

**MUSTANG CITY COUNCIL
DECEMBER 6, 2022**

The Mustang City Council met in regular session on Tuesday, December 6, 2022, at 7:00 p.m. in the Mustang Municipal Building Council Chambers. Notice of the meeting was posted as required on Friday, December 2, 2022, at 10:21 a.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 Jim Harris, Pastor, Clear Springs Church.

Pastor Harris led the assembly in the Pledge and Invocation. He provided a Christmas heartwarming story of a Mustang couple who had just renewed their vows stating the husband had received a heart transplant and grateful for life. He thanked Council for their service and all they do to take care of this community.

C. ROLL CALL

Councilmembers Present:	Ray
	Leete
	Wald
	Waugh
	McKenzie
	Sholund
	Grider

Councilmembers Absent:	None
-------------------------------	-------------

D. INTRODUCTION OF GUESTS/HEARING OF CITIZENS OR DELEGATES

Charles Bradley, Superintendent of Mustang Public Schools (MPS), addressed the Council thanking Council for their support through tough times as well as good ones and thanked the Mayor for speaking on their behalf after the State School Board's accreditation decision. He stated MPS felt they were wronged with this decision and appreciated the advice and support they received from Council as well as the City Manager. He said this community was fortunate to have a Council and school system that worked so well together, including the Police and Fire Chiefs.

E. NEW BUSINESS, DELETIONS OR CONTINUANCES TO THE AGENDA

City Manager Rooney stated the claims list had been amended.

H. CONSENT AGENDA

- F.1 Approval of 11/01/2022 City Council Minutes.
- F.2 *Claims List for FY 2023.
- F.3 Approval to Turn Past Due Library Accounts over to Collection Agency.
- F.4 Approval of Resolution No. 23-019 making Changes in the Library Fund Budget by Making a Supplemental Appropriation to Increase the 2022-2023 Fiscal Year Budget by \$1,500.
- F.5 *Acceptance of Easements from Najma Dugan for the Mustang Townhomes Residential Development.
- F.6 *Approval of Schedule of Meetings for City Council, Boards and Commissions, and Holidays for the City of Mustang / MIA for the Year 2023.

MOTION was made by **Councilman Sholund**, seconded by **Councilman McKenzie**, to Approve the Consent Agenda Items F.1 thru F.6 including the amendment.

AYE: Ray, Leete, Wald, Waugh, McKenzie, Sholund, Grider

NAY: None

G. INFORMATION/REPORTS

- G.1 City Manager Report

City Manager Rooney stated he did not have anything to add in addition to his written report available on the City's website.

- G.3 City Council

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

Vice Mayor Ray stated he was thankful for small businesses in Mustang and encouraged everyone to support them.

Councilman Leete stated the main reason he and his wife moved to Mustang was the school system stating he loves Mustang Public Schools. He also thanked the City Manager and Staff for a stop sign repair.

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

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

Councilman McKenzie stated he received one phone call and referred them to the City Manager.

Councilman Sholund stated he received one phone call and referred it to *Assistant City Manager Battles*.

Mayor Grider thanked *Councilmen McKenzie and Sholund* for refiling for office stating he appreciated their service to City Council and the community. He stated the Christmas tree lighting was a great event as well as the Chamber of Commerce's Cookie Crawl. **Grider** stated he was fortunate to be apart of this community and all the different aspects with businesses, neighborhoods and the school system stating when you list what is out there, Mustang has a lot of options. He also encouraged everyone to attend Positive Posse stating guests from the Blood Institute would be there as well as a blood drive on Wednesday.

G.3 Appointment of One Member to the Mustang Board of Adjustment (BOA).

Senior City Planner Conner stated the City recently lost one BOA member who moved outside of city limits stating the City received an application from Mr. Aaron Spiegel who would like to become a member of the BOA and be more involved with the community. He stated Staff recommends appointment of Mr. Spiegel to the Board.

MOTION was made by **Councilman Sholund**, seconded by **Councilman Wald**, to Approve the Appointment of Aaron Spiegel to the Mustang Board of Adjustment.

AYE: Ray, Leete, Wald, Waugh, McKenzie, Sholund, Grider

NAY: None

H. DISCUSSION ITEMS

- H.1 *Consideration of Acceptance of the Annual Comprehensive Financial Report and Report on Internal Control and Compliance with Government Auditing Standards for Fiscal Year ending June 30, 2022.

City Manger Rooney introduce Ms. Anne Elfrink, Elfrink and Associates, PLLC, who provided an overview of the audit for fiscal year ending June 30, 2022.

Anne Marie Elfrink, MS, CPA, addressed the Council regarding the audit above and provided highlights stating the City received an unmodified opinion. She stated this was the best opinion that can be received stating there were also no findings on the internal control review. Elfrink stated the City of Mustang Finance Department is always great to work with stating staff is very knowledgeable with good leadership.

MOTION was made by **Councilman McKenzie**, seconded by **Councilman Sholund**, to Accept the Annual Comprehensive Financial Report and Report on Internal Control and Compliance with Government Auditing Standards for Fiscal Year ending June 30, 2022.

AYE: Ray, Leete, Wald, Waugh, McKenzie, Sholund, Grider

NAY: None

- H.2 Consideration of Final Plat Application, FP-8-18-22-2-26, Mustang Marketplace, Cedar Creek Consulting, INC, 1200 Block of E. St. Hwy 152, 5 Commercial Lots, 20.47 Acres.

Senior City Planner Conner stated Planning Commission voted unanimously to approve the Final Plat application submitted by Cedar Creek Consulting, INC for property within a 2003 approved Planned Unit Development (PUD) called the Borneman Addition. He stated the Final Plat mirrors the Preliminary Plat and provided background information including surrounding zoning and conformance to the long range plan.

Conner stated Staff and engineering have reviewed the plat and the applicant has made corrections where requested stating Staff recommends approval of the Final Plat.

MOTION was made by **Councilman Sholund**, seconded by **Councilman Wald**, to Approve the Final Plat.

AYE: Ray, Leete, Wald, Waugh, McKenzie, Sholund, Grider

NAY: None

- H.3 Proposed Reappointment of Municipal Judge Steve Huddleston and Alternate Judge Chris Box.

City Attorney Miller stated the term of the Municipal Judge for the City of Mustang runs for a two year period stating Steve Huddleston and Chris Box have expressed a desire to continue as Judge and Alternate Judge should the Council choose to reappoint them.

Miller stated this item is for the proposed appointment with their formal appointment appearing for action at the January 3, 2023 City Council meeting stating no action would be required this evening.

- H.4 *Consideration of Proposed Change Orders (PCO) 1-9 for the Project Labeled Mustang Fire Station #2.

Chief Carruth stated change orders 1 through 9 represent several items needing addressed to keep the project in compliance and moving forward on time stating seven items were contingency fund debit items with two items being credits due to an eliminated item and a façade item. He stated the total change order request is \$6,427.99 leaving \$70,572.01 in contingency funding. **Carruth** stated the project was 77-78% complete.

MOTION was made by **Councilman Sholund**, seconded by **Councilman McKenzie**, to Approve Change Orders 1-9 for the Project Labeled Mustang Fire Station #2.

AYE: Ray, Leete, Wald, Waugh, McKenzie, Sholund, Grider

NAY: None

- H.5 *Consideration of Contract and Bonds for Project Labeled Ross Terrace Road Improvements.

City Manager Rooney stated the award of the project labeled Ross Terrace Road Improvements to Silver Star Construction was made in the November 1, 2022 City Council meeting stating the contract and bonds for said project was being brought to Council this evening for approval.

MOTION was made by **Councilman Wald**, seconded by **Councilman Sholund**, to Approve the Contract and Bond with Silver Star Construction Company, Inc. for Project Labeled Ross Terrace Road Improvements, and the Mayor authorized and directed to execute the Contract and approve the bonds.

AYE: Ray, Leete, Wald, Waugh, McKenzie, Sholund, Grider

NAY: None

- H.6 Consideration of Acceptance of Bids for Janitorial Services.

City Manager Rooney stated the City went out for bid for janitorial services for City Hall, Town Center, Police Department and Animal Welfare Center stating there had been issues with the current contractor. He stated four bids were received and Staff recommends accepting all bids.

MOTION was made by **Councilman Waugh**, seconded by **Councilman Sholund**, to Accept All Bids for Janitorial Services.

AYE: Ray, Leete, Wald, Waugh, McKenzie, Sholund, Grider
NAY: None

H.7 Consideration of Award of Bid for Janitorial Services.

City Manager Rooney stated four bids were received for Janitorial Services with Jan-Pro of OKC being the lowest and best bid stating bid pricing was available in the bid packet. He stated pricing was grouped in sections where if a problem arises in one section, the City could end that one section and rebid. **Rooney** stated the City was very unhappy with the current provider and performance.

MOTION was made by **Vice Mayor Ray**, seconded by **Councilman Sholund**, to Award the Janitorial Services Bid to Jan-Pro of OKC in the Amounts listed in Jan-Pro of OKC's bid.

AYE: Ray, Leete, Wald, Waugh, McKenzie, Sholund, Grider
NAY: None

H.8 Consideration of Janitorial Services Agreement between the City of Mustang and Jan Pro of OKC.

City Manager Rooney stated this item was for the approval of the contract for Janitorial Services with Jan-Pro of OKC in the amounts as listed in their bid packet. He stated the contract allows for a section to be rebid as necessary without affecting the other sections stating it begins Monday, December 12, 2022. **Rooney** stated the current contractor did not fulfill their contract through November 30th stating Staff has been doing it. He stated payment has been stopped to the current contractor.

MOTION was made by **Vice Mayor Ray**, seconded by **Councilman Leete**, to Approve the Contract with Jan-Pro of OKC for Janitorial Services, and the Mayor authorized and directed to execute the Contract.

AYE: Ray, Leete, Wald, Waugh, McKenzie, Sholund, Grider
NAY: None

I. MATTERS FOR EXECUTIVE SESSION:

- I.1 Consideration of Vera Rivera vs. City of Mustang, Case No. CJ-2022-566, District Court, Canadian County, State of Oklahoma; and, Proposed Executive Session as authorized by 25. Okla. Stat. §307(B)(4).
- I.2 Consideration of Tort Claim of Isabella Rivera; and, Proposed Executive Session as authorized by 25. Okla. Stat. §307(B)(4).

MOTION was made by **Councilman Wald**, seconded by **Councilman Sholund** to adjourn to Executive Session.

AYE: Ray, Leete, Wald, Waugh, McKenzie, Sholund, Grider

NAY: None

TIME ADJOURNED to Executive Session: **7:39 p.m.**

Mayor Grider called the meeting back into Session.

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

In reference to Item I.1 –

No Motion, discussion purposes only.

In reference to Item I.2 –

MOTION was made by **Councilman Sholund**, seconded by **Councilman McKenzie**, to Deny the Tort Claim dated October 13, 2022 submitted on behalf of Isabella Rivera to the City of Mustang.

AYE: Ray, Leete, Wald, Waugh, McKenzie, Sholund, Grider

NAY: None

J. ADJOURNMENT

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

AYE: Ray, Leete, Wald, Waugh, McKenzie, Sholund, Grider

NAY: None

The meeting was adjourned at **7:45 p.m.**


Brian Grider, Mayor

Attest:


Lisa Martin, City Clerk