club");

WITNESSETH:

1. That the CITY for and in consideration of the covenants and agreements hereinafter set forth, and the performance on the part of the Club of all the terms hereof, does hereby enter into a Non-Exclusive Agreement with Club relative to the use of certain portions of the following described property, located within **Wild Horse Park**, situated in the City of Mustang, County of Canadian, State of Oklahoma, as described in Exhibit A, (hereinafter "Property") for the purposes set forth herein;

2. The purpose of this Agreement is to provide and promote football activities for the youth and other residents of the Mustang Community, and to promote the establishment, operation, and support of public recreational facilities and programs for the welfare of the people, all as authorized by 11 O.S. Sec. 33-101 et seq., and other applicable law.

3. That the term of this Agreement shall run from **August 7th, 2018 through July 1, 2019**, and may be renewed upon approval by both parties for the next year.

4. For and in consideration of the use of said Property for the football activities as stated herein, said Club hereby agrees and covenants with the CITY that Club will:

a. Use the Property for athletic or recreational programs and facilities, and for no other purpose;

b. Maintain the entire Property herein in a good condition, free and clear of all paper, trash, glass, cans, bottles, weeds, grass or other debris or matter, by whatever description, through the entire term of this Agreement,

c. Construct no permanent construction on the Property without prior approval of the CITY. It is further understood that all construction plans will require CITY Engineer review **and written approval prior to commencement of construction; and the construction and improvement** will be subject to CITY Inspection and all City Municipal Code requirements. It is specifically understood that all permanent fixtures and or permanent construction will become property of the CITY upon its completion and acceptance by CITY. It is further specifically

understood that Club will furnish an accounting of all monies furnished by club funds within five days of request and that any property, whether temporary or permanent, of any type, constructed or purchased in whole or in part with monies so furnished will become property of the CITY. It is further understood that any improvements may, at the discretion of the City Manager or his designee, be moved to another location and used for purposes compatible with those set forth in this Agreement.

d. Reserve unto the CITY, the right to control the use of the water in the area and to collect from Club such charges as may be fixed by the CITY for the use thereof, and to permit the CITY to limit the use or discontinue of the same altogether during periods of water shortage;

e. **By December 1 or upon CITY's request, Club will furnish to the City Manager or his designee financial statements of Club operations.**

f. Upon CITY's request, Club will furnish to CITY information indicating the number of participants in the current programs.

g. Permit no activities to continue beyond 11:00 p.m. **without the prior approval from the Parks and Recreation Director** and all exterior lights except for security lights to be turned out within 15 minutes after the earlier of cessation of all such activities on the lighted area or the hour above stated;

5. All coaches must have a background check prior to commencing coaching activities at said facility. Background check process must be approved by City Manager or his designee prior to executing the background check.

6. Club further agrees to the following:

a. To fully defend, protect, indemnify and hold harmless the CITY, its employees and agents, from and against each and every claim, demand or cause of action and any liability cost, expense (including but not limited to reasonable attorneys' fees and expense incurred in defense of the City of Mustang and/or the Mustang Improvement Authority), damage or loss in connection therewith, which may be made or asserted by Club's employees or agents, subcontractors, or any third party (including but not limited to Mustang Improvement and/ or the City of Mustang agents, servants or employees) on account of personal injury or death or property damage caused by, arising out of or in any way incidental to, or in connection with the Agreement hereunder, except such as may result solely from the CITY's negligence.

b. Club shall maintain, at its sole cost, the insurance coverage set forth below with companies satisfactory to the CITY with full policy limits applying but not less than as stated and name the City of Mustang and the Mustang Improvement Authority as additional insureds. A certificate evidencing the required insurance quoting the indemnification provision set forth in the Agreement shall be delivered to the CITY prior to commencement of the work and shall provide that any change restricting or reducing coverage or cancellation of any policies under which certificates are issued shall not be valid as respects the Mustang Improvement Authority and/or City of Mustang interest therein until the CITY has received 30 days prior notice in writing of such change or cancellation. Proof of such insurance shall be required before this Agreement becomes effective. All insurance shall be issued as occurrence basis policies.

(i) Workman's Compensation Insurance as required by law and regulations applicable to and covering employees of Club.

(ii) Comprehensive General Liability Insurance including products/completed operation with limits of liability of not less than: Bodily Injury- \$1,000,000.00 each person, \$1,000,000.00 each occurrence /aggregate. This policy shall cover, among other risks, the contractual liability assumed under the indemnification provisions set forth in this Agreement. All insurance shall be issued as occurrence basis policies.

(iii) Each policy shall be endorsed to provide waiver of subrogation rights in favor of the Mustang Improvement Authority and/or the City of Mustang, its agents and employees, and all other parties owning an interest in the property covered by this Agreement.

c. It is the express intent of this agreement that there be no lapse in insurance coverage, and it is further expressly provided that any change or cancellation in any such insurance shall not constitute a waiver of this term and condition of the Agreement.

d. The Club will require any subcontractors it may engage to maintain, at all times, while performing work on the Property, the insurance as set forth above, naming the City of Mustang and the Mustang Improvement Authority as additional insureds.

e. Failure of the Club to keep the required insurance policies in force and effect during the seasons described in this Agreement and during any extension hereof, shall constitute a breach of this Agreement, and shall automatically make this Agreement null and void without further action of the CITY, and with no notice to the Club being required effective the date of expiration or termination of the insurance.

7. The CITY hereby reserves unto itself the right of ingress and egress over, through, under and across the Property at all times necessary for purpose of maintaining, improving, repairing, extending, erecting, constructing water and sewer lines or other utilities, and for the purpose of all other governmental and municipal purposes, including the right to inspect and police said Property.

8. **The Club will, at its expense, provide the labor necessary to staff the concession, gate, and referee the games.**

9. **The Club will, maintain and mow the grass on the playing fields.**

10. **The Club shall, maintain the sanitary toilet facilities, as required, and keep same clean and emptied as needed and required, and in a way acceptable to the State Health Department. The Club is also responsible for providing paper goods for the said facilities.**

11. The CITY shall, at all times, have the right to go upon said Property and inspect same and determine if the covenants or conditions in this Agreement are being honored and maintained, and may make reports to the Club from time to time concerning same.

12. The CITY shall pay all electric, gas, water, sewer, sanitation or other utility bills.

13. The CITY hereby grants to the Club the non-exclusive right to use said Property during the term of this agreement so long as the use does not interfere with the use of the CITY and subject to the terms of the Agreement hereinabove set forth.

14. It is understood and agreed that no right is granted or intended to be granted hereunder which the CITY does not have and if it is determined that this Agreement exceeds the rights of City then this Agreement shall be null and void.

15. Fees and/or admission charge: No fee shall be charged for parking. The admission charges shall not be excessive and shall be set in order to cater to the maximum number of people. Only those fees necessary to support the activity will be charged to those participating and the spectators. **All fees and any and all activities, which will generate funds for Club, including, but not limited to, registration fees, tournaments, etc., will be used for further expansion of leagues to perpetuate the proper use of said Property.**

16. **Concession privileges for sale of refreshments and goods associated with any athletic and recreational activities operated by the Club on the Property will be the sole responsibility of the Club. All funds generated through the concession sales during Club activities shall be the property of the Club. All sales tax reporting will be sole responsibility of**

the Club and follow Federal, State, and Municipal laws. Such concessions will promote the use of Property consistent with its dedication as a sports facility.

17. It is understood and agreed that this Agreement does not authorize the Club or anyone acting under, through or on its behalf to use any of the other facilities in said park and Club hereby agrees that no other facility shall be used without first clearing the same through the City Manager or designee of the City of Mustang, except for that area commonly designated for parking. It is also understood and agreed that the Club shall have no right to grant any license or right to use the Property to any third person.

18. **The Club shall furnish the City Manager or his designee a list of all dates and times they desire to use the Property and such schedule shall include the intended use; e.g., league play, tournament, etc.** Such schedule shall be submitted **no later than the fifteenth (15th) day of July for fall/winter activities. The City Manager's designee shall be notified in a timely manner of amendments to the schedule.**

19. Consideration shall be given to all organized youth teams, persons, and groups and for other recreational events outside the Club to use the area covered in this Agreement and the City Manager, or his designee may give permission for such use. Such permission rests in the sole discretion of the City Manager or his designee. However, both Club and CITY shall exert good faith efforts to ensure and provide fairness in the availability of the Property. It is further provided and acknowledged that Club assumes no liability or responsibility for activities of persons or groups not affiliated with Club activities.

20. This Agreement shall not be transferred or assigned to any other organization or person or any other entity without the prior written consent of the CITY, and any attempt to assign or transfer the rights under this Agreement shall be null and void, and of no force and effect, and shall, at City's option, constitute a termination of this Agreement. It is expressly understood that this provision includes, but is not limited to, any contracting or subcontracting arrangement.

21. Any violation of the City Code of the City of Mustang can constitute grounds for termination of this Contract by the CITY.

22. Except as otherwise provided, a breach of any of the covenants or agreements of this Agreement on the part of said Club will result in cancellation of said Agreement with 45

days prior written notice. No holding over after the term hereof shall constitute a renewal of this Agreement.

23. Notwithstanding the above, should Club fail in any respect to comply with the terms of this Agreement, except those provisions set forth in paragraph 6.e., and should CITY notify Club in writing of the matter in regard to which default is asserted, and should Club fail either to cure the default within 30 days after the giving of notice or to commence within 15 days to rectify the default and continue thereafter to use due diligence to rectify the default until it is fully rectified or cured, then the CITY may cancel this Agreement at any time thereafter by giving written notice to Club of the election to terminate. It is expressly agreed that Club shall in no event be liable for damages for default and that the sole remedy of CITY for any default of Club shall be to terminate this agreement pursuant to the provisions of paragraph 23. This paragraph shall not, however, relieve Club from liability for negligence or any other act for which it is directly responsible in damages.

24. In the event of a termination of this agreement, Club shall remove its personnel and non-permanent personal property from the Property. On the termination of this agreement for any reason, all improvements on the Property will be turned over to CITY and become the property of CITY.

However, if the CITY terminates this Agreement for any reason other than a default by the Club, or if the CITY refuses to renew the agreement before all the improvements have been completed and paid for by Club, CITY shall be liable for and shall assume the outstanding debt on any such improvements, provided that the improvements and indebtedness were approved by the CITY prior to the incurrence of same by Club.

25. Club members, guests, employees and associates will conduct his or her activity in a professional manner at all times. Any incident of an unprofessional nature that could jeopardize the image or reflect adversely on City can and will be considered grounds for termination.

26. Club is responsible for providing information concerning appropriate safety equipment relating to each activity to each and all participants in their programs.

27. This Agreement may be amended by written agreement of the parties.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seal the day and year first written above.

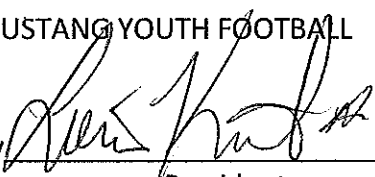
CITY OF MUSTANG

By _____
Mayor

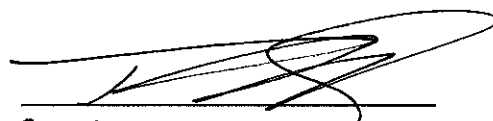
ATTEST:

City Clerk

MUSTANG YOUTH FOOTBALL

By  _____
President

ATTEST:



Secretary
Mustang Youth Football

City of Mustang

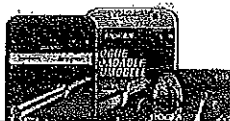
City Council

Agenda Item Commentary

1. ITEM NO: J-14
2. MEETING DATE: September 4, 2018
3. TITLE: Acceptance of New Fitness Equipment Donated to the Fire Station.
4. COUNCIL ACTION: Approve/ Deny
5. INITIATOR: Craig Carruth, Fire Chief
6. BACKGROUND: Ted Weber with Weber Accounting, is donating brand new fitness equipment to the fire station, which totals \$2949.28.
7. FINANCIAL IMPACT: None
8. STAFF COMMENTS: Recommend Approval
9. STAFF SOURCE: Craig Carruth, Fire Chief
10. RESOLUTION/ ORDINANCE NO.

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BLACK CONCEPT 2 MODEL D ROWER - PM5
C20003-B

QTY \$1,800.00
\$900.00 each

Availability: Available in US, CA, and APO addresses only. AK and HI included.

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ROGUE SANDBAG
RA0715-Medium

Size*

QTY \$180.00
\$90.00 each

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IP0006

QTY \$111.00
\$55.50 each

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ROGUE 20LB MEDICINE BALL
RA0636-BK

QTY \$240.00
\$120.00 each

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**ROGUE GAMES BOX**

RA0388

QTY: \$270.00
\$135.00 each

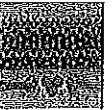
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**P-3 PULL-UP SYSTEM**

RA0169

QTY: \$135.00
\$135.00 each

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**MOBILITY PACK 1**

MP0001-LFRR

Add Additional Lacrosse Balls

-- Please Select --

Add Rumble Rollers

Large Rumble Roller - Black +\$69.95

QTY: \$90.70
\$90.70 each

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Zip Code*

73064

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☐ Pick-Up in Columbus, OH

Subtotal	\$2,796.70
Shipping & Handling	\$152.58
Total Excl. Tax	\$2,949.28
Grand Total	\$2,949.28

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City of Mustang
City Council
Agenda Item Commentary

1. ITEM NO. K2a
2. MEETING DATE: September 4, 2018
3. TITLE: Approval of Proclamation Declaring September 17th through September 23rd as "Constitution Week"
4. COUNCIL ACTION: Approve/Deny
5. INITIATOR: Timothy Rooney, City Manager

6. BACKGROUND:

The Daughters of the American Revolution (DAR) asked for this item to be placed on the agenda to declare September 17th through September 23rd as "Constitution Week". This is something the Council has done for several years.

The tradition of celebrating the Constitution started many years ago by the DAR. In 1955, the DAR petitioned Congress to set aside September 17-23 annually to be dedicated for the observance of Constitution Week. The resolution was later adopted by the U.S. Congress and signed into Public Law #915 on August 2, 1956, by President Eisenhower. The DAR is asking us to join in being America's cheerleader the week of September 17-23 to honor and officially recognize the patriotic celebrations which will commemorate the occasion.

It is a week-long commemoration of America's most important document and today stands as a testament to the tenacity of Americans throughout history to maintain our liberties and freedom, and ensuring the unalienable rights.

7. FINANCIAL IMPACT: None

STAFF COMMENTS:

8. STAFF SOURCE: Timothy Rooney, City Manager

The City of Mustang

Proclamation

WHEREAS, September 17, 2018 marks the two hundred and thirty-first anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and

WHEREAS, it is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary; and to the patriotic celebrations which will commemorate the occasion; and

WHEREAS, Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as Constitution Week;

NOW, THEREFORE, I, Jess Schweinberg, by virtue of the authority vested in me as Mayor of the City of Mustang, in the City of Mustang, do hereby proclaim the week of September 17 through 23 as

"Constitution Week"

AND ask our citizens to reaffirm the ideals the Framers of the Constitution had in 1787 by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties, remembering that lost rights may never be regained.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Mustang to be affixed this 4th day of September of the year of our Lord **two thousand eighteen**.

Jess Schweinberg, Mayor

Attest:

Lisa Martin, City Clerk

The City of Mustang

Proclamation

WHEREAS, Toastmasters International is a world leader in communication and leadership development with more than 332,000 members in 135 countries; and

WHEREAS, the mission of Toastmasters is to provide a supportive and positive learning experience in which members are empowered to develop communication and leadership skills, resulting in greater self-confidence and personal growth; and

WHEREAS, the Toastmasters International values are integrity, respect, service, and excellence; and

WHEREAS, since the Toastmasters organization began in 1924, more than four and a half million men and women have benefitted from its leadership programs; and

WHEREAS, members of Toastmasters understand the importance of improved communication, meeting facilitation, leadership skills, constructive evaluations, and increased self-confidence; and

WHEREAS, on September 10, 2018, the Mustang Toastmasters Club will be celebrating an important milestone as they have been active in our community for 25 years;

WHEREAS, they have invited the public to celebrate this momentous occasion with them, as well as learn about the outstanding benefits of Toastmasters International.

NOW, THEREFORE, I, Jess Schweinberg, Mayor of the City of Mustang, do hereby proclaim September 10, 2018, as

"Mustang Toastmasters Day"

in the City of Mustang, Oklahoma, and urge our citizens to learn about services, programs, and opportunities provided by the Mustang Toastmasters Club.

GIVEN under my hand and seal of the City of Mustang, Oklahoma, this 10th day of September, 2018.

Jess Schweinberg Mayor

ATTEST:

Lisa Martin, City Clerk

CITY OF MUSTANG

AGENDA ITEM COMMENTARY

1. ITEM NO. L-1

2. MEETING DATE: September 4, 2018

3. TITLE: Preliminary Plat Application PP-7-12-18-1-25, Prairie Hills Estates Addition, Premium Land, LLC, NE/4 Section 25, T11N, R5W, Approximately 50.97 acres, 188 lots.

4. COUNCIL ACTION: Discussion, Consideration and Possible Action to Approve or Deny Preliminary Plat

5. INITIATOR: Community Development Department

6. PROJECT DESCRIPTION: The applicant, Crafton Tull & Associates, has submitted a **Preliminary Plat** for Prairie Hills Estates Addition, Phase II. This area is zoned R-1, Single Family District, and contains approximately 50.97 acres with 188 lots to be constructed in two parts.

The applicant has requested a variance on cul-de-sac lengths. They are requesting a cul-de-sac length of 570 feet for E. Pinion Terrace and 625 feet for E Cole Terrace. These variances were approved by the Planning Commission.

All lots meet the minimum lot size and street frontage requirements in the R-1 zoning district.

The city engineer and fire department have reviewed and approved the preliminary plat.

Maintenance of all common areas and drainage facilities will be the responsibility of the property owners' association. No structures or other obstructions may be placed in a drainage easement.

Character of Neighborhood: This area is primarily residential with a mix of agricultural and oil well sites.

Zoning and Uses of Property Nearby: Property to the north is Oklahoma City jurisdiction, to the east is Oklahoma City jurisdiction, to the west is A-1 and to the south is R-E.

Conformance with Long-Range Plan: The long-range plan calls for low density residential development in this area, therefore this development conforms to the comprehensive plan.

Utilities and Services: Public water and sewer is available to this property.

Professional Staff Recommendation: Staff recommends approval of the preliminary plat. The plat design meets primary requirements for R-1 development as regulated in our code, with two exceptions for which the applicant has requested a variance which was approved by the Planning Commission. Staff has notified the applicant to correct N Wall Street to N Wall Terrace and that correction will be made.

Planning Commission Findings: The Mustang Planning Commission voted unanimously to recommend approval of this final plat at their August 14, 2018 meeting. Please see attached minutes. Note: These minutes have not yet been formally approved by the Planning Commission.

7. FINANCIAL IMPACT: None

8. STAFF COMMENTS: None

9. STAFF SOURCE: Morgan Shepard, City Planner

10. CITY ATTORNEY'S COMMENTS: None.

11. RESOLUTION/ORDINANCE NO. _____

Preliminary Plat PP-7-12-18-1-25, Prairie Hills Estates Addition, Phase II, Premium Land LLC, NE/4, Section 25. Approx. 50.97 acres, 188 lots.

City Planner, **Morgan Shepard**, provided a brief overview. This request is for the preliminary plat of Prairie Hills, Phase II, this phase will complete the subdivision. Phase II will contain 188 lots on 50.975 acres. The applicants are a variance to Mustang Code of Ordinances stating cul-de-sac shall not exceed 500 feet in length. The applicant is requesting a variance for a maximum length of 570 feet for E Pinion Terrace and 625 for E Cole Terrace.

The maintenance of these common areas will be the responsibility of the Property Owners Association. The plat will require that all property owners be part of the Property Owners Association. All lots meet the R-1 standards. The surrounding neighborhood is a mix of agricultural and single family residential. The long-range plan calls for low density residential, this request does conform to the comprehensive plan.

Staff recommends approval of this Preliminary Plat with the requested variances. The applicant has been made aware of a street name correction, N Wall Street to Wall Terrace and will amend that. The plat meets the requirements and intent of City Ordinance and adopted plans. The City Engineer recommends approval, the Fire Department comments were the same as Staff, amend the street name to Terrace. The City Attorney had recommendations that were made by the applicant.

Mr. Bratton asked about stop sign placement. **Ms. Shepard** stated that at the end of the process when the final plat has been approved, herself and Ms. Helsel determine the locations of street signs and stop signs. Those are sent to the developer to review and then ordered and placed by the City.

Mr. Bratton opened the public hearing.

Kendall Dillon, 300 Pointe Parkway Blvd, came forward as a representative of the applicant.

Mr. Russell asked about the corrections made. **Mr. Dillon** responded that the corrections were made and there was a revised preliminary plat submitted to the City.

Hearing no further comments, **Mr. Bratton** closed the public hearing.

The Commissioners discussed the revised plat. Staff stated the Commissioners only had the original plat and had not received the revised plat.

Mr. Brown asked about the variance letter. **Ms. Helsel** explained the Commission can grant variances as part of the platting process provided a letter is included with the preliminary plat application. This variance letter was provided with the preliminary plat application. The Commissioners have the authority to grant a cul-de-sac length variance up to 1,000 feet.

Mr. Brown made a motion to approve the preliminary plat and requested variances,
Mr. Russell seconded the motion.

A roll call vote was taken:

Jan Yakish	Yes
Dan Hix	Yes
Jesse Bratton	Yes
Jerry Brown	Yes
David Russell	Yes
Brad Homer	Yes

The motion was approved unanimously.

CITY OF MUSTANG

AGENDA ITEM COMMENTARY

1. ITEM NO. L-2

2. MEETING DATE: September 4, 2018

3. TITLE: Preliminary Plat Application PP-7-31-18-2-33, Mustang Commercial Park, 500-600 Block W. State Highway 152, 3 Lots, Gary Owens Carpet & Construction, 11.58 acres.

4. COUNCIL ACTION: Discussion, Consideration and Possible Action to Approve or Deny Preliminary Plat

5. INITIATOR: Community Development Department

6. PROJECT DESCRIPTION: The applicant, Gary Owens has submitted a **Preliminary Plat** for Mustang Commercial Park. This area is zoned C-5, Commercial Intensive District and contains approximately 11.58 acres. This subdivision will contain 3 commercial lots.

All lots exceed the minimum size requirements for C-5 districts. Maintenance of all common areas and drainage facilities will be the responsibility of the property owners' association. No structures or other obstructions may be placed in a drainage easement. The applicant has submitted a variance request for 60-foot street frontage for Lot 3 instead of 100.

A cul-de-sac has been added for the common access drive with a 30-foot front yard setback.

The applicant has requested that the city permit the owner to design drainage facilities on each of the three lots independently, and not as a subdivision. This varies from the requirements set forth in the subdivision section of the municipal code. The plat does require wording that expressly states that each property owner will develop a drainage and detention system at the time of development.

Character of Neighborhood: This is an area of commercial development with moderate commercial development in the area.

Zoning and Uses of Property Nearby: Property to the north is zoned C-5 and R-1, to the east is C-5, to the west is R-2 and to the south is R-2 and R-1.

Conformance with Long-Range Plan: The long-range plan calls for retail neighborhood development in this area, therefore this development conforms to the comprehensive plan.

Utilities and Services: Public water and sewer is available to this property.

Professional Staff Recommendation: Staff recommends approval of the final plat. A cul-de-sac was added for the common access drive and a 30-foot front yard setback was included for any structures built on that lot. The fire department and city engineer have approved the plans.

Planning Commission Findings: The Mustang Planning Commission voted unanimously to recommend approval of this final plat at their August 14, 2018 meeting. Please see attached minutes. Note: These minutes have not yet been formally approved by the Planning Commission.

7. FINANCIAL IMPACT: None

8. STAFF COMMENTS: None

9. STAFF SOURCE: Melissa Helsel, Community Development Director

10. CITY ATTORNEY'S COMMENTS:

The developer has made most attorney comments. The following change should be made prior to approval of the preliminary plat:

Commerce Drive, a dedicated street extending into Lot 3, should extend onto Lot 3 to provide 100 feet of street frontage. Mustang Code of Ordinances (the "Code"), Sec. 122-473(1). The developer did not request a variance from this ordinance requirement.

11. RESOLUTION/ORDINANCE NO. _____

2. Preliminary Plat PP-7-31-18-2-33, Mustang Commercial Park, 500-600 Block W. State Highway 152, Mustang Commercial Park, 3 Lots, Gary Owens Carpet & Construction.

Community Development Director, **Melissa Helsel**, introduced the preliminary plat. The applicant, Gary Owens has resubmitted a Preliminary Plat for Mustang Commercial Park. The Mustang Commercial Preliminary and Final Plats were denied at the last meeting. The applicant has made changes based on the meeting comments and met with Staff to address concerns.

This area is zoned C-5, Commercial Intensive District and contains approximately 11.58 acres. This subdivision will contain 3 commercial lots. All lots exceed the minimum size requirements for C-5 districts. Maintenance of all common areas and drainage facilities will be the responsibility of the property owners' association. No structures or other obstructions may be placed in a drainage easement. The applicant has submitted a variance request for 60-foot street frontage for Lot 3 instead of 100. A cul-de-sac has been added for the common access drive with a 30-foot front yard setback.

Staff recommends approval of the final plat. A cul-de-sac was added for the common access drive and a 30-foot front yard setback was included for any structures built on that lot. Detention will be done at the time each lot is developed. Determining the drainage requirements is largely determined by the building use, size and parking. This information is not available yet.

Mr. Brown asked if the water retention issues from the last meeting had been resolved.

Ms. Helsel responded staff was satisfied. Commercial lots will do a drainage and detention study when they are developed. Only a small number of platted commercial lots do a regional drainage and detention study before the lots are developed.

The Commissioners discussed the drainage and retention requirements for the lots.

Mr. Homer opened the public hearing.

Mark Grubb, 1819 S Morgan Road, project engineer, came forward on behalf of the applicant. Mr. Grubb stated he spoke to city staff and the city engineer and all parties were satisfied with the individual lots submitting drainage and detention studies when they are developed.

Mr. Homer asked about Fire Department recommendations. Mr. Grubb responded they requested an additional fire hydrant and that has been added.

Mr. Miller had several recommendations including, naming the street, labeling the common access drive, and extend the 20-foot utility easement. Mr. Grubb agreed to make those changes prior to the City Council meeting.

Hearing no further comments, **Mr. Homer** closed the public hearing.

Mr. Bratton made a motion to approve to approve the preliminary plat subject to comments by the City Attorney and staff approval of the street name. **Mr. Hix** seconded the motion.

A roll call vote was taken:

Jan Yakish	Yes
Dan Hix	Yes
Jesse Bratton	Yes
Jerry Brown	Yes
David Russell	Yes
Brad Homer	Yes

The motion was approved unanimously.

CITY OF MUSTANG

AGENDA ITEM COMMENTARY

1. ITEM NO. L-3

2. MEETING DATE: September 4, 2018

3. TITLE: Final Plat Application FP-7-31-18-2-33, Mustang Commercial Park, 500-600 Block W. State Highway 152, 3 Lots, Gary Owens Carpet & Construction, 11.58 acres.

4. COUNCIL ACTION: Discussion, Consideration and Possible Action to Approve or Deny Preliminary Plat

5. INITIATOR: Community Development Department

6. PROJECT DESCRIPTION: The applicant, Gary Owens has submitted a **Final Plat** for Mustang Commercial Park. This area is zoned C-5, Commercial Intensive District and contains approximately 11.58 acres. This subdivision will contain 3 commercial lots.

All lots exceed the minimum size requirements for C-5 districts. Maintenance of all common areas and drainage facilities will be the responsibility of the property owners' association. No structures or other obstructions may be placed in a drainage easement. The applicant has submitted a variance request for 60-foot street frontage for Lot 3 instead of 100.

A cul-de-sac has been added for the common access drive with a 30-foot front yard setback.

The applicant has requested that the city permit the owner to design drainage facilities on each of the three lots independently, and not as a subdivision. This varies from the requirements set forth in the subdivision section of the municipal code. The plat does require wording that expressly states that each property owner will develop a drainage and detention system at the time of development.

Character of Neighborhood: This is an area of commercial development with moderate commercial development in the area.

Zoning and Uses of Property Nearby: Property to the north is zoned C-5 and R-1, to the east is C-5, to the west is R-2 and to the south is R-2 and R-1.

Conformance with Long-Range Plan: The long-range plan calls for retail neighborhood development in this area, therefore this development conforms to the comprehensive plan.

Utilities and Services: Public water and sewer is available to this property.

Professional Staff Recommendation: Staff recommends approval of the final plat. A cul-de-sac was added for the common access drive and a 30-foot front yard setback was included for any structures built on that lot. The fire department and city engineer have approved the plans.

Planning Commission Findings: The Mustang Planning Commission voted unanimously to recommend approval of this final plat at their August 14, 2018 meeting. Please see attached minutes. Note: These minutes have not yet been formally approved by the Planning Commission.

7. FINANCIAL IMPACT: None

8. STAFF COMMENTS: None

9. STAFF SOURCE: Melissa Helsel, Community Development Director

10. CITY ATTORNEY'S COMMENTS:

The developer has made most attorney comments. The following change should be made prior to approval of the preliminary plat:

Commerce Drive, a dedicated street extending into Lot 3, should extend onto Lot 3 to provide 100 feet of street frontage. Mustang Code of Ordinances (the "Code"), Sec. 122-473(1). The developer did not request a variance from this ordinance requirement.

11. RESOLUTION/ORDINANCE NO. _____

3. Final Plat PP-7-31-18-2-33, Mustang Commercial Park, 500-600 Block W. State Highway 152, Mustang Commercial Park, 3 Lots, Gary Owens Carpet & Construction.

Community Development Director, **Melissa Helsel**, introduced the final plat. This plat is the final for the Mustang Commercial Park that was just discussed. **Ms. Helsel** stated she had no additional comments and staff recommends approval.

Mr. Homer opened the public hearing.

Mark Grubb, 1819 S Morgan Road, came forward. He stated he would make the changes requested prior to Council and asked for approval of the final plat.

Hearing no further comments, **Mr. Homer** closed the public hearing.

Mr. Brown asked about curb cuts. **Ms. Helsel** responded curb cuts are reviewed and approved by ODOT.

Mr. Hix made a motion to approve the final plat subject to comments by the City Attorney and staff approval of the street name. **Mr. Bratton** seconded the motion.

A roll call vote was taken:

Jan Yakish	Yes
Dan Hix	Yes
Jesse Bratton	Yes
Jerry Brown	Yes
David Russell	Yes
Brad Homer	Yes

The motion was approved unanimously.

CITY OF MUSTANG

AGENDA ITEM COMMENTARY

1. ITEM NO. L-4

2. MEETING DATE: September 4, 2018

3. TITLE: Final Plat Application FP-8-1-18-2-27, Pine Canyon Addition, B & J Investments, LLC, Section 27, Approx. 24.97 acres, 76 lots.

4. COUNCIL ACTION: Discussion, Consideration and Possible Action to Approve or Deny Final Plat

5. INITIATOR: Community Development Department

6. PROJECT DESCRIPTION: The applicant, B & J Investments, LLC, has submitted a **Final Plat** for Pine Canyon Addition. This area is zoned R-1, Single Family District, and contains approximately 24.97 acres. This subdivision will ultimately contain 76 residential lots.

All lots exceed the minimum size requirements for R-1 districts. All lots currently exceed the frontage requirements of 45 feet. The city engineer has reviewed and approved all sanitary sewer, water, paving and drainage plans for this subdivision. The fire department has approved the layout. Maintenance of all common areas and drainage facilities will be the responsibility of the property owners' association. No structures or other obstructions may be placed in a drainage easement.

Pine Canyon has two variances to Mustang Code that were approved in the preliminary plat by Planning Commission and City Council. The variances are 25-foot front yard setback, and a cul-de-sac length of approximately 2300 feet.

The applicant revised the final plat based on comments made by Staff. The City Attorney reviewed the plat and made recommendations. The applicant has chosen to only make certain corrections. The applicant has provided justification for not making all the recommended changes.

Character of Neighborhood: This is an area of residential development with R-1 and R-E development in the area.

Zoning and Uses of Property Nearby: Property to the north is zoned R-1, to the east is R-1, to the west is R-E and to the south is R-1.

Conformance with Long-Range Plan: The long-range plan calls for low density residential development in this area, therefore this development conforms to the comprehensive plan.

Utilities and Services: Public water and sewer is available to this property.

Character of Neighborhood: This is an area of commercial development with moderate commercial development in the area.

Zoning and Uses of Property Nearby: Property to the north is zoned C-5 and R-1, to the east is C-5, to the west is R-2 and to the south is R-2 and R-1.

Conformance with Long-Range Plan: The long-range plan calls for retail neighborhood development in this area, therefore this development conforms to the comprehensive plan.

Utilities and Services: Public water and sewer is available to this property.

Professional Staff Recommendation: Staff recommends approval of the final plat. The fire department and city engineer have given their final approval.

Planning Commission Findings: The Mustang Planning Commission voted unanimously to recommend approval of this final plat at their August 14, 2018 meeting. Please see attached minutes. Note: These minutes have not yet been formally approved by the Planning Commission.

7. FINANCIAL IMPACT: None

8. STAFF COMMENTS: None

9. STAFF SOURCE: Melissa Helsel, Community Development Director

10. CITY ATTORNEY'S COMMENTS:

The developer has completed most attorney comments. The following requested changes have not been made:

1. Common Area C, the following legal call corrections have not been made:
 - a. The first call, N 0°11'21" E, should have the note "CA C" following that call.
 - b. The second call, 50 feet, needs the call inserted on the plat: "N 89°58'21" W – CA"
2. The Final Plat should show the radii, arcs, points of tangency, points of intersection and central angles for curvilinear streets and radii for all property returns. Distances measured along curves shall be arc lengths. They are not shown on the middle and end turnarounds.

11. RESOLUTION/ORDINANCE NO. _____

4. Final Plat FP-8-1-18-2-27, Pine Canyon Addition, B & J Investments, LLC, NE/4 Section 29, T11N, R5W, Approx. 24.97 acres, 76 lots.

Community Development Director, **Melissa Helsel**, introduced the final plat request. The applicant, B & J Investments, LLC, has submitted a Final Plat for Pine Canyon Addition. This area is zoned R-1, Single Family District, and contains approximately 24.97 acres. This subdivision will ultimately contain 76 residential lots. All lots exceed the minimum size requirements for R-1 districts. All lots currently exceed the frontage requirements of 45 feet. The city engineer has reviewed and approved all sanitary sewer, water, paving and drainage plans for this subdivision. The fire department has approved the layout. Maintenance of all common areas and drainage facilities will be the responsibility of the property owners' association. No structures or other obstructions may be placed in a drainage easement.

Pine Canyon has two variances to Mustang Code that were approved in the preliminary plat by Planning Commission and City Council. The variances are 25-foot front yard setback, and a cul-de-sac length of approximately 2300 feet. The applicant revised the final plat based on comments made by Staff. The City Attorney reviewed the plat and made recommendations.

This is an area of residential development with R-1 and R-E development in the area. Property to the north is zoned R-1, to the east is R-1, to the west is R-E and to the south is R-1. The long-range plan calls for low density residential development in this area, therefore this development conforms to the comprehensive plan. Staff recommends approval of the final plat.

Mr. Bratton asked about stop signs and expressed his concern about speeding down the long street. **Ms. Yakish** agreed with this concern.

The Commissioners and **Ms. Helsel** discussed speed tables and whether they could ask developers to install them.

Mr. Homer opened the public hearing.

Mark Grubb, 1819 S Morgan Road, came forward on behalf of the applicant. He stated the final plat was designed in accordance with the preliminary plat that had already been approved. When the preliminary plat was reviewed by Planning Commission and City Council there was no mention of speed tables or concerns for safety at that time. The roundabouts would serve as traffic calming measures. He stated he would tell the developer about the concerns and the idea of speed tables.

Hearing no further comments, **Mr. Homer** closed the public hearing.

The Commissioners discussed speed tables.

Mr. Hix asked about the legal calls mentioned in the city attorney comments. **Mr. Grubb** responded the surveyor who signed the plat was responsible.

Mr. Hix asked about the other comments made by the City Attorney. **Mr. Grubb** responded he was working on those, except the comment to change the public drainage easement to private. The city agreed to the public drainage easement.

Mr. Miller confirmed and stated that comment was no longer applicable.

Ms. Yakish brought up speed tables again as a safety issue. She suggested a requirement that the developer install speed tables.

Ms. Helsel responded the city wrote the speed table ordinance the way it is for many reasons and it is best if people who want these measures request it themselves. When speed tables are requested, they are designed and installed to specific engineered standards as opposed to a developer installing a speed table without the same criteria.

Ms. Yakish asked what the difference was between requiring speed tables be installed versus it falling on the city. **Ms. Helsel** responded there were a lot of differences, the first being they wouldn't have community support and it would not go through the process outlined in the Ordinance. But also the size, quality and standards would be left at the developer's discretion, which could be a liability and maintenance issue. **Ms. Helsel** stated that any speed table installed when the streets were put in would be seriously compromised by the time development and construction ended. A lot of heavy machinery and trucks would be going over it.

Mr. Miller stated the ordinance for street standards and construction does not include speed tables. The speed table ordinance that was adopted by City Council details the process that can be used to have a speed table installed.

Mr. Homer stated he felt it was not their place to require that. It would be unfair to the applicant because it was never discussed at the preliminary plat stage.

Mr. Russell made a motion to approve the final plat subject to the City Attorney's comments excluding number three. **Mr. Brown** seconded the motion.

A roll call vote was taken:

Jan Yakish	Yes
Dan Hix	Yes
Jesse Bratton	Yes
Jerry Brown	Yes
David Russell	Yes
Brad Homer	Yes

The motion was approved unanimously.

CITY OF MUSTANG

AGENDA ITEM COMMENTARY

1. ITEM NO. L-5

2. MEETING DATE: September 4, 2018

3. TITLE: AN ORDINANCE OF THE CITY OF MUSTANG, OKLAHOMA, AMENDING CHAPTER 6 OF THE MUSTANG CODE OF ORDINANCES BY REPEALING CHAPTER 6, ARTICLES I THROUGH IV IN THEIR ENTIRETY, AND ENACTING NEW CHAPTER 6, ARTICLES I THROUGH III, ESTABLISHING RULES AND PROCEDURES, CREATING OCCUPATION FEES, AND ESTABLISHING VIOLATIONS, FOR ABLE COMMISSION LICENSEES; AMENDING CHAPTER 38, SECTION 38-38(A)(2) TO CHANGE TERMS TO BE CONSISTENT WITH CURRENT LAW; AMENDING CHAPTER 42, SECTION 42-6 TO SET THE AMOUNTS OF OCCUPATION FEES FOR ABLE COMMISSION LICENSEES; AMENDING CHAPTER 1, SECTION 1-8 TO MAKE MAXIMUM FINES AND PENALTIES CONSISTENT WITH STATE LAW; DECLARING REPEALER; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY

4. COUNCIL ACTION: Approve/Deny Ordinance

5. INITIATOR: Community Development Department

6. PROJECT DESCRIPTION:

The State of Oklahoma recently changed its statutes with regard to the sale of beer, wine and liquor in pharmacies, grocery stores, convenience stores, etc. The new state laws go into effect on October 1st. In order to accommodate new business locations that are planning to offer high-point beer, wine and/or liquor, the attached ordinance brings Mustang's municipal code up to date.

This ordinance stays very close to the state's new statutes for regulation according to the new laws. This ordinance addresses zoning, licensing, fees, penalties for violation, and handling of alcoholic beverages. It updates our Social Host regulations and sets fees for licensing for different businesses involving alcoholic beverages.

7. FINANCIAL IMPACT: There will be a financial impact of increased licensing fees.

8. STAFF COMMENTS: Staff recommends approval.

9. STAFF SOURCE: Melissa Helsel, Community Development Director

10. CITY ATTORNEY'S COMMENTS:

11. RESOLUTION/ORDINANCE NO. 1172

ORDINANCE NO. 1172

AN ORDINANCE OF THE CITY OF MUSTANG, OKLAHOMA, AMENDING CHAPTER 6 OF THE MUSTANG CODE OF ORDINANCES BY REPEALING CHAPTER 6, ARTICLES I THROUGH IV IN THEIR ENTIRETY, AND ENACTING NEW CHAPTER 6, ARTICLES I THROUGH III, ESTABLISHING RULES AND PROCEDURES, CREATING OCCUPATION FEES, AND ESTABLISHING VIOLATIONS, FOR ABLE COMMISSION LICENSEES; AMENDING CHAPTER 38, SECTION 38-38(A)(2) TO CHANGE TERMS TO BE CONSISTENT WITH CURRENT LAW; AMENDING CHAPTER 42, SECTION 42-6 TO SET THE AMOUNTS OF OCCUPATION FEES FOR ABLE COMMISSION LICENSEES; AMENDING CHAPTER 1, SECTION 1-8 TO MAKE MAXIMUM FINES AND PENALTIES CONSISTENT WITH STATE LAW; DECLARING REPEALER; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY

BE IT ORDAINED BY THE COUNCIL FOR THE CITY OF MUSTANG, OKLAHOMA, THAT:

Section 1: REPEAL.

Chapter 6, Articles I through IV, of the Municipal Code of the City of Mustang, Oklahoma, are hereby repealed in their entirety.

Section 2: ENACTMENT.

Chapter 6 of the Municipal Code of the City of Mustang, Oklahoma, is hereby amended by adopting new Articles I through IV to read as set forth below:

Chapter 6 - ALCOHOLIC BEVERAGES

ARTICLE I. - IN GENERAL

Sec. 6-1. - Definitions.

When used in this Code, words and phrases shall have the meaning as defined pursuant to the Oklahoma Alcoholic Beverage Control Act, 37A Okla. Stat. § 1-101, *et seq.*, as enacted and as may be amended from time to time.

Sec. 6.2. - Restriction on Location of Retail Package Store, Mixed Beverage Establishment or Bottle Club and Beer and Wine Establishment.

- (a) It shall be unlawful for any mixed beverage establishment, beer and wine establishment, or bottle club which has been licensed by the ABLE Commission and which has as its main purpose the selling or serving of alcoholic beverages for consumption on the premises, or retail package store, to be located within three hundred (300) feet of any public or private school or church property primarily and regularly used for worship services and religious activities. The distance indicated in this section shall be measured from the nearest property line of such public or private school or church to the nearest perimeter wall of the

premises of any such mixed beverage establishment, beer and wine establishment, bottle club, or retail package store which has been licensed to sell alcoholic beverages.

- (b) The provisions of subsection (a) shall not apply to mixed beverage establishments, beer and wine establishments, or bottle clubs, which have been licensed to sell alcoholic beverages for on-premises consumption or retail package stores prior to the effective date of this section; provided, if at the time of application for license renewal the licensed location has not been in actual operation for a continuous period of more than sixty (60) days, the provisions of subsection (a) shall apply.
- (c) If any school or church shall be established within three hundred (300) feet of any retail package store, mixed beverage establishment, beer and wine establishment, or bottle club subject to the provisions of this section after such retail package store, mixed beverage establishment, beer and wine establishment or bottle club has been licensed, the provisions of subsection (a) shall not be a deterrent to the renewal of such license if there has not been a lapse of more than sixty (60) days. When any mixed beverage establishment, beer and wine establishment, or bottle club subject to the provisions of this section which has a license to sell alcoholic beverages for on-premises consumption or retail package store changes ownership or the operator thereof is changed and such change of ownership results in the same type of business being conducted on the premises, the provision of this section shall not be a deterrent to the issuance of a license to the new owner or operator if he or she is otherwise qualified.

State Law reference—Location of Licensed Mixed Beverage Establishment, Beer and Wine Establishment, or Bottle Club - Protest of Application for or Granting of License Drinking in public, 37A O.S. § 2-139.

Sec. 6-3. – Certificates of Zoning and Compliance

- (a) The Community Development Director is hereby delegated the authority to issue Conditional Certifications, Certificates of Zoning, Certificates of Compliance and non-compliance notices required by Title 37 of the Oklahoma Statutes.
- (b) An applicant for a license provided for in the Oklahoma Alcoholic Beverage Control Act shall request that a certificate of zoning be issued by the City certifying that the applicant's proposed location and use thereof comply with all municipal zoning ordinances.
- (c) An applicant for a license provided for in the Oklahoma Alcoholic Beverage Control Act shall request that a certificate be issued by the City certifying that the applicant's existing or proposed operations under the license comply with all City fire, building and all other codes relating to health and safety, as applicable.
- (d) Applications for such certificates shall be in writing on forms prescribed by the Community Development Director and shall contain information in such detail as the Community Development Director may reasonably require describing the location and nature of operations to be conducted at the premises.

- (e) The Community Development Director shall act on all applications for such certificates within twenty (20) days of receipt of the completed written application.
- (f) A conditional certificate for premises proposed for licensed operations for which construction, modification or alteration is not completed may be issued by the Community Development Director. Conditional certificates shall indicate that the proposed premises will comply with the City zoning, fire, building and all other codes relating to health and safety, as applicable. The granting of conditional certificates shall not relieve the applicant of the duty of obtaining the certificates required by subparagraphs (b) and (c) of this section after completion of the construction, modification, or alteration. If a conditional certificate is issued, the certificates required by paragraphs (b) and (c) of this section shall be issued within ten (10) days after all final inspections are completed.
- (g) An applicant's proposed location and use thereof shall be in conformance with the laws of the State of Oklahoma and with the ordinances of the City of Mustang and shall pass all necessary fire, building and all other code inspections or no Certificate of Compliance shall issue. If a licensee fails to maintain compliance with City ordinances and codes, the Community Development Director shall forthwith notify the ABLE Commission in writing setting forth details of the noncompliance.

State Law reference—Application for Original Brewer, Distiller, Winemaker, Rectifier, Wine and Spirits Wholesaler, Beer Distributor, Mixed Beverage, Beer and Wine, Bottle Club, Caterer, Retail Spirits, Retail Wine, or Retail Beer Licenses - Notice of Intention - Conditional Approval - Final Notice of Approval, 37A O.S. § 2-141; Applications for Licenses - Required Documents - City and County Conditional Certificates - Failure to Timely Renew, 37A O.S. § 2-142.

Sec. 6-4. – Display of License.

All licenses issued pursuant to the provisions of the Oklahoma Alcoholic Beverage Control Act shall be displayed in a conspicuous place at all times on the licensed premises. No licensee may consent to or allow the use or display of the license by a person other than the person to whom the license was issued. No person may use a license or exercise any privileges granted by the license except at the place, address, premises or location for which the license is issued, except as otherwise provided by the Oklahoma Alcoholic Beverage Control Act.

State Law reference— Display of License Required - Suspension or Revocation of Mixed Beverage, Caterer, Public Event, or Bottle Club License Revokes All Other Licenses for Same Premises, 37A O.S. § 2-154.

Sec. 6-5. - Reports to state.

The city clerk shall furnish any information or reports required or requested by the ABLE commission in the form, manner and time as may be determined by the Commission, except as otherwise provided in this Chapter.

Sec. 6-6. – Duty to Enforce.

City of Mustang police officers and municipal attorneys shall diligently enforce all provisions of the Oklahoma Alcoholic Beverage Control Act. In addition to penalties provided under State law, failure or refusal to perform any duty required by the Oklahoma Alcoholic Beverage Control Act may result in the removal of said personnel.

State Law Reference: Duty and Authority to Diligently Enforce the Oklahoma Alcoholic Beverage Control Act, 37A O.S. § 4-106.

Sec. 6-7. – Penalties.

Any person who shall violate any provision of this Chapter 6 for which no specific penalty is prescribed shall be guilty of an offense and be fined not more than Five Hundred Dollars (\$500.00), or imprisoned for not more than Sixty (60) days, or by both such fine and imprisonment.

State Law Reference: 37A O.S. § 6-125 - Violation of the Oklahoma Alcoholic Beverage Control Act – Penalties

Secs. 6-8 — 6-30. - Reserved.

ARTICLE II. - OCCUPATION TAX

Sec. 6-31. - Levied.

- (a) There is hereby levied an annual occupation tax for the privilege of operating as a retailer, mixed beverage, beer and wine, caterer, public event or special event license, bottle club, manufacturer, wine and spirits wholesaler or beer distributor within the City of Mustang. The annual occupation tax shall be in the amount set forth in Section 42-6 of this Code.
- (b) In the event a single individual or business entity makes application for or is a holder of two or more licenses for the same address, and the requirements of Section 6-3 may be met without duplicate inspections or effort on the part of the City, that individual or business entity shall be liable for only the greater of the occupational taxes imposed on the holder of such licenses by Section 42-6.
- (c) Except for the sale of wine or beer to the public, an applicant may pay an interim occupational tax which will allow all qualified retail wine and retail beer, beer distributors and wine and spirits wholesaler state licensees to perform all activities permissible under a full license including but not limited to purchasing, stocking and storing the wine and/or full-strength beer prior to October 1, 2018. In order to qualify for an interim occupational tax, the state licensee must satisfy all the requirements set forth in Article XXVIII A of the Oklahoma Constitution, state law and Chapter 6 of this Code. After October 1, 2018, the interim occupational tax shall convert to a full occupational tax and shall be renewable annually as provided in this Chapter.

State Law reference—Municipalities - Occupational Tax, 37A O.S. § 4-104.

Sec. 6-32. - Payment; records; posting of tax receipt.

All occupation taxes provided for in this division shall be paid in advance to the city clerk, who shall issue a receipt therefor. The city clerk shall record the name of such licensee and the address where he engages in his occupation. Such records shall be duly filed and kept in the permanent files of the city for at least five years. Thereafter, upon resolution by the council, such records may be destroyed. Every person receiving such a receipt from the city clerk shall post the tax receipt in a conspicuous place in the premises wherein he carries on his occupation.

Sec. 6-33. - Expiration; proration.

- (a) All occupation taxes levied under the provisions of this division expire on June 30 of each year.
- (b) The amount of any occupation tax levied shall be computed *pro rata* upon the months remaining in the year ending June 30 following. Such taxes paid on or before the 15th day of any month shall be on the basis of the first day of the month, and such taxes paid after the 15th day of any month shall be on the basis of the first day of the next succeeding month.

Sec. 6-34. - Tax to be paid prior to engaging in business.

No business or occupation relating to alcoholic beverages as specifically enumerated in section 42-6 shall do business, or offer to do business, in this city until the occupation tax levied by this division has been paid in full to the city clerk, and a receipt issued therefor.

Sec. 6-35. - Occupational Tax Not Refundable or Transferable.

The occupational tax imposed herein shall cover only the person or entity paying the tax and shall not be refundable or transferable.

Sec. 6-36. - Violation; Penalty.

Failure to timely pay to the City any initial or renewal occupational tax as required hereunder shall constitute an offense. Each day in which such tax remains due and unpaid shall constitute a distinct and separate offense.

Sec. 6-37. - Reports to state alcoholic beverage control board.

The city clerk shall make and transmit an annual report to the ABLE Commission, covering the fiscal year, showing the number and class of licensees subject to the tax authorized by Chapter 6, and the amount of money received therefrom.

State Law reference—Municipalities - Occupational Tax, 37A O.S. § 4-104.

Secs. 6-38 — 6-60. - Reserved.

ARTICLE III. - REGULATIONS.

Section 6-61.- Licensee Responsible for Violations

Each retailer, mixed beverage, beer and wine, caterer, public event or special event license, bottle club, manufacturer, wine and spirits wholesaler or beer distributor shall be held responsible for any act or omission of his or her servant, agent, employee or representative in violation of any law, City ordinance or administrative rule affecting his or her license privileges.

Sec. 6-62.- Prohibited Acts; Penalties for Violation.

(a) Minors.

- (1) Any minor who shall be in the possession of any alcoholic beverage while such minor is upon any public street, road, or highway or in any public building or place shall be guilty of an offense and, upon conviction, shall be fined not more than One Hundred Dollars (\$100.00) plus costs and fees.
- (2) Any person who shall knowingly sell, deliver or furnish alcoholic beverages to any person under twenty-one (21) years of age shall be guilty of an offense and, upon conviction, shall be fined not more than Five Hundred Dollars (\$500.00) plus costs and fees, or imprisoned for a period not exceeding Sixty (60) days, or the court may impose both fine and imprisonment.
- (3) No retail spirits licensee shall permit any person under twenty-one (21) years of age to enter into or remain within or about the licensed premises.
- (4) Except as otherwise provided by the Oklahoma Alcoholic Beverage Control Act, no ABLE Commission licensee shall permit any person under twenty-one (21) years of age to enter into, remain within or loiter about the designated lounge or bar area of the licensed premises, except for persons who incidentally pass through the designated area.
- (5) Any person under twenty-one (21) years of age who shall misrepresent his or her age in writing or by presenting false documentation of age for the purpose of inducing any person to sell or serve him or her alcoholic beverages or issue him or her a bottle club membership card, or who enters or attempts to enter a package store or a separate or enclosed lounge or bar area, shall be guilty of an offense and, upon conviction, shall be fined not more than Fifty Dollars (\$50.00) plus costs and fees. The court may also order the Department of Public Safety to cancel or deny the offender's privilege to operate a motor vehicle, subject to the provisions of 37A O.S. § 6-119(B).
- (6) Except as provided in subparagraphs (a)(1), (a)(2) and (a)(5), a person who shall violate the provisions of this subsection shall be guilty of an offense and, upon conviction, shall be fined not more than Five Hundred Dollars (\$500.00) plus costs and fees.

(b) Intoxicated, Insane or Mentally Deficient Persons.

- (1) No person shall sell, deliver or knowingly furnish alcoholic beverages to a visibly intoxicated person or to an insane or mentally deficient person.
- (2) Any person who shall violate the provisions of this Subsection shall be guilty of a misdemeanor and, upon conviction, shall be fined not more than Five Hundred Dollars (\$500.00) plus costs and fees, or imprisonment not exceeding Thirty (30) days, or both such fine and imprisonment.

(c) Opening or Consuming Beverages.

- (1) No person shall open a retail container or consume alcoholic beverages on the premises of a package store, grocery store, convenience store or drug store, unless otherwise permitted by law.
- (2) No person shall consume or possess alcoholic beverages on the licensed premises of a bottle club unless such person possesses a valid membership card for that club issued by the club.
- (3) No person shall consume wine, beer or spirits in public except on the premises of a licensee of the ABLE Commission who is authorized to sell or serve spirits by the individual drink.
- (4) No ABLE Commission licensee shall suffer or permit any retail container to be opened or any alcoholic beverage to be consumed on the licensed premises, unless otherwise permitted by law.
- (5) No ABLE Commission licensee shall keep or knowingly permit any alcoholic beverage to be kept, brought or consumed on the licensed premises which is not allowed to be sold or served on such premises.
- (6) No ABLE Commission licensee shall consume or be under the influence of alcoholic beverages during the hours he or she is on duty.
- (7) Any person who shall violate the provisions of this Subsection shall be guilty of an offense and, upon conviction, shall be fined not more than Five Hundred Dollars (\$500.00) plus costs and fees.

(d) Hours of Operation.

- (1) No person shall sell or keep a package store open to sell alcoholic beverages during any day or hour not authorized by the Oklahoma Alcoholic Beverage Control Act.
- (2) No person shall sell or permit the sale of alcoholic beverages at a grocery store, convenience store or drug store during any day or hour not authorized by the Oklahoma Alcoholic Beverage Control Act.

- (3) No retail spirits licensee shall sell any alcoholic beverages at any hour other than between the hours of 8:00 a.m. and midnight Monday through Saturday, excluding Thanksgiving Day and Christmas Day.
- (4) No retail wine or retail beer licensee shall sell any beer or wine at any hour other than between the hours of 6:00 a.m. and 2:00 a.m. the following day, Monday through Sunday.
- (5) Any person who shall violate the provisions of this Subsection shall be guilty of an offense and, upon conviction, shall be fined not more than Five Hundred Dollars (\$500.00) plus costs and fees, or imprisoned for a period not exceeding Sixty (60) days, or the court may impose both fine and imprisonment.

(e) Illegal Conduct.

- (1) No ABLE Commission licensee shall permit any illegal gambling activity, violations of the State narcotic and dangerous drug laws, prostitution activity, or any other criminal conduct to occur on the licensed premises.
- (2) Any person who shall violate the provisions of this Subsection shall be guilty of an offense and, upon conviction, shall be fined not more than Five Hundred Dollars (\$500.00) plus costs and fees.

(f) Public Intoxication.

- (1) No person shall be drunk or intoxicated from any substance in any public place.
- (2) No ABLE Commission licensee shall permit any person to be drunk or intoxicated from any substance on the licensee's premises.
- (3) Any person who shall violate the provisions of this Subsection shall be guilty of a misdemeanor and, upon conviction, shall be fined not more than One Hundred Dollars (\$100.00) plus costs and fees, or imprisoned for a period not exceeding Sixty (60) days, or the court may impose both fine and imprisonment.

(g) Transportation of Open Containers.

- (1) Except as provided in the Oklahoma Alcoholic Beverage Control Act, no person shall knowingly transport in any vehicle upon a public highway, street or alley, any alcoholic beverage except in the original contain which shall not have been opened and the seal upon which shall not have been broken and from which the original cap or cork shall not have been removed.
- (2) Any person who shall violate the provisions of this Subsection shall be guilty of a misdemeanor and, upon conviction, shall be fined not more than One Hundred Dollars (\$100.00) plus costs and fees.

(h) Disturbing the Peace.

(1) No person shall engage in any of the following and disturb the peace of any person.

- (i) In any public place, or in or upon any passenger coach, streetcar, or in or upon any other vehicle commonly used for the transportation of passengers, or in or about any depot, platform, waiting station or room, drink or otherwise consume any intoxicating liquor unless authorized by this act, intoxicating substance or intoxicating compound of any kind, or inhale glue, paint or other intoxicating substance.
- (ii) Be drunk or intoxicated in any public or private road, or in any passenger coach, streetcar or any public place or building, or at any public gathering, from drinking or consuming such intoxicating liquor, intoxicating substance or intoxicating compound or from inhalation of glue, paint or other intoxicating substance.
- (iii) Be drunk or intoxicated from any cause.

(2) Any person who shall violate the provisions of this Subsection shall be guilty of a misdemeanor and, upon conviction, shall be fined not less than Ten Dollars (\$10.00) nor more than One Hundred Dollars (\$100.00), plus costs and fees, or by imprisonment for not less than five (5) days nor more than Thirty (30) days, or by both such fine and imprisonment.

State Law Reference: 21 O.S. § 1220 – Transporting Open Containers of Intoxicating Beverages or Low Point Beer – Exception – Penalty; 37A O.S. § 6-101 – Personal Prohibited Acts – Violations; 37A O.S. § 6-102 – Licensee Prohibited Acts; 37A O.S. § 6-103 – Retail Spirits Licensee Prohibited Acts; 37A O.S. § 6-105 – Mixed Beverage, Public Event, Special Event or On-premises Beer and Wine Licensee Prohibited Acts; 37A O.S. § 6-106 – Bottle Club Licensees Prohibited Acts; 37A O.S. § 6-108 – Retail Wine or Retail Beer Licensee Prohibited Acts; 37A O.S. § 6-109 – Certain Licensee Prohibited Acts; 37A O.S. § 6-114 – Separate Lounge or Bar Area – No Person Under Twenty-One (21) Allowed – Admissions Charges – Exceptions; 37A O.S. § 6-119 – Penalties for False Identification; 37A O.S. § 6-120 – Penalties for Selling, Furnishing, or Giving an Alcoholic Beverage to a Person Under Twenty-One (21) Years of Age; 37A O.S. § 6-121 – Penalties for Knowingly Selling, Furnishing, or Giving an Alcoholic Beverage to an Insane, Mentally Deficient or Intoxicated Person; 37A O.S. § 6-123 – Hours of Operation – Penalties; 37A O.S. § 6-124 – Permitting a Person to be Intoxicated on Licensee's Premises – Penalties; 37A O.S. § 6-125 – Violation of the Oklahoma Alcoholic Beverage Control Act – Penalties; Hours for Lawful Service or Consumption – Bottle Clubs, 37A O.S. § 3-126.

Sec. 6-63. - Possession, consumption or display of alcoholic beverages in Wildhorse Park during Fourth of July celebration prohibited.

(a) Definitions. For purposes of section 6-93, the following definitions shall apply:

Alcohol means ethyl alcohol, hydrated oxide of ethyl, or spirits of wine, from whatever source or by whatever process produced.

Wildhorse Park shall mean the Northeast Quarter (NE/4) of Section 28, Township 11 North, Ranger 5 West, I.M., Canadian County, Oklahoma, being the same land that is owned by the City of Mustang and designated as Wildhorse Park.

- (b) No person shall possess, consume or display any alcoholic beverage inside Wildhorse Park during the period beginning at 12:01 a.m. on June 27 and ending at 11:59 p.m. on July 4, in every year.
- (c) This section shall not apply to the possession, consumption or display of any alcoholic beverage at any private event held within the Mustang Town Center for which the event holder has applied for and received a permit from the city; provided, any alcoholic beverage is possessed, consumed or displayed within the premises of Mustang Town Center.
- (d) Any person who shall violate the provisions of this section shall be punished by a fine of not more than Five Hundred Dollars (\$500.00), or by imprisonment in the city jail for a period not to exceed Sixty (60) days, or by both fine and imprisonment, plus all court costs and statutory penalties.

(Ord. No. 1008, § 1, 8-5-2008)

Sec. 6-64.- Solicitation of Drinks.

(a) Definitions: For purposes of this section

- (1) The term 'Employee' shall mean any agent, manager, employee, entertainer, barkeeper, host, hostess, waiter, waitress or other such person employed on any contractual basis by a licensed establishment, or receiving any remuneration for services in such an establishment; and,
 - (2) The term 'Patron' shall mean any customer or visitor who is not employed by a licensed establishment.
- (b) No retailer, mixed beverage, beer and wine, caterer, public event or special event license, bottle club, manufacturer, wine and spirits wholesaler or beer distributor licensed pursuant to the provisions of the Oklahoma Alcoholic Beverage Control Act, or any owner, manager, employee, proprietor or any agent, associate or representative of such licensee, shall:
- (1) Permit any employee to beg, solicit, induce, procure or request a patron to purchase any alcoholic, non-intoxicating, or non-alcoholic beverage for himself or herself or for any employee or person not a patron, or
 - (2) Knowingly serve to any employee any alcoholic, non-intoxicating, or non-alcoholic beverage which was purchased by any patron, or
 - (3) Permit upon any licensed premises any employee to loiter on or remain on said premises who begs, solicits, induces, procures or requests a patron to purchase an alcoholic, non-intoxicating or non-alcoholic beverage for any employee, or

- (4) Solicit, induce or request a patron to purchase any alcoholic, non-intoxicating or non-alcoholic beverage for himself or herself or for any person not a patron.

State Law Reference: 37A O.S. § 4-101 - Authority of Municipalities to Enact Ordinances

Sec. 6-65.- Nudity Banned.

No retailer, mixed beverage, beer and wine, caterer, public event or special event license, bottle club, manufacturer, wine and spirits wholesaler or beer distributor licensed pursuant to the provisions of the Oklahoma Alcoholic Beverage Control Act, or any owner, manager, employee, proprietor or any agent, associate or representative of such licensee, shall employ or permit any employee or other person to appear within such licensed or other establishment in the nude. The term 'nude' shall be defined with reference to Section 1040.52(A)(2) of Title 21 of the Oklahoma Statutes.

State Law Reference: 37A O.S. § 4-101 - Authority of Municipalities to Enact Ordinances

Secs. 6-66 — 6-90. - Reserved.

ARTICLE IV. — SOCIAL HOST.

Sec. 6-91. - Prohibiting gatherings where minors are present.

(a) Definitions. For purposes of section 6-91, the following definitions shall apply:

- (1) Alcohol means ethyl alcohol, hydrated oxide of ethyl, or spirits of wine, from whatever source or by whatever process produced.
- (2) Controlled dangerous substance shall have the meaning as defined in the Uniform Controlled Dangerous Substances Act.
- (3) Gathering is a party, gathering, or event, where a group of three or more persons have assembled or are assembling for a social or commercial occasion or social activity.
- (4) Legal guardian means (1) a person who, by court order, is the guardian of the person of a minor; or (2) a public or private agency with whom a minor has been placed by the court.
- (5) Minor means any person under 21 years of age.
- (6) Parent means a person who is a natural parent, adoptive parent, foster parent, or stepparent of another person.
- (7) Person shall mean any human being the age of 16 years or older, and any bodies politic and corporate.

- (8) Premises means any residence, building, structure or room owned, leased or otherwise procured by the person and or on any land owned, occupied, leased or otherwise procured by the person.
- (9) Response costs are the costs associated with response(s) by law enforcement, fire, and other emergency response providers to a gathering, including but not limited to: (1) salaries and benefits of law enforcement, code enforcement, fire, or other emergency response personnel for the amount of time spent responding to, remaining at, or otherwise dealing with a gathering, and the administrative costs attributable to such response(s); and (2) the cost of any medical treatment for any law enforcement, code enforcement, fire, or other emergency response personnel injured responding to, remaining at, or leaving the scene of a gathering.
- (c) Consumption of alcohol by minor in public place, place open to public, or place not open to public. Except as permitted by state law, it is unlawful for any minor to:
 - (1) Consume at any public place or any place open to the public alcoholic beverage; or
 - (2) Consume at any place not open to the public any alcoholic beverage, unless in connection with the consumption of the alcoholic beverage that minor is being supervised by his or her parent or legal guardian.
- (d) Hosting, permitting, or allowing a party, gathering, or event where minors consuming alcoholic beverages prohibited.
 - (1) Prohibitions.
 - (i) It is the duty of any person having control of any premises, who knowingly hosts, permits, or allows a gathering at said premises to take all reasonable steps to prevent the consumption of alcoholic beverages by any minor at the gathering. Reasonable steps are controlling access to alcoholic beverages at the gathering; controlling the quantity of alcoholic beverages present at the gathering; verifying the age of persons attending the gathering by inspecting drivers' licenses or other government-issued identification cards to ensure that minors do not consume alcoholic beverages while at the gathering; and supervising the activities of minors at the gathering.
 - (ii) It is unlawful for any person having control of any premises to knowingly host, permit, or allow a gathering to take place at said premises where at least one minor consumes an alcoholic beverage, whenever the person having control of the premises knows a minor has consumed an alcoholic beverage or reasonably should have known that a minor has consumed an alcoholic beverage.
 - (iii) It is unlawful for any person to knowingly and willfully permit any minor who is an invitee to the person's premises to possess or consume any alcoholic beverage, any controlled dangerous substance as defined in the Uniform Controlled Dangerous Substances Act, or any combination thereof, in such place.

- (2) This section shall not apply to conduct involving the use of alcoholic beverages that occurs exclusively between a minor and his or her parent or legal guardian.
- (3) Nothing in this section should be interpreted to prohibit any family activity held in the confines of the family home from providing the use of alcohol to immediate family members within the supervision of parents and guardians. However, if a minor leaves such a family gathering intoxicated and is found in public then said providers of alcohol will be held responsible in the same manner as a non-family gathering.
- (4) Nothing in this section should be interpreted to prohibit any religious practice which includes the use of alcohol. However, if a minor leaves such a religious gathering intoxicated and is found to be in public then said providers of alcohol will be held responsible in the same manner as a non-religious gathering.
- (5) This section shall not apply to any premises licensed by the State of Oklahoma to dispense alcoholic beverages.
- (6) Penalty. Any person who shall violate the provisions of this section shall be deemed guilty of an offense against the city and, upon conviction, shall be punished by a fine of not more than Five Hundred Dollars (\$500.00) plus costs and statutory penalties for a first offense, and a fine of not more than Seven Hundred Dollars (\$750.00) plus costs and statutory penalties for a second offense within ten (10) years after previous conviction for a violation of this section.
- (7) Reservation of legal options. Violations of subsections (d)(1)(i) and (d)(1)(ii) may be prosecuted by the City of Mustang criminally, civilly, and/or administratively as provided by the Municipal Code. The city may seek administrative fees and response costs associated with enforcement of this section through all remedies or procedures provided by statute, ordinance, or law. This section shall not limit the authority of peace officers or private citizens to make arrests for any criminal offense arising out of conduct regulated by this section, nor shall they limit the city's ability to initiate and prosecute any criminal offense arising out of the same circumstances necessitating the application of this section.
- (8) Local authority. This section shall not apply where prohibited or preempted by state or federal law.

State Law Reference: 37A O.S. § 6-101 – Personal Prohibited Acts – Violations

Section 3: ENACTMENT.

Chapter 42 of the Municipal Code of the City of Mustang, Oklahoma, is hereby amended by repealing in its entirety Section 42-6, and adopting new Section 42-6 to read as set forth below:

Sec. 42-6. - Chapter 6: Occupation Tax for Alcoholic beverages.

- (a) Occupation tax on manufacturers and sellers of alcoholic beverages. The annual occupation tax referred to in section 6-31, upon manufacturers and sellers of alcoholic beverages, shall be as follows:

<u>License Category</u>	<u>Initial</u>	<u>Renewal</u>
Brewer	\$1,000.00	\$1,000.00
Small Brewer	\$125.00	\$125.00
Distiller	\$2,500.00	\$2,500.00
Winemaker	\$500.00	\$500.00
Small Farm Winery	\$75.00	\$75.00
Rectifier	\$3,125.00	\$3,125.00
Wine and Spirits Wholesaler	\$2,000.00	\$2,000.00
Beer Distributor	\$750.00	\$750.00
Retail Spirits	\$905.00	\$905.00
Retail Wine	\$500.00	\$500.00
Retail Beer	\$250.00	\$250.00
Mixed Beverage	\$600.00	\$600.00
Mixed Beverage/Caterer Combination	\$850.00	\$850.00
On Premises Beer and Wine	\$450.00	\$450.00
Bottle Club	\$800.00	\$800.00
Caterer	\$800.00	\$800.00
Annual Special Event	\$55.00	\$55.00
Quarterly Special Event	\$55.00	\$55.00
Nonresident, Seller or Manufacturer	\$750.00	\$750.00
Annual Public Event	\$1,000.00	\$1,000.00

- (b) Notwithstanding the provisions of Subsection A of this Section, the Occupational Tax for those service organizations or fraternal beneficiary societies which are exempt under Section 501(c)(19), (8) or (10) of the Internal Revenue Code shall be Five Hundred Dollars (\$500.00) per year.

State Law Reference: License Fees and Surcharges, 37A O.S. § 2-101; Municipalities – Occupational Tax, 37A O.S. § 4-104.

Section 3: ENACTMENT.

Chapter 38, Section 38-38(a)(2) of the Municipal Code of the City of Mustang, Oklahoma, is hereby amended to read as set forth below:

Sec. 38-38. - Certain acts declared public nuisances.

- (a) In addition to other public nuisances declared by other sections of this Code or law, the following are declared to be public nuisances:
- (1) [This subsection is unchanged.]

- (2) The sale, offering for sale or furnishing of alcoholic beverages in violation of state law or ordinances of the city, or the keeping of a place where alcoholic beverages are sold, offered for sale or furnished in violation of state law or ordinances of the city.

(3-22) [These subsections are unchanged.]

(b) [This subsection is unchanged.]

Section 4: ENACTMENT.

Chapter 1, Section 1-8(c) of the Municipal Code of the City of Mustang, Oklahoma, is hereby amended to read as set forth below:

Sec. 1-8. - General penalty; continuing violations.

(a) [This subsection is unchanged.]

(b) [This subsection is unchanged.]

(c) Except as otherwise provided or required by law or ordinance, a person convicted of a violation of this Code shall be punished by a fine not to exceed Two Hundred Dollars (\$200.00) plus costs for traffic-related offenses relating to speeding or parking, not to exceed Eight Hundred Dollars (\$800.00) for alcohol-related or drug-related offenses, and not to exceed Seven Hundred Fifty Dollars (\$750.00) plus costs for all other violations, imprisonment not exceeding sixty (60) days, or both the fine and imprisonment. No penalty, including fine and costs, shall be greater than that established by statute for the same offense. A person convicted of a violation of this Code pertaining to the pretreatment of wastewater or regulating stormwater discharges shall be punished by a fine not exceeding One Thousand Dollars (\$1,000.00) plus costs, or imprisonment not exceeding Ninety (90) days, or both such fine and imprisonment. Except as otherwise provided by law or ordinance, with respect to violations of this Code that are continuous with respect to time, each day that the violation continues is a separate offense. As to other violations, each violation constitutes as separate offense.

(d) [This subsection is unchanged.]

(e) [This subsection is unchanged.]

(f) [This subsection is unchanged.]

(Code 1977, §§ 1.12.010, 1.16.010; Ord. No. 781, § 1, 5-15-2001; Ord. No. 936, § 1, 7-5-2005)

State Law reference— Penalty for ordinance violations, 11 O.S. § 14-111.

Section 5. REPEALER

All former ordinances or parts of Ordinances conflicting or inconsistent with the provisions of this Ordinance are hereby repealed.

Section 6. SEVERABILITY

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, said portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance.

Section 7. EMERGENCY

It being immediately necessary for the preservation of the public health, peace and safety of the City of Mustang and the inhabitants thereof, an emergency is hereby declared to exist by reason whereof, this Ordinance shall be in full force and effect from and after its passage and approval, as provided by law.

PASSED AND APPROVED with the Emergency Clause voted upon separately and passed and approved this ____ day of September, 2018.

Mayor

ATTEST:

City Clerk

APPROVED as to form this ____ day of September, 2018.

City Attorney

CITY OF MUSTANG

AGENDA ITEM COMMENTARY

1. ITEM NO. L-6

2. MEETING DATE: September 4, 2018

3. TITLE: AN ORDINANCE OF THE CITY OF MUSTANG, OKLAHOMA: (1) AMENDING CHAPTER 22 THE MUSTANG CODE OF ORDINANCES BY ADDING NEW ARTICLE V CREATING PERMITTING AND LICENSING REQUIREMENTS RETAILERS, COMMERCIAL GROWERS, PROCESSORS AND PERSONAL USERS OF MEDICAL MARIJUANA, ESTABLISHING PERMIT FEES, ESTABLISHING LOCATION RESTRICTIONS AND CONDITIONS OF OPERATION; (2) AMENDING CHAPTER 122 BY AMENDING SECTIONS 122-212, 122-472 AND 122-641 TO INCLUDE USES WITHIN ZONING DISTRICTS FOR RETAILERS, COMMERCIAL GROWERS AND PROCESSORS OF MEDICAL MARIJUANA; AND (3) AMENDING CHAPTER 42, SECTION 42-22 BY ADDING NEW SUBSECTION 42-22(4) TO SET PERMIT FEES FOR RETAILERS, COMMERCIAL GROWERS, PROCESSORS AND PERSONAL USERS OF MEDICAL MARIJUANA; DECLARING REPEALER; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY

4. COUNCIL ACTION: Approve/Deny Ordinance

5. INITIATOR: Community Development Department

6. PROJECT DESCRIPTION:

The State of Oklahoma recently changed its statutes with regard to the growing, possession, processing, transporting, selling and use of marijuana. This ordinance brings the City of Mustang code up to date in line with the state statutes. It addresses the use, retail sales, growing, transporting and processing of medical marijuana. A process for permitting different levels of marijuana sales and production is set forth in this ordinance, along with a schedule of fees. For retail sales of medical marijuana, the same zoning category regulations as a pharmacy were used.

This ordinance stays very close to the state's new statutes for regulation according to the new laws. This ordinance addresses zoning, licensing, fees, penalties for violation, and handling of medical marijuana. It places restrictions on locations for selling, growing and processing product and creates a permitting process. It defines the criteria the city will use to determine the appropriate locations for marijuana-related operations.

7. FINANCIAL IMPACT: There will be a financial impact of licensing fees.

8. STAFF COMMENTS: Staff recommends approval.

9. STAFF SOURCE: Melissa Helsel, Community Development Director

10. CITY ATTORNEY'S COMMENTS:

11. RESOLUTION/ORDINANCE NO. 1173

ORDINANCE NO. 1173

AN ORDINANCE OF THE CITY OF MUSTANG, OKLAHOMA: (1) AMENDING CHAPTER 22 THE MUSTANG CODE OF ORDINANCES BY ADDING NEW ARTICLE V CREATING PERMITTING AND LICENSING REQUIREMENTS FOR RETAILERS, COMMERCIAL GROWERS, PROCESSORS AND PERSONAL USERS OF MEDICAL MARIJUANA, ESTABLISHING PERMIT FEES, AND ESTABLISHING LOCATION RESTRICTIONS AND CONDITIONS OF OPERATION; (2) AMENDING CHAPTER 122 BY AMENDING SECTIONS 122-212, 122-472 AND 122-641 TO INCLUDE USES WITHIN ZONING DISTRICTS FOR RETAILERS, COMMERCIAL GROWERS AND PROCESSORS OF MEDICAL MARIJUANA; AND (3) AMENDING CHAPTER 42, SECTION 42-22 BY ADDING NEW SUBSECTION 42-22(4) TO SET PERMIT FEES FOR RETAILERS, COMMERCIAL GROWERS, PROCESSORS AND PERSONAL USERS OF MEDICAL MARIJUANA; DECLARING REPEALER; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY

BE IT ORDAINED BY THE COUNCIL FOR THE CITY OF MUSTANG, OKLAHOMA, THAT:

Section 1: ENACTMENT.

Chapter 22 of the Municipal Code of the City of Mustang, Oklahoma, is hereby amended by adding new Article V to read as set forth below:

ARTICLE V: – MEDICAL MARIJUANA

DIVISION 1. - GENERALLY

Sec. 22-201. - Definitions.

When used in this Code, words and phrases shall have the meaning as defined pursuant to the rules adopted by the Oklahoma State Department of Health, Oklahoma Administrative Code Section 310:681-1-1, et seq., and as they may be amended from time to time.

Sec. 22-202.- Restrictions on Marijuana.

The growing, possession, processing, transporting, sale, or use of marijuana within the City is limited to that authorized by this Chapter 22, Article V, and by state law, 63 Okla. Stat. § 420A, *et seq.* Any growing, possession, processing, transporting, sale, or use of marijuana within the City that is not authorized in, or without having obtained the applicable permit provided in this Article, shall constitute an offense and, upon conviction, shall be punished as authorized in Section 1-8 of this Code.

Sec. 22-203. – Restrictions applicable to all permits.

All permits issued pursuant to this Chapter 22, Article V, shall be displayed in a conspicuous place at all times on the permitted premises. No permit holder may consent to or allow the use or display of the permit by a person other than the person to whom the permit was issued. No person may use a permit or exercise any privileges granted by the permit except at the place, address, premises or location for which the permit is issued. Permits issued cover only the person or entity named in the permit and shall not be refundable or transferable.

Sec. 22-204.- Permit inspections and other requirements.

- (a) All permits outlined in this ordinance will be subject to inspection of the facilities by an authorized municipal inspector prior to issuance.
- (b) The inspection prior to a permit decision will occur at a time scheduled and approved by both the applicant and the municipal inspector.
- (c) The applicant will be required to be present during the inspection.
- (d) The smell or noxious odor emitted from smoking or consumption of marijuana by a person possessing a valid state issued medical marijuana license shall be treated as a public nuisance.

Sec. 22-204.- Prohibited acts.

- (a) No commercial marijuana establishment shall allow the consumption of alcohol, medical marijuana, or medical marijuana products on the premises.
- (b) No commercial marijuana establishment shall employ any person under the age of eighteen (18).

Sec. 22-205.- Smoking on City property prohibited.

Smoking or using marijuana shall be prohibited on all City property, including but not limited to vehicles, buildings, parks or other facilities.

Secs. 22-206— 22-219. - Reserved.

DIVISION 2.- MEDICAL MARIJUANA RETAILER PERMITS.

Sec. 22-220.- Business license and permit requirements.

- (a) All Retailers of Medical Marijuana are required to obtain a Medical Marijuana Retailer permit and a business license from the City Clerk.
- (b) The Medical Marijuana Retailer permit fee shall be the amount set forth in section 42-22(4) of this Code. The fee shall be used to offset municipal expenses covering costs related to licensing, inspection, administration and enforcement of retail marijuana establishments.
- (c) A Medical Marijuana Retailer permit will not be granted to any applicant where the proposed location is located outside an approved zoning district as set forth in Chapter 122 of this Code, or within a restricted area as hereinafter set forth.

Sec. 22-221.- Location restrictions.

- (a) A Medical Marijuana Retailer permit will not be granted to any applicant where the proposed location would be located within one thousand (1,000) feet of any of the following locations:
 - (1) Any private or public preschool, elementary, secondary, vocational or trade school, college or university;
 - (2) Any library or museum;
 - (3) Any public playground;
 - (4) Any public park, pool, or recreation facility; or
 - (5) Any juvenile or adult halfway house, correctional facility or substance abuse rehabilitation or treatment center.
- (b) For the distance requirements outlined in this ordinance, the distances described shall be computed by direct measurement in a straight line from the nearest property line of the parcel of land on which the use described in subsection (a) above is located to the nearest property line of the building or unit in which the proposed Medical Marijuana Retailer establishment would be located.

Sec. 22-222.- Conditions of operation.

- (a) Buildings where medical marijuana is stored or dispensed must be equipped with ventilation/air filtration systems so that no odors are detectable off premises.

- (b) The Medical Marijuana Retailer establishment must collect the applicable sales tax on all sales.
- (c) The hours of operation shall be between the hours of 9:00 AM to 9:00 PM Monday through Saturday. Operations shall be closed on Sundays as well as Christmas, Thanksgiving, July 4th and New Year's Day.
- (d) Any violations of this section will result in the revocation of the Medical Marijuana Retailer permit.
- (e) It is the intent of the City that nothing in the Medical Marijuana Retailer ordinances be construed to:
 - (1) Allow persons to engage in conduct that endangers or causes a public nuisance;
 - (2) Allow the use of marijuana for non-medical purposes; or
 - (3) Allow any activity that is otherwise illegal and not permitted by state law.

Secs. 22-223— 22-239. - Reserved.

DIVISION 3.- MARIJUANA COMMERCIAL GROWER PERMITS.

Sec. 22-240.- Business license and permit requirements.

- (a) All Commercial Growers of Marijuana are required to obtain a Marijuana Commercial Grower permit and a business license from the City Clerk.
- (b) The Marijuana Commercial Grower permit fee shall be the amount set forth in section 42-22(4) of this Code. The fee shall be used to offset municipal expenses covering costs related to licensing, inspection, administration and enforcement of retail marijuana establishments.
- (c) A Marijuana Commercial Grower permit will not be granted to any applicant where the proposed location is located outside an approved zoning district as set forth in Chapter 122 of this Code, or within a restricted area as hereinafter set forth.

Sec. 22-241.- Location restrictions.

- (a) A Marijuana Commercial Grower permit will not be granted to any applicant where the proposed location would be located within one thousand (1,000) feet of any of the following locations:

- (1) Any private or public preschool, elementary, secondary, vocational or trade school, college or university;
 - (2) Any library or museum;
 - (3) Any public playground;
 - (4) Any child care center;
 - (5) Any place of worship or religious assembly;
 - (6) Any public park, pool, or recreation facility;
 - (7) Any juvenile or adult halfway house, correctional facility or substance abuse rehabilitation or treatment center;
 - (8) Any residentially zoned district; or
 - (9) Another medical marijuana retailer or marijuana establishment.
- (b) For the distance requirements outlined in this ordinance, the distances described shall be computed by direct measurement in a straight line from the nearest property line of the parcel of land on which the use described in subsection (a) above is located to the nearest property line of the building or unit in which the proposed Marijuana Commercial Grower facility would be located.

Sec. 22-242.- Conditions of operation.

- (a) A Marijuana Commercial Grower permit will not be granted to any applicant where the proposed location is located outside an approved zoning district as set forth in Chapter 122 of this Code, or within a restricted area as hereinafter set forth.
- (b) Growing of marijuana pursuant to a Marijuana Commercial Grower permit shall be within an enclosed structure. The facility shall have a security fence at least 10 foot in height and with limited access. The gates to the secure area must be locked at all times.
- (c) The Marijuana Commercial Grower facility must be constructed in such a manner that the growing of the marijuana plants cannot be seen by the public from a public right of way.
- (d) The growing area, including any lighting, plumbing or electrical components used shall comply with City building, fire and other applicable codes.

- (e) Growing marijuana shall not be conducted in a manner that constitutes a public nuisance. A public nuisance may be deemed to exist if growing marijuana produces light, glare, heat, noise, odor or vibration that is detrimental to public health, safety or welfare or interferes with the reasonable enjoyment of life and property.
- (f) It is the intent of the City that nothing in the Medical Marijuana Retailer ordinances be construed to:
 - (1) Allow persons to engage in conduct that endangers or causes a public nuisance;
 - (2) Allow the use of marijuana for non-medical purposes; or
 - (3) Allow any activity that is otherwise illegal and not permitted by state law.

Secs. 22-243— 22-259. - Reserved.

DIVISION 4.- MARIJUANA PROCESSOR PERMITS.

Sec. 22-260.- Business license and permit requirements.

- (a) All Marijuana Processors are required to obtain a Marijuana Processor permit and a business license from the City Clerk.
- (b) The Marijuana Processors permit fee shall be the amount set forth in section 42-22(4) of this Code. The fee shall be used to offset municipal expenses covering costs related to licensing, inspection, administration and enforcement of marijuana processing facilities.
- (c) A Marijuana Processors permit will not be granted to any applicant where the proposed location is located outside an approved zoning district as set forth in Chapter 122 of this Code, or within a restricted area as hereinafter set forth.

Sec. 22-261.- Location restrictions.

- (a) A Marijuana Processors permit will not be granted to any applicant where the proposed location would be located within one thousand (1,000) feet of any of the following locations:
 - (1) Any private or public preschool, elementary, secondary, vocational or trade school, college or university;
 - (2) Any library or museum;
 - (3) Any public playground;

- (4) Any child care center;
 - (5) Any place of worship or religious assembly;
 - (6) Any public park, pool, or recreation facility;
 - (7) Any juvenile or adult halfway house, correctional facility or substance abuse rehabilitation or treatment center;
 - (8) Any residentially zoned district; or
 - (9) Another medical marijuana retailer or marijuana establishment.
- (b) For the distance requirements outlined in this ordinance, the distances described shall be computed by direct measurement in a straight line from the nearest property line of the parcel of land on which the use described in subsection (a) above is located to the nearest property line of the building or unit in which the proposed Marijuana Processor facility would be located.

Sec. 22-262.- Conditions of operation.

- (a) Buildings where marijuana processing occurs must be equipped with ventilation/air filtration systems so that no odors are detectable off premises.
- (b) The Marijuana Processor facility must collect the applicable sales tax on all sales.
- (c) The hours of operation shall be between the hours of 9:00 AM to 9:00 PM Monday through Saturday. Operations shall be closed on Sundays as well as Christmas, Thanksgiving, July 4th and New Year's Day.
- (d) Any violations of this section will result in the revocation of the Marijuana Processor permit.
- (e) It is the intent of the City that nothing in the Medical Marijuana Retailer ordinances be construed to:
 - (1) Allow persons to engage in conduct that endangers or causes a public nuisance;
 - (2) Allow the use of marijuana for non-medical purposes; or
 - (3) Allow any activity that is otherwise illegal and not permitted by state law.

- (f) Processing facilities must remain locked at all times when not in operation. The facility must have an electronic security system and have an appropriate security fence that must be at least ten foot (10) tall around the facility.

Secs. 22-263— 22-279. - Reserved.

DIVISION 5.- MARIJUANA GROWING FACILITIES FOR PERSONAL MEDICAL USE.

Sec. 22-281.- Marijuana growing facilities for personal medical use.

- (a) All owners of Marijuana Growing Facilities for Personal Medical Use are required to obtain a permit from the City Clerk.
- (b) Marijuana Growing Facilities for Personal Medical Use Permit fee shall be the amount set forth in section 42-22(4) of this Code. The fee shall be used to offset municipal expenses covering costs related to licensing, inspection, administration and enforcement of Marijuana Growing Facilities for Personal Medical Use.
- (c) All Marijuana Growing Facilities for Personal Medical Use shall be subject to security provisions as stated herein prior to the granting of a permit. Failure to comply with security provisions as stated herein will result in revocation of the permit.
- (d) Any access or entry point to residential facilities used for marijuana cultivation for personal medical use must be secured by lock and key or equivalent at all times except when the residential facility is actively being supervised in person by the permit holder.
- (e) Growing marijuana for personal medical use shall be limited to the interior of a single private residence.
- (f) Growing marijuana shall not be visible from the public right of way.
- (g) The growing area including any lighting, plumbing or electrical components used shall comply with municipal building and fire codes. The growing area must be properly ventilated so as not to create humidity, mold or other related problems. Lighting shall not exceed 1,000 watts per light. The use of gas products (CO₂, butane, etc.) or CO₂ and ozone generators in the growing area is prohibited.
- (h) Growing marijuana shall not be conducted in a manner that constitutes a public nuisance. A public nuisance may be deemed to exist if growing marijuana produces light, glare, heat, noise, odor or vibration that is detrimental to public health, safety or welfare or interferes with the reasonable enjoyment of life and property.

- (i) The primary use of the residential property in which marijuana is grown shall remain at all times a residence, with legal and functioning cooking, eating, sleeping and sanitation/bathing facilities with proper ingress and egress. No room shall be used for growing marijuana where such cultivation will impair or prevent the primary uses of cooking, eating, sleeping or sanitation/bathing.
- (j) If the residence is rented, consent of the property owner shall be obtained prior to any cultivation commencing. This consent must be evidenced by a signed and notarized statement from the property owner permitting the growth of marijuana in the residence.
- (k) Cultivated marijuana must be used exclusively pursuant to a valid state issued medical marijuana license. Any other or unapproved usage shall result in revocation of the license.

Secs. 22-282— 22-299. - Reserved.

Section 2: ENACTMENT.

Chapter 122, Section 122-212 of the Municipal Code of the City of Mustang, Oklahoma, is hereby amended by adding the use listed below, which use shall be included within the existing Table of Permitted Uses in alphabetical order:

Sec. 122-212. - Table of permitted uses.

Property and buildings in an A-1 district shall be used only for those uses which have a "P" or an "R" in the A-1 category listed in this section. The letter "P" indicates a use that is permitted by right. The letter "R" signifies a conditional use that may be permitted subject to acquiring a conditional use permit in accordance with section 122-57.

Permitted Use	Zoning District A-1
Marijuana Commercial Grower	R

Section 3: ENACTMENT.

Chapter 122, Section 122-472 of the Municipal Code of the City of Mustang, Oklahoma, is hereby amended by adding the uses listed below, which uses shall be included within the existing Table of Permitted Uses in alphabetical order:

Sec. 122-472. - Table of permitted uses.

Property and buildings in the defined commercial districts shall be used only for those uses which have a "P" or "R" in the zoning districts listed below. The letter P indicates a use that is

permitted by right. The letter R signifies a conditional use that may be permitted subject to acquiring a conditional use permit in accordance with section 122-57.

Permitted Uses By Right or Upon Review	Zoning Districts Previous Zoning Designations					
	C1 OPB	C2 CN	C3 CG	C4 SC	C5 CI	C6
Medical Marijuana Retailer	R	P	P	P	P	P
Marijuana Commercial Grower					P	P

Section 4: ENACTMENT.

Chapter 122, Section 122-472 of the Municipal Code of the City of Mustang, Oklahoma, is hereby amended by adding the uses listed below, which uses shall be included within the existing Table of Permitted Uses in alphabetical order:

Sec. 122-641. - Table of permitted uses.

Property and buildings in the defined industrial districts shall be used only for those uses which have a "P" or an "R" in the zoning districts listed in the following table. The letter "P" indicates a use that is permitted by right. The letter "R" signifies a conditional use that may be permitted subject to acquiring a conditional use permit in accordance with section 122-57.

Permitted Uses	Zoning District		
	I-1	I-2	I-3
Marijuana Commercial Grower	P	P	P
Marijuana Processor facility	P	P	P

Section 5: ENACTMENT.

Chapter 42 of the Municipal Code of the City of Mustang, Oklahoma, is hereby amended by amending Section 42-22 to add new subsection 42-22(4) to read as set forth below:

Sec. 42-22. - Chapter 22: Businesses.

(a) [This subsection is unchanged.]

(b) [This subsection is unchanged.]

(c) [This subsection is unchanged.]

(d) *Marijuana Business and Personal Use Permits.*

- (1) Medical Marijuana Retailer Permit \$600.00
- (2) Marijuana Commercial Grower Permit \$1,500.00
- (3) Marijuana Processor Facilities Permit \$2,500.00
- (4) Marijuana Growing Facilities for Personal
Medical Use Permit \$500.00

(Code 1977, §§ 5.24.010(A)(1), 5.32.010(B); Ord. No. 712, § 1(1-5(l)), 6-15-1999)

Section 6. REPEALER

All former ordinances or parts of Ordinances conflicting or inconsistent with the provisions of this Ordinance are hereby repealed.

Section 7. SEVERABILITY

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, said portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance.

Section 8. EMERGENCY

It being immediately necessary for the preservation of the public health, peace and safety of the City of Mustang and the inhabitants thereof, an emergency is hereby declared to exist by reason whereof, this Ordinance shall be in full force and effect from and after its passage and approval, as provided by law.

PASSED AND APPROVED with the Emergency Clause voted upon separately and passed and approved this ____ day of September, 2018.

Mayor

ATTEST:

City Clerk

APPROVED as to form this ____ day of September, 2018.

City Attorney

CITY OF MUSTANG

AGENDA ITEM COMMENTARY

1. ITEM NO. L-7

2. MEETING DATE: September 4, 2018

3. TITLE: AN ORDINANCE OF THE CITY OF MUSTANG, OKLAHOMA, AMENDING (1) CHAPTER 122, ARTICLE II, BY AMENDING SECTION 122-54 TO REVISE PROCEDURES FOR HEARING, CONSIDERATION AND ACTION ON PETITIONS FOR ZONING AMENDMENTS BEFORE THE PLANNING COMMISSION AND THE CITY COUNCIL; (2) CHAPTER 18, ARTICLE IV, SECTION 18-312 TO REVISE PROCEDURES FOR HEARING, CONSIDERATION AND REVIEW OF RECOMMENDATIONS BY PLANNING COMMISSION ON APPLICATIONS FOR PERMITS TO MOVE BUILDINGS; (3) CHAPTER 74, ARTICLE II, SECTION 74-74 TO REVISE PROCEDURES FOR HEARING, CONSIDERATION AND REVIEW OF RECOMMENDATIONS BY PLANNING COMMISSION OF APPLICATIONS FOR DRILLING PERMITS; (4) CHAPTER 106, ARTICLE III, SECTION 106-149(b) TO REVISE PROCEDURES FOR HEARING, CONSIDERATION AND REVIEW OF RECOMMENDATIONS OF PLANNING COMMISSION ON PRELIMINARY PLATS; (5) CHAPTER 106, ARTICLE III, SECTION 106-178 TO REVISE PROCEDURES FOR HEARING, CONSIDERATION AND REVIEW OF RECOMMENDATIONS OF PLANNING COMMISSION ON FINAL PLATS; (6) CHAPTER 122, ARTICLE II, SECTION 122-73(c) TO REVISE PROCEDURES FOR HEARING, CONSIDERATION AND REVIEW OF RECOMMENDATIONS OF PLANNING COMMISSION ON APPLICATIONS FOR SPECIAL USE PERMITS; PROVIDING FOR REPEALER AND SEVERABILITY; AND DECLARING AN EMERGENCY.

4. COUNCIL ACTION: Approve/Deny Ordinance

5. INITIATOR: Community Development Department

6. PROJECT DESCRIPTION:

The attached ordinance was requested by staff for efficiency in review of Planning Commission and City Council applications.

In many cities, if an application is recommended for denial by the Planning Commission, it does not automatically proceed to the City Council agenda. With the adoption of the attached ordinance, applicants would have to take an extra step to specifically request that an item proceed to City Council after it is recommended for denial by Planning Commission. The applicant would have 15 days to make this request, and if they do not, they will receive a refund of \$50.00 of their original application fee. Plats, rezoning applications, special use permit applications, conditional use permit applications and oil and gas drilling permits are the types of applications addressed in this ordinance.

If an item is recommended by the Planning Commission, it will proceed to the City Council docket within 30 days of the hearing.

7. FINANCIAL IMPACT: None

8. STAFF COMMENTS: Staff feels that this process validates the effort of the Planning Commission, makes the review process more efficient, and gives the applicant the opportunity to withdraw the application if the Planning Commission recommends denial.

Staff recommends approval.

9. PLANNING COMMISSION COMMENTS: The Planning Commission unanimously recommended approval of this ordinance at their August 14th meeting. Please see the attached minutes. Note: These minutes have not yet been formally approved by the Planning Commission.

9. STAFF SOURCE: Melissa Helsel, Community Development Director

10. CITY ATTORNEY'S COMMENTS:

11. RESOLUTION/ORDINANCE NO. 1174

5. Proposed Ordinance Regarding Procedures for Applications Recommended for Denial by Planning Commission.

Melissa Helsel introduced the proposed ordinance. This ordinance was requested by staff for efficiency in review of Planning Commission and City Council applications. In many cities, if an application is recommended for denial by the Planning Commission, it does not automatically proceed to the City Council agenda. With the adoption of the attached ordinance, applicants would have to take an extra step to specifically request that an item proceed to City Council after it is recommended for denial by Planning Commission. The applicant would have 15 days to make this request, and if they do not, they will receive a refund of \$50.00 of their original application fee.

Plats, rezoning applications, special use permit applications, conditional use permit applications and oil and gas drilling permits are the types of applications addressed in this ordinance. If an item is recommended by the Planning Commission, it will proceed to the City Council docket within 30 days of the hearing.

Staff feels that this process validates the effort of the Planning Commission, makes the review process more efficient, and gives the applicant the opportunity to withdraw the application if the Planning Commission recommends denial. Staff recommends approval of the ordinance.

The Commissioners and staff discussed the details, specifically the refund of part of the application fee and the 15-day period for the applicant to make a decision.

Mr. Homer opened the public hearing. Hearing no comments, **Mr. Homer** closed the public hearing.

Mr. Russell made a motion to approve the ordinance, **Mr. Bratton** seconded the motion.

A roll call vote was taken:

Jan Yakish	Yes
Dan Hix	Yes
Jesse Bratton	Yes
Jerry Brown	Yes
David Russell	Yes
Brad Homer	Yes

The motion was approved unanimously.

ORDINANCE NO. 1174

AN ORDINANCE OF THE CITY OF MUSTANG, OKLAHOMA, AMENDING (1) CHAPTER 122, ARTICLE II, BY AMENDING SECTION 122-54 TO REVISE PROCEDURES FOR HEARING, CONSIDERATION AND ACTION ON PETITIONS FOR ZONING AMENDMENTS BEFORE THE PLANNING COMMISSION AND THE CITY COUNCIL; (2) CHAPTER 18, ARTICLE IV, SECTION 18-312 TO REVISE PROCEDURES FOR HEARING, CONSIDERATION AND REVIEW OF RECOMMENDATIONS BY PLANNING COMMISSION ON APPLICATIONS FOR PERMITS TO MOVE BUILDINGS; (3) CHAPTER 74, ARTICLE II, SECTION 74-74 TO REVISE PROCEDURES FOR HEARING, CONSIDERATION AND REVIEW OF RECOMMENDATIONS BY PLANNING COMMISSION OF APPLICATIONS FOR DRILLING PERMITS; (4) CHAPTER 106, ARTICLE III, SECTION 106-149(b) TO REVISE PROCEDURES FOR HEARING, CONSIDERATION AND REVIEW OF RECOMMENDATIONS OF PLANNING COMMISSION ON PRELIMINARY PLATS; (5) CHAPTER 106, ARTICLE III, SECTION 106-178 TO REVISE PROCEDURES FOR HEARING, CONSIDERATION AND REVIEW OF RECOMMENDATIONS OF PLANNING COMMISSION ON FINAL PLATS; (6) CHAPTER 122, ARTICLE II, SECTION 122-73(c) TO REVISE PROCEDURES FOR HEARING, CONSIDERATION AND REVIEW OF RECOMMENDATIONS OF PLANNING COMMISSION ON APPLICATIONS FOR SPECIAL USE PERMITS; PROVIDING FOR REPEALER AND SEVERABILITY; AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MUSTANG, OKLAHOMA:

SECTION 1. ENACTMENT.

That Chapter 122, Article II, Section 122-54 of the Code of Ordinances of the City of Mustang, is hereby amended to read as follows:

Sec. 122-54. - Notice and hearing by the planning commission.

- (a) Following receipt of a complete application for a zoning map amendment or initiation of a zoning map amendment by the planning commission or city council, the planning commission shall hold a public hearing and make a report and recommendation to the city council. The planning commission

shall recommend that the proposed amendment be approved, approved with modifications, or denied.

- (b) Notice of a public hearing before the planning commission of any petition for amendment shall be given by the secretary of the planning commission by mailing written notice at least 20 days in advance of the meeting headed “notice of redistricting” to all owners of property within a 300-foot radius of the exterior boundary of the property. The notice shall contain the information required in section 122-52 and shall set forth the date, time and place of the public hearing of all interested parties before the planning commission.
- (c) Notice of a public hearing before the planning commission of any petition for amendment for a use allowed only in a C6 commercial special use district shall be given by the secretary of the planning commission by mailing written notice at least 30 days in advance of the meeting headed “notice of redistricting” to all owners of property within a 1,320-foot radius of the exterior boundary of the property. The notice shall contain the information required in section 122-52 and shall set forth the date, time and place of the public hearing of all interested parties before the planning commission.
- (d) In addition to the notice under subparts (b) or (c), the secretary of the planning commission shall cause such notice to be published at least 15 days prior to the time fixed for the hearing in the official paper or publication in general circulation in the city.
- (e) A petition for amendment initiated by the city council or the planning commission shall be transmitted to the city council with the report and recommendations of the planning commission within 30 days of the date of planning commission action for hearing before and city council action thereon.
- (f) A petition for amendment recommended by the planning commission for approval, or approval subject to modifications, shall be transmitted to the city council with the report and recommendations of the planning commission within 30 days of the planning commission action for hearing before and city council action thereon.
- (g) A petition for amendment recommended for denial by the planning commission shall not be considered further, unless the applicant, within 15

days of the action by the planning commission, shall file with the city clerk and the recording secretary of the planning commission a written request for a public hearing before the city council. If no such request is filed, then \$50.00 of the original filing fee shall be refunded to the applicant. Upon notice of a request for a public hearing before the city council, the planning commission shall transmit to the city council the application, its report and recommendations, and a copy of its minutes of the hearing. The recording secretary of the planning commission shall notify all interested parties of the time and place of the city council meeting pursuant to subparts (b), (c) and (d) herein.

SECTION 2. ENACTMENT.

That Chapter 18, Article IV, Section 18-312(c) of the Code of Ordinances of the City of Mustang, is hereby amended to read as follows:

Sec. 18-312. - Application; issuance.

(a) [This subsection remains unchanged.]

(b) [This subsection remains unchanged.]

(c) The city planning commission shall, within 30 days from the date of the application, conduct a public hearing on the application and prepare its recommendations to the city council as to whether the permit should be approved, approved with modifications, or denied. No permit shall be issued without the prior approval of the city council.

(i) An application recommended by the planning commission for approval, or approval subject to modifications, shall be transmitted to the city council with the report and recommendations of the planning commission within 30 days of the planning commission action for hearing before and city council action thereon.

(ii) An application recommended for denial by the planning commission shall not be considered further unless the applicant, within 15 days of the action by the planning commission, shall file with the city clerk and the recording secretary of the planning commission a written request for a public hearing before the city council. If no such request is filed, then \$50 of the original permit fee shall be refunded to the applicant. Upon notice of a request for a public hearing before the city council, the planning commission shall transmit to the city council the application, its report and

recommendations, and a copy of its minutes of the hearing. The recording secretary of the planning commission shall notify all interested parties of the time and place of the city council meeting pursuant to subpart (d) herein.

(d) [This subsection remains unchanged.]

(e) [This subsection remains unchanged.]

SECTION 3. ENACTMENT.

That Chapter 74, Article II, Section 74-74 of the Code of Ordinances of the City of Mustang, is hereby amended to read as follows:

Sec. 74-72. - Public hearing.

(a) Required. Before a permit for the drilling of an oil or gas well shall become effective, a public hearing shall be held in relation thereto before the planning commission, at which parties of interest and citizens shall have an opportunity to be heard.

(b) Notice. The clerk of the planning commission shall cause notice of the public hearing to be mailed to any property owners on the certified list provided pursuant to section 74-71 at least ten days before hearing before the planning commission. Notice of the public hearing before the planning commission shall be published in a paper of general circulation at least 15 days prior to the hearing. The notice shall contain the following information:

- (1) The date, time and place of the hearing.
- (2) Legal description and approximate address of the drill site.

(c) Authority of planning commission. The planning commission shall have the following jurisdiction and authority:

- (1) Receive applications and make recommendations to the city council as to the manner in which a particular application will affect the land usage of the city, taking into consideration the health, general welfare and safety of the inhabitants of the city.
- (2) Review and make recommendations to the city council on approved permits when changes or deviations from the approved permit are requested.

(d) Review by city council.

- (i) An application recommended by the planning commission for approval, or approval subject to modifications, shall be transmitted to the city council with the report and recommendations of the planning commission within 30 days of the planning commission action for hearing before and city council action thereon.
 - (ii) An application recommended for denial by the planning commission shall not be considered further unless the applicant, within 15 days of the action by the planning commission, shall file with the city clerk and the recording secretary of the planning commission a written request for a public hearing before the city council. If no such request is filed, then \$50 of the original permit fee shall be refunded to the applicant. Upon notice of a request for a public hearing before the city council, the planning commission shall transmit to the city council the application, its report and recommendations, and a copy of its minutes of the hearing. The recording secretary of the planning commission shall notify all interested parties of the time and place of the city council meeting pursuant to subpart (b) herein.
- (e) Permits to be approved by council. No permit for the drilling of an oil or gas well shall be issued without approval by the city council, after a hearing by the planning commission.

SECTION 4. ENACTMENT.

That Chapter 106, Article III, Section 106-149(b) of the Code of Ordinances of the City of Mustang, is hereby amended to read as follows:

Sec. 106-149. - Action by planning commission; effect of approval; expiration of approval.

- (a) [This subsection remains unchanged.]
- (b) Review by city council.
 - (i) A preliminary plat recommended by the planning commission for approval, or approval subject to modifications, shall be transmitted to the city council with the report and recommendations of the planning commission within 30 days of the planning commission action for hearing before and city council action thereon.
 - (ii) A preliminary plat recommended for denial by the planning commission shall not be considered further unless the applicant, within 15

days of the action by the planning commission, shall file with the city clerk and the recording secretary of the planning commission a written request for a public hearing before the city council. If no such request is filed, then \$50 of the original permit fee shall be refunded to the applicant.

(iii) If the city council disapproves or disapproves conditionally the preliminary plat, the reasons for such action shall be stated in writing, signed by the mayor, and transmitted to the subdivider or developer and shall refer specifically to the portion of the comprehensive plan or specific ordinances or regulations with which the preliminary plat does not conform. The revised preliminary plat shall be submitted to the city council for subsequent review and approval within 30 days of submission by the developer or subdivider to the community development director without the necessity of rehearing by the planning commission.

(c) [This subsection remains unchanged.]

(d) [This subsection remains unchanged.]

(e) [This subsection remains unchanged.]

(f) [This subsection remains unchanged.]

SECTION 5. ENACTMENT.

That Chapter 106, Article III, Section 106-178 of the Code of Ordinances of the City of Mustang, is hereby amended to read as follows:

Sec. 106-178. - Action by planning commission.

(a) It shall be the duty of the planning commission to act upon the final plat within 45 days after the final plat application has been made and submitted for final approval. This approval and the date thereof shall be shown on the plat over the signature of the planning commission chairperson or secretary-member. Unless stipulation for additional time is agreed to by the subdivider, and if no action is taken by the planning commission at the end of 45 days after submission, the plat shall be deemed to have been approved. If the final plat is disapproved, grounds for this refusal shall be stated in writing, a copy of which shall be transmitted with the original and prints to the applicant. The reasons for disapproval shall refer specifically to those parts of the comprehensive plan or ordinance or regulation with which the plat does not comply.

(b) A final plat recommended by the planning commission for approval, or approval subject to modifications, shall be transmitted to the city council with the report and recommendations of the planning commission within 30 days of the planning commission action for hearing before and city council action thereon.

(c) A final plat recommended for denial by the planning commission shall not be considered further unless the applicant, within 15 days of the action by the planning commission, shall file with the city clerk and the recording secretary of the planning commission a written request for a public hearing before the city council. If no such request is filed, then \$50 of the original permit fee shall be refunded to the applicant.

SECTION 6. ENACTMENT.

That Chapter 122, Article II, Section 122-73(c) of the Code of Ordinances of the City of Mustang, is hereby amended to read as follows:

Sec. 122-73. - Application for approval; issuance or denial.

(a) [This subsection remains unchanged.]

(b) [This subsection remains unchanged.]

(c) Recommendation by planning commission; action by council.

(i) The planning commission shall hold one or more public hearings on the application and prepare for the city council a report as to the effect of such proposed building conditions, public utilities, and other matters pertaining to the general welfare, and the recommendations of the planning commission concerning the use thereon.

(ii) A special use permit recommended by the planning commission for approval, or approval subject to modifications, shall be transmitted to the city council with the report and recommendations of the planning commission within 30 days of the planning commission action for hearing before and city council action thereon. Thereupon, the city council will hold one or more public hearings, at which time it may authorize or deny the issuance of a special use permit for the use of the land.

(iii) A special use permit recommended for denial by the planning commission shall not be considered further unless the applicant, within 15 days of the action by the planning commission, shall file with the city clerk and the recording secretary of the planning commission a written request for a public hearing before the city council. If no such request is filed, then

\$50 of the original permit fee shall be refunded to the applicant. Upon notice of a request for a public hearing before the city council, the planning commission shall transmit to the city council the application, its report and recommendations, and a copy of its minutes of the hearing. The recording secretary of the planning commission shall notify all interested parties of the time and place of the city council hearing pursuant to subpart (d) herein.

(d) [This subsection remains unchanged.]

SECTION 2. REPEALER.

All former ordinances or parts of ordinances conflicting or inconsistent with the provisions of this Ordinance are hereby repealed.

SECTION 3. SEVERABILITY.

That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Mustang City Council hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

SECTION 4. EMERGENCY.

It being immediately necessary for the preservation of the public health, peace and safety of the City of Mustang and inhabitants thereof, an emergency is hereby declared to exist by reason whereof, this Ordinance shall be in full force and effect from and after its passage and approval, as provided by law.

PASSED AND APPROVED and Emergency Clause voted upon separately and passed and approved this _____ day of September, 2018.

Mayor Jess Schweinberg

ATTEST:

Lisa Martin, City Clerk

APPROVED as to form this _____ day of September, 2018.

Jonathan E. Miller, City Attorney

CITY OF MUSTANG

AGENDA ITEM COMMENTARY

1. ITEM NO. L-8

2. MEETING DATE: September 4, 2018

3. TITLE: FIRST READING AND SETTING OF DATE FOR CONSIDERATION OF AN ORDINANCE OF THE CITY OF MUSTANG, OKLAHOMA, AMENDING THE CODE OF ORDINANCES OF THE CITY OF MUSTANG, OKLAHOMA, BY VACATING AND CLOSING AN EASEMENT LYING ON THE SOUTH SIDE OF BLOCK 4 OF STEWART'S ADDITION, AS MORE PARTICULARLY DESCRIBED BELOW; DECLARING REPEALER; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY

4. COUNCIL ACTION: Initial Reading and Setting of Public Hearing

5. INITIATOR: Community Development Department

6. Project Description: Johnson & Associates, on behalf of Holy Spirit Catholic Church, has submitted an application to close a public easement in the area of the new Holy Spirit Catholic Church building. The church will provide alternative placement for any infrastructure contained within the easement.

The City of Mustang does not have any infrastructure in this easement. It contains an overhead electric line, and the engineer is already working with OG&E who has agreed to move it to a new location.

A public hearing notice for the vacation will be sent to all property owners within 300 feet, and to all utility franchisees within the city. They will have the opportunity to protest the proposed vacation.

7. FINANCIAL IMPACT: None

8. STAFF COMMENTS: This is an initial reading as indicated by Section 102-1(1) of the Municipal Code. Staff recommends that November 6, 2018 be set as the date for final consideration (must be at least 30 days after initial reading).

9. STAFF SOURCE: Melissa Helsel, Community Development Director

10. CITY ATTORNEY'S COMMENTS:

11. RESOLUTION/ORDINANCE NO. 1175

ORDINANCE 1175

AN ORDINANCE OF THE CITY OF MUSTANG, OKLAHOMA, AMENDING THE CODE OF ORDINANCES OF THE CITY OF MUSTANG, OKLAHOMA, BY VACATING AND CLOSING AN EASEMENT LYING ON THE SOUTH SIDE OF BLOCK 4 OF STEWART'S ADDITION, AS MORE PARTICULARLY DESCRIBED BELOW; DECLARING REPEALER; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY

WHEREAS, the Final Plat for Stewart's Addition, an addition to the City of Mustang, was recorded on May 15, 1964, in Book 3, Page 70, with the County Clerk of Canadian County, State of Oklahoma (hereinafter, the "Plat").

WHEREAS, pursuant to ordinances of the City of Mustang, and by operation of law, the Plat dedicated to the City of Mustang, and the City of Mustang accepted the public dedication of, *inter alia*, an easement for utility purposes, which easement is 7.5 feet in width and extends along the West 608.79 Feet of the South line of Block 4 of Stewart's Addition (hereinafter, the "Easement"), and more particularly described as follows:

A tract of land being a part of the Northwest Quarter (NW/4) of Section Twenty-Six (26), Township Eleven (11) North, Range Five (5) West of the Indian Meridian, City of Mustang, Canadian County, Oklahoma, being the West 608.79 feet of that Platted 7.5' Utility Easement (U/E) lying along the South line of Block Four (4), STEWART'S ADDITION, as shown on the Plat recorded in Book 3, Page 70

WHEREAS, the City of Mustang does not currently occupy the Easement for utility purposes, and has no future intentions to use the Easement. The City of Mustang believes it to be necessary and expedient to, and hereby does, vacate the Easement.

WHEREAS, at least 30 days prior notice has been given by the City Clerk to holders of franchises or others determined by the City Council to have a special right or privilege to use the public way or Easement, and to all owners of record, as shown by the current year's tax rolls in the office of the county treasurer, abutting the public way or easement, and to owners of record of property within 300 feet of the Easement.

WHEREAS, the City of Mustang reserves the absolute right to reopen the Easement without expense to the City, and this ordinance shall not affect the right to maintain, repair, reconstruct, operate or remove utilities, public service corporations, franchise holders, or transmission company facilities or services therein, nor shall such closing affect private ways existing by operation of law.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MUSTANG, OKLAHOMA:

SECTION 1. ENACTMENT.

That the Code of Ordinances of the City of Mustang, Oklahoma, be and hereby is amended by closing and vacating the Easement dedicated to the City of Mustang as more particularly described above.

That the City of Mustang reserves the absolute right to reopen the Easement without expense to the City, and this ordinance shall not affect the right to maintain, repair, reconstruct, operate or remove utilities, public service corporations, franchise holders, or transmission company facilities or services therein, nor shall such closing affect private ways existing by operation of law.

SECTION 2. REPEALER.

All former ordinances or parts of Ordinances conflicting or inconsistent with the provisions of this Ordinance are hereby repealed.

SECTION 3. SEVERABILITY.

If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, said portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this Ordinance.

SECTION 4. EMERGENCY.

It being immediately necessary for the preservation of the public health, peace and safety of the City of Mustang and inhabitants thereof, an emergency is hereby declared to exist by reason whereof, this Ordinance shall be in full force and effect from and after its passage and approval, as provided by law.

PASSED AND APPROVED and Emergency Clause voted upon separately and passed and approved this _____ day of November, 2018.

Jess Schweinberg, Mayor

ATTEST:

Lisa Martin, City Clerk

APPROVED as to form this _____ day of November, 2018.

Jonathan E. Miller, City Attorney

APPLICATION FOR CLOSING PUBLIC WAYS

This application is to be accompanied by a \$75.00 fee and supporting lists and documentation as defined in Section 102-1 (1 thru 6) of the Mustang Municipal Code.

Name of Applicant: Johnson & Associates on behalf of Holy Spirit Catholic Church

Address: 1 E Sheridan Ave., Suite 200 Oklahoma City, OK 73104

Phone: (405) 235-8075

Name of Property Owner: Holy Spirit Catholic Church

Address: 1100 N Sara Rd. Mustang, OK 73064

Phone: (405) 376-9435

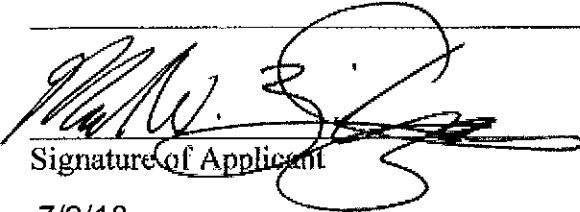
The undersigned do hereby respectfully make application and petition to the Mustang City Council to close a public way.

The address and legal description of the requested closing are as follows:

Address: 1100 N Sara Rd.

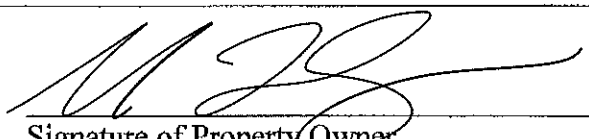
Legal Description: See attached

Reason for the Request: This easement is not necessary for the development of Holy Spirit Catholic Church as the utilities have been granted alternative placement.


Signature of Applicant

7/9/18

Date


Signature of Property Owner

7-9-18
Date

LEGAL DESCRIPTION

Holy Spirit Catholic Church

Partial Vacation of Platted
Easement, Stewart's Addition

July 5, 2018

A tract of land being a part of the Northwest Quarter (NW/4) of Section Twenty-six (26), Township Eleven (11) North, Range Five (5) West of the Indian Meridian, City of Mustang, Canadian County, Oklahoma, being the West 608.79 feet of that Platted 7.5' Utility Easement (U/E) lying along the South line of Block Four (4) STEWART'S ADDITION as shown on the Plat recorded in Book 3, Page 70

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JA

Johnson & Associates, Inc.
1 E. Sheridan Ave., Suite 200
Oklahoma City, OK 73104
(405) 235-8075 FAX (405) 235-8078 www.jaic.com
Certificate of Authorization #1484 Exp. Date: 06-30-2019

• ENGINEERS • SURVEYORS • PLANNERS •

CERTIFICATE OF BONDED ABTRACTOR
(300 FEET RADIUS REPORT)

STATE OF OKLAHOMA)
) §:
COUNTY OF CANADIAN)

The undersigned bonded abstractor in and for Canadian County, State of Oklahoma, does hereby certify that the following Ownership is true and correct according to the current year's tax rolls in the office of the County Treasurer of Canadian County, Oklahoma, located within 300 feet in all directions of the following described land:

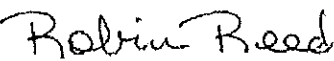
A tract of land being a part of the Northwest Quarter (NW/4) of Section Twenty-six (26), Township Eleven (11) North, Range Five (5) West of the Indian Meridian, City of Mustang, Canadian County, Oklahoma, being the West 608.79 feet of that Platted 7.5' Utility Easement (U/E) lying along the South line of Block Four (4) STEWART'S ADDITION as shown on the Plat recorded in Book 3, Page 70

and find the following owners, addresses and brief legal descriptions on the attached pages numbered from (1) to (2), both inclusive.

NOTICE TO CUSTOMERS: This report is released with the understanding that the information is strictly confidential. This report contains information from public land records only and is not to be construed as an abstract of title, opinion of title, title commitment, title insurance policy, or environmental research report. As used herein, the term "public land records" means those land records which under the recording laws of the applicable state, impart constructive notice to the third parties with respect to recorded, unreleased or record instruments memorializing legal interests in real estate. The company suggests that you contact your attorney for matters of a legal nature or legal opinion. We have exercised due care and diligence in preparing this report, however, the Abstractor does not guarantee validity of the title and acceptance of this report by the Company or person(s) for whom this report is made, constitutes agreement and confirmation of the limitation of this report.

Dated: June 29, 2018 at 7:30 AM

First American Title Insurance Company

By: 
Robin Reed
Abstractor License No. 4746
OAB Certificate of Authority # 0058
File No. 2338956-WA99

SURFACE OWNERSHIP LIST

ORDER NO.

DATE PREPARED: June 20, 2018
EFFECTIVE DATE: June 11, 2018

OWNER	LOT	BLK	ADDITION OR STR
Eusebius J. Beltran, As Archbishop of the Archdiocese of Oklahoma City, and his successors in office, F/B/O Church of the Holy Spirit P.O. Box 246 Mustang, OK 73064	3 S15' Lot 2 (2-A-2)	4 4	STEWARTS ADDITION (Subject Property) & STEWARTS ADDITION & PT. NW/4 26-11N-5W (A-1 on map)
Jason Berndt 1320 N. Sara Rd. Mustang, OK 73064	1	4	STEWARTS ADDITION
Karen L. Keckler & John Keckler 1308 N. Sara Rd. Mustang, OK 73064	2-A-1	4	STEWARTS ADDITION
Margery L. Anderson & Sherry Jean Anderson 944 E. Diana Ter. Mustang, OK 73064	E265' Lot 4 (4-A-1)	4	STEWARTS ADDITION
Michael Terry Anderson, M.D. & Deborah Anderson, Trustees of the Deborah Anderson Trust 11200 SE 49 th St. Oklahoma City, OK 73150	W75' Lot 4 (4-A-2)	4	STEWARTS ADDITION
Theresa A. Allee, Trustee under that certain Revocable Living Trust, Known as the Theresa A. Allee Trust 1008 E. Diana Ter. Mustang, OK 73064	5-A-1	4	STEWARTS ADDITION
Robert D. Crookshank & Barbara Crookshank 1016 E. Diana Ter. Mustang, OK 73064	5-A-2	4	STEWARTS ADDITION
Charles L. Watts & Gina D. Watts 1223 N. Edna Ter. Mustang, OK 73064	5-A-4	4	STEWARTS ADDITION
James T. Chism 1024 E. Diana Ter. Mustang, OK 73064	5-A-5	4	STEWARTS ADDITION
Dorothy Deerwester & Gordon Elton Deerwester P.O Box 1038 Mustang, OK 73064	4	5	STEWARTS ADDITION
John Jairo Barragan 941 E. Diana Ter. Mustang, OK 73064	5	5	STEWARTS ADDITION
Terry W. Winham & Patricia Winham 1023 E. Diana Ter. Mustang, OK 73064	7-A-3	5	STEWARTS ADDITION
Martin B. Mayfield & Michael R. Miziri 1101 N. Redbud Ter. Mustang, OK 73064	6	3	ROLLIN ACRES

Larry M. Sims & Juanita N. Sims 1025 E. Sycamore Terrace Mustang, OK 73064	7	3	ROLLIN ACRES
Zes Properties, LLC 10616 SW 32 nd Yukon, OK 73099	21	5	SARA HOMESTEAD PHASE III
Sara Homestead Property Assoc. Inc. P.O. Box 334 Mustang, OK 73064			Common Area of SARA HOMESTEAD PHASE III
OG & E P.O. Box 321 Oklahoma City, OK 73102			PT. NE/4 27-11N-5W (A-4 on map)
Little Development LP P.O. Box 250 Mustang, OK 73064			PT. NE/4 27-11N-5W (A-1 on map)
City of Mustang Office of City Clerk 1501 N. Mustang Rd. Mustang, OK 73064			Streets and Easements in subject area not set out above

672

BOOK PAGE
2490 754

Doc # 2001023795
2490-754
DATE 10/24/01 16:45:46
Linda Fee 13.00
Documentary Fee 225.00
State of Oklahoma
Canadian County Clerk
MARK HISHE



WARRANTY DEED

(Statutory Form - Individual)

KNOW ALL MEN BY THESE PRESENTS:

THAT Linda K. Burcham, a single person

part Y of the first part, in consideration of the sum of TEN AND NO/100 dollars, and other valuable considerations, in hand paid, the receipt which is hereby acknowledged, do es hereby grant, bargain, sell and convey unto Eusebius J. Beltran, as Archbishop of the Archdiocese of Oklahoma City, and his successors in office, F/B/O Church of the Holy Spirit, Mustang, Oklahoma, part Y of the second part, the following described and real property and premises situate in Canadian

County, State of Oklahoma, to-wit:

Lot Three (3) and the South Fifteen (15) feet of Lot Two (2), Block Four (4), Stewart's Addition to the City of Mustang, Canadian County, Oklahoma, according to the recorded plat thereof.

*Return to: David Johnson, Esq.
Archdiocese of Ok City
P.O. Box 33180
Ok City, OK 73123*

Num. Index _____
B & P.N. Index _____
Margin _____

SUBJECT TO easements, restrictions and mineral conveyances of record, together with all the improvements thereon and the appurtenances thereunto belonging, and warrant the title to the same.

TO HAVE AND TO HOLD said described premises unto the said part Y of the second part, his heirs and assigns forever, free and discharged of and from all former grants, charges, taxes, judgments, mortgages and other liens and incumbrances of whatsoever nature.

Signed and delivered this 19th day of October, 2001

Linda K. Burcham
Linda K. Burcham

STATE OF OKLAHOMA }
COUNTY OF Oklahoma } SS:

INDIVIDUAL ACKNOWLEDGEMENT

Before me, the undersigned, a Notary Public, in and for said County and State, on this 19th day of October, 2001, personally appeared _____

Linda K. Burcham, a single person

to me known to be the identical person _____ who executed the within and foregoing instrument, and acknowledged to me that she executed the same as her free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal the day and year last above written.

My commission expires January 29th, 2004
102001-0099

Tula D. Pessenden Notary Public
Tula D. Pessenden

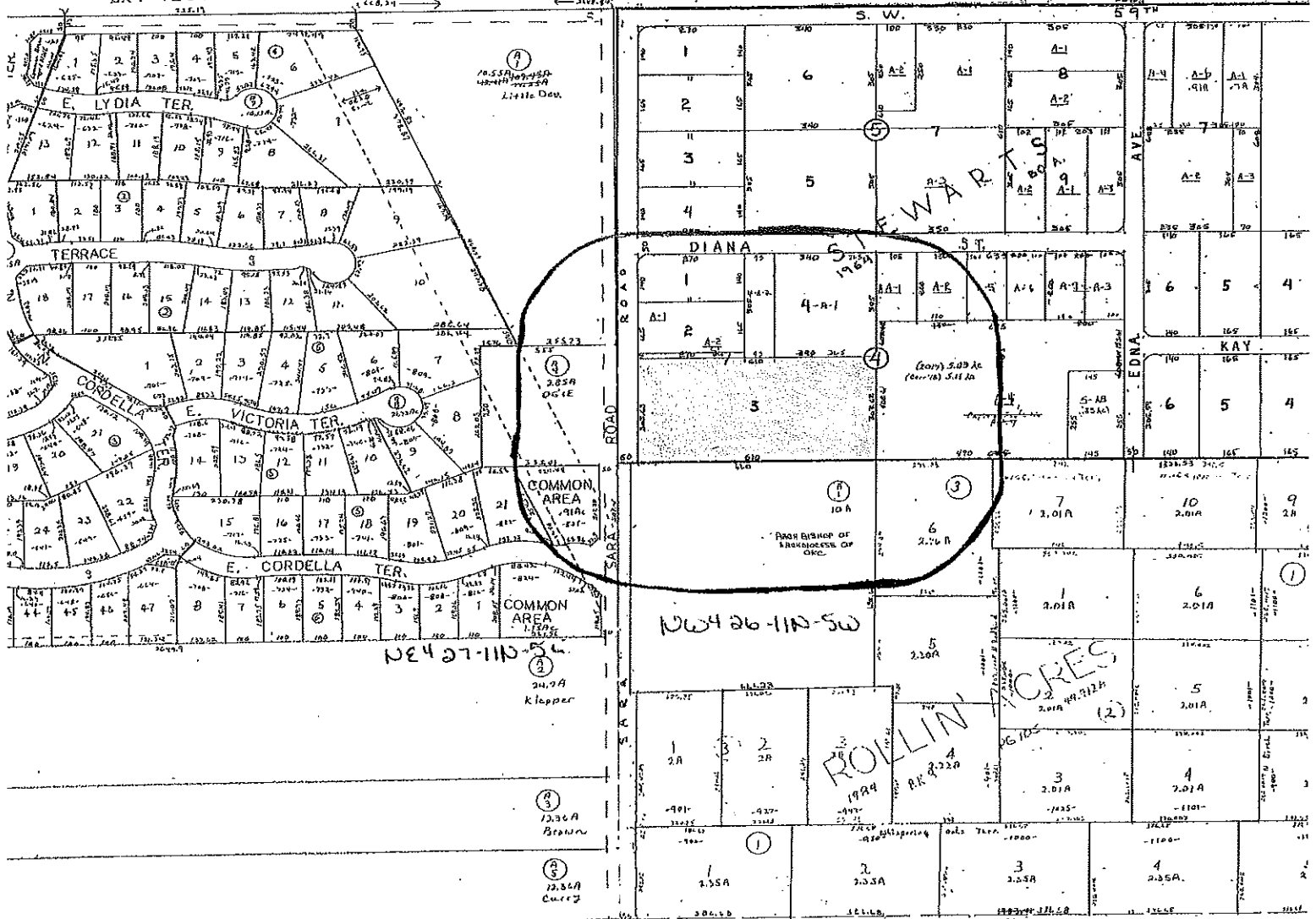
Canadian County

Documentary Stamp: \$ 225.00

225.00

SARA HOMESTEAD PH III
2013 31.86 AC
BX 9 PG 34B-349

ORIGIN 9-28-06
NOT TO SCALE



AGENDA

A. CALL TO ORDER

B. ROLL CALL

C. NEW BUSINESS

D. CONSENT AGENDA

These items are considered on the Consent Agenda so that members of the Improvement Authority 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 Trustees that item will be removed and heard in regular order.

1. Approval of **08/07/2018** City Council Minutes
- *2. Claims List for **FY 2018**
- *3. Claims List for **FY 2019**
- *4. Approval to Turn **Past Due Utility Accounts** over to the Collection Agency.

E. INFORMATION/REPORTS

1. Trustee Manager
2. Trustees

F. DISCUSSION ITEMS

None.

G. ADJOURNMENT

MUSTANG IMPROVEMENT AUTHORITY
AUGUST 7, 2018

The Mustang Improvement Authority met in regular session on Tuesday, August 7, 2018, at 7:00 p.m. in the Mustang Municipal Building Council Chambers. Notice of the meeting was posted as required on Friday, August 3, 2018, at 10:50 a.m. in compliance with the Open Meeting Law, 25 O.S., Section 301, et. seq.

A. CALL TO ORDER

Chairman Schweinberg called the meeting to order at **7:46 p.m.**

B. ROLL CALL

Trustees Present: Pratt
Leete
Grider
Ward V - Vacant
Noblitt
Schweinberg

Trustees Absent: Jones

C. NEW BUSINESS

None.

D. CONSENT AGENDA

1. Approval of **07/03/2018** City Council Minutes
- *2. Claims List for **FY 2018**
- *3. Claims List for **FY 2019**
- *4. Approval to Turn **Past Due Utility Accounts** over to the Collection Agency.

MOTION was made by **Trustee Grider**, seconded by **Trustee Leete**, to approve Items D-1 through D-4 of the Consent Agenda.

AYE: Pratt, Leete, Grider, Noblitt, Schweinberg

NAY: None

E. INFORMATION/REPORTS

1. **Trustee Manager**
None.
2. **Trustees**
None.

F. DISCUSSION ITEMS

- *1. **Discussion, Consideration and Possible Action** regarding **Resolution No. 19-006**, A Joint Resolution of the City Council of the City of Mustang and the Mustang Improvement Authority Amending the Ambulance Assessment Fee and Providing for an Effective Date.

MOTION was made by **Trustee Noblitt**, seconded by **Trustee Grider**, to Approve **Resolution No. 19-006**, A Joint Resolution of the City Council of the City of Mustang and the Mustang Improvement Authority Amending the Ambulance Assessment Fee and Providing for an Effective Date.

AYE: Pratt, Leete, Grider, Noblitt, Schweinberg

NAY: None

- *2. **Discussion, Consideration and Possible Action** regarding **Ordinance No. 1171**, an Ordinance of the City of Mustang, Oklahoma, Amending Chapter 2 by Adding New Section 2-177 Providing for a Convenience fee to Recoup Costs Incurred by the City for Use of Electronic Payment Methods on Certain Transactions, Setting the Amount of the Convenience Fee, and Defining Terms; Providing for Severability; Providing for Repealer; Setting an Effective Date; and Declaring an Emergency.

MOTION was made by **Trustee Leete**, seconded by **Trustee Noblitt**, to Approve **Ordinance No. 1171**, an Ordinance of the City of Mustang, Oklahoma, Amending Chapter 2 by Adding New Section 2-177 Providing for a Convenience fee to Recoup Costs Incurred by the City for Use of Electronic Payment Methods on Certain Transactions, Setting the Amount of the Convenience Fee, and Defining Terms; Providing for Severability; Providing for Repealer; Setting an Effective Date.

AYE: Pratt, Leete, Grider, Noblitt, Schweinberg

NAY: None

No vote was taken to Declare an Emergency as six "Aye" votes are required for passage and only five members were in attendance.

G. ADJOURNMENT

MOTION was made by **Trustee Leete**, seconded by **Trustee Noblitt**, to adjourn.

AYE: Pratt, Leete, Grider, Noblitt, Schweinberg

NAY: None

Meeting was adjourned at **7:47 p.m.**

Jess Schweinberg, Chairman

Attest:

Lisa Martin, Secretary

FUND: 68 - IMPROVEMENT AUTHORITY

SUMMARY REPORT

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 68		GENERAL GOVERNMENT				
18-1759	01-A0065	ACTION SAFETY SUPPLY CO., LROADWAY DIVIDERS		6/2018	217231	155.15
18-1639	01-E1106	EST, INC.	ENGINEERING SERVICES	6/2018	42537	60,011.25
DEPARTMENT TOTAL:						60,166.40
FUND TOTAL:						60,166.40
GRAND TOTAL:						87,981.83

FUND: 68 - IMPROVEMENT AUTHORITY

SUMMARY REPORT

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 72 WATER						
18-2009	01-C0135	THE CITY OF OKLAHOMA CITY	WATER PURCHASE	6/2018	201808278262	14,142.84
DEPARTMENT TOTAL:						14,142.84
FUND TOTAL:						14,142.84
GRAND TOTAL:						21,264.20

FUND: 68 - IMPROVEMENT AUTHORITY

SUMMARY REPORT

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 68 GENERAL GOVERNMENT						
19-0589	01-A0065	ACTION SAFETY SUPPLY CO., BROADWAY DIVIDERS		8/2018	217231A	744.85
19-0572	01-S0332	SMITH ROBERTS LAND SERVICESRIGHT-OF-WAY EASEMENT		8/2018	622-05	11,300.00
DEPARTMENT TOTAL:						12,044.85
DEPARTMENT: 72 WATER						
19-0042	01-A0055	ASSOCIATION OF CENTRAL OKLABASIC ASSESSMENT, TRANSP		8/2018	7188A	2,702.00
19-0078	01-I0006	WATER HOLDINGS ACQUISITIONSPUBLIC WORKS CONTRACTOR		8/2018	32466	95,955.41
19-0094	01-O0055	OKLAHOMA GAS & ELECTRIC COMELECTRIC SERVICES		8/2018	201808158249	1,548.31
DEPARTMENT TOTAL:						100,205.72
DEPARTMENT: 75 SEWER						
19-0051	01-C0117	CLEARWATER ENTERPRISE, LLC GAS SERVICE		8/2018	8151-01807A	54.60
19-0078	01-I0006	WATER HOLDINGS ACQUISITIONSPUBLIC WORKS CONTRACTOR		8/2018	32466	53,974.91
19-0095	01-O0010	ONE GAS, INC.	GAS SERVICE	8/2018	201808168258	114.04
19-0094	01-O0055	OKLAHOMA GAS & ELECTRIC COMELECTRIC SERVICES		8/2018	201808158249	2,414.50
19-0604	01-S0332	SMITH ROBERTS LAND SERVICESAPPRAISAL AND ACQUISITIO		8/2018	628-01	3,390.00
DEPARTMENT TOTAL:						59,948.05
FUND TOTAL:						172,198.62

FUND: 68 - IMPROVEMENT AUTHORITY

SUMMARY REPORT

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 68 GENERAL GOVERNMENT						
19-0518	01-A1067	AC-OWEN CONSTRUCTION	TOWN CENTER EXPANSION	8/2018	17-706-12	113,686.26
19-0002	01-B0024	BANCFIRST	2009 OWRB LOAN PAYMENT	9/2018	201808278280	21,939.64
19-0003	01-B0024	BANCFIRST	2016 NOTE PAYMENT	9/2018	201808288309	98,377.91
19-0004	01-B0024	BANCFIRST	2017 NOTE PAYMENT	9/2018	201808288310	78,721.75
19-0005	01-B0024	BANCFIRST	2013 NOTE PAYMENT	9/2018	201808278281	59,184.17
19-0006	01-B0024	BANCFIRST	2014B NOTE PAYMENT	9/2018	201808278282	36,016.25
19-0019	01-C0281	MIA - 4TH PENNY EXCESS 90%	PENNY EXTENSION 90% EXCES	9/2018	201808278276	40,000.00
19-0664	01-C1191	CEC CORPORATION	CONSTRUCTION MATERIALS	8/2018	1701220316-000-09	260.00
19-0069	01-E0043	EMERGENCY MEDICAL SERVICES	AMBULANCE ASSESSMENT	8/2018	201808278290	33,544.00
19-0662	01-E0104	E&E LAWN CARE, INC	DIRT WORK, SOD, LANDSCAPI	8/2018	201808278305	7,400.00
19-0008	01-G0030	GENERAL FUND	TRANSFER OPERATING FUNDS	9/2018	201808278269	245,000.00
19-0011	01-I0015	TYLER TECHNOLOGIES, INC	MONTHLY SUPPORT & HOST WE	9/2018	025-234009A	192.00
19-0015	01-L0045	LIMITED PURPOSE FUND	3RD PENNY EXCESS	9/2018	201808278272	125,000.00
19-0018	01-M0210	MUSTANG IMPROVEMENT AUTHORITY	TRANSFER CIP FEE	9/2018	201808278275	67,024.01
19-0026	01-P0132	PERSONAL SERVICES FUND	PENNY EXTENSION 10% P.S.	9/2018	201808278277	30,000.00
19-0028	01-R0090	RISK MANAGEMENT FUND	WORKERS COMP FEES	9/2018	201808278285	8,335.00
19-0030	01-S0205	STREET IMPROVEMENT FUND	12.5% FRANCHISE FEE	9/2018	201808298322	15,000.00

DEPARTMENT TOTAL: 979,680.99

DEPARTMENT: 72 WATER						
19-0057	01-C0108	COWAN GROUP ENGINEERING, L	ENGINEERING FEES	8/2018	3659A	5,241.50
19-0054	01-C0135	THE CITY OF OKLAHOMA CITY	WATER PURCHASE	8/2018	201808278287	106,071.36
19-0620	01-D0032	COMMUNICATIONS LEASING CORP	BATTERY FOR HANDHELD	8/2018	CN1451	84.00

DEPARTMENT TOTAL: 111,396.86

DEPARTMENT: 75 SEWER						
19-0471	01-C0108	COWAN GROUP ENGINEERING, L	LLWWTP EXPANSION & MODIFICA	8/2018	3661	11,867.36
19-0516	01-C1197	CORE & MAIN LP	PARTS FOR RELOCATION LINE	8/2018	J263639	5,785.00
19-0517	01-I0006	WATER HOLDINGS ACQUISITIONS	RELOCATE DRAIN LINE	8/2018	33389	40,923.79
19-0095	01-O0010	ONE GAS, INC.	GAS SERVICE	8/2018	201808278297	454.30

DEPARTMENT TOTAL: 59,030.45

8/30/2018 11:00 AM

PURCHASE ORDER CLAIM REGISTER

PAGE: 10

FUND: 68 - IMPROVEMENT AUTHORITY

SUMMARY REPORT

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 78		SANITATION				
19-0093	01-00121	OKLAHOMA ENVIRONMENTAL MANASANITATION SERVICES		8/2018	10836	91,546.56
DEPARTMENT TOTAL:						91,546.56
FUND TOTAL:						1,241,654.86