

MUSTANG CITY COUNCIL
JULY 6, 2021

The Mustang City Council met in regular session on Tuesday, July 6, 2021, at 7:00 p.m. in the Mustang Municipal Building Council Chambers. Notice of the meeting was posted as required on Thursday, July 1, 2021, at 5:25 p.m. in compliance with the Open Meeting Law, 25 O.S., Section 301, et. seq.

A. CALL TO ORDER

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

B. PLEDGE OF ALLEGIANCE/INVOCATION Jeff LeDuc, Executive Pastor, First Baptist Church, Mustang.

Pastor LeDuc stated the Church was doing well and thankful for this City and to be able to serve Mustang. He stated activities such as camps like Falls Creek were back to normal and have a couple of mission trips planned soon.

C. ROLL CALL

Councilmembers Present:	Ray
	Teeples
	Wald
	Jones
	McKenzie
	Sholund
	Grider

Councilmembers Absent: **None.**

D. INTRODUCTION OF GUESTS/HEARING OF CITIZENS OR DELEGATES

None.

E. NEW BUSINESS, DELETIONS OR CONTINUANCES TO THE AGENDA

None.

F. CONSENT AGENDA

- F.1 Approval of 06/01/2021 City Council Minutes.
- F.2 Approval of 06/15/2021 City Council Special Meeting Minutes.
- F.3 *Claims List for FY 2021.
- F.4 *Claims List for FY 2022.
- F.5 *Approval to Turn Past Due Utility Accounts over to Collection Agency.
- F.6 Approval to Turn Past Due Library Accounts over to Collection Agency.

- F.7 Approval of the Public Works Contract between the City of Mustang and the Oklahoma Department of Corrections.
- F.8 Acknowledgement of Transfer of City Property, Glock Mod. 17 9mm S/N BGEU907, to Lieutenant Kevin Simons, Comm. #329 upon his retirement in good standing effective June 30, 2021, after almost 25 years of honorable service to the Mustang Police Department, which has been the historical past practice of the Police Department.
- F.9 Acknowledgement of Transfer of City Property, Glock Mod. 17 9mm S/N BGEU917 to Sergeant David Hanson, Comm.# 350 upon his resignation in good standing effective July 8, 2021, after almost 9 years of honorable service to the City of Mustang, which has been the historical past practice of the Police Department.
- F.10 Approval to Renew Excess Workers' Compensation Insurance with Midwest Employers Policy.

MOTION was made by **Vice Mayor Ray**, seconded by **Councilman Sholund**, to Approve the Consent Agenda Items F-1 thru F-10.

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

NAY: None

G. INFORMATION/REPORTS

G.1 City Manager Report

City Manager Rooney introduced *Police Chief Groseclose* who swore in Police Officer Hawkins and Police Officer Nimsey.

City Manager Rooney introduced *Fire Chief Carruth* who swore in Firefighter Lawson and Firefighter Gordon.

Fire Chief Carruth awarded Life Saving Medals to Captain Willrath, Corporal Setliff, Corporal McGehee, Chief Carruth, Firefighter Montgomery, Firefighter Harland, and Firefighter Brady as a result of saving the life of a Mustang citizen in 2020.

G.2 City Council

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

Councilman Sholund stated he received a few calls regarding flooding stating he had been in contact with *Community Development Director Helsel*. He also stated he was thankful to live in a city where Independence Day can be celebrated and for being a Purple Heart City.

Councilman McKenzie stated he had some conversations with constituents and stated the *City Manager* was checking on a couple of items. He also stated he received phone calls regarding fireworks and pets stating some in the neighborhood were wondering if the calls for runaway pets had gone up during that week.

Councilman Jones stated he enjoyed the holiday and stated prayers go out to our new Police Officers and Firefighters as well as the citizen who lost her husband.

Councilman Wald stated he also enjoyed the holiday and fireworks stating there's no place like Mustang on the 4th.

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

Vice Mayor Ray welcomed the new Police Officers and Firefighters. He stated he drove around after 11:00 pm on the 4th stating he saw Firefighters checking to make sure all was good. He stated Mustang was the place to be and especially at the Community Center.

Mayor Grider welcomed the new Police Officers and Firefighters as well as thanked those receiving the Life Saving Award with prayers sent to the family with the loss of their loved one. He stated he did not receive any complaints regarding fireworks, but did say he received a complaint on something else, but the person refused to give their name or contact information. He stated that is not the way to get resolution and encouraged everyone to reach out to Council and that Council is willing to listen to their concerns. He also thanked Staff for the new sign on SW 59th street leading into the Animal Welfare Center and Public Works facilities stating it looked great.

Grider presented *City Manager Rooney* with signs and a plaque received in the "Purple Heart City" ceremony held last week as a result of Mustang being named a Purple Heart Community in the June City Council meeting.

- G.5 Approval of Proclamation to Declare July, 2021 as "Parks and Recreation Month".

Mayor Grider read out loud the Proclamation declaring July, 2021 as "Parks and Recreation Month" and presented it to *Parks and Recreation Director Heasley* and Staff.

Parks and Recreation Director Heasley thanked the Council and stated 2020 and Covid showed us just how important our parks are.

MOTION was made by **Councilman McKenzie**, seconded by **Councilman Jones**, to Approve the Proclamation.

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

NAY: None

H. DISCUSSION ITEMS

- H.1 Discussion, Consideration and Possible Action, including but not limited to, Approval, Denial, Amendment, Revision or Conditional Approval, in whole or in part, of Resolution No. 22-001, a Resolution of the City of Mustang Approving an Interlocal Cooperation Agreement for Municipal Court Jurisdiction concerning Juveniles, Authorizing the City of Mustang to Enter into said Agreement and Directing the Mayor and City Staff to Execute the same; Authorizing and Directing the Finance Director to Establish a Restricted Account as required by such Interlocal Agreement and Oklahoma Law.

City Attorney Miller stated Oklahoma law allows municipal courts to exercise jurisdiction over certain juvenile offenses at the local level to try and resolve issues before entering into the larger system stating in order to do so, the City must enter into an interlocal agreement with the Canadian County District Court setting forth certain requirements and limitations. He stated this agreement is presented annually to City Council for review and renewal.

MOTION was made by **Councilman Sholund**, seconded by **Councilman Jones**, to Approve Resolution No. 22-001.

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

- H.2 *Discussion, Consideration and Possible Action, including but not limited to, Approval, Denial, Amendment, Revision or Conditional Approval, in whole or in part, of Change Order #11 (final) for Project labeled Mustang Animal Welfare Center.

Police Chief Groseclose stated Change Order #11 is the final change order for this project stating it provides for a credit of \$29,067.14. He stated the credit comes from money remaining in contingency and miscellaneous materials as well as changes made in fencing and signage.

MOTION was made by **Councilman McKenzie**, seconded by **Councilman Wald**, to Approve Change Order #11 for Project labeled Mustang Animal Welfare Center.

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

- H.3 Discussion, Consideration and Possible Action, including but not limited to, Approval, Denial, Amendment, Revision or Conditional Approval, in whole or in part, of Resolution No. 22-002, a Resolution of the City Council of the City of Mustang, Oklahoma, Requesting that the Oklahoma Department of Transportation Approve the Removal of a Crosswalk Located on State Highway 4 in the 300 Block of North Mustang Road.

Community Development Director Helsel stated the Mustang Traffic Commission has recommended removal of the deteriorated crosswalk markings in the 300 Block of N Mustang Road (SH4) near Braums restaurant stating several calls had been received of people using that area to cross the highway and drivers did not expect them to be there, causing a safety hazard. She stated in order to accomplish the removal, ODOT requested a resolution from the Mustang City Council to indicate their support of removing the fading crosswalk paint.

MOTION was made by **Vice Mayor Ray**, seconded by **Councilman Sholund**, to Approve Resolution No. 22-002.

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

- H.4 Discussion, Consideration and Possible Action, including but not limited to, Approval, Denial, Amendment, Revision or Conditional Approval, in whole or in part, of Final Plat Application FP-3-1-21-1-33, Mustang Farms Addition, Phase 2, Crafton Tull & Associates, Total Residential Lots: 69.

Community Development Director Helsel stated this is the Final Plat for the second phase of Mustang Farms Addition stating it meets the guidelines set forth in the City of Mustang Municipal Code for Subdivisions. She stated it had been reviewed by the City Engineer, Fire Department, City Attorney and City Staff stating it has been amended to reflect comments by all parties. **Helsel** stated the Mustang Planning Commission voted unanimously to recommend approval and Staff recommends approval as well.

MOTION was made by **Vice Mayor Ray**, seconded by **Councilman McKenzie**, to Approve the Final Plat for Mustang Farms Addition, Phase 2.

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

NAY: None

- H.5 Discussion, Consideration and Possible Action, including but not limited to, Approval, Denial, Amendment, Revision or Conditional Approval, in whole or in part, for First Reading and to Set Hearing Date on Ordinance No. 1226, an Ordinance of the City of Mustang, Oklahoma, Vacating and Closing an Alley Lying within Block 3 of the Mustang Original Townsite, as more Particularly Described Below; Declaring Repealer; Providing for Severability; and Declaring an Emergency

Community Development Director Helsel stated this item is for the first reading and setting of public hearing date for vacating and closing an alley within Block 3 of the Mustang Original Townsite. She stated the applicant has requested to close and vacate the 20-foot alleyway easement east of his property at 826 S. Mustang Road stating half of the property will revert to him and half of the property to the owner to the east.

City Attorney Miller read out loud Ordinance No. 1226.

MOTION was made by **Councilman Sholund**, seconded by **Councilman McKenzie**, to Set the date for Public Hearing for August 4, 2021.

City Attorney Miller stated the next City Council meeting would be August 3rd and not 4th stating the date would have to be moved to September as August 3rd is not 30 days as required by Mustang Municipal Code.

MOTION was made by **Councilman Sholund**, seconded by **Councilman Jones**, to Set the date for Public Hearing for September 7, 2021.

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

NAY: None

- H.6 Public Hearing, Discussion, Consideration and Possible Action, including but not limited to, Approval, Denial, Amendment, Revision or Conditional Approval, in whole or in part, of Ordinance No. 1227, an Ordinance of the City of Mustang, Oklahoma Amending the Zoning Ordinance of the City of Mustang, Oklahoma, as Amended, to Change Certain Property Located in Canadian County, Oklahoma, from "R-E, Rural Estates District" to "C-2," Commercial Neighborhood District" and, Declaring Repealer; Providing for Severability; and Declaring an Emergency.

Community Development Director Helsel provided background information regarding the property requested to be rezoned stating the property is one lot and has an existing vacant building. She stated the applicant will remodel the interior of the existing building as an office stating the architect has already been in contact with the Chief Building Official to make sure it will be up to current codes and be ADA accessible.

Helsel stated Staff recommends approval stating the request conforms to the Comprehensive Plan and meets all aspects of Mustang Code. She stated three calls were received, each wanting clarification and did not have any issues with the request. **Helsel** stated one citizen attended the Planning Commission in opposition with concerns regarding traffic and future uses. She stated the Planning Commission voted unanimously to approve the rezoning.

Mayor Grider opened the Public Hearing.

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

MOTION was made by **Vice Mayor Ray**, seconded by **Councilman McKenzie**, to Approve Ordinance No. 1227.

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

NAY: None

MOTION was made by **Vice Mayor Ray**, seconded by **Councilman McKenzie** to Declare an Emergency for Ordinance No. 1227.

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

NAY: None

- H.7 Public Hearing, Discussion, Consideration, and Possible Action, including, but not limited to, Approval, Denial, Amendment, Revision or Conditional Approval, in Whole or in Part, of Ordinance No. 1225, an Ordinance of The City of Mustang, Oklahoma Amending the Zoning Ordinance of the City of Mustang, Oklahoma, as Amended, to Change Certain Property Located in Canadian County, Oklahoma, from "C-3, Commercial General District" to "I-2 PUD," Moderate Industrial Planned Unit Development District" and, Declaring Repealer; Providing for Severability; and Declaring an Emergency.

Community Development Director Helsel stated this item was tabled from the June 1, 2021 City Council meeting. She stated the Fire Department concerns have been resolved stating the site plan now has a turn around. She provided additional background information stating the applicant has made changes to the PUD in response to Planning Commission, Staff and Fire Department comments. **Helsel** stated Staff recommends approval as well as Planning Commission recommending approval at their May meeting.

Discussion was held concerning the garage door, hours of operation and security.

Mayor Grider opened the Public Hearing.

Mr. Mark Zitzow, Johnson and Associates, addressed the Council and provided additional information regarding the garages such as uses for this type of development, security, and HOA covenants. He also stated two was the maximum number of units that can be purchased at one time.

Mayor Grider closed the Public Hearing.

MOTION was made by **Vice Mayor Ray**, seconded by **Councilman Sholund**, to Approve Ordinance No. 1225.

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

MOTION was made by **Vice Mayor Ray**, seconded by **Councilman Sholund**, to Declare an Emergency for Ordinance No. 1225.

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

I. MATTERS FOR EXECUTIVE SESSION:

None.

J. ADJOURNMENT

MOTION was made by **Councilman Sholund**, seconded by **Councilman McKenzie**, to adjourn.

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

NAY: None

The meeting was adjourned at **8:09 p.m.**



Brian Grider, Mayor

Attest:



Lisa Martin, City Clerk

