



Mustang City Council

**MUSTANG MUNICIPAL BUILDING
1501 N. MUSTANG ROAD
MUSTANG, OKLAHOMA 73064**

Mustang City Council

MUSTANG CITY COUNCIL

Tuesday, November 07, 2023 - 7:00 PM
MUSTANG MUNICIPAL BUILDING
1501 N. MUSTANG ROAD
MUSTANG, OKLAHOMA 73064

- A. **CALL TO ORDER**
- B. **PLEDGE OF ALLEGIANCE/INVOCATION**
Steve Rose, Chaplain, Police and Fire Departments
- C. **ROLL CALL**
- D. **INTRODUCTION OF GUESTS/HEARING OF CITIZENS OR DELEGATES**
- E. **NEW BUSINESS, DELETIONS OR CONTINUANCES TO THE AGENDA**

Official action can be taken on items that appear on the agenda or are brought up as new business. In reviewing and responding to any agenda item, the Council may, in whole or in part, adopt, approve, conditionally approve, ratify, deny, defer, amend, strike or continue any agenda item. When more information is needed to act on an item, Council may refer the matter to the City Manager, to the Municipal Counselor, or to a board or commission for additional study. Items may be deferred or continued indefinitely or to a specific date or stricken from the agenda entirely.

F. 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. In reviewing and responding to any agenda item, the Council may, in whole or in part, adopt, approve, conditionally approve, ratify, deny, defer, amend, strike or continue any item.

F.1 Approval of 10/10/2023 City Council Minutes.

F.2 *Claims List for FY2024.

F.3 Approval to Turn Past Due Library Accounts over to Collection Agency.

F.4 Approval of Resolution No. 24-017, a Resolution of the City Council of the City of Mustang calling for a Municipal Election for the City of Mustang, Oklahoma, pursuant to Article 6 of the Charter of the City of Mustang, Oklahoma and providing for Dates for Elections and Filing Periods; Providing for Qualifications; and Providing for the Election to be Conducted by the Canadian County Election Board.

F.5 Approval of Resolution No. 24-018 making Changes in the Flex Spending fund Budget by Making a Supplemental Appropriation to Increase the 2023-2024 Fiscal Year Budget by \$50,000.

F.6 Approval of Resolution No. 24-019 making Changes in the General Fund Budget by Making a Supplemental Appropriation to Increase the 2023-2024 Fiscal Year Budget by \$19,378.

F.7 Approval of Retirement from OMRF for Kelly Gitchel, Police Records Clerk, retiring December 28, 2023 after thirty and a half years of service to the City of Mustang.

- F.8** *Acceptance of Maintenance Bonds for Water, Sanitary Sewer and Paving/Drainage Infrastructure in Hunter's Hill 5 Addition.

- F.9** *Acceptance of Sanitary Sewer Bonds for Project at Clear Springs Rd. and State Highway 152 to Serve Yall's Paw Place.

- F.10** *Approval of Schedule of Meetings for City Council, Boards and Commissions, and Holidays for the City of Mustang / MIA for the Year 2024.

G. INFORMATION/REPORTS

- G.1** City Manager Report

- G.2** Recognition of Officer Jeremy Collinson for Promotion to Rank of Sergeant.

- G.3** Recognition of City Employee Veterans.

- G.4** City Council Reports

H. DISCUSSION ITEMS

The following numbered items listed for consideration are included for discussion and action by the City Council. In reviewing and responding to any agenda item, the Council may, in whole or in part, adopt, approve, conditionally approve, ratify, deny, defer, amend, strike or continue any item.

- H.1** Public Hearing and Consideration of Specific Use Permit Application
SUP-7-27-23-1-28, 435 W State Highway 152, Decisive Investments, LLC, in the C-3 Commercial General District, Requesting a Specific Use Permit for an Auto Repair Shop. Item Tabled From 10/10/2023 City Council Meeting.

- H.2** Public Hearing and Consideration of Specific Use Permit Application
SUP-9-01-23-1.25, 1707 E State Highway 152, Phoenix Doan, in the C-3 Commercial General District, Requesting a Specific Use Permit for a Medical Marijuana Retailer.

- H.3** Consideration of Resolution No.24-020, a Resolution of the City Council of the City of Mustang, Oklahoma, authorizing the City of Mustang to contract with the Oklahoma Tax Commission to utilize the Warrant Intercept Program to aid in the collection of unpaid penalties, costs, fines and fees in cases in Municipal Court, including the collection fee authorized by State law and City Ordinance; Providing an Effective Date; and Providing for Repealer.

- H.4** Consideration of Ordinance No. 1294, an Ordinance of the City of Mustang, Oklahoma, changing the date for the January 2024 City Council Meeting; and providing for severability.

- H.5** Consideration of Ordinance No. 1295, an Ordinance Adopting an Employee Retirement System, Defined Contribution Plan for the City Manager for the City of Mustang, Oklahoma; Providing Retirement Benefits for Eligible Employees of the City of Mustang, Oklahoma; Providing for Purpose and Organization; Providing for Definitions; Providing for Eligibility and Participation; Providing for Employer and Employee Contributions; Providing for Accounting, Allocation, and Valuation; Providing Benefits; Providing for Required Notice; Providing for Amendments and Termination; Providing for Transfer to and From Other Plans; Creating a Committee and Providing for Powers, Duties, and Rights of Committee; Providing for Payment of Certain Obligations; Providing for Duration and Payment of Expenses; Providing for Effective Date; Providing for Vesting Schedules; Providing for a Fund to Finance the System to be Pooled with Other Incorporated Cities, Towns and Their Agencies and Instrumentalities for Purposes of Administration, Management, and Investment as Part of the Oklahoma Municipal Retirement Fund; Providing for Payment of All Contributions Under the System to the Oklahoma Municipal Retirement Fund for Management and Investment; Providing for Non-Alienation of Benefits; Adopting those Amendments Mandated by the Internal Revenue Code; Providing for Repealer and Severability; and Declaring an Emergency.
- H.6** Consideration of Master Defined Contribution Plan Joinder Agreement between the City of Mustang and Oklahoma Municipal Retirement Fund.
- H.7** Approval to move the Mustang 457(b) Retirement Plan investment and Service Provider from MissionSquare to VOYA.
- H.8** Consideration of Resolution No. 24-015, 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.
- H.9** Consideration of Ordinance No. 1293, an Ordinance of the City of Mustang, Oklahoma, Authorizing the Lease of Certain Real Property to the Mustang Chamber of Commerce, Authorizing and Directing the Mayor to Execute Amendment No. 1 to Ground Lease Agreement and Other Documents to Complete the Transaction, and Providing for Severability.

- H.10** Consideration of Resolution No. 24-016, a Resolution of the City Council of the City of Mustang, Oklahoma, Authorizing the City to Enter into and the Mayor to Execute an Amendment to Ground Lease between the City of Mustang and the Mustang Chamber of Commerce.

I. MATTERS FOR EXECUTIVE SESSION

- I.1** *Consideration of Potential Purchase and Acceptance of Permanent 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).
- I.2** Consideration of City of Mustang v. Pathfinder HDD LLC, Case No. CJ-2022-673, District Court, Canadian County, Oklahoma, and In re Pathfinder HDD, LLC, Case No.: 23-12342, United States Bankruptcy Court, Western District of Oklahoma; and, proposed executive session as authorized by 25 Okla. Stat. §307(B)(4).
- I.3** Consideration of Potential Claim by Mustang Lions Club; and, proposed executive session as authorized by 25 Okla. Stat. §307(B)(4).

J. ADJOURNMENT

Note:

***Items considered concurrently on the MIA Agenda.**
