MUSTANG CITY COUNCIL
AUGUST 3, 2021

The Mustang City Council met in regular session on Tuesday, August 3, 2021, at 7:00 p.m. in the Mustang Municipal Building Council Chambers. Notice of the meeting was posted as required on Friday, July 30, 2021, at 8:42 a.m. and an Amended Agenda was posted as required on Friday, July 30, 2021, at 9:12 a.m. and on Monday, August 2, 2021, at 9:58 a.m. all 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 Rusty Stowe, Senior Adult Minister, First Baptist Church, Mustang.

Pastor Stowe led the assembly in the Pledge and Invocation. He stated the Church was doing well and strong and continuing to grow. He stated it was also a joy to serve as the Chaplain for the Fire and Police Departments over the past seven years stating the City continues to hire great people.

C. ROLL CALL

Councilmembers Present:

Ray
Teeples
Wald
Jones
McKenzie
Grider

Councilmembers Absent: **Sholund**

D. INTRODUCTION OF GUESTS/HEARING OF CITIZENS OR DELEGATES

None.

E. NEW BUSINESS, DELETIONS OR CONTINUANCES TO THE AGENDA

City Manager Rooney stated the agenda had been amended as allowed by law stating the amended agenda was emailed to Council as well as copies provided this evening.

F. CONSENT AGENDA

F.1 Approval of 07/06/2021 City Council Minutes.
F.2 *Claims List for FY 2021.
F.3 *Claims List for FY 2022.
F.4 *Approval to Turn Past Due Utility Accounts over to Collection Agency.
F.5 Approval to Turn Past Due Library Accounts over to Collection Agency.

F.6 Approval of Resolution No. 22-003, making Changes in the Library Fund Budget by Making a Supplemental Appropriation to Increase the 2021-2022 Fiscal Year Budget by $19,600.

F.7 Approval of Resolution No. 22-004, Making Changes in the General Fund Budget by Making a Supplemental Appropriation to Increase the 2021-2022 Fiscal Year Budget by $1,027,300.

F.8 Approval of Resolution No. 22-005, Making Changes in the General Reserve Fund Budget by Making a Supplemental Appropriation to Increase the 2021-2022 Fiscal Year Budget by $ 10,000.

F.9 Approval of Resolution No. 22-006, Making Changes in the Park Improvement Fund Budget by Making a Supplemental Appropriation to Increase the 2021-2022 Fiscal Year Budget by $30,000.

F.10 Approval of Resolution No. 22-007, Making Changes in the Library Fund Budget by Making a Supplemental Appropriation to Increase the 2021-2022 Fiscal Year Budget by $7,432.

F.11 Approval of Resolution No. 22-008, Making Changes in the Limited Purpose (Capital) Fund Budget by Making a Supplemental Appropriation to Increase the 2021-2022 Fiscal Year Budget by $ 660,794.

F.12 Approval of Interlocal Governmental Cooperation Agreement between the City of Mustang and the Canadian County Sheriff's Office for Renewal of FY2022 Inmate Housing Agreement.

F.13 *Approval of Performance Bond for Paving and Drainage Infrastructure for Mustang Farms Phase 2 .

MOTION was made by **Vice Mayor Ray,** seconded by **Councilman McKenzie,** to Approve the Consent Agenda Items F-1 thru F-13.

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

G. INFORMATION/REPORTS

G.1 City Manager Report

City Manager Rooney introduced Mr. Allen King, President, Oklahoma Mustang Club, who made a check presentation of $5,000 to *Parks and Recreation Director Heasley*. Mr. King stated the National Mustang Car show would be held in Mustang, Oklahoma, over the Labor Day weekend and thanked the City for the support given to them over the years.

Rooney announced this Saturday night was late night swim at the swimming pool stating the pool would be open until 11:00 pm and also gave times/dates the pool would be open now through Labor Day.

G.2 City Council

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

Councilman McKenzie stated he had received a couple of phone calls regarding ashes due to burning trees and brush for a new development.

Councilman Jones stated he appreciated the Mustang Club and all they bring to Mustang. He also stated it was great to see all the kids in summer camp held at Town Center.

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

Councilman Teeples stated he received a letter from a gentleman with an issue; however, he didn't sign his name stating there would be no action on it if there's no name.

Vice Mayor Ray stated he had the greatest Ward stating the neighborhood works together to clean up after storms and always there for each other stating he was honored to be in that neighborhood. He thanked the pool staff for a fantastic job this summer as well.

Mayor Grider stated he had a few phone calls since last City Council meeting. He stated he attended his children's swim lessons stating it was great to be there and watch with the other parents and kids. He stated the lessons and teachers were very impressive. He agreed with *Councilman Teeples* regarding not addressing a concern when the person does not give their name or any contact information stating he applauded those in the audience tonight for being here to share their concerns.

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 Ordinance No. 1228, an Ordinance of the City of Mustang, Oklahoma, Amending the Mustang Code of Ordinances by Amending Chapter 106, Article VII, Section 106-444(E) to Change Section Reference on Fire Hydrant Locations; Declaring Repealer; Providing for Severability; and Declaring an Emergency.

City Attorney Miller stated when reviewing plats recently, a reference to the location for fire hydrants had been changed after adopting the Fire Code stating this ordinance corrects that reference.

MOTION was made by **Councilman Wald,** seconded by **Councilman Jones,** to Approve Ordinance No. 1228.

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

MOTION was made by **Vice Mayor Ray,** seconded by **Councilman McKenzie** to Declare an Emergency for Ordinance No. 1228.

AYE: Ray, Teeples, Wald, Jones, McKenzie, 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 Ordinance No. 1229, an Ordinance of the City of Mustang, Oklahoma, Amending Chapter 2, Article V, Section 2-197 to Add a New Subsection Authorizing the Sale of Surplus Property to Another Public Agency of this State Without Necessity for Competitive Bidding; Declaring Repealer; Providing for Severability; and Declaring an Emergency.

City Attorney Miller stated under the Code of Ordinances, there was not a process to sale property with a value of more than $1,000 to other public agencies without the competitive bid process. He stated this ordinance would allow for the sale of public property with a value not greater than $50,000 to other public agencies without necessity for competitive bidding stating if the property has a value greater than $10,000, the City Council will still be required to authorize the sale of the property by a non-emergency ordinance as required by Mustang Charter 4-4.

MOTION was made by **Vice Mayor Ray,** seconded by **Councilman Jones,** to Approve Ordinance No. 1229.

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

MOTION was made by **Councilman McKenzie,** seconded by **Vice Mayor Ray,** to Declare an Emergency for Ordinance No. 1229.

AYE: Ray, Teeples, Wald, Jones, McKenzie, 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 Ordinance No. 1230, (A) an Ordinance of the City of Mustang, Oklahoma, Declaring Certain Police Vehicles Surplus, Authorizing the Sale of such Vehicles to Other Public Agencies and Authorizing and Directing the City Manager to Execute Documents Necessary to Complete the Transfers, and Providing for Severability, and (B) the Form of Agreements for Sale of Surplus Police Vehicles.

Police Chief Groseclose stated the Police Department has four vehicles no longer used stating the Police Department would like to declare them surplus and requests the City Council to authorize the sale of the vehicles. He stated the City of Tuttle and Logan County have both expressed interest in purchasing the vehicles. **Groseclose** stated the previous ordinance allows the sale of property to a public agency without competitive bidding stating this would be beneficial to those communities as well as Mustang not having to go through the time and expense of bidding and usually sells at a lower price.

MOTION was made by **Vice Mayor Ray,** seconded by **Councilman Jones,** to Approve Ordinance No. 1230.

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

H.4 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. 1231, An Ordinance of the City of Mustang, Oklahoma Amending the Zoning Ordinance of the City of Mustang, Oklahoma, as Amended, to Change Certain Property Located in Canadian County, Oklahoma, from "A-1" General Agricultural and Oil and Gas District to "R-E", Rural Estates District and, Declaring Repealer; Providing for Severability; and Declaring an Emergency.

Community Development Director Helsel stated this rezoning application is a request to rezone a 20 acre parcel from A-1 to R-E stating the property is currently undeveloped and lies at 500 E. Lea Terrace. She stated the applicant's plan is to build a gated neighborhood with lots ¾ acre or greater stating access to the land will be via Lea Terrace.

Helsel provided the character of the neighborhood, surrounding zoning, and stated the rezoning request conforms to the Long Range Plan. She stated public water and sewer is available to serve this property and stated the road will be gated and remain private. **Helsel** stated Staff recommends approval and Planning Commission voted unanimously to approve the rezoning request.

Discussion was held regarding drainage and flooding.

Mark Grubbs, 1800 S. Sara Road, engineer on behalf of the applicant, stated the developer would have to abide by the City drainage ordinances and be approved by the City Engineer when it came to run-off, detention ponds, etc. He stated Lea Terrace was the only public access to that property stating they originally tried going through Curtis Park, but due to a federal grant regulation, Curtis Park was not an option. Mr. Grubbs stated the rezoning request meets the long range comprehensive plan and is the best application for that property.

Discussion was held regarding increased traffic and the width of the road with concern there would not be enough room for construction trucks to turn around or for the increased traffic. Discussion was also held regarding the road being damaged and who would be responsible for repairs with Mr. Grubbs stating it was a public street so the City would be responsible.

Mayor Grider opened the Public Hearing.

Donna Skidmore, 2113 SW 67th Street, Oklahoma City, on behalf of her parents who live on E. Lea Terrace addressed the Council stating there would be problems with increased traffic as well as with children walking to the school bus stating there is no room for them to walk except on the side of the road or the bar ditch. She discussed issues with the waterlines being six inches regarding the length, line dead end, and fire hydrant requirements. Ms. Skidmore also addressed drainage issues that would be caused by the new development.

Kenneth Schroeder, 618 E. Lea Terrace, addressed the Council stating he had lived there since 1973 and was promised a sewer line then, but still has never happened as well as fencing stating he extended the sewer line himself in 2002. He stated a paved street off of Plantation Terrace would be better suited for this development stating Lea Terrace couldn't handle the increased traffic. He stated they have also raised money themselves to make street repairs in the past.

Bill Howard, 507 N. Montebella Terrace, addressed the Council stating both sides of Lea Terrace has drainage canals stating the road is narrow and is concerned about traffic. He stated if there was a wreck, they would not be able to go around and would not be able to get out of the neighborhood. He stated he was also concerned about all the children with the increased traffic as well.

Betsy Howe, 415 E. Suera Terrace, addressed the Council stating she also was concerned about increased traffic and Lea Terrace not being wide enough to accommodate the additional traffic. She also was concerned about drainage stating her husband cleans out their drainage ditch each year and they still can get quite a bit of flooding stating she would like to see more of the plans before this is approved.

Mayor Grider reminded everyone this item was for rezoning of the land, not approval of the plat or development.

Councilman Wald stated a temporary construction entrance could be built through the park which could eliminate the issue with the concrete trucks.

City Manager Rooney stated the land, which is now Curtis Park, was provided to the City through a conservation grant stating the grant does not allow for permanent access through the park, but temporary access could be granted.

Vickie Baker, 507 E. Lea Terrace, addressed the Council stating her house was at the end of the street and has a lot of drainage problems. She stated she has had to have her septic tank drained three times stating there are tremendous drainage issues there.

Stefania Evans, 538 E. Lea Terrace, addressed the Council stating she has a daughter who plays with other children in the street and walks to the school bus stating she is concerned with the additional traffic. She said this neighborhood has large trees and worries they would be destroyed as well as the roads being so narrow, that their mailboxes would be destroyed too. She stated she was also concerned with flooding as it is already a problem.

Jose Vallejo, 525 E. Lea Terrace, addressed the Council stating he was also concerned with traffic and provided examples such as a family having a garage sale on the street and how crowded it was as well as he was mowing the edge of his yard by the street and was nearly hit by a truck. He stated even the Post Office mail deliverer has issues with the streets being so narrow and he is concerned with Senior Citizens and children being placed in a dangerous situation. He stated the Round Up Club used to use a part of the area to run cattle and said flooding was so bad, that they would be in a foot and a half of water.

Mayor Grider Closed the Public Hearing.

Discussion was held regarding any other possible means that could be used to access the proposed area with it being stated the only public access is Lea Terrace.

Discussion was held if the park could be used if the deed could be changed or something changed with the federal grant. **Assistant City Manager Battles** stated the park land was dedicated as a land and water conservation fund and must be used in a park structure. He stated the only way the park could be utilized would be to find additional land and apply for a swap with the federal government.

Councilman Ray stated he knew this item tonight was for rezoning a parcel of land; however, he stated residents feel if it is rezoned, it will be out of their control so he is not in favor of it.

MOTION was made by **Councilman McKenzie,** seconded by **Councilman Jones,** to Deny Ordinance No. 1231.

AYE: Ray, Teeples, Wald, Jones, McKenzie, 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, of Ordinance No. 1232, an Ordinance of the City of Mustang, Oklahoma, Amending (A) Chapter 102 of the Mustang Code of Ordinances by Adding New Article VI, (1) Division 1, providing General Statement, Definitions and Penalty for Violation; (2) Division 2, requiring Licensing, establishing Requirements for Bonds and Insurance, providing a Fee, providing for Revocation or Suspension of License and Review Process, and allowing for Emergency Excavations; (3) Division 3, requiring a Permit and providing a Fee; and (4) Division 4, establishing Requirements for Making Street Cuts, Borings and Excavations, in Public Rights-of-way and Public Easements, establishing Duties and providing Remedies; and (B) Chapter 42, Section 42-102, to Increase Fees for Vacating a Public Way and Driveway Permits and Establishing Licensing and Permitting Fees for Street Cuts, Borings and Excavations; Declaring Repealer; Providing for Severability; and Declaring an Emergency.

City Attorney Miller stated this ordinance addresses issues the City has with contractors and utility providers working within the public rights-of-way and easements to lay new facilities or replace or repair existing ones without the City's knowledge. He stated this ordinance requires a business license and permit be acquired as well as insurance and bonds provided to the City as part of the licensing and permitting process allowing the City to better track work being performed and inspect that work for any issues.

MOTION was made by **Vice Mayor Ray,** seconded by **Councilman McKenzie,** to Approve Ordinance No. 1232.

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

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

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

Mayor Grider paused the Public Meeting at 8:10 pm.

Mayor Grider called Council back into Session at 8:14 pm.

H.6 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. 1233, an Ordinance of the City of Mustang, Oklahoma, Amending the Mustang Code of Ordinances, by Amending Chapter 42, Section 42-18(A)(4) to Increase Reinspection Fees; Declaring Repealer; Providing for Severability; and Declaring an Emergency.

Community Development Director Helsel stated a lot of new residential homes have been built in the City this year increasing the volume of building inspections stating the City Inspectors are finding they are doing many re-inspections each day taking up valuable time. She stated the City's reinspection fees are not high enough to discourage builders from continuing to have reinspections on the same inspection property and Staff is requesting the fee schedule be increased. **Helsel** stated the fee structure being recommended is one currently used by the City of Edmond.

Discussion was held regarding the reasons behind the reinspections with **Helsel** stating contractors will make errors and mistakes and will fail the inspection and then the City's inspectors are called back out for a reinspection once the errors have been corrected.

MOTION was made by **Councilman McKenzie,** seconded by **Vice Mayor Ray,** to Approve Ordinance No. 1233.

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

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

H.7 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-5-1-21-1-35, Wild Horse Canyon Addition, Phase 2, Best Choice Homes LLC, Total Residential Lots: 44.

Community Development Director Helsel stated Phase 1 of Wild Horse Canyon had recently been completed with homes now being constructed stating Phase 2 would add an additional 44 residential lots. She stated the final plat for Phase 2 of Wild Horse Canyon meets requirements for subdivisions and has been reviewed by all required Staff and amended to reflect all comments. **Helsel** provided background information as well as stated the development conforms to the Long Range Plan. She stated Staff recommends approval and Planning Commission voted unanimously to approve.

MOTION was made by **Councilman McKenzie**, seconded by **Councilman Jones**, to Approve the Final Plat Application.

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

Items H.16, H.17, and H.18 were heard at this time.

H.16 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. 22-009, a Resolution of the City Council of the City of Mustang, Oklahoma Declaring that Certain Property Described herein is not Needed or Necessary for Park or Other Public Purposes and Abandoning Such Property for any Park or Other Public Purposes.

City Manager Rooney stated the Chamber of Commerce has been searching for land near City Hall to locate an office. He stated this led to research and discussion regarding an agreement for leasing land to the Chamber of Commerce stating it was not a sale of land.

City Attorney Miller provided information regarding the process including (1) a resolution to discuss the property and for the City to declare the area is not used for park purposes and to abandon it; (2) a non-emergency ordinance authorizing the City to enter into the lease; and (3) a resolution approving the ground lease agreement and stated it is proposed as a part of the City's continuing efforts toward economic and business development and retention.

Councilman Teeples asked if the vote would be taken separately or as a whole.

Mayor Grider stated each item would be voted on individually.

MOTION was made by **Councilman Jones**, seconded by **Vice Mayor Ray**, to Approve Resolution No. 22-009.

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

H.17 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. 1234, an Ordinance of the City of Mustang, Oklahoma, Authorizing the Lease of Certain Real Property to the Mustang Chamber of Commerce; Providing for Severability; Declaring Repealer; and Providing an Effective Date

MOTION was made by **Vice Mayor Ray,** seconded by **Councilman McKenzie,** to Approve Ordinance No. 1234.

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

H.18 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. 22-010, a Resolution of the City Council of the City of Mustang, Oklahoma Authorizing the City to Enter into and the Mayor to Execute a Ground Lease between the City of Mustang and the Mustang Chamber of Commerce

Chamber of Commerce Director Renee Peerman addressed the Council stating the Chamber has been without a permanent home for over 48 years and thanked the Council with deep appreciation on behalf of the Chamber Board of Directors. She read a letter of appreciation from the Chamber President, Jim Harris, thanking them for this opportunity.

MOTION was made by **Vice Mayor Ray,** seconded by **Councilman Jones,** to Approve Resolution No. 22-010.

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

H.8 *Discussion, Consideration and Possible Action, including but not limited to, Approval, Denial, Amendment, Revision or Conditional Approval, in whole or in part, of Acceptance of Bids for Project Labeled Mustang Basin 10 Sewer.

Assistant City Manager Battles stated the Basin 10 Sewer project places a new sewer line to the north of lift station 4 ending behind the existing Wal Mart stating it also provides a new sewer main off lift station 4 as well. **Battles** stated five bids were received and Staff recommends accepting all bids.

MOTION was made by **Councilman Jones,** seconded by **Councilman Wald,** to Accept all Bids for the Project labeled Mustang Basin 10 Sewer.

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

H.9 *Discussion, Consideration and Possible Action, including but not limited to, Approval, Denial, Amendment, Revision or Conditional Approval, in whole or in part, of Award of Lowest Qualified Bid for Project Labeled Mustang Basin 10 Sewer.

Assistant City Manager Battles stated a letter was provided by Cowan Engineering recommending award to the low base bidder, Southwest Water Works, LLC, in the amount of $209,500. He stated the City had budgeted $400,000 for this project.

MOTION was made by **Vice Mayor Ray,** seconded by **Councilman McKenzie,** to Award the Bid for the Project labeled Mustang Basin 10 Sewer to Southwest Water Works, LLC in the amount of $209,500.

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

H.10 *Discussion, Consideration and Possible Action, including but not limited to, Approval, Denial, Amendment, Revision or Conditional Approval, in whole or in part, of Acceptance of Bids for Project Labeled Mustang Water Reclamation Facility Blower Replacement.

Assistant City Manager Battles stated the City asked for a base bid amount to replace one blower as well as an alternate amount to replace an additional blower. He stated three bids were received and Staff recommends accepting all three bids.

MOTION was made by **Councilman Jones,** seconded by **Vice Mayor Ray,** to Accept all Bids for the Project labeled Mustang Water Reclamation Facility Blower Replacement.

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

H.11 *Discussion, Consideration and Possible Action, including but not limited to, Approval, Denial, Amendment, Revision or Conditional Approval, in whole or in part, of Award of Lowest Qualified Bid for Project Labeled Mustang Water Reclamation Facility Blower Replacement.

Assistant City Manager Battles stated a letter was provided by Cowan Engineering recommending award to the low base bidder, Wynn Construction Co., Inc., in the amount of $315,600 for both blowers – base bid plus the additional alternate bid.

MOTION was made by **Councilman McKenzie,** seconded by **Councilman Jones,** to Award the Bid for the Project labeled Mustang Water Reclamation Facility Blower Replacement to Wynn Construction Co., Inc., in the amount of $315,600.

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

H.12 *Discussion, Consideration and Possible Action, including but not limited to, Approval, Denial, Amendment, Revision or Conditional Approval, in whole or in part, of Acceptance of Bids for Project Labeled Charlotte Terrace and Heights Drainage Improvements.

Assistant City Manager Battles stated the improvements would help flooding at Heights and W. Elder Drive adding structures to capture water and take it north to an existing drainage swell as well as improvements at Charlotte Terrace would be made to add an underground drainage structure by an existing drainage pond alleviating the issue of continuous water drainage in the roadway.

Discussion was held regarding communication with a church in the area regarding the drainage improvements.

Battles stated two bids were received and Staff recommends accepting both bids.

MOTION was made by **Councilman McKenzie,** seconded by **Councilman Jones,** to Accept all Bids for the Project labeled Charlotte Terrace and Heights Drainage Improvements.

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

H.13 *Discussion, Consideration and Possible Action, including but not limited to, Approval, Denial, Amendment, Revision or Conditional Approval, in whole or in part, of Awarding of Bid for Project Labeled Charlotte Terrace and Heights Drainage Improvements.

Assistant City Manager Battles stated a letter was provided by Cowan Engineering recommending award to the low base bidder, Young Contracting, LLC, in the amount of $329,136.

MOTION was made by **Councilman McKenzie,** seconded by **Councilman Wald,** to Award the Bid for the Project labeled Charlotte Terrace and Heights Drainage Improvements to Young Contracting, LLC, in the amount of $329,136.

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

H.14 *Discussion, Consideration and Possible Action, including but not limited to, Approval, Denial, Amendment, Revision or Conditional Approval, in whole or in part, for Change Order #1 and #2 for project labeled S. Mustang Road Storm Sewer Extension and Sanitary Maintenance Line.

Assistant City Manager Battles stated both change orders modify the original plan for the apron attachment into the Highway 152 drainage. He stated Change Order #1 was for the materials and labor for installation of the apron in the amount of $14,330 and Change Order #2 was for the wet pour in the amount of $5,860.

MOTION was made by **Councilman McKenzie,** seconded by **Councilman Jones,** to Approve Change Orders #1 and #2 for Project labeled S. Mustang Road Storm Sewer Extension and Sanitary Maintenance Line.

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

H.15 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. 22-012, a Resolution of the City of Mustang, Oklahoma Casting a Vote for Trustee of the Oklahoma Municipal Retirement Fund (OkMRF) to Fill the Expiring Term of Trustee Representing District 6.

City Manager Rooney stated he has served as the District 6 representative on the OkMRF Board since 2016 and wishes to continue to serve in that capacity for another term stating in order for the City to cast a vote, a Resolution must be passed.

MOTION was made by **Councilman Jones,** seconded by **Councilman McKenzie,** to Approve Resolution No. 22-012.

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

I. MATTERS FOR EXECUTIVE SESSION:

I.1 *Discussion, Consideration, and Possible Action, including, but not limited to, Approval, Denial, Amendment, Revision or Conditional Approval, in Whole or in Part, of Potential Purchase and Acceptance of Permanent Easement 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).

I.2 Discussion, Consideration, and Possible Action, including, but not limited to, Approval, Denial, Amendment, Revision or Conditional Approval, in Whole or in Part, of potential litigation; and, Possible Executive Session as authorized by 25 Okla. Stat. 307(B)(4).

MOTION was made by **Mayor Grider,** seconded by **Councilman Jones** to adjourn to Executive Session.

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

TIME ADJOURNED to Executive Session: **8:42 p.m.**

MOTION was made by **Mayor Grider,** seconded by **Vice Mayor Ray** to return from Executive Session.

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

TIME RETURNED from Executive Session: **8:54 p.m.**

In reference to Item I.1 –

MOTION was made by **Vice Mayor Ray,** seconded by **Councilman Wald** to Approve the Acceptance of Temporary and Permanent Easements from Wal-Mart Real Estate, Anderson Jackson LLC, and Lowe's Home Centers Inc. and Authorization for the Mayor and Staff to Execute necessary Documents to Complete Acceptance of the Easements with Approval of Easements by the City Attorney.

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

In reference to Item I.2 –

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

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

Councilman Teeples asked if the Ground Lease Agreement for the Chamber of Commerce was voted on separately as stated it would be when asked under Item H.16. **Mayor Grider** stated it was voted on separately and approved under Item H.18 along with the Resolution.

J. ADJOURNMENT

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

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

The meeting was adjourned at **8:58 p.m.**

Michael Ray, Vice Mayor

Attest:

Lisa Martin, City Clerk