



MIDWEST CITY

Where the Spirit Flies High

MIDWEST CITY
MEETING AGENDAS FOR
November 22, 2016

STAFF BRIEFING

City Hall, second floor, Midwest City Council Conference Room, 100 N. Midwest Boulevard
Enter through black S.W. door marked Council Chamber/Conference Room

November 22, 2016 – 6:00 PM

Special Assistance requests – tcoplen@midwestcityok.org or 739-1002. (Please provide no less than 24 hours' notice) Special assistance request during a meeting call 739-1388.

DISCUSSION.

Clarification of agenda items, handouts, and presentation of new or additional information for items on the agendas for the City Council, Municipal Authority, and Hospital Authority for November 22, 2016.



CITY COUNCIL AGENDA



CITY OF MIDWEST CITY COUNCIL AGENDA

City Hall, Midwest City Council Chambers, 100 N. Midwest Boulevard

November 22, 2016 – 7:00 PM

A. CALL TO ORDER.

B. OPENING BUSINESS.

- Invocation – Public Works Director, Vaughn Sullivan
- Pledge of Allegiance - JROTC Cadet, Avery Stout
- Community-related announcements
- Proclamation for Volunteer Appreciation Day with Jana Beller
- OK State Firefighters Association to present MWC Firefighter, LT. Michael Todd, with the 2016 Meritorius Service Award

C. CONSENT AGENDA. These items are placed on the Consent Agenda so that the City Council, by unanimous consent, can approve routine agenda items by one motion. If any item proposed does not meet with approval of all Council members, or members of the audience wish to discuss an item, that item will be removed and heard in regular order.

1. Discussion and consideration of approving the minutes of the staff briefing and regular meeting of November 8, 2016, as submitted. (City Clerk - S. Hancock)
2. Discussion and consideration of passing and approving a resolution to notify the public of publication of the most recent supplement, #13, dated September 2016, to the Midwest City Code of ordinances and to ratify all other previous supplements and codifications. (City Clerk - S. Hancock)
3. Discussion and consideration of accepting the City Manager's Report for the month of October 2016. (Finance - C. Barron)
4. Discussion and consideration of approving a change order to the ImageNet Consulting contract for Laserfiche Phase II implementation which substitutes RatchetX for Laserfiche Connector at the same price of \$10,449.98. (Information Technology - R. Rushing)
5. Discussion and consideration of approving and awarding the bid to Sergeant Jeff Harbin, who submitted the only bid, in the amount of \$1.00 for retired police canine, Breston, which was declared as surplus at the October 25, 2016 Council meeting. (Police - B. Clabes)
6. Discussion and consideration of entering into an agreement with Safety & Security Services, Inc. in an amount not to exceed \$4,363 to provide unarmed security services each night for the Storyland Christmas event located in the Charles J. Johnson Central Park in Town Center Plaza from November 30 through December 29, 2016 from 10:00 p.m. until 6:00 a.m. (Public Relations - K. Hunt)

7. Discussion and consideration of approving a Mutual Cooperation Agreement for Specific Assistance between the City of Midwest City and the Board of County Commissioners of Oklahoma County for base repair assistance on Westminster Road between N. E. 10th and Reno in an amount not to exceed \$4,483.31. (Public Works - V. Sullivan)
8. Discussion and consideration of approving and entering into a Sponsorship and Marketing Consulting Agreement with STAAR Solutions in the amount of \$3,000 plus sponsorship sales commissions to effectively assist the City of Midwest City in achieving its goals and initiatives for the 2017 MIOFest. (Public Works - V. Sullivan)

D. DISCUSSION ITEMS.

1. (PC-1885) Public hearing with discussion and consideration of approval of the Sooner Rose Final Plat for the property described as a tract of land lying in the SW/4 of section 4, T-11-N, R-2-W, of the Indian Meridian, located on the northeast corner of South Sooner Road and SE 15th Street, City of Midwest City, Oklahoma County, Oklahoma. (Community Development - B. Harless)
2. (PC-1886) Public hearing with discussion and consideration of an ordinance to redistrict from R6, Single Family Detached Residential to A-1, Agricultural, for the property described as a part of the NW/4 of Section 33 T-12-N, R-2-W, located at the southeast corner of NE 10th St. and N. Sooner Rd. (Community Development - B. Harless)
3. (PC -1887) Public hearing with discussion and consideration of approval of a resolution for a Special Use Permit to allow the use of Mining and Processing: Minerals and Raw Materials in the A-1 Agriculture, district for the property described as a part of the NW/4 of Section 33 T-12-N, R-2-W, located at the southeast corner of NE 10th St. and N. Sooner Rd. (Community Development - B. Harless)
4. (PC - 1888) Public hearing with discussion and consideration of approval of Phase I of The Soldier Creek Industrial Park (SCIP) Preliminary Plat for the property described as a part of the North half of Section 27, T-12-N, R-2-W, located in the 7500 block of NE 23 Street. (Community Development - B. Harless)
5. (PC-1889) Discussion and consideration of an ordinance correcting two (2) scrivener's errors on the official Zoning Map of the City of Midwest City which was approved on October 26, 2010; and providing for repealer and severability. (Community Development - B. Harless)

E. NEW BUSINESS/PUBLIC DISCUSSION.

F. EXECUTIVE SESSION.

1. Discussion and consideration of (1) entering into executive session, as allowed under 25 O.S., § 307(B)(4), to discuss Don Therkelson v. City of Midwest City, Case No. WC2014-03006-K, and (2) in open session, authorizing the city manager to take action as appropriate based on the discussion in executive session. (City Manager - T. Lyon)

G. FURTHER INFORMATION.

1. Minutes of the November 1, 2016 Planning Commission meeting. (Community Development - B. Harless)

H. ADJOURNMENT.



CONSENT AGENDA



Notice of regular staff briefings for the Midwest City Council was filed for the calendar year with the City Clerk of Midwest City and copies of the agenda for this meeting were posted at City Hall and on the City's website, accessible to the public for at least 24 hours in advance of this meeting.

MINUTES OF THE REGULAR STAFF BRIEFING FOR MIDWEST CITY COUNCIL

November 8, 2016 – 6:00 p.m.

This regular meeting was held in the Midwest City Council Conference Room on the second floor of City Hall, 100 N. Midwest Boulevard, Midwest City, County of Oklahoma, State of Oklahoma. The following members were present: Mayor Matt Dukes; Councilmembers Daniel McClure Jr., Pat Byrne, Rick Dawkins, and Sean Reed; and City Clerk Sara Hancock. Absent: Christine Allen and Jeff Moore.

Mayor Dukes called the meeting to order at 6:02 p.m.

DISCUSSION. Clarification of agenda items, handouts, and presentation of new or additional information for items on the City Council agenda for November 8, 2016. Mayor Dukes, City Manager Guy Henson, and Public Works Director Vaughn Sullivan made community-related announcements. Staff briefed the councilmembers on various items on the agenda, and the councilmembers sought clarification and discussed individual agenda items with staff.

The mayor closed the meeting at 6:15 p.m.

ATTEST:

MATTHEW D. DUKES, II, Mayor

SARA HANCOCK, City Clerk

Notice of regular Midwest City Council meetings was filed for the calendar year with the City Clerk of Midwest City and copies of the agenda for this meeting were posted at City Hall and on the City's website, accessible to the public for at least 24 hours in advance of the meeting.

MINUTES OF THE REGULAR MIDWEST CITY COUNCIL MEETING

November 8, 2016 – 7:00 p.m.

This regular meeting was held in the Midwest City Council Chambers at City Hall, 100 N. Midwest Boulevard, Midwest City, County of Oklahoma, State of Oklahoma. The following members were present: Mayor Matt Dukes; Councilmembers Daniel McClure Jr., Pat Byrne, Rick Dawkins, Sean Reed, and Christine Allen; and City Clerk Sara Hancock. Absent: Jeff Moore. Mayor Dukes called the meeting to order at 7:00 p.m.

Opening Business. The meeting opened with the invocation by Public Works Director Vaughn Sullivan, followed by the Pledge of Allegiance led by JROTC Cadet Courtney Weir. Mayor Dukes and City Manager Guy Henson made community-related comments and announcements.

Consent Agenda. Motion was made by Dawkins, seconded by McClure, to approve the items on the Consent Agenda, as submitted.

1. Discussion and consideration of approving the minutes of the staff briefing and regular meeting of October 25, 2016, as submitted.
2. Discussion and consideration of supplemental budget adjustments to the following fund for FY 2016-2017, increase: Street & Alley Fund, revenue/Transfers In (09) \$50,000; expenses/Street (09) \$50,000. Grants Fund, revenue/Intergovernmental (62) \$44,000; expenses/Police (62) \$44,000.
3. Discussion and consideration of approving and adopting Resolution #2016-24 directing the apportionment and disbursement of increment generated from Tax Increment District Number One, City of Midwest City.
4. Discussion and consideration of accepting a State and Local Assistance Performance Grant from and entering into an Agreement for the Sub-Grant of Emergency Management Performance Grant Program Funds with the State of Oklahoma Department of Emergency Management (OEM) in the amount of \$15,000 effective October 1, 2016 to encourage the development of comprehensive disaster preparedness and assistance plans, programs, capabilities, and organizations by Tribal, State and Political Subdivisions.
5. Discussion and consideration of granting award to FarrWest Environmental Supply in the amount of \$24,999 for a Smiths Detection Portable Ramen Identifier model ACE-ID.
6. Discussion and consideration of approving and entering into a contract in an amount not to exceed \$7,800 for fiscal year 2016/2017 with Jay D. Collins to establish the terms and condition under which he shall serve as the Volunteer Income Tax Assistance Center Coordinator.

7. Discussion and consideration of declaring nine (9) chairs, one (1) box of chair parts, (3) three ink packages, two (2) tables, one (1) plastic tub, one (1) typewriter, and eight (8) miscellaneous shelving items as surplus and authorizing their disposal by public auction, sealed bid or destruction, if necessary.
8. Discussion and consideration of 1) declaring the various obsolete items of city property on the attached list surplus; and 2) authorizing their disposal by public auction or sealed bid.

Voting aye: McClure, Dawkins, Byrne, Reed, Allen, and Mayor Dukes. Nay: none. Absent: Moore. Motion carried.

Discussion Items.

1. **Discussion and consideration of approving and passing an ordinance amending the Midwest City Municipal Code, Chapter 9, Buildings and Building Regulations, by amending Article VII, Sign Regulations, Section 9-391(i), Temporary Signs.** Motion was made by Dawkins, seconded by McClure, to approve Ordinance #3283, as submitted. Voting aye: McClure, Byrne, Dawkins, Reed, Allen, and Mayor Dukes. Nay: none. Absent: Moore. Motion carried.
2. **Discussion and consideration of appointing a new member to the ADA Transition Plan Committee to fill the vacancy created when April Hawkins moved out of town. (Continued from 10/25/16 Council meeting.)** Motion was made by Reed, seconded by Dawkins, to appoint Mr. Earl Foster to the ADA Transition Plan Committee for a 3-year term. Voting aye: McClure, Byrne, Dawkins, Reed, Allen, and Mayor Dukes. Nay: none. Absent: Moore. Motion carried.
3. **Discussion and consideration of 1) appointing a replacement on the Board of Adjustment to fill the vacancy which will be created when Eric Sisemore finishes his current term, and 2) reappointing Dr. Charles McDade for an additional 3-year term on the Board of Adjustment.** Motion was made by Reed, seconded by McClure, to appoint Mr. Frank Young to the Board of Adjustment, and to reappoint Dr. Charles McDade, both for 3-year terms. Voting aye: McClure, Byrne, Dawkins, Reed, Allen, and Mayor Dukes. Nay: none. Absent: Moore. Motion carried.

New Business/Public Discussion.

Adjournment. There being no further business, Mayor Dukes adjourned the meeting at 7:11 p.m.

MATTHEW D. DUKES, II, Mayor

ATTEST:

SARA HANCOCK, City Clerk



Memorandum

TO: Honorable Mayor and Council

FROM: Sara Hancock, City Clerk

DATE: November 22, 2016

SUBJECT: Discussion and consideration of passing and approving a resolution to notify the public of publication of the most recent supplement, supplement #13, dated September 2016, to the Midwest City Code of ordinances and to ratify all other previous supplements and codifications.

The approval of the resolution is necessary to notify the public of the supplement of penal ordinances number 13 of the Midwest City Code of ordinances in compliance with title 11 of the Oklahoma Statutes, section 14-110 and to ratify all other previous supplements and codifications. As required by state statutes, this resolution shall be filed in the office of the county clerk of Oklahoma County upon its adoption.

Staff recommends approval.

Sara Hancock
Sara Hancock, City Clerk

RESOLUTION NO. 2016-

A RESOLUTION TO NOTIFY THE PUBLIC OF PUBLICATION OF THE MOST RECENT SUPPLEMENT, SUPPLEMENT #13, DATED SEPTEMBER 2016, TO THE MIDWEST CITY CODE OF ORDINANCES AND TO RATIFY ALL OTHER PREVIOUS SUPPLEMENTS AND CODIFICATIONS.

WHEREAS, Title 11 of the Oklahoma Statutes, Section 14-110, requires that the governing body of a municipality adopt a resolution notifying the public of the publication of a supplement of the city's penal ordinances; and

WHEREAS, the most recent supplement, supplement #13, dated September 2016, to the Midwest City Code of ordinances has been published and a copy of the Code is available for public inspection in the office of the City Clerk; and

WHEREAS, a permanent volume and each supplement of the code has been deposited free of cost in the county law library;

NOW, THEREFORE, BE IT REESOLVED BY THE COUNCIL OF THE CITY OF MIDWEST CITY that:

- 1) The public is hereby notified that the most recent supplement, supplement #13, dated September 2016, to the Midwest City Code of ordinances has been published; and
- 2) All other previous supplements and codifications of the Midwest City Code are hereby ratified.

PASSED AND APPROVED BY THE Mayor and Council of the City of Midwest City, Oklahoma, this 22nd day of November, 2016.

CITY OF MIDWEST CITY, OKLAHOMA

MATTHEW DUKES, Mayor

ATTEST:

SARA HANCOCK, City Clerk

APPROVED as to form and legality this 22nd day of November, 2016.

MARY ANN KARNS, Acting City Attorney



**THE CITY OF
MIDWEST CITY**
Finance Department

MEMORANDUM

TO: Honorable Mayor and Council
FROM: Christy Barron, Finance Director
DATE: November 22, 2016
SUBJECT: Discussion and consideration of accepting the City Manager's Report for the month of October, 2016.

The funds in October that experienced a significant change in fund balance from the September report are as follows:

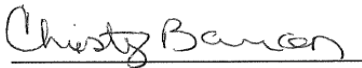
Street Tax (65) decreased due to the payment to OK. Department of Transportation for:
29TH Sooner to Air Depot trail <\$174,326>

L & H (240) fund balance decreased by \$156,658 because October had 5 Mondays/payments.

MWC Hospital Authority (425) activities for October:

Compounded Principal:
(9010)-unrealized loss on investment < \$1,113,724>
Discretionary:
(9050)-unrealized loss on investment <\$189,286>
(9050)-payment for SE 15th/Sooner development <\$171,268>
In Lieu of/ROR/Misc:
(9060)-payment for SE 29th (Newey) property <\$3,439,804>

This item is at Council's discretion.



Christy Barron
Finance Director

City of Midwest City
Financial Summary by Fund
for Period Ending October, 2016
(Unaudited)

Fund Number	Fund Description	Assets	Liabilities	6-30-16 Fund Balance	Revenues	Expenditures	Gain or (Loss)	Fund Balance
9	GENERAL GOVERNMENT SALES TAX	1,729,533	-	1,930,025	168,145	(368,638)	(200,493)	1,729,533
10	GENERAL	4,547,668	(140,659)	4,671,897	12,265,913	(12,530,802)	(264,889)	4,407,009
11	CAPITAL OUTLAY RESERVE	899,216	-	893,700	5,515	-	5,515	899,216
13	STREET AND ALLEY FUND	658,990	-	1,775,423	189,509	(1,305,942)	(1,116,433)	658,990
14	TECHNOLOGY FUND	437,770	-	478,156	124,089	(164,476)	(40,387)	437,770
15	STREET LIGHT FEE	137,230	-	-	137,230	-	137,230	137,230
16	REIMBURSED PROJECTS	799,639	(184,122)	624,306	89,360	(98,149)	(8,788)	615,518
17	29TH & DOUGLAS PROPERTY	5,500,000	(181,059)	5,318,941	41,450	(41,450)	-	5,318,941
20	MWC POLICE DEPARTMENT	1,372,703	-	1,544,048	4,124,984	(4,296,330)	(171,345)	1,372,703
21	POLICE CAPITALIZATION	864,614	-	949,578	149,517	(234,481)	(84,964)	864,614
25	JUVENILE FUND	35,704	-	73,081	20,923	(58,300)	(37,377)	35,704
30	POLICE STATE SEIZURES	46,061	-	42,161	4,183	(284)	3,899	46,061
31	SPECIAL POLICE PROJECTS	51,526	-	48,259	5,555	(2,288)	3,266	51,526
33	POLICE FEDERAL PROJECTS	76,974	-	86,596	334	(9,957)	(9,623)	76,974
34	POLICE LAB FEE FUND	17,823	-	16,457	4,133	(2,768)	1,365	17,823
35	EMPLOYEE ACTIVITY FUND	18,263	-	17,714	890	(341)	549	18,263
36	JAIL	143,317	-	148,697	27,564	(32,944)	(5,380)	143,317
37	POLICE IMPOUND FEE	164,804	-	163,034	22,024	(20,254)	1,770	164,804
40	MWC FIRE DEPARTMENT	1,011,491	(4)	1,181,744	3,341,370	(3,511,627)	(170,257)	1,011,487
41	FIRE CAPITALIZATION	633,879	-	528,049	188,498	(82,668)	105,830	633,879
45	MWC WELCOME CENTER	356,049	(154)	348,868	74,246	(67,219)	7,027	355,895
46	CONV / VISITORS BUREAU	217,438	-	192,433	120,717	(95,712)	25,005	217,438
50	DRAINAGE TAX FUND	181,285	-	180,165	1,445	(325)	1,120	181,285
60	CAPITAL DRAINAGE IMP	446,282	-	417,629	152,545	(123,892)	28,652	446,282
61	STORM WATER QUALITY	891,986	-	918,411	255,313	(281,738)	(26,425)	891,986
65	STREET TAX FUND	1,143,024	-	1,231,886	147,234	(236,095)	(88,861)	1,143,024
70	EMERGENCY OPER FUND	635,363	-	658,058	130,995	(153,690)	(22,695)	635,363
75	PUBLIC WORKS ADMIN	306,779	-	283,928	325,846	(302,995)	22,850	306,779
80	INTERSERVICE FUND	111,690	-	183,485	714,438	(786,233)	(71,795)	111,690
81	SURPLUS PROPERTY	308,734	(236,419)	68,994	16,625	(13,303)	3,321	72,315
115	ACTIVITY FUND	273,319	-	269,707	48,227	(44,616)	3,612	273,319
123	PARK & RECREATION	624,809	-	552,750	182,994	(110,935)	72,059	624,809
141	COMM. DEV. BLOCK GRANT	15,156	-	15,156	150,388	(150,388)	-	15,156
142	GRANTS/HOUSING ACTIVITIES	171,540	(943)	188,674	20,452	(38,530)	(18,078)	170,596
143	GRANT FUNDS	125,430	(65,430)	60,000	61,302	(61,302)	-	60,000

City of Midwest City
Financial Summary by Fund
for Period Ending October, 2016
(Unaudited)

Fund Number	Fund Description	Assets	Liabilities	6-30-16 Fund Balance	Revenues	Expenditures	Gain or (Loss)	Fund Balance
157	CAPITAL IMPROVEMENTS	2,897,346	-	2,961,479	150,158	(214,291)	(64,133)	2,897,346
172	CAP. WATER IMP-WALKER	455,162	(18,694)	467,204	191,478	(222,215)	(30,736)	436,468
178	CONST LOAN PAYMENT REV	2,078,848	(7,551)	1,944,719	305,116	(178,538)	126,579	2,071,297
184	SEWER BACKUP FUND	81,237	-	81,039	499	(302)	198	81,237
186	SEWER CONSTRUCTION	5,920,957	(2,785,964)	3,101,034	509,385	(475,426)	33,959	3,134,993
187	UTILITY SERVICES	461,237	(924)	440,330	406,407	(386,423)	19,983	460,313
188	CAP. SEWER IMP.-STROTH	121,387	-	42,973	133,880	(55,466)	78,414	121,387
189	UTILITIES CAPITAL OUTLAY	1,699,324	(137,342)	1,575,337	66,385	(79,740)	(13,355)	1,561,982
190	MWC SANITATION DEPARTMENT	2,235,849	-	2,070,994	1,963,352	(1,798,496)	164,856	2,235,849
191	MWC WATER DEPARTMENT	862,080	-	559,333	2,379,417	(2,076,670)	302,747	862,080
192	MWC SEWER DEPARTMENT	1,169,931	-	1,130,962	1,810,369	(1,771,400)	38,969	1,169,931
193	MWC UTILITIES AUTHORITY	951,846	-	950,944	5,902	(5,000)	902	951,846
194	DOWNTOWN REDEVELOPMENT	3,872,845	(6,953)	3,749,062	454,792	(337,961)	116,831	3,865,893
195	HOTEL/CONFERENCE CENTER	607,388	(1,254,835)	(722,478)	1,903,811	(1,828,780)	75,031	(647,447)
196	HOTEL 4% FF&E	1,085,427	-	1,070,438	86,152	(71,163)	14,990	1,085,427
197	JOHN CONRAD REGIONAL GOLF	148,743	(4,346)	159,995	456,465	(472,062)	(15,597)	144,398
201	URBAN RENEWAL AUTHORITY	63,009	-	62,623	386	-	386	63,009
202	RISK MANAGEMENT	2,849,002	(37)	3,253,684	733,923	(1,138,641)	(404,719)	2,848,966
220	ANIMALS BEST FRIEND	80,839	-	74,490	7,875	(1,526)	6,349	80,839
225	HOTEL MOTEL FUND	-	-	-	213,254	(213,254)	-	-
230	CUSTOMER DEPOSITS	1,376,194	(1,376,194)	-	8,691	(8,691)	-	-
235	MUNICIPAL COURT	84,914	(84,914)	-	571	(571)	-	-
240	L & H BENEFITS	1,644,389	(114,910)	1,661,156	2,334,427	(2,466,103)	(131,676)	1,529,479
250	CAPITAL IMP REV BOND	3,927,160	(60,493,123)	(57,570,731)	4,856,267	(3,851,499)	1,004,768	(56,565,963)
269	2002 G.O. STREET BOND	712,608	-	3,064,713	10,912	(2,363,017)	(2,352,105)	712,608
310	DISASTER RELIEF	1,395,717	(184,669)	1,283,551	103,778	(176,281)	(72,503)	1,211,048
340	REVENUE BOND SINKING FUND	-	-	-	1,802,625	(1,802,625)	-	-
350	G. O. DEBT SERVICES	1,328,659	-	1,363,245	34,410	(68,997)	(34,586)	1,328,659
351	TAX INCREMENT FINANCING	-	(63,223)	(62,340)	-	(883)	(883)	(63,223)
425-9010	MWC HOSP AUTH-COMP PRINCIPAL	74,127,513	(9,791,550)	64,496,585	1,606,335	(1,766,957)	(160,622)	64,335,963
425-9020	MWC HOSP AUTH-LOAN RESERVE	2,875,276	(375,276)	2,500,000	18,594	(18,594)	-	2,500,000
425-9050	MWC HOSP AUTH-DISCRETIONARY	8,510,815	(10,540)	8,983,537	1,793,984	(2,277,245)	(483,262)	8,500,275
425-9060	MWC HOSP IN LIEU OF/ROR/MISC	459,640	(154,711)	3,700,541	764,702	(4,160,312)	(3,395,610)	304,931
	TOTAL	149,041,432	(77,674,544)	78,456,432	48,428,256	(55,517,799)	(7,089,543)	71,366,889



Information Technology
100 N. Midwest Boulevard
Midwest City, OK 73110
Office 405.739.1374
Fax 405.869.8602

MEMORANDUM

TO: Honorable Mayor and City Council

FROM: Ryan Rushing, Information Technology Director

DATE: November 22, 2016

SUBJECT: Discussion and consideration of approving a change order to the ImageNet Consulting contract for Laserfiche Phase II implementation which substitutes RatchetX for Laserfiche Connector at the same price of \$10,449.98.

Currently, there is an open project with ImageNet for Phase II of the Laserfiche implementation. Due to technical difficulties, the RatchetX product will not work in our environment for the City Clerk's department. ImageNet has successfully integrated Naviline Edge with their new product, LF Connector, and is offering it to us at the same price as RatchetX, \$10,449.98. No additional budget is needed to proceed with this change order as we are proposing to use the existing PO (#163492) to offset the licensing, coterminus 1st years' support (July 1, 2017) and Professional Services by ImageNet Engineers to install, configure and support Laserfiche Connector for the desired purpose of integrating Laserfiche Images and SunGard's GUI. The City of Midwest City will no longer be responsible for the support on RatchetX and ImageNet will remove the licensing from the environment. This change order will reduce our yearly maintenance cost by \$1,295.00.

Staff recommends approval.

Ryan Rushing, Information Technology Director



City of Midwest City Police Department
100 N. Midwest Boulevard
Midwest City, OK 73110
Office 405.739.1320
Fax 405.739.1398

Memorandum

TO: Honorable Mayor and City Council

FROM: Brandon Clabes, Chief of Police

DATE: November 22, 2016

SUBJECT: Discussion and consideration of approving and awarding the bid to Sergeant Jeff Harbin, who submitted the only bid, in the amount of \$1.00 for retired police canine, Breston, which was declared as surplus at the October 25, 2016 Council meeting.

On Tuesday, November 8, 2016 at 2:00 p.m., the City of Midwest City opened one bid for retired Police canine, Breston. Bid notice was published in the Midwest City Beacon on October 28, 2016.

Staff recommends approval.

A handwritten signature in black ink that reads "Brandon Clabes". The signature is written in a cursive style and is positioned above a horizontal line.

Brandon Clabes
Chief of Police



Public Relations Specialist
100 N. Midwest Boulevard
Midwest City, OK 73110
Office 405.702.3411
Fax 405.739-1208

MEMORANDUM

TO: Honorable Mayor and Council

FROM: Kay Hunt

DATE: November 24, 2015

RE: Discussion and consideration of entering into an agreement with Safety & Security Services, Inc. in an amount not to exceed \$4,363 to provide unarmed security services each night for the Storyland Christmas event located in the Charles J. Johnson Central Park in Town Center Plaza from November 30 through December 29, 2016 from 10:00 p.m. until 6:00 a.m.

Action is at the discretion of the Council.

Kay Hunt
Public Relations Specialist



Safety & Security Services, Inc.

“A Price Company”

416 NW 8th • OKLAHOMA CITY, OK 73102 • 405/232-2132 • FAX 405 / 232-0069

LETTER OF ENGAGEMENT

This letter of engagement is to confirm and establish an agency relationship between Safety and Security Services, Inc., (Firm), and City of Midwest City, (Client).

The purpose of this agency relationship is for the Firm to provide security guard services for the client. These services shall be performed at Town Center Plaza at 29th & Mid America and shall be provided 7 nights per week from 10:00 PM to 06:00 AM, beginning November 30 thru December 29, 2016. Cost of these services will be \$24.24 per hour.

Firm shall bill bi-weekly for services and payment shall be due upon receipt of invoice. Payment not received by the 30th day after date of invoice will accrue interest at the rate of one and one-half (1.5%) percent per month or the maximum legal rate permissible in the State or Commonwealth in which the services are performed, whichever is lowest, on the unpaid balance. Client agrees to pay the Firm all collection costs including reasonable attorney's fees. If payment is not received in accordance with the terms hereof, Firm will have the option to terminate services upon 24-hour's notice.

This above letter correctly sets forth our agreement and understanding, and may be terminated by either party with 7 day written notice.

Date: _____ By: _____
Jim Price, President
For: Safety & Security Services, Inc.

Date: _____ By: _____
For: City of Midwest City

Print Name and Title



Public Works Administration
Vaughn Sullivan, Director
vsullivan@midwestcityok.org
R. Paul Streets, Assistant Director
rstreets@midwestcityok.org
8730 S.E. 15th Street,
Midwest City, Oklahoma 73110
O: 405-739-1060 /Fax: 405-739-1090

To: Honorable Mayor and Council

From: Vaughn K. Sullivan, Public Works Director

Date: November 22, 2016

Subject: Discussion and consideration of approving a Mutual Cooperation Agreement for Specific Assistance between the City of Midwest City and the Board of County Commissioners of Oklahoma County for base repair assistance on Westminster Road between N. E. 10th and Reno in an amount not to exceed \$4,483.31.

This agreement gives Oklahoma County District One the authority to provide the supplies, equipment and personnel for base repair assistance on Westminster Road between N. E. 10th and Reno in an amount not to exceed \$4,483.31. The City of Midwest City will use the Public Works and Emergency Services Contract to Roto-Mill and overlay the south half of the mile after base repair is completed (see attached map).

Vaughn Sullivan
Public Works Director

Attachment: Agreement
Site map

AGREEMENT FOR SPECIFIC ASSISTANCE BETWEEN
THE CITY OF MIDWEST CITY
AND
THE BOARD OF COUNTY COMMISSIONERS OF OKLAHOMA COUNTY

This Agreement is entered into this _____ day of _____, 2016, by and between the City of Midwest City, hereinafter referred to as "Municipality" and the Board of County Commissioners of Oklahoma County, hereinafter referred to as the "County", and is to be considered an addendum to the original General Mutual Cooperation Agreement made between the same parties. The terms and conditions of the General Mutual Cooperation Agreement for the current fiscal year entered into between the parties is incorporated by reference herein and made a part of this specific agreement.

RECITALS

WHEREAS, a portion of a road belonging to the municipality, located at Westminster Street between N.E. 10th and Reno in Midwest City, is in need of reconstruction, repair, and/or improvement;

WHEREAS, the parties have previously entered into a General Mutual Cooperation Agreement allowing for the County to assist the Municipality in reconstruction, repair, improvement, and/or maintenance of their roads which covers the fiscal year beginning July 1, 2016, and ending June 30, 2017; and

WHEREAS, it is in the mutual interest and benefit of the Municipality and the County to share in making this reconstruction, repair, and/or improvement to the aforementioned segment of road; and

WHEREAS, the Municipality desires to retain the use of the County's equipment, materials, personnel and subcontractors to reconstruct, repair or improve that portion of the aforementioned segment of road; and

WHEREAS, the County agrees to provide the equipment and personnel for the project at an *estimated* cost of Four Thousand Four Hundred Eighty-Three Dollars and Thirty-One Cents (\$4,483.31), but in no event to exceed Four Thousand Four Hundred Eighty-Three Dollars and Thirty-One Cents (\$4,483.31), without further written agreement; and

WHEREAS, this agreement is authorized and provided for by Oklahoma Statutes, specifically by 69 O.S. § 603 and 11 O.S. §36-113; and,

NOW THEREFORE, in consideration of the mutual covenants and agreements contained herein, the parties hereto agree as follows:

TERMS AND CONDITIONS OF AGREEMENT:

1. **PURPOSE OF AGREEMENT:** This agreement is a part of and an addendum to the original Mutual Cooperation Agreement entered into between the parties on the 1st day of July, 2016.

The Purpose of this agreement is to permit the County to assist the Municipality with road improvement, repair, or maintenance on property within the Municipality, such road being more specifically described as: Westminster Street between N.E. 10th and Reno in Midwest City.

2. **DESCRIPTION OF SERVICE:**

A. **COUNTY SHALL:**

- i. Administer the agreement.
- ii. Agree to incur the costs for labor and equipment as necessary to complete the work/project in an amount not to exceed Four Thousand Four Hundred Eighty-Three Dollars and Thirty-One Cents (\$4,483.31), as outlined in the attached project estimates. (See attachment "A").
- iii. Provide joint oversight and inspection of the project.

B. **MUNICIPALITY SHALL:**

- i. Provide for joint inspection and oversight of project.
- ii. Provide signage, traffic control, and all materials, including base materials asphalt cap.
- iii. Assist County with dump trucks, water truck, and labor

3. **AUTHORIZED ADMINISTRATOR(S):** For purposes of administering this agreement, the Chief Deputy of County's District No. 1, and the Municipality's Mayor shall be responsible for administering this agreement. Also, it is expressly understood that County shall have no right, claim or title to any real or personal property used in this project, other than that already owned by County.

4. **RIGHTS OF WAY:** Municipality represents and warrants to County that Municipality owns, leases, or holds beneficial easements on any and all real property involved in the project and work to be performed by County. In the event that any person or entity attempts to hold County liable for work done on the property subject to this specific agreement, the Municipality agrees to defend and indemnify County against any loss related to such defense, including attorney fees and costs.

5. **COMMENCEMENT OF AGREEMENT:** This agreement shall commence on the date on which the Agreement is executed in writing by all parties and will continue through the completion of the project, or until the end of the current fiscal year. The parties agree that they remain bound by the terms of the original General Mutual Cooperation Agreement executed on the 1st day of July, 2016.

6. **COMMENCEMENT OF PROJECT:** The project shall commence after the agreement has been fully executed and based on the availability of the County's equipment, materials, personnel, etc.

7. **FISCAL YEAR LIMITATION:** The parties agree and understand that in the event that the project outlined in this Agreement is not completed during the fiscal year in which it was executed, Municipality must submit payment for any work completed during the fiscal year, and if funds or materials are required to be encumbered for the succeeding fiscal year in order to complete the project, that the parties are must enter into another written Agreement.

8. **INDEMNIFICATION:** Other than the defend and indemnify provisions outlined in paragraph # 4 "Rights of Way", the parties further agree and covenant that in exchange for the considerations set out herein that each party shall only be liable for their own negligence, acts or omissions, or the negligence, acts or omissions of their respective employees, nor shall any party be required to indemnify another party for the same. The parties understand and agree that this Agreement in no way relieves the Municipality of their primary statutory duties to maintain said street(s) in a reasonably safe condition for travel by the public, including for the duration of the above described project agreement.
9. **REVISIONS AND AMENDMENTS:** The parties agree that the terms of this Agreement may not be revised or amended in any form or fashion without obtaining a fully executed written revision or written amendment from the parties.
10. **ASSIGNMENT:** The rights and duties under this agreement are not assignable except upon prior written consent of the parties hereto.
11. **THIRD PARTY BENEFICIARIES:** No third party beneficiaries are created by this agreement and that is the express intent of the parties hereto.
12. **COMPLETE AGREEMENT:** The parties acknowledge and agree that this Agreement sets out the complete and total agreement between the parties.
13. **VENUE:** In the event of litigation regarding any aspect of this Agreement, the parties agree that venue shall lie in the District Court of Oklahoma County.
14. **CAPTIONS:** The captions, titled, and headings contained herein are for convenience only and shall not control the interpretation of any provision.
15. **INTERPRETATION:** Any word used herein in the singular shall also include the plural, and vice versa, except where a contrary intention plainly appears. The masculine shall also include the feminine and vice versa.
16. **PRESERVATION OF RIGHTS:** Neither party waives any defenses or rights available to them under the Governmental Tort Claims Act, 51 O.S. § 151 et seq., common law, pertinent statutes and constitutions.
17. **WHOLE AGREEMENT:** This document constitutes the entire agreement, covenants and provisions agreed upon by the parties, and no agent or administrator to this agreement has authority to alter or change the terms hereof, except as provided herein, and except as provided in the original General Mutual Cooperation Agreement. No party shall be bound by any statement or representation not in conformity with this written agreement.
18. **TERMINATION OF AGREEMENT:** Prior to commencement of the project, either party may terminate this agreement by giving seven (7) days written notice to the administrator for the other party. After the commencement of the project, either party may terminate this agreement, with or without cause, by giving written notice of such termination to the administrator of the other party. In the event work has already begun by County, Municipality shall reimburse the County

for any work already performed. Otherwise, this Agreement shall terminate automatically upon completion of the project and upon receipt of the final payment of expenses by the municipality.

CITY OF MIDWEST CITY

APPROVED by the CITY OF MIDWEST CITY this _____ day of _____, 2016.

MAYOR

ATTEST:

City Clerk

APPROVED as to form and content this _____ day of _____, 2016.

Counsel for Municipality

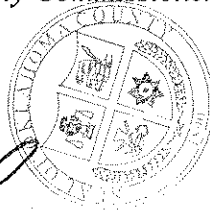
BOARD OF COUNTY COMMISSIONERS OKLAHOMA COUNTY

APPROVED by the Board of County Commissioners this 24th day of November, 2016.

Raymond R. Vaughn
CHAIRMAN

ATTEST:

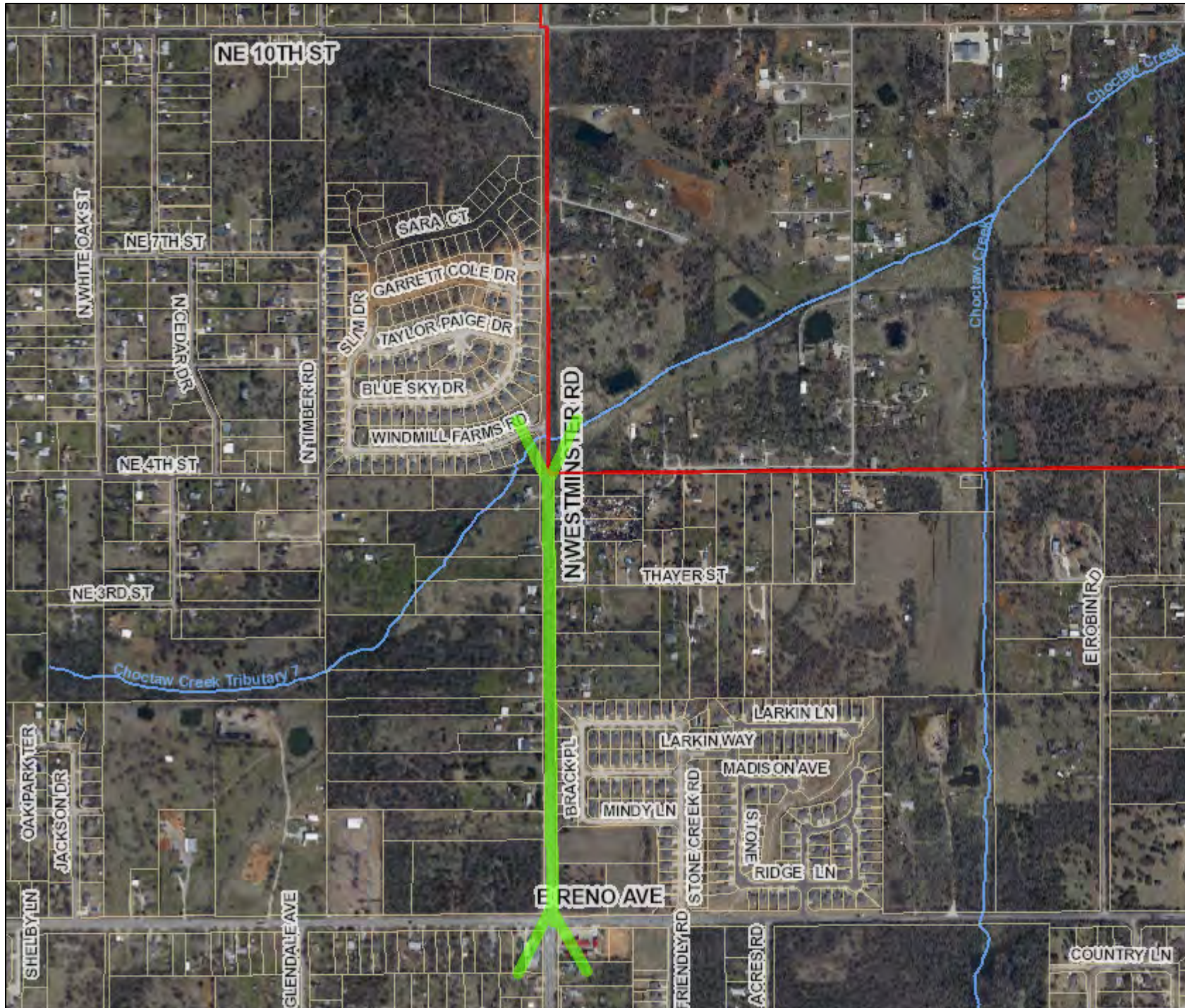
Carolynn Caudill
Carolynn Caudill, County Clerk



APPROVED as to form and content this 25th day of October, 2016.

Alan C...
Assistant District Attorney

Mill and Overlay Westminster Rd



1 in = 800 ft
when printed actual size
on 8-1/2"x11" paper

DISCLAIMER

This map is a general information public resource. The City of Midwest City makes no warranty, representation or guarantee as to the content, accuracy, timeliness or completeness of any of the information provided on this map. Any party's use or reliance on this map, or any information on it, is at that party's own risk and without liability to the City of Midwest City, its officials or its employees for any discrepancies, errors or omissions that may exist.



Public Works Administration
Vaughn Sullivan, Director
vsullivan@midwestcityok.org
R. Paul Streets, Assistant Director
rstreets@midwestcityok.org
8730 S.E. 15th Street,
Midwest City, Oklahoma 73110
O: 405-739-1060 /Fax: 405-739-1090

Memorandum

To: Honorable Mayor and Council

From: Vaughn K. Sullivan, Public Works Director

Date: November 22, 2016

Subject: Discussion and consideration of approving and entering into a Sponsorship and Marketing Consulting Agreement with STAAR Solutions in the amount of \$3,000 plus sponsorship sales commissions to effectively assist the City of Midwest City in achieving its goals and initiatives for the 2017 MIOFest.

STAAR Solutions brings certified IEG experience in sponsorship consulting, valuation, measurement and strategy. STAAR will assist the Parks and Recreation Department in successfully planning and integrating new events and offerings into the festival with final authority remaining with the Parks and Recreation Department. STAAR will work alongside the Parks and Recreation staff to recreate a comprehensive sponsorship campaign that includes sales sheets, sales prospectus, contract agreement forms, promotional items and related support collaterals during the course of planning and executing the festival. STAAR will help to create successful sponsor levels that include sought after benefits to encourage sales. STAAR will jointly sell sponsorships and potentially exhibit booths along with the Parks and Recreation staff. STAAR will work to coordinate the sales, contracting, and sponsorship deliverables oversight process.

Staff recommends approval.

Vaughn K. Sullivan
Public Works Director

Attachment: Agreement with attachments



November 14, 2016

This letter will set forth the terms and conditions of the sponsorship and marketing support arrangement between you, acting through the City of Midwest City Parks and Recreation Department Manager, and STAAR Solutions ("STAAR") whereby Chris Moler dba STAAR Solutions. L.L.C. agrees to act as a third party management consultant and sponsorship sales representative on behalf of "MIOFest" (formerly known as the Made in Oklahoma Wine, Beer and Food Festival) scheduled for June 18, 2017.

The following is a list of anticipated support services and accompanying payments:

- 1) Support for re-creation of a comprehensive sponsorship campaign.** STAAR will support the City of Midwest City in reviewing and making necessary revisions to include all rebranding information in the 2017 sponsorship campaign. The campaign will consist of a set of sales sheets, sales prospectus and contract agreement forms, promotional items and related support collaterals during the course of planning and executing the festival event. STAAR Solutions will receive a stipend payment of \$3,000 for the above services mentioned to support staff management and support costs over the next year.
- 2) Coordination of Sale of Sponsorships.** STAAR Solutions will take the lead on the sale of all sponsorships and support the sale of exhibit booths in coordination with the City of Midwest City. It is understood that some exhibitors are renewals by the City of Midwest City and that STAAR Solutions will not contact these individual companies unless requested to do so.
- 3) Commission for Sale of Cash Sponsorships.** The City of Midwest City will pay STAAR Solutions the following commission structure:
 - a. Twenty percent (20%) commission of all cash sponsorships sold by STAAR.
 - b. Fifteen percent (15%) commission for each agreed and contracted Value In Kind (barter-trade) sponsorship.
 - c. Ten percent (10%) commission for each agreed and contracted media and marketing related sponsorship sold through the City of Midwest City in support of the Festival.
 - d. Twenty percent (20%) commission of exposition (trade show vendor sponsorship) which includes trade booths that are not part of an actual sponsorship but are in trade for a support service. STAAR will take a more active role in the management of tradeshow vendors to support the City of Midwest City.
 - e. Such commission will be paid within 20 business days upon receipt by the City of Midwest City of the full sponsorship payment or, if sponsorship payments are made in installments, the payment will be made within 20 business days as a percentage of the installment amount received.
 - f. VIK individual sponsorship commission will not exceed \$4,000 for any single sponsorship. VIK sponsorships may be for budget relieving items such as printing, food services, generators, sound and light equipment, staging, tenting, audio/visual contractor, complimentary products or other negotiated barter or trade services. VIK values and limits are set by the sponsor, and not by the City of Midwest City or STAAR.

- g. Media sponsorship individual commissions will not exceed a payment of \$3,000 for each media sponsorship agreement regardless of the level of value over \$30,000. Media values and limits are set by the sponsor, and not by the City of Midwest City or STAAR.
- 4) **Sponsorship Account Protection.** STAAR Solutions will reserve the right to maintain account protection for the 2018 MIOFest for all contacts initiated and sold by STAAR within the 2017 MIOFest if retained by the City of Midwest City to support the 2017 event. This also includes account protection as per previous agreement for the sale of sponsorships and vendor booths sold in 2016.
- 5) **Sponsorship Contacts.** There may be times when a City of Midwest City representative may work directly with STAAR to secure an entree and/or meeting, and possibly attend the meeting and even assist with the closing of the actual sponsorship agreement. This is to execute the initial sale and to support the existing relationship. STAAR will work directly with the City of Midwest City representative to approve a series of leads and divide the leads up within the City of Midwest City team members. STAAR will still take primary responsibility for contracting and execution of the sponsorship that it is responsible for and as a result will receive full commission payment. It will be understood that once a sponsor contact or exhibitor has been assigned to a particular account representative that no other party will make contact with the potential sponsor unless jointly working with a member or key leader from the City of Midwest City. Internal controls will be managed by the City of Midwest City representative. **The City of Midwest City has the option if they sell a particular sponsorship and provide the majority of all the execution for the sponsorship deliverables and services to pay either a reduced (50%) and/or no commission depending upon the sponsor and the current relationship. This would be mutually agreed upon in advance between the City of Midwest City designated representative and STAAR.**
- 6) **Term.** This agreement shall remain in force until and up to 60 days past the festival date to allow time to close all business and **to create a final summary of execution for all sponsors.** However either party may terminate with or without cause, by giving fifteen (15) days written notice to the other in writing. In the event of termination as contemplated herein by the City of Midwest City, the City of Midwest City would remain liable to STAAR for all activities as contracted and herein provided prior to the date of termination. Should the City of Midwest City terminate this agreement after delivery of the drafted sponsorship campaign, then the City of Midwest City would pay a onetime stipend fee of \$3,000.00 cash for services rendered to create the campaign and campaign materials.
- 7) **Prior Approval.** STAAR must receive approval by the City of Midwest City prior to approaching potential sponsors that are mutually agreed upon. All materials used by STAAR in connection with this Agreement must also be approved by the City of Midwest City representative. Similarly, STAAR will not enter into any sponsorship agreements, like in-kind donations and any other obligations on behalf of the City of Midwest City without prior approval. All sponsorships will be recognized by a signed and consummated contractual agreement between the City of Midwest City and the sponsor unless otherwise agreed upon in advance by the City of Midwest City.
- 8) **Collection of Sponsorship Pledges.** The City of Midwest City and STAAR will work together in connection with the collection of sponsorship pledges, sponsorship services and/or vendor fees, but the City of Midwest City will have the ultimate responsibility for collection.

Chris B. Moler
November 14, 2016
Page 3

- 9) **Independent Contractor.** STAAR shall be deemed an independent contractor in connection with the performance of this Agreement.
- 10) **Agreement Location.** In the event of arbitration, settlement, dispute, original record or other need for legal action, this agreement shall be deemed an Oklahoma agreement in the State of Oklahoma in Oklahoma County.

If the foregoing terms are acceptable, please indicate in the space provided below.

Very truly yours,

STAAR Solutions

By: _____
Chris Moler, President STAAR Solutions
2708 N.W. 120th Street, Oklahoma City, OK 73120
(405) 749-1953 chris@staarsolutions.com

Chris B. Moler
November 14, 2016
Page 4

Agreed to and accepted this _____ day of November, 2016.

STAAR SOLUTIONS

Chris Moler, President

Passed and approved by the City on the _____ day of November, 2016.

CITY OF MIDWEST CITY, OKLAHOMA

Matthew D. Dukes II, Mayor

Attested:

Sara Hancock, City Clerk

APPROVED as to form and legality this _____ day of November, 2016.

Mary Ann Karns, Acting City Attorney



DISCUSSION ITEMS





The City of
MIDWEST CITY
COMMUNITY DEVELOPMENT DEPARTMENT

Billy Harless, Community Development Director

ENGINEERING DIVISION
Patrick Menefee, City Engineer
CURRENT PLANNING DIVISION
Kellie Gilles, Planning Manager
COMPREHENSIVE PLANNING
Julie Shannon, Comprehensive Planner
BUILDING INSPECTION DIVISION
Charles Belk, Building Official
GIS DIVISION
Kathy Spivey, GIS Coordinator

To: Honorable Mayor and City Council

From: Billy Harless, Community Development Director

Date: November 22, 2016

Subject: (PC-1885) Public hearing with discussion and consideration of approval of the Sooner Rose Final Plat for the property described as a tract of land lying in the SW/4 of section 4, T-11-N, R-2-W, of the Indian Meridian, located on the northeast corner of South Sooner Road and SE 15th Street, City of Midwest City, Oklahoma County, Oklahoma.

Dates of Hearing: Planning Commission – November 1, 2016
City Council – November 22, 2016

Owner: John Combs, Sooner Rose LLC

Applicant: Smith Roberts Baldischwiler

Proposed Use: re-development of site for commercial uses

Size:

The area of request has a frontage along SE 15th Street of approximately 593.83 feet and a depth of approximately 991.70 feet, containing an area of approximately 617,042 square feet.

Development Proposed by Comprehensive Plan:

Area of Request – OR, Office / Retail and MDR, Medium Density Residential
North – OR, Office / Retail and MDR, Medium Density Residential
South – OR, Office / Retail and COMM, Commercial
East – OR, Office / Retail and MDR, Medium Density Residential
West – Del City

Zoning Districts:

Area of Request – PUD, Planned Unit Development Governed by the C-3 District
North – R6, Single Family Residential
South – C4, General Commercial and C3, Community Commercial
East - R6, Single Family Residential and C3, Community Commercial – R-6, Single
West – Del City

Land Use:

Area of Request – Academy & Hobby Lobby and 3 outparcels
North – Single family residence
South – Small commercial shops and Home Depot
East – Vacant
West – Gas station and commercial shops

Municipal Code Citation:

38-19 Final Plat

38-18.1. Purpose

The purpose of a Final Plat is to ensure consistency with standards of the Subdivision Ordinance pertaining to the adequacy of public facilities, provide for public improvements to serve the subdivision and that all other requirements and conditions have been satisfied or provided for to allow the Final Plat to be recorded.

History:

1. This area was zoned R6, Single Family Residential with the adoption of the 1986 Zoning Ordinance and Map.
2. PC-1132 A Special Use Permit for a school was issued for a portion of this area in 1990.
3. PC-1837 – A preliminary plat was approved for the area of request in February 2016.
4. PC – 1866 – The area of request was zoned as a PUD in May of 2016.

Staff Comments:

Engineering Comments:

Public Improvements:

The Subdivision Regulations pertaining to this application require the installation and acceptance of all public improvements prior to approval.

At this time, the applicant has completed the required public improvements to serve the development and has submitted final as-built drawings for the city records.

Easements and Right-of-Way

Subdivision Regulations requires that all existing and dedicated rights-of-way and easements are depicted on the final plat. As required, these are reflected on the final plat.

Fire Marshal's Comments:

The Fire Marshal has reviewed this application for a final plat. All requirements of the 2015 edition of the International Fire Code and Chapter 15 of the Municipal Code will need to be met with each building permit.

Plan Comments:

The proposed Sooner Rose Final Plat proposes to create five (5) individual lots. The entire plat encompasses approximately 14.16 acres. The Hobby Lobby is located on lot one (1), Academy is located on lot two (2) and Banc First will be located on lot three (3). The two (2) remaining lots are for future development.

Access to the property is via four (4) curb cuts along S. Sooner Rd. and two (2) new curb cuts along SE 15th Street. The preliminary plat showed limits of no access along the frontages of lots four (4) and five (5), however that is not reflected on the proposed final plat.

The final plat reflects the 25' front building lines along both S. Sooner Road and SE 15th Street as recommended by Planning Commission.

The applicant is requesting two minor amendments to the plat since the Planning Commission made their recommendation:

1. The plat that the Planning Commission reviewed had a 15' Public Utility Easement along the east side of Lot 1. There are no public utilities within this easement and it needed to be removed for future proposed development.
2. There was a 15' Public Utility Easement that ran east-west on the plat that the Planning Commission reviewed. This is a private drainage structure with no public utilities. It should be designated as a Private Drainage Easement.

The applicant is asking that they be allowed to remove these two easements from the plat heard by the City Council. If the plat is filed as it was when it was heard by the Planning Commission, the only way to vacate these easements would be by a vacation proceeding through the District Court.

The applicant has stated that if expansion of commercial development to the east of the area of request does not occur, they will be willing to grant by separate instrument the easements being requested to be removed from the plat.

As the proposed Sooner Rose Final Plat conforms to the Midwest City Subdivision Regulations, staff recommends approval.

Action Required: Approve or reject the Sooner Rose Final Plat for the property as noted herein, subject to the staff comments and recommendations as found in the November 22, 2016, agenda packet, and as noted in PC-1885 file.



Billy Harless, AICP
Community Development Director
CA

FINAL PLAT SOONER ROSE ADDITION

AN ADDITION TO THE CITY OF MIDWEST CITY, OKLAHOMA COUNTY, OKLAHOMA

A PART OF THE SOUTHWEST QUARTER OF SECTION 4, T11N, R2W, I.M.
MIDWEST CITY, OKLAHOMA COUNTY, OKLAHOMA

LEGAL DESCRIPTION

A tract of land lying in the Southwest Quarter (SW/4) of Section Four (4), Township Eleven (11) North, Range Two (2) West of the Indian Meridian, City of Midwest City, Oklahoma County, Oklahoma, and being more particularly described as follows:

BEGINNING at the southwest corner of the said Southwest Quarter of Section 4;

THENCE North 01°20'38" West, along the west line of said Southwest Quarter, a distance of 991.70 feet;

THENCE North 89°24'49" East, parallel with the south line of said Southwest Quarter, a distance of 848.49 feet;

THENCE South 01°20'38" East, parallel with the west line of said Southwest Quarter, a distance of 331.70 feet;

THENCE South 89°24'49" West, parallel with the south line of said Southwest Quarter, a distance of 254.66 feet;

THENCE South 01°20'38" East, parallel with the west line of said Southwest Quarter, a distance of 660.00 feet to a point on the south line of said Southwest Quarter;

THENCE South 89°24'49" West, along said south line, a distance of 593.83 feet to the POINT OF BEGINNING.

Said tract of land containing 673,313 square feet or 15.4571 acres more or less.

OWNER'S CERTIFICATE AND DEDICATION

KNOW ALL MEN BY THESE PRESENTS:

That, SOONER ROSE LLC, an Oklahoma limited liability company, as to Lots 1, 2, 4 and 5 of Block 1 and rights-of-way to be dedicated adjacent thereto, and BANCFIRST, an Oklahoma banking association, as to Lot 3 of Block 1 and the rights-of-way to be dedicated adjacent thereto, hereby certifies that they are the owners of, and the only persons, firms, corporations or entities having any right, title or interest in and to the land shown on the annexed Final Plat of SOONER ROSE ADDITION, an addition to the City of Midwest City, Oklahoma County, Oklahoma, and they have caused the same to be platted into lots, blocks, streets and easements as shown on said Final Plat.

That SOONER ROSE LLC and BANCFIRST, do hereby dedicate all rights-of-way and easements, as shown on said Final Plat to the public for streets, fire protection, utility and/or drainage easements, for themselves, their successors and assigns, its title, forever, and have caused the same to be released from all rights, easements and encumbrances, except as noted on the Bonded Abstractor's Certificate. In witness thereof the undersigned having caused the same to be executed this ____ day of _____, 20__.

Restrictive Covenants and Restrictions regulating the development of the annexed plat may be filed separately.

SOONER ROSE LLC, an Oklahoma limited liability company

By: _____
Bob Stearns, Manager

BANCFIRST, an Oklahoma banking association

By: _____
Brian K. Renz, President

STATE OF OKLAHOMA _____ s.s.
COUNTY OF OKLAHOMA _____

Before me, the undersigned, a notary public in and for said county and state on the ____ day of _____, 20__, personally appeared Bob Stearns, as Manager, to me known to be the identical person who subscribed the name of the maker thereof to the foregoing instrument, and duly acknowledged to me that he executed the same as a free and voluntary act and deed and as the free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal the day and year last above written.

My Commission Expires: _____ NOTARY PUBLIC _____

My Commission Number: _____

STATE OF OKLAHOMA _____ s.s.
COUNTY OF OKLAHOMA _____

Before me, the undersigned, a notary public in and for said county and state on the ____ day of _____, 20__, personally appeared Brian K. Renz, as President of BANCFIRST, to me known to be the identical person who subscribed the name of the maker thereof to the foregoing instrument, and duly acknowledged to me that he executed the same as a free and voluntary act and deed and as the free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal the day and year last above written.

My Commission Expires: _____ NOTARY PUBLIC _____

My Commission Number: _____

CITY CLERK'S CERTIFICATE

I, _____, City Clerk of the City of Midwest City, Oklahoma, do hereby certify that I have examined the records of said City and find that all deferred payments on unmatured installments upon special assessments have been paid in full and that there are no special assessment procedures now pending against the land shown on the Final Plat of SOONER ROSE ADDITION, an addition to the City of Midwest City.

City Clerk

Signed by the City Clerk this ____ day of _____, 20__.

PLANNING COMMISSION'S CERTIFICATE

I, _____, Chairperson of the Planning Commission of the City of Midwest City, do hereby certify that said Planning Commission duly approved the Final Plat of SOONER ROSE ADDITION, an addition to the City of Midwest City, Oklahoma, at a meeting on the ____ day of _____, 20__.

Chairperson

COUNTY TREASURER'S CERTIFICATE

I, _____ do hereby certify that I am the duly qualified and acting County Treasurer of Oklahoma County, Oklahoma and that the tax records of said County show that all taxes for the year 2015, and prior years, are paid on the lands shown on the Final Plat of SOONER ROSE ADDITION, an addition to the City of Midwest City, Oklahoma County, Oklahoma, and that the required statutory security has been deposited in the office of the County Treasurer, guaranteeing the current years taxes.

In witness whereof, said County Treasurer has caused this instrument to be executed this ____ day of _____, 2016.

County Treasurer

ACCEPTANCE OF DEDICATION BY CITY COUNCIL

Be it resolved by the Council of the City of Midwest City, Oklahoma, the dedications shown on the Final Plat of SOONER ROSE ADDITION, an addition to the City of Midwest City, Oklahoma County, Oklahoma, are hereby accepted.

Adopted by the City Council of the City of Midwest City this ____ day of _____, 20__.

City Clerk

Mayor

BONDED ABSTRACTOR'S CERTIFICATE

The undersigned, a duly qualified and lawfully bonded abstractor of titles in and for Oklahoma County and State of Oklahoma, hereby certifies the records of said County show that the land shown on the Final Plat of SOONER ROSE ADDITION, an addition to the City of Midwest City, Oklahoma County, Oklahoma, is vested in SOONER ROSE LLC, an Oklahoma limited liability company, (as to Lots 1, 2, 4 and 5, Block 1 and street rights-of-way to be dedicated adjacent thereto) and BANCFIRST, an Oklahoma banking association, (as to Lot 3, Block 1 and street rights-of-way adjacent thereto), on the ____ day of _____, 20__, and there are no actions pending or judgments of any nature in any court or on file with the clerk of any court in said county and state against said land or owners thereof, and the taxes are paid for the year of 2015 and prior years, and there are no outstanding tax sales certificates against said land, and no tax deeds are issued to any person, and there are no liens, or other encumbrances of any kind against the land included in the Final Plat, except mortgages, rights-of-way, easements and mineral conveyances of any kind.

In witness whereof, said Bonded Abstractor has caused this instrument to be executed this ____ day of _____, 20__.

STEWART ABSTRACT & TITLE OF OKLAHOMA

By: _____
Vice President

STATE OF OKLAHOMA _____ s.s.
COUNTY OF OKLAHOMA _____

Before me, the undersigned, a notary public in and for said county and state on the ____ day of _____, 20__, personally appeared _____ as (Vice) President of Stewart Abstract & Title of Oklahoma, to me known to be the identical person who subscribed the name of the maker thereof to the foregoing instrument, and duly acknowledged to me that he executed the same as a free and voluntary act and deed and as the free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal the day and year last above written.

NOTARY PUBLIC

My Commission Expires: _____

My Commission Number: _____

PROFESSIONAL SURVEYOR'S CERTIFICATE

I, Darin L. Raibourn, do hereby certify that I am a Professional Land Surveyor in the State of Oklahoma, and the Final Plat of SOONER ROSE ADDITION, an addition to the City of Midwest City, Oklahoma County, Oklahoma, consisting of two (2) sheets, represents a survey made under my supervision on the ____ day of _____, 20__, and the monuments shown thereon exist and their positions are correctly shown, and this Survey meets the Oklahoma Minimum Standards for the Practice of Land Surveying as adopted by the Oklahoma State Board of Licensure for Professional Engineers and Land Surveyors, and that said Final Plat complies with the requirements of Title 11 Section 41-108 of the Oklahoma State Statutes.

Smith Roberts Baldischwiler, LLC
100 N.E. 5th Street
Oklahoma City, OK 73104
(405) 840-7094

Darin L. Raibourn, PLS No. 1637

STATE OF OKLAHOMA _____ s.s.
COUNTY OF OKLAHOMA _____

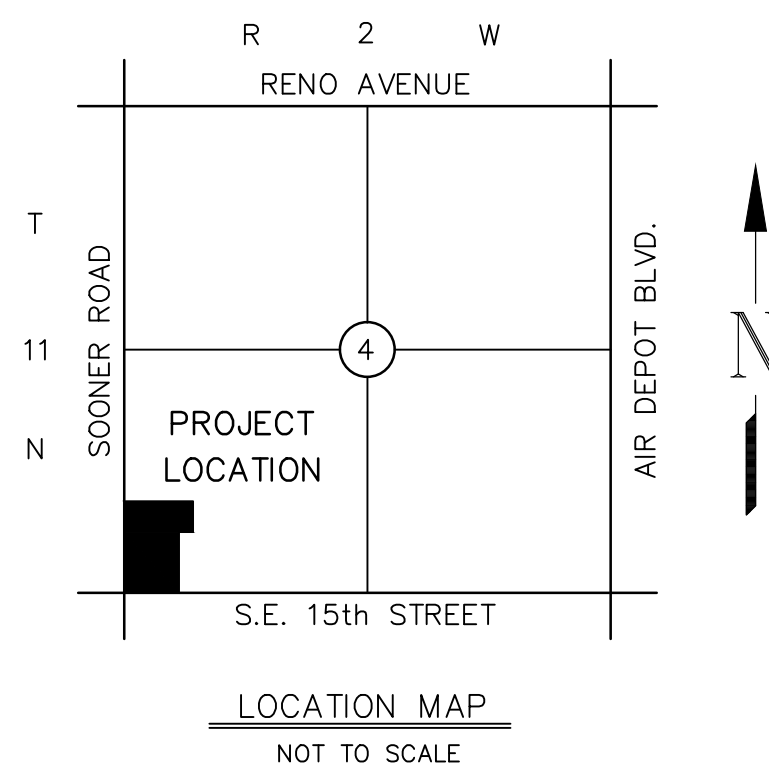
Before me, the undersigned, a notary public in and for said county and state on the ____ day of _____, 20__, personally appeared Darin L. Raibourn, to me known to be the identical person who subscribed the name of the maker thereof to the foregoing instrument, and duly acknowledged to me that he executed the same as a free and voluntary act and deed and as the free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal the day and year last above written.

NOTARY PUBLIC

My Commission Expires: _____

My Commission Number: _____



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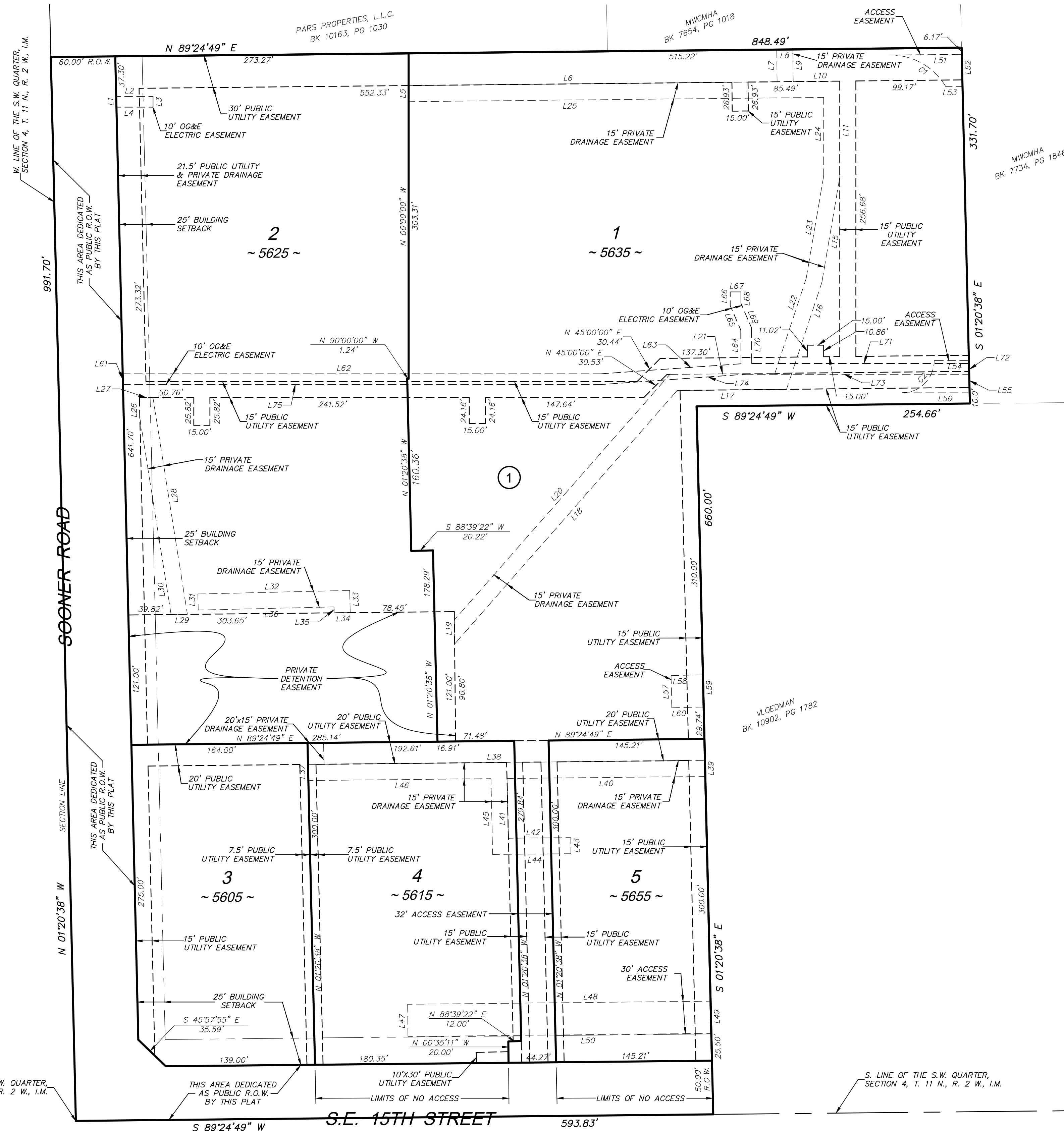
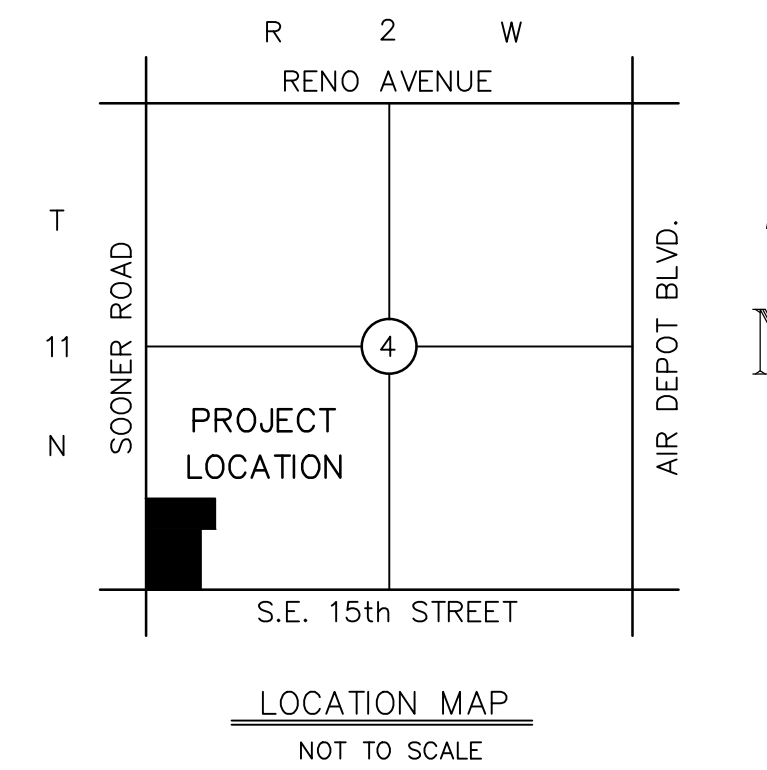
SHEET 1 OF 2

ENGINEERS SURVEYORS PLANNERS
SMITH ROBERTS BALDISCHWILER, L.L.C.
100 NORTHEAST 5th STREET - OKLAHOMA CITY, OK 73104, PH. (405) 840-7094
OKLAHOMA CERTIFICATE OF AUTHORIZATION NO. 3949 EXPIRES JUNE 30, 2017

FINAL PLAT SOONER ROSE ADDITION

AN ADDITION TO THE CITY OF MIDWEST CITY, OKLAHOMA COUNTY, OKLAHOMA

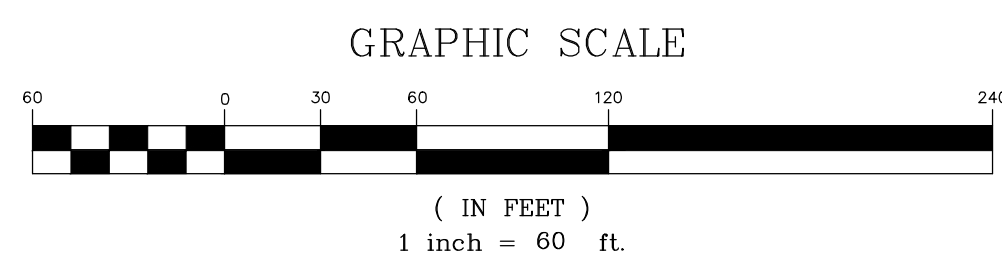
A PART OF THE SOUTHWEST QUARTER OF SECTION 4, T.11N, R.2W, I.M.
MIDWEST CITY, OKLAHOMA COUNTY, OKLAHOMA



Curve Table					
Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C1	62.83'	60.00'	60°00'00"	N 60°30'52" W	60.00'
C2	47.12'	30.00'	90°00'00"	N 45°00'00" E	42.43'

Parcel Line Table		
Line #	Direction	Length
L1	S 01°20'38" E	10.00'
L2	N 90°00'00" W	34.35'
L3	N 00°00'00" E	10.00'
L4	N 90°00'00" E	34.12'
L5	N 00°00'00" E	15.00'
L6	N 89°24'49" E	343.33'
L7	N 00°35'11" W	30.00'
L8	S 89°24'49" W	15.00'
L9	S 00°35'11" E	30.00'
L10	N 89°24'49" E	43.42'
L11	S 00°00'00" E	89.43'
L15	S 09°39'22" W	99.57'
L16	S 18°17'25" W	104.94'
L17	S 89°25'45" W	101.83'
L18	S 41°16'11" W	314.39'
L19	N 00°35'11" W	22.48'
L20	N 41°16'11" E	304.35'
L21	N 89°24'49" E	97.82'
L22	N 18°17'25" E	93.05'
L23	N 09°39'22" E	97.17'
L24	N 00°00'00" E	73.01'
L25	S 89°24'49" W	386.75'
L26	N 01°32'37" W	19.35'
L27	N 90°00'00" E	12.63'
L28	S 09°01'49" E	204.50'
L29	S 89°24'49" W	15.16'
L30	N 09°01'49" W	185.07'
L31	N 01°20'38" W	15.00'
L32	N 88°39'22" E	141.50'
L33	S 01°20'38" E	20.58'
L34	S 88°39'22" W	15.00'
L35	N 01°20'38" W	5.58'
L36	S 88°39'22" W	126.50'
L37	S 01°05'29" E	15.00'

Parcel Line Table		
Line #	Direction	Length
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L41	N 01°20'38" W	55.69'
L42	S 89°24'49" W	58.10'
L43	N 00°35'11" W	15.00'
L44	N 89°24'49" E	72.91'
L45	S 01°20'38" E	70.69'
L46	N 89°24'49" E	170.18'
L47	N 00°35'11" W	30.00'
L48	N 89°24'49" E	282.21'
L49	S 01°20'38" E	30.00'
L50	S 89°24'49" W	282.61'
L51	S 89°29'08" W	67.04'
L52	S 01°20'38" E	30.00'
L53	S 89°29'08" W	15.51'
L54	N 90°00'00" W	32.30'
L55	S 01°20'38" E	30.01'
L56	N 90°00'00" W	63.00'
L57	N 01°20'38" W	30.00'
L58	S 88°39'22" W	29.67'
L59	S 01°20'38" E	30.00'
L60	S 88°39'22" W	29.67'
L61	S 01°20'38" E	10.00'
L62	N 90°00'00" E	445.25'
L63	N 85°54'46" E	131.14'
L64	N 00°24'02" W	31.39'
L65	N 23°19'26" W	24.98'
L66	N 00°00'00" E	12.70'
L67	N 90°00'00" E	10.00'
L68	N 00°00'00" E	10.64'
L69	N 23°19'26" W	24.94'
L70	N 00°24'02" W	33.14'
L71	N 90°00'00" E	202.36'
L72	N 01°20'38" W	10.00'
L73	N 90°00'00" E	207.39'
L74	N 85°54'46" E	136.00'
L75	N 90°00'00" E	445.37'



S.W. CORNER, S.W. QUARTER,
SECTION 4, T. 11 N., R. 2 W., I.M.

SHEET 2 OF 2

ENGINEERS SURVEYORS PLANNERS
SMITH ROBERTS BALDISCHWILER, L.L.C.
100 NORTHEAST 5TH STREET - OKLAHOMA CITY, OK 73104, PH. (405) 840-7094
OKLAHOMA CERTIFICATE OF AUTHORIZATION NO. 3949 EXPIRES JUNE 30, 2017

FINAL PLAT SOONER ROSE ADDITION

AN ADDITION TO THE CITY OF MIDWEST CITY, OKLAHOMA COUNTY, OKLAHOMA

A PART OF THE SOUTHWEST QUARTER OF SECTION 4, T11N, R2W, I.M.
MIDWEST CITY, OKLAHOMA COUNTY, OKLAHOMA

LEGAL DESCRIPTION

A tract of land lying in the Southwest Quarter (SW/4) of Section Four (4), Township Eleven (11) North, Range Two (2) West of the Indian Meridian, City of Midwest City, Oklahoma County, Oklahoma, and being more particularly described as follows:

BEGINNING at the southwest corner of the said Southwest Quarter of Section 4;

THENCE North 01°20'38" West, along the west line of said Southwest Quarter, a distance of 991.70 feet;

THENCE North 89°24'49" East, parallel with the south line of said Southwest Quarter, a distance of 848.49 feet;

THENCE South 01°20'38" East, parallel with the west line of said Southwest Quarter, a distance of 331.70 feet;

THENCE South 89°24'49" West, parallel with the south line of said Southwest Quarter, a distance of 254.66 feet;

THENCE South 01°20'38" East, parallel with the west line of said Southwest Quarter, a distance of 660.00 feet to a point on the south line of said Southwest Quarter;

THENCE South 89°24'49" West, along said south line, a distance of 593.83 feet to the POINT OF BEGINNING.

Said tract of land containing 673,313 square feet or 15.4571 acres more or less.

OWNER'S CERTIFICATE AND DEDICATION

KNOW ALL MEN BY THESE PRESENTS:

That, SOONER ROSE LLC, an Oklahoma limited liability company, as to Lots 1, 2, 4 and 5 of Block 1 and rights-of-way to be dedicated adjacent thereto, and BANCFIRST, an Oklahoma banking association, as to Lot 3 of Block 1 and the rights-of-way to be dedicated adjacent thereto, hereby certifies that they are the owners of, and the only persons, firms, corporations or entities having any right, title or interest in and to the land shown on the annexed Final Plat of SOONER ROSE ADDITION, an addition to the City of Midwest City, Oklahoma County, Oklahoma, and they have caused the same to be platted into lots, blocks, streets and easements as shown on said Final Plat.

That SOONER ROSE LLC and BANCFIRST, do hereby dedicate all rights-of-way and easements, as shown on said Final Plat to the public for streets, fire protection, utility and/or drainage easements, for themselves, their successors and assigns, its title, forever, and have caused the same to be released from all rights, easements and encumbrances, except as noted on the Bonded Abstractor's Certificate. In witness thereof the undersigned having caused the same to be executed this 22nd day of September, 2016.

Restrictive Covenants and Restrictions regulating the development of the annexed plat may be filed separately.

SOONER ROSE LLC, an Oklahoma limited liability company

By: Bob Stearns
Bob Stearns, Manager

BANCFIRST, an Oklahoma banking association

By: Brian K. Renz
Brian K. Renz, President

STATE OF OKLAHOMA s.s.
COUNTY OF OKLAHOMA

Before me, the undersigned, a notary public in and for said county and state on the 22nd day of September, 2016, personally appeared Bob Stearns, as Manager, to me known to be the identical person who subscribed the name of the maker thereof to the foregoing instrument, and duly acknowledged to me that he executed the same as a free and voluntary act and deed and as the free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal the day and year last above written.

My Commission Expires: 1/14/2019
My Commission Number: 11006444

STATE OF OKLAHOMA s.s.
COUNTY OF OKLAHOMA

Before me, the undersigned, a notary public in and for said county and state on the 23rd day of September, 2016, personally appeared Brian K. Renz, as President of BANCFIRST, to me known to be the identical person who subscribed the name of the maker thereof to the foregoing instrument, and duly acknowledged to me that he executed the same as a free and voluntary act and deed and as the free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal the day and year last above written.

My Commission Expires: 2-19-19
My Commission Number: 03002998

CITY CLERK'S CERTIFICATE

I, _____, City Clerk of the City of Midwest City, Oklahoma, do hereby certify that I have examined the records of said City and find that all deferred payments on unmatured installments upon special assessments have been paid in full and that there are no special assessment procedures now pending against the land shown on the Final Plat of SOONER ROSE ADDITION, an addition to the City of Midwest City.

Signed by the City Clerk this _____ day of _____, 20____.

PLANNING COMMISSION'S CERTIFICATE

I, _____, Chairperson of the Planning Commission of the City of Midwest City, do hereby certify that said Planning Commission duly approved the Final Plat of SOONER ROSE ADDITION, an addition to the City of Midwest City, Oklahoma, at a meeting on the _____ day of _____, 20____.

COUNTY TREASURER'S CERTIFICATE

I, _____, do hereby certify that I am the duly qualified and acting County Treasurer of Oklahoma County, Oklahoma and that the tax records of said County show that all taxes for the year 2015, and prior years, are paid on the lands shown on the Final Plat of SOONER ROSE ADDITION, an addition to the City of Midwest City, Oklahoma County, Oklahoma, and that the required statutory security has been deposited in the office of the County Treasurer, guaranteeing the current years taxes.

In witness whereof, said County Treasurer has caused this instrument to be executed this _____ day of _____, 2016.

ACCEPTANCE OF DEDICATION BY CITY COUNCIL

Be it resolved by the Council of the City of Midwest City, Oklahoma, the dedications shown on the Final Plat of SOONER ROSE ADDITION, an addition to the City of Midwest City, Oklahoma County, Oklahoma, are hereby accepted.

Adopted by the City Council of the City of Midwest City this _____ day of _____, 20____.

City Clerk Mayor

BONDED ABSTRACTOR'S CERTIFICATE

The undersigned, a duly qualified and lawfully bonded abstractor of titles in and for Oklahoma County and State of Oklahoma, hereby certifies the records of said County show that the land shown on the Final Plat of SOONER ROSE ADDITION, an addition to the City of Midwest City, Oklahoma County, Oklahoma, is vested in SOONER ROSE LLC, an Oklahoma limited liability company, (as to Lots 1, 2, 4 and 5, Block 1 and street rights-of-way to be dedicated adjacent thereto) and BANCFIRST, an Oklahoma banking association, (as to Lot 3, Block 1 and street rights-of-way adjacent thereto), on the _____ day of _____, 20____, and there are no actions pending or judgments of any nature in any court or on file with the clerk of any court in said county and state against said land or owners thereof, and the taxes are paid for the year of 2015 and prior years, and there are no outstanding tax sales certificates against said land, and no tax deeds are issued to any person, and there are no liens, or other encumbrances of any kind against the land included in the Final Plat, except mortgages, rights-of-way, easements and mineral conveyances of record.

In witness whereof, said Bonded Abstractor has caused this instrument to be executed this _____ day of _____, 20____.

STEWART ABSTRACT & TITLE OF OKLAHOMA

By: _____
Vice President

STATE OF OKLAHOMA s.s.
COUNTY OF OKLAHOMA

Before me, the undersigned, a notary public in and for said county and state on the _____ day of _____, 20____, personally appeared _____, as (Vice) President of Stewart Abstract & Title of Oklahoma, to me known to be the identical person who subscribed the name of the maker thereof to the foregoing instrument, and duly acknowledged to me that he executed the same as a free and voluntary act and deed and as the free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal the day and year last above written.

My Commission Expires: _____ NOTARY PUBLIC
My Commission Number: _____

PROFESSIONAL SURVEYOR'S CERTIFICATE

I, Darin L. Raibourn, do hereby certify that I am a Professional Land Surveyor in the State of Oklahoma, and the Final Plat of SOONER ROSE ADDITION, an addition to the City of Midwest City, Oklahoma County, Oklahoma, consisting of two (2) sheets, represents a survey made under my supervision on the 16th day of SEPTEMBER, 2016, and the monuments shown thereon exist and their positions are correctly shown, and this Survey meets the Oklahoma Minimum Standards for the Practice of Land Surveying as adopted by the Oklahoma State Board of Licensure for Professional Engineers and Land Surveyors, and that said Final Plat complies with the requirements of Title 11 Section 41-108 of the Oklahoma State Statutes.

Smith Roberts Baldischwiler, LLC
100 N.E. 5th Street
Oklahoma City, OK 73104
(405) 840-7094

Darin L. Raibourn
Darin L. Raibourn, PLS No. 1637

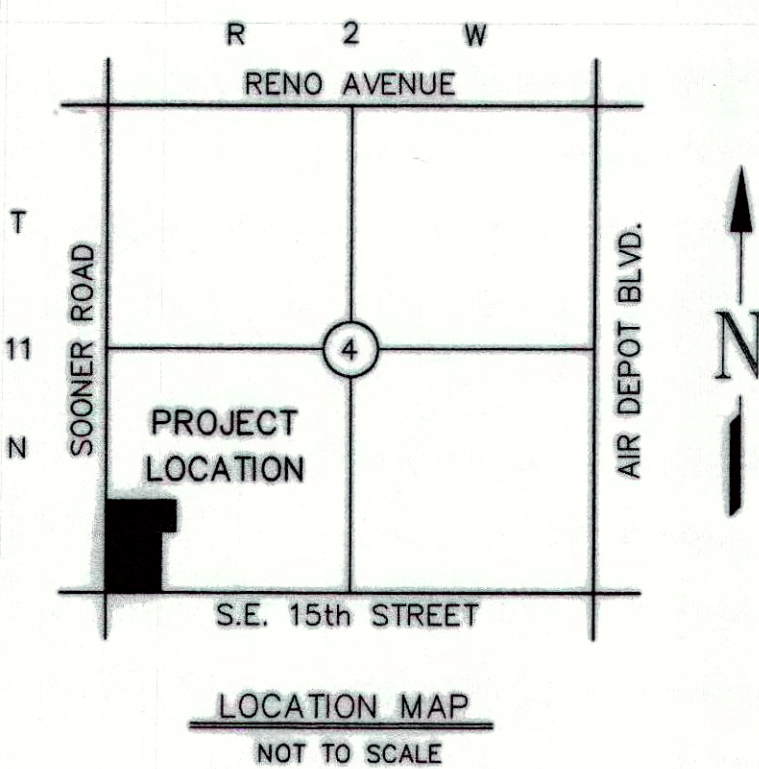
STATE OF OKLAHOMA s.s.
COUNTY OF OKLAHOMA

Before me, the undersigned, a notary public in and for said county and state on the 16th day of SEPTEMBER, 2016, personally appeared Darin L. Raibourn, to me known to be the identical person who subscribed the name of the maker thereof to the foregoing instrument, and duly acknowledged to me that he executed the same as a free and voluntary act and deed and as the free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal the day and year last above written.

My Commission Expires: 2/16/20
My Commission Number: 12001515

Carissa Palmer
NOTARY PUBLIC



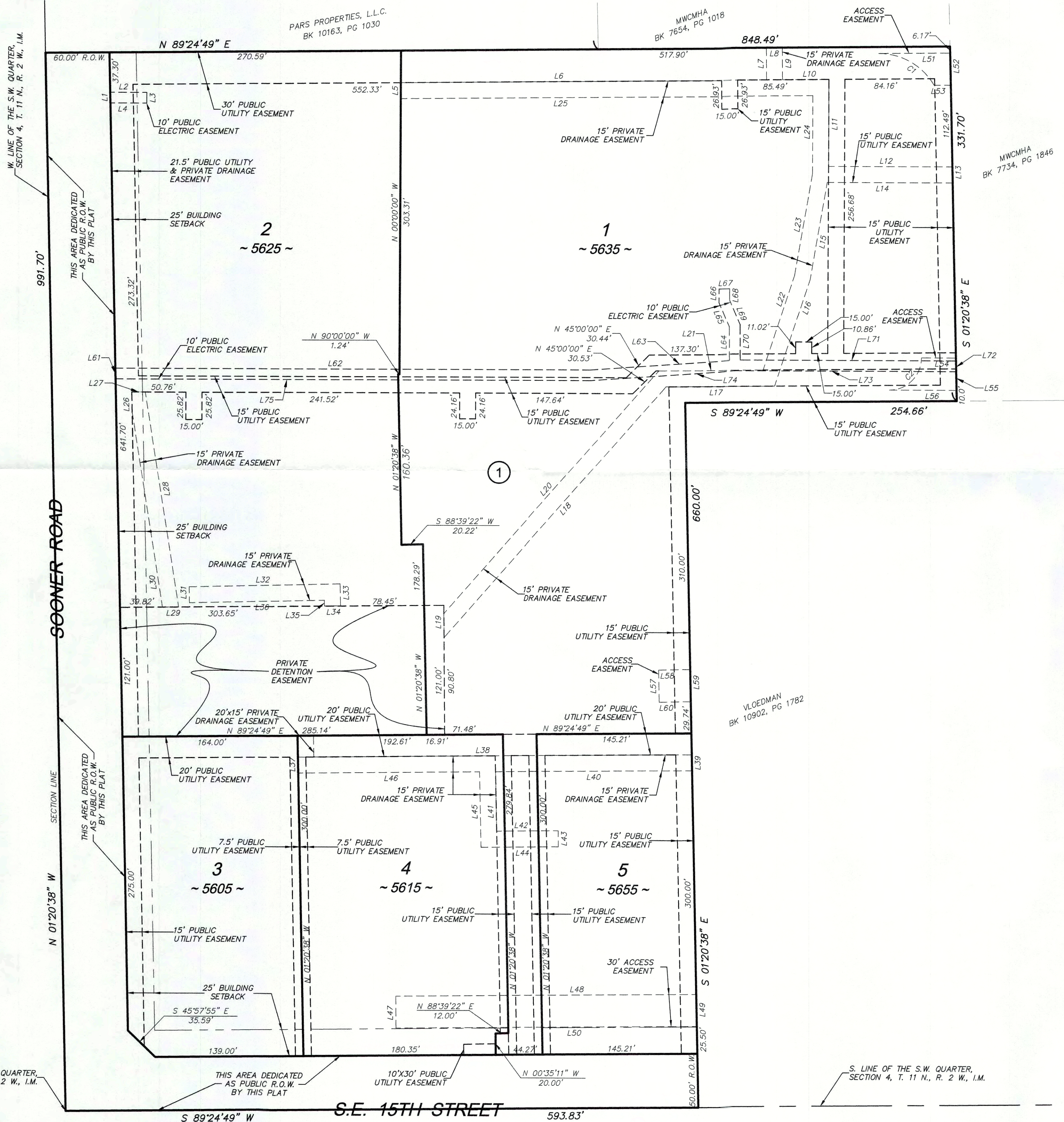
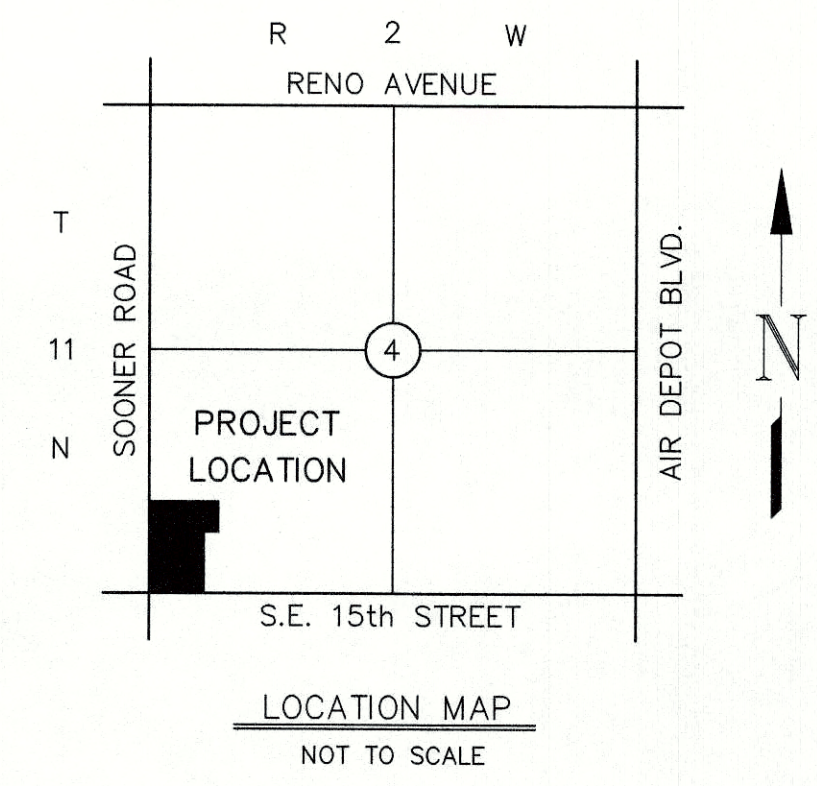
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SHEET 1 OF 2

ENGINEERS SURVEYORS PLANNERS
SMITH ROBERTS BALDISCHWILER, L.L.C.
100 NORTHEAST 5th STREET - OKLAHOMA CITY, OK 73104, PH. (405) 840-7094
OKLAHOMA CERTIFICATE OF AUTHORIZATION NO. 3949 EXPIRES JUNE 30, 2017

FINAL PLAT SOONER ROSE ADDITION

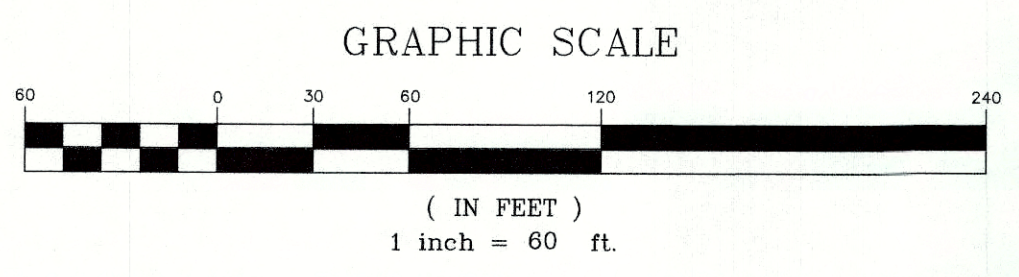
AN ADDITION TO THE CITY OF MIDWEST CITY, OKLAHOMA COUNTY, OKLAHOMA
A PART OF THE SOUTHWEST QUARTER OF SECTION 4, T.11N, R.2W, I.M.
MIDWEST CITY, OKLAHOMA COUNTY, OKLAHOMA



Curve Table					
Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C1	62.83'	60.00'	60°00'00"	N 60°30'52" W	60.00'
C2	47.12'	30.00'	90°00'00"	N 45°00'00" E	42.43'

Parcel Line Table		
Line #	Direction	Length
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L4	N 90°00'00" E	34.12'
L5	N 00°00'00" E	303.31'
L6	N 89°24'49" E	343.33'
L7	N 00°35'11" W	30.00'
L8	S 89°24'49" W	763.48'
L9	S 00°35'11" E	30.00'
L10	N 89°24'49" E	43.42'
L11	S 00°00'00" E	81.29'
L12	N 90°00'00" E	116.10'
L13	S 01°20'38" E	15.00'
L14	N 90°00'00" W	117.62'
L15	S 09°39'22" W	92.60'
L16	S 18°17'25" W	104.94'
L17	S 89°25'45" W	101.83'
L18	S 41°16'11" W	314.39'
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L20	N 41°16'11" E	304.35'
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L29	S 89°24'49" W	15.16'
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L60	S 88°39'22" W	29.67'
L61	S 01°20'38" E	10.00'
L62	N 90°00'00" E	445.25'
L63	N 85°54'46" E	131.14'
L64	N 00°24'02" W	31.39'
L65	N 23°19'26" W	24.98'
L66	N 00°00'00" E	12.70'
L67	N 90°00'00" E	10.00'
L68	N 00°00'00" E	10.64'
L69	N 23°19'26" W	24.94'
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L71	N 90°00'00" E	202.36'
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L73	N 90°00'00" E	207.39'
L74	N 85°54'46" E	136.00'
L75	N 90°00'00" E	445.37'



S.W. CORNER, S.W. QUARTER, SECTION 4, T. 11 N., R. 2 W., I.M.

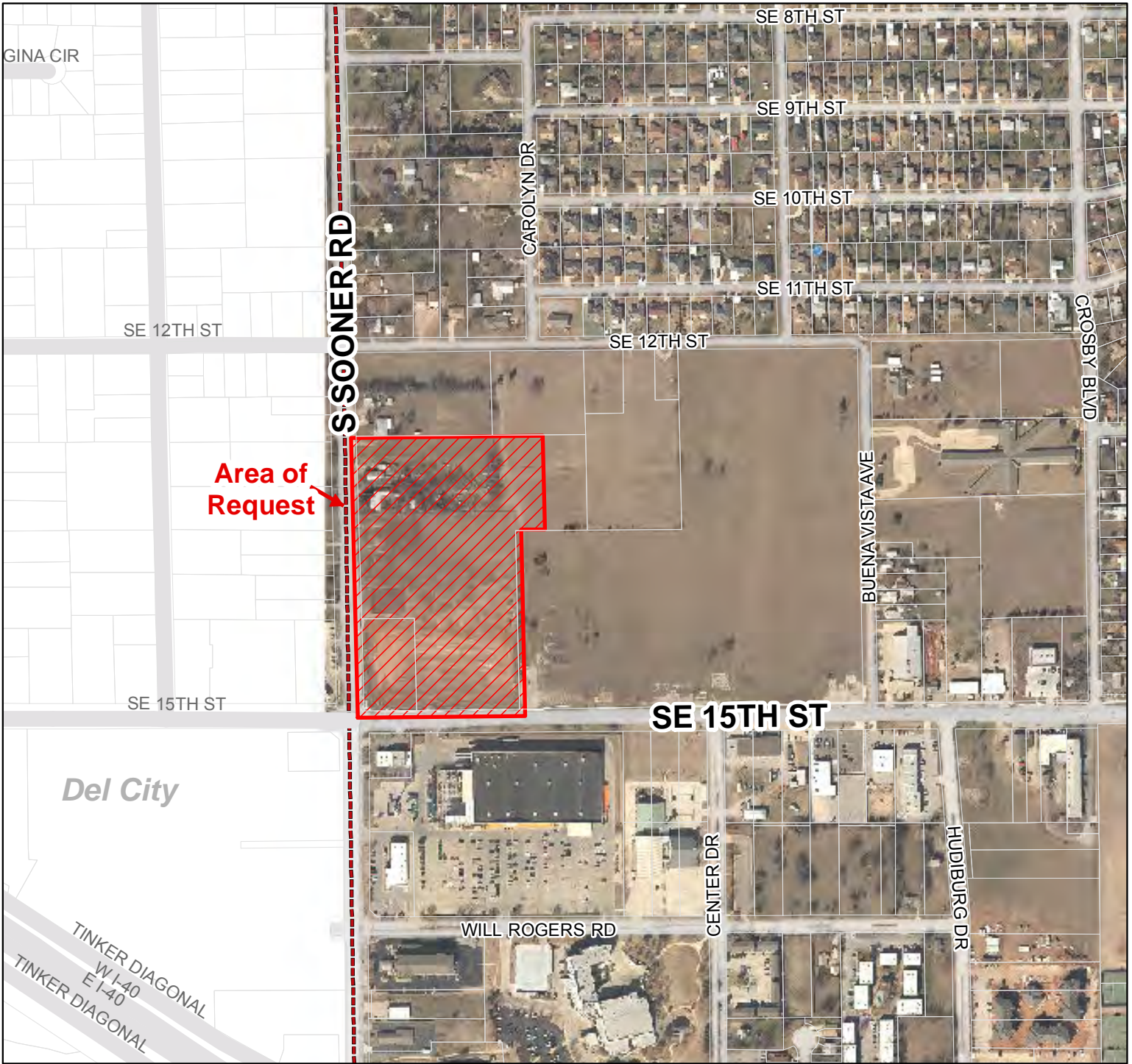
THIS AREA DEDICATED AS PUBLIC R.O.W. BY THIS PLAT

S.E. 15TH STREET

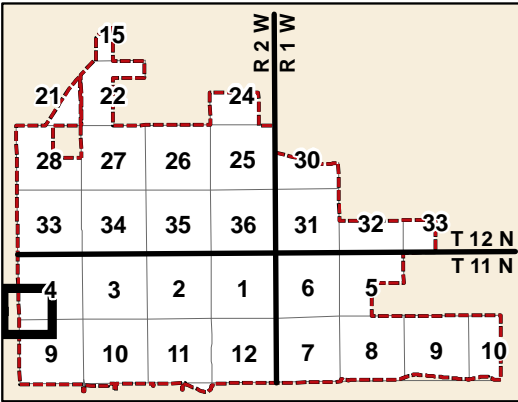
S. LINE OF THE S.W. QUARTER, SECTION 4, T. 11 N., R. 2 W., I.M.

SHEET 2 OF 2

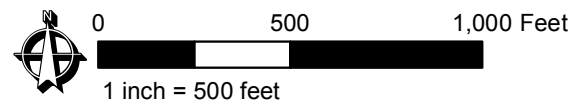
ENGINEERS SURVEYORS PLANNERS
SMITH ROBERTS BALDISCHWILER, L.L.C.
100 NORTHEAST 5th STREET - OKLAHOMA CITY, OK 73104, PH. (405) 840-7094
OKLAHOMA CERTIFICATE OF AUTHORIZATION NO. 3949 EXPIRES JUNE 30, 2017



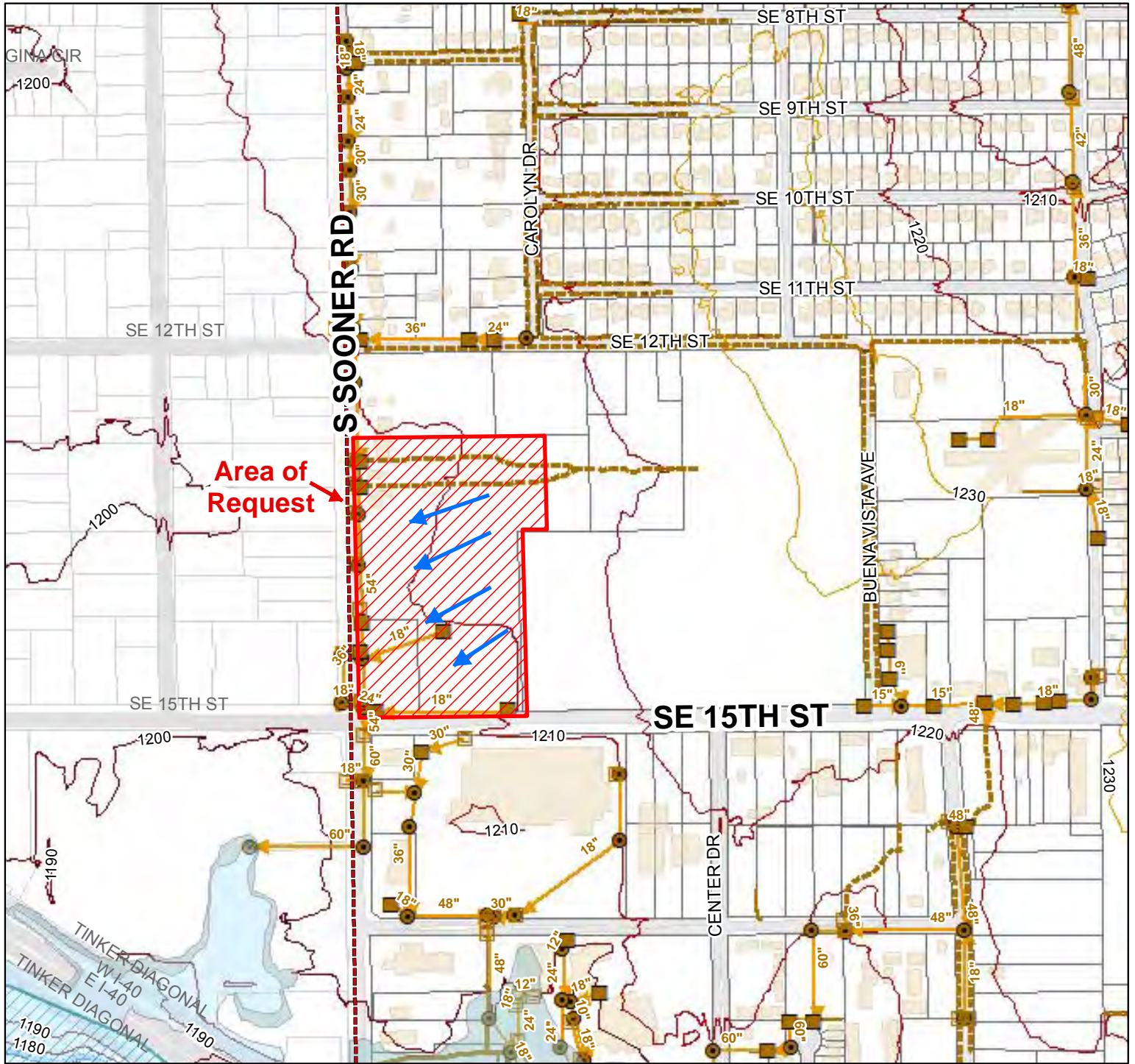
Locator Map



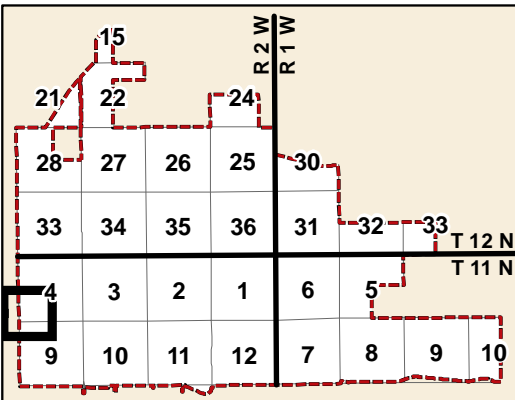
**2015 DOP (AERIAL) VIEW FOR
PC-1885
(SW/4, Sec. 4, T11N, R2W)**



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Locator Map



- Drainage Legend**
- Curb Inlets
 - Inlets
 - Junction Box
 - Culverts
 - Flumes
 - Developed Channels
 - Trickle Channels
 - Undeveloped Channels
 - Storm Lines
 - Creeks
- ELEVATION**
- 1166-1204 ft
 - 1204-1228 ft
 - 1228-1250 ft
 - 1250-1278 ft
 - 1278-1324 ft

2009 FEMA Floodplains

- 500-yr floodplain
- 100-yr floodplain
- 2009 FEMA Floodway

DRAINAGE LOCATION MAP FOR PC-1885

(SW/4, Sec. 4, T11N, R2W)

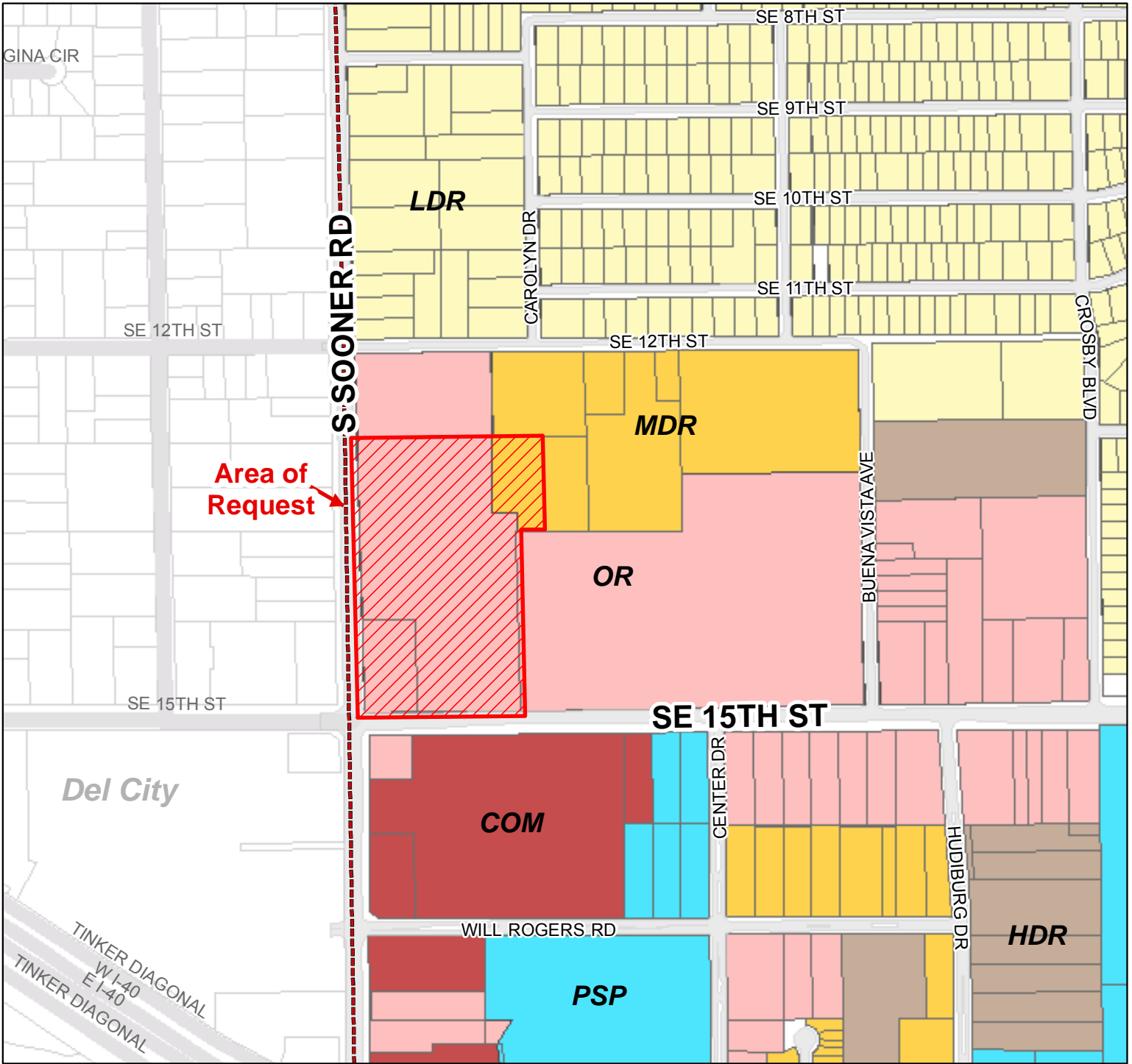


0 500 1,000 Feet

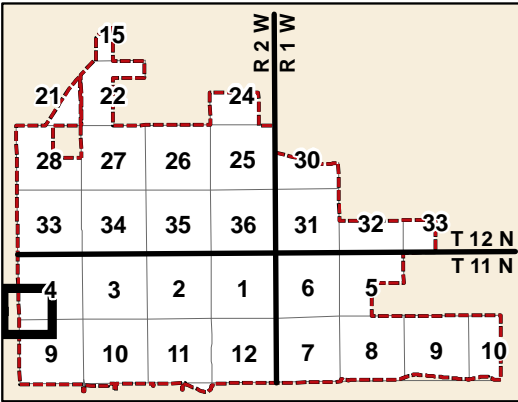


1 inch = 500 feet











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Locator Map



Future Land Use Legend

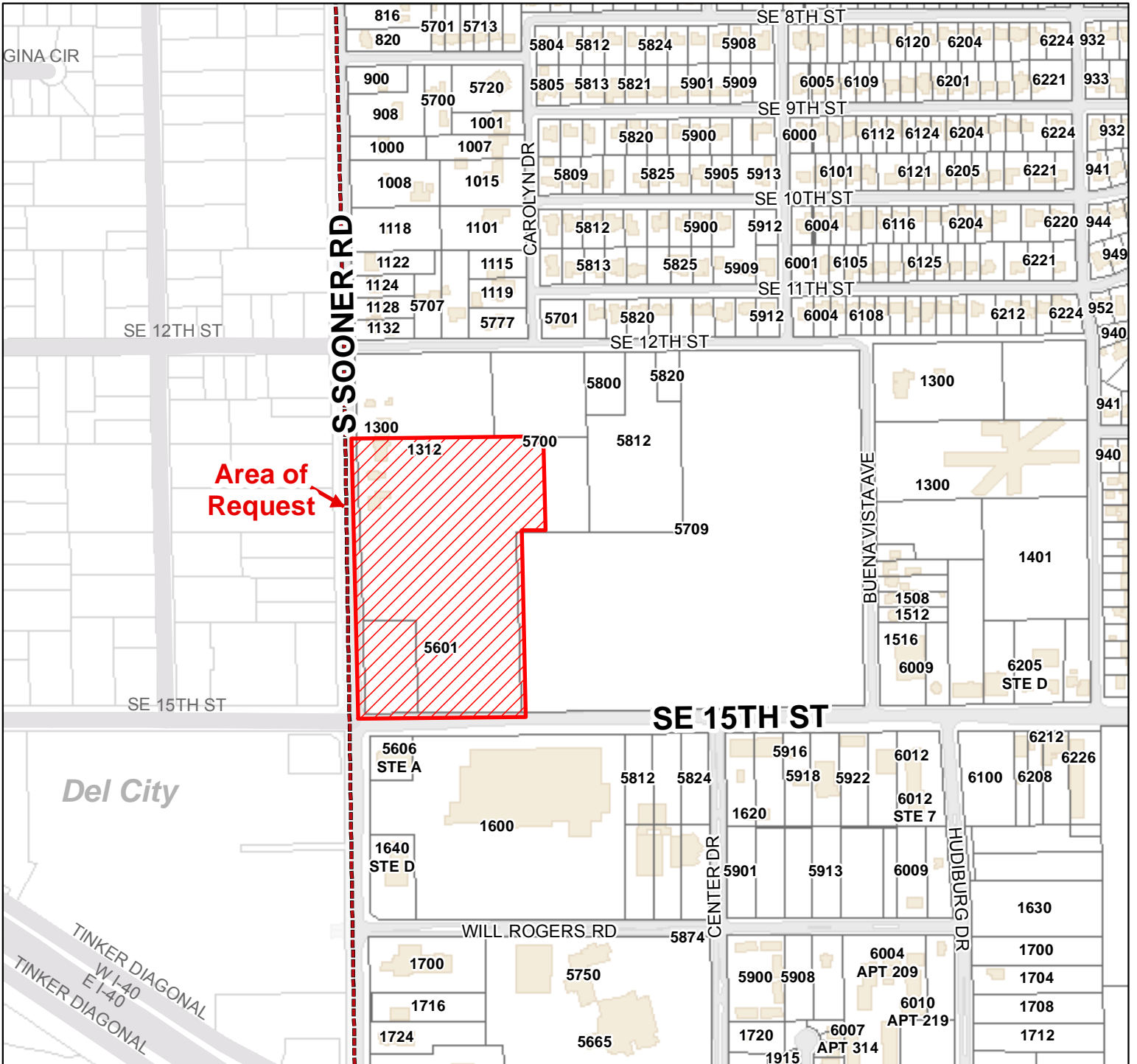
-  Single-Family Detached Residential
-  Medium Density Residential
-  High Density Residential
-  Manufactured Home
-  Public/Semi-Public
-  Parks/Open Space
-  Office/Retail
-  Commercial
-  Industrial
-  Town Center

**FUTURE LAND USE
MAP FOR
PC-1885**

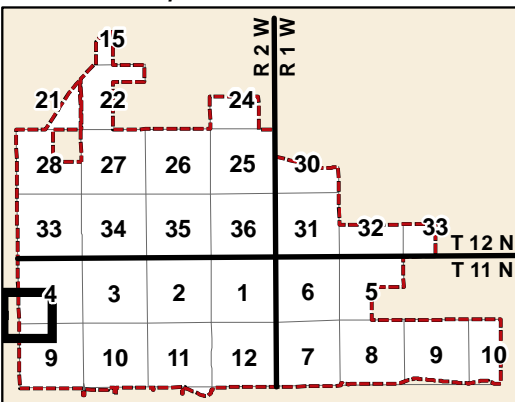
(SW/4, Sec. 4, T11N, R2W)








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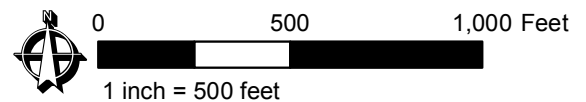
Locator Map



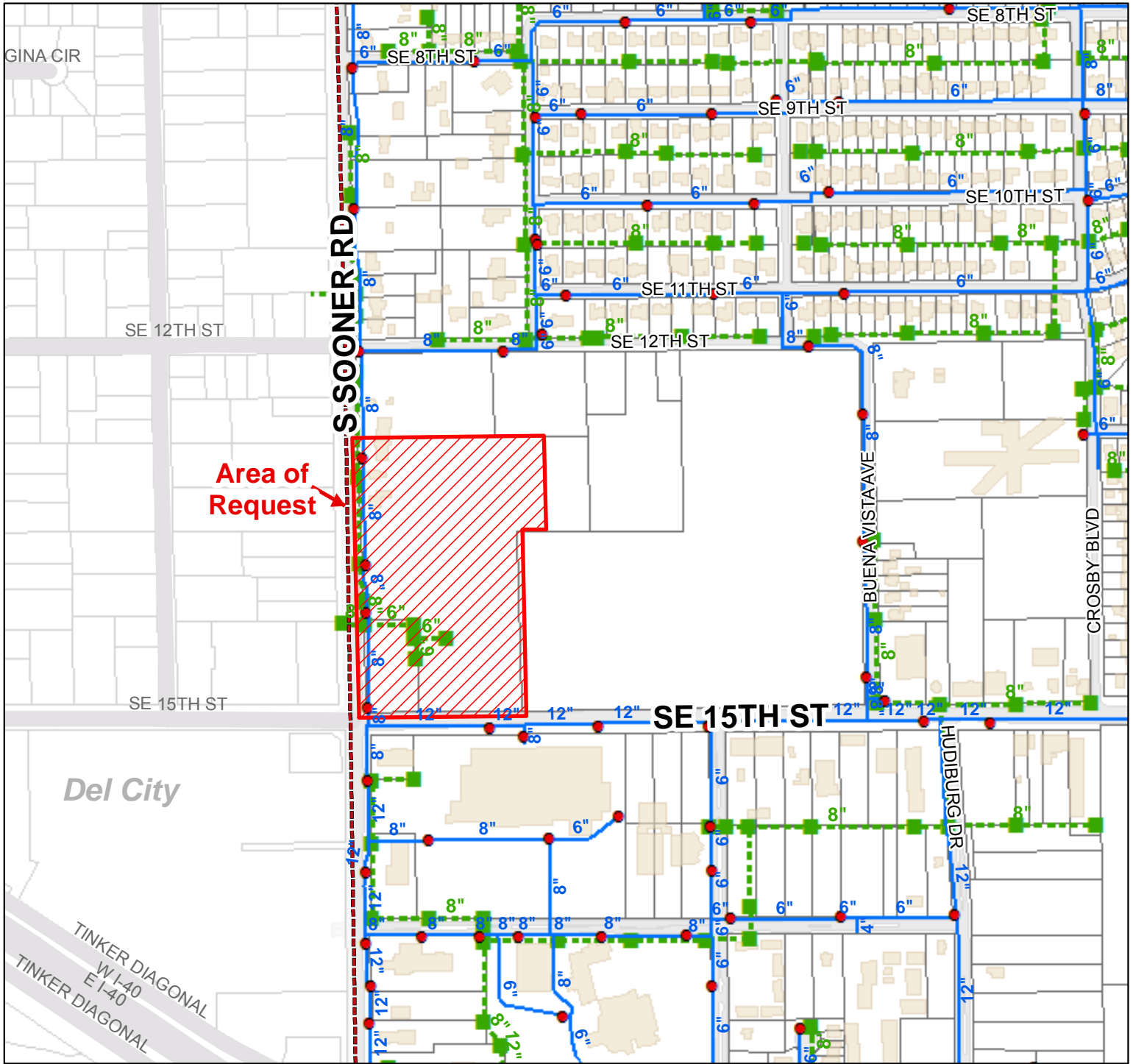
General Map Legend

-  Area of Request
-  Parcels with Addresses
-  Buildings
-  Edge of Pavement
-  MWC City Limits

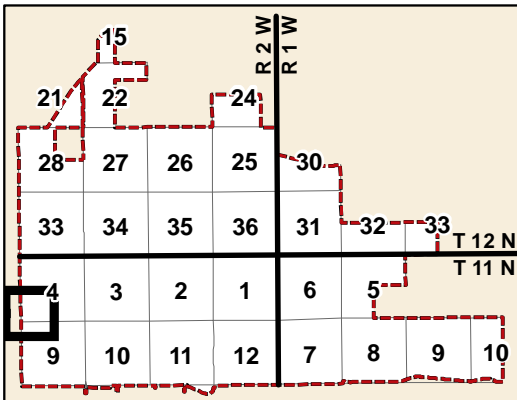
**GENERAL MAP FOR
PC-1885
(SW/4, Sec. 4, T11N, R2W)**



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Locator Map



Water/Sewer Legend

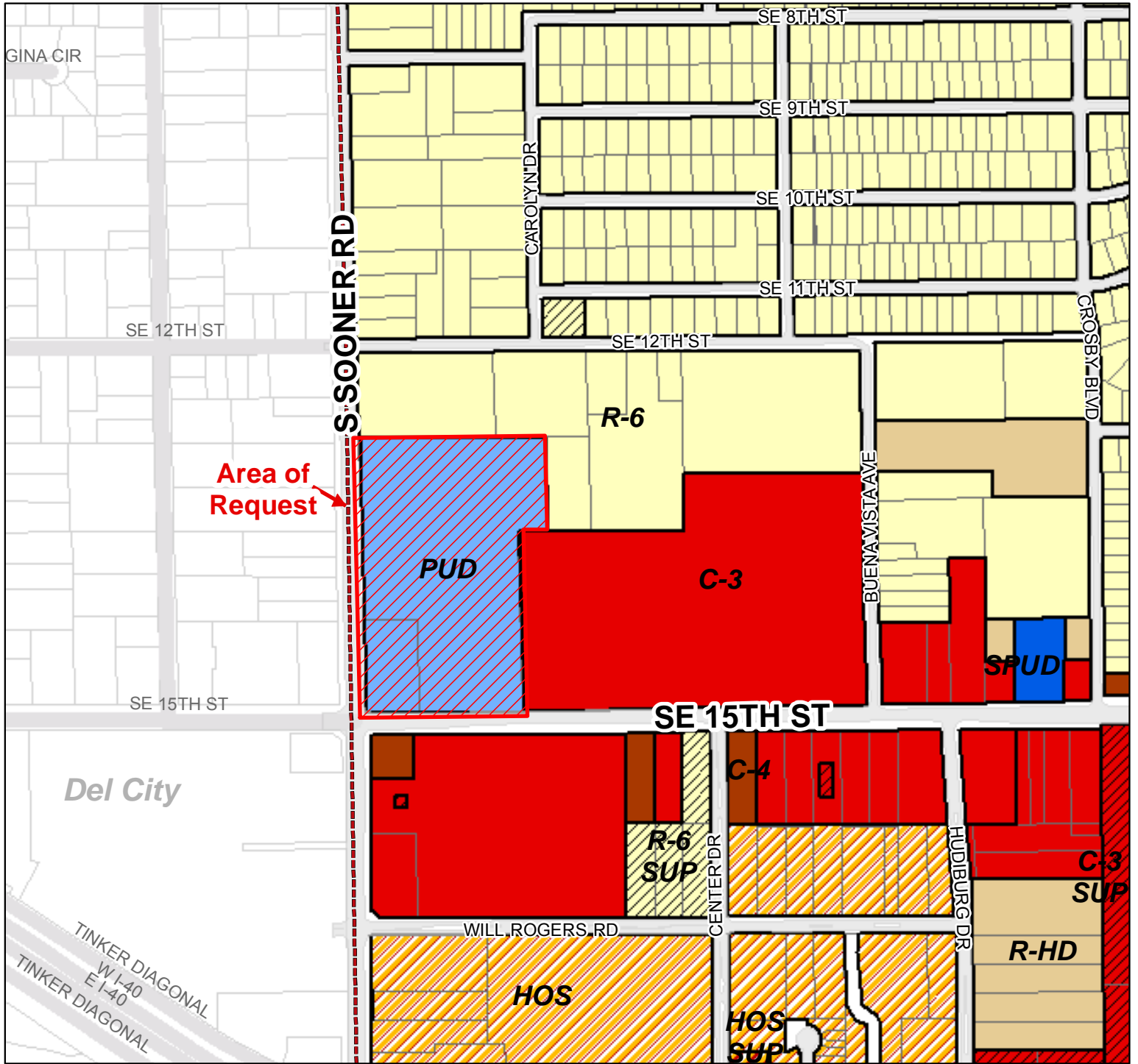
- Fire Hydrants
- Water Lines
 - Distribution
 - Well
 - - - OKC Cross Country
 - - - Sooner Utilities
 - - - Thunderbird
 - - - Unknown
- Sewer Manholes
- - - Sewer Lines

WATER/SEWER LINE LOCATION MAP FOR PC-1885

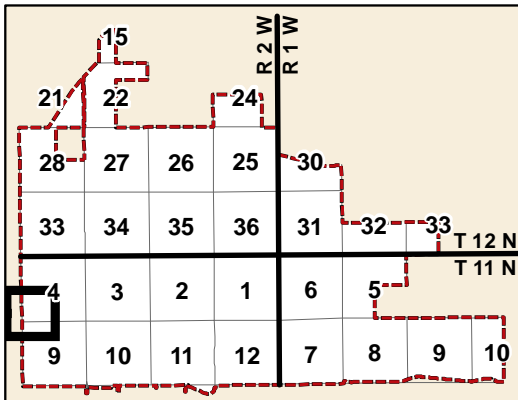
(SW/4, Sec. 4, T11N, R2W)



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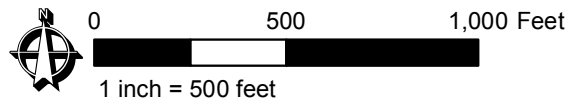
Locator Map



Current Zoning Legend

A-1	I-3	R-2F
A-1 SUP	O-1	R-MD
C-1	O-1 SUP	R-MD SUP
C-1 SUP	O-2	R-HD
C-2	O-2 SUP	R-HD SUP
C-3	R-6	R-MH-1
C-3 SUP	R-6 SUP	R-MH-2
C-4	R-8	PUD
I-1	R-10	SPUD
I-2	R-22	HOS
I-2 SUP	R-35	HOS SUP

ZONING MAP FOR
PC-1885
(SW/4, Sec. 4, T11N, R2W)



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The City of
MIDWEST CITY
COMMUNITY DEVELOPMENT DEPARTMENT

Billy Harless, Community Development Director

ENGINEERING DIVISION
Patrick Menefee, City Engineer
CURRENT PLANNING DIVISION
Kellie Gilles, Manager
COMPREHENSIVE PLANNING
Julie Shannon, Comprehensive Planner
BUILDING INSPECTION DIVISION
Charles Belk, Building Official
GIS DIVISION
Kathy Spivey, GIS Coordinator

To: Honorable Mayor and City Council

From: Billy Harless, Community Development Director

Date: November 22, 2016

Subject: (PC-1886) Public hearing with discussion and consideration of an ordinance to redistrict from R6, Single Family Detached Residential to A-1, Agricultural, for the property described as a part of the NW/4 of Section 33 T-12-N, R-2-W, located at the southeast corner of NE 10th St. and N. Sooner Rd.

Dates of Hearing: Planning Commission – November 1, 2016
City Council - November 22, 2016

Owner: Dolese Bros. Co.

Proposed Use: Sand mining

Size:

The area of request has a frontage of approximately 520' along NE 10th Street and a depth of approximately 1870' along N. Sooner Rd. for an area of approximately 20 acres, more or less.

Development Proposed by Comprehensive Plan:

Area of Request – Parks/Open Space (POS)

South and East – Parks/Open Space (POS)

North – Industrial (IND)

West – Del City

Zoning Districts:

Area of Request – R6, Single Family Residential Detached

North and South – R6, Single Family Residential Detached

East – A-1, Agriculture

West – Del City

Land Use:

Area of Request – Sod Farm
North and South – Vacant land
East – Sod Farm
West – Dolese Bros. Sand Mining Plant

Municipal Code Citation:

2.2, A-1, Agricultural District

2.2.1. General Description

The purpose of this district is to permit agricultural uses. Also, low intensity residential, commercial and institutional uses are permitted within this district.

History:

1. This property has been zoned Single Family Detached Residential since the adoption of the 1985 zoning code.
2. Nov. 1, 2016 – The Planning Commission recommended approval of this item.

Staff Comments:

Engineer's report:

Note: This application is a request to rezone a portion of a property that meets current engineering requirements. No new engineering improvements are required with this application.

Water Supply and Distribution

A twelve (12) inch public water main is located on the east side of Sooner Road in the street right-of-way adjacent to the west side of the area of request.

Extension of the water supply to serve this property is not required as outlined in Municipal Code 43-32.

Connection to the public water supply system for domestic service is a building permit requirement per Municipal Code 43-32 for any new building applications.

Sanitary Sewerage Collection and Disposal

A thirty six (36) inch public sewer main is located on the south side of the area of request in a dedicated twenty foot (20) sewer easement.

Public sanitary sewer line improvements are not required with this application.

Connection to the public sanitary sewer system for service is a building permit requirement per Municipal Code 43-109 for any new building applications.

Streets and Sidewalks

Access to the area of request is available from Sooner Road and N.E. 10th Street. Sooner Road is classified as a primary arterial road in the 2008 Comprehensive Plan. Sooner Road is a four (4) lane, 52-foot wide, curbed, asphalt concrete roadway.

Current code requires a total street right-of-way width of one hundred twenty feet (120) adjacent to the area of request and presently, Sooner Road has one hundred twenty feet (120) of right-of-way adjacent to and parallel to the west side of the area of request. N.E. 10th Street is classified as a secondary arterial road in the 2008 Comprehensive Plan.

N.E. 10th Street is a four (4) lane, 52-foot wide, curbed, asphalt concrete roadway. Current code requires a total street right-of-way width of one hundred feet (100) adjacent to the area of request and presently, N.E. 10th Street has one hundred feet (100) of right-of-way adjacent to and parallel to the north side of the area of request.

Street improvements are not required with this application.

Sidewalk is not required with this application.

Drainage and Flood Control, Wetlands and Sediment Control

Drainage for the area of request is provided by Crutch Creek located along the south east side of the area of request. Currently, the area of request is developed with the Crutch Creek sod farm.

The area of request is affected by flood zone AE (the 100-year floodplain) as shown on the effective Flood Insurance Rate Map (FIRM) number 40109C0310H, dated December 12, 2009. All land disturbance activities in the area of request are required to meet both local and FEMA requirements concerning floodplain development, including acquiring all necessary permits.

Drainage improvements are not required with this application.

Detention improvements are not required with this application.

No identified wetlands are located on or abutting the area of request as shown on the Choctaw quadrangle of the 1989 National Wetlands Inventory map as prepared by the United States Department of the Interior Fish and Wildlife Service.

All future development on the proposed tracts must conform to the applicable requirements of Municipal Code Chapter 13, "Drainage and Flood Control."

Resolution 84-20 requires that developers install and maintain sediment and/or erosion controls in conjunction with their construction activities. Any proposed development must conform to the applicable requirements of Municipal Code Chapter 43, "Erosion Control." Sediment control plans must be submitted to and approved by the city before any land disturbance is done on-site. The developer is responsible for the cleanup of sediment and other debris from drainage pipes, ditches, streets and abutting properties as a result of his activities.

Easements and Right-of-Way

No additional rights-of-way and/or easements are required with this application.

Fire Marshal's report:

The Fire Marshal has reviewed this application under Chapter 15 of the Municipal Code. If fuel storage tanks will be placed on the site, permits will be required.

Plan Review Comments:

The applicant is requesting to rezone the property described within to A-1, Agricultural in order to operate a sand mining plant. The Zoning Ordinance identifies this use as Mining and Processing: Minerals and Raw Materials. Typical uses in this category are borrow pits, sandpits and mines. The use of Mining and Processing: Minerals and Raw Materials is only allowed in Agriculture and Heavy Industrial Zoning Districts by Special Use Permit. This application is to rezone the R-6, Single Family Residential portion of the site that Dolese plans to mine. The remaining area of the proposed mine site is already zoned A-1.

The item following this one is an application by the same applicant for a Special Use Permit to allow mining and processing.

Over the last year, the applicant has met with various staff members including the City Manager, Community Development Director, Economic Development Director, Public Works Director and several members of the City Council to ensure a full understanding of Dolese's plans for the site. The applicant has taken staff and some Councilmembers on tours of active and reclaimed sites to show what is proposed for the Midwest City site.

Upon the request of the City Manager, the applicant hosted a public meeting on September 22 in the Midwest City Community Center. The applicant invited neighboring residents and City staff members to attend. Several residents from the neighborhood south of the site did attend the meeting. They had questions about screening, security, how long the mine would be active and what was planned for the site once mining was complete. Overall, most of the residents seemed satisfied with the information presented by the applicant. The applicant stated that they plan to secure the site with a barbed wire fence. As the area is in the floodway/floodplain, site-proof screening such as stockade fencing would be prohibited. The applicant stated that the duration of the operation will be determined by the market but they anticipate 4-7 years of operation. The site will then be reclaimed within a year for recreational purposes.

As stated previously, this item is only to rezone the portion of the property that is currently zoned R-6, Single Family Detached Residential to A-1, Agriculture as A-1 zoning is required for a Special Use Permit for Mining and Processing. The Special Use Permit is the next item on the agenda. If this item is denied, the following item must also be denied.

Staff recommends approval.

Action Required:

Approve or reject the ordinance to redistrict to A-1, Agricultural for the properties as noted herein, subject to staff's comments as found in the November 22, 2016 agenda packet and made a part of PC-1886 file.



Billy Harless,
Community Development Director

KG

100 N. Midwest Boulevard • Midwest City, Oklahoma 73110
Community Development Department (405) 739-1220 • FAX (405) 739-1399 • TDD (405) 739-1359
An Equal Opportunity Employer



NOTE:
ALL LINES SHOWN ARE APPROXIMATE

DOLESE BROS. CO.
EAST SAND PLANT
SITE MAP
REZONING APPLICATION

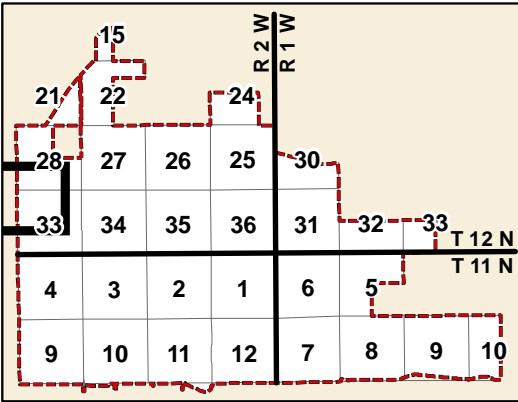
AERIAL PHOTO TAKEN OCT 2015

DESIGNED	DATE	SCALE
DRAWN	DATE	PROJECT NO.
CHECKED	DATE	
DATE	BY	DATE
DATE	BY	DATE
DATE	BY	DATE

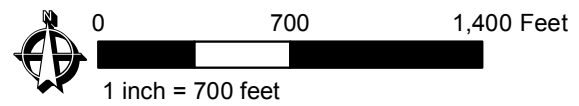
RELEASE NO. TYLER PECK 27SEP16 1 of 1 211-8-105-1



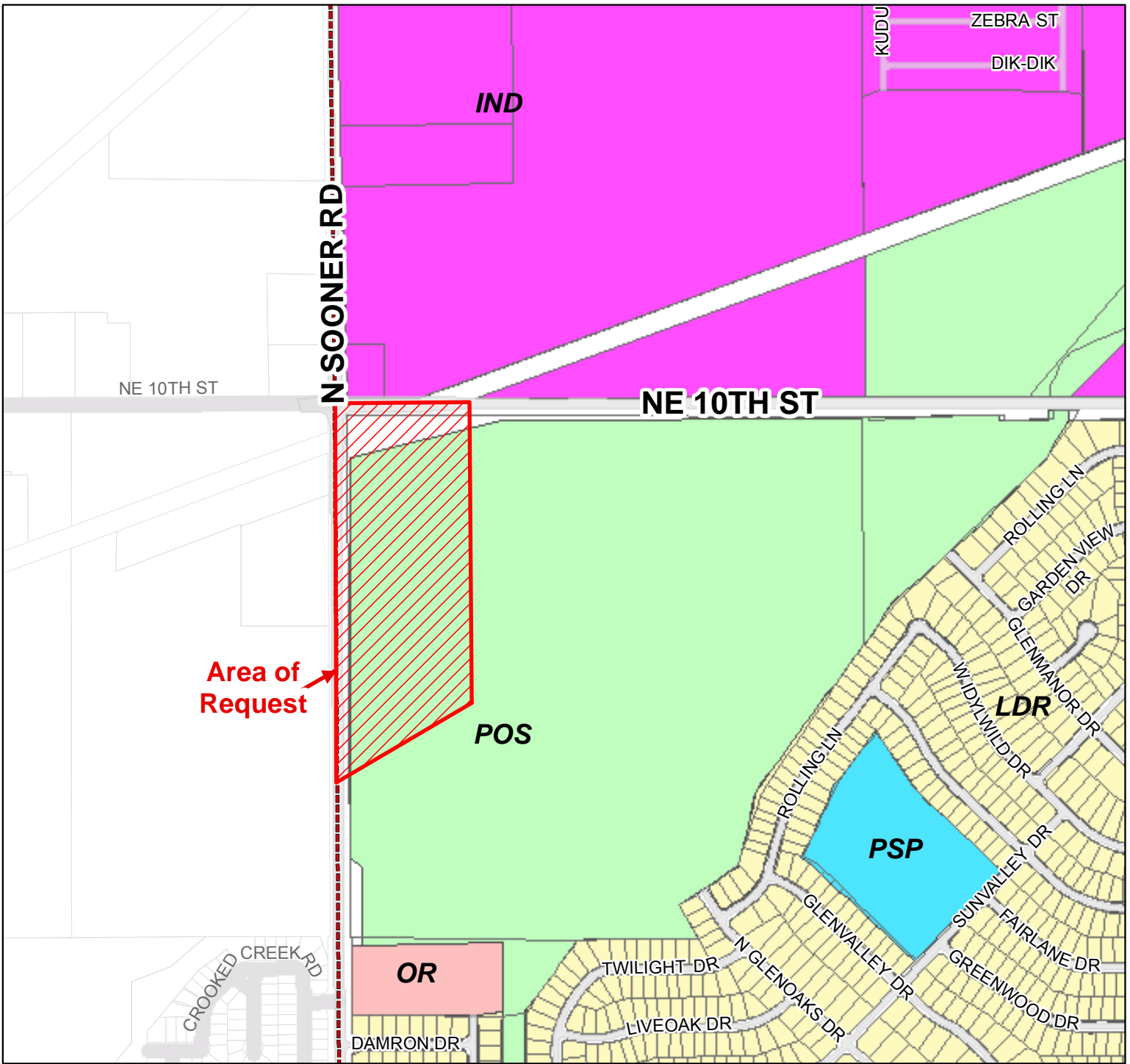
Locator Map



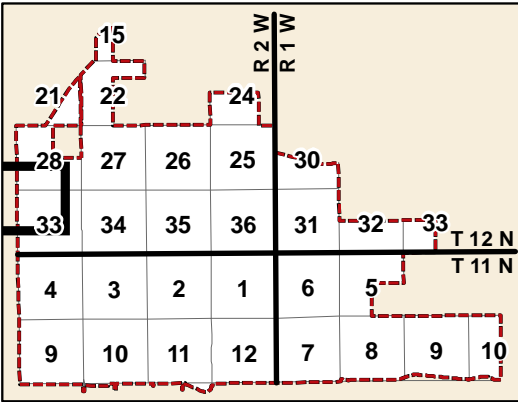
**2015 DOP (AERIAL) VIEW FOR
PC-1886
(NW/4, Sec. 33, T12N, R2W)**













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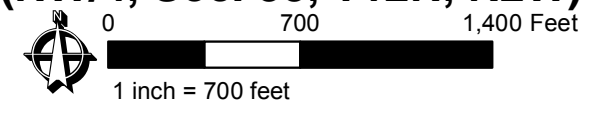
Locator Map



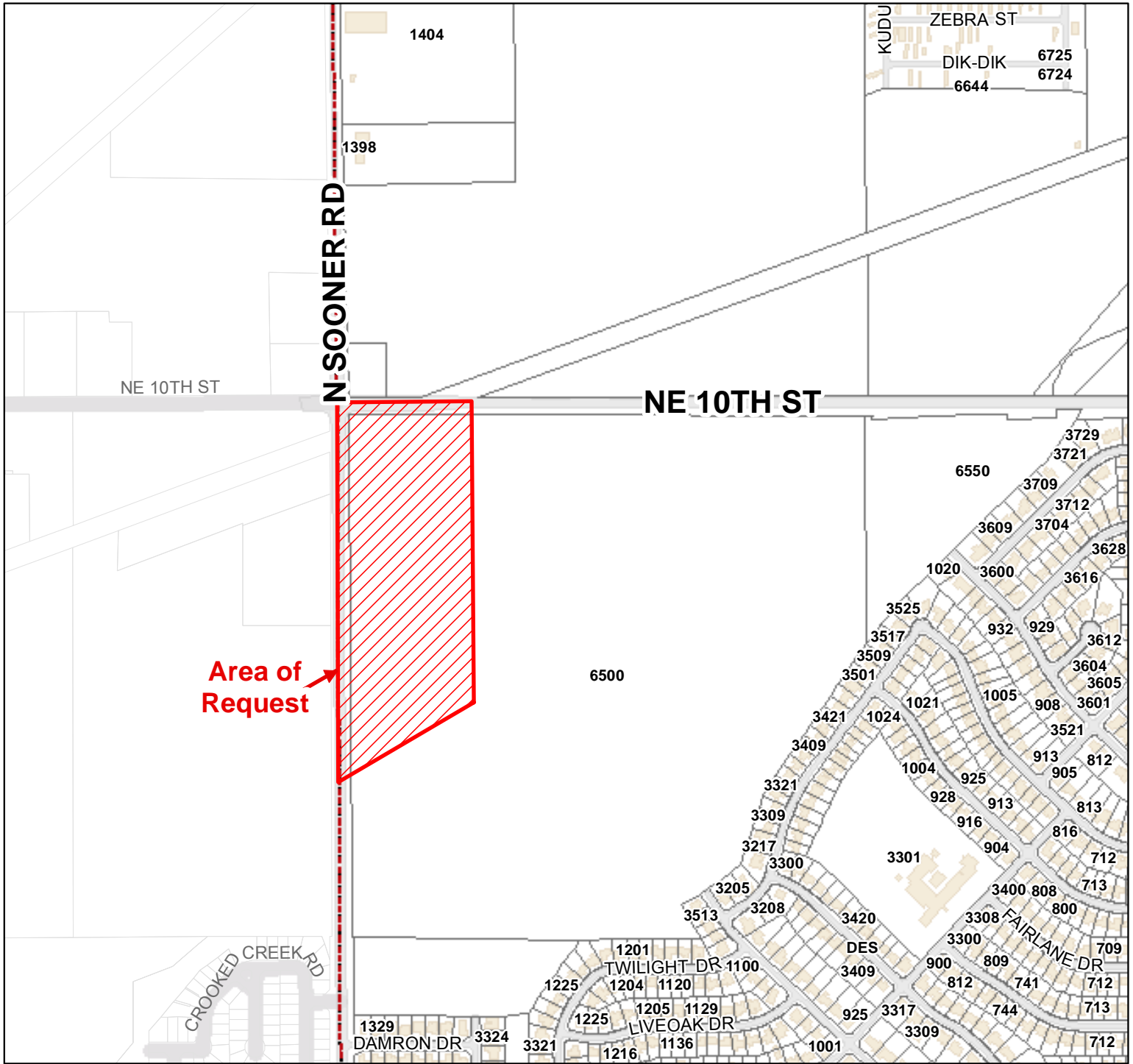
Future Land Use Legend

-  Single-Family Detached Residential
-  Medium Density Residential
-  High Density Residential
-  Manufactured Home
-  Public/Semi-Public
-  Parks/Open Space
-  Office/Retail
-  Commercial
-  Industrial
-  Town Center

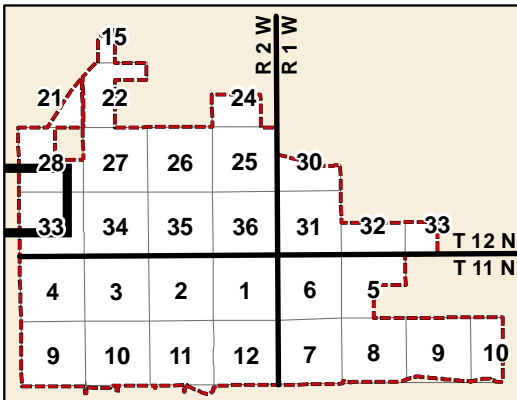
**FUTURE LAND USE
MAP FOR
PC-1886
(NW/4, Sec. 33, T12N, R2W)**








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Locator Map



General Map Legend

-  Area of Request
-  Parcels with Addresses
-  Buildings
-  Edge of Pavement
-  MWC City Limits

**GENERAL MAP FOR
PC-1886
(NW/4, Sec. 33, T12N, R2W)**

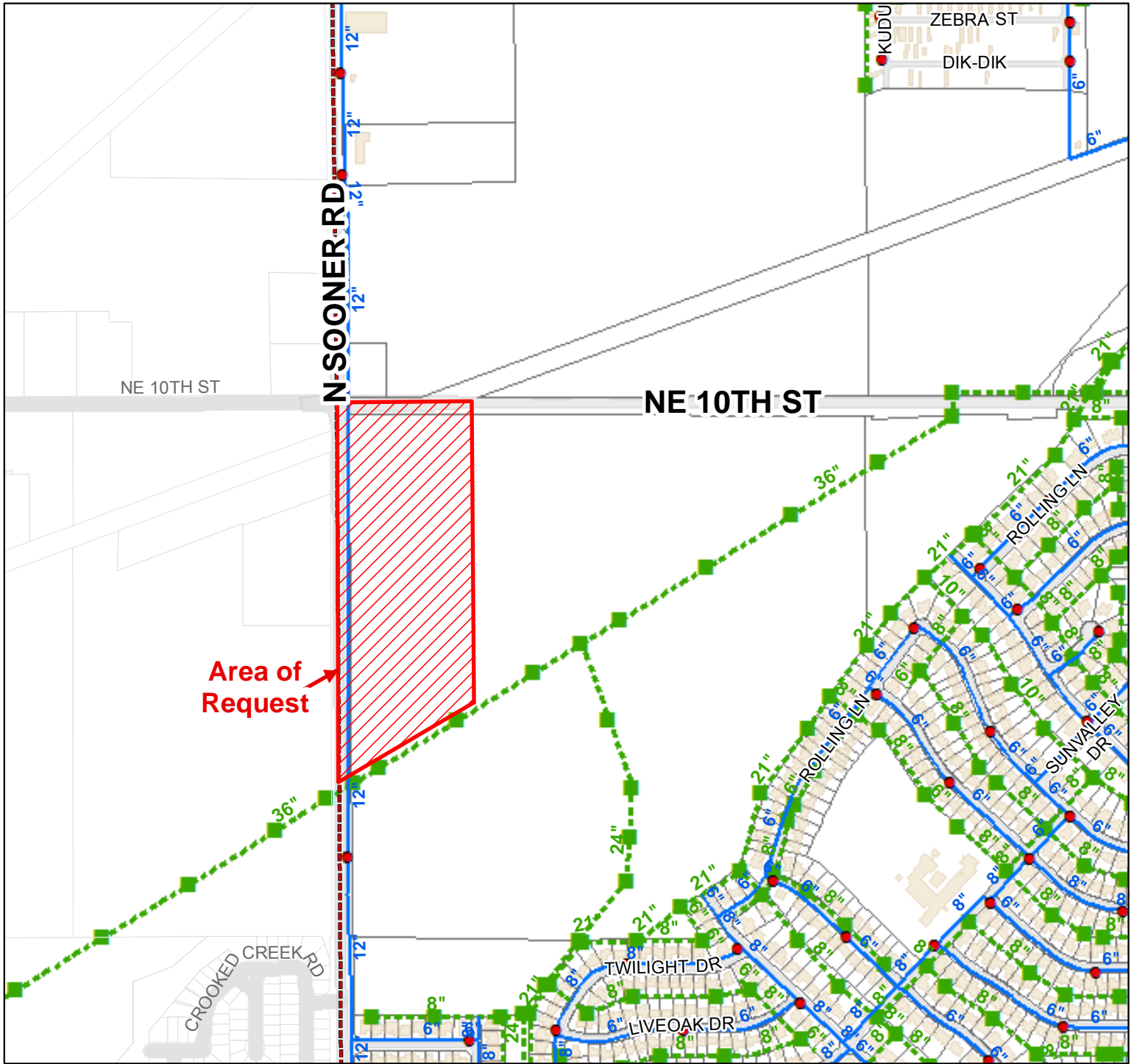


0 700 1,400 Feet

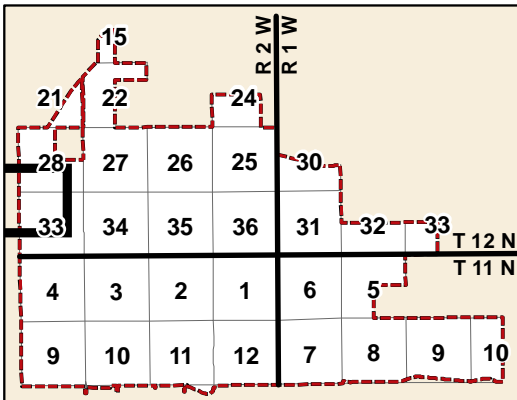


1 inch = 700 feet

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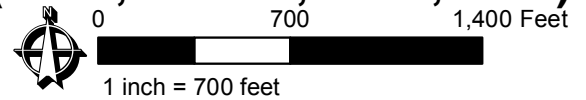
Locator Map



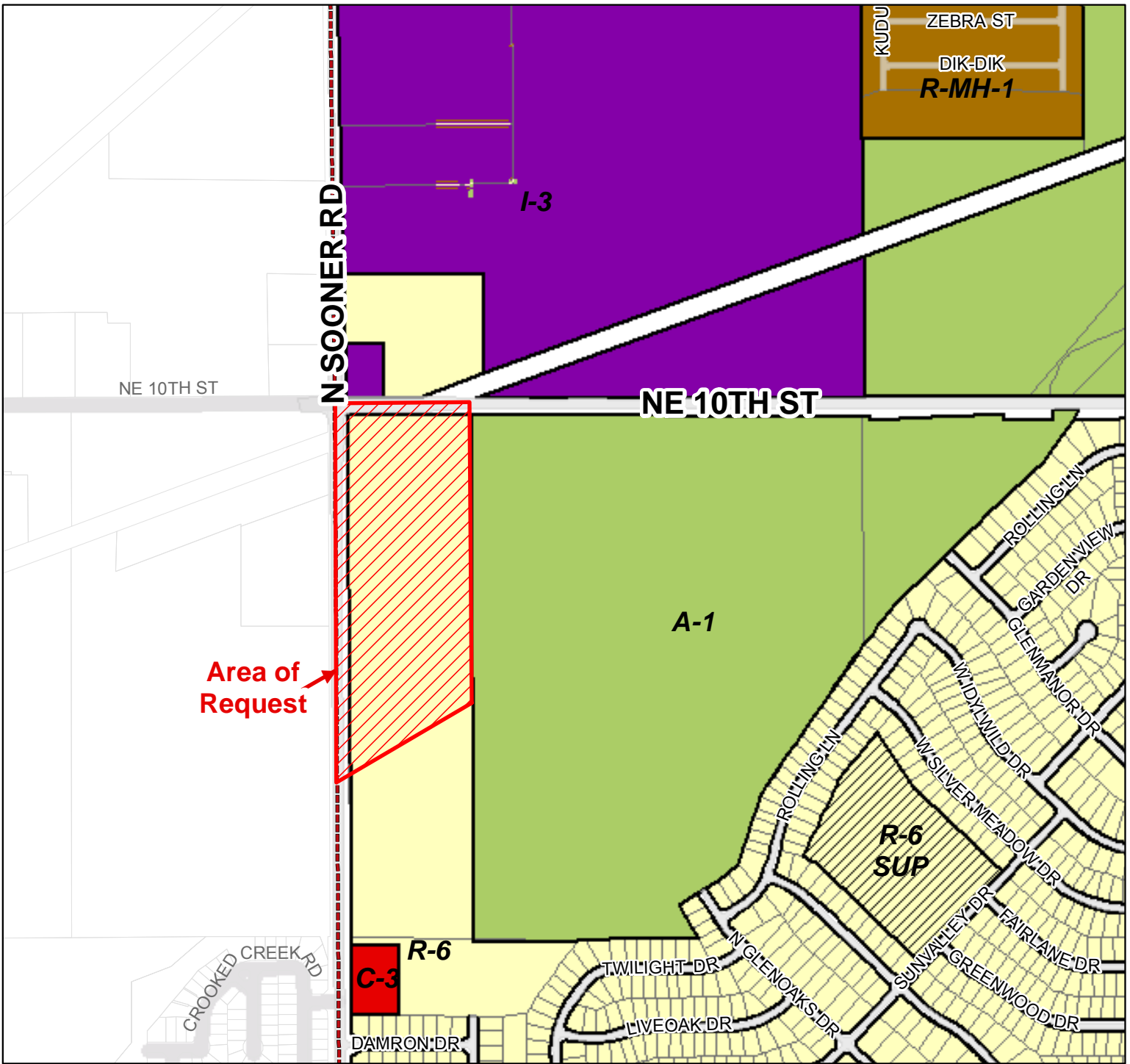
Water/Sewer Legend

- Fire Hydrants
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 - Well
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 - Thunderbird
 - Unknown
- Sewer Manholes
- Sewer Lines

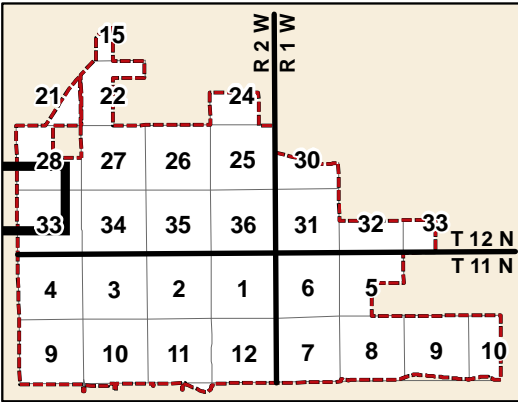
**WATER/SEWER LINE
LOCATION MAP FOR
PC-1886
(NW/4, Sec. 33, T12N, R2W)**



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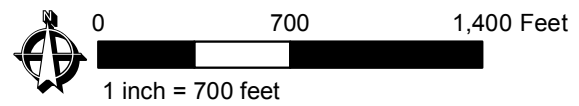
Locator Map



Current Zoning Legend

A-1	I-3	R-2F
A-1 SUP	O-1	R-MD
C-1	O-1 SUP	R-MD SUP
C-1 SUP	O-2	R-HD
C-2	O-2 SUP	R-HD SUP
C-3	R-6	R-MH-1
C-3 SUP	R-6 SUP	R-MH-2
C-4	R-8	PUD
I-1	R-10	SPUD
I-2	R-22	HOS
I-2 SUP	R-35	HOS SUP

ZONING MAP FOR PC-1886 (NW/4, Sec. 33, T12N, R2W)



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BUILDING INSPECTION DIVISION
Charles Belk, Building Official
GIS DIVISION
Kathy Spivey, GIS Coordinator

TO: Honorable Mayor and City Council

FROM: Billy Harless, Community Development Director

DATE: November 22, 2016

SUBJECT: (PC –1887) Public hearing with discussion and consideration of approval of a resolution for a Special Use Permit to allow the use of Mining and Processing: Minerals and Raw Materials in the A-1 Agriculture, district for the property described as a part of the NW/4 of Section 33 T-12-N, R-2-W, located at the southeast corner of NE 10th St. and N. Sooner Rd.

DATES OF HEARINGS: Planning Commission – November 1, 2016
City Council – November 22, 2016

OWNER: Dolese Bros. Co.

PROPOSED USE: Sand mining

SIZE

The area of request has a frontage on NE 10th Street and North Sooner Road and contains an area of approximately 63 acres, more or less.

DEVELOPMENT PROPOSED BY COMPREHENSIVE PLAN:

Area of Request – Parks/Open Space (POS)

South and East – Parks/Open Space (POS)

North – Industrial (IND)

West – Del City

ZONING DISTRICTS:

Area of Request – R6, Single Family Residential Detached

North and South – R6, Single Family Residential Detached

East – A-1, Agriculture

West – Del City

LAND USE:

Area of Request – Sod Farm

North and South – Vacant land

East – Sod Farm

West – Dolese Bros. Sand Mining Plant

Municipal Code Citation:

7.6 Special Use Permit

7.6.1 General Description and Authorization

The uses listed under the various districts as special use permits are so classified because they more intensely dominate the area in which they are located than do other uses permitted in the district.

A. Consideration for compatibility

With consideration given to setting, physical features, compatibility with surrounding land uses, traffic and aesthetics, certain uses may locate in an area where they will be compatible with existing or planned land uses.

B. Review and approval

The Planning Commission shall review each case on its own merit, apply the criteria established herein and recommend either approval or denial of the special use permit to the City Council.

Following the Planning Commission's recommendation, the City Council shall review each case on its own merit, apply the criteria established herein, and, if appropriate, authorize said use by granting a special use permit.

C. Use identified by individual zoning district

If a special use permit is granted it shall be for all the uses permitted in the specified district plus the special use permit requested.

7.6.3 Criteria for Special Use Permit Approval

A. Special use permit criteria

The City Council shall use the following criteria to evaluate a special use permit:

(1) Whether the proposed use shall be in harmony with the policies of the Comprehensive Plan.

(2) Whether the proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.

(3) Whether the proposed use shall not adversely affect the use of neighboring properties.

(4) Whether the proposed use shall not generate pedestrian and vehicular traffic that is hazardous or in conflict with the existing and anticipated traffic in the neighborhood.

(5) Whether utility, drainage, parking, loading, signs, lighting access and other necessary public facilities to serve the proposed use shall meet the adopted codes of the city.

B. Specific conditions

The City Council may impose specific conditions regarding location, design, operation and screening to assure safety, to prevent a nuisance and to control the noxious effects of excessive sound, light, odor, dust or similar conditions.

NOTIFICATION:

1. Written notice was mailed to owners of real property within 300 feet of the exterior boundaries of the subject property.

HISTORY:

1. This area has been zoned Single Family Detached Residential and Agriculture since the adoption of the 1985 Zoning Map.
2. The Planning Commission recommended approval of this item November 1, 2016.

STAFF COMMENTS:

Engineering Staff Comments:

This application is a request to grant a SUP for a property that meets current engineering requirements. No new engineering improvements are required with this application.

Water Supply and Distribution

A twelve (12) inch public water main is located on the east side of Sooner Road in the street right-of-way adjacent to the west side of the area of request.

Extension of the water supply to serve this property is not required as outlined in Municipal Code 43-32.

Connection to the public water supply system for domestic service is a building permit requirement per Municipal Code 43-32 for any new building applications.

Sanitary Sewerage Collection and Disposal

A thirty six (36) inch public sewer main is located on the south side of the area of request in a dedicated twenty foot (20) sewer easement.

Public sanitary sewer line improvements are not required with this application.

Connection to the public sanitary sewer system for service is a building permit requirement per Municipal Code 43-109 for any new building applications.

Streets and Sidewalks

Access to the area of request is available from Sooner Road and N.E. 10th Street. Sooner Road is classified as a primary arterial road in the 2008 Comprehensive Plan. Sooner Road is a four (4) lane, 52-foot wide, curbed, asphalt concrete roadway. Current code requires a total street right-of-way width of one hundred twenty feet (120) adjacent to the area of request and presently, Sooner Road has one hundred twenty feet (120) of right-of-way adjacent to and parallel to the west side of the area of request. N.E. 10th Street is classified as a secondary arterial road in the 2008 Comprehensive Plan. N.E. 10th Street is a four (4) lane, 52-foot wide, curbed, asphalt concrete roadway. Current code requires a total street right-of-way width of one hundred feet (100) adjacent to the area of request and presently, N.E. 10th Street has one hundred feet (100) of right-of-way adjacent to and parallel to the north side of the area of request.

Street improvements are not required with this application.

Sidewalk is not required with this application.

Drainage and Flood Control, Wetlands, and Sediment Control

Drainage for the area of request is provided by Crutch Creek located along the south east side of the area of request. Currently, the area of request is developed with the Crutch Creek sod farm.

The area of request is affected by flood zone AE (the 100-year floodplain) as shown on the effective Flood Insurance Rate Map (FIRM) number 40109C0310H, dated December 12, 2009.

All land disturbance activities in the area of request are required to meet both local and FEMA requirements concerning floodplain development, including acquiring all necessary permits.

Drainage improvements are not required with this application.

Detention improvements are not required with this application.

No identified wetlands are located on or abutting the area of request as shown on the Choctaw quadrangle of the 1989 National Wetlands Inventory map as prepared by the United States Department of the Interior Fish and Wildlife Service.

All future development on the proposed tracts must conform to the applicable requirements of Municipal Code Chapter 13, "Drainage and Flood Control."

Resolution 84-20 requires that developers install and maintain sediment and/or erosion controls in conjunction with their construction activities. Any proposed development must conform to the applicable requirements of Municipal Code Chapter 43, "Erosion Control." Sediment control plans must be submitted to and approved by the city before any land disturbance is done on-site. The developer is responsible for the cleanup of sediment and other debris from drainage pipes, ditches, streets and abutting properties as a result of his activities.

Easements and Right-of-Way

No additional rights-of-way and/or easements are required with this application.

Fire Marshal's Comments:

The Fire Marshal has reviewed this application under Chapter 15 of the Municipal Code. If fuel storage tanks will be placed on the site, permits will be required.

Planning Division:

This item coincides with the previous request. The request to rezone a portion of the property from R-6 to A-1 included in PC-1886 must be approved in order for this Special Use Permit to be considered.

As mentioned in the previous item, the owner wishes to use this site for sand mining operations. Over the last year, the applicant has met with various staff members including the City Manager, Community Development Director, Economic Development Director, Public Works Director and several members of the City Council to ensure a full understanding of Dolese's plans for the site. The applicant has taken staff and some Councilmembers on tours of active and reclaimed sites to show what is proposed for the Midwest City site.

Upon the request of the City Manager, the applicant hosted a public meeting on September 22 in the Midwest City Community Center. The applicant invited neighboring residents and City staff members to attend. Several residents from the neighborhood south of the site did attend the meeting. They had questions about screening, security, how long the mine would be active and what was planned for the site once mining was complete.

Overall, most of the residents seemed satisfied with the information presented by the applicant. The applicant stated that they plan to secure the site with a fence. As the area is in the floodway/floodplain, site-proof screening such as stockade fencing would be prohibited. Staff recommended a 6' chain-link fence be used to secure the property. At the Planning Commission meeting, the applicant requested to use field fencing with 3 strands of barbed wire at the top. The Planning Commission recommended approval of the applicants' request. The applicant stated that the duration of the operation will be determined by the market but they anticipate 4-7 years of operation. The site will then be reclaimed within a year for recreational purposes.

The applicant must guarantee a satisfactory reclamation of the site after the operation is complete. As the future of the site is intended for recreational purposes, this Special Use Permit will require that the site be restored in such a way as to facilitate recreational use by the public.

Included in this agenda item is a draft of the reclamation plan for the site once mining operations have ceased. The reclamation plan is a requirement of the Department of Mines in order for the applicant to receive a permit to mine on the site. The applicant must first obtain a Special Use Permit from the City of Midwest City to allow mining and processing on the site prior to submitting an application to the Department of Mines.

Reclamation of the proposed site shall include the removal of all material and equipment used in the mining operations. These include any dredging equipment, piping, deadmen and structures for fueling. It does not include roads, parking areas or fencing.

In general, the site should be graded to a mowable condition with all subsurface equipment and lines removed. Within and round the mining pit, an effort should be made to grade the overall pit to lessen the triangular shape and provide undulation or freeform shape. In an effort to reduce the risk of an accidental slip into the water, it is anticipated that there will be no slope greater than 1:6 or .16% grade and this slope would continue a minimum of 10' into the water area or past the water line where the slope may then increase to 1:4 or 25%. At the Planning Commission meeting, the applicant was agreeable to the 1:6 slope but stated that they will need to move their production line on all sides of the area out 72' to accomplish the slope. The Planning Commissioners recommended approval of this item within the report. All areas and slopes excluding roads and parking lots will be established with common Bermuda grass. These site conditions shall be included within the application process and made part of the Reclamation Pan to the Department of Mines.

The criteria for special use permit approval is outlined in 7.6.3. of the Midwest City Zoning Ordinance. Below are staff's opinions as to how this application meets or does not meet the required criteria:

1. The Comprehensive Plan identifies parks and trails as important contributors to the residents' quality of life. In order to improve quality of life for residents', the plan emphasizes the importance of providing a high quality of existing and new park facilities. When the mining operation ends, the applicant plans to reclaim the site for recreational use which is in harmony with the Comprehensive Plan.
2. The proposed use is in harmony with the general purpose and intent of the agriculture zoning district. Mining operations are allowed in the A-1 district with a Special Use Permit.

3. The proposed use is not likely to adversely affect the neighboring properties. The applicant is currently operating a mining and processing site adjacent to the area of request on the west side of Sooner Road in Del City. The processing equipment will remain at that site and the materials excavated from the Midwest City side will be taken and processed at the existing plant on the west side of Sooner Rd. The only pieces of equipment proposed for the area of request are an electric dredge and excavation trucks. Staff recommended that the hours of operation be limited to 8:00 a.m. to 5:00 p.m. Monday through Friday. At the Planning Commission, the applicant requested to be allowed to operate Monday – Friday from 7:00 a.m. to 5:00 p.m. and that the electric dredge have no limitation on the hours of operation. The Planning Commissioners recommended approval of the applicants request for hours of operation. Staff has concerns about the noise from the back-up alarms on the trucks. At the Planning Commission meeting, the applicant stated that they will use strobes if the noise backing alarms becomes an issue. The Planning Commissioners recommended approval of this request. If staff begins to receive complaints regarding the audible alarms, staff can require that strobes be used to signal backing equipment.
4. Staff does not believe that the proposed use will generate pedestrian and vehicular traffic that is hazardous or in conflict with the existing and anticipated traffic in the neighborhood as the property is located along an arterial street.
5. Utilities, drainage and detention facilities, driveways and lighting will be required to meet all City codes. Trade permits will be required for any trade work associated with the mining operation.

Based on the information above, staff recommends approval of this Special Use Permit to allow the use of Mining and Processing: Minerals and Raw Materials in the A-1, Agriculture, district for the property located at the southeast corner of NE 10th St. and N. Sooner Rd.

Action Required: Approve or reject the resolution for a Special Use Permit for the property as noted herein, subject to the staff comments and recommendations as found in the November 22, 2016 agenda packet and made a part of PC- 1887 file.



Billy Harless, AICP
Community Development Director

KG



NOTE:
ALL LINES SHOWN ARE APPROXIMATE

DOLESE BROS. CO.
EAST SAND PLANT
SITE MAP

FLOOD PLAIN DEVELOPMENT PERMIT APPLICATION

AERIAL PHOTO TAKEN OCT 2015

DESIGNED BY	DATE	SCALE	1"=500'
DRAWN BY	DATE	PROJECT NO.	
CHECKED BY	DATE	DATE	27SEP16
DATE	27SEP16	SHEET NO.	1 OF 1
DATE		PROJECT NO.	211-B-105-3

RELEASE NO.



21 October 2016
16-ED-281

Proposed Draft Reclamation Plan

This plan will be an addition to the Oklahoma Department of Mines mining permit and will be in full effect upon issuance of said permit.

Proposed OPERATOR'S RECLAMATION PLAN

October 2016

East Sand Plant Midwest City Side

Section 33, Township 12 North, Range 2 West I.M.,
Oklahoma County, Oklahoma

Dolese Bros. Co. owns 143 acres of land, more or less, in Section 33, Township 12 North, Range 2 West IM, City of Midwest City, in Oklahoma County. The property is located approximately two (2) miles east of Interstate Highway 35 and three-quarters (3/4) mile southeast of the North Canadian River, on the south side of the Union Pacific railroad tracks, east of Sooner Road.

Currently, there is no plant at this site and there are no mining operations in progress. This location is the site of a future sand mining operation. Dolese Bros. Co. plans to file for an Oklahoma Department of Mines (ODOM) mining permit for this location.

1. General Reclamation

When the extraction of sand and/or gravel begins, final site requirements for conducting reclamation will be given due consideration. Dolese Bros. Co will operate in a manner as to complete the project within a time frame established by the market and sales of current sand reserves. As soon as sand mining operations are completed, the reclamation will be conducted to conform to state and federal requirements, and application will be made to the Oklahoma Department of Mines for release.

DOLESE BROS. CO.
20 NW 13th Street • P.O. Box 677
Oklahoma City, OK 73101-0677
405.235.2311
dolese.com

2. Drainage

All water at the site will drain back into the sand lake; no water will exit the property. The sand material will be produced by dredging from a lake through a plant located on the west side of Sooner Road for processing. Water used during production along with wash-back and spoil is also allowed to flow back into the lakes and previously dredged areas; thus, this will be a total retention facility. However, Dolese Bros. Co. will maintain an OPDES¹ wastewater discharge permit for this location with the Oklahoma Department of Environmental Quality in the event there is a need to discharge water from this operation.

3. Roadways

Roadways may be constructed on the property, outside of the excavation boundaries, and may be left for the beneficial use of the property owner.

4. Landscaping

Landscaping will be completed by grading the affected area to match the surrounding terrain. Areas requiring re-seeding will be completed in as timely a manner as possible, and may require the assistance of the Soil Conservation Service to determine the best type of vegetation and native grasses compatible with that area.

Unsold topsoil and overburden from the sand mining operations may be stockpiled for use in reclamation or landscaping consistent with the surrounding area.

5. Lake and Adjoining Shorelines

Upon completion of sand mining operations, Dolese Bros Co. will leave a lake or lakes on the property with sloping access through the banks to the water level, suitable for wildlife, agricultural, or recreational activities.

The shorelines may be sculptured for a variety of uses. High vertical banks will be graded to an acceptable slope.

6. Reuse of Buildings, Facilities and Services

No buildings or structures will be erected by Dolese Bros. Co. on this site.

¹ Oklahoma Pollutant Discharge Elimination System

If any power lines are erected by Dolese Bros. Co. for dredging operation, upon completion of mining activities, they may be left on site for future use.

All dredging and mining equipment will be removed from the property upon completion of the project.

7. Additional Considerations

Although the majority of this site will emerge as a lake, other areas will remain undisturbed and untouched. This site will be left for the use of the landowner in a condition which conforms to all applicable rules and regulations associated with the reclamation process.

All requirements of any new or previously approved permits for the sand mining operation will be incorporated into this reclamation plan.

8. Bonding

A sufficient amount of performance bond will be on file with the Oklahoma Department of Mines (ODOM) to insure that Dolese Bros. Co. faithfully fulfills all requirements of The Mining Lands Reclamation Act and complies with all rules of the Oklahoma Department of Mines. This bond will remain in effect until the mined acres have been reclaimed, approved, and released by the Oklahoma Department of Mines.

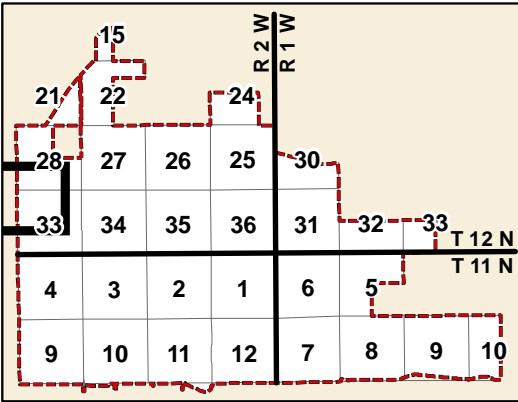
Summary of Operator's Reclamation Plan

This reclamation plan is intended to address the provisions and requirements for the completion of reclamation work at this site. All work will be agreed upon between Dolese Bros. Co. and the Oklahoma Department of Mines before the reclamation is completed and the reclamation bond is released.

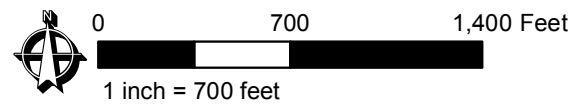
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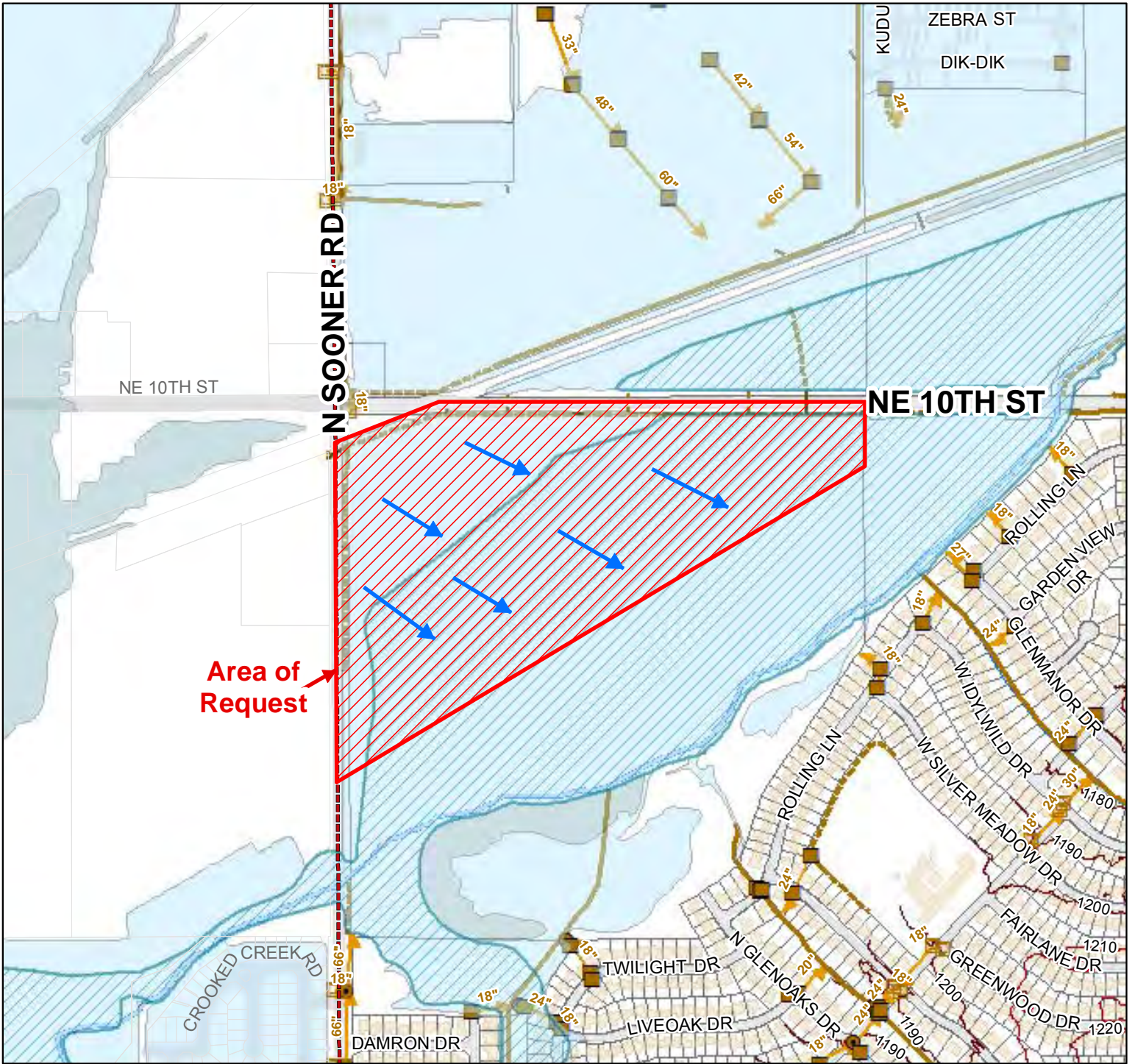
Locator Map



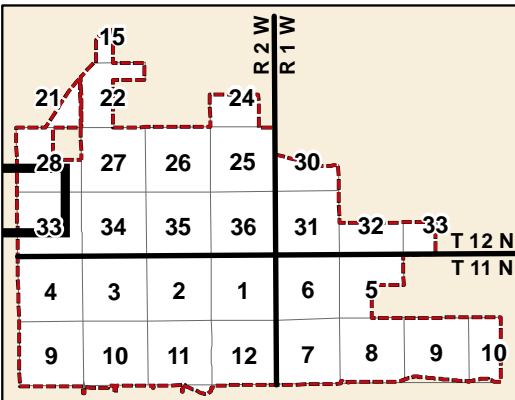
**2015 DOP (AERIAL) VIEW FOR
PC-1887
(NW/4, Sec. 33, T12N, R2W)**



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Locator Map



- Drainage Legend**
- Curb Inlets
 - Inlets
 - Junction Box
 - Culverts
 - Flumes
 - Developed Channels
 - Trickle Channels
 - Undeveloped Channels
 - Storm Lines
 - Creeks
- ELEVATION**
- 1166-1204 ft
 - 1204-1228 ft
 - 1228-1250 ft
 - 1250-1278 ft
 - 1278-1324 ft

2009 FEMA Floodplains

- 500-yr floodplain
- 100-yr floodplain
- 2009 FEMA Floodway

DRAINAGE LOCATION MAP FOR PC-1887 (NW/4, Sec. 33, T12N, R2W)

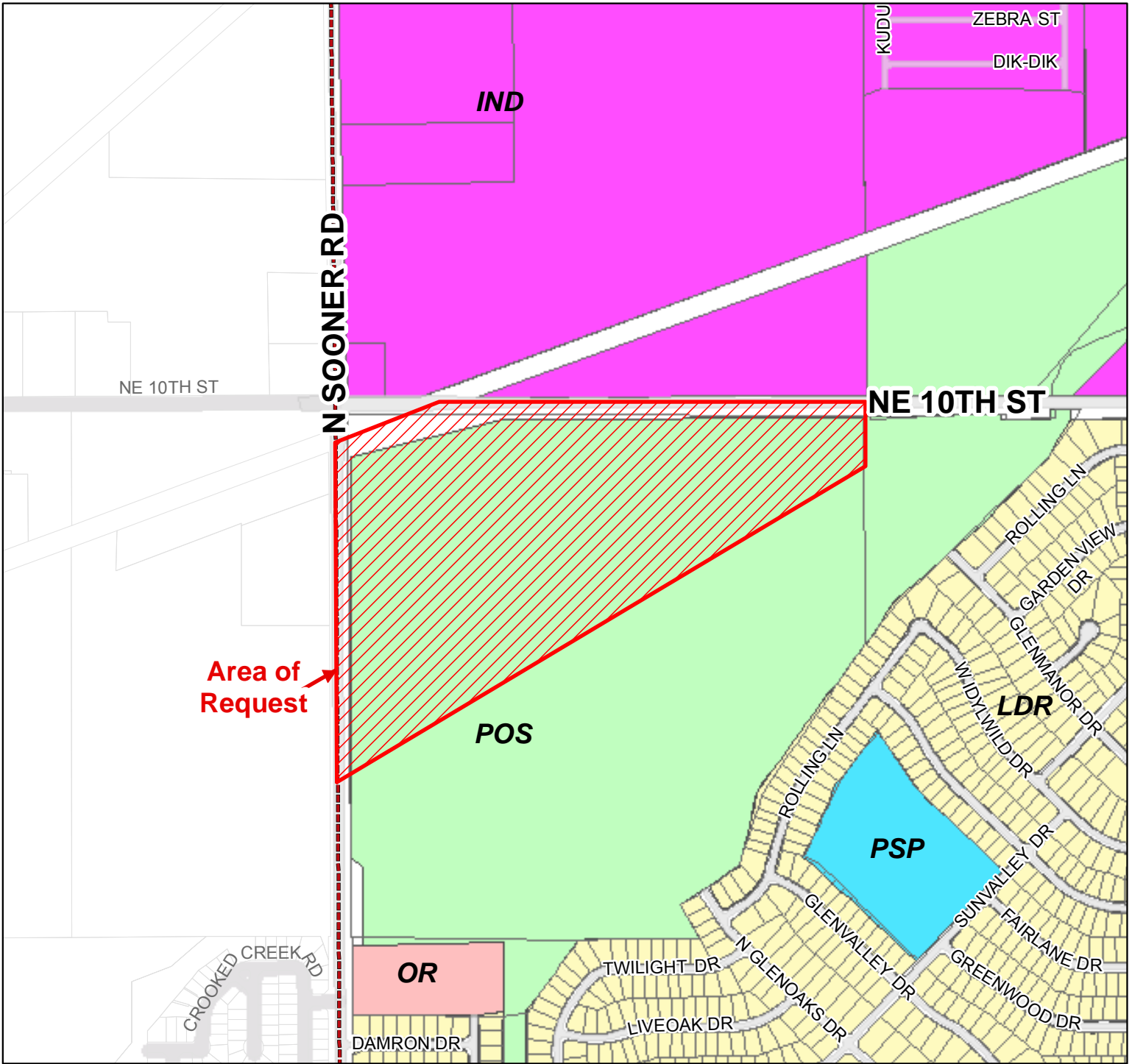


0 700 1,400 Feet

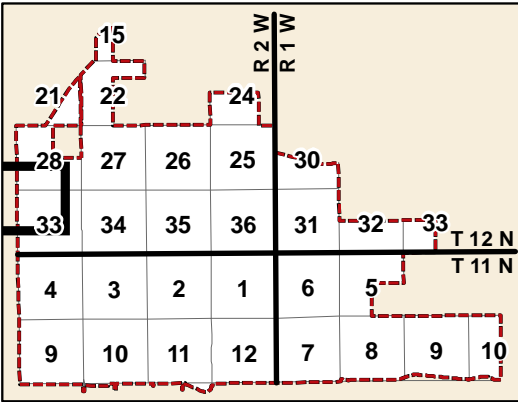


1 inch = 700 feet











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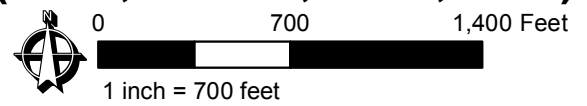
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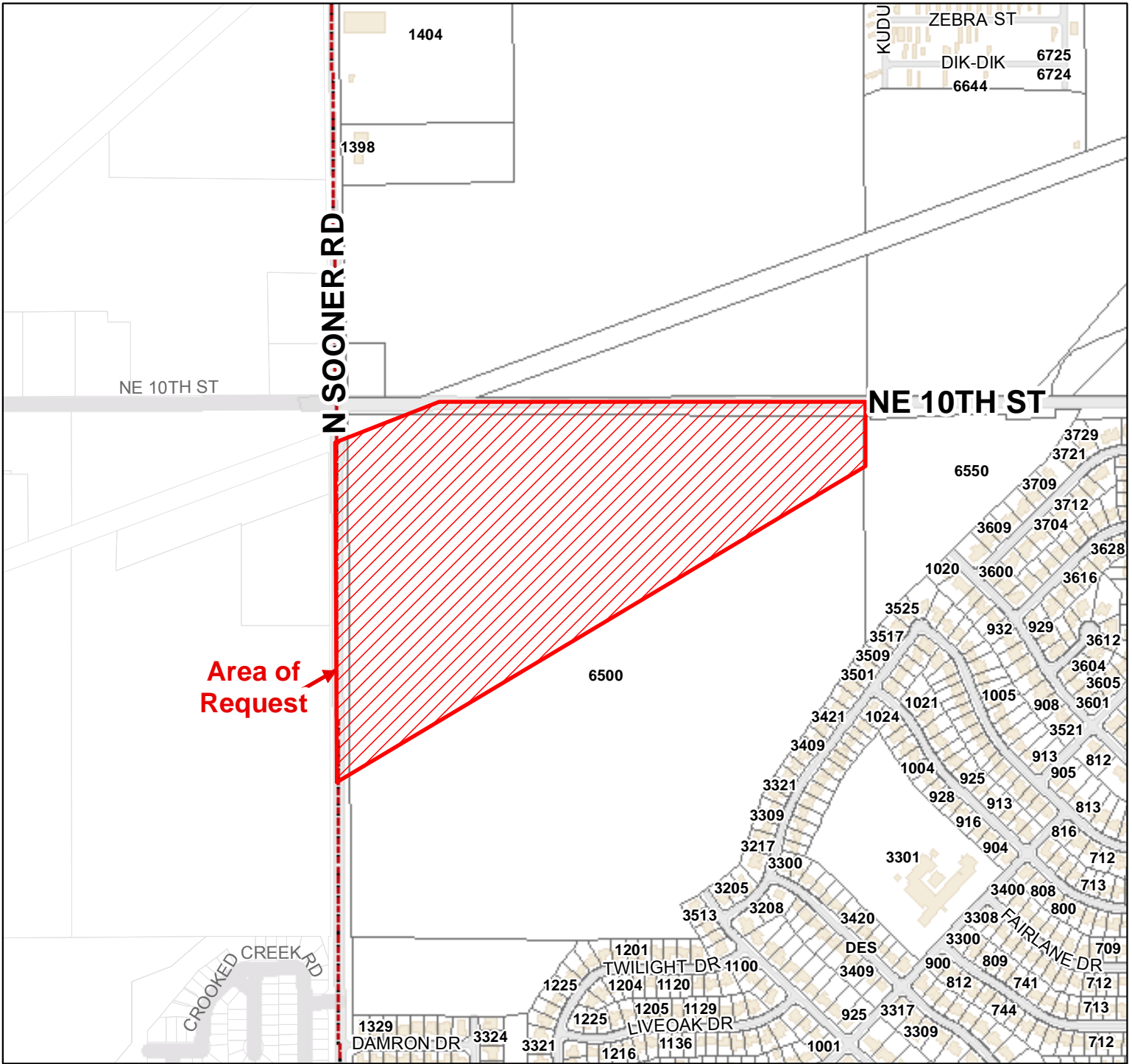
Future Land Use Legend

-  Single-Family Detached Residential
-  Medium Density Residential
-  High Density Residential
-  Manufactured Home
-  Public/Semi-Public
-  Parks/Open Space
-  Office/Retail
-  Commercial
-  Industrial
-  Town Center

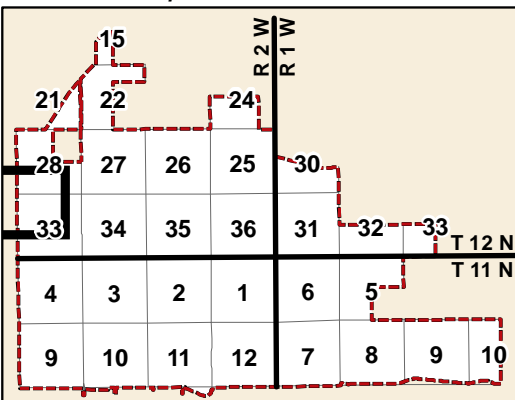
**FUTURE LAND USE
MAP FOR
PC-1887
(NW/4, Sec. 33, T12N, R2W)**








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Locator Map



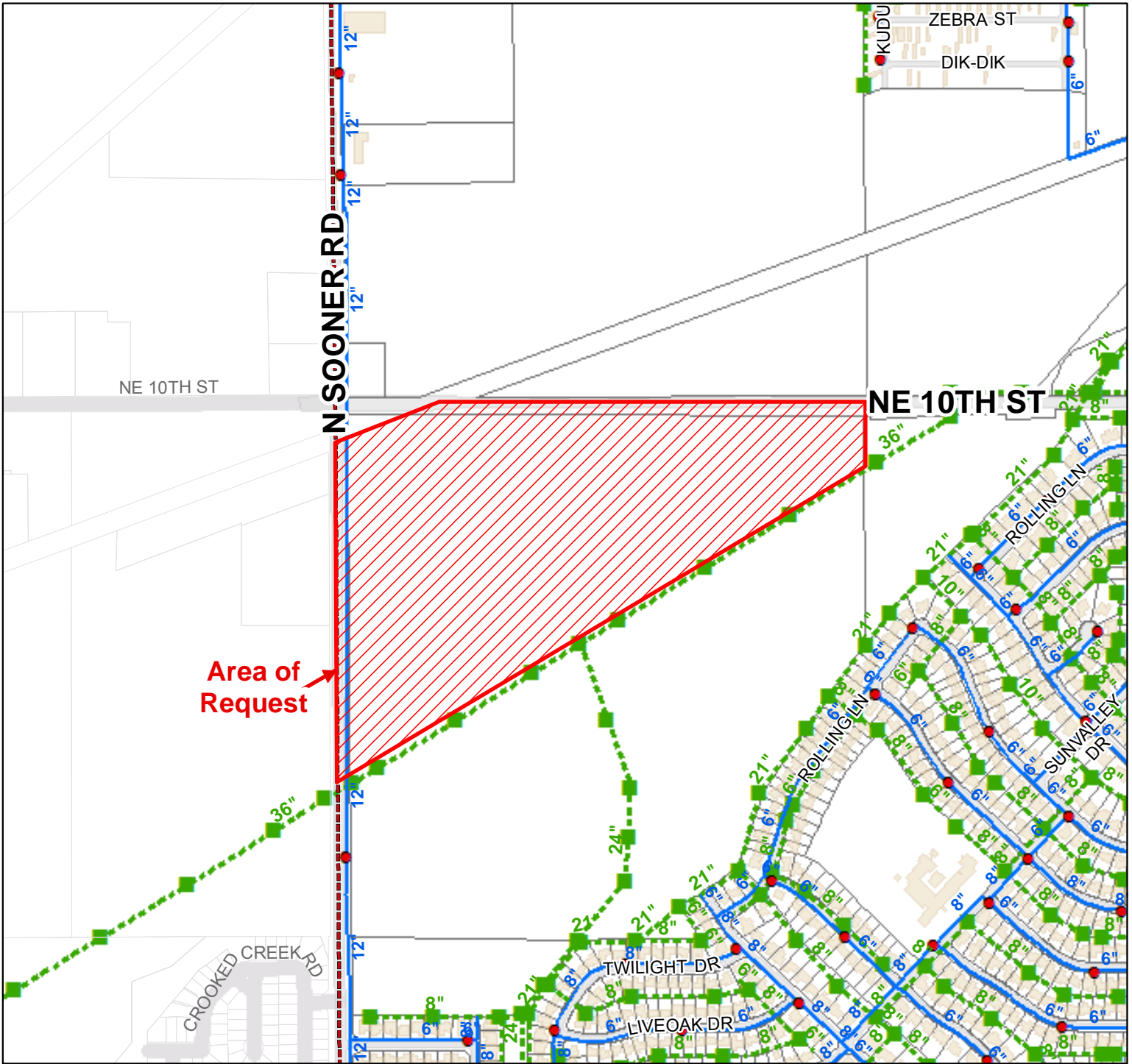
General Map Legend

-  Area of Request
-  Parcels with Addresses
-  Buildings
-  Edge of Pavement
-  MWC City Limits

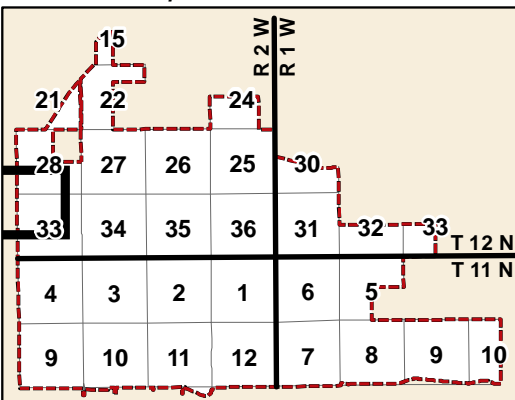
**GENERAL MAP FOR
PC-1887
(NW/4, Sec. 33, T12N, R2W)**



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Locator Map



Water/Sewer Legend

- Fire Hydrants
- Water Lines
 - Distribution
 - Well
 - - - OKC Cross Country
 - - - Sooner Utilities
 - - - Thunderbird
 - - - Unknown
- Sewer Manholes
- - - Sewer Lines

**WATER/SEWER LINE
LOCATION MAP FOR
PC-1887
(NW/4, Sec. 33, T12N, R2W)**



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The City of
MIDWEST CITY
COMMUNITY DEVELOPMENT DEPARTMENT

Billy Harless, Community Development Director

ENGINEERING DIVISION
Patrick Menefee, City Engineer
CURRENT PLANNING DIVISION
Kellie Gilles, Current Planning Manager
COMPREHENSIVE PLANNING
Julie Shannon, Comprehensive Planner
BUILDING INSPECTION DIVISION
Charles Belk, Building Official
GIS DIVISION
Kathy Spivey, GIS Coordinator

To: Honorable Mayor and City Council

From: Billy Harless, Community Development Director

Date: November 22, 2016

Subject: (PC – 1888) Public hearing with discussion and consideration of approval of Phase I of The Soldier Creek Industrial Park (SCIP) Preliminary Plat for the property described as a part of the North half of Section 27, T-12-N, R-2-W, located in the 7500 block of NE 23 Street.

Dates of Hearing: Planning Commission – November 1, 2016
City Council – November 22, 2016

Owner/Applicant: Midwest City Utilities Authority Public Trust

Proposed Use: Commercial and Industrial Park

Size:

The area of request has a frontage along NE 23rd Street of approximately 2274.30 feet, containing an area of 37.07 acres, more or less.

Zoning Districts:

Area of Request – PUD
North and East – A-1, Agriculture
South – PUD
West – I-1, Light Industrial

Land Use:

Area of Request – Vacant
North – Oklahoma County Training Facility
South, East and West – Vacant

Municipal Code Citation:

38-16. Purpose

The subdivision of land is the first step in the process of urban development. The arrangement of land parcels in the community for residential, commercial and industrial uses and for streets, alleys, schools, parks and other public purposes will determine to a large degree the conditions of health, safety, economy and amenity that prevail in the urban area. The quality of these conditions is of public interest.

History:

1. This area was rezoned on May 22, 2012 to a PUD governed by the I-2, Moderate Industrial and C-4, General Commercial Districts.
2. The Planning Commission recommended approval of this item at the November 1, 2016 meeting.

Staff Comments:

Engineering Comments:

Water Supply and Distribution

Section 38-18 in the Subdivision Regulations requires all existing and proposed public water mains be reflected on the preliminary plat.

A twelve (12) inch public water main is located on the south side of N.E. 23rd Street in the street right-of-way adjacent to the north side of the area of request.

The applicant proposes to construct a six (6) inch water line loop through the site to provide service to the area of request.

Improvement plans for the water line extension must be prepared by a registered professional engineer and be submitted to staff for plan review and approval. The improvement will be constructed and accepted by the city prior to any application for a final plat.

Connection to the public water system for domestic service is a building permit requirement per Municipal Code Chapter 43-32 for all lots.

Sanitary Sewer Collection and Disposal

Section 38-18 in the Subdivision Regulations requires all existing and proposed public sanitary sewer mains be reflected on the preliminary plat.

Twenty four, thirty six, and forty eight inch public sewer mains are located in a dedicated utility easement along the west side of the area of request.

The applicant proposes to construct multiple eight (8) inch public sewer line extensions into the site to provide service to the area of request.

Improvement plans for the sewer line extensions must be prepared by a registered professional engineer and be submitted to staff for plan review and approval. The improvements will be constructed and accepted by the city prior to any application for a final plat.

Connection to the public sanitary sewer system for domestic service is a building permit requirement per Municipal Code Chapter 43-109 for all lots.

Streets and Sidewalks

Section 38-18 in the Subdivision Regulations requires all existing and proposed public streets and sidewalks be reflected on the preliminary plat.

Access to the area of request is available from N.E. 23rd Street. N.E. 23rd Street is classified as a primary arterial in the 2008 Comprehensive Plan. N.E. 23rd Street is a four (4) lane, 48-foot wide, uncurbed, asphalt concrete roadway. Current code requires a total half street right-of-way width of sixty (60) feet from the centerline of N.E. 23rd Street adjacent to the area of request and presently, N.E. 23rd Street has eighty (80) feet of right-of-way adjacent to and parallel to the north side of the area of request.

The applicant proposes to dedicate a new public road system that's been constructed through the site providing service to the area of request.

Improvement plans for the streets were prepared by a registered professional engineer and were submitted to staff for plan review and approval. The improvements will be accepted by the city prior to any application for a final plat.

The applicant proposes a waiver to sidewalk improvements. A proposed sidewalk would have no connection point to any adjacent sidewalk, and as the area of request is zoned industrial, staff recommends the waiver.

All right of way grants to the city will be required to be dedicated on the final plat.

Drainage and Flood Control, Wetlands, and Sediment Control

Drainage across the area of request is via overland flow from the east to the west. Currently, the area of request is undeveloped.

The area of request is affected by flood zone AE (the 100-year floodplain) as shown on the effective Flood Insurance Rate Map (FIRM) number 40109C0310H, dated December 12, 2009. All land disturbance activities in the area of request are required to meet both local and FEMA requirements concerning floodplain development, including acquiring all necessary permits.

Section 38-18 in the Subdivision Regulations requires all existing and proposed public storm sewer pipes be reflected on the preliminary plat.

The applicant proposes to dedicate a new public road system that's been constructed through the site providing service to the area of request.

Improvement plans for the streets were prepared by a registered professional engineer and were submitted to staff for plan review and approval. The improvements will be accepted by the city prior to any application for a final plat.

All development on the proposed tracts must conform with the applicable requirements of Municipal Code Chapter 13, "Drainage and Flood Control."

Easements and Right-of-Way

The required easements and right of way for the area of request are illustrated on the preliminary plat and will be dedicated to the city when the final plat is filed. All proposed side lot and rear lot utility easements, as well as previously dedicated utility and drainage easements are illustrated on the preliminary plat.

All easements and right of way dedications are to comply with Code Sections 38-41 and 38-44.

Fire Marshal's Comments:

The fire department has reviewed the request for approval of the SCIP Preliminary Plat under Chapter 15 of the MWC Code of Ordinances. Future construction of the industrial area will dictate the locations of fire apparatus roads and hydrant locations on each lot. Due to the size of the lots and their intended industrial uses, there will likely be a need for water systems to be looped for adequate fire protection. Fire hydrants will be required along the streets shown on the plat prior to any construction.

Plan Comments:

The PUD for SCIP was approved prior to the adoption of the 2012 Subdivision Regulations. The zoning was reviewed and approved in conjunction with the Subdivision Regulations in place at that time, therefore, this Preliminary Plat is **NOT** being reviewed under the 2012 Subdivision Regulations.

This proposed Phase 1 Preliminary Plat of SCIP has been prepared in order to create six (6) new lots, all within the area that was recently re-zoned to a PUD to cover the area of this plat.

The proposed lots vary in size from approximately 2.7 acres to 9.5 acres.

The streets labeled "A Street" and "B Street" on the preliminary plat have already been installed and will provide access to the lots within Phase 1. These streets are accessed off of NE 23rd Street.

All of the proposed lots have the appropriate amount of area and frontage for development as prescribed in the Zoning Ordinance.

As this request conforms to the requirements of the preliminary plat, staff recommends approval.

If approved, a final plat will be submitted for review and hearing as soon as possible.

Action Required: Approve or reject the Phase 1 Preliminary Plat of SCIP for the property described as a part of the North half of Section 27, T-12-N, R-2-W, located in the 7500 block of NE 23 Street, subject to the staff comments and recommendations as found in the November 22, 2016, agenda packet, and as noted in PC – 1888 file.

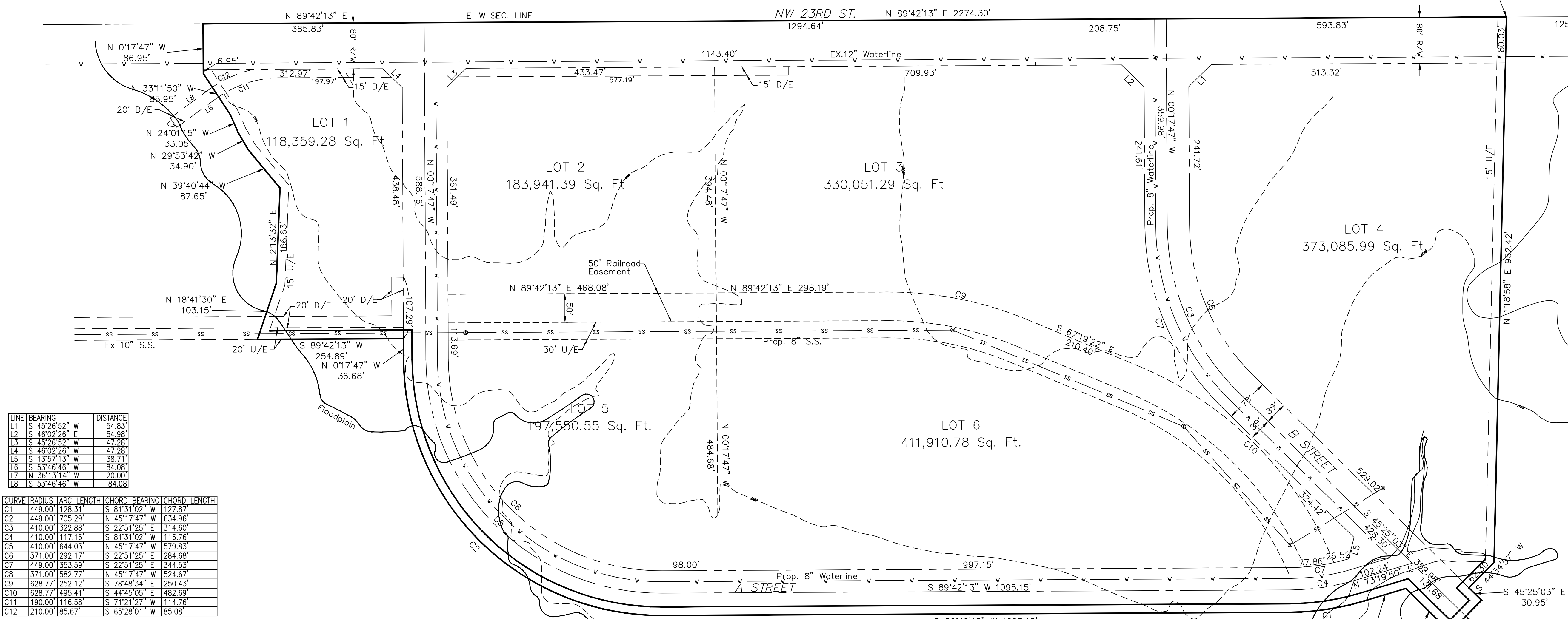


Billy Harless, AICP
Community Development Director

KG

PRELIMINARY PLAT
SOLDIER CREEK INDUSTRIAL PARK
 A PART OF THE NORTH HALF, SECTION 27, T12N, R2W, I.M. AND
 CITY OF MIDWEST CITY, OKLAHOMA COUNTY, OKLAHOMA

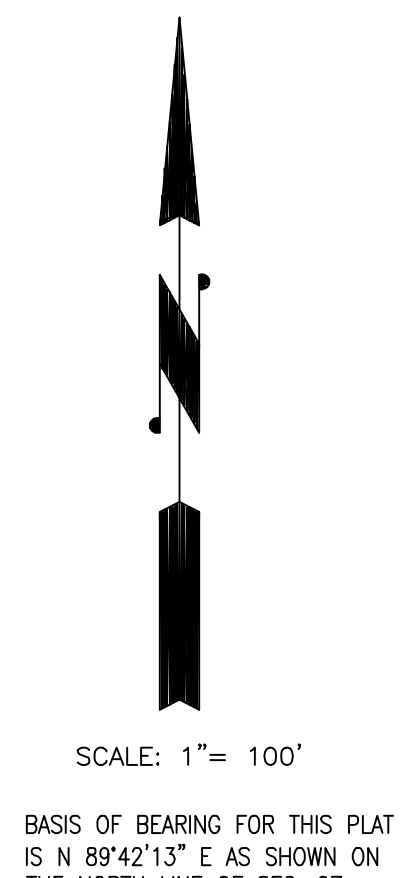
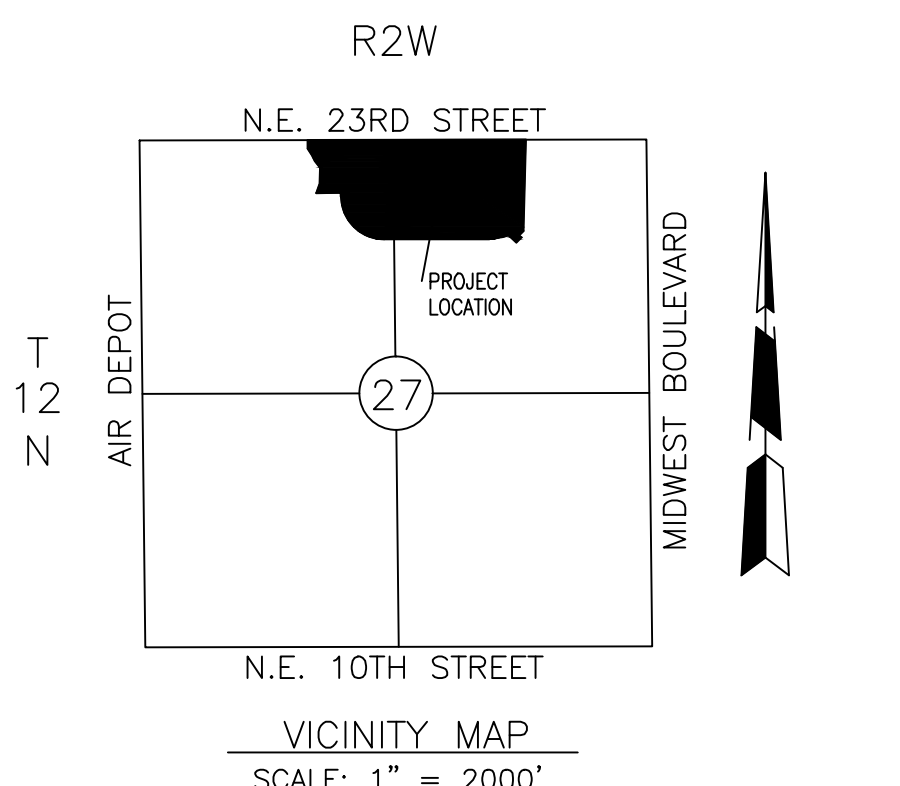
P.O.C.
 N.E. COR., N.E. 1/4, SEC. 27
 T12N, R2W, I.M.



LINE	BEARING	DISTANCE
L1	S 45°26'52" W	54.83'
L2	S 46°02'26" E	54.98'
L3	S 45°26'52" W	47.28'
L4	S 46°02'26" E	47.28'
L5	S 13°57'13" W	38.71'
L6	S 53°46'46" W	84.08'
L7	N 36°13'14" W	20.00'
L8	S 53°46'46" W	84.08'

CURVE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	449.00'	128.31'	S 81°31'02" W	123.87'
C2	449.00'	705.29'	N 45°17'47" W	634.96'
C3	410.00'	322.88'	S 22°51'25" E	314.60'
C4	410.00'	117.16'	S 81°31'02" W	116.76'
C5	410.00'	644.03'	N 45°17'47" W	579.83'
C6	371.00'	292.17'	S 22°51'25" E	284.68'
C7	449.00'	353.59'	S 22°51'25" E	344.53'
C8	371.00'	582.77'	N 45°17'47" W	524.67'
C9	628.77'	252.12'	S 78°48'34" E	250.43'
C10	628.77'	495.41'	S 44°45'05" E	482.69'
C11	190.00'	116.58'	S 71°21'27" W	114.76'
C12	210.00'	85.67'	S 65°28'01" W	85.08'

- NOTES:
1. A SIDEWALK IN ACCORDANCE WITH CITY SPECIFICATIONS SHALL BE REQUIRED ON EACH LOT AT THE BUILDING PERMIT STAGE WITH INSTALLATION PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY.
 2. UNLESS OTHERWISE NOTED, THE UNIT OF MEASUREMENT SHOWN FOR ALL DIMENSIONS ON THE FINAL PLAT IS FEET.
 3. EASEMENTS SHOWN HEREON BY SPECIFIC RECORDING DATA ARE SHOWN FOR REFERENCE PURPOSES ONLY AND ARE NOT DEDICATED AS A PART OF THIS PLAT.

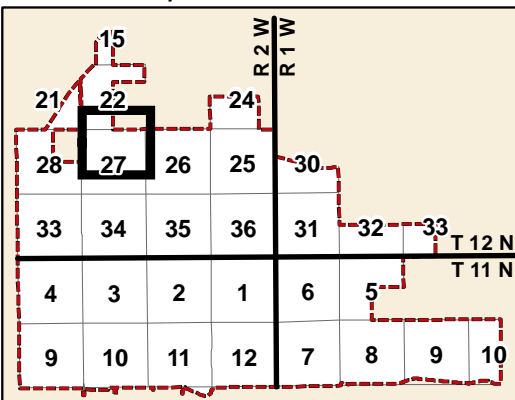


Soldier Creek Industrial Park Sheet 2 of 2

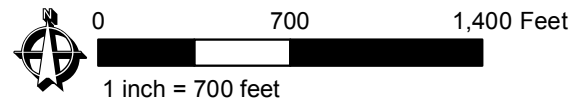
Golden Land Surveying
 920 N.W. 139th St. Pkwy, Oklahoma City, Oklahoma 73013
 Telephone: (405) 802-7883
 C.A. #7263 Exp. 6/30/2018
 troy1745@gmail.com



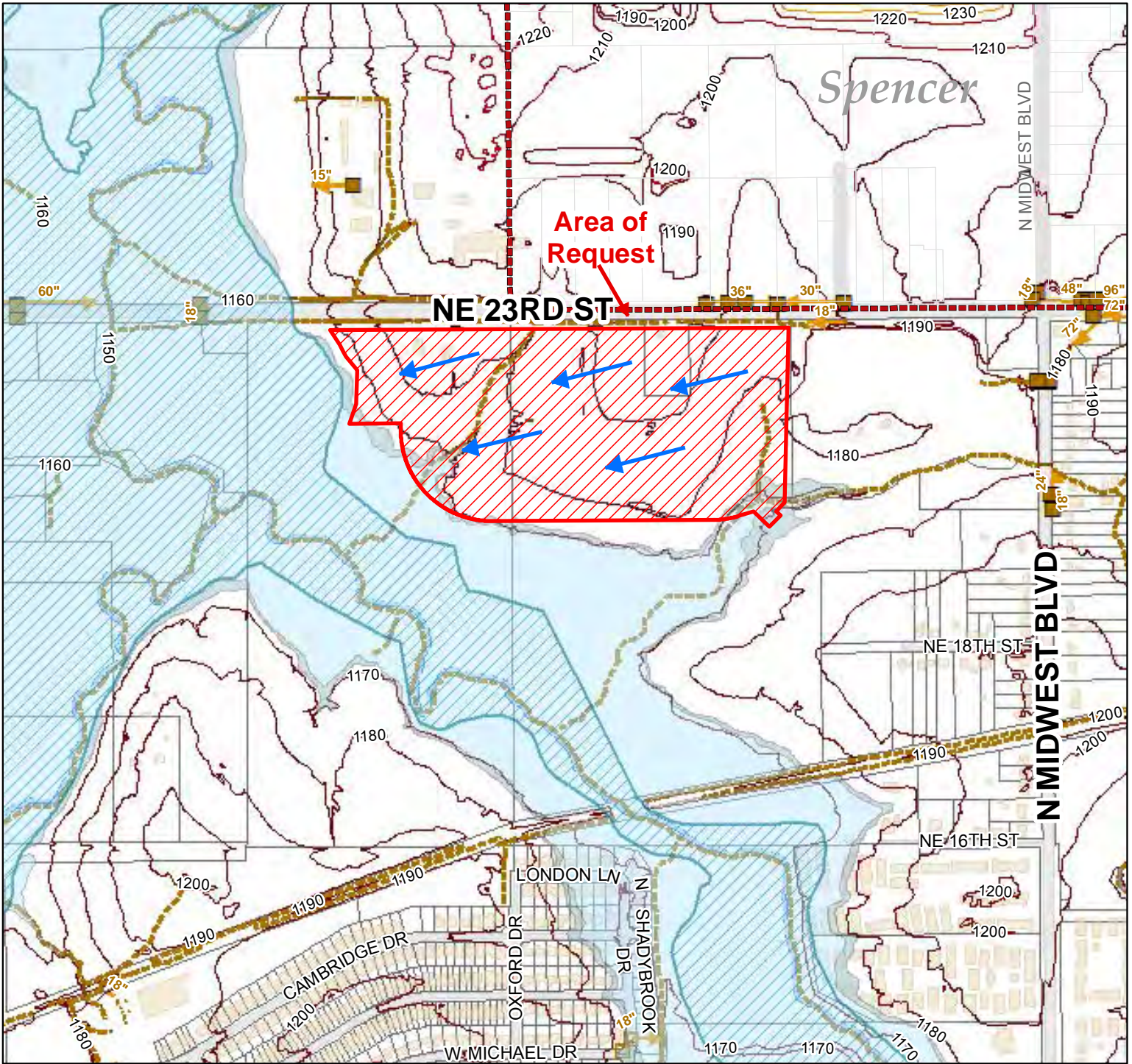
Locator Map



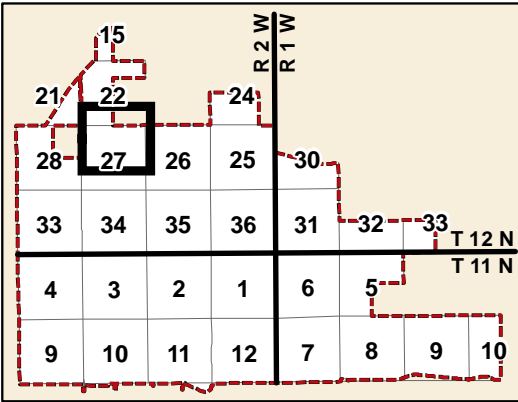
**2015 DOP (AERIAL) VIEW FOR
PC-1888
(N/2, Sec. 27, T12N, R2W)**






















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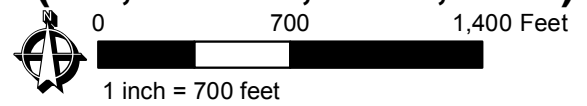
Locator Map



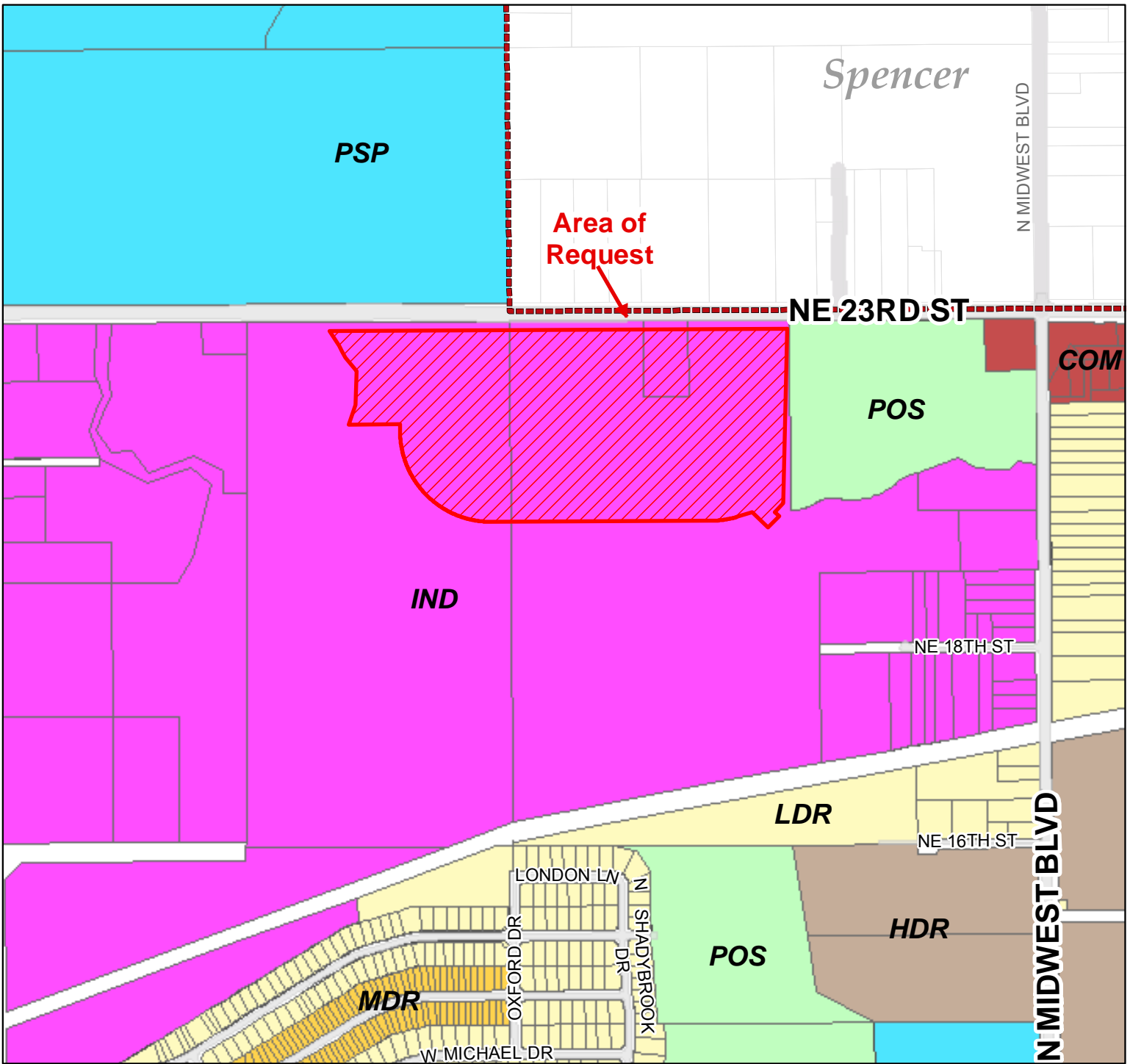
- Drainage Legend**
-  Curb Inlets
 -  Inlets
 -  Junction Box
 -  Culverts
 -  Flumes
 -  Developed Channels
 -  Trickle Channels
 -  Undeveloped Channels
 -  Storm Lines
 -  Creeks
- ELEVATION**
-  1166-1204 ft
 -  1204-1228 ft
 -  1228-1250 ft
 -  1250-1278 ft
 -  1278-1324 ft

- 2009 FEMA Floodplains**
-  500-yr floodplain
 -  100-yr floodplain
 -  2009 FEMA Floodway
 -  FLOODWAY

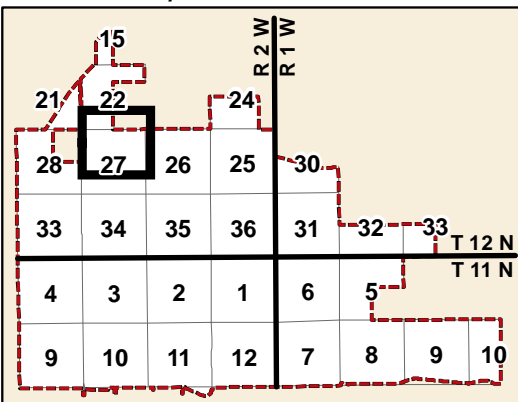
DRAINAGE LOCATION MAP FOR PC-1888 (N/2, Sec. 27, T12N, R2W)













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Locator Map

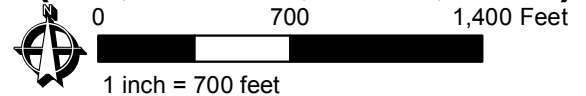


Future Land Use Legend

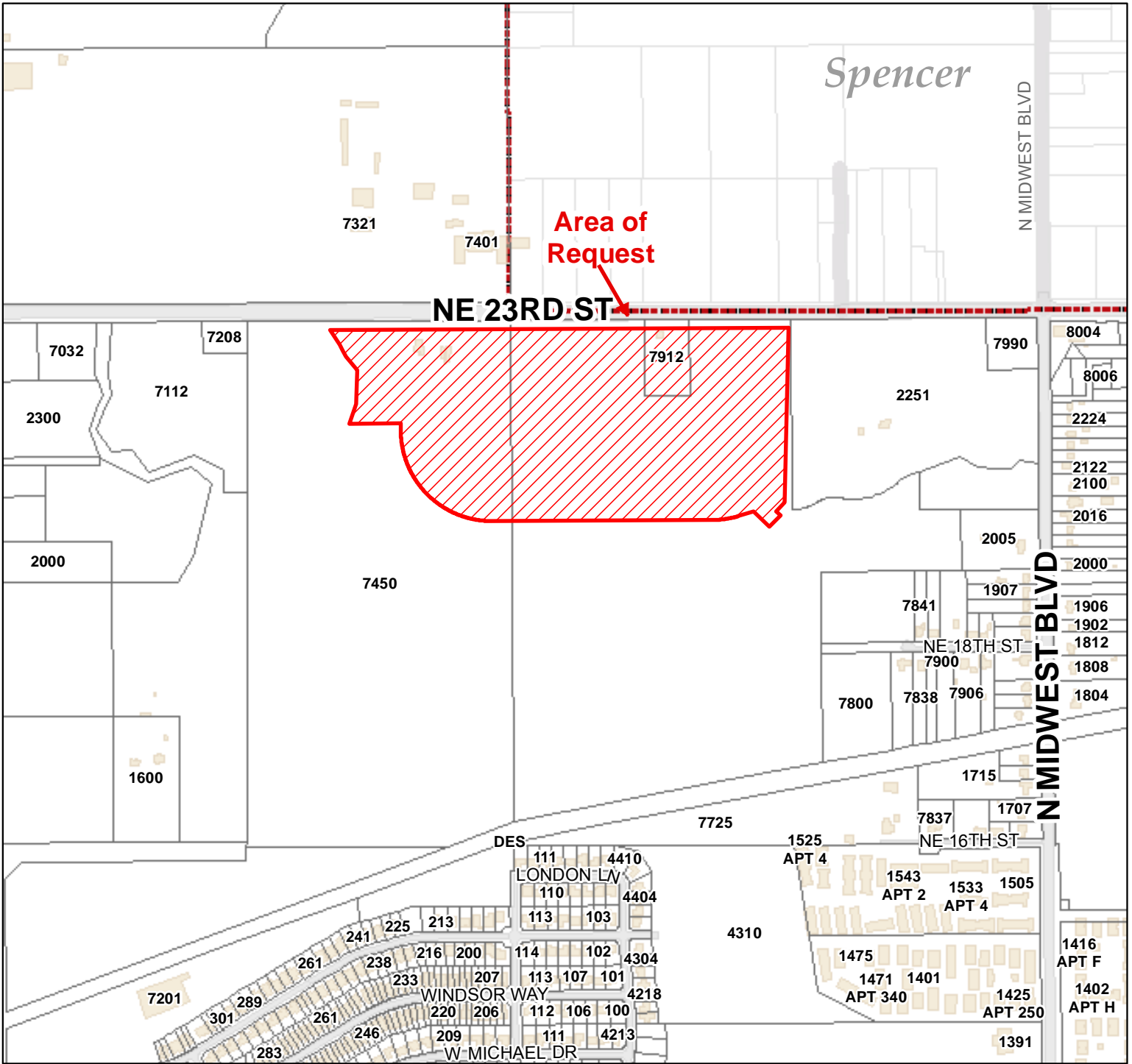
-  Single-Family Detached Residential
-  Medium Density Residential
-  High Density Residential
-  Manufactured Home
-  Public/Semi-Public
-  Parks/Open Space
-  Office/Retail
-  Commercial
-  Industrial
-  Town Center

**FUTURE LAND USE
MAP FOR
PC-1888**

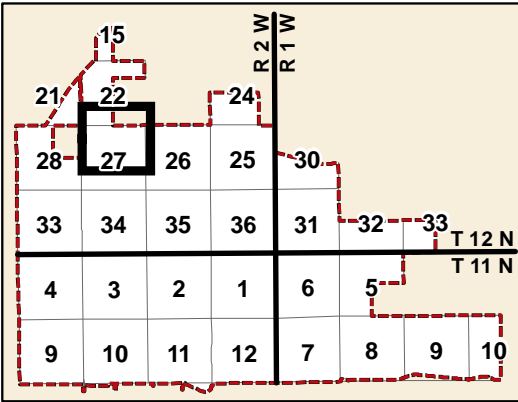
(N/2, Sec. 27, T12N, R2W)








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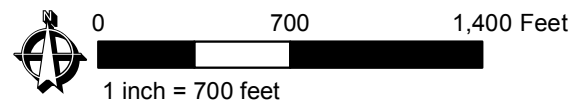
Locator Map



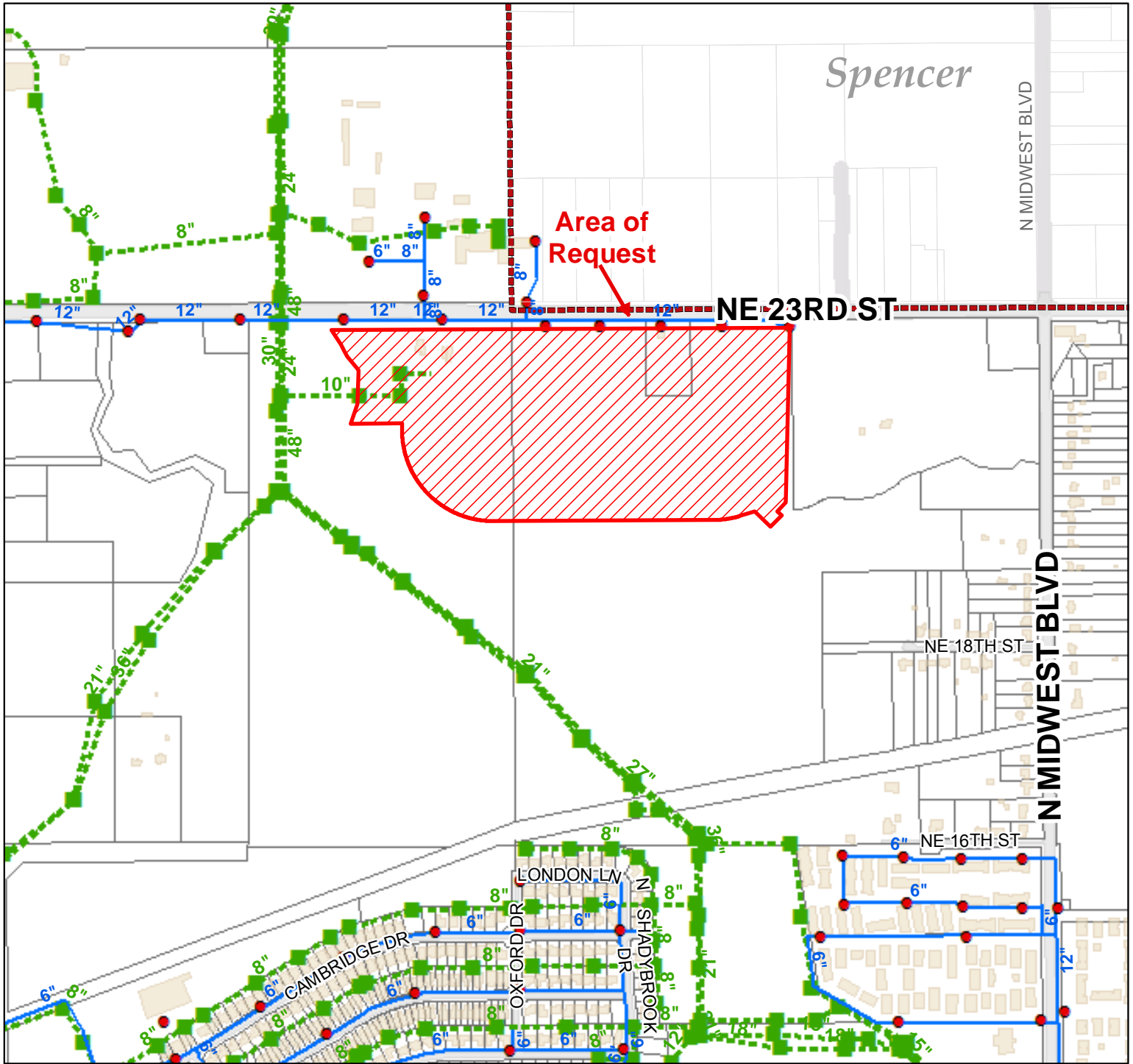
General Map Legend

-  Area of Request
-  Parcels with Addresses
-  Buildings
-  Edge of Pavement
-  MWC City Limits

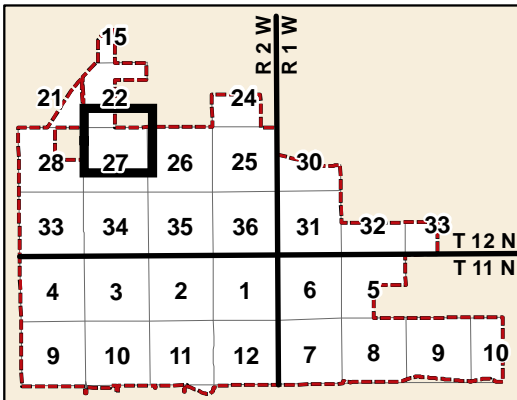
**GENERAL MAP FOR
PC-1888
(N/2, Sec. 27, T12N, R2W)**



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Locator Map

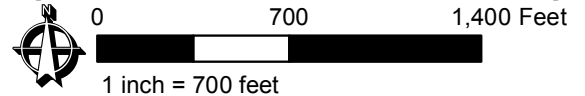


Water/Sewer Legend

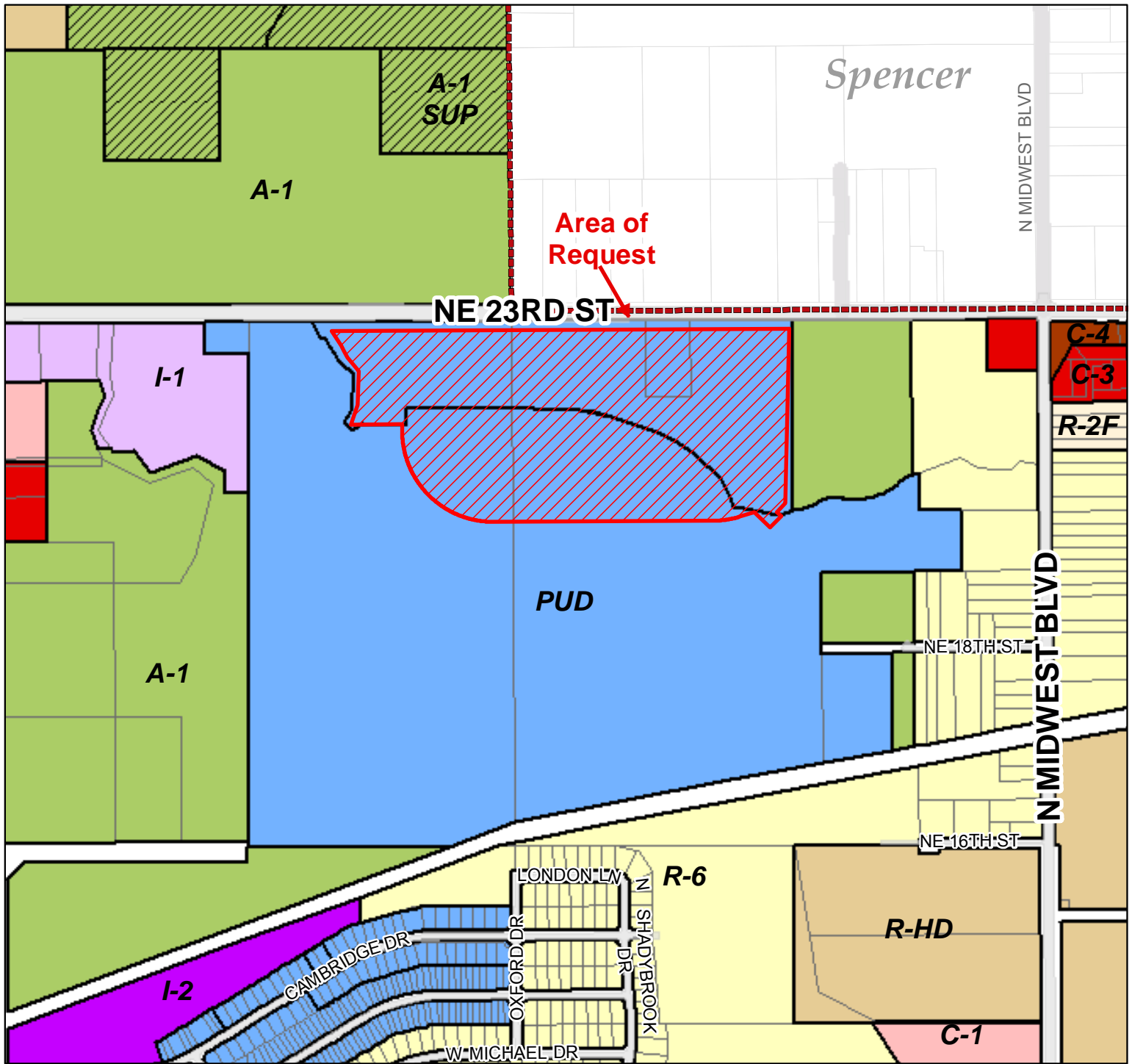
- Fire Hydrants
- Water Lines
 - Distribution
 - Well
 - - - OKC Cross Country
 - - - Sooner Utilities
 - - - Thunderbird
 - - - Unknown
- Sewer Manholes
- - - Sewer Lines

WATER/SEWER LINE LOCATION MAP FOR PC-1888

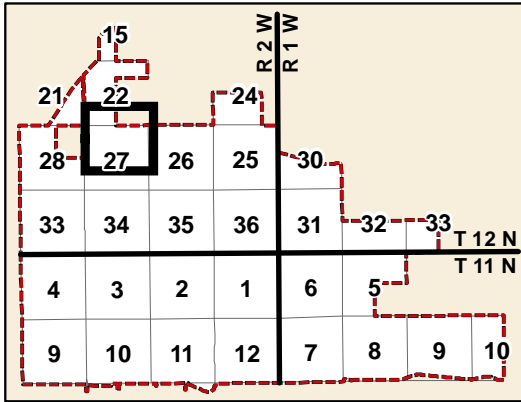
(N/2, Sec. 27, T12N, R2W)



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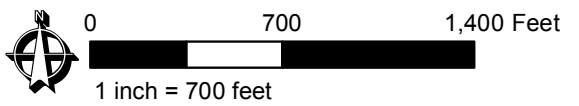
Locator Map



Current Zoning Legend

A-1	I-3	R-2F
A-1 SUP	O-1	R-MD
C-1	O-1 SUP	R-MD SUP
C-1 SUP	O-2	R-HD
C-2	O-2 SUP	R-HD SUP
C-3	R-6	R-MH-1
C-3 SUP	R-6 SUP	R-MH-2
C-4	R-8	PUD
I-1	R-10	SPUD
I-2	R-22	HOS
I-2 SUP	R-35	HOS SUP

ZONING MAP FOR
PC-1888
(N/2, Sec. 27, T12N, R2W)



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The City of
MIDWEST CITY
COMMUNITY DEVELOPMENT DEPARTMENT

Billy Harless, Community Development Director

ENGINEERING DIVISION
Patrick Menefee, City Engineer
CURRENT PLANNING DIVISION
Kellie Gilles, Current Planning Manager
COMPREHENSIVE PLANNING
Julie Shannon, Comprehensive Planner
BUILDING INSPECTION DIVISION
Charles Belk, Building Official
GIS DIVISION
Kathy Spivey, GIS Coordinator

To: Honorable Mayor and City Council

From: Billy Harless, Community Development Director

Date: November 22, 2016

Subject: (PC-1889) Discussion and consideration of an ordinance correcting two (2) scrivener's errors on the official Zoning Map of the City of Midwest City which was approved on October 26, 2010; and providing for repealer and severability.

Dates of Hearing: Planning Commission – November 1, 2016
City Council – November 22, 2016

The current official Zoning Map of the City of Midwest City was approved by the City Council on October 26, 2010. Prior to the Council hearing the item to approve the map, planning and GIS staff worked to ensure the accuracy of the zoning designation for each parcel in Midwest City. Since the time that the map was approved, staff has identified two (2) scrivener's errors that need to be corrected. Both areas were rezoned prior to the adoption of the 2010 official Zoning Map, however, the map that was approved did not accurately reflect the correct zoning designation. The information provided below is a summary of the research staff conducted to determine the errors on the official Zoning Map. Attached, you will find supporting documentation used to identify the scrivener's errors.

Scrivener's Error 1 – 2750 and 2804 S. Post Road

On July 13, 2004 the City Council approved PC-1543, which was an ordinance to rezone an area from R-1-D, Single Family Detached Residential to a Simplified Planned Unit Development (SPUD) for the property described as Lot 5 of the Traub Second Addition, located at 2750 S. Post Road. The SPUD was to be governed by the C-2, Planned Shopping Center District, allowing such uses as Medical Services: general, Administrative Offices, Animals: Grooming and Sales, Business Support Services, Personal Services; Restricted, etc. The maps that were included with the agenda item support that the request was for Lot 5 of the Traub Second Addition. The approved ordinance rezoned all of Lot 5 of the Traub Second Addition to an SPUD. The official Zoning Map shows the north half of Lot 4 and the south half of Lot 5 as an SPUD. There is and has been for many years, one single family house on Lot 4 of the Traub Second Addition. No part of Lot 4 was included in the ordinance to rezone from R-1-D to SPUD. The scrivener's error can be corrected by identifying all of Lot 5 of the Traub Second Addition as an SPUD and showing the north half of Lot 4 as R-6 (formerly R-1-D under the previous Zoning Ordinance) Single Family Detached Residential. Attached is Midwest City Ordinance 2923 showing the area included in the approved 2004 rezoning request.

Scrivener's Error 2 – 2008 and 2012 S. Post Road

On October 25, 2005 the City Council approved PC-1596, which was an ordinance to rezone an area from R-1-D, Single Family Detached Residential to a Planned Unit Development (PUD) for a property located in the 2000 block of S. Post Road with a frontage of 330' along Post Road and a depth of 578', containing an area of 4.37 acres. This PUD was to be governed by the O-1, Restricted Office District. Immediate intentions at the time of the rezoning were to develop a child care center with a second development to follow later. The maps included with the item in PC-1596 are consistent with the staff report and legal description submitted with the application which state that the area of request has 330' of frontage along S. Post Road. The official Zoning Map shows approximately half of the frontage along S. Post Road that is designated as a PUD. The rest (which is now the site of the child care center as mentioned in the PUD) is shown as residential. This scrivener's error needs to be corrected to accurately designate the entire 4.37 acre site as a PUD as according to the approved PUD. Attached is Midwest City Ordinance 2967 showing the area included in the approved 2005 rezoning request.

Staff recommends approval.



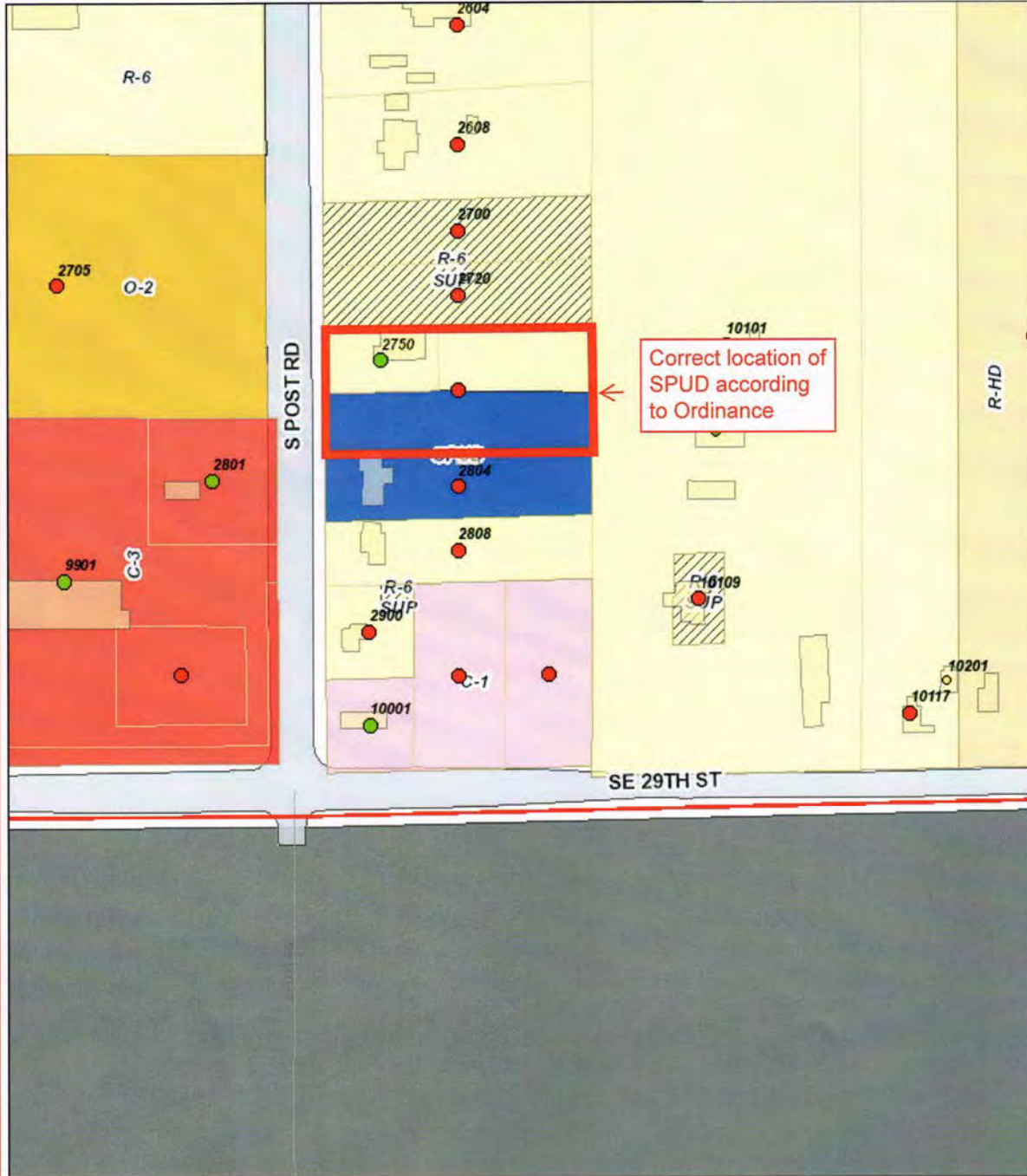
Billy Harless, AICP
Community Development Director

KG

Scrivener's Error 1 – 2750 and 2804 S. Post Road

Supporting Documentation

Scrivener's Error 1 - 2750 and 2804 S. Post Rd.

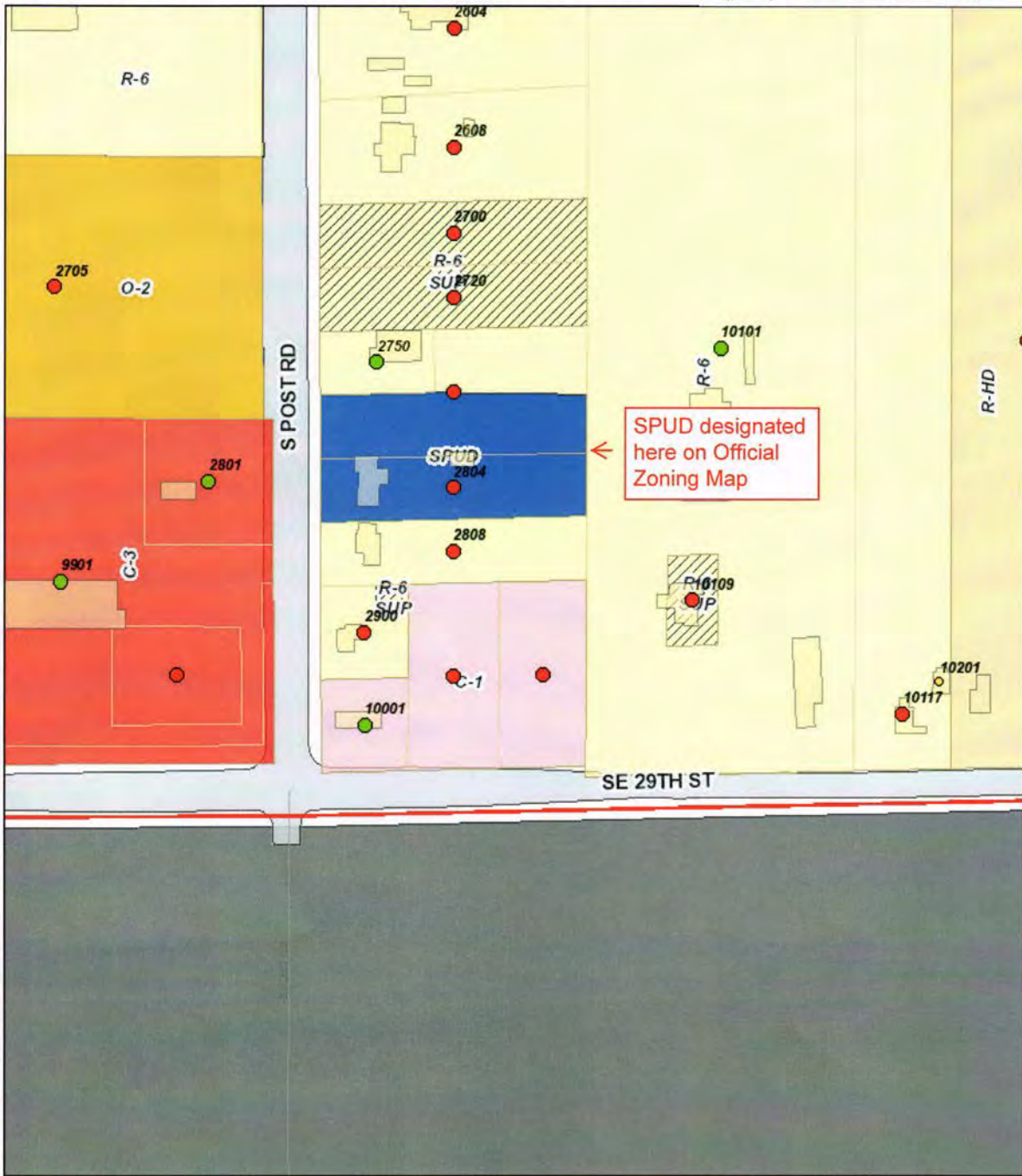


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when printed actual size
on 8-1/2"x11" paper

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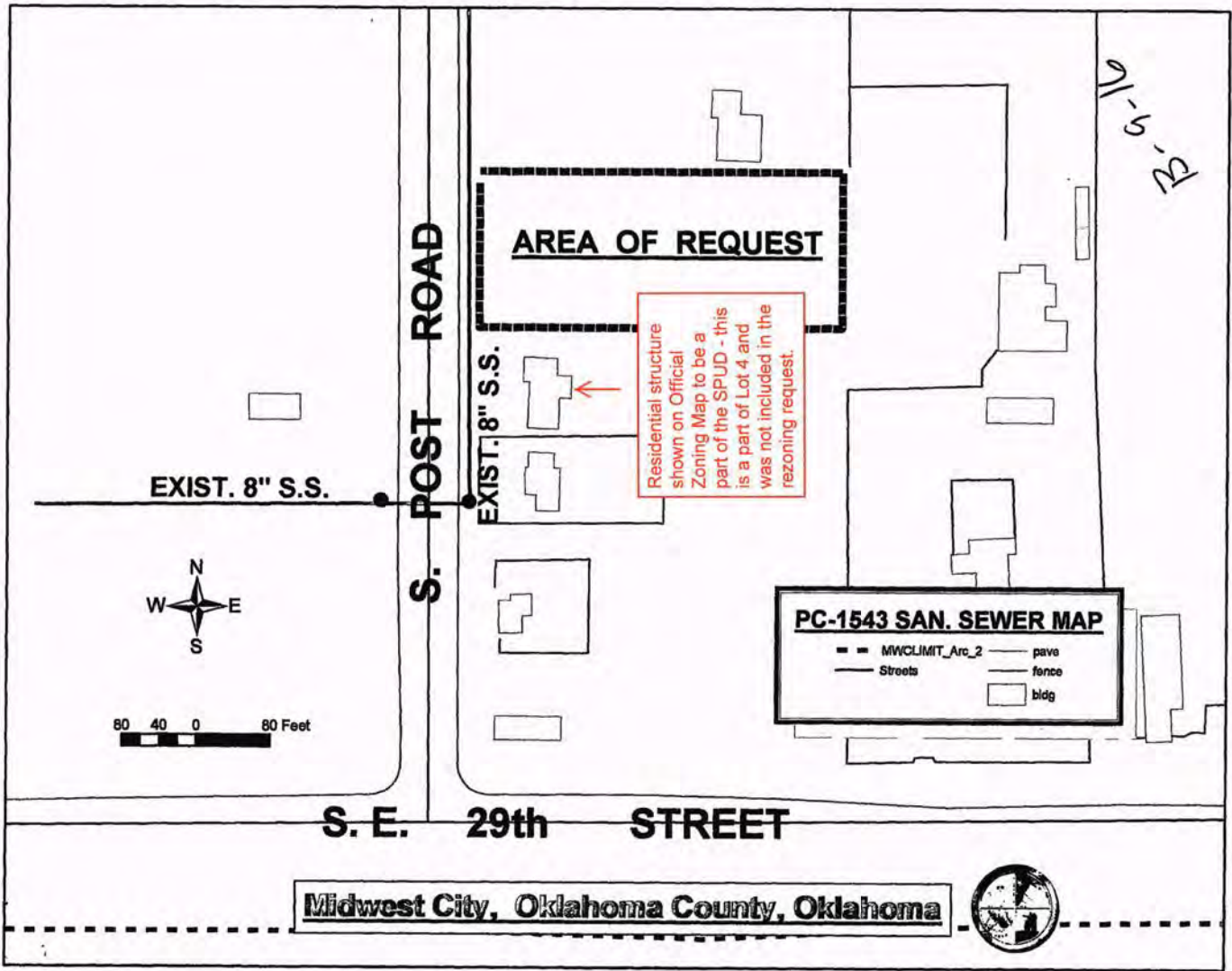
Scrivener's Error 1 - 2750 and 2804 S. Post Rd.



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The City of
MIDWEST CITY

DEVELOPMENT SERVICES DEPARTMENT - CURRENT PLANNING DIVISION

J. Guy Henson, Development Services Director
Ronald Green, Manager

*Staff report for rezoning
indicating the lot and
subdivision for the area
of request*

TO: Honorable Mayor and City Council
FROM: J. Guy Henson, Development Services Director
DATE: July 7, 2004

*Appeal
7-13-04*

SUBJECT: (PC-1543) Public hearing with discussion and consideration of a ordinance to redistrict from R-1-D, Single Family Detached Residential, to Simplified Planned Unit Development (SPUD) for the property described as Lot 5, Traub Second Addition, located at 2750 S. Post Road, subject to all staff comments.

DATES OF HEARINGS:
Planning Commission - June 1, 2004
- July 6, 2004
City Council - July 13, 2004

OWNER/APPLICANT: Jeff Moore, Moore Real Estate Development, Inc.

PROPOSED USE: Commercial Development

SIZE:
The area of request has a frontage of 192' along Post Road and a depth of 403', containing an area of 1.776 acres, more or less.

DEVELOPMENT PROPOSED BY THE COMPREHENSIVE PLAN:

Area of Request: Level 2
North and East: Level 2
South: Level 4
West: Level 3

ZONING DISTRICT:

Area of Request: R-1-D, Single Family Detached Residential
North, South and East: R-1-D, Single Family Detached Residential
West: R-1-D, Single Family Detached Residential and C-3, Community Commercial

LAND USE:

Area of Request: Vacant
North and South: Residences
East: Salvage Yard Facility
West: Drive Inn Restaurant and vacant

W:\06-11-04\WPDOCS\PLAN\PC1543S.WPD

100 N. Midwest Boulevard - P.O. Box 10570 - Midwest City, Oklahoma 73140-1570
CURRENT PLANNING DIVISION (405)739-1210 - FAX(405)739-1399 - (TDD)(405)739-1286
An Equal Opportunity Employer

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ORDINANCE NO. 2923

AN ORDINANCE AMENDING SECTION 1.5 OF ORDINANCE NO. 2053 OF THE CITY OF MIDWEST CITY, OKLAHOMA, TO INCLUDE ADDITIONAL TERRITORY WITHIN THE Simplified Planned Unit Development (SPUD), DISTRICT

ORDINANCE

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MIDWEST CITY, OKLAHOMA COUNTY, STATE OF OKLAHOMA:

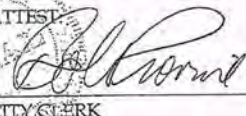
SECTION 1. That Section 1.5 of Ordinance No. 2053 of the City of Midwest City, Oklahoma, be amended, subject to staff comments contained in the PC-1543 file, to change the boundaries of the Simplified Planned Unit Development (PUD) District, as shown on the District Map to include therein the following described property:

Lot 5, Traub Second Addition, located at 2750 S. Post Road, the location of which is specifically identified on the attached map.

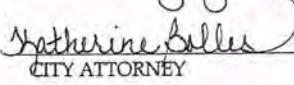
PASSED AND APPROVED by the Mayor and Council of the City of Midwest City, Oklahoma, this 13th day of July, 2004.

CITY OF MIDWEST CITY, OKLAHOMA


MAYOR

ATTEST

CITY CLERK

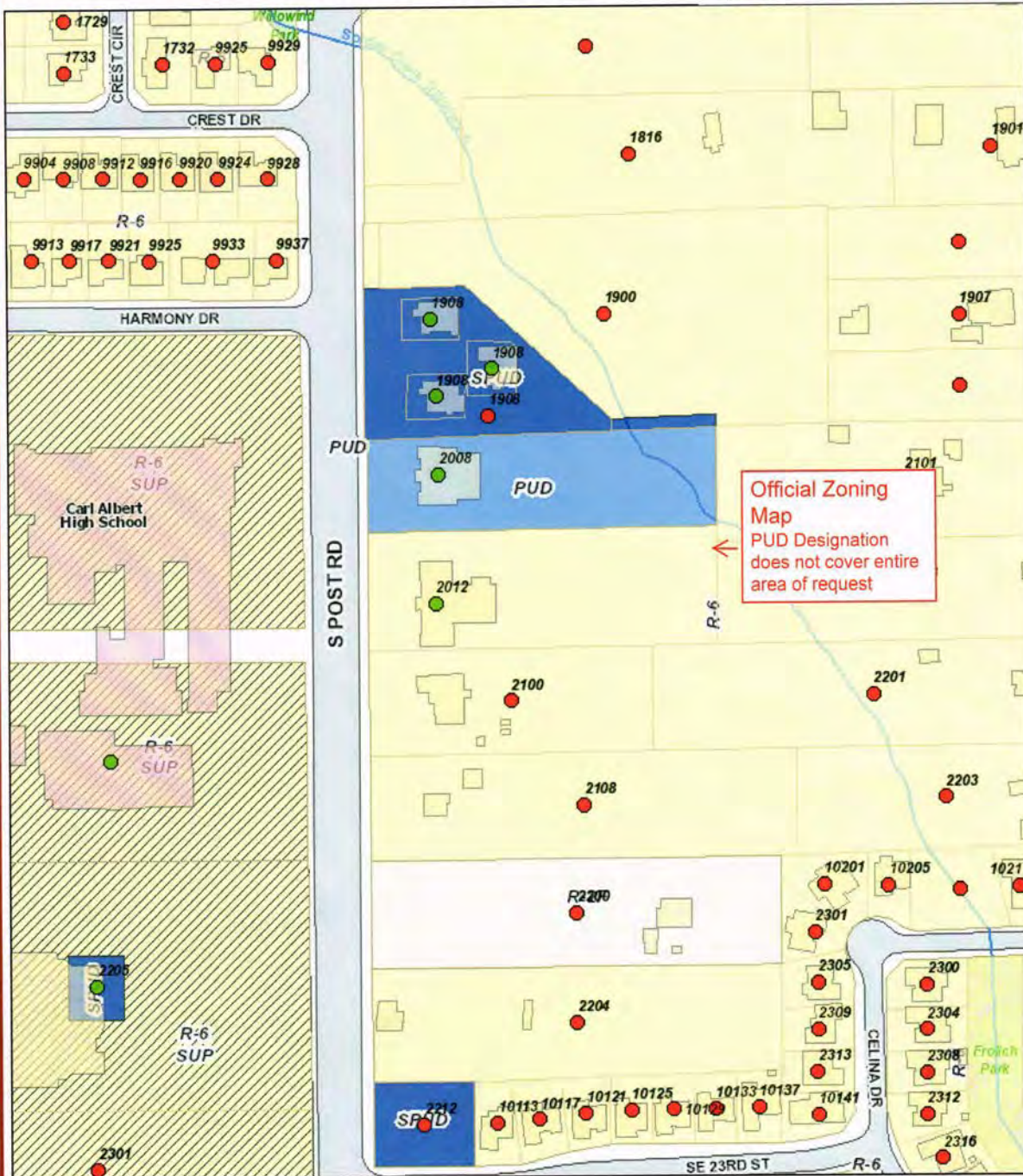
APPROVED as to form and legality this 13th day of July, 2004


CITY ATTORNEY

Scrivener's Error 2 – 2008 and 2012 S. Post Road


Supporting Documentation

Scrivener's Error 2 - 2008 and 2012 S. Post Rd.



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Scrivener's Error 2 - 2008 and 2012 S. Post Rd.



Area that should be included with the PUD to the north in accordance with approved Ordinance 2967


1 in = 200 ft
 when printed actual size
 on 8-1/2"x11" paper

DISCLAIMER
 This map is a general information public resource. The City of Midwest City makes no warranty, representation or guarantee as to the content, accuracy, timeliness or completeness of any of the information provided on this map. Any party's use or reliance on this map, or any information on it, is at that party's own risk and without liability to the City of Midwest City, its officials or its employees for any discrepancies, errors or variances that may exist.

PUD rezoning application showing legal description of area of request

Application for Rezoning Redistricting and Permissive Use

Today's Date _____
Cut-off Date _____

Application No. PC 1596
Filing Fee _____

Applications must be submitted at least three weeks prior to the scheduled Planning Commission meeting.

I. I (we), being the undersigned, being owners of more than fifty-one (51) percent of the following described property, do hereby respectfully make application and petition to the Planning Commission and the City Council to amend Zoning Ordinance 2053 as hereinafter requested, further stating I, (we), in all things will comply with the requirements of the ordinances of Midwest City:

Location or Address of Property: S 4th Rd Between SE 15th & SE 24th
Legal Description (please print): PT of NW 1/4 SEC 7 1/4 IN 1 W BEG
1/250 FT S of NW 1/4 of NW 1/4 E 578 FT S 330 FT
1/2578 FT 1/2330 FT TO BEG

Property Owners:

1) Wilfred Jones - See attached purchase contract
3) _____

2) _____ 4) _____
As evidenced by deed from Oklahoma County (enclose copy of deed with application):

1) Book _____ Page _____ 3) Book _____ Page _____
2) Book _____ Page _____ 4) Book _____ Page _____

It is requested that the described property be rezoned:
From Residential To Commercial A2 to C3
Amending the Land Use Plan from Level _____ to Level _____

Property Frontage 330 (in feet) Property Depth 578 (in feet) Property Total Square Footage 190740

II. Applicant must execute the attached affidavit in conjunction with the application. A bonded certified abstractor's list (including a legal description of the area of request) may be substituted.

Applicant Signature [Signature] Address (include zip code) P O Box 6881 Edmond, OK Telephone (include area code) (405) 412-8083
Mo Palmer - 623-1976

(To be completed by Development Services personnel):
Completed application received: _____ City Council public hearing date: _____
Planning Commission hearing date: _____ Application submittal date: _____



The City of
MIDWEST CITY

COMMUNITY DEVELOPMENT DEPARTMENT - CURRENT PLANNING DIVISION
William (Billy) Harless, Community Development Director
Ronald Green, Manager

Staff report for
re-zoning request

TO: Honorable Mayor and City Council
FROM: Billy D. Harless, Community Development Director
DATE: October 18, 2005
SUBJECT: (PC-1596) Public hearing with discussion and consideration of an ordinance to redistrict from R-1-D, Single Family Detached Residential to Planned Unit Development (PUD) for the property described as a part of the NW/4 of Section 7, T11N, R1W; located in the 2000 block of S. Post Road, subject to all staff comments.

Appeal
10/25/05

DATE OF HEARINGS: Planning Commission - September 6, 2005 (cont'd)
- October 4, 2005
City Council - October 25, 2005

APPLICANT: WRJ Enterprises
REPRESENTATIVES: Winfred Jones/Mo Palmer
PROPOSED USE: Child Care Center

SIZE:
The area of request has a frontage of 330' along Post Road and a depth of 578', containing an area of 4.37 acres, more or less.

DEVELOPMENT PROPOSED BY THE COMPREHENSIVE PLAN:
Area of Request: Level 2
North: Level 2
South and East: Level 1
West: Level 3

ZONING DISTRICTS:
Area of Request: R-1-D, Single Family Detached Residential
North: SPUD, Simplified Planned Unit Development
South and East: R-1-D, Single Family Detached Residential
West: R-1-D with Special Use Permit for Schools

C:\WPDOCS\PLAN\pc-1596 staff report.doc

100 N. Midwest Boulevard - Midwest City, Oklahoma 73110
DEVELOPMENT SERVICES (405) 739-1220 - FAX (405)739-1399 - TDD (405) 739-1286
An Equal Opportunity Employer

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ORDINANCE NO. 2967

AN ORDINANCE AMENDING SECTION 1.5 OF ORDINANCE NO. 2053 OF THE CITY OF MIDWEST CITY, OKLAHOMA, TO INCLUDE ADDITIONAL TERRITORY WITHIN THE Planned Unit Development (PUD).

ORDINANCE

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MIDWEST CITY, OKLAHOMA COUNTY, STATE OF OKLAHOMA:

SECTION 1. That Section 1.5 of Ordinance No. 2053 of the City of Midwest City, Oklahoma, be amended, subject to staff comments contained in the PC-1596 file, to change the boundaries of the Planned Unit Development (PUD), district as shown on the District Map to include therein the following described property:

A part of the NW/4 of Section 7, T11N, R1W, located in the 200 block of S. Post Road, the location of which is specifically identified on the attached map.

-should say 2000

PASSED AND APPROVED by the Mayor and Council of the City of Midwest City, Oklahoma, this 25th day of October, 2005.

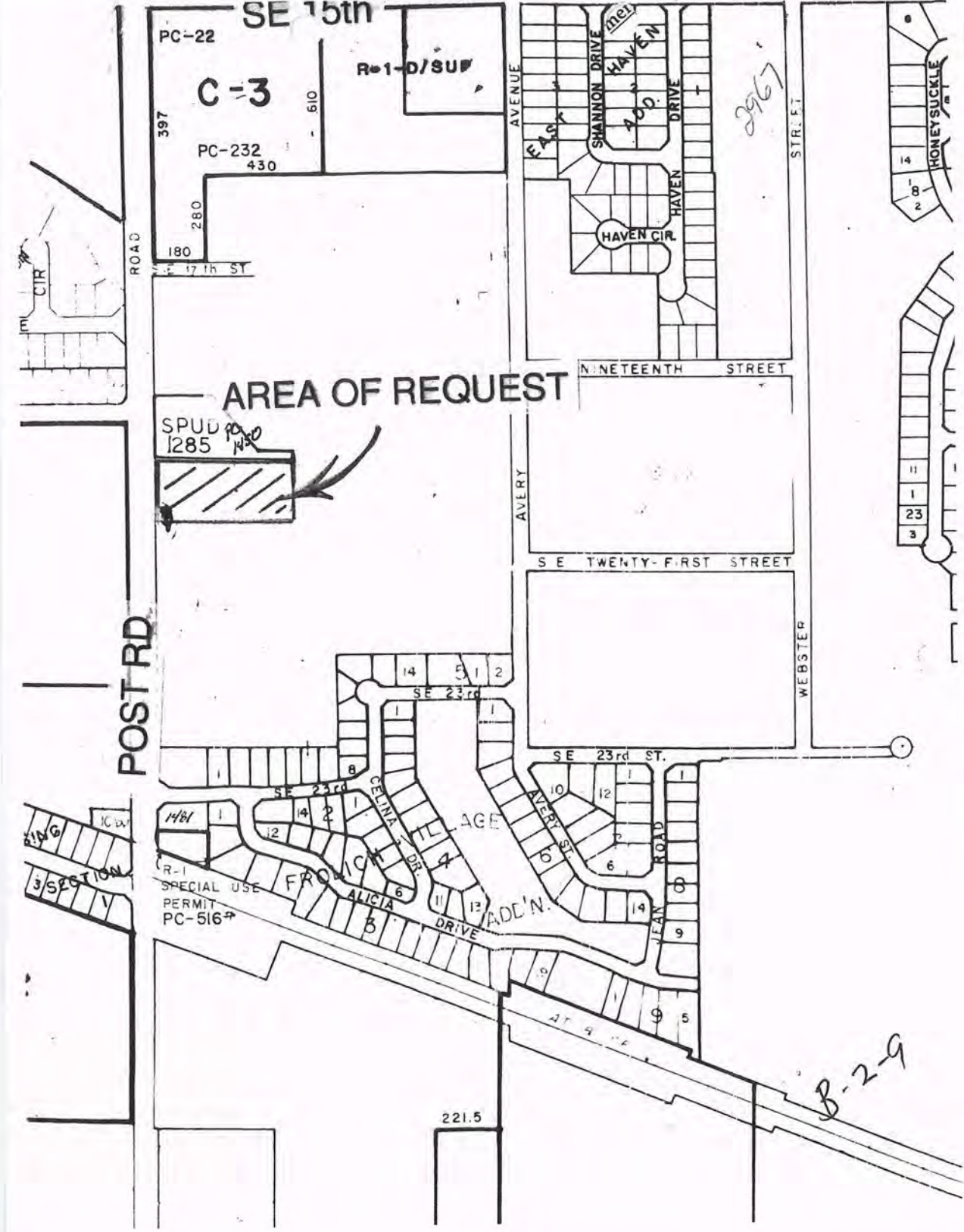
CITY OF MIDWEST CITY, OKLAHOMA

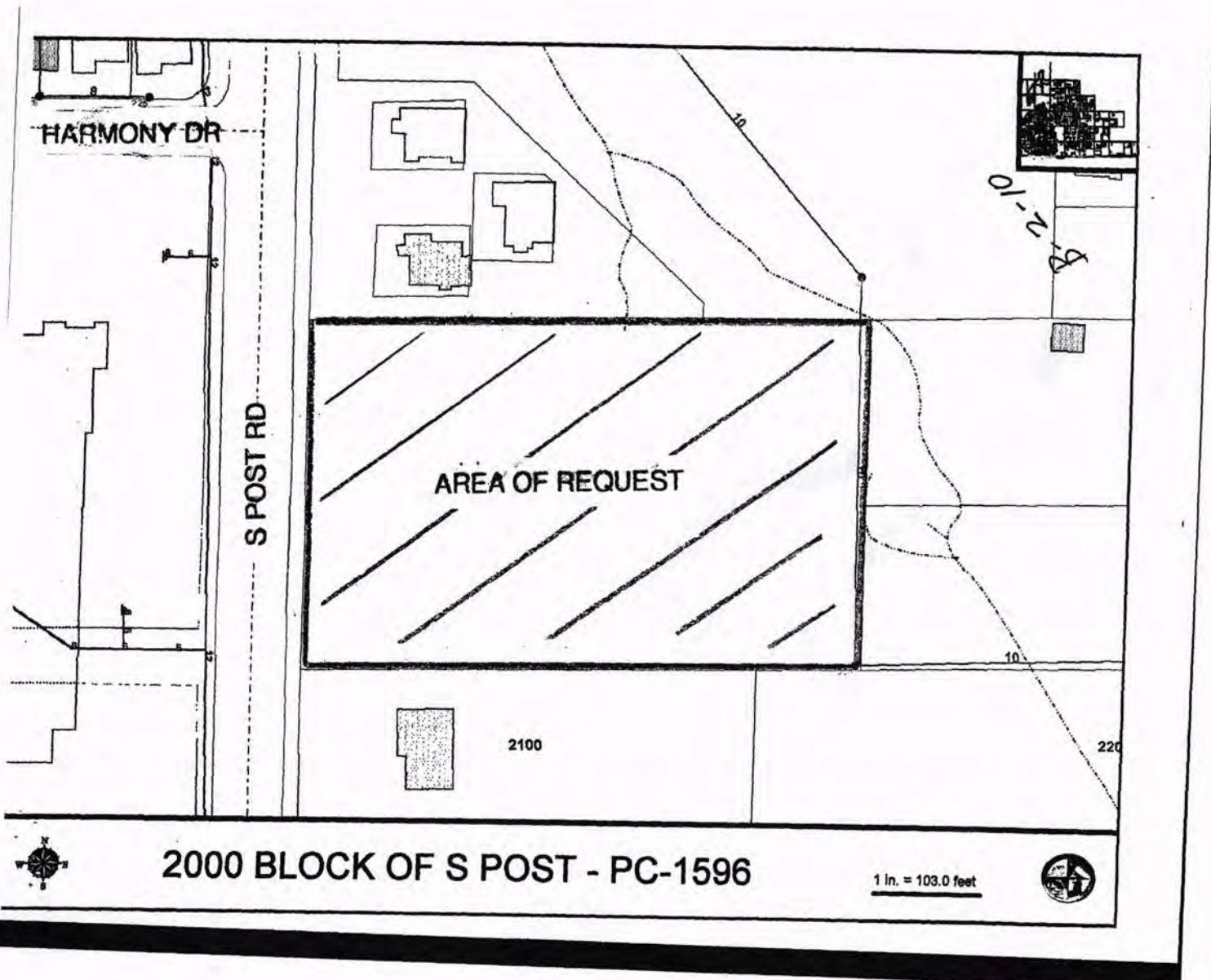
Charles Dwyer
VICE-MAYOR

ATTEST
[Signature]
CITY CLERK

APPROVED as to form and legality this 25th day of October, 2005.

Katherine Collier
CITY ATTORNEY







NEW BUSINESS/
PUBLIC DISCUSSION





EXECUTIVE SESSION





Assistant City Manager
100 N. Midwest Boulevard
Midwest City, OK 73110
Office: 405.739.1201
tlyon@midwestcityok.org
www.midwestcityok.org

TO: Honorable Mayor and Council

FROM: Tim Lyon, Assistant City Manager

DATE: November 22, 2016

RE: Discussion and consideration of (1) entering into executive session, as allowed under 25 O.S., § 307(B)(4), to discuss Don Therkelson v. City of Midwest City, Case No. WC2014-03006-K, and (2) in open session, authorizing the city manager to take action as appropriate based on the discussion in executive session.

Appropriate information will be provided during executive session.

Tim L. Lyon

Tim Lyon
Assistant City Manager



FURTHER INFORMATION



Notice of regular Midwest City Planning Commission meetings in 2016 was filed for the calendar year with the Midwest City Clerk prior to December 15, 2015 and copies of the agenda for this meeting were posted at City Hall at least 24 hours in advance of the meeting.

MINUTES OF MIDWEST CITY PLANNING COMMISSION MEETING

November 1, 2016 - 7:00 p.m.

This regular meeting of the Midwest City Planning Commission was held in the Council Chambers, 100 North Midwest Boulevard, Midwest City, Oklahoma County, Oklahoma, on October 4, 2016 at 7:00 p.m., with the following members present:

Commissioners present: Floyd Wicker, Chairman
 Stan Greil
 Dean Hinton
 Turner Mann
 Jess Huskey
 Russell Smith
 Jay Dee Collins

Staff present: Billy Harless, Community Development Director
 Kellie Gilles, Current Planning Manager
 Patrick Menefee, City Engineer
 Christine Allison, Associate Current Planner

The meeting was called to order by Chairman Wicker at 7:00 p.m.

A. MINUTES:

1. Motion was made by Huskey, seconded by Greil, to approve the minutes of the October 4, 2016 Planning Commission meeting as presented. Voting aye: Wicker, Huskey, Smith, Mann, Collins and Greil. Nay: none. Abstain: Hinton. Motion carried.

B. NEW MATTERS:

1. **(PC-1885) Public hearing with discussion and consideration of approval of the Sooner Rose Final Plat for the property described as a tract of land lying in the SW/4 of Section 4, T-11-N, R-2-W, of the Indian Meridian, located in the northeast corner of S. Sooner Rd. and SE 15th St., City of Midwest City, Oklahoma County, Oklahoma**

Staff members presented a brief overview of this item. Leland Clark of Sooner Investment, 8846 N. May, was present. There was general discussion about this item. A motion was made by Smith,

seconded by Hinton, to recommend approval of this item subject to all staff comments. Voting aye: Wicker, Mann, Huskey, Smith, Collins, Hinton and Greil . Nay: none. Motion carried.

2 (PC-1886) Public hearing with discussion and consideration of approval of an ordinance to redistrict for R6, Single Family Detached Residential to A-1, Agriculture, for the property described as a part of the NW/4 of Section 33, T-12-N, R-2-W, located at the southeast corner of NE 10th St and N. Sooner Road.

Staff members presented a brief overview of this item. The applicant, Daryl Moomey, 9261 Joan Drive, was present. There was general discussion about this item. Wicker asked about the future plans for the site and how the September 22 community meeting went. Huskey attended the community meeting and stated that it went well. Tom Dupuis of Dolese Brothers noted that the staff report states there is a 25' sanitary sewer easement. Mr. Dupuis has documentation that the easement is 20'. City Engineer, Patrick Menefee will verify the correct easement prior to the City Council meeting. A motion was made by Huskey, seconded by Mann, to recommend approval subject to all staff comments. Voting aye: Wicker, Mann, Huskey, Smith, Collins, Hinton and Greil . Nay: none. Motion carried.

3 (PC-1887) Public hearing with discussion and consideration of a resolution for a Special Use Permit to allow the use of Mining and Processing: Minerals and Raw Materials in the A-1, Agriculture district for the property described as a part of the NW/4 of Section 33, T-12-N, R-2-W, located in the southeast corner of NE 10th St. and N. Sooner Road.

Staff members presented a brief overview of this item. The applicant, Daryl Moomey, 9261 Joan Drive, was present. There was general discussion about this item. Moomey stated that Dolese will not build any trails as part of their reclamation of the site. Mr. Moomey also had comments regarding hours of operation, fencing material, slope of the reclaimed area and backing alarms on equipment. Mr. Moomey stated that he was in agreement with the City Manager that the hours of operation would be from 7:00 a.m. to 5:00 p.m. Monday-Friday. He requested that the electric dredge not be limited to specific hours as it will not generate a noise issue. Mr. Moomey also had concerns about staffs' recommendation for a 6' chainlink fence as opposed to barbed wire. The applicant stated he was willing to use field fencing with 3 strands of barbed wire at the top. Mr. Moomey was agreeable to a 1:6 slope but stated that he needed to move the production line back 72'. Mr. Moomey also stated that he could not guarantee the slope below the water line. Regarding the backing alarms on equipment, Mr. Moomey asked that they be allowed to use strobes in lieu of the alarms if the City begins getting noise complaints from the neighbors. A motion was made by Smith, seconded by Huskey, to recommend approval of this item with the hours of operation being 7:00a.m.-5:00p.m Monday-Friday and no limit on the hours of operation for the electric dredge, the use of field fencing with 3 strands of barbed wire at the top, the 1:6 slope with the production line moved 72' back and the use of strobes in lieu of backing alarms if it becomes necessary. Voting aye: Wicker, Mann, Huskey, Smith, Collins, Hinton and Greil . Nay: none. Motion carried.

4 (PC-1888) Public hearing with discussion and consideration of approval of Phase I of the Soldier Creek Industrial Park Preliminary Plat for the property described as a part of the north half of Section 27, T-12-N, R-2-W, located in the 7500 block of NE 23rd Street.

Staff members presented a brief overview of this item. Billy Harless was present to represent the Midwest City Utilities Authority. There was general discussion about this item. Wicker asked if the water and sewer line improvements were included as Capital Improvements. Harless stated that they were. A motion was made by Collins, seconded by Hinton to recommend approval of this item. Voting aye: Wicker, Mann, Huskey, Smith, Collins, Hinton and Greil . Nay: none. Motion carried.

5 (PC-1889) Discussion and consideration of approval of an ordinance correcting two (2) scrivener's errors on the official Zoning Map for the City of Midwest City which was approved on October 26, 2010; and providing for repealer and severability.

Staff members presented a brief overview of this item. There was general discussion. A motion was made by Smith, seconded by Greil to recommend approval of this item. Voting aye: Wicker, Mann, Huskey, Smith, Collins, Hinton and Greil . Nay: none. Motion carried.

C. COMMISSION DISCUSSION: General Discussion.

D. PUBLIC DISCUSSION: None.

E. FURTHER INFORMATION: There were no items of further information for discussion.

There being no further matters before the Commission, motion to adjourn was made by Mann, seconded by Collins. Voting aye: Wicker, Mann, Huskey, Smith, Collins, Hinton and Greil . Nay: none. Motion carried.

The meeting adjourned at 8:24 p.m.

Floyd Wicker, Chairman
(KG)



MUNICIPAL AUTHORITY

AGENDA



MIDWEST CITY MUNICIPAL AUTHORITY AGENDA

City Hall, Midwest City Council Chambers, 100 N. Midwest Boulevard

November 22, 2016 - 7:01 PM

- A. CALL TO ORDER.
- B. CONSENT AGENDA. These items are placed on the Consent Agenda so that the Municipal Authority, by unanimous consent, can approve routine agenda items by one motion. If any item proposed does not meet with approval of all Trustees, or members of the audience wish to discuss an item, it will be removed and heard in regular order.
 - 1. Discussion and consideration of approving the minutes of the staff briefing and regular meeting of November 8, 2016, as submitted. (Secretary - S. Hancock)
 - 2. Discussion and consideration of accepting the report on the current financial condition of the Sheraton Midwest City Hotel at the Reed Center for the period ending October 31, 2016. (City Manager - T. Lyon)
 - 3. Discussion and consideration of entering into a contract with Cox Communications for two fire alarm telephone lines totaling \$65.00 a month plus fees and surcharges. (Public Works - R. Paul Streets)
 - 4. Discussion and consideration of declaring one thousand (1,000) cubic yards of compost from the Wastewater Department surplus property and authorizing its disposal by sale at a cost of \$20.00 per cubic yard loaded, or delivered within 25 miles at a cost of \$100.00 plus the cost of the compost. (Public Works - R. Paul Streets)
- C. NEW BUSINESS/PUBLIC DISCUSSION.
- D. ADJOURNMENT.



CONSENT AGENDA



Notice of regular meetings for staff briefings for the Midwest City Municipal Authority was filed for the calendar year with the City Clerk of Midwest City and copies of the agenda for this meeting were posted at City Hall and on the City's website, accessible to the public for at least 24 hours in advance of the meeting.

**MINUTES OF THE REGULAR STAFF BRIEFING FOR
MIDWEST CITY MUNICIPAL AUTHORITY TRUSTEES**

November 8, 2016 – 6:00 p.m.

This regular meeting was held in the Midwest City Council Conference Room on the second floor of City Hall, 100 N. Midwest Boulevard, Midwest City, County of Oklahoma, State of Oklahoma. The following members were present: Chairman Matt Dukes; Trustees Daniel McClure Jr., Pat Byrne, Rick Dawkins, and Sean Reed; and Secretary Sara Hancock. Absent: Christine Allen and Jeff Moore.

Chairman Dukes called the meeting to order at 6:15 p.m.

Clarification of agenda items, handouts, and presentation of new or additional information for items on the Municipal Authority agenda for November 8, 2016. Staff briefed the trustees on various items on the agenda, and the trustees sought clarification and discussed individual agenda items with staff.

Chairman Dukes closed the meeting at 6:18 p.m.

ATTEST:

MATTHEW D. DUKES, II, Chairman

SARA HANCOCK, Secretary

Notice of regular Midwest City Municipal Authority meetings was filed for the calendar year with the City Clerk of Midwest City and copies of the agenda for this meeting were posted at City Hall and on Midwest City's website, accessible to the public for at least 24 hours in advance of the meeting.

MINUTES OF THE REGULAR MIDWEST CITY MUNICIPAL AUTHORITY MEETING

November 8, 2016 - 7:01 p.m.

This regular meeting was held in the Midwest City Council Chambers, 100 North Midwest Boulevard, Midwest City, County of Oklahoma, State of Oklahoma. The following members were present: Chairman Matt Dukes; Trustees Daniel McClure Jr., Pat Byrne, Rick Dawkins, Sean Reed, and Christine Allen; and Secretary Sara Hancock. Absent: Jeff Moore.

Chairman Dukes called the meeting to order at 7:11 p.m.

Consent Agenda. Motion was made by Dawkins, seconded by Reed, to approve the items on the consent agenda, as submitted except for item number 3.

1. Discussion and consideration of approving the minutes of the staff briefing and regular meeting of October 25, 2016, as submitted.
2. Discussion and consideration of supplemental budget adjustment to the following fund for FY 2016-2017, increase: Water Fund, expenses/Transfers Out (42) \$50,000.
3. **Discussion and consideration of approving and entering into a Sponsorship and Marketing Consulting Agreement with STAAR Solutions in the amount of \$3,000 plus sponsorship sales commissions to effectively assist the City of Midwest City in achieving its goals and initiatives for the 2017 MIOFest.** This item was stricken.
4. Discussion and consideration of designating an approximately 3000 square foot area of Joe B. Barnes Regional Park just southwest of the Veterans Memorial as a site for a C-47 aircraft static display.
5. Discussion and consideration of declaring city vehicles 43-02-12, a 1996 Chevrolet S-10 pickup, VIN 1GCCS14X6TK211734, 43-02-24m a 1992 Ford F250 pickup, VIN 1FTEF25H0NPA35148, 43-028-04, a 1986 CAse W20C, #9161800, and a wooden ladder surplus and authorizing its disposal by sealed bid or auction.

Voting aye: McClure, Dawkins, Byrne, Reed, Allen, and Mayor Dukes. Nay: none. Absent: Moore. Motion carried.

New Business/Public Discussion. There was no new business or public discussion.

Adjournment. Chairman Dukes adjourned the meeting at 7:12 p.m.

ATTEST:

MATTHEW D. DUKES II, Chairman

SARA HANCOCK, Secretary



Assistant City Manager
100 N. Midwest Boulevard
Midwest City, OK 73110
Office: 405.739.1201
tlyon@midwestcityok.org
www.midwestcityok.org

TO: Honorable Chairman and Trustees
Midwest City Municipal Authority

FROM: Tim Lyon, Assistant City Manager

DATE: November 22, 2016

RE: Discussion and consideration of accepting the report on the current financial condition of the Sheraton Midwest City Hotel at the Reed Center for the period ending October 31, 2016.

This item is on the agenda at the request of the Authority. Attached to this memorandum is information concerning the status of the Sheraton Midwest City Hotel at the Reed Center.

Any time you have a question concerning the conference center or hotel, please feel free to contact me at 739-1201.

Tim L. Lyon

Tim Lyon
Assistant City Manager

Attachment (1)

SHERATON MIDWEST CITY HOTEL AT THE REED CENTER

Fiscal Year 2016-2017

	Jul-16	Aug-16	Sep-16	Oct-16	Nov-16	Dec-16	Jan-17	Feb-17	Mar-17	Apr-17	May-17	Jun-17
Revenue												
Budgeted (MTD)	456,340	456,340	456,340	456,340								
Actual (MTD)	430,970	420,241	481,316	571,284								
Budgeted (YTD)	456,340	912,680	1,369,020	1,825,360								
Actual (YTD)	430,970	851,211	1,332,527	1,903,811								
Expenses												
Budgeted (MTD)	452,385	454,833	452,880	458,476								
Actual (MTD)	422,001	445,980	446,293	514,505								
Budgeted (YTD)	452,385	907,218	1,360,098	1,818,574								
Actual (YTD)	422,001	867,982	1,314,275	1,828,780								
Revenue vs. Expenses												
Budgeted (MTD)	3,955	1,507	3,460	(2,136)								
Actual (MTD)	8,969	(25,740)	35,022	56,779								
Budgeted (YTD)	3,955	5,462	8,922	6,786								
Actual (YTD)	8,969	(16,771)	18,252	75,031								

Key Indicators

Hotel Room Revenue	268,993	216,282	265,640	252,315								
Food and Banquet Revenue	105,613	220,229	183,624	266,797								

Fiscal Year 2015-2016

Revenue												
Budgeted (MTD)	415,653	654,459	469,101	625,953	517,137	406,643	385,258	516,383	615,828	574,553	502,540	417,056
Actual (MTD)	368,618	555,622	398,995	602,341	466,410	278,641	327,078	477,464	523,016	593,390	405,609	366,136
Budgeted (YTD)	415,653	1,070,112	1,539,213	2,165,166	2,682,303	3,088,946	3,474,204	3,990,587	4,606,415	5,180,968	5,683,508	6,100,564
Actual (YTD)	368,618	924,240	1,323,235	1,925,576	2,391,986	2,670,627	2,997,705	2,475,169	3,998,185	4,591,575	4,997,183	5,363,319
Expenses												
Budgeted (MTD)	484,903	555,499	488,849	558,297	506,550	470,492	468,588	491,614	562,689	567,092	492,597	483,163
Actual (MTD)	467,394	527,910	464,834	527,746	483,374	467,189	413,287	483,039	499,838	564,893	428,981	443,108
Budgeted (YTD)	484,903	1,041,022	1,529,871	2,088,168	2,594,718	3,065,210	3,533,798	4,025,412	4,588,101	5,155,193	5,647,790	6,130,953
Actual (YTD)	467,394	995,304	1,460,138	1,987,884	2,471,258	2,938,447	3,351,734	3,834,773	4,334,611	4,899,504	5,328,485	5,771,593
Revenue vs. Expenses												
Budgeted (MTD)	(69,250)	97,960	(19,748)	67,656	10,587	(63,849)	(83,330)	24,769	53,139	7,461	9,943	(66,107)
Actual (MTD)	(98,776)	27,712	(65,839)	74,595	(16,964)	(188,548)	(86,209)	(5,575)	23,178	28,497	(23,373)	(76,972)
Budgeted (YTD)	(69,250)	29,090	9,342	76,998	87,585	23,736	(59,594)	(34,825)	18,314	25,775	35,718	(30,389)
Actual (YTD)	(98,776)	(71,064)	(136,903)	(62,308)	(79,272)	(267,820)	(354,029)	(359,604)	(336,426)	(307,929)	(331,302)	(408,274)



Public Works Administration
Vaughn Sullivan, Director
vsullivan@midwestcityok.org
R. Paul Streets, Assistant Director
rstreets@midwestcityok.org
8730 S.E. 15th Street,
Midwest City, Oklahoma 73110
O: 405-739-1060 /Fax: 405-739-1090

Memo

To: Honorable Chairman and Trustees
Midwest City Municipal Authority

From: **R. Paul Streets, Assistant Public Works Director**

Date: November 22, 2016

Subject: Discussion and consideration of entering into a contract with Cox Communications for two fire alarm telephone lines totaling \$65.00 a month plus fees and surcharges.

Please see the attached memo from Information Technology recommending that we enter into a contract with Cox Communications in order to establish service for two dedicated phone lines that are required for the purposes of monitoring the fire alarm system at Public Works Administration.

Funds for this contract are available in the Utilities and Communications Accounts for Sanitation, Stormwater, Wastewater, and Water

Staff recommends approval.

R. Paul Streets
Assistant Public Works Director



Information Technology
100 N. Midwest Boulevard
Midwest City, OK 73110
Office 405.739.1373
Fax 405.869.8602

MEMORANDUM

TO: Paul Streets, Assistant Public Works Director

FROM: Allen Stephenson, Assistant Information Technology Director

DATE: November 11, 2016

SUBJECT: Telecom Review and Recommendation for the Public Works Administration

We have worked with our consultant and we agree that the Public Works Administration should contract with Cox Communications for the two requested telephone lines to monitor your fire alarm as requested by Kevin Lemons. The estimated cost for these two lines will be \$65.00 per month plus fees and surcharges. There will be no additional buildout or installation costs for this project from Cox Communications.

In order to proceed, please submit an agenda item with this letter to the council for approval. When approved, we will submit the proper paperwork to Cox Communications and will be given an estimated time to install. As always, if there is anything else I can help you with, please telephone me at 739-1373.

Respectfully,

Allen Stephenson

Assistant Information Technology Director



Cox Account Rep:	Laura Matthews - 52758	Cox System Address:	
Phone Number:	4052862953		6301 Waterford Boulevard, Suite 200
Fax Number:	877.873.7870		Oklahoma City, OK 73118

Customer Information		Authorized Customer Representative Information	
Legal Company Name:	CITY OF MWC Public Works	Full Name:	
Street Address:	8730 SE 15TH ST	Billing Contact:	405-739-1374
City/State/Zip:	Midwest City, Oklahoma 73110	Fax:	405-869-8602
Billing Address:		Contact Number:	
City/State/Zip:		Email Address:	
Cox Account #:	131-0000000-00		

Taxes and Fees Not Included						
Service Description	Prev QTY	New QTY	Unit Price	Term (Months)	Service Charges	
					Monthly Recurring	One Time Activation & Setup Fees
VoiceManager Essential	0	2	\$18.00	12	\$36.00	
Cox Nickel Plan for 1-5 lines with 250 free INTERSTATE minutes	0	1	\$0.00	M-M	\$0.00	
VoiceManager Installation Fee	0	2	\$25.00			\$50.00
Totals:					\$36.00	\$50.00

Equipment Charges			
Description	Quantity	Unit Price	Total Fee

If you are purchasing Dedicated Service Facilities.	Merge Bill
<input type="checkbox"/> For Dedicated Service Facilities (e.g. Private Line Type Services, Ethernet Services). By initialing here and signing below, Customer represents that at least 10% of the traffic on the designated circuit(s) is Inter-State in nature or is Internet traffic.	No

Special Conditions

Promotion Details
 - Thank you for your business! As a valued Cox Business Customer, we would like to offer additional services to help your business grow. Cox Media consultants provide media solutions to help reach your audience more effectively and efficiently with advanced cable and digital advertising products. Call toll free 1-855-MEDIAMX (1-855-633-4269) or mediamx@coxmedia.com today for more information.

By signing this Agreement, you represent that you are the authorized Customer representative and the information above is true and correct. This Agreement binds Customer to the terms and conditions attached to this Agreement (the "Service Terms") and any other terms and conditions applicable to the Services set forth above, including without limitation, the Cox tariffs, Service Guides, State and Federal regulations, the General Terms located at <http://ww2.cox.com/aboutus/policies/business-general-terms.cox>, and the Cox Acceptable Use Policy (the "AUP"). Customer acknowledges receipt and acceptance of the Service Terms, the AUP and the General Terms by signing this Agreement. Customer acknowledges and accepts that Customer is solely responsible for protecting its network, equipment and the software through the use of firewalls, anti-virus and other security devices. Customer further acknowledges and accepts that Customer is solely responsible for fraudulent activity and related charges that result from Customer's failure to protect its network, equipment and the software. This Agreement is subject to credit approval and Customer authorizes Cox to check credit. The prices above do not include applicable taxes, fees, assessments or surcharges which are additional and may change. This proposal is valid provided Customer signs and delivers this Agreement to Cox unchanged within thirty (30) days from the date above. In addition to any other termination rights in this Agreement, Cox may terminate this Agreement without liability at any time prior to installation of Services or if Cox determines that Customer's location is not reasonably serviceable according to Cox's standard practices. If Customer terminates or decreases any Service that is part of a bundle offering, the remaining Service(s) shall be subject to price increases for the remaining Term. Each party may use electronic signature to sign this Agreement, provided the electronic signature method used by Customer is acceptable to Cox. "Acceptance" of the Agreement by Cox shall occur upon the earlier of (i) Cox's countersignature of this Agreement or (ii) Cox's installation of Service at Customer's location. If Customer cancels this Agreement prior to installation of Service by Cox, Customer shall be liable for Cox's costs incurred. If Cox Equipment is not returned to Cox after disconnection of Services, Customer shall be liable for the Cox Equipment costs. I acknowledge that I have read and understand the 911 disclosures in Section 2 of the Service Terms. To review Cox's Internet Service Disclosures, please visit www.cox.com/internetdisclosures.

Customer Authorized Signature	CoxCom, LLC., Cox Oklahoma Telcom, LLC Signature
Signature:	Signature:
Print:	Print:
Title Position:	Title Position:
Date:	Date:

This "Agreement" includes the terms and conditions (i) on the previous page or, if in the Cox Business e-commerce environment, as selected above (the "Cover Page"); (ii) on this page, including without limitation all policies and terms incorporated into this page (the "Service Terms"); and (iii) set forth at <http://ww2.cox.com/aboutus/policies/business-general-terms.cox> (the "General Terms").

1. Tariffs/Service Guide If Customer is purchasing any Service that is regulated by the FCC or any State regulatory body ("Regulated Service"), then Customer's use of such Regulated Service is subject to the regulations of the FCC and the regulatory body of the State in which the Customer location receiving the Regulated Service is located (which regulations are subject to change), as well as the rates, terms, and conditions contained in tariffs on file with State and Federal regulatory authorities. For States where the Regulated Service is de-tariffed, the Regulated Service is provided pursuant to the rates, terms and conditions for the Cox Service Guide for that State (the "SG"), which may be found at <http://ww2.cox.com/business/voice/regulatory.cox> and which terms are incorporated herein by reference. Cox may amend such tariffs and the SG and the Regulated Service shall be subject to such tariffs, or, if applicable, the SG, as amended. Customer must disclose to Cox if Customer intends to use the Regulated Services with payphone service. The tariffs and the SG contain cancellation or termination fees due in the event of cancellation or termination (including partial termination) of a Regulated Service prior to the Term selected on the Cover Page. Termination fees include, but are not limited to, non-recurring charges, charges paid to third parties on behalf of Customer, and the monthly recurring charges for the balance of the Term.

2. E911 Services FOR IMPORTANT INFORMATION ABOUT COX'S 911 PRACTICES, PLEASE REVIEW THE INFORMATION ABOUT E911 SERVICE IN THE GENERAL TERMS AND ON THE WEBSITE <http://ww2.cox.com/business/voice/regulatory.cox>. ONLY THE EMTA WILL HAVE BATTERY BACKUP PROVIDED BY COX. CUSTOMER IS RESPONSIBLE FOR BATTERY BACKUP FOR THE IAD, ESBC, ATA AND ALL CUSTOMER EQUIPMENT. IN THE EVENT OF A POWER OUTAGE, CUSTOMER'S TELEPHONE SERVICE USING AN EMTA WILL CONTINUE TO OPERATE AS USUAL FOR UP TO EIGHT HOURS WITH THE BACKUP BATTERY PROVIDED BY COX. THE DURATION OF SERVICE DURING A POWER OUTAGE USING AN IAD, ATA, AND ESBC WILL DEPEND ON CUSTOMER'S BATTERY BACKUP CHOICE. IF THE EMTA, ATA, ESBC OR IAD THAT SUPPLIES YOUR TELEPHONE SERVICE IS DISCONNECTED OR REMOVED AND/OR THE BATTERY IS NOT CHARGED OR IS DAMAGED, SERVICE, INCLUDING ACCESS TO 911 OR E911, WILL NOT BE AVAILABLE. COX SHALL NOT BE RESPONSIBLE OR LIABLE FOR ANY FAILURE TO RECEIVE SERVICE OR FOR THE FAILURE OF ANY 911 OR E911 CALL IF CUSTOMER REMOVES OR DISCONNECTS THE EMTA, ATA, ESBC OR IAD OR IF CUSTOMER FAILS TO CHARGE THE BATTERY FOR SAID DEVICES AT ANY TIME DURING THE TERM OF THIS AGREEMENT. COX USES YOUR TELEPHONE SERVICE ADDRESS TO IDENTIFY YOUR LOCATION FOR E911 SERVICE. IF THE EMTA, ATA ESBC AND/OR IAD INSTALLED IN YOUR BUSINESS IS MOVED, THE E911 DISPATCH MAY NOT RECEIVE YOUR CORRECT ADDRESS. PLEASE NOTIFY COX IF YOU WOULD LIKE TO MOVE OR RELOCATE YOUR TELEPHONE SERVICE. IT CAN TAKE UP TO 2 BUSINESS DAYS FOR YOUR NEW ADDRESS TO BE UPDATED.

3. Service Start Date and Term This Agreement shall be effective upon execution by Customer and "Acceptance" by Cox (as such term is defined on the Cover Page). The "Initial Term" shall begin upon installation of Service and shall continue for the applicable Term commitment set forth on the Cover Page. However, if Customer delays installation or is not ready to receive Services on the agreed-upon installation date, Cox may begin billing for Services on the date Services would have been installed. Cox shall use reasonable efforts to make the Services available by the requested service date. Cox shall not be liable for damages for delays in meeting service dates due to install delays or reasons beyond Cox's control. If Customer delays installation for more than ninety (90) days after Customer's execution of this Agreement, Cox reserves the right to terminate this Agreement by providing written notice to Customer and Customer shall be liable for Cox's reasonable costs incurred. AFTER THE INITIAL TERM, THIS AGREEMENT SHALL AUTOMATICALLY RENEW FOR ONE (1) YEAR TERMS (EACH AN "EXTENDED TERM") UNLESS A PARTY GIVES THE OTHER PARTY WRITTEN TERMINATION NOTICE AT LEAST THIRTY (30) DAYS PRIOR TO THE EXPIRATION OF THE INITIAL TERM OR THEN CURRENT EXTENDED TERM. "Term" shall mean the Initial Term and Extended Term (s), if any. Cox reserves the right to increase rates for all Services by no more than ten percent (10%) during any Extended Term by providing Customer with at least sixty (60) days written notice of such rate increase. This limitation on rate increases shall not apply to video Services or Services for which rates, terms and conditions are governed by a Cox tariff or SG. Upon notice to Customer, Cox may change the rates for video Services periodically during the Term. Cox may change the rates for telephone Service subject to a Cox tariff or SG periodically during the Term. For the avoidance of doubt, promotional rates and promotional discounts provided to Customer will expire at the end of the Initial Term or earlier as set forth in the promotion language. Customer's payment for Service after notice of a rate increase will be deemed to be Customer's acceptance of the new rate.

4. Termination Customer may terminate any Service before the end of the Term selected by Customer on the Cover Page; provided, however, if Customer terminates any such Service before the end of the Term (except for breach by Cox), unless otherwise expressly stated in the General Terms,

Customer will be obligated to pay Cox a termination fee equal to the nonrecurring charges (if unpaid) and One Hundred Percent (100%) of the monthly recurring charges for the terminated Service(s) multiplied by the number of full months remaining in the Term. This provision survives termination of the Agreement. If there is signal interference with any Cox Service(s), Cox may terminate this Agreement without liability if Cox cannot resolve the interference by using commercially reasonable efforts.

5. Payment Customer shall pay Cox all monthly recurring charges ("MRCs") and all non-recurring charges ("NRCs"), if any, by the due date on the invoice. Any amount not received by the due date shown on the applicable invoice will be subject to interest or a late charge no greater than the maximum rate allowed by law. If Cox terminates this Agreement due to Customer's breach, or if Customer fails to pay any amounts when due and fails to cure such non-payment upon receipt of written notice of non-payment from Cox, Customer will be deemed to have terminated this Agreement and will be obligated to pay the termination fee described above. If applicable to the Service, Customer shall pay sales, use, gross receipts, and excise taxes, access fees and all other fees, universal service fund assessments, 911 fees, franchise fees, bypass or other local, State and Federal taxes or charges, and deposits, imposed on the use of the Services. Taxes will be separately stated on Customer's invoice. No interest will be paid on deposits unless required by law.

6. Service and Installation Cox shall provide Customer with the Services identified on the Cover Page and may provide related facilities and equipment, the ownership of which shall be retained by Cox (the "Cox Equipment"), or for certain Services, Customer, may purchase equipment from Cox ("Customer Purchased Equipment"). Customer is responsible for damage to any Cox Equipment. Customer may use the Services for any lawful purpose, provided that such purpose: (i) does not interfere or impair the Cox network or Cox Equipment; (ii) complies with the AUP; and (iii) is in accordance with the terms and conditions of this Agreement. Customer shall use the Cox Equipment only for the purpose of receiving the Services. Customer shall use Customer Purchased Equipment in accordance with the terms of this Agreement and any related equipment purchase agreement. Unless provided otherwise herein, Cox shall use commercially reasonable efforts to maintain the Services in accordance with applicable performance standards. Cox network management needs may require Cox to modify upstream and downstream speeds. Use of the data, Internet, web conferencing/web hosting Services shall be subject to the AUP at <http://ww2.cox.com/aboutus/policies/business-policies.cox>, which is incorporated herein by reference. Cox may change the AUP from time to time during the Term. Customer's continued use of the Services following an AUP amendment shall constitute acceptance of the revised AUP.

7. E-Rate Customers If Customer is an educational institution, library or other entity that qualifies as an applicant seeking reimbursement under the Federal Universal Service Fund Schools and Libraries Program (collectively, "E-Rate Customers"), the E-Rate provisions of the General Terms will apply, in addition to all other terms and conditions of this Agreement.

8. General Terms The General Terms are hereby incorporated into this Agreement by reference. Cox, in its sole discretion, may modify, supplement or remove any of the General Terms from time to time, without additional notice to Customer, and any such changes will be effective upon Cox publishing such changes on the website listed above. BY EXECUTING THIS AGREEMENT AND/OR USING OR PAYING FOR THE SERVICES, CUSTOMER ACKNOWLEDGES THAT IT HAS READ, UNDERSTOOD, AND AGREED TO BE BOUND BY THE GENERAL TERMS.

9. LIMITATION OF LIABILITY COX AND/OR ITS AGENTS SHALL NOT BE LIABLE FOR DAMAGES FOR FAILURE TO FURNISH OR INTERRUPTION OF ANY SERVICES, NOR SHALL COX OR ITS AGENTS BE RESPONSIBLE FOR FAILURE OR ERRORS IN SIGNAL TRANSMISSION, LOST DATA, FILES OR SOFTWARE DAMAGE REGARDLESS OF THE CAUSE. COX SHALL NOT BE LIABLE FOR DAMAGE TO PROPERTY OR FOR INJURY TO ANY PERSON ARISING FROM THE INSTALLATION OR REMOVAL OF EQUIPMENT UNLESS CAUSED BY THE NEGLIGENCE OF COX. UNDER NO CIRCUMSTANCES WILL COX BE LIABLE FOR ANY INDIRECT, INCIDENTAL, SPECIAL OR CONSEQUENTIAL DAMAGES, INCLUDING LOST PROFITS, ARISING FROM THIS AGREEMENT OR ITS PROVISION OF THE SERVICES.

10. WARRANTIES EXCEPT AS PROVIDED IN THIS AGREEMENT, THERE ARE NO OTHER AGREEMENTS, WARRANTIES OR REPRESENTATIONS, EXPRESS OR IMPLIED, EITHER IN FACT OR BY OPERATION OF LAW, STATUTORY OR OTHERWISE, INCLUDING WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE, RELATING TO THE SERVICES. SERVICES PROVIDED ARE A BEST EFFORTS SERVICE AND COX DOES NOT WARRANT THAT THE SERVICES, EQUIPMENT OR SOFTWARE SHALL BE ERROR-FREE OR WITHOUT INTERRUPTION. INTERNET AND WIFI SPEEDS WILL VARY. COX MAKES NO WARRANTY AS TO TRANSMISSION OR UPSTREAM OR DOWNSTREAM SPEEDS OF THE NETWORK.

11. Public Performance If Customer engages in a public performance of any copyrighted material contained in any of the Services, Customer, and not Cox, shall be responsible for obtaining any public performing licenses at Customer's expense. The Video Service that Cox provides under this Agreement does not include a public performance license.



Public Works Administration
Vaughn Sullivan, Director
vsullivan@midwestcityok.org
R. Paul Streets, Assistant Director
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8730 S.E. 15th Street,
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O: 405-739-1060 /Fax: 405-739-1090

Memo

To: Honorable Chairman and Trustees
Midwest City Municipal Authority

From: **R. Paul Streets, Assistant Public Works Director**

Date: November 22, 2016

Subject: Discussion and consideration of declaring one thousand (1,000) cubic yards of compost from the Wastewater Department surplus property and authorizing its disposal by sale at a cost of \$20.00 per cubic yard loaded, or delivered within 25 miles at a cost of \$100.00 plus the cost of the compost.

The 1,000 cubic yards of compost will be disposed of by sale at a cost of \$20.00 per cubic yard loaded, this is based on fair market pricing. Customers will have a delivery option available within a 25 mile radius at a cost of \$100.00 per load plus the cost of the compost, this cost is based on market pricing. This compost material has been removed from inventory.

After advertising this announcement in the Midwest City Beacon, we will be able to sell the compost to any customer at the Water Resource Recovery Facility (WRRF) during the week by appointment or Saturday from 8:00 AM to 3:00 PM without an appointment.

Staff recommends approval.

R. Paul Streets
Assistant Public Works Director



NEW BUSINESS/
PUBLIC DISCUSSION





HOSPITAL AUTHORITY
AGENDA



MIDWEST CITY MEMORIAL HOSPITAL AUTHORITY AGENDA

Midwest City Council Chambers, 100 N. Midwest Boulevard

November 22, 2016 - 7:02 PM

A. CALL TO ORDER.

B. DISCUSSION ITEMS.

1. Discussion and consideration of approving the minutes of the staff briefing and regular meeting of November 8, 2016, as submitted. (Secretary - S. Hancock)

2. Discussion and consideration of accepting the Hospital Authority Investment Performance Review for the period ending September 30, 2016 and action to reallocate assets, change fund managers or make changes in the Statement of Investment Policy, Guidelines and Objectives. (Hospital Authority - G. Henson)

C. NEW BUSINESS/PUBLIC DISCUSSION.

D. EXECUTIVE SESSION.

1. Discussion and consideration of 1) entering into executive session, as allowed under 25 O.S. § 307(C)(10), to confer on matters pertaining to economic development, including the transfer of property, financing or the creation of a proposal to entice a business to remain or to locate within the City; and 2) in open session, authorizing the general manager/administrator to take action based on the discussion in executive session. (City Manager - G. Henson)

E. ADJOURNMENT.



DISCUSSION ITEMS



Notice of regular meetings for staff briefings for the Midwest City Memorial Hospital Authority was filed for the calendar year with the City Clerk of Midwest City and copies of the agenda for this meeting were posted at City Hall and on the City of Midwest City's website, accessible to the public for at least 24 hours in advance of the meeting.

**MINUTES OF THE REGULAR STAFF BRIEFING FOR
MIDWEST CITY MEMORIAL HOSPITAL AUTHORITY**

November 8, 2016 – 6:00 p.m.

This regular meeting was held in the Midwest City Council Conference Room on the second floor of City Hall, 100 N. Midwest Boulevard, Midwest City, County of Oklahoma, State of Oklahoma. The following members were present: Chairman Matt Dukes; Trustees Daniel McClure Jr., Pat Byrne, Rick Dawkins, Sean Reed, and *Christine Allen; and Secretary Sara Hancock. Absent: Jeff Moore.

Chairman Dukes called the meeting to order at 6:18 p.m.

*Councilmember Allen arrived at 6:20 p.m.

Clarification of agenda items, handouts, and presentation of new or additional information for items on the Hospital Authority agenda for November 8, 2016. Staff briefed the trustees on various other items on the agenda, and the trustees sought clarification and discussed individual agenda items with staff.

Chairman Dukes closed the meeting at 6:27 p.m.

ATTEST:

MATTHEW D. DUKES, II, Chairman

SARA HANCOCK, Secretary

Notice of regular Midwest City Memorial Hospital Authority meetings was filed for the calendar year with the City Clerk of Midwest City and copies of the agenda for this meeting were posted at City Hall and on the City of Midwest City's website, accessible to the public for at least 24 hours in advance of the meeting.

**MINUTES OF THE REGULAR MIDWEST CITY
MEMORIAL HOSPITAL AUTHORITY MEETING**

November 8, 2016 - 7:02 p.m.

This regular meeting was held in the Midwest City Council Chambers, 100 North Midwest Boulevard, Midwest City, County of Oklahoma, State of Oklahoma. The following members were present: Chairman Matt Dukes; Trustees Daniel McClure Jr., Pat Byrne, Rick Dawkins, Sean Reed, and Christine Allen; and Secretary Sara Hancock. Absent: Jeff Moore.

Chairman Dukes called the meeting to order at 7:12 p.m.

Consent Agenda. Motion was made by Dawkins, seconded by Allen, to approve the items on the consent agenda, as submitted

1. Discussion and consideration of approving the minutes of the staff briefing and regular meeting of October 25, 2016, as submitted.
2. Discussion and consideration of adopting Resolutions #2016-02 and #2016-03 approving the City Manager, Assistant City Manager and Treasurer/Finance Director as authorized signatories on all Hospital Authority bank accounts and brokerage accounts.

Voting aye: McClure, Dawkins, Byrne, Reed, Allen, and Mayor Dukes. Nay: none. Absent: Moore. Motion carried.

Discussion Items.

1. **Discussion and consideration of action to reallocate assets, change fund managers or make changes in the Statement of Investment Policy, Guidelines and Objectives.** No action was necessary.
2. **Addendum: Discussion and consideration of approving custodial agency agreement with First Bank & Trust Co.** Motion was made by Dawkins, seconded by Reed, to enter into the agreements and authorize action, as submitted. Voting aye: McClure, Dawkins, Byrne, Allen, Moore, and Mayor Dukes. Nay: none. Absent: Moore.

New Business/Public Discussion. There was no new business or public discussion.

Executive Sessions.

- 1. Discussion and consideration of 1) entering into executive session, as allowed under 25 O. S. § 307(C)(10), to confer on matters pertaining to economic development, including the transfer of property, financing or the creation of a proposal to entice a business to remain or to locate within the City; and 2) in open session, authorizing the general manager/administrator to take action based on the discussion in executive session.** The Executive session was not needed.

Adjournment. There being no further business, the Mayor adjourned the meeting at 7:14 p.m.

ATTEST:

MATTHEW D. DUKES, II, Chairman

SARA HANCOCK, Secretary



Midwest City Memorial Hospital Authority

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J. Guy Henson
*General Manager/
Administrator*

Trustees

Matt Dukes
Daniel McClure Jr.
Pat Byrne
Rick Dawkins
Sean Reed
Christine Allen
Jeff Moore

Board of Grantors

Sherry Beard
John Cauffiel
Marcia Conner
Pam Dimski
Dara McGlamery
Joyce Jackson
Charles McDade
Nancy Rice
Sheila Rose

MEMORANDUM

TO: Honorable Chairman and Trustees

FROM: J. Guy Henson, General Manager/Administrator

DATE: November 22, 2016

SUBJECT: Discussion and consideration of accepting the Hospital Authority Investment Performance Review for the period ending September 30, 2016 and action to reallocate assets, change fund managers or make changes in the Statement of Investment Policy, Guidelines and Objectives.

Jim Garrels, President, Fiduciary Capital Advisors, will be present at the meeting to present the Performance Review. Any need to reallocate assets, change fund managers or make changes to the Investment Policy Guidelines and Objectives will be addressed at the meeting.

Action is at the discretion of the Authority.

J. Guy Henson
General Manager/Administrator

**MIDWEST CITY
MEMORIAL HOSPITAL AUTHORITY
INVESTMENT PERFORMANCE REVIEW
PERIODS ENDING
SEPTEMBER 30, 2016**

**MIDWEST CITY MEMORIAL HOSPITAL AUTHORITY
COMPOSITE VS. POLICY PORTFOLIO
PERIODS ENDING 9-30-16**

	QTR		YTD		1 Year		3 Years	
	Return	Rank	Return	Rank	Return	Rank	Return	Rank
Total Fund Composite	3.97	46	5.96	53	11.19	35	7.18	23
Policy Portfolio*	3.05	69	5.38	60	10.28	45	6.79	29

	5 Years		10 Years		From 12-31-96		From 9-30-96	
	Return	Rank	Return	Rank	Return	Rank	Return	Rank
Total Fund Composite	11.38	36	5.88	38	7.17	34	7.32	32
Policy Portfolio*	11.06	44	5.79	40	6.74	43	6.97	40

* 60% S&P 500, 20% BARCLAYS CAPITAL AGG, 10% MSCI EAFE, 10% MSCI EM

This report is based on information we believe to be reliable but can in no way guarantee as to its accuracy or completeness. Past performance is no guarantee of future results.

**MIDWEST CITY MEMORIAL HOSPITAL AUTHORITY
RETURN SUMMARY
PERCENTILE RANKS
PERIODS ENDING 9-30-16**

	QTR		YTD		1 Year		3 Years		5 Years		10 Years		From 12-31-96	
	Return	Rank	Return	Rank	Return	Rank	Return	Rank	Return	Rank	Return	Rank	Return	Rank
Vs. 100% Equity Universe														
Total Equity	5.05	50	7.30	49	14.77	26	10.28	17	15.97	28	6.69	55	7.09	68
Active - Equity	7.10	23	6.85	54	14.21	31	9.57	25	15.81	32	5.74	76	6.32	82
Passive - Equity	3.84	72	7.83	42	15.40	19	10.95	9	16.23	22	7.35	37	7.56	53
S&P 500	3.85	71	7.84	42	15.43	19	11.16	7	16.37	18	7.24	39	7.58	53
Vs. 100% Fixed Income Universe														
Total Fixed Income	0.40	75	5.80	43	5.19	42	4.02	23	3.15	46	4.84	29	5.51	20
Active - Fixed	0.31	79	5.77	44	5.16	42	3.59	33	3.14	46	5.04	24	5.67	17
Passive - Fixed	0.47	72	5.89	42	5.25	40	4.15	20	3.20	45	4.90	28	5.50	20
BC Aggregate	0.46	72	5.80	43	5.19	42	4.03	23	3.08	47	4.79	30	5.52	20
BC G/C	0.40	75	6.66	31	5.86	30	4.22	19	3.24	45	4.86	29	5.58	18
90 Day US T-Bill	0.07	89	0.19	98	0.20	97	0.09	97	0.08	98	0.84	99	2.21	99
Vs. 100% International Universe														
Total International	6.86	35	3.61	59	8.42	55	0.82	69	7.68	64	2.75	57	4.86	70
Active - International	7.79	24	7.59	26	12.53	23	1.73	56	8.34	54	3.74	43	5.39	60
Passive - International	6.43	44	1.81	77	6.60	68	0.57	72	7.52	66	1.96	70	4.43	78
MSCI-EAFE	6.43	44	1.73	78	6.52	68	0.48	74	7.39	68	1.82	73	4.26	81

**MIDWEST CITY MEMORIAL HOSPITAL AUTHORITY
RETURN SUMMARY
PERIODS ENDING 9-30-16**

	QTR		YTD		1 Year		3 Years		5 Years		10 Years		Fr 12-31-96	
	Return	Rank	Return	Rank	Return	Rank	Return	Rank	Return	Rank	Return	Rank	Return	Rank
Vs. 100% Equity Universe														
Growth Funds														
Harbor Capital Appreciation	8.16	15	0.89	94	9.05	76	11.28	6	*15.11	*7	(12/31/12)	--	--	--
T. Rowe Price New America	5.99	37	1.64	91	12.22	49	10.43	15	*14.61	*10	(12/31/12)	--	--	--
S&P 500	3.85	71	7.84	42	15.43	19	11.16	7	*14.21	*15	(12/31/12)	--	--	--
Vs. 100% Equity Universe														
Vanguard Mid Cap Growth	3.85	71	-0.27	96	2.22	97	6.27	71	13.60	98	8.11	21	*8.44	*24 (12/03)
S&P 500	3.85	71	7.84	42	15.43	19	11.16	7	16.37	18	7.24	39	*7.58	*46 (12/03)
PrimeCap Odyssey Agg. Growth	13.86	1	9.75	26	21.71	2	12.68	2	*21.45	*1	(12/31/12)	--	--	--
S&P 500	3.85	71	7.84	42	15.43	19	11.16	7	*14.21	*15	(12/31/12)	--	--	--
Vs. 100% Equity Universe														
Value Funds														
Dodge & Cox Stock	8.79	11	9.55	27	14.53	29	8.91	35	*17.10	*10	(9/30/11)	--	--	--
S&P 500	3.85	71	7.84	42	15.43	19	11.16	7	*16.37	*18	(9/30/11)	--	--	--
Vanguard Equity Income	1.73	93	9.58	27	17.35	9	10.29	17	*13.41	*30	(12/31/12)	--	--	--
S&P 500	3.85	71	7.84	42	15.43	19	11.16	7	*14.21	*15	(12/31/12)	--	--	--
Vs. 100% Fixed Income Universe														
Active Fixed Income Composite														
Vanguard Short Term Inv. Grade	0.57	68	3.67	67	3.39	65	2.42	59	*2.56	*57	(9/30/11)	--	--	--
Vanguard Short Term Treasury	-0.13	95	1.78	88	1.19	91	1.03	85	*0.86	*90	(9/30/11)	--	--	--
Vanguard Int.Term Inv. Grade	0.90	54	7.03	25	6.80	18	4.94	10	4.74	18	5.75	11	*5.26	*13 (12/03)
BC Aggregate	0.46	72	5.80	43	5.19	42	4.03	23	3.08	47	4.79	30	*4.53	*31 (12/03)
Vanguard Int.Term Treasury	-0.37	98	4.84	57	3.58	63	3.22	42	2.27	62	4.97	26	*5.73	*18 (12/99)
Vanguard Long Term Treasury	-0.32	98	15.17	1	13.33	2	11.15	1	5.43	10	7.97	1	*8.21	*2 (12/99)
BC Aggregate	0.46	72	5.80	43	5.19	42	4.03	23	*3.08	*47	(9/30/11)	--	*5.48	*25 (12/99)
BC G/C	0.40	75	6.66	31	5.86	30	4.22	19	3.24	45	4.86	29	5.58	18
Average Fixed Income Fund	1.32	39	5.36	50	4.75	49	2.91	49	3.10	47	4.04	52	4.63	52
Vs. 100% International Universe														
International Funds Composite														
Vanguard International Growth	10.83	5	9.16	16	16.90	8	3.26	40	9.98	32	4.33	34	5.77	49
MFS International	6.48	43	8.71	18	12.81	21	2.22	50	8.39	53	4.49	31	*5.79	*23 (9/05)
Harbor International Inst.	5.96	55	4.75	50	7.75	61	-0.55	83	*4.58	*64	(9/30/08)	--	--	--
MSCI-EAFE	6.43	66	1.73	78	6.52	68	0.48	74	*4.11	*68	(9/30/08)	--	*3.29	*71 (9/05)
MSCI-EAFE	6.43	66	1.73	78	6.52	68	0.48	74	7.39	68	1.82	73	4.26	81
Average International Fund	6.29	48	5.26	46	9.48	45	2.65	47	8.73	49	3.30	48	5.87	47

MIDWEST CITY MEMORIAL HOSPITAL AUTHORITY
RETURN SUMMARY
PERIODS ENDING 9-30-16
UNIVERSES BETA ADJUSTED

	QTR		YTD		1 Year		3 Year		5 Year		10 Year		From 12-31-03	
	Return	Rank	Return	Rank	Return	Rank	Return	Rank	Return	Rank	Return	Rank	Return	Rank
Vs. 100% Large Cap Growth Universe (Hi-Beta)														
Harbor Capital Appreciation	8.16	19	0.89	82	9.05	69	11.28	23	*15.11	*25	(12/31/12)	--	--	--
Russell 1000 Growth	4.58	83	6.00	16	13.76	17	11.83	15	*15.03	*26	(12/31/12)	--	--	--
Average Large Cap Growth	4.62	83	4.52	28	10.88	45	8.98	64	*12.82	*66	(12/31/12)	--	--	--
Vs. 100% Large Cap Growth Universe (Hi-Beta)														
T. Rowe Price New America	5.99	58	1.64	67	12.22	30	10.43	38	*14.61	31	(12/31/12)	--	--	--
Russell 1000 Growth	4.58	83	6.00	16	13.76	17	11.83	15	*15.03	*26	(12/31/12)	--	--	--
Average Large Cap Growth	4.62	83	4.52	28	10.88	45	8.98	64	*12.82	*66	(12/31/12)	--	--	--
Vs. 100% Mid Cap Growth Universe (Mid-Beta)														
Vanguard Mid Cap Growth	3.85	90	-0.27	96	2.22	93	6.27	55	13.60	71	8.11	44	*8.44	*51 (12/03)
Russell Mid Growth	4.59	81	6.84	68	11.24	58	8.90	11	15.85	38	8.51	30	*9.09	*28 (12/03)
Average Mid Cap Growth	6.33	58	8.31	56	11.49	57	6.17	58	14.51	58	7.51	60	*8.14	*60 (12/03)
Vs. 100% Mid Cap Growth Universe (Hi-Beta)														
PrimeCap Odyssey Agg. Growth	13.86	1	9.75	21	21.71	2	12.68	1	*21.45	*1	(12/31/12)	--	--	--
Russell Mid Growth	4.59	92	6.84	43	11.24	44	8.90	4	*13.73	*7	(12/31/12)	--	--	--
Average Mid Cap Growth	6.33	70	8.31	31	11.49	38	6.17	32	*11.82	*42	(12/31/12)	--	--	--
Vs. 100% Large Cap Value Universe (Hi-Beta)														
Dodge & Cox Stock	8.79	5	9.55	15	14.53	27	8.91	27	*17.10	*10	(9/30/11)	--	--	--
Russell 1000 Value	3.48	93	10.00	12	16.20	10	9.70	10	*16.14	*18	(9/30/11)	--	--	--
Average Large Cap Value	4.50	83	7.15	44	12.43	43	8.02	44	*14.62	*57	(9/30/11)	--	--	--
Vs. 100% Large Cap Value Universe (Lo-Beta)														
Vanguard Equity Income	1.73	83	9.58	27	17.35	8	10.29	11	*13.41	*19	(12/31/12)	--	--	--
Russell 1000 Value	3.48	42	10.00	19	16.20	14	9.70	18	*13.18	*22	(12/31/12)	--	--	--
Average Large Cap Value	4.50	17	7.15	60	12.43	56	8.02	62	*11.95	*54	(12/31/12)	--	--	--

**MIDWEST CITY MEMORIAL HOSPITAL AUTHORITY
PERIODS ENDING 9-30-16**

MIDWEST CITY COMPOSITE VS. POLICY PORTFOLIO

	1 Year	3 Years	5 Years	10 Years	From 9-30-96
Alpha	0.25	0.10	0.08	0.03	0.09
Beta	1.15	1.05	1.02	1.02	1.00
R - squared	0.95	0.99	0.99	0.99	0.98
STD for Composite	3.64	6.76	7.78	12.32	11.95
STD for Policy Portfolio*	3.09	6.39	7.57	12.07	11.85

* 60% S&P 500, 20% BARCLAYS CAPITAL AGG, 10% MSCI EAFE, 10% MSCI EM

MIDWEST CITY COMPOSITE VS. S&P 500

	1 Year	3 Years	5 Years	10 Years	From 9-30-96
Alpha	-1.12	-1.00	-1.20	-0.51	-0.33
Beta	0.79	0.82	0.78	0.75	0.70
R - squared	0.87	0.94	0.93	0.96	0.95
STD for Composite	3.64	6.76	7.78	12.32	11.95
STD for S&P 500	4.27	7.96	9.59	16.20	16.76

**MIDWEST CITY MEMORIAL HOSPITAL AUTHORITY
ASSET ALLOCATION
PERIOD ENDED 9-30-16**

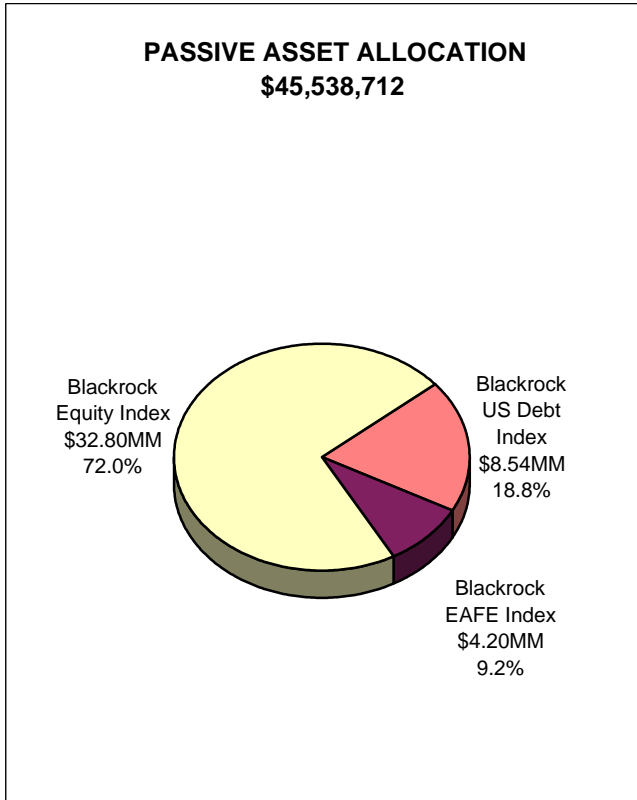
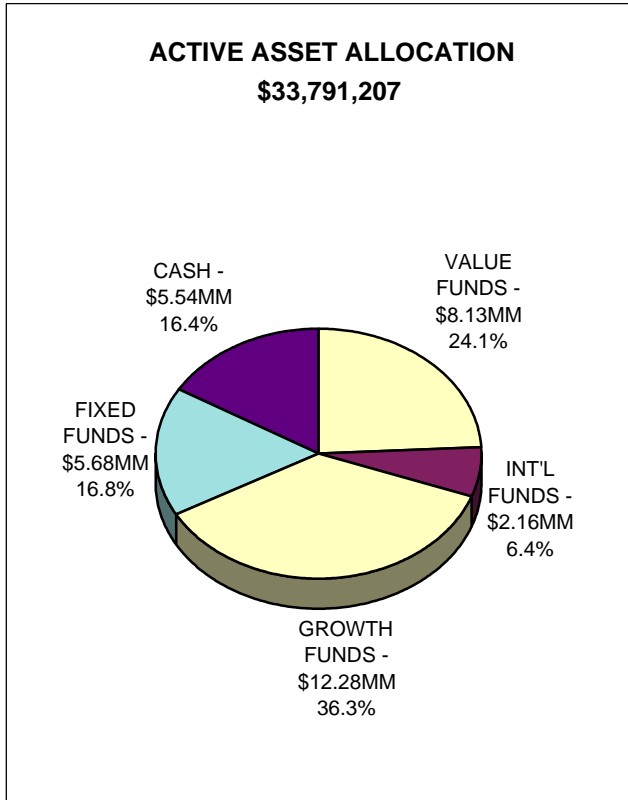
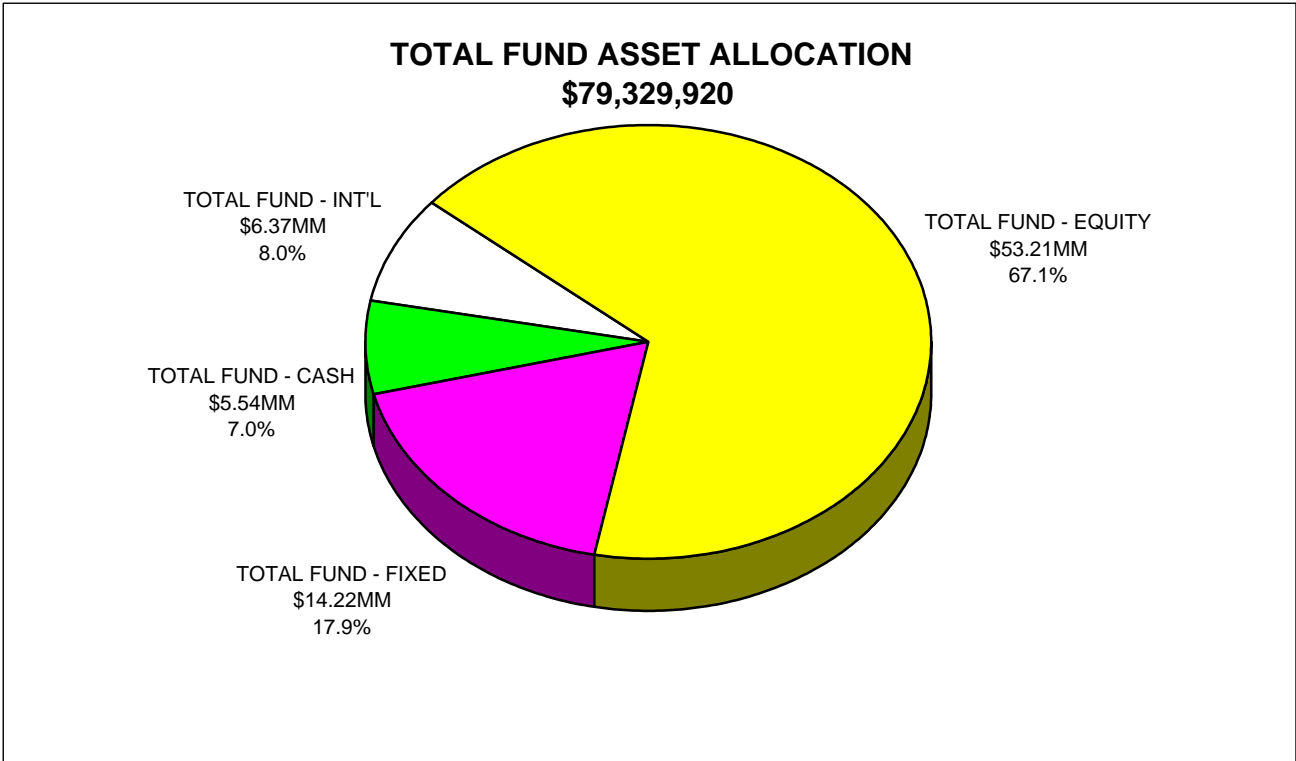
	Domestic Equity	Foreign Equity	US Bond	Emerging Markets	Cash	Total	Percent of Total	Target	Range
Blackrock Equity Index	32,795,445					32,795,445	41.3%		
Harbor Capital Appreciation	3,127,991					3,127,991	3.9%		
T. Rowe Price New America Gr.	2,664,923					2,664,923	3.4%		
Primecap Odyssey Agg Growth	3,676,743					3,676,743	4.6%		
Vanguard Mid Growth	2,811,151					2,811,151	3.5%		
Dodge & Cox Stock	4,324,653					4,324,653	5.5%		
Vanguard Equity Income	3,806,631					3,806,631	4.8%		
TOTAL US EQUITY	53,207,536					53,207,536	67.1%	60.0%	20.0 - 85.0%
Blackrock EAFE Index		4,204,483				4,204,483	5.3%		
Harbor Int'l Inst.		676,109				676,109	0.9%		
MFS International		729,778				729,778	0.9%		
Vanguard Int'l Growth		756,922				756,922	1.0%		
TOTAL INTERNATIONAL		6,367,292				6,367,292	8.0%	10.0%	2.5 - 30.0%
VANGUARD EM STOCK INDEX				0		0	0.0%	10.0%	2.5 - 10.0%
Blackrock US Debt Index			8,538,784			8,538,784	10.8%		
Vanguard Short Tm. Treas.			1,245,011			1,245,011	1.6%		
Vanguard Short Tm. Inv. Gr.			1,340,679			1,340,679	1.7%		
Vanguard Int. Tm. Treas.			554,511			554,511	0.7%		
Vanguard Int. Tm. Inv. Gr.			1,809,782			1,809,782	2.3%		
Vanguard Long Tm. Treas.			728,257			728,257	0.9%		
TOTAL US BOND			14,217,025			14,217,025	17.9%	20.0%	2.5 - 80.0%
TOTAL CASH					5,538,067	5,538,067	7.0%	0.0%	0.0 - 20.0%
TOTAL	53,207,536	6,367,292	14,217,025	0	5,538,067	79,329,920	100.0%		
	67.1%	8.0%	17.9%	0.0%	7.0%	100.0%			

**MIDWEST CITY MEMORIAL HOSPITAL AUTHORITY
PERIOD ENDED 9-30-16**

ALLOCATION CHANGE			
	June 30, 2016	September 30, 2016	Change
Domestic Equity	50,645,593	53,207,536	2,561,943
Foreign Equity	5,958,330	6,367,292	408,962
Domestic Bond	14,161,190	14,217,025	55,835
Emerging Markets	0	0	0
Cash	7,943,911	5,538,067	-2,405,844
TOTAL FUND	78,709,024	79,329,920	620,896

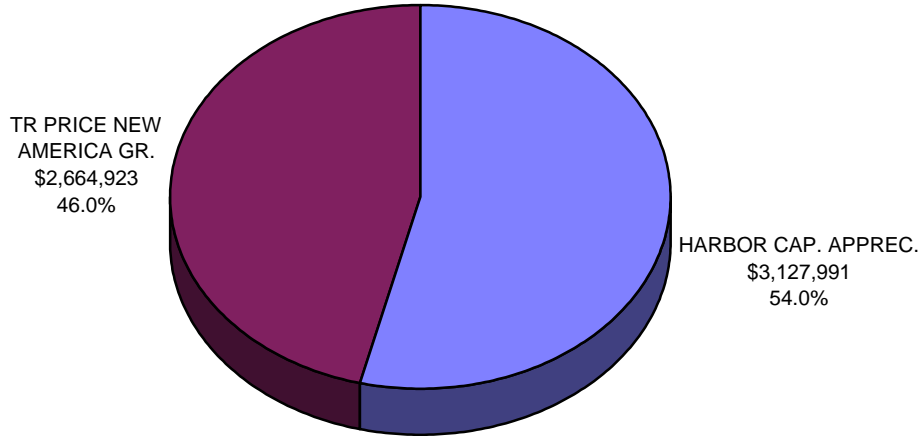
ACTUAL vs. POLICY PORTFOLIO			
	Actual Allocation	Policy Allocation	Allocation Range
Domestic Equity	67.1%	60.0%	20 - 85%
Foreign Equity	8.0%	10.0%	2.5 - 30%
Domestic Bond	17.9%	20.0%	2.5 - 80%
Emerging Markets	0.0%	10.0%	2.5 - 10%
Cash	7.0%	0.0%	0 - 20%

**MIDWEST CITY MEMORIAL HOSPITAL AUTHORITY
ASSET ALLOCATION
PERIOD ENDED 9-30-16**

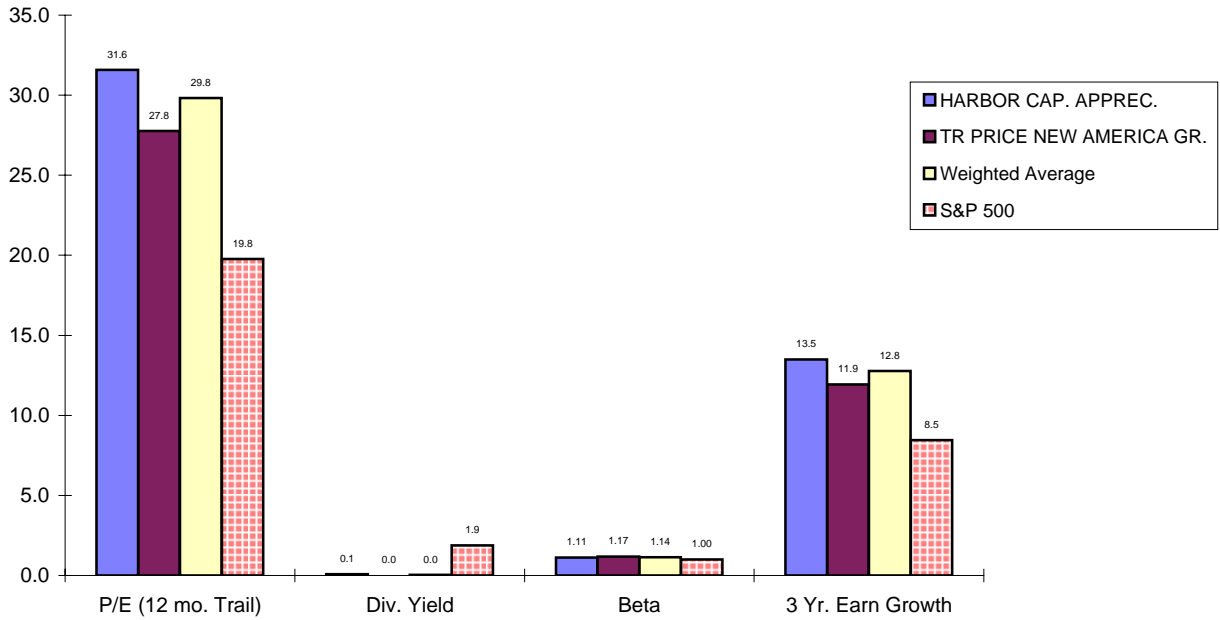


MIDWEST CITY MEMORIAL HOSPITAL AUTHORITY
PERIOD ENDED 9-30-16

LARGE GROWTH FUNDS COMPOSITE ASSET ALLOCATION
\$5,792,913

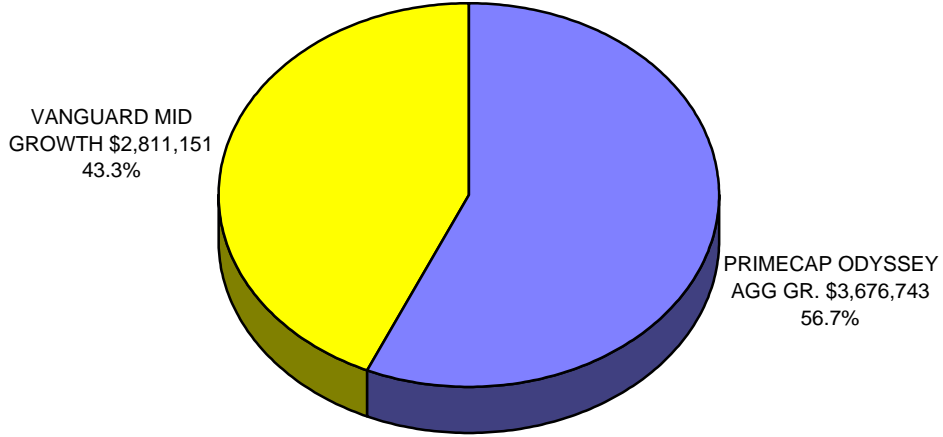


LARGE GROWTH EQUITY CHARACTERISTICS v. S&P 500

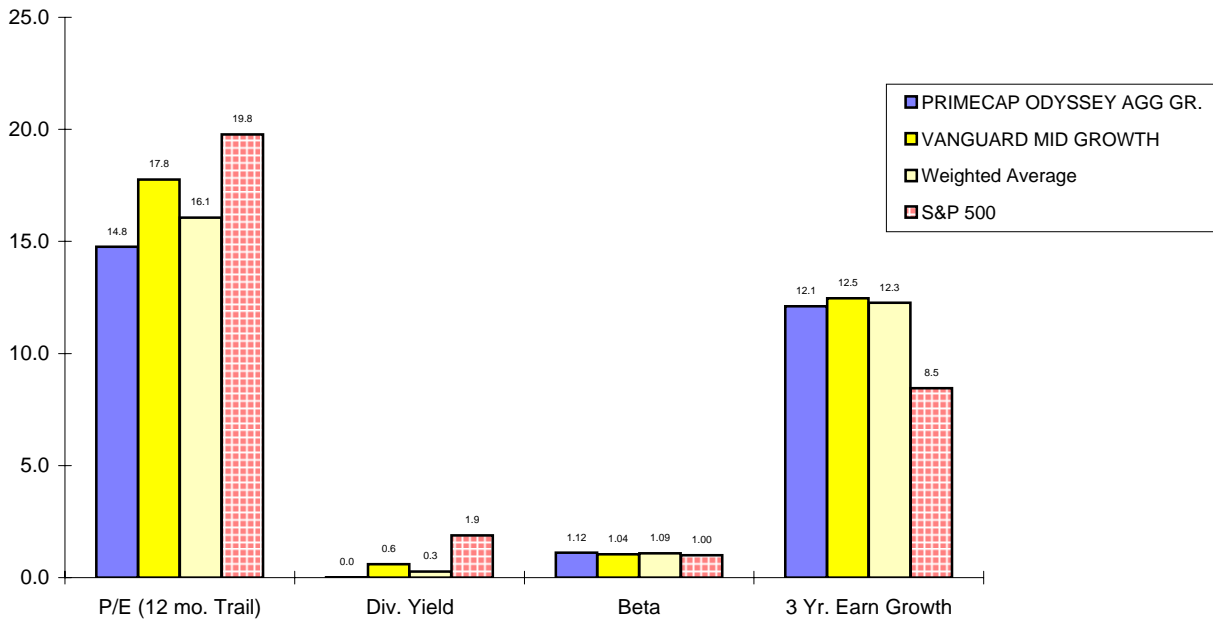


MIDWEST CITY MEMORIAL HOSPITAL AUTHORITY
PERIODS ENDED 9-30-16

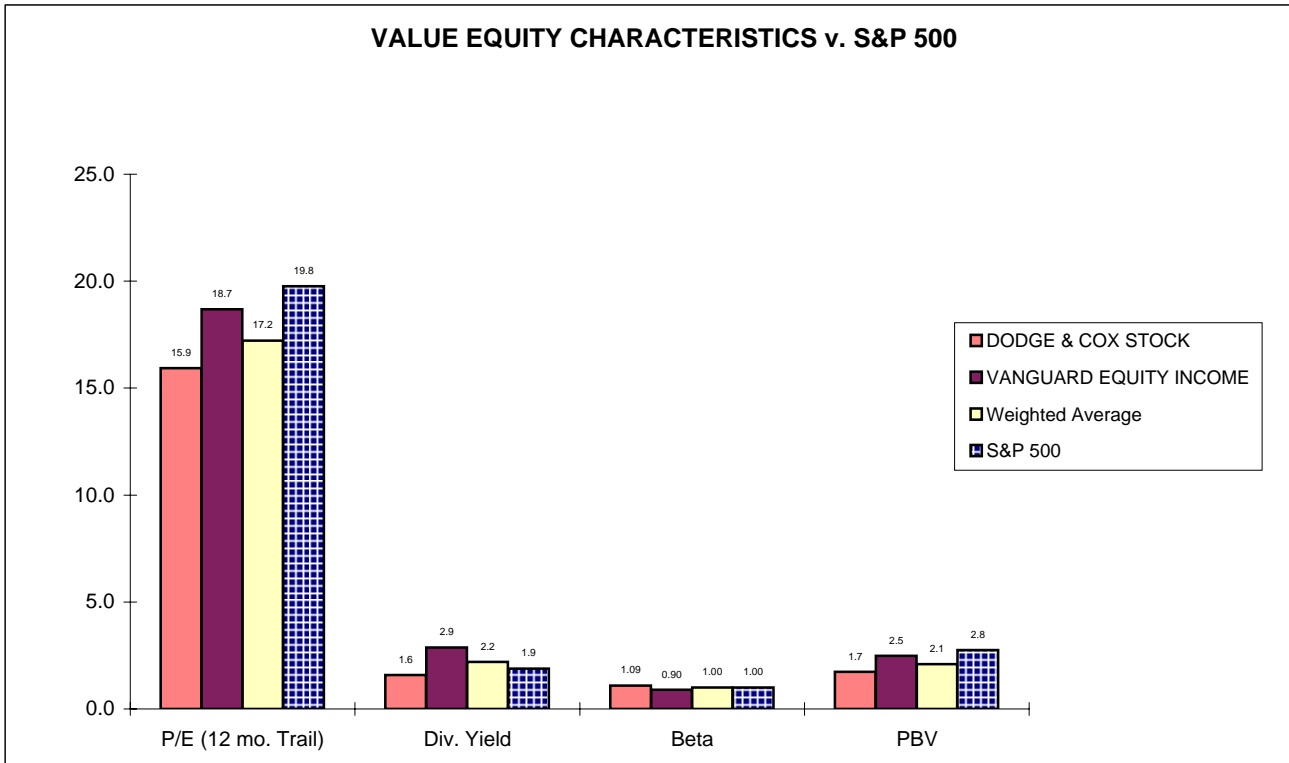
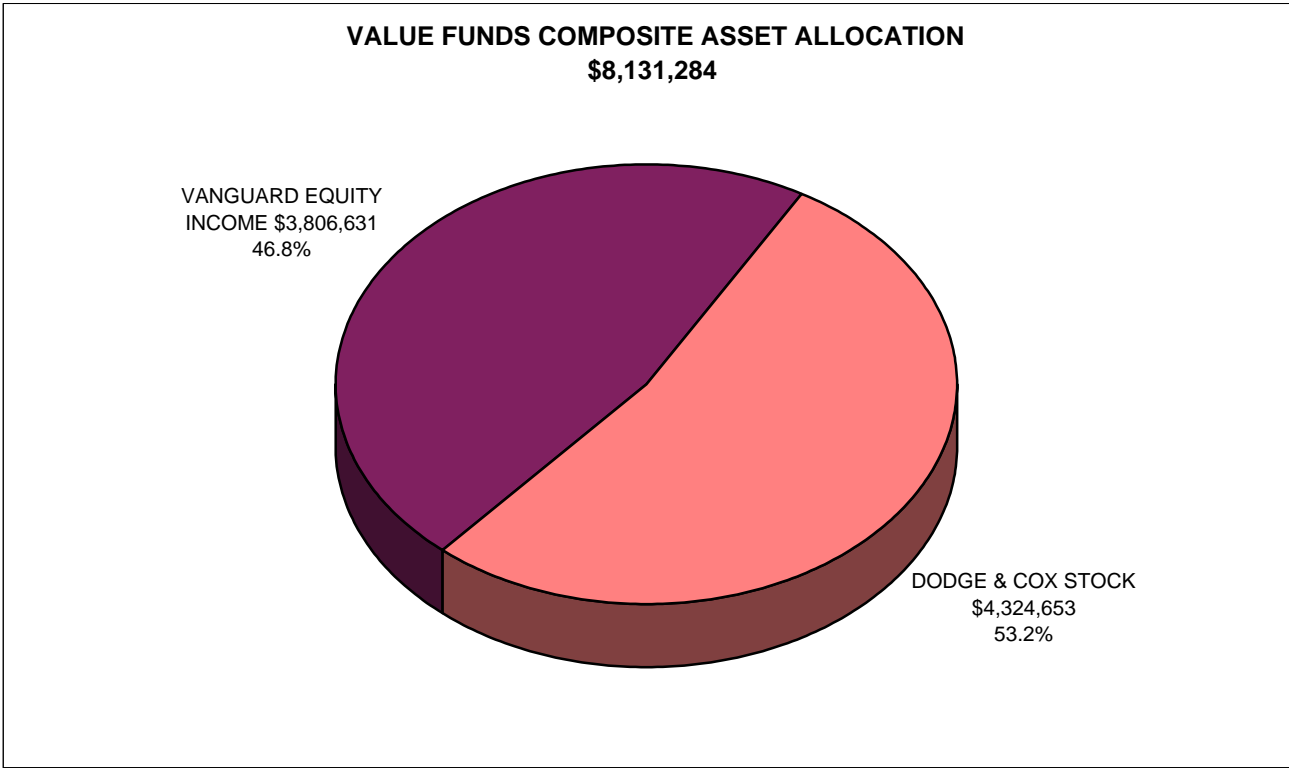
MID GROWTH FUNDS COMPOSITE ASSET ALLOCATION
\$6,487,894



MID GROWTH EQUITY CHARACTERISTICS v. S&P 500

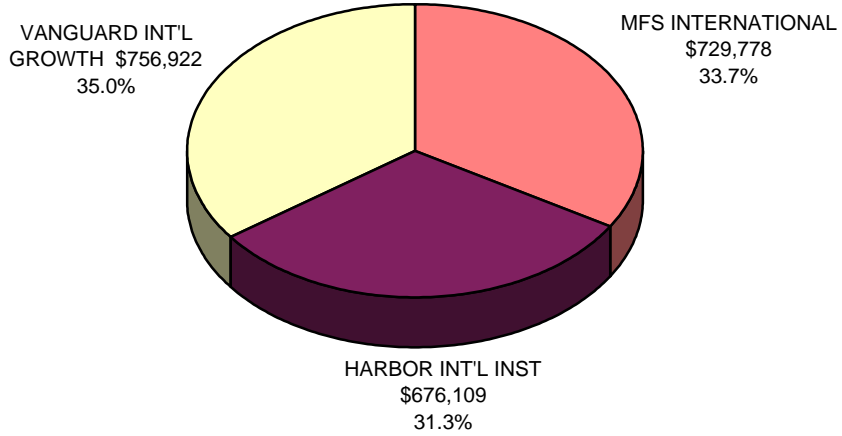


MIDWEST CITY MEMORIAL HOSPITAL AUTHORITY
PERIOD ENDED 9-30-16

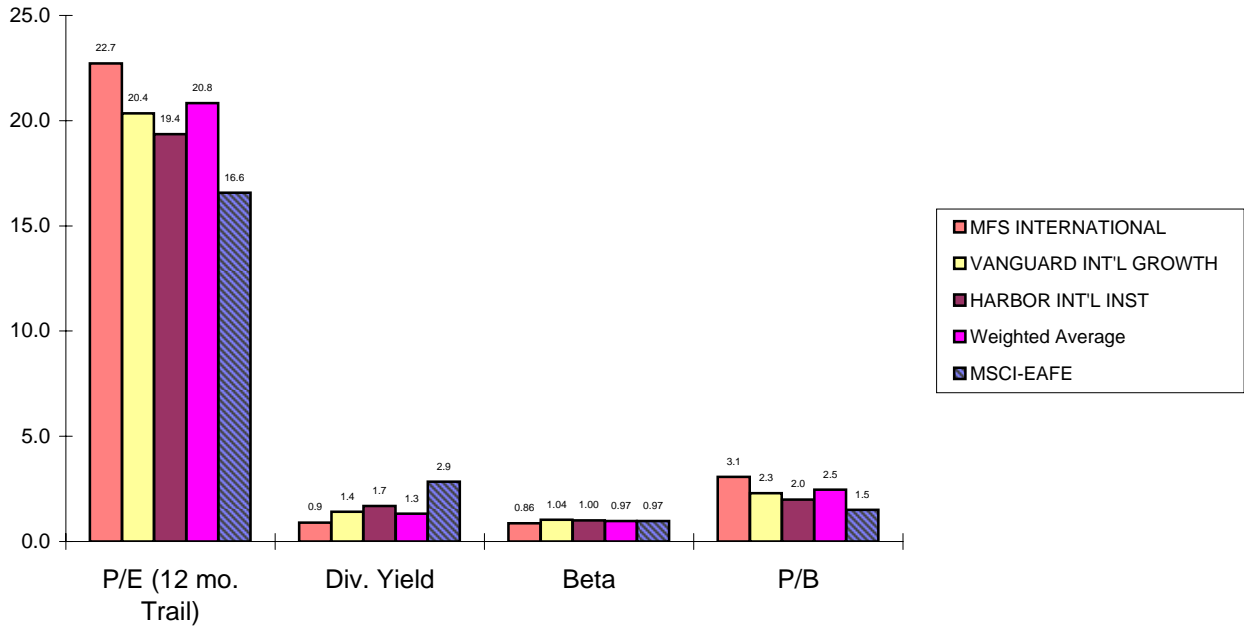


MIDWEST CITY MEMORIAL HOSPITAL AUTHORITY
PERIOD ENDED 9-30-16

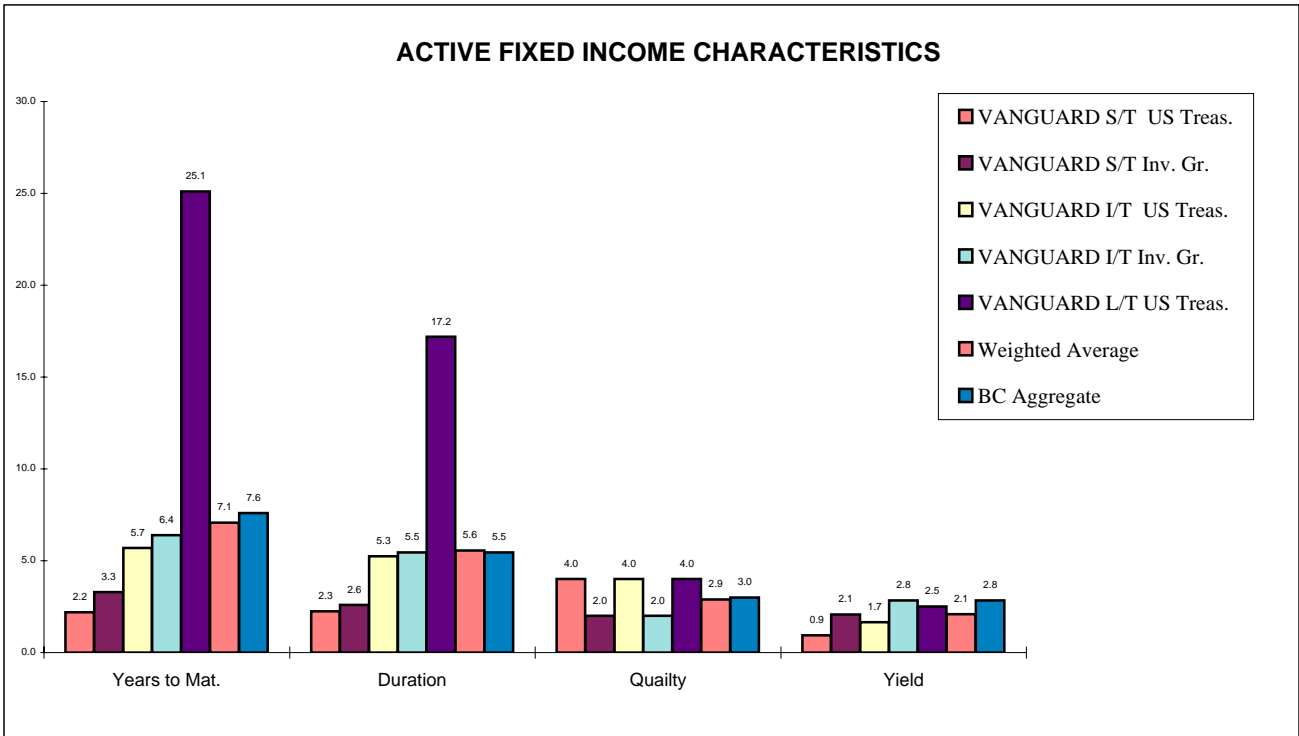
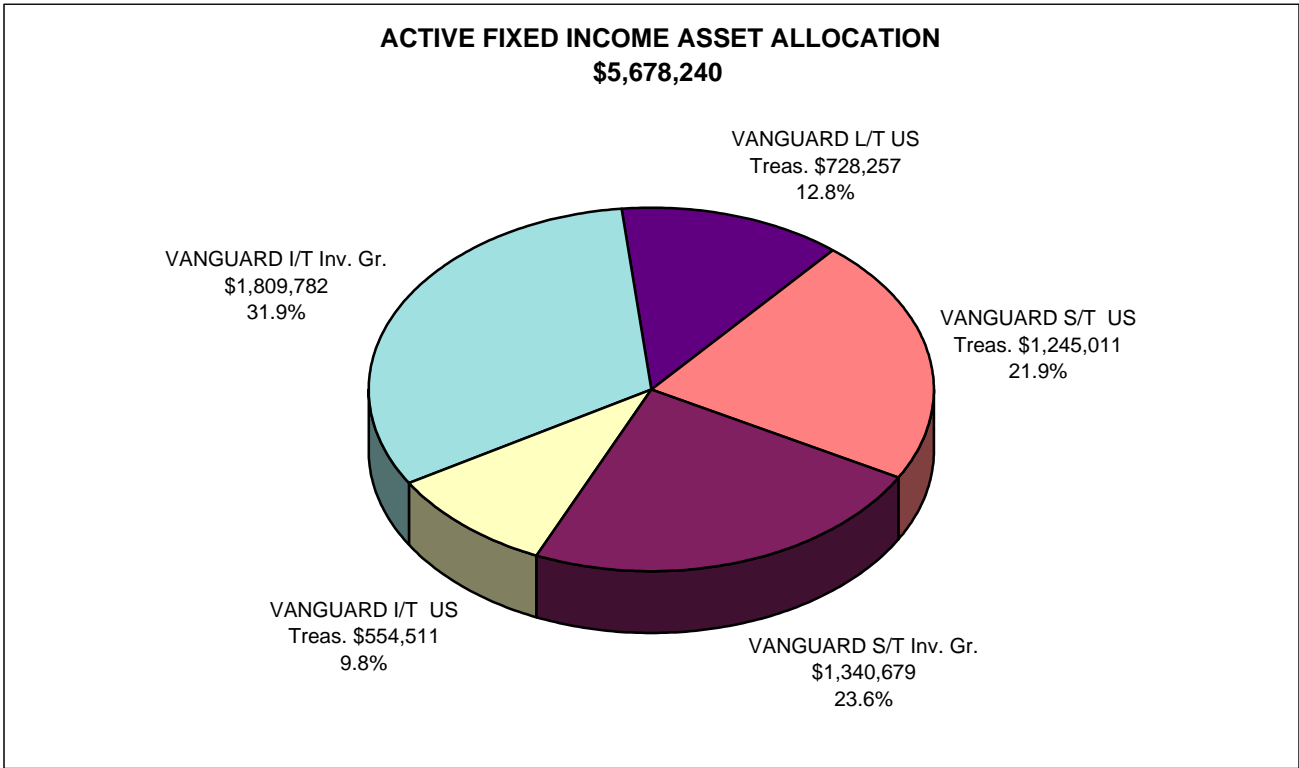
INTERNATIONAL FUNDS COMPOSITE ASSET ALLOCATION
\$2,162,809



INTERNATIONAL EQUITY CHARACTERISTICS



**MIDWEST CITY MEMORIAL HOSPITAL AUTHORITY
PERIOD ENDED 9-30-16**



Midwest City Memorial Hospital Authority

Market Value of Fund Plus Real Estate Investments

	Begin MV	Contributions	Gains/(Losses)	PERIOD Distributions For Real Estate Investments	PERIOD Real Estate Sales	Investment End of Period	% ROR	NET Distributions/Sales For Real Estate Investments	Total MV Including Real Estate
1996	0.00	40,000,000	1,894,724			41,894,724	5.00		41,894,724
1997	41,894,724	6,500,000	9,149,906			57,544,631	21.43		57,544,631
1998	57,544,631		10,313,934			67,858,566	17.96		67,858,566
1999	67,858,566		9,842,497	(892,504)		76,808,558	14.66	892,504	77,701,062
2000	76,808,558		1,255,636	(7,530,000)		70,534,196	1.61	8,422,504	78,956,700
2001	70,534,196		(3,474,570)	(17,000,001)	881,724	50,941,348	(4.96)	24,540,781	75,482,129
2002	50,941,348		(6,288,441)	(3,000,000)		41,645,681	(12.42)	27,540,781	69,186,462
2003	41,645,681		8,377,102	(7,000,000)	2,000,000	45,006,531	24.06	32,540,781	77,547,312
2004	45,006,531		5,328,106	(2,000,000)		48,318,461	12.32	34,540,781	82,859,242
2005	48,318,461		3,559,195	(27,212,736)	27,006,977	51,651,524	5.88	34,746,540	86,398,063
2006	51,651,524		7,786,194			59,433,416	15.11	34,746,540	94,179,956
2007	59,433,416		4,280,658	(3,300,000)		60,414,074	7.30	38,046,540	98,460,614
2008	60,414,074		(17,021,674)			43,392,400	(28.12)	38,046,540	81,438,940
2009	43,392,400		8,759,495			52,151,895	21.30	38,046,540	90,198,435
2010	52,151,895		6,528,733	(1,800,000)		56,880,628	9.32	39,846,540	96,727,168
2011	56,880,628		(1,072,322)			55,808,306	(1.79)	39,846,540	95,654,846
2012	55,808,306		7,553,650			63,361,956	13.60	39,846,540	103,208,496
2013	63,361,956		13,845,096			77,207,052	21.94	39,846,540	117,053,592
2014	77,207,052		5,844,036	(5,650,000)		77,401,088	8.46	45,496,540	122,897,628
2015	77,401,088		(143,659)			77,257,429	(0.12)	45,496,540	122,753,969
1q16	77,257,429		312,508			77,569,937	0.42	45,496,540	123,066,477
2q16	77,569,937		1,139,087			78,709,024	1.49	45,496,540	124,205,564
3q16	78,709,024		3,020,896	(2,400,000)		79,329,920	3.97	47,896,540	127,226,460
TOTAL		46,500,000	80,790,787	(77,785,240)	29,888,701	79,329,920		47,896,540	127,226,460
						9/30/96 INCEPTION ROR:	7.32%		



NEW BUSINESS/
PUBLIC DISCUSSION





EXECUTIVE SESSION





Midwest City Memorial Hospital Authority

100 North Midwest Boulevard
Midwest City, Oklahoma 73110
(405) 739-1207 - Fax (405) 739-1208
E-mail: GHenson@MidwestCityOK.org

J. Guy Henson
*General
Manager/
Administrator*

Trustees

Matt Dukes
Daniel McClure Jr.
Pat Byrne
Rick Dawkins
Sean Reed
Christine Allen
Jeff Moore

Board of Grantors

Sherry Beard
John Cauffiel
Marcia Conner
Pam Dimski
Dara McGlamery
Joyce Jackson
Charles McDade
Nancy Rice
Sheila Rose

MEMORANDUM

TO: Honorable Chairman and Trustees

FROM: J. Guy Henson, General Manager/Administrator

DATE: November 22, 2016

SUBJECT: Discussion and consideration of 1) entering into executive session, as allowed under 25 O.S. § 307(C)(10), to confer on matters pertaining to economic development, including the transfer of property, financing or the creation of a proposal to entice a business to remain or to locate within the City; and 2) in open session, authorizing the general manager/administrator to take action based on the discussion in executive session.

Appropriate information will be provided in executive session.

J. GUY HENSON
General Manager/Administrator