

**MUSTANG CITY COUNCIL
AUGUST 2, 2022**

The Mustang City Council met in regular session on Tuesday, August 2, 2022, at 7:00 p.m. in the Mustang Municipal Building Council Chambers. Notice of the meeting was posted as required on Friday, July 29, 2022, at 11:05 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 Rusty Stowe, Pastor, Senior Adult Ministries, Chisholm Heights Baptist Church, and Chaplain, Mustang Fire Department.

Pastor Stowe led the assembly in the Pledge and Invocation. He stated he and his wife are now official citizens of Mustang as they just recently purchased a house here. He stated the Church was doing well and have added a Student Minister to the staff. He stated the Fire Department staff was also doing well and to keep them and other staff in your prayers.

C. ROLL CALL

Councilmembers Present:	Ray
	Leete
	Wald
	Waugh
	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.

H. CONSENT AGENDA

- F.1 Approval of 07/12/2022 City Council Minutes.
- F.2 Approval of 07/26/2022 City Council Special Meeting (Work Session) Minutes.
- F.3 *Claims List for FY 2022.
- F.4 *Claims List for FY 2023.

- F.5 *Approval to Turn Past Due Utility Accounts over to Collection Agency.
- F.6 Approval of Resolution No. 23-003 making Changes in the General Fund Budget by Making a Supplemental Appropriation to Increase the 2022-2023 Fiscal Year Budget by \$72,921.
- F.7 Approval of Resolution No. 23-004 making Changes in the Park Improvement Fund Budget by Making a Supplemental Appropriation to Increase the 2022-2023 Fiscal Year Budget by \$30,000.
- F.8 Approval of Resolution No. 23-005 making Changes in the Park & Recreation Donation Fund Budget by Making a Supplemental Appropriation to Increase the 2022-2023 Fiscal Year Budget by \$5,000.
- F.9 Approval of Resolution No. 23-006 making Changes in the Limited Purpose Capital Fund Budget by Making a Supplemental Appropriation to Increase the 2022-2023 Fiscal Year Budget by \$551,549.
- F.10 Approval of Resolution No. 23-007 making Changes in the Street & Drainage Fund Budget by Making a Supplemental Appropriation to Increase the 2022-2023 Fiscal Year Budget by \$30,712.

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

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

NAY: None

G. INFORMATION/REPORTS

Item G.1 was moved after Item G.3.

G.2 Presentation to Warriors for Freedom.

Parks and Recreation Director Bailey stated the City held the annual Warriors for Freedom weekend hosting baseball and softball tournaments, disc golf and this year, cornhole, to raise funds for the Warriors for Freedom organization. Mr. Derek Jump spoke on behalf of the organization providing information of services and activities provided to our veterans and thanking Council for their support. **Bailey** presented a check to the Warriors for Freedom organization in the amount of \$20,127 stating this was the 10th year to be held.

G.3 Presentation by Wild Horse Gardens & Market.

Susan Dobbins, President of Wild Horse Gardens & Market, updated the Council regarding the Farmers' Market stating August 9th was the beginning of National Farmers Market week. She stated the Farmers Market is held on Wednesday evening and Saturday morning stating there have been 42 vendors this year with 19 of those being residents of Mustang. She stated the Market was a not for profit and any money raised goes back into the garden and market. She thanked the Council and City as well as Parks & Recreation Staff for all their help and support. She stated in honor of National Farmers Market week, they would be holding a festival on Saturday, August 13th at the garden and would give out free shopping bags and provided a bag to each Councilmember.

G.1 City Manager Report

City Manager Rooney stated Mustang would be hosting the OML Regional meeting with Mayors and Councilmembers at Town Center on September 1st from 2:30 – 4:00 p.m.

Rooney also stated *Assistant City Manager Battles* recently completed the City Management Association of Oklahoma's (CMAO) Accredited Manager Program stating it was many hours of hard work and truly a milestone. He presented *Battles* with a plaque from CMAO.

G.4 City Council

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

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

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

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

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

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

Councilman Sholund stated he received a call regarding culvert repairs stating he forwarded it to *Assistant City Manager Battles* who took care of it stating he was more than helpful.

Mayor Grider thanked *Parks & Recreation Director Bailey* for spearheading the Warriors for Freedom weekend and the many hours and work put into it. He also thanked Susan Dobbins and the Wild Horse Gardens & Market organization for their hard work and many hours creating a wonderful marketplace for citizens and even those from outside of city limits to enjoy stating he always shows the garden to people from out of town. He stated it was not something to take for granted stating it is special and unique and liked that the location was in front of Town Center. He reminded Council that the City's Employee Appreciation Week begins August 15th asking Council to place Friday's breakfast on their calendars and to try and attend and show Staff their appreciation for all they do. Lastly, he stated he had received emails and calls since the last meeting regarding the rezoning decision stating some were personal and accusatory. He stated Council is not here to make emotional decisions, but to make decisions based on what is right for the community and saying we only care about the tax dollar is not true. He stated Mustang is a close community and we are blessed to have the quality of life and public safety that we do stating those are mostly paid for by taxes. He provided examples of 911 response times by Oklahoma City versus Mustang stating Oklahoma City took anywhere from 45 minutes to an hour and 15 minutes where in Mustang, the Fire Department responds on average within three minutes. He stated Mustang is a City with a Vision with a great school district, quality of life, and public safety stating he was proud to be a resident of Mustang and will always support what is best for this community.

H. DISCUSSION ITEMS

- H.1 Consideration of Third-Party Inspection Reporting Agreement between the City of Mustang and IROL Operations, Inc.

Fire Chief Carruth stated this agreement provides third-party inspection reporting services stating it was an online tool ensuring industry testing, maintenance, and inspections standards for Fire and Life Safety Systems are being met. He stated this was no cost to homeowners nor the City and will help Staff know life safety systems within the community are in compliance and up to date.

MOTION was made by **Vice Mayor Ray**, seconded by **Councilman Waugh**, to Approve the Third-Party Inspection Reporting Agreement between the City of Mustang and IROL Operations, Inc.

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

NAY: None

H.2 Consideration of Purchase of Active Shooter Response Equipment.

Police Chief Groseclose stated with the recent shooter events, he is requesting equipment that would better enable his department to respond to an active shooter event. He provided information on the items requested stating the total dollar amount would be approximately \$44,000 and would come from the Capital Outlay and General Fund.

City Manager Rooney stated in the July Work Session, *Councilman Sholund* had a question regarding the lower cost of the helmets with **Groseclose** stating the helmets were rifle resistant grade 3, but not rifle grade and pricing received was very good.

Councilman Wald stated he was happy to see this action taken so quickly and to be able to outfit all the officers and vehicles.

MOTION was made by **Councilman Waugh**, seconded by **Councilman Sholund**, to Approve the Purchase of Active Shooter Response Equipment.

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

NAY: None

H.3 Consideration of Acceptance of Perpetual Easements from: (1) Larry D. Hunter and Nelda I. Hunter, Trustees of the Larry D. Hunter & Nelda I. Hunter Revocable Trust; and (2) The Rent Company, an Oklahoma corporation.

Community Development Director Helsel stated The Rent Company initiated a request to vacate a right-of-way easement on their property stating the City does not plan to use the right-of-way in the future. She stated there is an existing sewer line on the property line between the property owned by The Rent Company and the property to the east stating a 10-foot utility easement was requested from each property owner contemporaneously with abandoning the right-of-way. **Helsel** stated all signatures have been obtained by both property owners and easements are ready to be filed stating Staff recommends approval.

MOTION was made by **Councilman Sholund**, seconded by **Councilman McKenzie**, to Approve the Perpetual Easements.

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

NAY: None

- H.4 Public Hearing and Consideration of Ordinance No. 1257, an Ordinance of The City of Mustang Vacating and Closing an Easement Lying within the Southwest Quarter Of Section 25, Township 11 North, Range 5 West, I.M., City of Mustang, Oklahoma, as More Particularly Described Below; Declaring Repealer; And Providing for Severability.

Community Development Director Helsel stated this item was to consider the actual vacation of the easement discussed in the previous item. She stated the survey and legal descriptions have been corrected and property owners have signed the easement dedications stating Staff recommends approval.

Mayor Grider opened the Public Hearing.

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

MOTION was made by **Councilman McKenzie**, seconded by **Councilman Waugh**, to Approve Ordinance No. 1257.

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

NAY: None

- H.5 Consideration of Ordinance No. 1263, an Ordinance of the City of Mustang, Oklahoma Amending Chapter 18, Article VII of the Code of Ordinances of the City of Mustang, Oklahoma, by: (1) Amending Section 18-317 to Adopt the 2018 International Fuel Gas Code, as is Currently Adopted by the Oklahoma Uniform Building Code Commissioner pursuant to 59 O.S. §1000.23; (2) Amending Section 18-318 to Adopt City and State Amendments to the 2018 International Fuel Gas Code, all Regulating and Governing Fuel Gas Systems and Gas-fired Appliances and Providing for the Issuance of Permits and Collection of Fees therefor; Providing for Repealer and Severability; and Declaring an Emergency.

City Attorney Miller stated the Oklahoma Uniform Building Code Commission adopted the 2018 International Fuel Gas Code stating under Oklahoma law, municipalities are required to adopt the codes as approved by the Commission. He stated the proposed Ordinance adopts the 2018 International Fuel Gas Code together with certain amendments applicable to the City of Mustang.

MOTION was made by **Councilman Waugh**, seconded by **Councilman Wald**, to Approve Ordinance No. 1263.

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

NAY: None

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

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

- H.6 Consideration of Ordinance No. 1264, an Ordinance of the City of Mustang, Oklahoma, Amending Chapter 18, Article II: (1) Section 18-31A to Adopt the 2018 International Building Code and Certain Appendices; (2) Section 18-31b to Adopt City and State Amendments to the 2018 International Building Code and Certain Appendices; (3) Section 18-32A to Adopt the 2018 International Existing Building Code and Certain Appendices; (4) Section 18-32B to Adopt City and State Amendments to the 2018 International Existing Building Code, All for the Purpose of Regulating and Governing the Conditions and Maintenance of all Property, Buildings and Structures by Providing the Standards for Supplied Utilities and Facilities and other Physical Things and Conditions Essential to Ensure that Structures are Safe, Sanitary and Fit for Occupancy and Use, and the Condemnation of Buildings and Structures Unfit for Human Occupancy and Use, and the Demolition of such Structures in the City of Mustang, Providing for the Issuance of Permits and Collection of Fees therefor, as herein provided; Providing for Repealer and Severability; and Declaring an Emergency.

City Attorney Miller stated this proposed Ordinance adopts the 2018 International Building Code and the 2018 International Existing Building Code as adopted by the Oklahoma Building Code Commission and required by Oklahoma law stating it also includes appendices and amendments applicable to the City of Mustang.

MOTION was made by **Vice Mayor Ray**, seconded by **Councilman McKenzie**, to Approve Ordinance No. 1264.

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

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

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

- H.7 Consideration of Ordinance No. 1265, an Ordinance of the City of Mustang, Oklahoma, Amending Chapter 46, Article III of the Code of Ordinances of the City of Mustang: (1) Section 46-61 to Adopt the 2018 International Fire Code Regulating and Governing the Safeguarding of Life and Property from Fire and Explosion Hazards arising from the Storage, Handling and Use of Hazardous Substances, Materials and Devices, from Conditions Hazardous to Life or Property in the Occupancy of Buildings and Premises, and Providing for the Issuance of Permits and Collection of Fees therefor; (2) Section 46-62 to Adopt Amendments to the 2018 International Fire Code; and (2) Amending Section 46-63 to Reference and Adopt Certain Geographic Limits for the 2018 International Fire Code; Providing for Repealer and Severability; Declaring Existing Rights Unimpaired; Ordering Publication; and, Declaring an Emergency.

City Attorney Miller stated this proposed Ordinance adopts the 2018 International Fire Code as adopted by the Oklahoma Building Code Commission and required by Oklahoma law stating it also includes amendments and certain geographic limits as applicable to the City of Mustang.

MOTION was made by **Councilman Leete**, seconded by **Councilman Waugh**, to Approve Ordinance No. 1265.

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

NAY: None

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

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

NAY: None

- H.8 Consideration of Ordinance No. 1266, an Ordinance of the City of Mustang, Oklahoma, Amending Chapter 18, Section IV, Division 1 of the Code of Ordinances of the City of Mustang by: (1) Amending Section 18-171 to Adopt the International Mechanical Code, 2018 Edition, Regulating and Governing the Design, Construction, Quality of Materials, Erection, Installation, Alteration, Repair, Location, Relocation, Replacement, Addition to, Use or Maintenance of Mechanical Systems, as herein provided and as currently Adopted by the Oklahoma Uniform Building Code Commission pursuant to 59 O.S. § 1000.23, and Providing for the Issuance of Permits and Collection of Fees therefor; (2) Amending Section 18-172 to Identify Amendments to the International Mechanical Code, 2018 Edition, as Adopted by the City of Mustang and Adding Provision for Proceedings and Appeal to the Board of Adjustment; and (3) Repealing Sections 18-191 through 18-196 Creating the Mechanical Board; Providing for Repealer and Severability; Protecting Existing Rights; and Declaring an Emergency.

City Attorney Miller stated this proposed Ordinance adopts the 2018 International Mechanical Code as adopted by the Oklahoma Building Code Commission and required by Oklahoma law stating it also includes amendments and deletions applicable to the City of Mustang. **Miller** also stated the proposed Ordinance provides a section for appeal to the Board of Adjustment.

MOTION was made by **Councilman Waugh**, seconded by **Councilman McKenzie**, to Approve Ordinance No. 1266.

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

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

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

- H.9 Consideration of Ordinance No. 1267, an Ordinance of the City of Mustang, Oklahoma, Amending Chapter 18, Article III, Section 18-61 of the Code of Ordinances of the City of Mustang to Adopt the 2020 National Electrical Code, and Certain Amendments thereto Providing Standards for and Governing Electrical Systems, Wiring Design, Protection and Installation Methods, Regulating Electrical Materials, Equipment, Special Equipment and Other Physical Things and Conditions Essential to Ensure that such Systems are Safe and Fit for Use as herein provided, as Currently Adopted by the Oklahoma Uniform Building Code Commission pursuant to 59 O.S. §1000.23, and Providing for the Issuance of Permits and Collection of Fees therefor; Repealing All Ordinances and Parts of the Ordinances in Conflict therewith; Providing for severability; and Declaring an Emergency.

City Attorney Miller stated this proposed Ordinance adopts the 2020 National Electric Code as adopted by the Oklahoma Building Code Commission and required by Oklahoma law stating it also includes amendments applicable to the City of Mustang.

MOTION was made by **Councilman Sholund**, seconded by **Councilman Waugh**, to Approve Ordinance No. 1267.

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

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

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

- H.10 Consideration of Ordinance No. 1268, an Ordinance of the City of Mustang, Oklahoma Amending Chapter 18, Article V, Division 1 of the Code of Ordinances of the City of Mustang by Amending: (1) Section 18-221 to Adopt the 2018 International Plumbing Code, as currently Adopted and Amended by the Oklahoma Uniform Building Code Commission pursuant to 59 O.S. §1000.23, Providing for the Issuance of Permits and Collection of Fees therefor; and (2) Section 18-222 to Adopt City and State Amendments to the 2018 International Plumbing Code; providing for Repealer and Severability; and Declaring an Emergency.

City Attorney Miller stated this proposed Ordinance adopts the 2018 International Plumbing Code as adopted by the Oklahoma Building Code Commission and required by Oklahoma law stating it also includes amendments applicable to the City of Mustang.

MOTION was made by **Vice Mayor Ray**, seconded by **Councilman Waugh**, to Approve Ordinance No. 1268.

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

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

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

- H.11 Consideration of Ordinance No. 1269, an Ordinance of the City of Mustang, Oklahoma, Amending Chapter 18, Article II: (1) Section 18-33.A to Adopt the 2018 International Residential Code for One- and Two-Family Dwellings,, including Commentaries and Appendix H (Patio Covers), Appendix J (Existing Buildings and Structures), and Appendix U (Automatic Fire Sprinkler Systems) Regulating and Governing the Construction, Alteration, Movement, Enlargement, Replacement, Repair, Equipment, Location, Removal and Demolition of Detached One- and Two-Family Dwellings and Multiple Single-Family Dwellings (Townhouses) not more than Three Stories in Height with Separate Means of Egress in the City of Mustang; and (2) Section 18-33.B Adopting City and State Amendments to the 2018 International Residential Code for One- and Two-Family Dwellings; Providing for Repealer and Severability; and Declaring an Emergency.

City Attorney Miller stated this proposed Ordinance adopts the 2018 International Residential Code as adopted by the Oklahoma Building Code Commission and required by Oklahoma law stating it also includes amendments and deletions applicable to the City of Mustang.

MOTION was made by **Councilman McKenzie**, seconded by **Councilman Waugh**, to Approve Ordinance No. 1269.

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

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

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

- H.12 Consideration of Ordinance No. 1270, an Ordinance of the City of Mustang, Oklahoma, Amending the Code of Ordinances of the City of Mustang, Oklahoma, Chapter 106, Article VII, Section 106-444(i) to Require Installation of Fire Department Connections be Approved by the Fire Marshal and to Except Existing Buildings Retrofitted with Sprinkler Systems from the Distance Requirement to a Fire Hydrant; Declaring Repealer; Providing for Severability; and Declaring an Emergency.

City Attorney Miller stated the proposed Ordinance requests modifications to the existing Fire Code to require Fire Department connections to be approved by the Fire Marshall and to except existing buildings that are retrofitted with sprinkler systems from the distance requirement to a fire hydrant.

MOTION was made by **Councilman Waugh**, seconded by **Councilman Sholund**, to Approve Ordinance No. 1270.

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

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

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

- H.13 Consideration of Ordinance No. 1271, an Ordinance of the City of Mustang, Oklahoma, Amending Chapter 122, Article II, Sections 122-124(a)(1), 122-130 and 122-131 to Authorize the Board of Adjustment to Hear Appeals from Administrative Decisions of Code Enforcement Officers and Establish Procedures for such Appeals; Providing for Repealer; Providing for Severability; and Declaring an Emergency.

City Attorney Miller stated the national and international codes adopted by the City generally include a board that is charged with hearing an appeal from an interpretation or application of Code by City Code Enforcement or Inspectors; however, the membership requirement of the boards are impractical because they require persons licensed in that profession (such as electrical) to be members. He stated the proposed Ordinance addresses that issue by giving the Board of Adjustment the authority to hear appeals from City Inspectors or Code Enforcement Officials.

MOTION was made by **Vice Mayor Ray**, seconded by **Councilman McKenzie**, to Approve Ordinance No. 1271.

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

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

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

H.14 *Consideration of Contract and Bonds for Project Labeled Lift Station No. 4.

Assistant City Manager Battles stated bids for this project were accepted and awarded in the July meeting to Young Contracting in the amount of \$796,363 stating they are estimating it will be a 240 day project. He stated the Maintenance Bond provided will have to be updated by the contractor as the bond amount was 100% of the bid amount and should have been 110% stating the motion needs to include contingent on the receipt of Maintenance Bond in the amount of 110% of the bid amount.

MOTION was made by **Councilman Waugh**, seconded by **Councilman McKenzie**, to Approve the Contract and Bonds for Project Labeled Lift Station No. 4 Contingent upon Receipt of the Corrected Maintenance Bond to 110% of Bid Amount.

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

- H.15 *Consideration of Contract and Bonds for Project Labeled W. Forster Drive Roadway Reconstruction.

Assistant City Manager Battles stated bids for this project were accepted and awarded in the July meeting to Rudy Construction in the amount of \$298,644.40. He stated since school will have started before this project begins, he has been in conversation with them and invited them to the preconstruction meeting stating the time estimate to complete the project is 60 days.

MOTION was made by **Councilman Sholund**, seconded by **Councilman McKenzie**, to Approve the Contract and Bonds for Project Labeled W. Forster Drive Roadway Reconstruction.

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

NAY: None

I. MATTERS FOR EXECUTIVE SESSION:

- I.1 Consideration of certain litigation involving the City of Mustang, Oklahoma, and certain opioid manufacturers, retailers and distributors, including but not limited to: (1) City of Mustang v. Purdue Pharma L.P., et al., Case No. CIV-19-339, United State District Court, W.D. Oklahoma; (2) In re National Prescription Opiate Litigation, Case No. 1:17-MD-2804, United States District Court, N. D. Ohio; (3) In re Insys Therapeutics, Inc., et al., Case No. 19-11292, United State Bankruptcy Court, D. Delaware; (4) In re Purdue Pharma, L.P., et al., Case No. 19-23649, United States Bankruptcy Court, S.D. New York; and (3) In re Mallinckrodt PLC, et al., Case No. 20-12522, United State Bankruptcy Court, D. Delaware; and, proposed executive session as authorized by 25 Okla. Stat. §307(B)(4).

- I.2 Consideration of Resolution No. 23-008, a Resolution of the City of Mustang approving participation by the City of Mustang in the Distributors Oklahoma Settlement Agreement, authorizing and approving the settlement and release of claims asserted by the City of Mustang against certain opioid manufacturers and distributors, including McKesson Corporation, Cardinal Health, Inc., and AmerisourceBergen, and authorizing and directing the Mayor of the City of Mustang to execute the Settlement Participation Form included as Exhibit G to the Distributors Oklahoma Settlement Agreement, the Memorandum of Understanding Regarding Certain Opioid Litigation Proceeds with the State of Oklahoma (the "Sharing Agreement") and Addendum to the Sharing Agreement Regarding Certain Opioid Litigation Proceeds, and ratifying the prior actions of its legal counsel in executing documents necessary for the City of Mustang, Oklahoma, to participate in such settlement agreement.
- I.3 Consideration of Resolution No. 23-009, a Resolution of the City of Mustang approving participation by the City of Mustang in the Janssen Oklahoma subdivision Opioid Settlement Agreement, authorizing and approving the settlement and release of claims asserted by the City of Mustang against opioid manufacturers and distributors, including Johnson & Johnson, Janssen Pharmaceuticals, Inc., Ortho-McNeil Janssen Pharmaceuticals, Inc., and Janssen Pharmaceutica, Inc., and directing the Mayor of the City of Mustang to execute the Janssen Oklahoma Subdivision Opioid Settlement Agreement as Exhibit C, and authorizing its counsel to take all actions required by Exhibit C and the Janssen Oklahoma Subdivision Opioid Settlement Agreement to effectuate the Janssen Oklahoma Subdivision Opioid Settlement Agreement for the benefit of City of Mustang, Oklahoma.
- I.4 Consideration of Warrant of Authority providing authority to legal counsel in connection with resolution of City of Mustang claims in In re Mallinckrodt PLC, et al., Case No. 20-12522, United State Bankruptcy Court, D. Delaware; and, proposed executive session as authorized by 25 Okla. Stat. §307(B)(4).
- I.5 Consideration regarding City Manager's Employment Contract; and, proposed Executive Session as authorized by 25 Okla. Stat. 307(B)(1).

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

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

TIME ADJOURNED to Executive Session: **7:58 p.m.**

Mayor Grider called the meeting back into Session.

TIME RETURNED from Executive Session: **8:21 p.m.**

In reference to Item I.1 –

No Motion, discussion purposes only.

In reference to Item I.2 –

MOTION was made by **Councilman Waugh**, seconded by **Vice Mayor Ray** to Approve Resolution No. 23-008.

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

In reference to Item I.3 –

MOTION was made by **Vice Mayor Ray**, seconded by **Councilman Waugh** to Approve Resolution No. 23-009.

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

In reference to Item I.4 –

MOTION was made by **Councilman Wald**, seconded by **Councilman Sholund** to Approve Warrant of Authority.

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

In reference to Item I.5 –

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

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

NAY: None

J. ADJOURNMENT

MOTION was made by **Councilman Wald**, seconded by **Councilman Leete**, to adjourn.

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

NAY: None

The meeting was adjourned at **8:23 p.m.**



Brian Grider, Mayor

Attest:



Lisa Martin, City Clerk

