



MIDWEST CITY
MEETING AGENDAS FOR
January 12, 2016

STAFF BRIEFING

Midwest City Council Conference Room, 100 N. Midwest Boulevard
(Enter through S.W. brown door)

January 12, 2016 – 6:00 PM

DISCUSSION.

Clarification of agenda items, handouts, and presentation of new or additional information for items on the agendas for the City Council, Municipal Authority, Hospital Authority, and Economic Development Commission for January 12, 2016.



CITY COUNCIL AGENDA



CITY OF MIDWEST CITY COUNCIL AGENDA
Midwest City Council Chambers, 100 N. Midwest Boulevard
January 12, 2016 – 7:00 PM

- A. CALL TO ORDER.
- B. OPENING BUSINESS.
- Invocation - Community Services Director Vaughn Sullivan
 - Pledge of Allegiance - Councilmember Allen
 - Community-related announcements
- C. CONSENT AGENDA. These items are placed on the Consent Agenda so that members of the City Council, by unanimous consent, can approve routine agenda items by one motion. If any item proposed on the Consent Agenda does not meet with approval of all Council members, or members of the audience wish to discuss a proposed item with the Council, that item will be removed and heard in regular order.
1. Discussion and consideration of approving the minutes of the special meetings of August 21-22, 2015 and December 18, 2015; and staff briefing and regular meetings of December 8, 2015, as submitted. (City Clerk - R. Atkins)
 2. Discussion and consideration of accepting the City Manager's Report for the month of November 2015. (Finance - F. Chen)
 3. Discussion and consideration of accepting and authorizing payment of the order of the Workers' Compensation Court in James Michael Bettes vs. City of Midwest City, W.C. Case No. 2013-01222F. (Risk Management - L. Smithson)
 4. Discussion and consideration of approval of the amendment to the Memorandum of Understanding with the Oklahoma Department of Mental Health and Substance Abuse Services (ODMHSAS) to the change the responsibility of providing the overdose reversal kits from the City to the ODMHSAS. (Police - B. Clabes)
 5. Discussion and consideration of entering into a 60 month lease agreement with Pitney Bowes Global Financial Services for a Connect + Series mail machine with options at a cost of \$248.55 per month. (City Clerk - R. Atkins)
 6. Discussion and consideration of Change Order No. 1 to the contract with Crafton Tull and Associates, Inc., retroactive to August 31, 2015, increasing the original contract amount by \$5000.00, making the new contract total \$50,500.00 for the S.E. 29th Street Waterline Extension, from Anderson Road to the Forest Glen Addition Project. (Community Development - P. Menefee)
 7. 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, 2015 to encourage the development of comprehensive disaster preparedness and assistance plans, programs, capabilities, and organizations by Tribal, State and Political Subdivisions. (Emergency Management - M. Bower)

8. Discussion and consideration of authorizing William Janacek to submit an official comment on behalf of The City of Midwest City to the Oklahoma Water Resources Board on the pending new rulemaking definition for Sensitive Water Supply for Reuse purposes. (Environmental Services - W. Janacek)
9. Discussion and consideration of approving and entering into an agreement with TSS Photography for photography services at the Daddy Daughter Dance on February 27, 2016 for a ten percent (10%) commission on all sales. (Parks & Recreation - F. Gilles)
10. Discussion and consideration of approving and entering into an agreement with Oklahoma Premier Carriage Company, LLC to provide horse drawn carriage rides for the Daddy Daughter Dance on February 27, 2016 for a ten percent (10%) commission on all sales. (Parks & Recreation - V. Sullivan)
11. Discussion and consideration of declaring one (1) Stihl string trimmer, City Inventory No. 09-07-82; one (1) Stihl string trimmer, City Inventory No. 09-07-88; one (1) Stihl chain saw, City Inventory No. 09-09-33; one (1) 2003 Chevrolet 3500 Duramax Diesel one (1) ton truck with aerial lift body VIN No. 1GBJC34153E283863 , City Inventory No. 09-03-22, one (1) 1985 International S1900 chassis with sand spreader and snow plow VIN No. 1HTLDTVR2FHA48724, City Inventory No. 09-03-26; five (5) Motorola model HT-1000 hand held radios with charges; four (4) CPI model No. DR-10 telephones; one (1) Vertex model No. SEC1223 telephone base and one (1) Sharp Aquos television model IC-70UE20U from the Street Department surplus property and authorizing their disposal by sealed bid or auction. (Community Services - V. Sullivan)

D. DISCUSSION ITEMS.

1. (CA-73) Discussion and consideration of an appeal by Dalmarc Signs to the height limits for a free-standing sign to be located at the new On The Border restaurant at 433 Planet Court within 100 feet of I-40 right-of-way. (Community Development - B. Harless)
2. (PC-1859) Public hearing with discussion and consideration of an ordinance to redistrict from R-6, Single Family Residential to C-3, Community Commercial, and a resolution to amend a portion of the Comprehensive Plan from Low-Density Residential to OR, Office Retail, for the property described as lots 29, 30 and 31 of block 2 of the Replat of the Atkinson Heights addition, located at 231, 233 and 235 West Fairchild. (Community Development - B. Harless)
3. (PC-1861) Discussion and consideration of approving and passing an ordinance amending Chapter 9, Buildings and Building Regulations, of the Midwest City Code, Article VII, Sign Regulations, by amending Section 9-385, Regulations and standards, by adding subparagraph (aa); by amending Section 9-391(g), Temporary signs, and by adding subparagraph (i) to Section 9-391, Temporary signs; and providing for repealer and severability. (Community Development - B. Harless)

4. Discussion and consideration of passing and approving an ordinance amending Chapter 15, Fire Protection and Prevention, Article III, Fire Prevention Codes and Standards, Division II, Fire Prevention Codes, of the Midwest City Code by amending Section 15-55, International Fire Code adopted, and Section 15-56, Amendments, and providing for repealer and severability. (This item was on Further Information on the December 8, 2015 Council meeting.) (Fire - B. Norton)

E. NEW BUSINESS/PUBLIC DISCUSSION.

F. FURTHER INFORMATION.

1. Convention and Visitors Bureau Quarterly Activity Report for the period ending December 31, 2015. (Community Services - V. Sullivan)
2. Discussion and consideration of approving and passing an ordinance amending the Midwest City Code, Chapter 9, Buildings and Building Regulations, by amending Article IV, Electricity, Section 9-93, Fees, Section 9-99, Inspections, Section 9-122, Licensing Fees and Requirements; Article V, Mechanical Systems, Section 9-206, Permit Fees, Section 9-211, Inspections Approval, Section 9-226, Registration Fees; Article VI, Plumbing, Section 9-308, Applications for Permit, Section 9-314, Reinspection, Section 9-342, Registration Issuance; Fees, Section 9-343, Registration Terms; Renewal; Delinquency Penalty; and providing for repealer and severability. (Community Development - B. Harless)
3. (PC-1860) Discussion and consideration of an ordinance amending Appendix A, Zoning Regulations, of the Midwest City Code, by amending Section 5.2.3, Fencing and Screening; and providing for repealer and severability. (Community Development - B. Harless)
4. Discussion and consideration of approving and passing an ordinance amending Chapter 9, Buildings and Building Regulations, of the Midwest City Code by amending Article III, Building Code, Section 9-34, Code amended, Subsection 108.5, Lot Inspections Required With the Issuance of a Building Permit, Subsection 110.1, Demolition Permit, Subsection 112.0, Permit Fees; and providing for repealer and severability. (Community Development - B. Harless)
5. Discussion and consideration of approving and entering into a five-year Agreement for Purchase of Surplus Municipal Water with the Norman Utilities Authority, the Midwest City Municipal Authority and the Central Oklahoma Master Conservancy District to sell Norman up to 300 million gallons of Midwest City's surplus municipal water at the rate of \$0.36 per 1,000 gallons. (Environmental Services - W. Janacek)
6. Discussion and consideration of approving and passing an ordinance amending the Midwest City Code, Chapter 9, Swimming Pools, Section 39-5(f), Permit, by changing the costs for issuance of swimming pool permits; and providing for repealer and severability. (Community Development - B. Harless)

[7.](#) Minutes of the December 1, 2015 Board of Adjustment meeting. (Community Development - B. Harless)

[8.](#) Minutes of the December 1, 2015 Planning Commission meeting. (Community Development - B. Harless)

G. ADJOURNMENT.



CONSENT AGENDA



Notice of this special Midwest City Council meeting was filed with the City Clerk of Midwest City at least 48 hours prior to the meeting 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 SPECIAL MIDWEST CITY COUNCIL MEETING

August 21-22, 2015 - 5:00 PM

This special meeting of the Midwest City Council was held in the Rice Room at the Reed Center located at 5800 Will Rogers, City of Midwest City, County of Oklahoma, State of Oklahoma with the following members present: Mayor Jay Dee Collins; Councilmembers: Richard Rice, Rick Dawkins, James Ray, Christine Allen, and Jeff Moore. Absent: Daniel McClure Jr. Mayor Collins called the meeting to order at 5:33 p.m.

Discussion Item. Discussion and consideration of participating in a Strategic Visioning Workshop. Topics include, but may not be limited to:

- **Concepts of Strategic Visioning,**
- **Team Dimension Assessment review,**
- **Council interview reviews,**
- **Thinking strategically about Midwest City's (the City) future,**
- **Discussing core principles for the City's strategic vision,**
- **Discussion concerning reputational and operational drivers as they relate to the City,**
- **Establishing milestones and strategic goals.**

Mike Mowery, facilitator, led the councilmembers in various leadership and teambuilding exercises.

On Friday, August 21, 2015, a motion was made by Dawkins, seconded by Rice, to recess the meeting until Saturday, August 22, 2015 at 8:00 a.m. Voting aye: Rice, Dawkins, Ray, Allen, Moore, and Mayor Collins. Nay: none. Absent: McClure. Motion carried. The meeting recessed at 9:00 p.m.

On Saturday, August 22, 2015, Mayor Collins reconvened the meeting at 8:30 a.m. with the following members present: Mayor Jay Dee Collins; Councilmembers: Daniel McClure Jr., Richard Rice, Rick Dawkins, Christine Allen, and Jeff Moore. Absent: Ray. The councilmembers, staff and the facilitator discussed strategic visioning for the City. These discussions lead to a series of workshop charts and milestones that are attached to these minutes.

Adjournment. There being no further business, motion was made by Dawkins, seconded by Allen, to adjourn. Voting aye: McClure, Rice, Dawkins, Allen, Moore, and Mayor Collins. Nay: none. Absent: Ray. Motion carried. The meeting adjourned at 12:25 p.m.

JAY DEE COLLINS, Mayor

DANIEL MCCLURE JR., Councilmember

RICHARD R. RICE, Councilmember

RICK DAWKINS, Councilmember

JAMES L. RAY, Councilmember

CHRISTINE C. PRICE ALLEN, Councilmember

JEFF MOORE, Councilmember



August 21-22, 2015
Council Retreat

Workshop Charts and Milestones

Special Edition

Daily Midwest-citian

August 1, 2025

- Trend: Norman/Edmond Residents relocating to MWC
 - Housing growth in MWC forces yet another annexation
- School District to re-draw lines due to climbing test scores
- I-40 forced to relocate due to expansion in MWC Entertainment District
- Barton lawsuit scheduled for trial (finally)
- MWC Hospital leased again for the third time
- MWC to settle with Firefighters on 2015 contract
- Councilmember Rice elected to Ward 3 after serving for Ward 6, 2 and 4

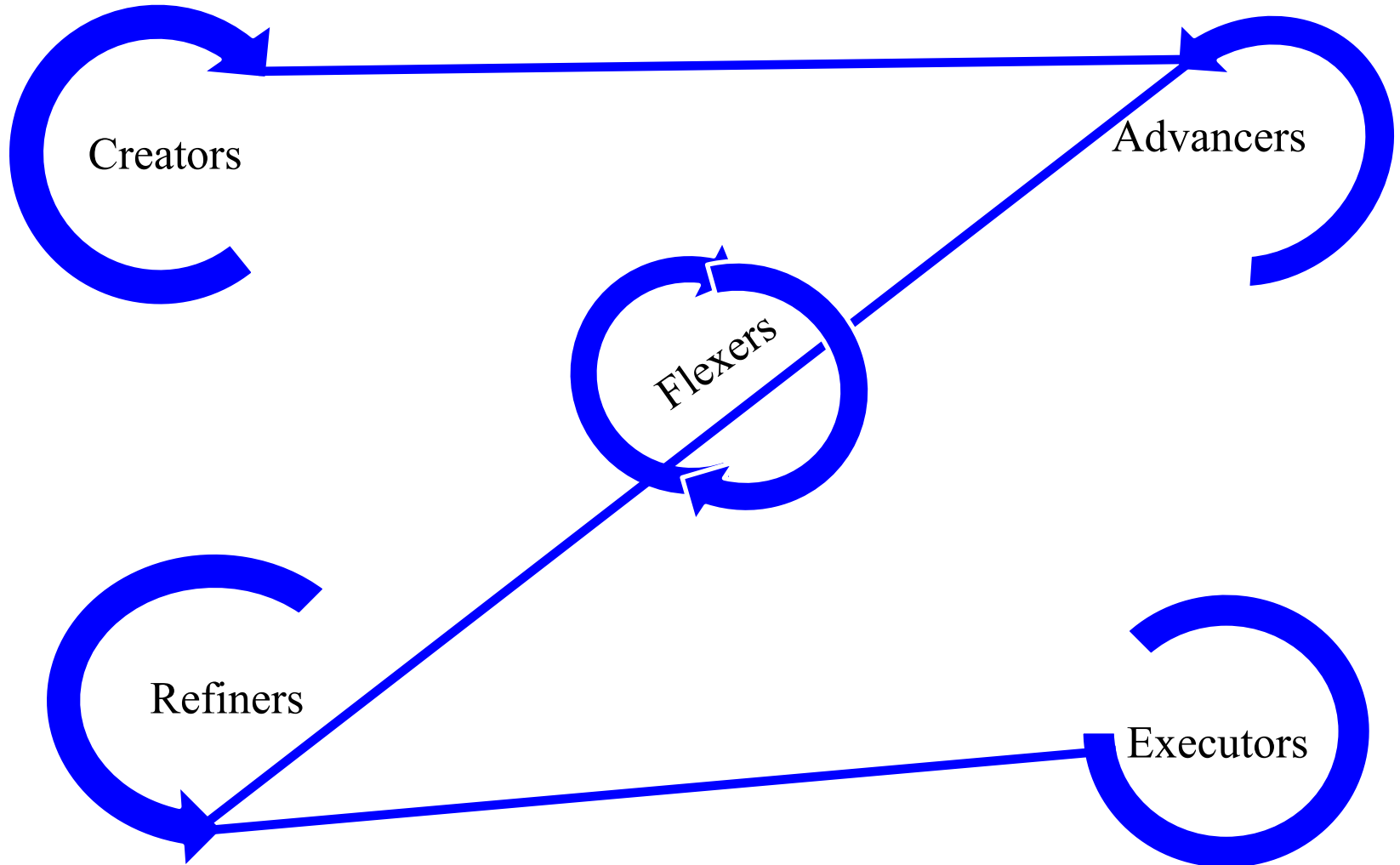
Today's Headlines

- MWC to Host PGA at _____
- MWC home of TAFB
 - Incentives for folks that work or are stationed at TAFB
 - National Cemetery in Glenwood addition
 - Air Force and Nave Museum to open
- New Aero Space Company relocates at Heritage Park Mall location

MWC Reinvents Itself

- New mixed use at Heritage Park Mall and N.E. 23rd and Douglas
- TAFB employees flock back to MWC
- City's Light Rail and enhanced Bus Service connect the City and Downtown OKC
- All schools in MWC excel in all academic areas
- Median income exceeds metro average as a result of new industry and Tinker employees returning to MWC
 - Retail flourishes with higher median income

Team Dimension Chart

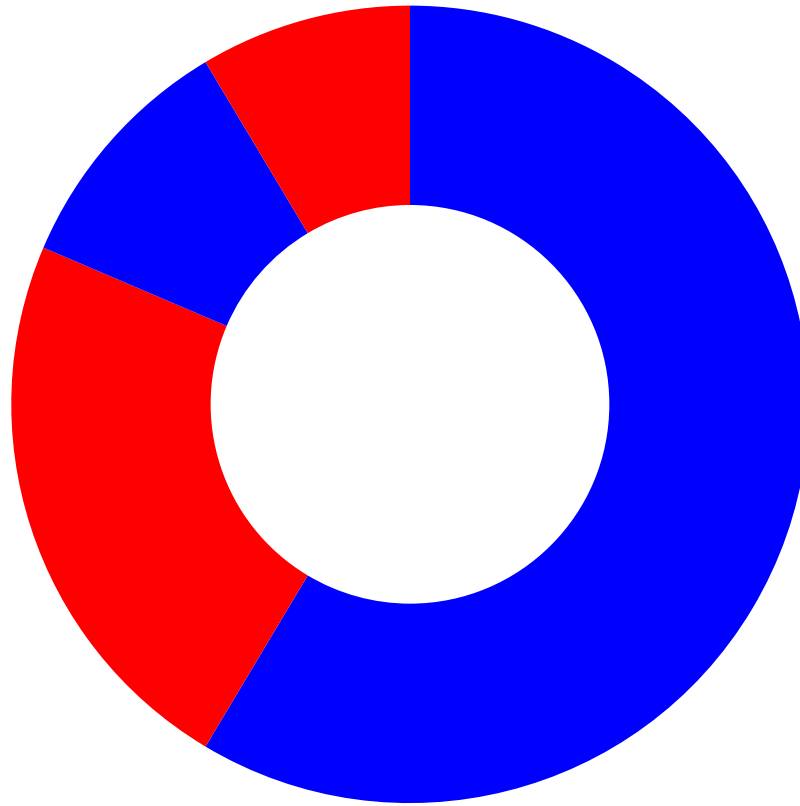


MWC Opportunities

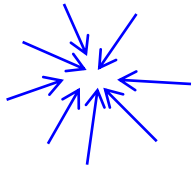
- Need money, but higher taxes drives people out
- Deal with the mall
- Need Tinker employees to live here
- Schools
- Providing better services
- Need for entertainment (Quality of life amenities)
- Light rail and bus service

Circle of Concern

Influences



• Re-Forming



Vision & Mission

Legacy & Success

• Preforming [Goal]

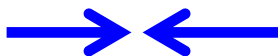


Values & Goals

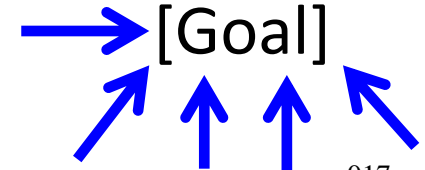
Execution



• Storming



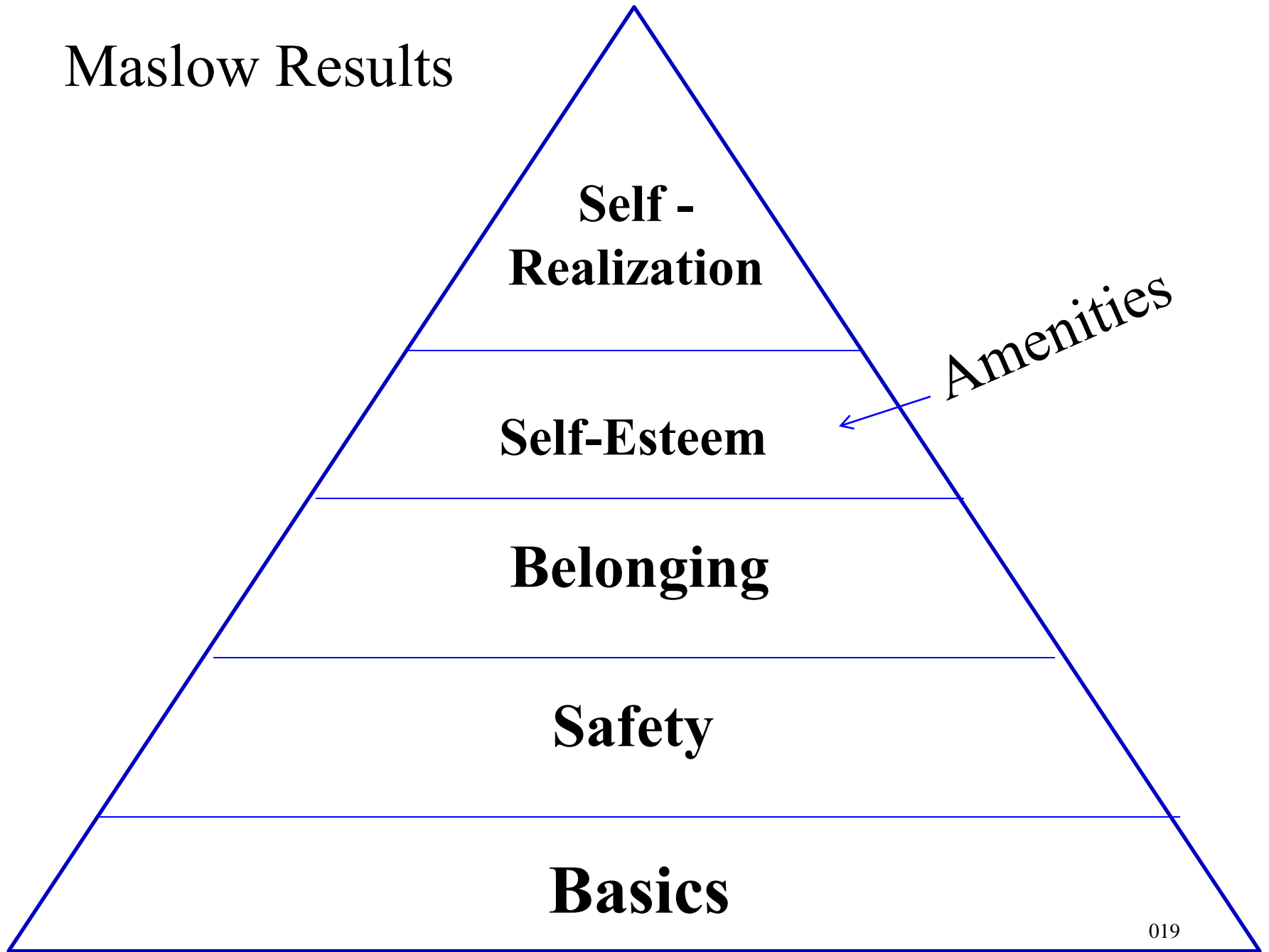
• Norming [Goal]



Important Issues

- Light rail/bus service/connectivity
- Re-invent mall property [Expanded retail]
- Communication – plan
- Appearance
- Improved schools
- Public/private housing stimulator
- More amenities
- Promote job growth
- Maximize relationship with Tinker

Maslow Results



Interview Themes

1. Image and appearance
2. More retail [Big box, specialty, retail at East]
3. Neighborhood redevelopment
4. Schools
5. Recreation/Entertainment – Amenities
6. Adding jobs
7. Communication channels



Values ?

1. Infrastructure
2. Transportation
3. Economic vitality
4. Diversity
5. Parks and trails
6. Community
Involvement
7. Sustainability
8. Customer service
9. Arts
10. Financial health
11. Innovation
12. Safety

Milestones

1. Light rail/bus service/connectivity
 - a. Id actual locations and start the process of acquiring the Properties needed [3 to 5 years]
 - b. Id needed support industries and establish working partnerships needed [3 to 5 years]
2. Known as a safe, attractive city to live, work and play
 - a. Hire an Employee Marketing Director and develop advertising budget
 - b. Complete outside consultant survey on Public Safety needs and begin implementation
 - c. Renovate distressed shopping

Milestones continued

3. Promote job growth through Tinker AFB and other areas
 - a. At least two medium to large employers in the Industrial Park – with marketing plan and incentive package
 - b. Job center at 29th Street
 - c. Implement a plan for Mall re-invention
4. Increase quality of life and amenities
 - a. Make a movie theatre
 - b. Create an activity hub
 - c. Enhance City activities to attract more people and assist existing citizens

Milestones continued

5. Excellence in Customer Service
 - a. Annual customer service surveys that reflect improved customer satisfaction
 - b. Emphasize customer service issues in employee evaluations
6. A Variety of well-Maintained Housing Stock
 - a. Allow for local amenities within the neighborhoods
 - b. Provide incentives for investors to make improvements in their houses

Drivers

- Crime
- Arterial streets (High profile corridors and curb appeal)
- Business “Friendly”?
- Schools
- Median income
- Amenities – Entertainment, recreation, retail
- Variety of well maintained housing stock (Type/millennial stock)

Reputational Drivers

1. Marketing
2. Appearance
3. Innovation
4. Customer service
5. Enforcement to encouraged growth
6. Public/Private partnerships

Drivers Prioritized Summary

(#1 most important to #7 least important)

1. Appearance
2. Customer Service /Business friendly
3. Safety/Crime
4. Schools improved
5. Amenities/Entertainment
6. Housing
7. Communication

Future Drivers (Basics)

1. Housing
2. Make it easy for builders to want to build here
3. Safe City (P.D./F.D.)
4. Ambulance service
5. Annexations of school...MWC
6. Entertainment – theater

Pillars of Future

1. Light rail/Bus services/Connectivity
2. Known as a safe, attractive city to live, work, and play
3. Promote job growth through Tinker and other areas
4. Increased quality of life and amenities
5. Excellence in customer service
6. A variety of well-maintained housing stock
7. Improved school performance

Notice of this special Midwest City Council meeting was filed with the City Clerk of Midwest City at least 48 hours in advance of the meeting 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 SPECIAL MEETING FOR THE MIDWEST CITY COUNCIL

December 18, 2015 – 8:15 a.m.

This 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 Jay Dee Collins; Councilmembers Richard R. Rice, Rick Dawkins, James L. Ray, and Christine Allen; and City Clerk Rhoda Atkins. Absent: Daniel McClure Jr. and Jeff Moore. Mayor Collins called the meeting to order at 8:52 a.m.

Discussion Item.

- 1. Discussion and consideration of approving the management representation letters for Grant Thornton LLP for the Sooner Town Center, LLC, Lowe's STC, LLC and STC II, LLC audits for calendar years ending December 31, 2012 and December 31, 2013.** City Attorney Katherine Bolles briefed the Council on this item. No action was taken on this item.

Adjournment. There being no further business, motion was made by Dawkins, seconded by Ray, to adjourn. Voting aye: Rice, Dawkins, Ray, Allen and Mayor Collins. Nay: none. Absent: McClure and Moore. Motion carried. The meeting adjourned at 8:54 a.m.

ATTEST:

JAY DEE COLLINS, Mayor

RHONDA ATKINS, City Clerk

DANIEL MCCLURE JR., Councilmember

RICHARD R. RICE, Councilmember

RICK DAWKINS, Councilmember

JAMES L. RAY, Councilmember

CHRISTINE C. PRICE ALLEN, Councilmember

JEFF MOORE, Councilmember

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

December 8, 2015 – 6:00 p.m.

This 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 Jay Dee Collins*; Councilmembers Daniel McClure Jr., Richard R. Rice, Rick Dawkins, James L. Ray, Christine Allen, and Jeff Moore; and Acting City Clerk Deborah Garner. Absent: none. Mayor Collins called the meeting to order at 6:06 p.m.

Clarification of agenda items, handouts, and presentation of new or additional information for items on the City Council agenda for December 8, 2015. City Manager Guy Henson, Public Relations Specialist Kay Hunt and Community Development Director Billy Harless made community-related announcements. *Mayor Collins left the meeting at 6:11 p.m. and returned at 6:16 p.m. Staff briefed the councilmembers on various items on the agenda, and the councilmembers sought clarification and discussed individual agenda items with staff.

Mayor Collins adjourned the meeting at 6:31 p.m.

ATTEST:

JAY DEE COLLINS, Mayor

DEBORAH GARNER, Acting City Clerk

DANIEL MCCLURE JR., Councilmember

RICHARD R. RICE, Councilmember

RICK DAWKINS, Councilmember

JAMES L. RAY, Councilmember

CHRISTINE C. PRICE ALLEN, Councilmember

JEFF MOORE, Councilmember

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

December 8, 2015 – 7:00 p.m.

This meeting was held in the Midwest City Council Chambers, 100 N. Midwest Boulevard, Midwest City, County of Oklahoma, and State of Oklahoma with the following members present: Mayor Jay Dee Collins; Councilmembers Daniel McClure Jr., Richard R. Rice, Rick Dawkins, James L. Ray, Christine Allen, and Jeff Moore; and Acting City Clerk Deborah Garner. Absent: none. Mayor Collins called the meeting to order at 7:01 p.m.

Opening Business. The meeting opened with the invocation by City Manager Tim Lyon, followed by the Pledge of Allegiance led by Councilmember Ray. City Manager Guy Henson made community-related announcements.

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

1. Discussion and consideration of approving the minutes of the staff briefing and regular meetings of November 24, 2015, as submitted.
2. Discussion and consideration of supplemental budget adjustments to the following fund for FY 2015-2016, increase: Reimbursed Projects Fund, expenses/Community Development (05) \$773.
3. Discussion and consideration of the acceptance of and making a matter of record Permit No. SL000055150858 from the State Department of Environmental Quality for the Family Dollar Store Sewer Line Extension located at N.E. 10th Street and Midwest Boulevard, Midwest City, Oklahoma.
4. Discussion and consideration of awarding the bid and entering into a contract with VetSource Mobility for one or more mobile computer/tablet terminals in the total amount of \$5,323.67 for each system.
5. Discussion and consideration of 1) declaring two (2) in car cameras, model DV-1, surplus and authorizing their disposal by trade-in to WatchGuard Video; and 2) awarding the bid to and entering into a contract with WatchGuard Video, who submitted the lowest responsible bid, for new in-car camera systems for fiscal year 2015-16 in the amount of \$4,795 per unit less trade-in amount of \$1,500 per model DV-1 unit.
6. Discussion and consideration of declaring city vehicle unit 06-00-86, a 2010 Chevrolet Impala police patrol car, VIN number 2G1WD5EM7A1245489, surplus and authorizing its disposal by sealed bid or auction.

7. Discussion and consideration of 1) declaring the 2004 Honda Odyssey, unit number 060202, VIN 5FNRL18924B062983, surplus and authorizing its disposal by trade in to Wholesale Enterprises; and 2) purchasing a 2009 Jeep Grand Cherokee Laredo from Wholesale Enterprises for \$12,500 less the trade-in in the amount of \$1,500 for a net cost of \$11,500.

Voting aye: McClure, Rice, Dawkins, Ray, Allen, Moore, and Mayor Collins. Nay: none.
Absent: none. Motion carried.

Discussion Items.

1. **(PC-1860) Discussion and consideration of approving and passing an ordinance amending Appendix A, Zoning Regulations, of the Midwest City Code, by amending Section 5.2.3, Residential Fencing and Screening, and adding subparagraph (C) to Section 5.2.3, Residential Fencing and Screening; and providing for repealer and severability.** The councilmembers discussed recommendations for the Planning Commission: Requiring top rails and/or caps, not allowing metal fences in residential districts unless both sides are finished, and requiring fences to be installed according to manufacturer's recommendations. No action was taken on this item.

New Business/Public Discussion. Brandon Burns, 1201 Stansell, addressed the Council about 1119 Stansell.

Motion was made by McClure, seconded by Moore, to recess the Council meeting. Voting aye: McClure, Rice, Dawkins, Ray, Allen, Moore, and Mayor Collins. Nay: none. Absent: none. Motion carried. The Council meeting was recessed at 7:20 p.m. Mayor Collins reconvened the Council meeting at 7:56 p.m.

Executive Session. Discussion and consideration of 1) entering into executive session as allowed under 25 O.S. § 307 (B)(1), to discuss the employment, hiring, appointment, promotion, demotion, disciplining or resignation of the City Manager; and 2) in open session, taking action as appropriate based on the discussion in executive session. Motion was made by Moore, seconded by Rice, to go into executive session. Voting aye: McClure, Rice, Dawkins, Ray, Allen, Moore, and Mayor Collins. Nay: none. Absent: none. Motion carried. The Council went into executive session at 7:57 p.m. At the conclusion of the executive session, Mayor Collins reconvened the meeting in open session at 10:05 p.m.

Motion was made by Dawkins, seconded by Ray, to affirm that Guy Henson has performed his service as city manager in at least a satisfactory manner during the previous year and that he should be retained for another year. Voting aye: McClure, Rice, Dawkins, Ray, Allen, Moore, and Mayor Collins. Nay: none. Absent: none. Motion carried.

Adjournment. There being no further business, motion was made by McClure, seconded by Rice, to adjourn. Voting aye: McClure, Rice, Dawkins, Ray, Allen, Moore, and Mayor Collins. Nay: none. Absent: none. Motion carried. The meeting adjourned at 10:05 p.m.

ATTEST:

JAY DEE COLLINS, Mayor

DEBORAH GARNER, Acting City Clerk

DANIEL McCLURE JR., Councilmember

RICHARD R. RICE, Councilmember

RICK DAWKINS, Councilmember

JAMES L. RAY, Councilmember

CHRISTINE C. PRICE ALLEN, Councilmember

JEFF MOORE, Councilmember



***THE CITY OF
MIDWEST CITY***
Finance Department

MEMORANDUM

TO: Honorable Mayor and Council
FROM: Frank Chen, Interim Finance Director
DATE: January 12, 2016
SUBJECT: Discussion and consideration of accepting the City Manager's Report for the month of November, 2015.

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

Sewer Construction (186) decreased because of the composting payments to:
Garney Companies, Inc. <\$247,689>

Utility Capital Outlay (189) increased due to the net effect of the following activities:
Loan proceeds increased Fund Balance \$1,398,797
Payments for Auto Meter Reading System decreased FB <\$349,921>

Hotel/Conference Center (195) had an operational loss of \$16,964 in November.

Golf (197) had an operational loss of \$28,882 in November.

Risk Management (202) decreased due to the payments for:
Workers Comp <\$206,336>

L & H (240) fund balance decreased by \$265,388 because November had 5 Mondays/payments.

This item is at Council's discretion.

Frank Chen

Frank Chen
Deputy Finance Director

City of Midwest City
Financial Summary by Fund
for Period Ending November, 2015

(Unaudited)

Fund Number	Fund Description	Assets	Liabilities	6-30-15 Fund Balance	Revenues	Expenditures	Gain or (Loss)	Fund Balance
9	GENERAL GOVERNMENT SALES TAX	1,945,638	-	2,053,701	217,107	(325,170)	(108,063)	1,945,638
10	GENERAL	4,532,633	(145,863)	4,222,650	15,889,693	(15,725,574)	164,119	4,386,769
11	CAPITAL OUTLAY RESERVE	882,358	-	873,787	8,571	-	8,571	882,358
13	STREET AND ALLEY FUND	1,809,428	-	1,729,956	250,847	(171,375)	79,472	1,809,428
14	TECHNOLOGY FUND	478,644	-	481,257	181,354	(183,967)	(2,612)	478,644
16	REIMBURSED PROJECTS	671,513	(188,106)	675,743	67,981	(260,317)	(192,337)	483,407
17	29TH & DOUGLAS PROPERTY	5,500,000	(289,774)	5,210,226	63,026	(63,026)	-	5,210,226
20	MWC POLICE DEPARTMENT	1,388,897	-	1,518,741	5,313,921	(5,443,764)	(129,843)	1,388,897
21	POLICE CAPITALIZATION	763,467	-	676,458	222,042	(135,033)	87,009	763,467
25	JUVENILE FUND	68,554	-	104,185	35,783	(71,414)	(35,631)	68,554
30	POLICE STATE SEIZURES	38,664	-	38,409	3,146	(2,891)	255	38,664
31	SPECIAL POLICE PROJECTS	53,733	-	50,212	3,618	(97)	3,522	53,733
33	POLICE FEDERAL PROJECTS	91,803	-	92,441	630	(1,267)	(638)	91,803
34	POLICE LAB FEE FUND	21,159	-	21,465	4,583	(4,889)	(306)	21,159
35	EMPLOYEE ACTIVITY FUND	15,454	-	15,875	1,076	(1,497)	(421)	15,454
36	JAIL	160,175	-	185,400	42,982	(68,207)	(25,225)	160,175
37	POLICE IMPOUND FEE	136,765	-	111,976	24,789	-	24,789	136,765
40	MWC FIRE DEPARTMENT	1,005,686	(4)	888,234	4,268,283	(4,150,835)	117,448	1,005,682
41	FIRE CAPITALIZATION	493,305	-	592,836	139,570	(239,101)	(99,531)	493,305
45	MWC WELCOME CENTER	334,139	(92)	325,488	96,413	(87,853)	8,560	334,048
46	CONV / VISITORS BUREAU	176,678	-	140,024	155,056	(118,402)	36,654	176,678
50	DRAINAGE TAX FUND	276,569	(19,609)	253,942	3,018	-	3,018	256,961
60	CAPITAL DRAINAGE IMP	355,762	-	334,872	189,423	(168,533)	20,889	355,762
61	STORM WATER QUALITY	900,541	-	884,423	320,043	(303,926)	16,117	900,541
65	STREET TAX FUND	1,095,581	-	1,080,011	189,954	(174,384)	15,570	1,095,581
70	EMERGENCY OPER FUND	730,970	-	740,750	169,097	(178,877)	(9,780)	730,970
75	PUBLIC WORKS ADMIN	284,425	-	216,227	382,856	(314,658)	68,198	284,425
80	INTERSERVICE FUND	85,095	-	146,291	836,111	(897,308)	(61,197)	85,095
81	SURPLUS PROPERTY	294,816	(231,462)	57,402	21,380	(15,428)	5,952	63,354
115	ACTIVITY FUND	269,882	-	304,088	61,821	(96,027)	(34,206)	269,882
123	PARK & RECREATION	466,779	-	378,386	230,636	(142,243)	88,393	466,779
141	COMM. DEV. BLOCK GRANT	15,156	-	15,156	181,168	(181,168)	0	15,156
142	GRANTS/HOUSING ACTIVITIES	275,260	(4,711)	261,039	45,725	(36,217)	9,509	270,548
143	GRANT FUNDS	78,827	(18,827)	58,318	249,936	(248,254)	1,682	60,000

City of Midwest City
Financial Summary by Fund
for Period Ending November, 2015
(Unaudited)

Fund Number	Fund Description	Assets	Liabilities	6-30-15 Fund Balance	Revenues	Expenditures	Gain or (Loss)	Fund Balance
157	CAPITAL IMPROVEMENTS	2,804,188	(5,736)	2,530,406	417,919	(149,874)	268,045	2,798,452
172	CAP. WATER IMP-WALKER	1,043,605	-	864,897	239,628	(60,919)	178,708	1,043,605
178	CONST LOAN PAYMENT REV	2,051,784	-	1,694,117	365,055	(7,388)	357,667	2,051,784
184	SEWER BACKUP FUND	81,472	-	80,681	792	-	792	81,472
186	SEWER CONSTRUCTION	6,418,332	(2,772,556)	4,652,015	665,863	(1,672,102)	(1,006,238)	3,645,776
187	UTILITY SERVICES	430,881	(924)	384,521	472,516	(427,079)	45,437	429,958
188	CAP. SEWER IMP.-STROTH	351,287	-	166,194	185,708	(615)	185,093	351,287
189	UTILITIES CAPITAL OUTLAY	1,124,374	(132,535)	(129,021)	1,471,064	(350,204)	1,120,861	991,839
190	MWC SANITATION DEPARTMENT	2,487,963	-	2,166,341	2,385,459	(2,063,837)	321,623	2,487,963
191	MWC WATER DEPARTMENT	585,672	-	730,063	2,584,786	(2,729,177)	(144,391)	585,672
192	MWC SEWER DEPARTMENT	1,091,399	-	971,908	2,246,205	(2,126,714)	119,491	1,091,399
193	MWC UTILITIES AUTHORITY	1,200,685	-	1,107,612	93,984	(910)	93,074	1,200,685
194	DOWNTOWN REDEVELOPMENT	3,425,332	-	3,165,630	569,618	(309,916)	259,702	3,425,332
195	HOTEL/CONFERENCE CENTER	620,284	(1,013,761)	(314,204)	2,391,986	(2,471,258)	(79,272)	(393,476)
196	HOTEL 4% FF&E	1,235,389	-	1,266,980	95,679	(127,271)	(31,591)	1,235,389
197	JOHN CONRAD REGIONAL GOLF	174,022	(1,003)	86,403	544,680	(458,064)	86,615	173,018
201	URBAN RENEWAL AUTHORITY	151	-	3,804	15	(3,669)	(3,653)	151
202	RISK MANAGEMENT	2,714,342	(37)	3,812,390	853,299	(1,951,383)	(1,098,084)	2,714,305
220	ANIMALS BEST FRIEND	62,215	-	69,763	9,996	(17,544)	(7,548)	62,215
225	HOTEL MOTEL FUND	-	-	-	273,995	(273,995)	-	-
230	CUSTOMER DEPOSITS	1,358,397	(1,358,397)	-	13,503	(13,503)	-	-
235	MUNICIPAL COURT	86,287	(86,287)	-	924	(924)	-	-
240	L & H BENEFITS	1,830,874	(173,023)	1,943,651	2,865,807	(3,151,606)	(285,800)	1,657,851
250	CAPITAL IMP REV BOND	4,416,751	(64,573,123)	(61,635,836)	6,158,748	(4,679,284)	1,479,464	(60,156,372)
269	2002 G.O. STREET BOND	2,998,405	-	3,341,434	31,847	(374,876)	(343,030)	2,998,405
310	DISASTER RELIEF	1,572,879	(184,929)	1,407,848	121,392	(141,291)	(19,898)	1,387,950
340	REVENUE BOND SINKING FUND	-	-	-	2,315,838	(2,315,838)	-	-
350	G. O. DEBT SERVICES	1,365,123	-	1,431,347	42,611	(108,836)	(66,224)	1,365,123
351	TAX INCREMENT FINANCING	-	(1,202,229)	(1,181,139)	-	(21,090)	(21,090)	(1,202,229)
425-9010	MWC HOSP AUTH-COMP PRINCIPAL	73,926,318	(9,791,525)	66,241,700	(394,210)	(1,712,697)	(2,106,907)	64,134,794
425-9020	MWC HOSP AUTH-LOAN RESERVE	2,824,653	(324,653)	2,500,000	23,081	(23,081)	-	2,500,000
425-9050	MWC HOSP AUTH-DISCRETIONARY	10,625,368	(10,536)	9,223,576	1,451,283	(60,028)	1,391,255	10,614,831
425-9060	MWC HOSP IN LIEU OF/ROR/MISC	3,433,258	(154,711)	3,157,879	955,890	(835,220)	120,669	3,278,549
	TOTAL	158,040,047	(82,684,412)	74,480,929	59,326,603	(58,451,897)	874,706	75,355,635



Risk Management

100 North Midwest Boulevard

Midwest City, OK. 73110

405.739.1237 / 405.739.1268

MEMORANDUM

TO: Honorable Mayor and Council
FROM: Lynn Smithson, Risk Manager
DATE: January 12, 2016
RE: Discussion and consideration of accepting and authorizing payment of the order of the Workers' Compensation Court in James Michael Bettes vs. City of Midwest City, W.C. Case No. 2013-01222F

The claimant is a retired Police Officer who sustained an on-the-job injury to his left knee on November 1, 2012. The claimant filed a Workers' Compensation claim against the City, and received an award from the court in the amount of \$19,541.50.

The total award check, inclusive of interest owed to claimant and his attorney is \$19,541.50, of which 40 weeks has accrued and will need to be paid in a lump sum of \$12,920.50. A copy of the order is attached, explaining the details of the ordered amounts. Risk Management requests council approval of payment of this court ordered award, with authority to conclude this matter, and issue checks for the amounts ordered by the court.

Staff recommends approval.

Lynn Smithson
Risk Manager

- 3 -

THAT claimant's accidental personal injury on or about NOVEMBER 1, 2012, to his LEFT LEG (KNEE) (aggravation of a pre-existing condition) arose out of and in the course of his employment with the respondent.

- 4 -

THAT at time of injury, claimant's wages were sufficient to establish the rates of compensation at \$715.00 per week for temporary total disability and \$323.00 per week for permanent partial impairment.

- 5 -

THAT claimant has permanent anatomical abnormalities to his LEFT LEG (KNEE) which are causally related to his accidental personal injury, herein. THEREFORE, as a result of said injury, claimant sustained 22 percent permanent partial impairment to the LEFT KNEE (aggravation of a pre-existing condition) over and above 5 percent pre-existing permanent partial disability for degenerative conditions (with permanent anatomical abnormality chondral injuries cyst, chondromalacia of patella with surgical arthroscopy, physical therapy, functional loss), for which claimant is entitled to compensation for 60.5 weeks at \$323.00 per week, or the total amount of \$19,541.50 of which 40 weeks have accrued and shall be paid in a lump sum of \$12,920.00.

- 6 -

THAT respondent and/or insurance carrier shall pay all reasonable and necessary medical expenses incurred by claimant as a result of said injury.

- 7 -

THAT respondent or insurance carrier shall pay claimant the accrued portion of the award herein in lump sum of \$12,920.00 and pay the balance of said award at the rate of \$323.00 per week until the total award of \$19,541.50 (less attorney fee) has been paid to claimant.

- 8 -

THAT Respondent shall pay court costs; Special Occupational Health and Safety Fund Tax of three-fourths of one percent (0.75%) of the amounts paid in lump sum of \$146.56 is levied against the Respondent; three-fourths of one percent of the continuing benefits awarded in this case shall be computed and paid as the same comes due. Pursuant to 85 O.S., Section 407, as amended by Laws 2013, HB 2201, c. 254, Section 49, eff. January 1, 2015, Respondent, if Own Risk, shall pay \$390.83 to the Workers' Compensation Administration Fund created by 85 O.S. Section 407, to be used for the costs of administering the Workers' Compensation Code as applicable to the Oklahoma Workers' Compensation Court of Existing Claims, representing two percent (2%) of the permanent disability award herein.

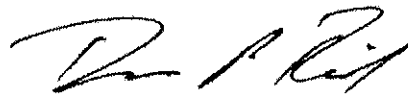
- 9 -

THAT pursuant to Title 85 O.S. Section 368, a final award fee of one hundred forty dollars (\$140.00) is taxed as a cost in this matter, and shall be paid by respondent.

- 10 -

THAT the sum of \$3,908.30 shall be deducted from the award herein and paid in lump sum to claimant's attorney as a fair and reasonable attorney fee; within twenty (20) days from the date of filing of this order, respondent or insurance carrier shall comply herewith.

BY ORDER OF:

/s/ 

DAVID P REID, JUDGE

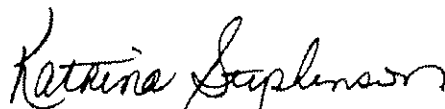
./FBennett

A copy of the above and foregoing Court Order was mailed, by regular or Certified United States Mail, on this filed stamped date to:

Claimant's Attorney: CRAIG DAWKINS
1601 NW EXPRESSWAY SUITE 1420
OKLAHOMA CITY, OK 73118-

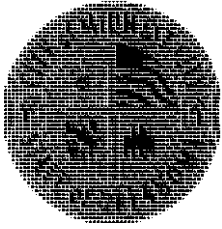
Respondent's Attorney: JAMES C FERGUSON
941 EAST BRITTON ROAD
OKLAHOMA CITY, OK 73114-

I do hereby certify that the above and foregoing is a true and correct copy of the original order signed by the Judge herein. Witness by my hand and the official seal of this court on this date.



Court Clerk
December 21, 2015





The City of
Midwest City
Police Department

Brandon Clabes
Chief of Police

Memorandum

TO: Honorable Mayor and City Council

FROM: Brandon Clabes, Police Chief

DATE: January 12, 2016

SUBJECT: Discussion and consideration of approval of the amendment to the Memorandum of Understanding with the Oklahoma Department of Mental Health and Substance Abuse Services (ODMHSAS) to the change the responsibility of providing the overdose reversal kits from the City to the ODMHSAS.

The amendment of this Memorandum of Understanding was needed to change the responsibility of providing the overdose reversal kits from the City of Midwest City Police Department to the responsibility of the Oklahoma Department of Mental Health and Substance Abuse Services (ODMHSAS).

Staff recommends approval.

Brandon Clabes
Police Chief

Attachment: Proposed MOU

MEMORANDUM OF UNDERSTANDING
Between the Midwest City Police Department and the Oklahoma Department of Mental Health and Substance Abuse Services.

AGREEMENT TO PROVIDE OVERDOSE REVERSAL TRAINING & OVERDOSE REVERSAL KITS

This Agreement is entered into this _____ day of _____ 20__ by the Midwest City Police Department (hereinafter referred to as "MWCPD") and the Oklahoma Department of Mental Health and Substance Abuse Services (hereinafter referred to as "ODMHSAS").

Purpose and Objectives of Agreement/Project

This Agreement reflects the understanding of the MWCPD and ODMHSAS regarding the ODMHSAS's sponsorship of an overdose reversal training course for MWCPD and overdose reversal kits. This Agreement will:

- Build a working relationship between the organizations with a common goal of reducing the number of overdose deaths.
- Provide MWCPD access to overdose reversal kits.
- Providing MWCPD training in using overdose reversal kits.

Responsibilities of ODMHSAS

- 1.) Sponsor and conduct an overdose reversal training course for MWCPD.
- 2.) Provide all necessary equipment for trainings as well as training materials.
- 3.) Provide Overdose reversal kits for a period of one year from the date of this agreement. Each kit will contain 2 doses of Naloxone and a nasal atomizer for administration of the naloxone. At the option of the parties and if the funding permits, the agreement to provide kits may be renewed for additional one year periods.
- 4.) Provide MWCPD appropriate forms for documenting the training of MWCPD personnel in utilization of overdose reversal kits.
- 5.) Provide MWCPD appropriate forms for documenting the utilization of each overdose reversal kit.

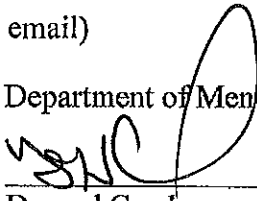
Responsibilities of MWCPD

- 1.) Train personnel in the proper use of overdose reversal kits.
- 2.) Document the training of personnel using forms provided by ODMHSAS and remit the completed forms to ODMHSAS for managing data.
- 3.) Use overdose reversal kits for their intended purposes.
- 4.) Document the utilization of each overdose reversal kit using forms provided by the ODMHSAS and remit the completed forms to ODMHSAS for managing data.

Contact Personnel

- The ODMHSAS liaison for this Agreement is Jessica Hawkins, (405) 522-5952, jhawkins@odmhsas.org
- The MWCPD liaison for this Agreement is (contact name), (contact number), (contact email)

Oklahoma Department of Mental Health and Substance Abuse Services

By:  12/9/15
Durand Crosby Date
Title: Chief Operating Officer

City of Midwest City

By: _____
Jay Dee Collins, Mayor Date

By: _____
Rhonda Atkins, City Clerk Date

ATTEST:

City of Midwest City - Police Department

By: _____
Brandon Clabes, Police Chief Date



Memorandum

TO: Honorable Mayor and Council

FROM: Rhonda Atkins, City Clerk

DATE: January 12, 2016

SUBJECT: Discussion and consideration of entering into a 60 month lease agreement with Pitney Bowes Global Financial Services for a Connect + Series mail machine with options at a cost of \$248.55 per month.

The current Connect + Series mail machine is leased from Pitney Bowes and is due for replacement. The new lease will reduce the monthly cost from \$327 per month to \$248.55 per month. The one color model is what we are recommending since the utility bills are now outsourced.

Staff recommends approval.



Rhonda Atkins
Attachment

WSCA/NASPO FMV Lease Option C Agreement

Account # 10

--	--	--	--	--	--	--	--	--	--	--	--

Agreement Number

Your Business Information

CITY OF MIDWEST CITY

Full Legal Name of Customer	DBA Name of Customer	Tax ID # (FEIN/TIN)	
100 N MIDWEST BLVD	OKLAHOMA CITY	OK	73110-4319
Billing Address: Street	City	State	Zip+4
		21859714863	
Billing Contact Name	Billing Contact Phone #	Billing CAN #	
100 N MIDWEST BLVD	OKLAHOMA CITY	OK	73110-4319
Installation Address (If different from billing address): Street	City	State	Zip+4
		21859714863	
Installation Contact Name	Installation Contact Phone #	Installation CAN #	
Fiscal Period (from - to)	Customer PO #	Delivery CAN #	

Your Business Needs

Qty	Business Solution Description
1	Mail Stream Solution - 1
1	Connect+ 1000 Series
1	Connect+ Series Meter w/PP (NTF)
1	130 LPM Feature
1	5 lb Interfaced Weighing
1	Connect+ Analytics (Max 100 Accounts)
1	10 in. Display – Standard Apps Center
1	Connect+ Mono Printer
1	Connect+ Drop Stacker
1	pbSmartPostage Free
1	IntelliLink Subscription
1	15lb Scale Platform/Stand

- Check items to be included in customer's payment**
- Equipment Maintenance(Included with your payments for the initial term)**
Provides service coverage including certain parts and labor
 - Software Maintenance (1st year included)**
Provides revision updates and technical assistance
 - Soft-Guard® Subscription (Included with your meter rental)**
Provides postal and carrier updates
 - IntelliLink® Subscription/Meter Rental**
Provides simplified billing and includes () resets per year
 - () **Confirmation Services** *Electronic access to postal confirmation services*
 - (x) **Purchase Power®** *Receive an invoice for postage, consolidated billing and enhanced management reporting information.*

Your Payment Plan

Number Of Months	Monthly Amount *
First 60	\$ 248.55

(*Does not include any applicable taxes)

- () Required advance check of \$() received
- Tax Exempt# State Tax (if applicable)
- () Tax Exempt Certificate Attached
- () Tax Exempt Certificate Not Required

Your Signature Below

By signing below, you agree to be bound by this FMV Lease Option C Agreement (this "Lease"). This Lease is made and entered into pursuant to your State's/Entity's Participating Addendum, which is made in connection with the WSCA/NASPO Contract # ADSP011-0000411-7 ("Agreements"), all of which are available at www.pb.com/states. The terms and conditions of the Agreements govern this transaction, and in the event of any inconsistency with this Lease, the Agreements will supersede this Lease. This Lease will be binding on PBGFS only after PBGFS has completed its credit and documentation approval process and an authorized PBGFS employee signs below.

Customer Signature	Date	ITSW1008	State's/Entity's Participating Addendum #
Print Name	Title	Email Address	

Sales Information

Kimberly Jackson	059	
Account Rep Name	District Office	PBGFS Acceptance
Equipment Vendor: Pitney Bowes Inc. for Sales and Service call 1-800-322-8000		



The City of
MIDWEST CITY
COMMUNITY DEVELOPMENT DEPARTMENT -
ENGINEERING DIVISION

Billy Harless, Community Development Director
Patrick Menefee, P.E., City Engineer

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 Council

FROM : Patrick Menefee, P.E., City Engineer

DATE : January 12th, 2016

SUBJECT : Discussion and consideration of Change Order No. 1 to the contract with Crafton Tull and Associates, Inc., retroactive to August 31, 2015, increasing the original contract amount by \$5000.00, making the new contract total \$50,500.00 for the S.E. 29th Street Waterline Extension, from Anderson Road to the Forest Glen Addition Project.

The subject change order is for additional engineering design and survey work necessary to complete the S.E. 29th Street Waterline Extension, from Anderson Road to the Forest Glen Addition Project.

Staff recommends approval of the change order.

Patrick Menefee, P.E.
City Engineer

PM:lkb

Attachment

AMENDMENT NO. 1 TO OWNER-ENGINEER AGREEMENT

Subject of Amendment: Additional Services

1. Background Data:

- a. Effective Date of OWNER-ENGINEER Agreement: August 31, 2015
- b. OWNER: City of Midwest City
- c. ENGINEER: Crafton, Tull & Associates, Inc.
- d. Project: 29th St. Waterline Extension – Anderson to Forest Glenn - #13605000

2. Nature of Amendment

- Additional Services to be performed by ENGINEER
- Modifications to Payment to ENGINEER

3. Description of Modifications

See Attachment 1, "Modifications"


OWNER and ENGINEER hereby agree to modify the above-referenced Agreement as set forth in this Amendment. All provisions of the Agreement not modified by this or previous Amendments remain in effect. The Effective Date of this Amendment is August 31, 2015.

OWNER:

ENGINEER:

CRAFTON, TULL & ASSOCIATES, INC.

By: _____

By:  _____

Title: _____

Paul D'andrea, PE
Title: Vice President

Date Signed: _____

Date Signed: 8-31-15

ATTACHMENT 1
MODIFICATIONS

Additional Services to be performed by ENGINEER:

- I. During construction the alignment of the new water main was modified in the field, to resolve a right of way dispute. Crafton Tull incurred additional expenses during the "as-built" phase of their contract to field locate the relocated line and for research and preparation of modified easement documents.

Modifications to Payment to ENGINEER:

The OWNER shall pay ENGINEER for the Additional Services set forth above a lump sum amount to include all services listed, reimbursable expenses and sub consultant costs, if any sub consultants are included. The compensation for the Additional Services described herein is estimated to be \$ 5,000.00. Following is the total estimated distribution of compensation:

Basic Services	\$ <u>45,500.00</u>
Amendment No. 1	\$ <u>5,000.00</u>
Total Estimated Compensation	\$ <u>50,500.00</u>



THE CITY OF
MIDWEST CITY

MEMORANDUM

TO: Honorable Mayor and City Council

FROM: Mike Bower, Emergency Management Manager

DATE: January 12, 2016

SUBJECT: 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, 2015 to encourage the development of comprehensive disaster preparedness and assistance plans, programs, capabilities, and organizations by Tribal, State and Political Subdivisions.

This sub-grant will provide the basis for dealing effectively with disasters and emergencies. Payments to the local jurisdiction will be made on a quarterly basis according to the schedule provided in this performance grant.

This award is designed to assist our community in meeting the cost of our emergency management program. Future grant eligibility is contingent upon completion of the scope of work contained in the attached performance grant agreement.

Staff recommends approval.



MIKE BOWER
Emergency Management Manager

Attachment: Proposed Performance Grant Agreement

FY 2016 Emergency Management Program Grant

Contractual Agreement

This agreement is entered into by and between the State of Oklahoma Department of Emergency Management, and **The City of Midwest City**, Oklahoma, hereinafter referred to as the Political Subdivision. The Oklahoma Department of Emergency Management shall pay the Political Division local jurisdiction for required works performed under the EMPG application and this contractual agreement the sum of **15,000.00** dollars, **subject to the following terms and conditions:**

Article 1. Scope of Work

Advancing the Whole Community approach reinforces the concept that it is the community's responsibility to take necessary and appropriate actions to protect people and property from the consequences of local emergencies and disasters. Communities are challenged to develop collective local abilities to withstand the potential impacts of these events, respond quickly, and recover in a way that sustains or improves the community's overall well-being. Achieving this collective capability calls for innovative approaches across the community. The efforts of the Oklahoma Department of Emergency Management is to assist local jurisdiction's Emergency Management with the capabilities to prevent, protect against, respond to and recover from natural disasters, threats of terrorism, and attacks both foreign and domestic. This includes enhancing local jurisdiction's Emergency Management existing practices, programs, institutions and organizations.

Article 2. EMPG Sub-Grant Required Cost Match

The EMPG Sub-Grant funds that are used towards the Political Subdivision's EMPG Program shall not exceed 50 percent of the total Political Subdivision's Emergency Management budget. The Political Subdivision must cost match (cash or in-kind) the Federal contribution according to the *Robert T. Stafford Disaster Relief and Emergency Assistance Act* (Public Law 93-288), as amended, 42 U.S.C. 5121-5207, specifically, Title VI, sections 611(j) and 613. Unless otherwise authorized by law, Federal funds cannot be matched with other Federal funds. Documentation of the cost match and actual expenditures of the Political Subdivision's EMPG Sub-Grant funds shall be supplied to the Oklahoma Department of Emergency Management.

Article 3. Funding Guidelines

EMPG Sub-Grant funds can only be used for the purposes set forth in this contract. **All EMPG Sub-Grant fund expenditures must be accounted for and follow this funding guidance.**

Grant funds may not be used for matching funds for Federal grants, cooperative agreements, lobbying or intervention in Federal regulatory or adjudicatory proceedings. Additionally, EMPG Sub-Grant funds may not be used to sue the Federal government or any other government entity.

Authorized Expenditures:

1. Operations

FY 2016 EMPG Sub-Grant funds may be used for all hazards local Emergency

Management operations activities that may include, but are not limited to:

- a. Staffing including salary and personnel costs
- b. Compensatory time off
- c. Overtime
- d. Day-to-day activities in support of Emergency Management
- e. Associated fringe benefits

2. Planning

FY 2016 EMPG Sub-Grant funds may be used for a range of Emergency Management planning activities that may include, but are not limited to:

- a. Community based planning to advance the Whole Community, Security and Emergency Management concept.
- b. Maintaining a current Hazard Mitigation plan inclusive of a Hazard Identification and Risk Assessment (HIRA).
- c. Maintaining current Emergency Operations procedures that conform to the guidelines outlined in CPG 101 v.2.
- d. Developing and/or enhancing comprehensive Emergency Management plans.

3. Training

FY 2016 EMPG Sub-Grant funds may be used for a range of Emergency Management related training activities **for the purposes of enhancing local Emergency Management's personnel capabilities.** Training related expenses may include, but are not limited to:

- a. Training development, delivery and/or evaluation
- b. Overtime
- c. Travel
- d. Hiring of full or part-time staff, contractors or consultants
- e. Certification or recertification of Instructors

4. Exercise

FY 2016 EMPG Sub-Grant funds may be used for a range of Emergency Management related exercise activities **for the purposes of testing and improving local jurisdiction's Emergency Management Operations plans.** Qualifiable exercises are

those conducted within the Political Subdivision's jurisdictional boundaries. Exercise related expenses may include, but are not limited to:

a. Exercise conduct, design, development and evaluation

uuuuu. Hiring full or part-time staff, contractors or consultants

vvvvv. Travel

wwwww. Supplies

5. Equipment

In accordance with 44 CFR 13.32 allowable equipment categories for the FY 2016 EMPG program are listed on the web based version of the Authorized Equipment List (AEL) on the Responder Knowledge Base (RKB), which is sponsored by FEMA at <http://www.rkb.us>. Unless otherwise stated, equipment must meet all mandatory, regulatory and/or FEMA adopted standards to be eligible for purchase using these funds. Additionally, agencies will be responsible for obtaining and maintaining all necessary certifications and licenses for the requested equipment. Equipment expenses may come from the following AEL categories:

a. Information Technology (Category 4)

b. Cyber-Security Enhancement Equipment (Category 5)

c. Detection Equipment (Category 7)

d. Power Equipment (Category 10)

e. Chemical, Biological, Radiological, Nuclear, and Explosive (CBRNE) Reference Materials (Category 11)

f. Physical Security Enhancement Equipment (Category 14)

g. Other Authorized Equipment (Category 21)

Unauthorized Expenditures:

- a. Reimbursement for the maintenance and/or wear and tear costs of general use vehicles (e.g. construction vehicles). The only vehicle costs that are reimbursable are fuel and/or mileage.
- b. Equipment that is purchased for permanent installation and/or use beyond the scope of exercise conduct (e.g. electronic messaging signs).
- c. Durable and non-durable goods purchased for installation and/or use beyond the scope of exercise conduct.
- d. Expenditures for weapons and ammunition.
- e. Costs to support the hiring of sworn safety officers (sworn law enforcement officers).
- f. Activities unrelated to the completion and implementation of the EMPG.
- g. Other items not in accordance with the aforementioned authorized expenses.

Article 4. Sub-Grant Administration Requirements

1. Any tasking the Oklahoma Department of Emergency Management receives from the U.S. Department of Homeland Security, FEMA or any other federal agency that is Emergency Management related and requires the assistance of the Political Subdivision shall also be considered as part of the required tasking elements under the EMPG Sub-Grant.
2. If the Political Subdivision receives 500,000 or more in Federal funds in Federal FY 2016, they are responsible for compliance with the provisions of the Single Audit Act amendments of 1996. The Political Subdivision shall submit a copy of their audit letter signed by the auditor for Federal FY 2016 to the Oklahoma Department of Emergency Management.

3. **The FY 2016 EMPG Sub-Grant is a performance based grant.** In an effort to ensure EMPG requirements compliance, each Political Subdivision's performance shall be monitored. The Political Subdivision jurisdiction's Emergency Management will be visited a minimum of four (4) times each year by a Regional Coordinator or other representative of the Oklahoma Department of Emergency Management. The field visits shall be conducted at a mutually, agreed date, time and location during each quarter.
4. Each quarter the EMPG Political Subdivision will submit a minimum of one (1) progress report to the jurisdiction's assigned Oklahoma Department of Emergency Management Regional Coordinator. Submitted documentation shall be maintained by the Political Subdivision and the Department of Emergency Management for a minimum of three (3) years.

*** Please Note**

1st Quarter: October 1, 2015 – December 31, 2015

2nd Quarter: January 1, 2016 – March 31, 2016

3rd Quarter: April 1, 2016 – June 30, 2016

4th Quarter: July 1, 2016 – September 30, 2016

Article 5. Payment Terms

All payments will be contingent upon the Political Subdivision jurisdiction's payment requests and the Oklahoma Department of Emergency Regional Coordinator's review of required tasks. Should the Political Subdivision found to be in keeping with the EMPG Sub-Grant performance requirements, the following shall occur:

1. Payment in the amount of 25% of the awarded FY 2016 EMPG Sub-Grant will be made by the Oklahoma Department of Emergency Management for the First Quarter, after January 15, 2016 following receipt of the fully executed agreement and receipt of the

quarterly payment request letter from the jurisdiction along with documentation of the first quarter's tasks. The Oklahoma Department of Emergency Management Regional Coordinator will approve each payment.

2. Payment in the amount of 25% of the awarded FY 2016 EMPG Sub-Grant will be made for the Second Quarter after April 15, 2016 upon receipt of the quarterly request letter and when terms of the agreement have been met and affirmed by the Oklahoma Department of Emergency Management Regional Coordinator.
3. Payment in the amount of 25% of the awarded FY 2016 EMPG Sub-Grant will be made for the Third Quarter after July 15, 2016 upon receipt of the quarterly request letter and when terms of the agreement have been met and affirmed by the Oklahoma Department of Emergency Management Regional Coordinator.
4. Final payment in the amount of 25% of the awarded FY 2016 EMPG Sub-Grant will be made for the fourth quarter after October 15, 2016, upon receipt of the quarterly request letter and terms of the agreement have been met and affirmed by the Oklahoma Department of Emergency Management Regional Coordinator.

Article 6. Amendments

Any alterations or deviations to this agreement shall be executed only upon written agreement of both parties, and if there is a change to the agreement award for such alteration or deviation, it shall be noted.

Article 7. Waiver of Scope of Work Line Items

During the performance period of the Sub-Grant, only (1) waiver relieving the jurisdiction from having to complete a basic scope of work line item (I-VIII) may be approved. In no case will a

Sub-Grant recipient be permitted to request a waiver for the same scope of work line item in two consecutive years.

Article 8. Award Reduction

If the Political Subdivision fails to complete or adhere to the performance based Sub-Grant requirements, the award amount is subject to a reduction.

Article 9. Suspension of Sub-Grant/Debarment from Future Awards

If the Political Subdivision fails to complete the agreed scope of work they may be barred from participation in the sub-grant program for the following Federal Fiscal Year.

Article 10. Termination

This agreement may be cancelled by either party by providing 15 days' notice in writing to the other party.

Article 11. Audit Clause

In accepting this agreement, the Political Subdivision agrees to this audit clause which provides that books, records, documents, accounting procedures, practices, or any other items of the Political Subdivision relevant to the agreement are subject to examination by the Federal Emergency Management Agency, the Oklahoma Department of Emergency Management, the State of Oklahoma and the State Auditor and Inspector.

Article 12. Non-Collusion

In accepting this agreement, the Political Subdivision acknowledges that they have not paid, given, or donated or agreed to pay, give, or donate to any officer or employee of the State of

Oklahoma any money or other thing of value, either directly or indirectly, in procuring this agreement.

Article 13. National Environmental Policy Act (NEPA)

The recipient shall comply with all applicable Federal, State, and local environment and historic preservation (EHP) requirements and shall provide any information requested by FEMA to ensure compliance with applicable laws including: National Environment Policy Act, National Historic Preservation Act, Endangered Species Act, and Executive Orders on Floodplains (11990) and Environmental Justice (12898). Failure of the recipient to meet Federal, State, and local EHP requirements and obtain applicable permits may jeopardize Federal funding.

Recipients shall not undertake any project having the potential to impact EHP resources without the prior approval of FEMA; including but not limited to communications towers, physical security enhancements, new construction, and modifications to buildings that are 50 years old or greater. Recipient must comply with all conditions placed on the project as the result of the EHP review. Any change to the approved project scope of work will require re-evaluation for compliance with these EHP requirements. If ground disturbance activities occur during project implementation, the recipient must ensure monitoring of ground disturbance and if any potential archeological resources are discovered, the recipient will immediately cease construction in that area and notify FEMA and the appropriate State Historic Preservation Office. Any construction activities that have been initiated prior to the full environmental and historic preservation review could result in non-compliance finding. The Screening Form is available at:

(www.fema.gov/doc/government/grant/bulletins/infor329_final_screening_memo.doc). For these types of projects, grantees must complete the FEMA EHP Screening Form (OMB Number 1660-0115/FEMA Form 024-0-01) and submit it, with all supporting documentation, to Oklahoma

Department of Emergency Management. Grantees should submit the FEMA EHP Screening Form for each project as soon as possible upon receiving their grant award.

Article 14. Trafficking in Persons

A. Provisions applicable to a recipient.

1. You as the recipient, your employees, subrecipients under this award, and subrecipients' employees may not:
 - a. Engage in sever forms of trafficking in persons during the period of time that the award is in effect;
 - b. Procure a commercial sex act during the period of time that the award is in effect;
or
 - c. Use forced labor in the performance of the award or subawards under the award.
2. We, as the State awarding agency, may unilaterally terminate this award, without penalty, if you or a subrecipient that is a private entity:
 - a. Is determined to have violated a prohibition in paragraph A.1 of this award term;
or
 - b. Has an employee who is determined by the agency official authorized to terminate the award to have violated a prohibition in paragraph A.1 of this award term through conduct that is either:
 - i. Associated with performance under this award; or
 - ii. Imputed to you or the subrecipient using the standards and due process for imputing the conduct of an individual to an organization that are provided in 2 CFR Part 180, "OMB Guidelines to Agencies on Government wide Debarment and Suspension (Non-procurement)," as implemented by our agency at 2 CFR Part 3000.

B. Provisions applicable to a recipient other than a private entity. We as the State awarding agency may unilaterally terminate this award, without penalty, if a subrecipient that is a private entity:

1. Is determined to have violated an applicable prohibition in paragraph A.1 of this award term; or
2. Has an employee who is determined by the agency official authorized to terminate the award to have violated an applicable prohibition in paragraph A.1 of this award term through conduct that is either:
 - a. Associated with performance under this award; or
 - b. Imputed to the subrecipient using the standards and due process for imputing the conduct of an individual to an organization that are provided in 2 CFR part 180, “OMB Guidelines to Agencies on Government-wide Debarment and Suspension (Non-procurement),” as implemented by our agency at 2 CFR part 3000.

C. Provisions applicable to any recipient.

1. You must inform us immediately of any information you receive from any source alleging a violation of a prohibition in paragraph A.1 of this award term.
2. Our right to terminate unilaterally that is described in paragraph A.2 or B of this section:
 - a. Implements section 106(g) of the Trafficking Victims Protection Act 2000 (TVPA), as amended (22 U.S.C. 7104(g), and
 - b. Is in addition to all other remedies for noncompliance that are available to us under this award.
3. You must include the requirements of paragraph A.1 of this award term in any subaward you make to a private entity.

D. Definitions. For purposes of this award term:

1. "Employee" means either:
 - a. An individual employed by you or a subrecipient who is engaged in the performance of the project or program under this award; or
 - b. Another person engaged in the performance of the project or program under this award and not compensated by you including, but not limited to, a volunteer or individual whose services are contributed by a third party as an in-kind contribution toward cost sharing or matching requirements.
2. "Forced labor" means labor obtained by any of the following methods: the recruitment, harboring, transportation, provisions, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.
3. "Private entity" means:
 - a. Any entity other than a State, local government, Indian Tribe, or foreign public entity, as those terms are, defined in 2 CFR 175.25.
 - b. Includes:
 - i. A nonprofit organization, including any nonprofit institution of higher education, hospital, or tribal organization other than one included in the definition of Indian Tribe at 2 CFR 175.25(b).
 - ii. A for-profit organization.
4. "Severe forms of trafficking in person," "commercial sex act," and "coercion" have the meaning given at section 103 of the TVPA, as amended (22 U.S.C. 7102).

Article 15. General Provisions

1. All work shall be completed in a professional manner and in compliance with all applicable laws.

2. To the extent required by law, individuals duly licensed and authorized by law to do so shall perform all work.
3. The Political Subdivision warrants that it is adequately insured for injury to its employees and others incurring loss or injury as a result of the acts of the Political Subdivision or its employees or agents.
4. The Political Subdivision agrees that neither it nor its employees or agents are covered under insurance paid for by the State of Oklahoma, and are not authorized to obligate the State of Oklahoma, its employees or agents.
5. The Oklahoma Department of Emergency Management shall provide to the Political Subdivision technical assistance in fulfilling this contractual agreement to the extent resources are available.
6. The Standard Assurances for Federal Funds submitted by the Political Subdivision, as part of their application package, are hereby referenced and incorporated into this agreement.

FY 2016 Emergency Management Program Grant

Required Documentation

As proof of compliance with Federal regulations, the following documents must be submitted to the Oklahoma Department of Emergency Management.

Please read and/or complete the following provided documents:

1. FEMA Form 20-16, Summary Sheet for Assurances and Certifications
2. FEMA Form 20-16A, Assurances Non-Construction Programs
3. FEMA Form 20-16C, Certifications Regarding Lobbying, Debarment, Suspension and Other Responsibility Matters and Drug-Free Workplace Requirements
4. Disclosure of Lobbying Activities

FEDERAL EMERGENCY MANAGEMENT AGENCY
SUMMARY SHEET FOR ASSURANCES AND CERTIFICATIONS

FOR
FY 2016

CA FOR (Name of Applicant)

Midwest City

This summary sheet includes Assurances and Certifications that must be read, signed, and submitted as a part of the application for Federal assistance.

An applicant must check each item that they are certifying to:

- Part I FEMA Form 20-16A, Assurances-Nonconstruction Programs
- Part II FEMA Form 20-16C, Certifications Regarding Lobbying; Debarment, Suspension, and Other Responsibility Matters; and Drug-Free Workplace Requirements
- Part III SF LLL, Disclosure of Lobbying Activities (If applicable)

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the identified attached assurance and certifications.

Mike Bower
Typed Name of Authorized Representative

Emergency Manager
Title


Signature of Authorized Representative

1-12-16
Date

PLEASE NOTE: By signing the certification regarding debarment, suspension, and other responsibility matters for primary covered transaction, the applicant agrees that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by FEMA entering into this transaction.

The applicant further agrees by submitting this application that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction," provided by the FEMA Regional Office entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions. (Refer to 44 CFR Part 17.)

"Public reporting burden for this form is estimated to average 1.7 hours per response. Burden means the time, effort and financial resources expended by persons to generate, maintain, retain, disclose, or to provide information to us. You may send comments regarding the burden estimate or any aspect of the form, including suggestions for reducing the burden to: Information Collections Management, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, Paperwork Reduction Project (3067-0206). You are not required to respond to this collection of information unless a valid OMB control number appears in the upper right corner of this form. Please do not send your completed form to the above address.

FEDERAL EMERGENCY MANAGEMENT AGENCY
ASSURANCES-NON-CONSTRUCTION PROGRAMS

Note: Certain assurances may not be applicable to your project or program. If you have any questions, please contact the awarding agency. Furthermore, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project costs) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States, and if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal gain.
4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. Section 4728-4763) relating to prescribed standards for merit systems for programs funded under one of the nineteen statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
6. Will not discriminate on the basis of race; (c) the Age Discrimination Act of 1975 as amended (42 U.S.C. age; Sections 6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) Sections 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. 290-dd-3 and 290-ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Acts of 1968 (42 U.S.C. Section 3601 et seq.), as amended relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.
7. Will comply, or has already complied, with the requirements of Title II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or Federally assisted programs. These requirements apply to all interest in real property acquired for project purposes regardless of Federal participation in purchases.

6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education of 1972, as amended (20 U.S.C. Sections 1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. Section 794), which prohibits

8. Will comply with provisions of the Hatch Act (5 U.S.C. Sections 1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. Sections 276a to 276a-7), the Copeland Act (40

FEMA Form 2016A-276C-94
U.S.C. Sections 2161, 276C-94, and 18 U.S.C. Sections 874), handicaps; (d) the Age Discrimination Act of Standards Act (40 U.S.C. Sections 327-333), regarding labor standards for federally assisted construction subagreements.

7 U.S.C. 2131 et seq.) pertaining to the care, and the Contract Work Hours and Safety handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.

10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.

16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. Section 4801 et seq.) which prohibits the use of lead based paint in construction or rehabilitation of residence structures.

11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. Section 1451 et seq.); (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. Section 7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, (P.L. 93-523); and (h) protection of endangered species under the Endangered Species Act of 1973, as amended, (P.L. 93-205).

17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act of 1984.

18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations and policies governing this program.

19. It will comply with the minimum wage and maximum hours provisions of the Federal Fair Labor Standards Act (29 U.S.C. 201), as they apply to employees of institutions of higher education, hospitals, and other non-profit organizations.

12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. Section 1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.

13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470), EO 11593 (identification and

protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. 469a-1 et seq.).

14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.

15. Will comply with the Laboratory Animal

FEMA Form 20-16A, JUN 94

FEDERAL EMERGENCY MANAGEMENT AGENCY
CERTIFICATIONS REGARDING LOBBYING; DEBARMENT, SUSPENSION AND
OTHER RESPONSIBILITY MATTERS; AND DRUG-FREE WORKPLACE REQUIREMENTS

Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Applicants should also review the instructions for certification included in the regulations before completing this form. Signature on this form provides for compliance with certification requirements under 44 CFR Part 18, "New Restrictions on Lobbying; and 28 CFR Part 17, "Government-wide Debarment and suspension (Nonprocurement) and Government-wide Requirements for Drug-Free Workplace (Grants)." The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Federal Emergency Management Agency (FEMA) determines to award the covered transaction, grant, or cooperative agreement.

1. LOBBYING

A. As required by section 1352, Title 31 of the U.S. Code, and implemented at 44 CFR Part 18, for persons entering into a grant or cooperative agreement over \$100,000, as defined at 44 CFR Part 18, the applicant certifies that:

(a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement;

(b) If any other funds than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or an employee of Congress, or employee of a member of Congress in connection with this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form LLL, "Disclosure of Lobbying Activities," in accordance with its instructions;

(c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, contracts under grants and cooperative agreements, and subcontract(s) and that all subrecipients shall certify and disclose accordingly.

PLEASE NOTE: The attached Standard Form LLL, "Disclosure of Lobbying Activities" must be attached to certification if nonappropriated funds are to be used to influence activities.

2. DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS (DIRECT RECIPIENT)

As required by Executive Order 12549, Debarment and Suspension, and implemented at 44 CFR Part 67, for prospective participants in Primary covered transactions, as defined at 44 CFR Part 17, Section 17.510-A. The applicant certifies that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a State or Federal court, or voluntarily excluded from covered transactions by any Federal department or agency;

(b) Have not within a three-year period preceding this application been convicted of or are had a civilian judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or perform a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

d) Have not within a three-year period preceding this application had one or more public transactions (Federal, State, or local) terminated for cause or default; and

B. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

3. DRUG-FREE WORKPLACE (GRANTEES OTHER THAN INDIVIDUALS)

As required by the Drug-Free Workplace Act of 1988, and implemented at 44 CFR Part 17, Subpart F, for grantees, as defined at 44 CFR Part 17, Sections 17.615 and 17.620:

A. The applicant certifies that it will continue to provide a drug-free workplace by:

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

(b) Establishing an on-going drug free awareness program to inform employees about:

- (1) The dangers of drug abuse in the workplace;
- (2) The grantee's policy of maintaining a drug-free workplace;
- (3) Any available drug counseling, rehabilitation, and employee assistance programs; and
- (4) the penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

(c) Making it a requirement that each employee be engaged in the performance of the grant to be given a copy of the statement required by paragraph (a);

(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will:

- (1) Abide by the terms of the statement; and
- (2) Notify the employee in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction.

(e) Notifying the agency, in writing, within 10 calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to the applicable FEMA awarding office, i.e., regional office or FEMA office.

(f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted:

- (1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
- (2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency.

(g) Making a good faith effort to continue to maintain a drug free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

h. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, City, County, State, Zip code)

City of Midwest city
100 N. Midwest
Bvd. Midwest city,
Oklahoma 73110

Check here if there are workplaces on file that are not identified here. Section 17.630 of the regulations provides that a grantee that is a State may elect to make one certification in each Federal fiscal year. A copy of which should be included with each application for FEMA funding. States and State agencies may elect to use a Statewide certification.

DISCLOSURE OF LOBBYING ACTIVITIES
 Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352

Approved by OMB
0348-0046

1. Type of Federal Action: a. contract b. grant c. cooperative agreement d. loan e. loan guarantee f. loan insurance	2. Status of Federal Action: a. bid/offer/application b. initial award c. post-award	3. Report Type: a. initial filing b. material change For Material Change Only: Year: _____ Quarter: _____ Date of Last Report: _____
4. Name and Address of Reporting Entity: Prime Subawardee Tier, if known: _____ Congressional District, if known: _____		5. If Reporting Entity in No. 4 is a Subawardee, Enter Name and Address of Prime Congressional District, if known: <u>4 + 5</u>
6. Federal Department/Agency: <div style="font-size: 2em; text-align: center; margin-top: 20px;">N/A</div>	7. Federal Program Name/Description: CFDA Number, if applicable: _____	
8. Federal Action Number, if known:	9. Award Amount, if known: <div style="text-align: center; font-size: 1.5em;">\$</div>	
10a. Name and Address of Lobbying Registrant <i>(if individual, last name, first name, MI)</i>	10b. Individuals Performing Services <i>(last name, first name, MI, and address if different from No. 10a)</i>	
11. Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semi-annually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.		Signature: _____ Print Name: _____ Title: _____ Telephone No: _____ Date: _____
Federal Use Only:		

FY 2016 Emergency Management Program Grant
Signature Page

Approved by the Oklahoma Department of Emergency Management

this 23rd day of November, 2015:

Name 

Director, Oklahoma Department of Emergency Management

I certify the The City of Midwest City is budgeting 15,000.00 dollars (The aforementioned amount must be equal to or exceed the grant dollar amount you are receiving) to match this EMPG Sub-Grant of 15,000.00 dollars. The Political Subdivision matching dollars cannot be federal dollars, dollars from another grant or budgeted dollars used to match any other grant.

Approved by the Governing body of the The City of Midwest City, Oklahoma

this _____ day of _____, 2016:

Name _____
Chief Elected Official

PLEASE NOTE: The FY 2016 Emergency Management Program Grant signed Contractual Agreement, as well as required documents, must be submitted to the Political Subdivisions Regional Coordinator no later than January 15, 2016.



Environmental Services Director
8730 S.E. 15th Street
Midwest City, OK 73110
office 405.739.1062

M E M O

TO: Honorable Mayor and Council
FROM: William J. Janacek, Environmental Services Director
DATE: January 12, 2016
SUBJECT: Discussion and consideration of authorizing William Janacek to submit an official comment on behalf of The City of Midwest City to the Oklahoma Water Resources Board on the pending new rulemaking definition for Sensitive Water Supply for Reuse purposes.

The Oklahoma Water Resources Board is currently seeking public comments on an additional definition being added to the state water quality standards that will allow a lake or impoundment which has been protected for many years under the designation of a Sensitive Water Supply (SWS), (which does not allow any type of wastewater discharge into the drainage basin), to a Sensitive Water Supply for Reuse purposes, (SWS-R).

The specific proposed language in **PART 5 SPECIAL PROVISIONS**; 785:45-5-25, (8) Sensitive and Private Water Supplies with Reuse (SWS-R) is attached.

This rule making will open the door for municipalities, Master Conservancy Districts, and industries to discharge “highly treated” wastewater into the previously protected basins, which by definition could help these impoundments during times of drought however, there is still a great amount of concern on the water quality achievable for these types of discharges to enter public water supply lakes.

Staff recommends approval.

William J. Janacek

William J. Janacek
Environmental Services Director



Environmental Services Director
8730 S.E. 15th Street
Midwest City, OK 73110
office 405.739.1062

Memo

To: Oklahoma Water Resources Board

From: William J. Janacek, Environmental Services Director

Date: January 12, 2016

RE: Comment on the 2015/2016 WQS Rulemaking specific to the SWS-R designation proposal.

I would like to submit the following comments for The City of Midwest City on the proposed definition addition for the SWS-R.

- We support the concept of reuse as a valuable tool in both water quality and quantity management, however, we would prefer that it only be applicable to impoundments that provide public water supplies serving a total population of less than 100,000. There are still questions that need to be answered in regard to contaminants of emerging concern.
- We understand that the new SWS-R classification in and of itself does nothing-- but it does lay out a pathway for future indirect potable reuse projects to occur on existing Sensitive Water Supplies.
- We strongly support that, as this strategy evolves, ANY and ALL specific waters only be reclassified as SWS-R waters by a public process conducted through the WQS Rulemaking and be identified in the WQS as SWS-R.
- People need to understand that just because a municipal discharge meets all SDWA MCL's, does NOT mean that it is "safe", as these waters contain pollutants like hormones, personal care products, endocrine disruptive compounds, virus's, flame retardants, cysts, protozoa and other substances that have the potential to adversely affect human health or aquatic life. We need to be cautious and focused, as these projects come on line, to make sure that human health and ecological impacts from these reuse projects don't adversely impact human health or aquatic life.
- We support the concept of the 5 year re-evaluation. As an individual reuse project comes on line, there are many facets to the permit, and follow-up compliance



Environmental Services Director

8730 S.E. 15th Street
Midwest City, OK 73110
office 405.739.1062

monitoring of the effluent AND receiving water that are vital to assuring that the models accurately predict real world outcomes.

- We recognize that the rule contemplates drought of record conditions in its evaluation, but should consider not only drought of record conditions, but the actual water quality impacts of that drought to receiving water temperature, 7Q2 flows, chemistry and biology.
- This rule (or the next iteration of WQS Implementation rules at the OWRB and ODEQ) should weave in other CWA/SDWA regulatory programs. For example, no SWS-R project should be allowed into a waterbody on the 303d impaired waters list, that has existing taste and odor problems, chlorophyll, THM/nitrate or other SDWA issues, etc.
- We would like to see some reference to the receiving stream distance from the main body of the impoundment, setting a distance requirement of at least 5-7 stream miles, to allow for any assimilative effects which could help improve the water quality before reaching the main body of the impoundment.
- Lastly, no SWS-R discharge should adversely impact the ability of any downstream water supply provider, including increasing treatment costs.

William J. Janacek
Director of Environmental Services

PART 5. SPECIAL PROVISIONS

785:45-5-25. Implementation Policies for the Antidegradation Policy Statement

(a) The following provisions set forth exceptions to the limitations stated in 785:45-5-25(c) for additional protection of certain waters of the state:

(1) The limitations contained in 785:45-5-25(c)(1) for additional protection of Outstanding Resource Waters shall apply to all discharges from point sources except such limitations do not apply to discharges of stormwater from temporary construction activities. Discharges of stormwater from point sources existing as of June 25, 1992, whether or not such stormwater discharges were permitted as point sources prior to June 25, 1992, are also excepted from the 785:45-5-25(c)(1) rule prohibiting any new point source discharges, but such stormwater discharges are prohibited from increased load of any pollutant.

(2) The limitations for additional protection of Appendix B Waters (785:45-5-25(c)(2)), High Quality Waters (785:45-5-25(c)(3)), and Sensitive Public and Private Water Supplies (785:45-5-25(c)(4)), and SWS-R waterbodies (785:45-5-25(C)(8)) shall apply to discharges from all point sources except point source discharges of stormwater.

(b) For purposes of 785:45-5-25, the term "specified pollutants" means:

(1) Oxygen demanding substances, measured as Carbonaceous Biochemical Oxygen Demand (CBOD) and/or Biochemical Oxygen Demand (BOD);

(2) Ammonia Nitrogen and/or Total Organic Nitrogen;

(3) Phosphorus;

(4) Total Suspended Solids (TSS);

(5) Such other substances as may be determined by the Oklahoma Water Resources Board.

(c) The following limitations for additional protection apply to various waters of the state:

(1) Outstanding Resource Waters (ORW).

(A) Outstanding Resource Waters (ORW) are those waters of the state which constitute outstanding resources or are of exceptional recreational and/or ecological significance as described in 785:45-3-2(a).

(B) The following waterbodies are prohibited from having any new point source discharge(s) of any pollutant or increased load of any pollutant from existing point source discharge(s):

- (i) Waterbodies designated "ORW" and/or "Scenic River" in Appendix A of this Chapter;
- (ii) Waterbodies located within the watersheds of waterbodies designated "Scenic River" in Appendix A of this Chapter; and
- (iii) Waterbodies located within the boundaries of Appendix B areas which are specifically designated "ORW" in Appendix A of this Chapter.

(2) Appendix B Waters.

(A) Appendix B waters are those waters of the state which are located within the boundaries of areas listed in Appendix B of this Chapter, including but not limited to the National and State parks, forests, wilderness areas, wildlife management areas, and wildlife refuges. Appendix B also may include those areas which are inhabited by federally listed, threatened or endangered species, and other appropriate areas.

(B) Only those Appendix B waters specifically designated "ORW" in Appendix A of this Chapter shall be afforded the limitations for additional protection described in 785:45-5-25(c)(1)(B).

(C) New discharges or increased loading from existing discharges to Appendix B waters may be allowed under such conditions that ensure that the recreational and ecological significance of these waters will be maintained.

(D) Discharges or other activities associated with those waters listed in Appendix B, Table 2 containing Federally listed threatened or endangered species may be restricted through agreements between appropriate regulatory agencies and the United States Fish and Wildlife Service.

(3) High Quality Waters (HQW).

(A) High Quality Waters (HQW) are those waters of the state whose historic water quality and physical habitat provide conditions suitable for the support of sensitive and intolerant climax communities of aquatic organisms whether or not that waterbody currently contains such a community, support high levels of recreational opportunity, and are designated "HQW" waters in Appendix A of this Chapter. These waters will generally have higher quality habitat, a more diverse and more intolerant biotic community and, as a result, may provide more ecological refuges and recreational opportunities than other waters in the same ecoregion with similar chemistry and physical conditions

(B) All waterbodies designated with the limitation indicated by the letters "HQW" in Appendix A are prohibited from having any new point source discharge(s) of any pollutant or increased load or concentration of specified pollutants from existing point source discharge(s), provided however that new point source discharge(s) or increased load of specified pollutants described in

785:45-5-25(b) may be approved by the permitting authority in those circumstances where the discharger demonstrates to the satisfaction of the permitting authority that the a new point source discharge or increased load from an existing point source discharge will result in maintaining or improving the level of water quality which exceeds that necessary to support recreation and propagation of fishes, shellfishes, and wildlife of the direct receiving water and downstream waterbodies designated HQW. As specified in 785:45-3-2(b) and (d), no discharge of any pollutant to a water designated HQW may lower existing water quality.

(C) Waters designated HQW after July 1, 2007 will demonstrate (1) 95% of water quality measurements for multiple parameters from metals, organics and general physicochemical water quality descriptors better than the promulgated criteria in Appendix G of this chapter at multiple stations on the segment, (2) an unimpaired biological community as determined by the application of Appendix C of Title 785 Chapter 46, and (3) significant local support for promulgation of the HQW designation.

(4) Sensitive Public and Private Water Supplies (SWS).

(A) Waters designated "SWS" are those waters of the state which constitute sensitive public and private water supplies as a result of their unique physical conditions and are listed in Appendix A of this Chapter as "SWS" waters. These are waters (a) currently used as water supply reservoirs, (b) that generally possess a watershed of less than approximately 100 square miles or (c) as otherwise designated by the Board.

(B) New point source discharges of any pollutant after June 11, 1989, and increased load of any specified pollutant from any point source discharge existing as of June 11, 1989, shall be prohibited in any waterbody or watershed designated in Appendix A of this Chapter with the limitation "SWS". Any discharge of any pollutant to a waterbody designated "SWS" which would, if it occurred, lower existing water quality shall be prohibited, provided however that new point source discharge(s) or increased load of specified pollutants described in 785:45-5-25(b) may be approved by the permitting authority in those circumstances where the discharger demonstrates to the satisfaction of the permitting authority that a new point source discharge or increased load from an existing point source discharge will result in maintaining or improving the water quality of both the direct receiving water and any downstream waterbodies designated SWS.

(5) Prioritization of Limitations. In situations where more than one beneficial use limitation exists for a waterbody, the more stringent limitation shall apply.

(6) Non-Point Source Discharges or Runoff. Best management practices for control of non-point source discharges or runoff should be implemented in watersheds of waterbodies designated "ORW", "HQW", or "SWS", or SWS-R in Appendix A of this Chapter and/or located within areas listed in Appendix B provided however that development of conservation plans shall be required in sub-watersheds where discharges or runoff from non-point sources are

identified as causing, or significantly contributing to, degradation in a waterbody designated "ORW".

(7) Culturally Significant Waters (CSW).

(A) Waters designated as CSW in Appendix A of this Chapter are those identified by recognized Tribal authorities as critical to maintaining the waters' utility for cultural, historic, recreational or ceremonial uses and which may require more stringent protection measures to protect human health or aquatic life or both.

(B) All activities associated with a CSW may require consultation with the duly authorized Tribal authority to assure that the proposed activity is consistent with applicable Tribal environmental laws.

(d) The thirty (30) day geometric mean total phosphorus concentration in waters designated "Scenic River" in Appendix A of this Chapter shall not exceed 0.037 mg/L. This subsection (d) applies in addition to, and shall be construed so as to be consistent with, any other provision of this Chapter which may be applicable to such waters. Such criterion became effective July 1, 2002 and shall be implemented as authorized by state law through Water Quality Standards Implementation Plans and other rules, permits, settlement agreements, consent orders, compliance orders, compliance schedules or voluntary measures designed to achieve full compliance with the criterion in the stream by June 30, 2012.

(8) Sensitive Public and Private Water Supplies with Reuse (SWS-R).

(A) Waters designated "SWS-R" are those waters of the state which constitute sensitive public and private water supplies that may be augmented with reclaimed municipal water for the purpose of indirect potable reuse (IPR). SWS-R waterbodies are identified in Appendix A of this Chapter. These are waters currently used as water supply reservoirs, that generally possess a watershed of less than approximately 100 square miles, or as otherwise designated by the Board.

(B) New point source discharges of any pollutant after June 11, 1989, and increased load of any specified pollutant from any point source discharge existing as of June 11, 1989, shall be prohibited in any waterbody or watershed designated in Appendix A of this Chapter with the limitation "SWS-R" except as outlined in 8(C) below.

(C) New point source municipal wastewater discharges or increased loading from existing point source municipal wastewater discharges to a SWS-R waterbody or watershed shall achieve a minimum level of effluent quality that is attainable using demonstrated treatment technologies or other alternatives. Approaches for required technology-based limitations and or other alternatives are outlined in 785:46-13-4(e). Additionally, A discharge to a SWS-R waterbody may be permitted provided:

- (i) A determination of the waterbody's assimilative capacity for all applicable narrative and numeric criteria shall be the responsibility of the discharger;
 - (ii) If assimilative capacity exists for any applicable narrative or numeric criteria, the discharger shall document what portion, if any, of the assimilative capacity is reasonable to maintain. If it is proposed that it is not reasonable to maintain any, or a portion, of the assimilative capacity, a report consistent with all 40 CFR 131.12(a)(2) requirements describing the available assimilative capacity and providing justification for consuming all or a portion of the assimilative capacity shall be submitted by the discharger to the State for review;
 - (iii) The State may approve both the determination of assimilative capacity and the proposed consumption of any, or all, of the assimilative capacity if it is found to be necessary based on the aforementioned report and consistent with the requirements described in 40 CFR 131.12(a)(2);
 - (iv) All existing and designated beneficial uses of the receiving waterbody and downstream waterbodies shall be maintained; and,
 - (v) The discharge shall not impair human health even during drought of record conditions.
- (D) SWS-R waterbodies, with permitted discharge, shall be technically evaluated by permitted parties at least once every five years to determine the attainment or nonattainment of beneficial uses. Technical evaluation reports, including all data and information necessary to allow independent analysis, shall be submitted to the permitting authority for review. If the report documents nonattainment of a beneficial use(s) resulting from the discharge, the permitting authority shall consider actions including, but not limited to, additional permit requirements, cessation of the discharge, and or a recommendation to OWRB to revoke the SWS-R waterbody classification.



Memorandum

TO: Honorable Mayor and Council

FROM: Vaughn K. Sullivan, Community Services Director

DATE: January 12, 2016

SUBJECT: Discussion and consideration of approving and entering into an agreement with TSS Photography for photography services at the Daddy Daughter Dance on February 27, 2016 for a ten percent (10%) commission on all sales.

This agreement would provide for professional photographs to be taken of all attendees of the Parks and Recreation Department Daddy Daughter Dance. TSS Photography will provide all staff and equipment necessary to take photographs and make them available for on-line sale to all dance patrons. They will provide day of and on line ordering and pay ten percent (10%) commission to the Parks and Recreation Department on all sales resulting from the event.

The Parks and Recreation Department has used this vendor for several years now and is very pleased with their service.

This is our 13th year for the Midwest City Daddy Daughter Dance and the event will again be held at the Reed Center.

Staff recommends approval.

Vaughn K. Sullivan
Community Services Director

Attachment: Contract with TSS Photography



The City of
MIDWEST CITY
PARKS & RECREATION DIVISION
Vaughn Sullivan, Community Services Director

Daddy Daughter Dance Photographers
Agreement

The City of Midwest City hereby enters into this agreement with TSS Photography to provide professional photography for the Midwest City Parks & Recreation Daddy Daughter Dance on February 27, 2016. Each party agrees to be responsible for the following tasks:

City of Midwest City will:

1. Coordinate locations at the Reed Center for taking pictures of the event; and
2. Provide publicity that includes information about TSS Photography.

TSS Photography will:

1. Provide at least 3 professional photographers to take formal, party pics, and carriage pictures from 3:00 pm until 10:00 pm; and
2. Provide staffing as needed to complete any other business associated with taking pictures; and
3. Provide a telephone number and web site for participants to make purchases; and
4. Minimize wait times as much as possible for participants taking pictures; and
5. Pay over and deliver to the City of Midwest City 10% of all sales made by TSS Photography within 30 days of the event. Remittance on any subsequent purchases will be made to the City in a timely manner but not more than 30 days from last sale.

Jay Dee Collins, Mayor
City of Midwest City

Tim Reason
TSS Photography

Date

Date

Attest:

City Clerk

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

City Attorney



Memorandum

TO: Honorable Mayor and Council

FROM: Vaughn K. Sullivan, Community Services Director

DATE: January 12, 2016

SUBJECT: Discussion and consideration of approving and entering into an agreement with Oklahoma Premier Carriage Company, LLC to provide horse drawn carriage rides for the Daddy Daughter Dance on February 27, 2016 for a ten percent (10%) commission on all sales.

This agreement would provide for horse drawn carriage rides to be made available to the patrons of the Midwest City Parks and Recreation Daddy Daughter Dance. Oklahoma Premier Carriage Company, LLC has provided carriage rides for this event in previous years and for the Holiday Lights Spectacular, as well as for the City of Yukon and in Brick Town, for several years. Oklahoma Premier Carriage Company, LLC will pay a ten percent (10%) commission to the Parks and Recreation Department on all ride sales. The carriage rides have been well received and have averaged over \$300.00 commission each year back to the Parks and Recreation Department, helping to offset costs associated with the event.

This is our 13th year for the Midwest City Daddy Daughter Dance and the event will again be held at the Reed Center.

Staff recommends approval.

Vaughn K. Sullivan
Community Services Director

Attachment: Contract with Oklahoma Premier Carriage Company, LLC



The City of
MIDWEST CITY
PARKS & RECREATION DIVISION

Vaughn Sullivan, Community Services Director

Daddy Daughter Dance Carriage Rides
Agreement

The City of Midwest City hereby enters into this agreement with Oklahoma Premier Carriage Company, LLC to provide horse drawn carriage rides for the Midwest City Parks & Recreation Daddy Daughter Dance on February 27, 2016. Each party agrees to be responsible for the following tasks:

City of Midwest City will:

1. Coordinate locations at the Reed Center for staging of horse and carriage rides, parking for truck and trailer, and patron parking; and
2. Provide a tent and table; and
3. Provide publicity that includes information and phone number;

Oklahoma Premier Carriage Company, LLC will:

1. Provide two sets of horses, two carriages, and trained professional drivers from 3:00 pm to 10:00 pm; and
2. Provide staffing to completely schedule and take money for the rides; and
3. Provide a telephone number that will provide information about the rides; and
4. Equip all horses with horse diapers; and
5. Ensure all horse droppings are removed at the end of the night; and
6. Provide \$1,000,000 liability insurance naming the City of Midwest City and Municipal Authority as additional insured; and
7. Provide carriage rides through the Reed Center parking area for \$20 per dad, with a maximum capacity of six people per ride; and
8. Pay over and deliver to Midwest City 10% of the gross revenue collected on February 27, 2016 by March 11, 2016.

Jay Dee Collins, Mayor
City of Midwest City

Clint Parker
Oklahoma Premier Carriage Company, LLC

Date

Date

Attest:

City Clerk

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

City Attorney

100 N. Midwest Boulevard - Midwest City, Oklahoma 73110
PARK AND RECREATION DIVISION (405) 739-1293
FAX (405) 869-8603 - TDD (405) 739-1286
An Equal Opportunity Employer



Memorandum

TO: Honorable Mayor and Council

FROM: Vaughn K. Sullivan, Community Services Director

DATE: January 12, 2016

SUBJECT: Discussion and consideration of declaring one (1) Stihl string trimmer, City Inventory No. 09-07-82; one (1) Stihl string trimmer, City Inventory No. 09-07-88; one (1) Stihl chain saw, City Inventory No. 09-09-33; one (1) 2003 Chevrolet 3500 Duramax Diesel one (1) ton truck with aerial lift body VIN No. 1GBJC34153E283863, City Inventory No. 09-03-22; one (1) 1985 International S1900 chassis with sand spreader and snow plow VIN No. 1HTLDTVR2FHA48724, City Inventory No. 09-03-26; five (5) Motorola model HT-1000 hand held radios with charges; four (4) CPI model No. DR-10 telephones; one (1) Vertex model No. SEC1223 telephone base; and one (1) Sharp Aquos television model IC-70UE20U from the Street Department surplus property and authorizing their disposal by sealed bid or auction.

The equipment listed has been removed from service. There are no other operational applications available within the City.

- Stihl string trimmer, City Inventory No. 09-07-82
- Stihl string trimmer, City Inventory No. 09-07-88
- Stihl chain saw, City Inventory No. 09-09-33
- 2003 Chevrolet 3500 Duramax Diesel one (1) ton truck with aerial lift body VIN No. 1GBJC34153E283863, City Inventory No. 09-03-22
- 1985 International S1900 chassis with sand spreader and snow plow VIN No. 1HTLDTVR2FHA48724, City Inventory No. 09-03-26
- (5) Motorola hand held radios with charges
- (4) CPI model No. Dr10 telephones
- (1) Vertex model No. SEC1223 telephone base
- (1) Sharp Aquos televisions model IC-70UE20U (broken screen)

Staff recommends approval.

Vaughn K. Sullivan
Community Services Director



DISCUSSION ITEMS





The City of
MIDWEST CITY
COMMUNITY DEVELOPMENT DEPARTMENT

ENGINEERING DIVISION
Patrick Menefee, City Engineer
CURRENT PLANNING DIVISION
COMPREHENSIVE PLANNING
Anais Starr, Comprehensive Planner
BUILDING INSPECTION DIVISION
Charles Belk, Building Official
GIS DIVISION
Kathy Spivey, GIS Coordinator

Billy Harless, Community Development Director

To: Honorable Mayor and City Council

From: Billy Harless, Community Development Director

Date: January 12, 2016

Subject: (CA-73) Discussion and consideration of an appeal by Dalmarc Signs to the height limits for a free-standing sign to be located at the new On The Border restaurant at 433 Planet Court within 100 feet of I-40 right-of-way.

Applicant: Bruce Edwards, Dalmarc Signs

On December 11, 2015, the applicant submitted an application for a permit for a permanent free-standing sign advertising the new On The Border restaurant located at 433 Planet Court. The height of the proposed free-standing sign is 48 feet.

Section 9-386(b)(1) of the Sign Ordinance is as follows:

Free-standing signs.

(b) It is unlawful to erect any free standing sign whose total height is greater than twenty (20) feet above the level of the street upon which the sign faces or above the adjoining ground level if such ground level is above the street level, except that upon application to the city council the height requirement may be waived under the following conditions:

(1) For signs to be located within 100 feet of the I-40 right-of-way, there is no limitation on the height waiver that the city council may grant, except that the sign height, as measured from the ground level, at the base of or below the sign, to the highest edge of the sign, cannot exceed the Airport Zoning Ordinance height limitations.

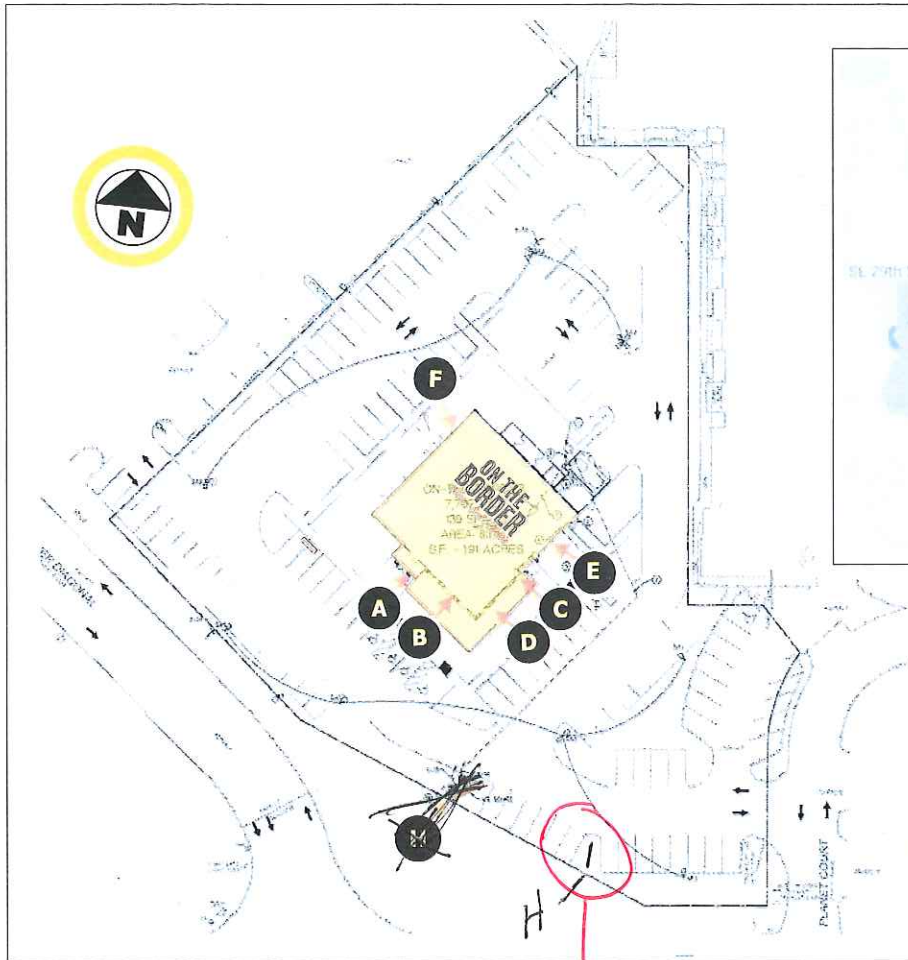
Staff has reviewed the 2008 Sign Survey and determined that the 48 feet request is comparable to other signs near the area of request that have received a variance due to the proximity of the free-standing signs to I-40 right-of-way. The location of the proposed sign is within 100 feet of I-40 right-of-way.

Attached is a letter from the applicant requesting the variance as well as a picture of the proposed sign.

Action Required: Approve or reject the appeal to the sign ordinance for the property described as noted in this staff report.

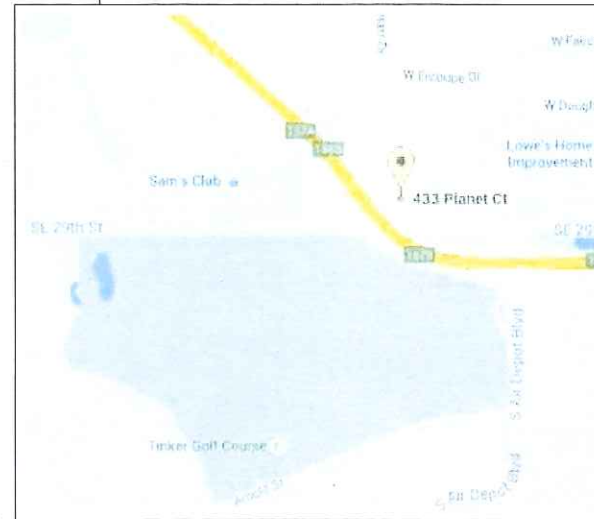
Billy Harless, AICP
Community Development Director

ON THE BORDER



SITE PLAN SCALE: 1" = 60'-0"

Proposed
Sign
Location



LOCATOR MAP

Design #	0611945A R3
Sheet	1 of 11
Location	
Address	433 PLANET CT, MIDWEST CITY, OK
Act. Rep.	DEBBIE MOLTZ
Coordinator	STEPHANIE MOORE
Designer	R. STANLEY
Date	10/27/15
Approval / Date	
Client	
Sales	
Estimating	
Art	
Landlord	
Engineering	
Revision / Date	
R1: PHOTOGRAPHY ADD PHOTO 15, REMOVE 12 R2: SIGNAGE REPLACE ITEM #6 PHOTO, BROWER SQ. #1 R3: SIGNAGE DEL. PHOTO 15 SCOPE AND IN. SCOPE NO. 1000000000 R4: SIGNAGE DEL. PHOTO 15 OPTION DEL. SIGN VARI. 02	

Chandler Signs
Best in Image Repeat Franchise

1291 Newer Way 214-992-2990	Dallas, TX 75225 Fax 214-992-2844
17310 So. Phelan, Ste 200 214-992-3996	San Antonio, TX 78229 Fax 214-348-9234
893 Boulder Avenue, Ste 200 592-679-3075	Lawrenceville, GA 30046 Fax 592-412-9013
288 South Hill Point Circle 602-423-1100	Bozeman, MT 59717 Fax 402-424-1100
37 Waterford Park Court 809-851-7802	Dothanville, GA 38534 Fax 214-348-9234
700 West 115th Street Drive 361-563-5559	Portland, TX 75074 Fax 361-563-6533
1133 Park Center Drive, Suite C 760-945-7000	Viola, CA 91381 Fax 760-945-7000

This printing is the property of Chandler Signs, L.P., and all rights to its use for the distribution are reserved by Chandler Signs, L.P.

UL

THIS SIGN IS DESIGNED TO BE INSTALLED IN ACCORDANCE WITH THE ILLINOIS SIGN REGULATIONS. THE SIGNAGE PRODUCT IS APPROVED BY THE ILLINOIS SIGN REGULATIONS. THE SIGNAGE PRODUCT IS APPROVED BY THE ILLINOIS SIGN REGULATIONS. THE SIGNAGE PRODUCT IS APPROVED BY THE ILLINOIS SIGN REGULATIONS.

ON THE BORDER

Design #
0611945A R3

Sheet
11 of 11

Location

Address
**433 PLANET CT.
MIDWEST CITY, OK**

Acct. Rep. **DEBBIE MOLTZ**
Coordinator **STEPHANIE MOORE**
Designer **R. STANLEY**
Date **10/27/15**

Approval / Date

Client

Sales

Estimating

Art

Landlord

Engineering

Revision / Date

R1: PHOTOGRAPHS AND PLYM H, REIZE Q

R2: PHOTOGRAPHS: REPLACE FROM H, PLYM, BOGGER SQ. P

R3: PHOTOGRAPHS: PLYM H, SCOP, AND PLYM SCOP, NO DISPOSED METAL

R4: PHOTOGRAPHS: DEL. PLYM OPTION DEL. WIL. WAT. Q

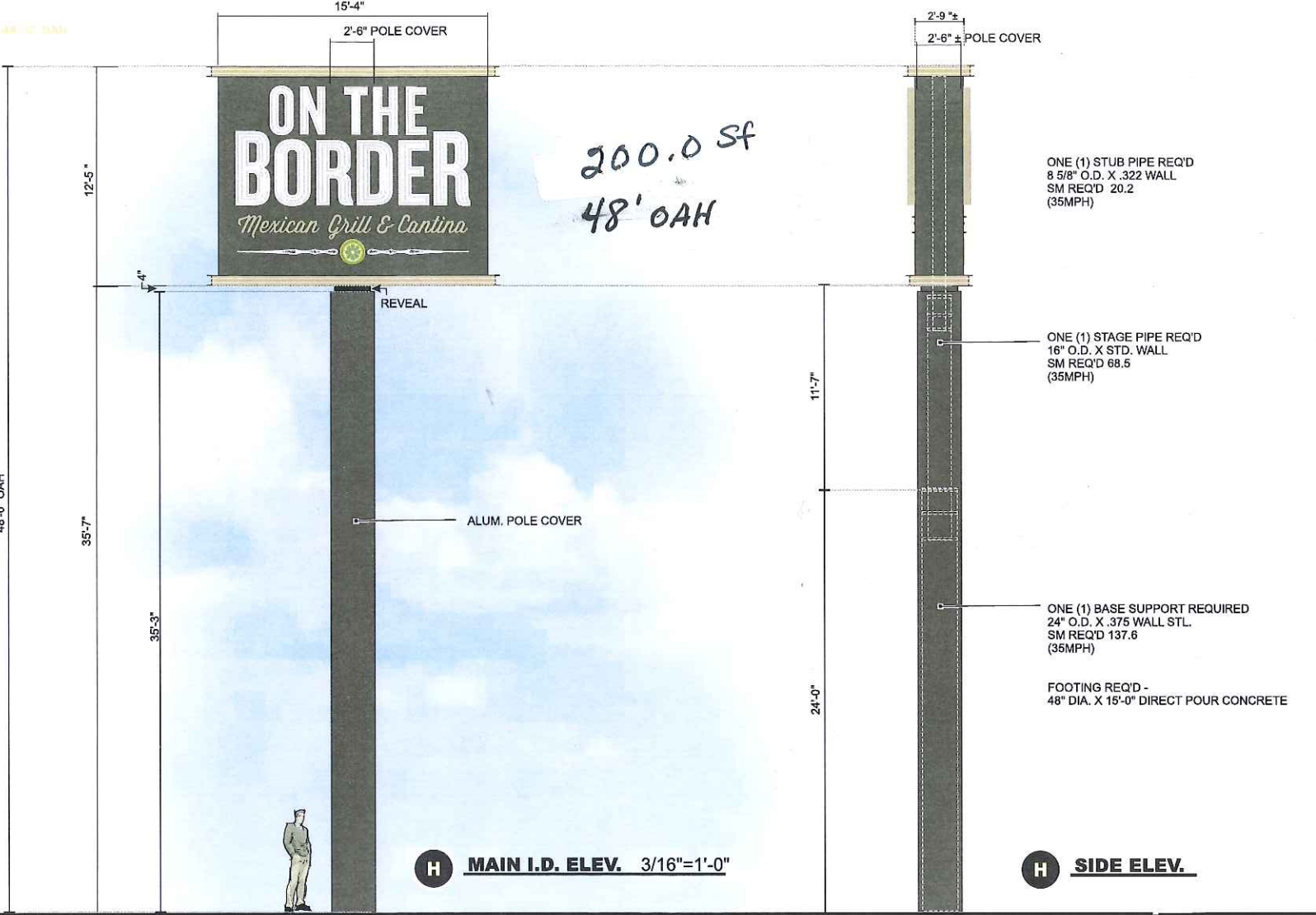
Chandler Signs

Brand Image Register Here

- 3561 Mosser Way Dallas, TX 75226
214-963-2000 Fax 214-963-2844
- 17113 Blue Pkwy, Ste 200 San Antonio, TX 78232
210-328-5000 Fax 210-328-5744
- 963 Barker Avenue, Ste 200 Landville, KY 40304
502-479-2975 Fax 502-412-0613
- 2284 Broad Hill Point Circle Baywood, FL 32837
813-432-1100 Fax 813-432-5185
- 37 Whiteland Park Court Dorchester, GA 30534
606-835-7942 Fax 210-349-9734
- P.O. Box 112, 2000 Brent Drive Perryville, DE 19874
301-543-5339 Fax 301-643-5533
- 1335 Park Center Drive, Suite C Vista, CA 92081
760-942-7942 Fax 760-942-7933

This drawing is the property of Chandler Signs, L.P., L.L.P. and all rights in this work for the reproduction are retained by Chandler Signs, L.P., L.L.P.

THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH ARTICLE 18B OF THE NATIONAL ELECTRICAL CODE, AS WELL AS ALL APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING & BONDING OF THE SIGN. SIGNING IS A REGULATED TRADE.



DALMARC SIGNS

P.O. BOX 95698 • 4040 S. I-35 Service Road • Oklahoma City, Oklahoma 73143-5698 (405)942-8703

March 12, 2015

Community Development Department

To Whom It May Concern

The On The Border Mexican restaurant is wanting to install a freestanding sign within 100' of the highway corridor. We would like to ask the variance committee's to approval the freestanding sign at 48' over all height .The structure is a 24' x 24" x 0.375 and a 16" x 0.375 staged into the 24" and a 8" x 0,322 staged into the 16" with concrete foundation and the sign cabinet is 12' 5" x 16' 1".

Sincerely



Bruce Edwards
Permit Coorinator
Work-405-942-8703
cell-405-812-6143
bruce@dalmarcsigns.com



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
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: January 12, 2016

Subject: (PC-1859) Public hearing with discussion and consideration of an ordinance to redistrict from R-6, Single Family Residential to C-3, Community Commercial, and a resolution to amend a portion of the Comprehensive Plan from Low-Density Residential to OR, Office Retail, for the property described as lots 29, 30 and 31 of block 2 of the Replat of the Atkinson Heights addition, located at 231, 233 and 235 West Fairchild.

Dates of Hearing: Planning Commission – December 1, 2015
City Council - January 12, 2016

Owner: 2320 S. Air Depot, LLC

Applicant: Al Sahli

Proposed Use: Office/Retail Business

Size:

The area of request has a frontage of approximately 137' along S. Air Depot Blvd. and a depth of approximately 159' along W. Fairchild containing an area of approximately 21,783 square feet, more or less.

Development Proposed by Comprehensive Plan:

Area of Request – Low-Density Residential (LDR)

East and West – Low-Density Residential (LDR)

North – Commercial (COMM)

South – Office/Retail (OR) and Low-Density Residential (LDR)

Zoning Districts:

Area of Request – R-6, Single Family Residential and R-6, Single Family Residential with a Special Use Permit

East and West – R-6, Single Family Residential

North – C-3, Community Commercial

South – SPUD, Simplified Planned Unit Development and R-6, Single Family Residential

Land Use:

Area of Request – Parking lot and 1 single family residence

North– Commercial building

South –Schlotzsky’s

East and West – Single family residences

Municipal Code Citation:

2.20 Community Commercial

2.20.1. General Description

This commercial district is intended for the conduct of business activity which is located at the edge of residential areas but which serves a larger trade area than the immediately surrounding residential neighborhoods.

Business uses will most often be found in a wide variety of commercial structures, normally on individual sites with separate ingress, egress, and parking. Because of the varied uses permitted, it is important to be separated as much as possible visually and physically from any nearby residential areas and to limit the harmful effects of increased traffic, noise, and general nonresidential activity which will be generated.

Traffic generated by the uses permitted shall be primarily passenger vehicles and only those trucks and commercial vehicles required for stocking and delivery of retail goods.

History:

1. These properties have been C-3, Community Commercial since the adoption of the 1985 zoning code.
2. PC-1567 2004 – Lot 30 of Block 2 was rezoned to R-6, Single Family Residential with a Special Use Permit to allow for off-street parking.
3. The Planning Commission recommended approval of this request at their December 1, 2015 meeting.

Staff Comments:

Engineer’s report:

Water Supply and Distribution

A twelve (12) inch public water main is located on the east side of Air Depot Boulevard in the street right-of-way extending along the west side of the area of request. A six (6) inch public water main is located on the south side of West Fairchild Drive in the street right-of-way extending along the south side of the area of request.

Public water line improvements are not required with this application.

Connection to the public water supply system for domestic service is a building permit requirement per Municipal Code 43-32 for all existing and new buildings.

Sanitary Sewerage Collection and Disposal

An eight (8) inch public sanitary sewer main is located in a dedicated utility easement along the north side of the area of request.

Public 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 all existing and new buildings.

Streets and Sidewalks

Access to the area of request is available from Air Depot Boulevard and West Fairchild Drive. Air Depot Boulevard is classified as a secondary arterial in the 2008 Comprehensive Plan. Air Depot Boulevard is a five (5) lane, 65-foot wide, curbed, asphalt concrete roadway. Current code requires a total street right-of-way width of one hundred (100) feet for a secondary arterial and presently, Air Depot Boulevard has one hundred (100) feet of right-of-way adjacent to and parallel to the west side of the area of request. West Fairchild Drive is classified as a local street in the 2008 Comprehensive Plan. West Fairchild Drive is a two (2) lane, 26-foot wide, curbed, asphalt concrete roadway. Current code requires a total street right-of-way width of fifty (50) feet for a local street and presently, West Fairchild Drive has fifty (50) feet of right-of-way adjacent to and parallel to the south side of the area of request.

Right of way grants to the city are not required with this application.

Street improvements are not required with this application.

Sidewalk improvement plans are not required with this application, however, sidewalk improvement plans will be a requirement of any building permit submitted for the area of request.

Drainage and Flood Control, Wetlands, and Sediment Control

Drainage across the area of request is via overland flow from the west to the east. Currently, the area of request is developed with a commercial business and a residence. None of 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.

Drainage and detention improvements are not required with this application.

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

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

Fire Marshal's report:

The Fire Marshall has reviewed this rezoning request. An additional fire hydrant may be required at the time of the building permit application. All provisions of Chapter 15 of the Municipal Code must be met with the application of a building permit.

Plan Review Comments:

The area of request is currently the site of a parking area and one single family residence. The applicant is the owner of all three lots included in the area of request as well as the lot to the north that contains a commercial strip center. The applicant intends to demolish the existing residence and build an office/retail building on the lot.

As mentioned in the history, one of these lots was rezoned to R6, Single Family Residential with a Special Use Permit to allow off-street parking in 2004. At the time of the rezoning, the city owned that parcel. Also at that time, South Air Depot was being widened to five lanes which would take away some of the parking spaces for the commercial strip center to the north of the area of request. To make up for the parking lost, the city sold lot 30 to the owner of the lot to the north to use for additional off-street parking. The Special Use Permit allowed for 18 parking spaces on lot 30. With that being the case, the 18 parking spaces intended for the commercial strip center to the north will need to remain as the area of request develops commercially if this rezoning request is approved. The required number of parking spaces for a new building on the area of request will depend on the size of the building. In addition to the required number of parking spaces for a new building, 18 additional spaces will need to be installed for the existing commercial building to the north. Connection from the area of request to the parcel to the north through the parking lot will be required.

Screening will be required along the east side of the area of request as the east side abuts a residential zoning district.

For all new buildings in Midwest City, a base landscaping of six (6) trees and twelve (12) shrubs is required. This requirement must be fulfilled prior to issuance of a Certificate of Occupancy.

Staff would recommend that future commercial development front onto S. Air Depot rather than Fairchild and that only one curbcut onto Fairchild be allowed.

With the development of Schlotzsky's to the south and commercial development to the north as well as being located along S. Air Depot, staff recommends approval of this request.

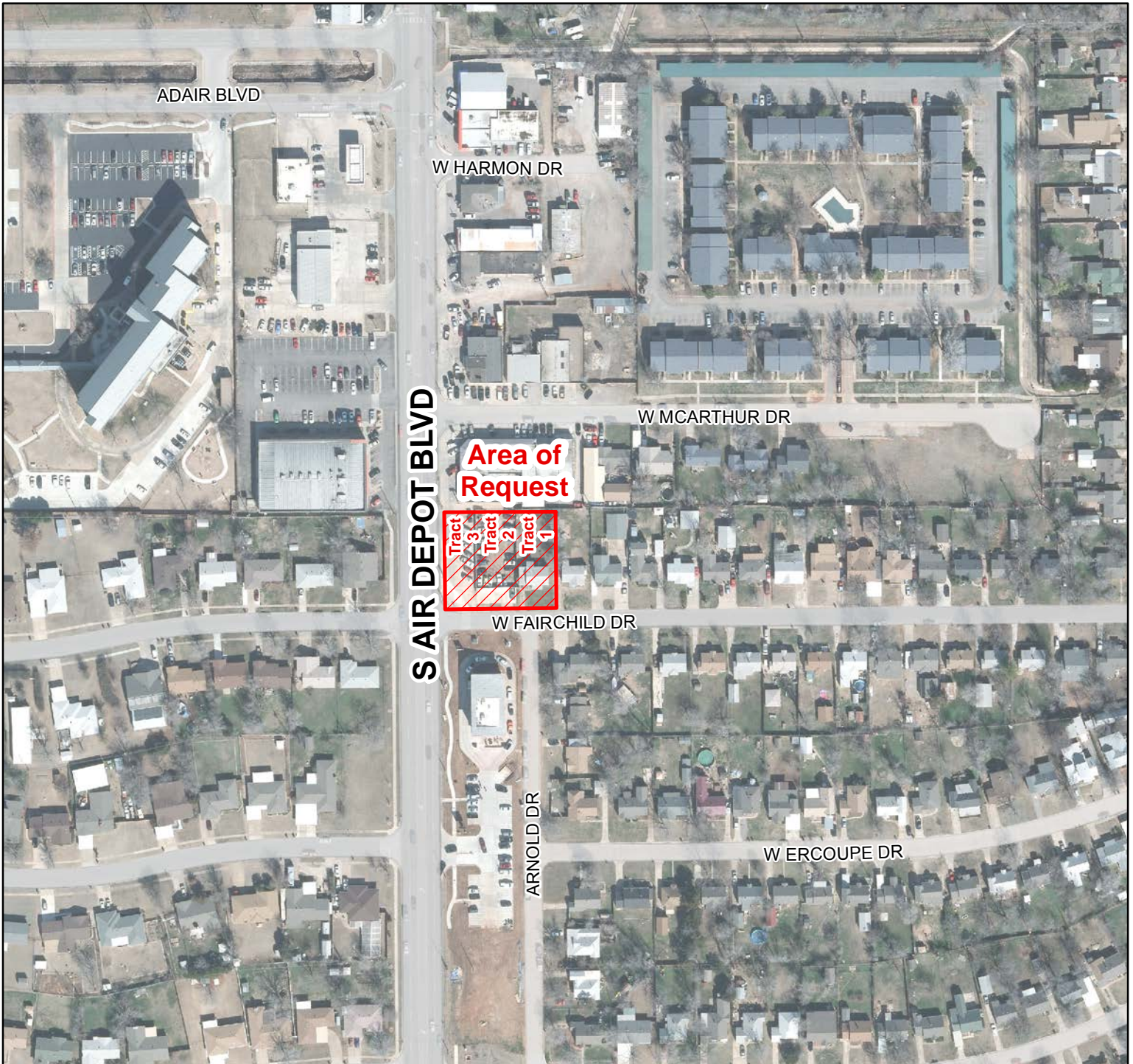
Action Required:

Approve or reject the ordinance to redistrict to C-3, Community Commercial for the properties as noted herein, subject to staff's comments as found in the January 12, 2016 agenda packet and made a part of PC-1859 file.

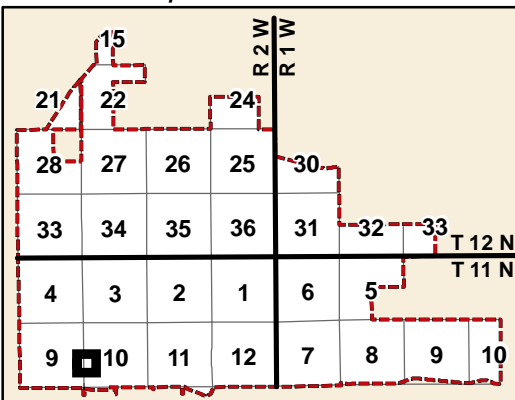


Billy Harless,
Community Development Director

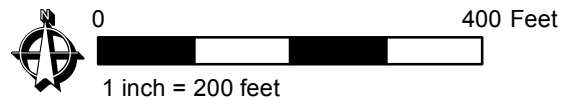
KG



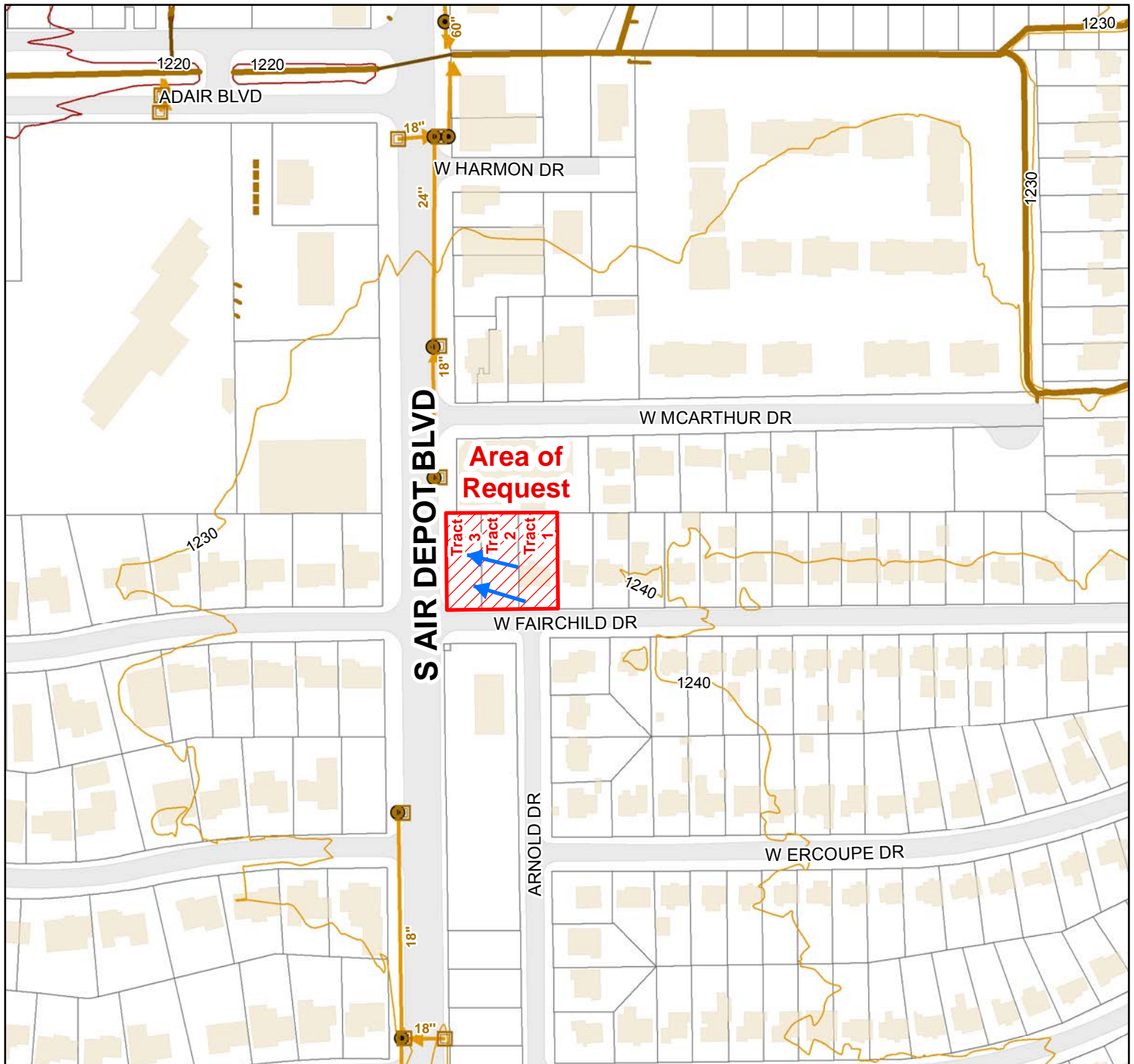
Locator Map



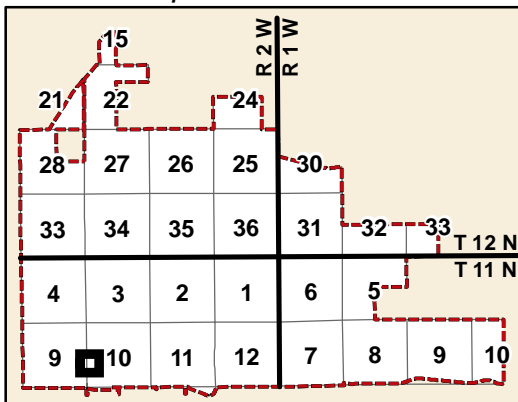
**2013 DOP (AERIAL) VIEW FOR
PC-1859
(SW/4, Sec. 10, T11N, R2W)**



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.



Locator Map

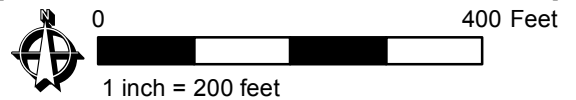


- Drainage Legend**
- Curb Inlets
 - Inlets
 - Junction Box
 - Culverts
 - Flumes
 - Developed Channels
 - Trickle Channels
 - Undeveloped Channels
 - Storm Lines
 - Creeks
- ELEVATION**
- 1166-1204 ft
 - 1204-1228 ft
 - 1228-1250 ft
 - 1250-1278 ft
 - 1278-1324 ft

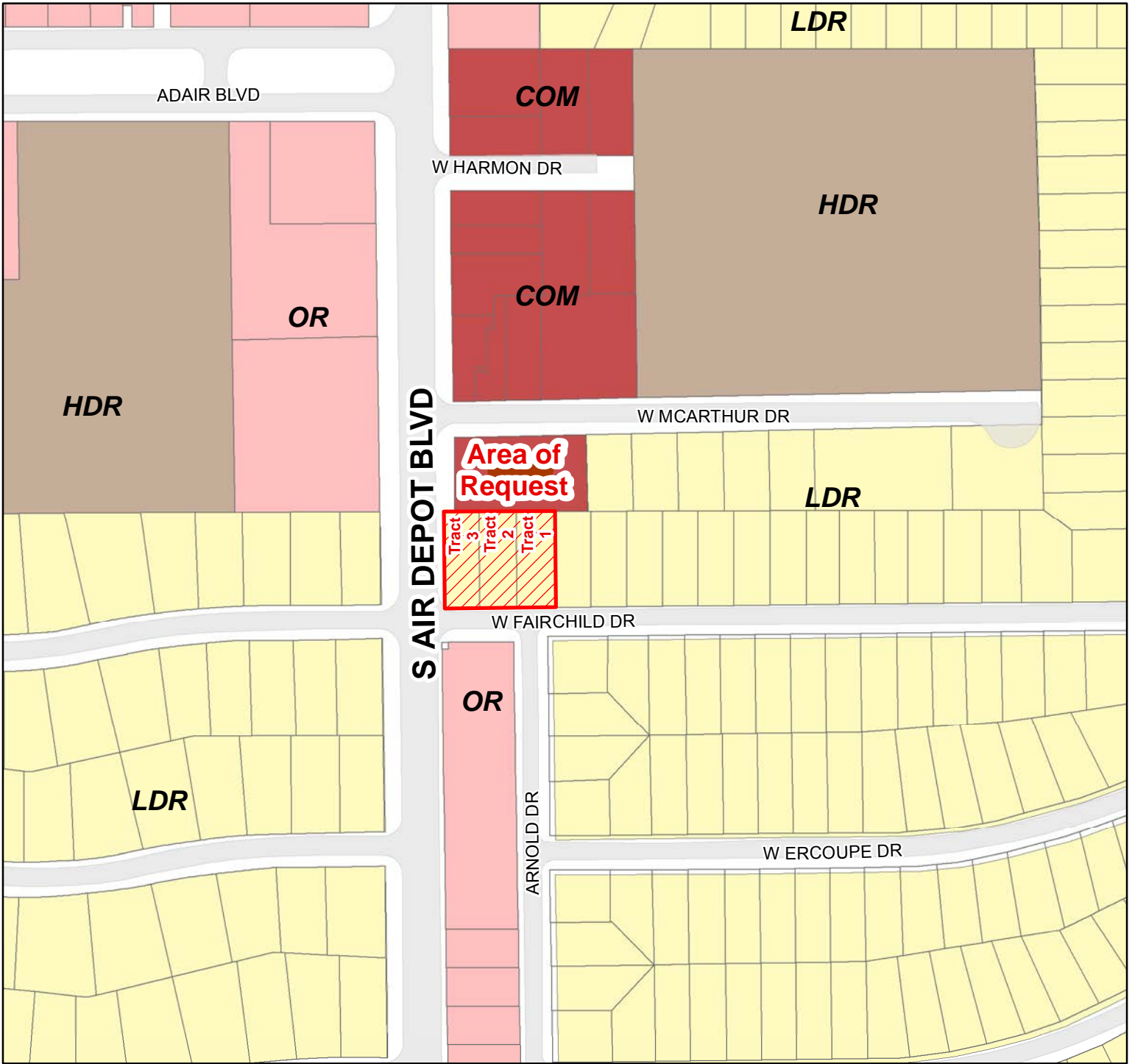
2009 FEMA Floodplains

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

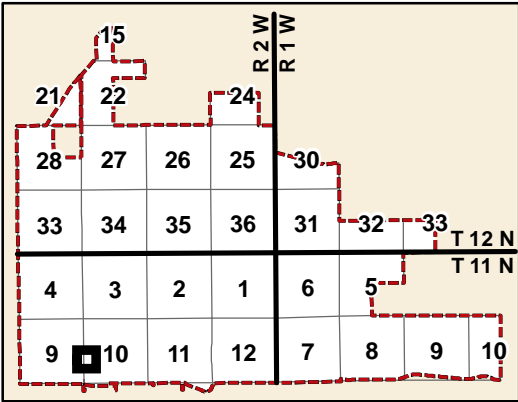
DRAINAGE LOCATION MAP FOR PC-1859 (SW/4, Sec. 10, T11N, R2W)













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.



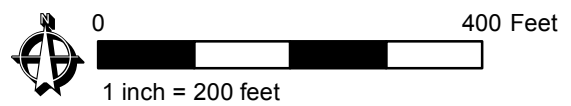
Locator Map



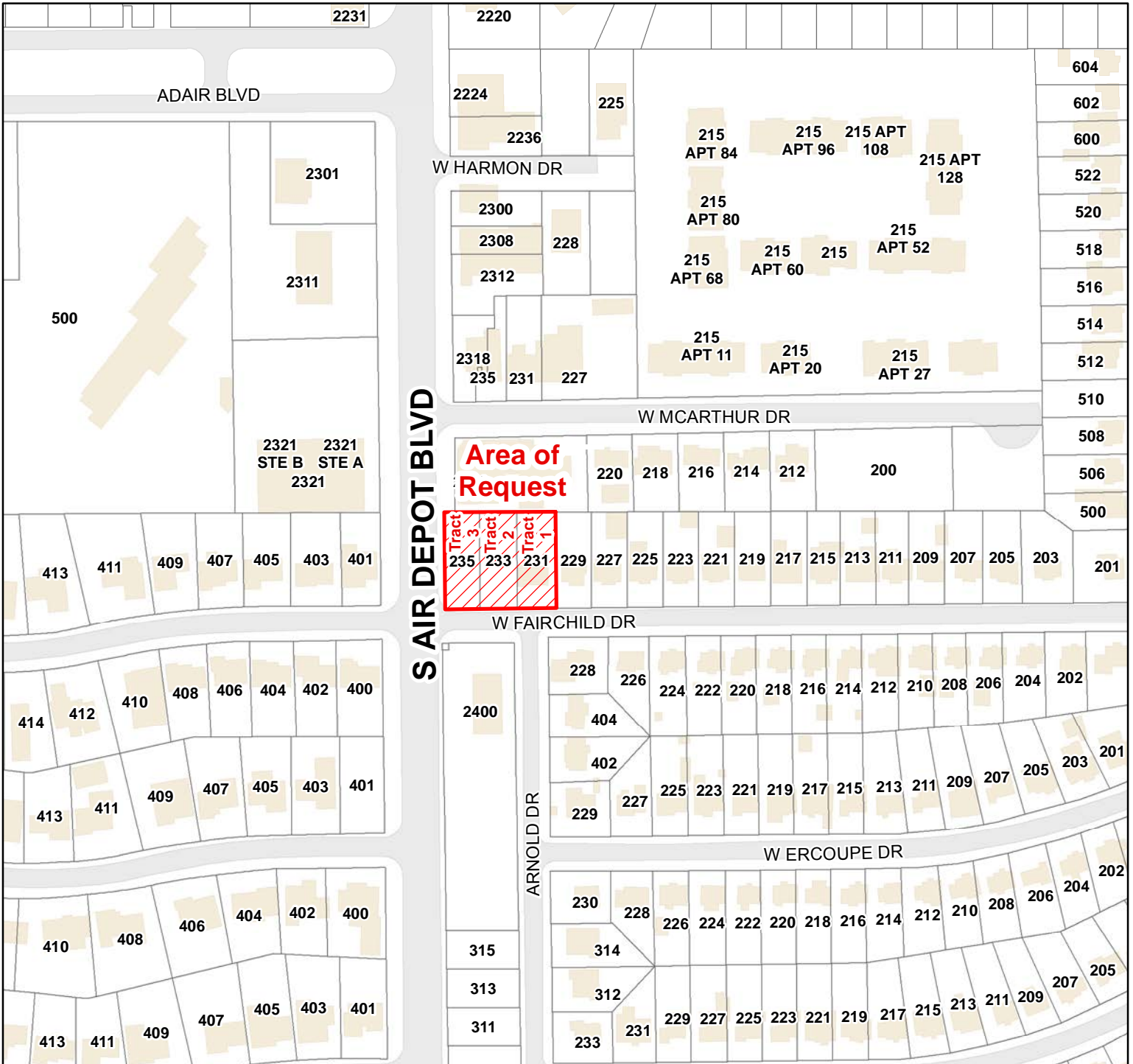
Future Land Use Legend

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

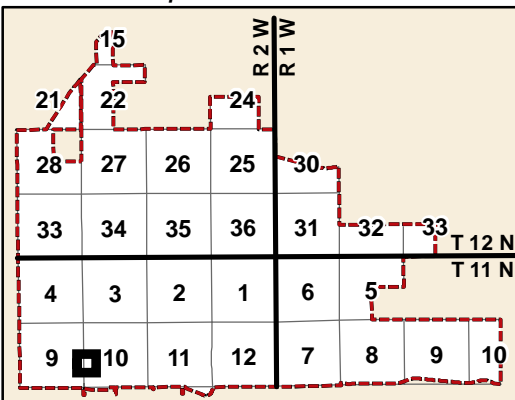
**FUTURE LAND USE
MAP FOR
PC-1859
(SW/4, Sec. 10, T11N, R2W)**








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.



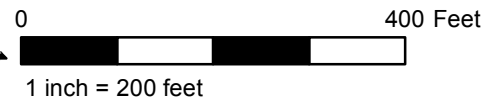
Locator Map



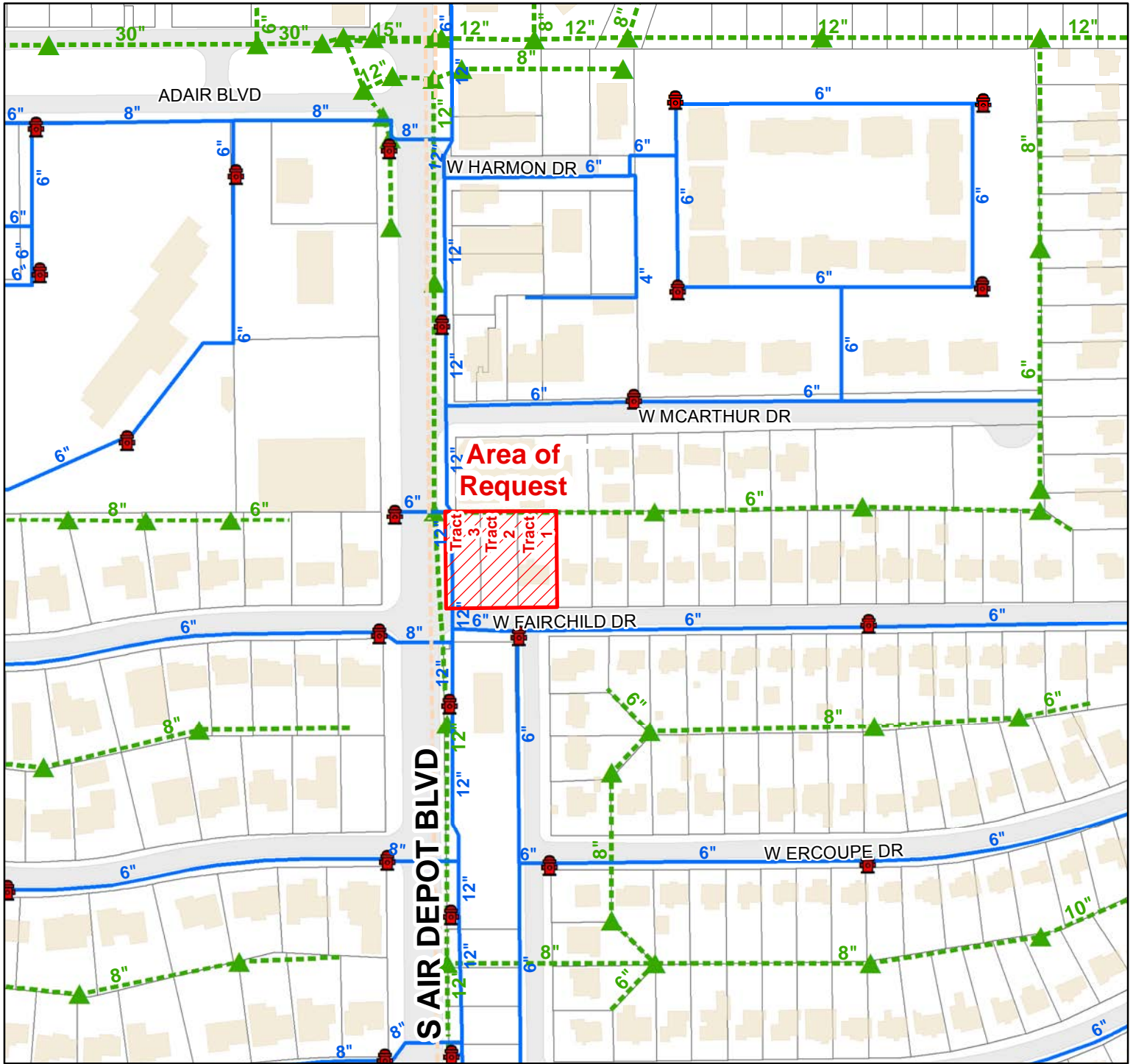
General Map Legend

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

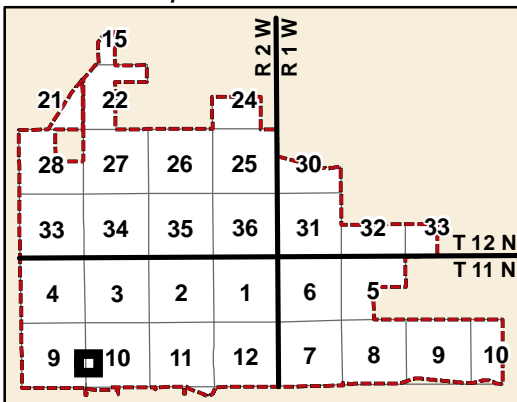
**GENERAL MAP FOR
PC-1859
(SW/4, Sec. 10, T11N, R2W)**



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.



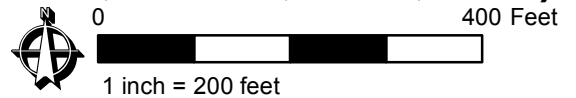
Locator Map



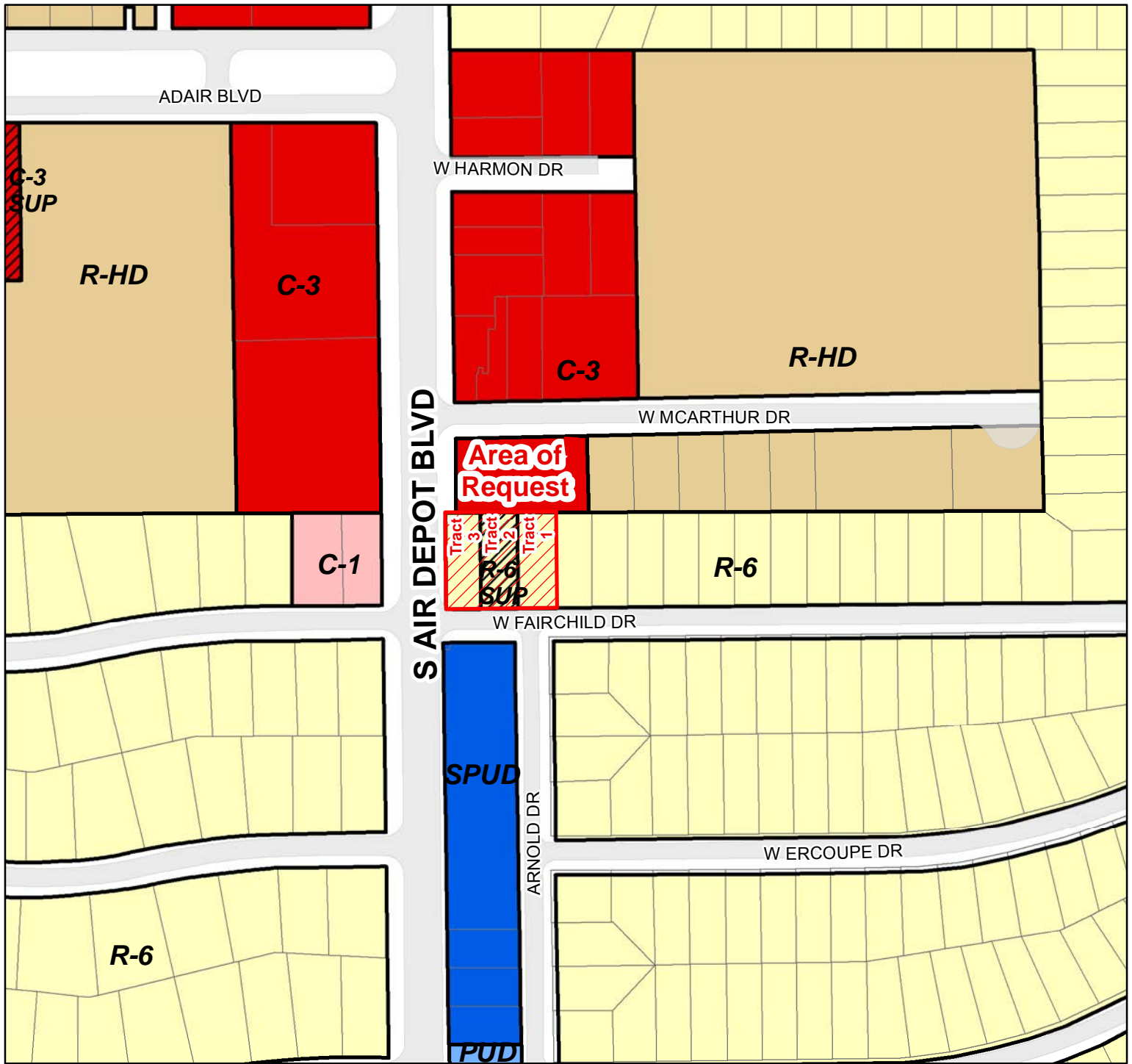
Water/Sewer Legend

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

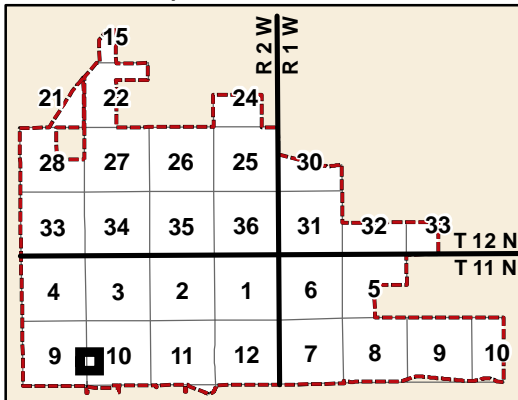
**WATER/SEWER LINE
LOCATION MAP FOR
PC-1859
(SW/4, Sec. 10, T11N, R2W)**



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.



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-1859
(SW/4, Sec. 10, T11N, R2W)



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.



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: January 12, 2016

Subject: (PC-1861) Discussion and consideration of approving and passing an ordinance amending Chapter 9, Buildings and Building Regulations, of the Midwest City Code, Article VII, Sign Regulations, by amending Section 9-385, Regulations and standards, by adding subparagraph (aa); by amending Section 9-391(g), Temporary signs, and by adding subparagraph (i) to Section 9-391, Temporary signs; and providing for repealer and severability.

Dates of Hearing: Planning Commission – December 1, 2015
Further Information – December 8, 2015
City Council Discussion – January 12, 2016

This ordinance is intended to provide an opportunity for private athletic fields to allow advertising banners on the interior of fences, facing the fields rather than the street. The current code allows this type of advertising for public athletic complexes but not private complexes.

This ordinance also proposes a section allowing temporary grand opening signs for new businesses that are separate from the temporary signs allowed yearly for all businesses in Midwest City.

Staff recommends approval.

Billy Harless, AICP
Community Development Director

KG

AN ORDINANCE AMENDING CHAPTER 9, BUILDINGS AND BUILDING REGULATIONS, OF THE MIDWEST CITY CODE, ARTICLE VII, SIGN REGULATIONS, BY AMENDING SECTION 9-385, REGULATIONS AND STANDARDS, BY ADDING SUBPARAGRAPH (aa); BY AMENDING SECTION 9-391(g), TEMPORARY SIGNS, AND BY ADDING SUBPARAGRAPH (i) TO SECTION 9-391, TEMPORARY SIGNS; AND PROVIDING FOR REPEALER AND SEVERABILITY.

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

ORDINANCE

SECTION 1. That Chapter 9, Buildings and Building Regulations, Article VII, Sign Regulations, of the Midwest City Code, Section 9-385, Regulations and standards, is hereby amended by adding subparagraph (aa) which shall read as follows:

(aa) Signs may be erected, placed and maintained in athletic complexes under private ownership provided such signs are in conformance with the following requirements:

- (1) All signs permitted by this subsection shall be flat signs of solid-face construction that are a part of, or attached to, a building or fence. Signs on fences shall only face toward the interior of the complex.
- (2) All signs shall be safely and securely attached to a building or fence and in no case shall they be secured by wire, nails or strips of wood.
- (3) All signs less than below eight (8) feet in height shall have only flat, smooth surfaces and no portion of such signs shall be constructed of, or contain any, glass or plastic. No electrical or illuminated sign shall be permitted.
- (4) No sign shall obstruct any entrance or exit.
- (5) No sign shall exceed ninety-six (96) square feet in display surface area or be located in a manner that the top of the sign is more in which its maximum height is greater than eight (8) feet above ground level (excluding scoreboards and press boxes); nor shall any sign attached to any building (including press boxes and scoreboards) exceed the height of the building.

SECTION 2. That Chapter 9, Buildings and Building Regulations, Article VII, Sign Regulations, of the Midwest City Code, is hereby amended by amending Section 9-391(g), Temporary Signs, as follows:

- (g) No commercial temporary sign (except excluding temporary grand opening signs as noted in subparagraph section 9-391(i) of this section Code) may be erected or maintained without a permit except as noted in subsection 9-391(h) of this Code. Each city utility account or separate parcel identified by a legal address in the city is entitled to eight (8) commercial temporary sign permits each year. The fee for each commercial temporary sign permit shall be fifty dollars (\$50.00); however, nonprofit organizations that produce their letter from the Internal Revenue Service proving their nonprofit status shall be exempt from the fee. Permits for commercial temporary signs shall authorize the erection of the signs and their maintenance for a period not exceeding seven (7) consecutive days. Any commercial temporary sign maintained in excess of seven (7) consecutive days shall be deemed an illegal sign and must be removed by the owner. If the owner

fails to remove the sign, the city may do so and charge the cost of such removal and any storage of the sign, the minimum of which shall be one hundred dollars (\$100.00) to the owner, which amount shall be assessed to the owner's utility account.

SECTION 3. That Chapter 9, Buildings and Building Regulations, Article VII, Sign Regulations, of the Midwest City Code, Section 9-391, Temporary Signs, is hereby amended by adding subparagraph (i) which shall read as follows:

- ~~(i) A permit for the erection for a maximum of ~~ten (10)~~ thirty (30) days of ~~One (1)~~ temporary grand opening sign for a new business may be issued ~~permitted~~ upon the submitting to the city of ~~under the following conditions:~~~~
- ~~_____~~
~~Aan application for a Certificate of Occupancy has been submitted to the City for a new business. (A change of ownership offer an existing businesses does not qualify for a grand opening sign apply).~~
- ~~_____~~
~~Permits for temporary grand opening signs shall authorize the erection of the sign and their maintenance for a period not exceeding ten (10) days.~~
- ~~_____~~
~~There shall be no fee for a temporary grand opening sign not exceeding ten (10) days. A temporary sign permit must be obtained in accordance with subparagraph (g) of this section for any Temporary grand opening signs to remain erected in excess of ten (10) days must obtain a permit in accordance with Section 9-391(g) of this Ordinance.~~
- ~~_____~~
~~(i) (4) All temporary grand opening signs shall meet the requirements of subsections (a) - (f) of this Code.~~

SECTION 4. REPEALER. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 5. SEVERABILITY. If any section, sentence, clause or portion of this ordinance is for any reason held to be invalid or unconstitutional, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of this ordinance.

PASSED AND APPROVED by the Mayor and Council of the City of Midwest City, Oklahoma, on the _____ day of _____, 2015.

THE CITY OF MIDWEST CITY, OKLAHOMA

JAY DEE COLLINS., Mayor

ATTEST:

RHONDA ATKINS, City Clerk

APPROVED as to form and legality this _____ day of _____, 2015.

KATHERINE BOLLES, City Attorney

AN ORDINANCE AMENDING CHAPTER 9, BUILDINGS AND BUILDING REGULATIONS, OF THE MIDWEST CITY CODE, ARTICLE VII, SIGN REGULATIONS, BY AMENDING SECTION 9-385, REGULATIONS AND STANDARDS, BY ADDING SUBPARAGRAPH (aa); BY AMENDING SECTION 9-391(g), TEMPORARY SIGNS, AND BY ADDING SUBPARAGRAPH (i) TO SECTION 9-391, TEMPORARY SIGNS; AND PROVIDING FOR REPEALER AND SEVERABILITY.

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

ORDINANCE

SECTION 1. That Chapter 9, Buildings and Building Regulations, Article VII, Sign Regulations, of the Midwest City Code, Section 9-385, Regulations and standards, is hereby amended by adding subparagraph (aa) which shall read as follows:

- (aa) Signs may be erected, placed and maintained in athletic complexes under private ownership provided such signs are in conformance with the following requirements:
 - (1) All signs permitted by this subsection shall be flat signs of solid-face construction that are a part of, or attached to, a building or fence. Signs on fences shall only face toward the interior of the complex.
 - (2) All signs shall be safely and securely attached to a building or fence and in no case shall they be secured by wire, nails or strips of wood.
 - (3) All signs less than eight (8) feet in height shall have only flat, smooth surfaces and no portion of such signs shall be constructed of, or contain any, glass or plastic. No electrical or illuminated sign shall be permitted.
 - (4) No sign shall obstruct any entrance or exit.
 - (5) No sign shall exceed ninety-six (96) square feet in display surface area or be located in a manner that the top of the sign is more than eight (8) feet above ground level (excluding scoreboards and press boxes); nor shall any sign attached to any building (including press boxes and scoreboards) exceed the height of the building.

SECTION 2. That Chapter 9, Buildings and Building Regulations, Article VII, Sign Regulations, of the Midwest City Code, is hereby amended by amending Section 9-391(g), Temporary Signs, as follows:

- (g) No commercial temporary sign (except grand opening signs as noted in subparagraph (i) of this section) may be erected or maintained without a permit except as noted in subsection 9-391(h) of this Code. Each city utility account or separate parcel identified by a legal address in the city is entitled to eight (8) commercial temporary sign permits each year. The fee for each commercial temporary sign permit shall be fifty dollars (\$50.00); however, nonprofit organizations that produce their letter from the Internal Revenue Service proving their nonprofit status shall be exempt from the fee. Permits for commercial temporary signs shall authorize the erection of the signs and their maintenance for a period not exceeding seven (7) consecutive days. Any commercial temporary sign maintained in excess of seven (7) consecutive days shall be deemed an illegal sign and must be removed by the owner. If the owner fails to remove the sign, the city may do so and charge the cost of such removal and any storage of the sign,

the minimum of which shall be one hundred dollars (\$100.00) to the owner, which amount shall be assessed to the owner's utility account.

SECTION 3. That Chapter 9, Buildings and Building Regulations, Article VII, Sign Regulations, of the Midwest City Code, Section 9-391, Temporary Signs, is hereby amended by adding subparagraph (i) which shall read as follows:

- (i) A permit for the erection for a maximum of thirty (30) days of one (1) grand opening sign for a new business may be issued upon the submitting to the city of an application for a Certificate of Occupancy for a new business. A change of ownership of an existing business does not qualify for a grand opening sign. There shall be no fee for a temporary grand opening sign. A temporary sign permit must be obtained in accordance with subparagraph (g) of this section for any grand opening sign to remain erected in excess of ten (10) days. All grand opening signs shall meet the requirements of this Code.

SECTION 4. REPEALER. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 5. SEVERABILITY. If any section, sentence, clause or portion of this ordinance is for any reason held to be invalid or unconstitutional, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of this ordinance.

PASSED AND APPROVED by the Mayor and Council of the City of Midwest City, Oklahoma, on the _____ day of _____, 2016.

THE CITY OF MIDWEST CITY, OKLAHOMA

JAY DEE COLLINS., Mayor

ATTEST:

RHONDA ATKINS, City Clerk

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

KATHERINE BOLLES, City Attorney

MEMO

To: Honorable Mayor and City Council

From: Bert Norton, Fire Chief

Date: January 12, 2016

Subject: Discussion and consideration of passing and approving an ordinance amending Chapter 15, Fire Protection and Prevention, Article III, Fire Prevention Codes and Standards, Division II, Fire Prevention Codes, of the Midwest City Code by amending Section 15-55, International Fire Code adopted, and Section 15-56, Amendments, and providing for repealer and severability. (This item was on Further Information on the December 08, 2015 Council meeting).

Staff respectfully requests that the Council conform with the State of Oklahoma on the Oklahoma Uniform Building Code Commission which has adopted the 2015 Edition of the International Fire Code as the new minimum standards for the state.

Staff recommends approval.



Bert Norton
Fire Chief

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 15, FIRE PROTECTION AND PREVENTION, ARTICLE III, FIRE PREVENTION CODES AND STANDARDS, DIVISION II, FIRE PREVENTION CODES, OF THE MIDWEST CITY CODE BY AMENDING SECTION 15-55, INTERNATIONAL FIRE CODE ADOPTED, AND SECTION 15-56, AMENDMENTS, AND PROVIDING FOR REPEALER AND SEVERABILITY.

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

ORDINANCE

SECTION 1. That Chapter 15, Fire Protection and Prevention, Article III, Fire Prevention Codes and Standards, Division II, Fire Prevention Codes and Standards, of the Midwest City Code, Section 15-55, International Fire Code adopted, is hereby amended to read:

The 2015 International Fire Code as adopted and modified by the state of Oklahoma through the Oklahoma Uniform Building Code Commission is hereby adopted by reference as if set out at length in this Code, save and except any portions which may hereinafter be deleted, modified or amended.

SECTION 2. That Chapter 15, Fire Protection and Prevention, Article III, Fire Prevention Codes and Standards, Division II, Fire Prevention Codes and Standards, of the Midwest City Code, Section 15-56, Amendments, is hereby amended to read:

The 2015 International Fire Code is hereby amended by repealing:

- (1) Section 105.6, Required operational permits, except for the following provisions which are hereby adopted and made part of this Code:
 - (a) Section 105.6.32, Open Burning;
 - (b) Section 105.6.34, Open Flames and Candles;
 - (c) Section 105.6.38, Pyrotechnic Special Effects Material; and
 - (d) Section 105.6.45, Temporary Membrane Structures, Tents & Canopies.

SECTION 3. REPEALER. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4. SEVERABILITY. If any section, sentence, clause or portion of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of the ordinance.

PASSED AND APPROVED by the Mayor and Council of the City of Midwest City, Oklahoma,
this _____ day of _____, 2016.

CITY OF MIDWEST CITY, OKLAHOMA

JAY DEE COLLINS, MAYOR

ATTEST:

RHONDA ATKINS, CITY CLERK

APPROVED as to form and legality this _____ day of _____, 2015.

KATHERINE BOLLES, CITY ATTORNEY



NEW BUSINESS/
PUBLIC DISCUSSION





FURTHER INFORMATION





Memorandum

TO: Honorable Mayor and Council

FROM: Vaughn K. Sullivan, Community Services Director

DATE: January 12, 2016

Subject: Convention and Visitors Bureau Quarterly Activity Report for the period ending December 31, 2015.

In an effort to keep the Midwest City Council informed regarding various activities being conducted at the Midwest City Convention & Visitors Bureau, I have attached a compilation memo of group leads the Convention and Visitors Bureau are attempting to attract to Midwest City and the approximate value to all of our hotel properties.

If you have any questions, please give me a call at 739-1361

Vaughn K. Sullivan
Community Services Director

Attachment: CVB Quarterly Report Memo



MEMORANDUM

To: Honorable Mayor and City Council
FROM: Susan MacQuarrie, Convention & Tourism Manager
DATE: December 16, 2015
RE: 4th Quarter 2015 Convention & Visitors Bureau Report

This report and attached status definitions are submitted for review as a means to describe and document the status of visiting groups that conduct business with the CVB. The report is designed to provide insight and information while safeguarding pertinent information such as group name, arrival/ departure dates, group contact, detailed booking information and most importantly, the anticipated economic impact on the Midwest City Hospitality District.

Table with 3 columns: ACTIVE, TYPE/ STATUS, VALUE. Rows include: 1 Prospect/ Proposed/ Pending 30K; 2 Tentative 60K; 14 Definite / Realized \$439,950; 4 Inquiry -In progress/ actively working TBD; 1 Turndown/ Lost 30 K

The mission of the Convention & Visitors Bureau is to stimulate Midwest City’s economic vitality through tourism by positioning and selling the community in partnership with public and private sectors as a premier destination for conventions, tradeshow, corporate meetings, group tours, and individual leisure travel. The CVB offers assistance with site tours and acquiring bids at our hospitality venues and information on special events, dining, catering, entertainment and local attractions.

In pursuit of its mission, the CVB generates increased visitor spending for the overall business community through creative marketing programs, attractive incentive packages, and convention services support.

Susan MacQuarrie

Susan MacQuarrie

Attachment: Definition of Terms



The City of
MIDWEST CITY
COMMUNITY DEVELOPMENT DEPARTMENT -
ENGINEERING DIVISION

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 Council

From: Billy Harless, Community Development Director

Date: January 12, 2016

Subject: Discussion and consideration of approving and passing an ordinance amending the Midwest City Code, Chapter 9, Buildings and Building Regulations, by amending Article IV, Electricity, Section 9-93, Fees, Section 9-99, Inspections, Section 9-122, Licensing Fees and Requirements; Article V, Mechanical Systems, Section 9-206, Permit Fees, Section 9-211, Inspections Approval, Section 9-226, Registration Fees; Article VI, Plumbing, Section 9-308, Applications for Permit, Section 9-314, Reinspection, Section 9-342, Registration Issuance; Fees, Section 9-343, Registration Terms; Renewal; Delinquency Penalty; and providing for repealer and severability.

Staff has reviewed permitting, inspection and licensing fees for several communities in the OKC metro area. The attached ordinances reflect recommended amendments to our current fees to bring them in line with the metro area.

Staff recommends approval of the following attached revisions.

Billy Harless, AICP
Director

Attachments

AN ORDINANCE AMENDING CHAPTER 9, BUILDINGS AND BUILDING REGULATIONS, OF THE MIDWEST CITY CODE, BY AMENDING ARTICLE IV, ELECTRICITY, SECTION 9-93, FEES, SECTION 9-99 INSPECTIONS, SECTION 9-122 LICENSING FEES AND REQUIREMENTS, ARTICLE V, MECHANICAL SYSTEMS, SECTION 9-206 PERMIT FEES, SECTION 9-211 INSPECTIONS APPROVAL, SECTION 9-226 REGISTRATION FEES, ARTICLE VI, PLUMBING, SECTION 9-308 APPLICATIONS FOR PERMIT, SECTION 9-314 REINSPECTION, SECTION 9-342 REGISTRATION ISSUANCE; FEES, SECTION 9-343 REGISTRATION TERMS; RENEWAL; DELINQUENCY PENALTY; AND PROVIDING FOR REPEALER AND SEVERABILITY.

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

ORDINANCE

SECTION 1. That Chapter 9, Buildings and Building Regulations, Article IV, Electricity, of the Midwest City Code, is hereby amended by amending Section 9-93. – Fees as follows:

The fee for each electrical permit shall be ~~fifty (50) percent of the building permit fee \$35.00~~ or \$0.04 per square foot, whichever is greater. When there is no current building permit issued, the electrical permit fee shall be:

~~For issuing each permit of ten (10) openings or less\$15.00~~

~~For issuing each supplemental permit4.50~~

~~For re-inspection10.00~~ Re-inspection fee.....\$50.00

Each subsequent re-inspection.....\$100.00

SYSTEM FEE SCHEDULE

The following fees do not include the permit issuance fee but shall be based on all wiring and electrical equipment in or on each structure or other electrical equipment on the same premises constructed at the same time.

~~New residential structures:~~

~~For residential occupancies and alterations, additions and modifications to existing residential structures, the fees shall be determined under the unit fee schedule below.~~

Private swimming pools:

For new private, residential, in-ground swimming pools for single-family and multi-family occupancies including a complete system of necessary branch circuit wiring, bonding, grounding, underwater lighting, water pumping and other similar electrical equipment directly related to the operation of a swimming pool.

Total~~\$30.00~~ \$50.00

~~For other types of swimming pools, therapeutic whirlpools, spas and alterations to existing swimming pools, the fees shall be determined under the unit fee schedule below.~~

Carnivals, circuses, or other traveling shows or exhibitions utilizing transportable-type rides, booths, displays and attractions:

For each electric generator and electrically driven ride~~\$15.00~~ \$100.00

For each mechanically driven ride and walk through attraction or display having electric lighting4.50

For each system of area and booth lighting4.50

For permanently installed rides, booths, displays and attractions, the fees shall be determined under the unit fee schedule below.

Temporary power service:

For each temporary service power pole or pedestal including all pole or pedestal-mounted receptacle outlets and appurtenances~~\$20.00~~ \$35.00

For each temporary distribution system and temporary lighting and receptacle outlets for construction sites, Christmas tree sales lots, firework stands, etc.~~15.00~~ 35.00

UNIT FEE SCHEDULE

~~The following do not include the permit issuance fee.~~

~~Receptacle, switch and lighting outlets:~~

~~For receptacle, switch, lighting or other outlets at which current is used or controlled, except services, feeders and meters:~~

~~First 20, each\$0.75~~

~~Additional outlets, each\$0.45~~

~~For multi-outlet assemblies, each five (5) feet or fraction thereof shall be considered as one (1) outlet.~~

~~Lighting fixtures:~~

~~For lighting fixtures, sockets or other lamp holding devices:~~

~~First 20, each\$0.75~~

~~Additional fixtures, each0.45~~

~~\$10.00 each~~

~~For pole or platform-mounted lighting fixtures, each~~0.75~~ 10.00~~

~~For theatrical-type lighting fixtures or assemblies, each~~0.75~~ 10.00~~

~~Residential appliances:~~

~~Each special circuit 220 volt, 50 amp and above3.00~~

~~For other types of air conditioners and other motor-driven appliances having larger electrical ratings, the fees shall be the same as the fees for power apparatus below.~~

~~Nonresidential appliances:~~

~~Each factory-wired, nonresidential appliance not exceeding 5KW or kilovolt-ampere (KVA) in rating, including medical and dental devices; laundry machine; or other similar types of equipment\$3.00~~

~~For other types of air conditioners and other motor-driven appliances having larger electrical ratings, the fees shall be the same as the fees for power apparatus below.~~

~~Power apparatus:~~

~~For motors, generators, transformers, rectifiers, synchronous converters, capacitors, industrial heating, air conditioners and heat pumps, cooking or baking equipment and other apparatus, the fees shall be as follows:~~

Rating in horsepower (HP), kilowatts (KW), kilovolt-amperes (KVA) or kilovolt-amperes reactive (KVAR):

Up to and including 5, each~~\$ 3.00~~ 35.00

Over 5 and not over 10, each~~7.50~~ 35.00

Over 10 and not over 50, each~~15.00~~ 50.00

Over 50 and not over 100, each~~30.00~~ 75.00

Over 100, each~~45.00~~ 100.00

1. For equipment or appliances having more than one (1) motor, transformer, heater, etc., the sum of the combined ratings shall be used.
2. These fees include all switches, circuit breakers, conductors, thermostats, relays and other directly related control equipment.

Busways:

For trolley and plug-in-type busways, first 200 feet minimum fee in the amount of ~~\$50.00~~\$100.00; each additional 100 feet or fraction thereof (per 100 feet)\$4.50

Signs, outline lighting and marquees:

For each sign, outline lighting system or marquee supplied from one branch circuit~~\$15.00~~ 35.00

Services:

For each service of 600 volts or less and not over 200 amperes in rating~~50.00~~\$75.00

For each service of 600 volts or less and over 400 amperes to 1000 amperes in rating~~50.00~~\$100.00

For each service over 600 volts or over 1000 amperes in rating~~100.00~~\$200.00

Elevators~~10.00~~ 75.00

Other inspections and fees:

~~Inspections outside of normal business hours per hour or fraction thereof30.00~~

After hours inspections.....\$200.00.....\$75.00 per hour thereafter

SECTION 2. That Chapter 9, Buildings and Building Regulations, Article IV, Electricity, of the Midwest City Code, is hereby amended by amending Section 9-99. – Inspections as follows:

- (a) All electrical systems and equipment for which a permit is required by this code shall be subject to inspection by the city. The electrical system shall remain accessible and exposed for inspection purposes until approved by the city.

It shall be the duty of the permit holder to cause the electrical system to remain accessible and exposed for inspection purposes. Neither the city nor any of its employees shall be liable for the expense entailed in the removal or replacement of any material required to allow inspection. When the installation of an electrical system and equipment is complete, an additional and final inspection shall be made. Electrical systems and equipment regulated by this code shall not be connected to the energy source until authorized by the city.

Any approval by the city or any of its employees shall not be construed to be an approval of any violation of the provisions of this code or any other laws. Inspections presuming to give authority to violate or cancel provisions of this code or of other ordinances of the city shall not be valid.

- (b) It shall be the duty of the electrical contractor doing the work authorized by a permit to notify the city that such work is ready for inspection. The city may require that every request for inspection be transmitted to the city at least one (1) working day before such inspection

is desired. Such request may be verbal or by any electronic means. It shall be the duty of the electrical contractor requesting the inspection required by this code to provide access to and means for inspection of the work.

- (c) The requirements of this section shall not be construed to prohibit the operation of any electrical system or equipment installed to replace existing equipment.
- (d) In addition to the inspections required by this code, the city may make or require other inspections of any work to ascertain compliance with the provisions of this code and other building codes that are enforced by the city.
- (e) ~~A reinspection fee shall be assessed for each inspection or reinspection when such portion of work for which inspection is requested is not complete or when corrections called for are not made by contractors and/or homeowners. Reinspection fees shall be required for all second and subsequent reinspections and may be deducted from prepaid accounts. A re-inspection fee of \$50.00 shall be assessed for each inspection when such portion of work for which inspection is requested is not complete or when corrections called for are not made by contractors and/or homeowners. All subsequent reinspections shall be assessed a fee of \$100.00~~
- (f) When any portion or all of the wiring in or on any structure or premises is ordered changed for any reason, the electrical inspector shall leave attached to the main switch or service equipment a tag or label showing the date of the order, a memorandum of the correction to be made and the signature of the authority making the order.
- (g) Except as otherwise provided, inspections shall be requested only by the electrical contractor or by his authorized representatives. Each electrical contractor shall notify the city of each representative authorized to act on behalf of that electrical contractor.
- (h) After inspecting any electric wiring, the electrical inspector shall leave notice in the form of a tag or label attached to the service entrance switch or branch cabinet. The notice shall clearly state whether the wiring is approved or is to be kept open for correction, and no person shall seal or in any manner conceal any electric wiring until such wiring has been approved. If, in any case, the wiring is in such a position as to interfere with the completion of the structure as called for by the plans, the electrical contractor must be notified to correct it. Proper conveniences such as ladders must be provided by the electrical contractor on work to be inspected. In all cases, on completion of the rough-in job, a final rough-in inspection must be requested.
- (i) The rough-in of each job shall include the installation of main and branch cabinets and the installation of all boxes and transformers. All rough-in wiring shall be made up, with approved wire connectors and wiring completed. From each active outlet box, one (1) pair of wires not less than eight (8) inches long shall be left for the fixture connection.
- (j) Temporary electric service inspections shall be permitted for any and all new installation for the purpose of construction and safety to personnel and equipment, and to prevent water lines from freezing in cold weather. Outlets will be limited to two (2) 110V and one (1) 220V, and all necessary central heating unit(s).

(Ord. No. 2927, § 1, 8-10-04; Ord. No. 2994, § 3, 10-10-06)

SECTION 3. That Chapter 9, Buildings and Building Regulations, Article IV, Electricity, of the Midwest City Code, is hereby amended by amending Section 9-122. - Licensing fees and requirements as follows:

(a) There is hereby levied licensing fees for the electrical trade as follows:

	Registration First Year	Registration Renewal
Unlimited Electrical Contractor	\$300.00	\$100.00

Unlimited Journeyman	30.00	20.00
-------------------------	-------	-------

- (b) It shall be unlawful for any person to engage in the trade or otherwise act as an unlimited electrical contractor, unlimited journeyman electrician or apprentice within the city without first having been qualified and licensed as such by the State of Oklahoma. It shall also be unlawful for any person to engage in the electrical trade or otherwise act as any type of electrical contractor or journeyman within the city without first having been licensed by the city. The city shall issue an unlimited journeyman or unlimited contractor license to any person, upon proper application, and payment of fees, who presents a valid unlimited electrician license and proper identification at the time of application for the same license period issued by the State of Oklahoma.
- (c) All city electrical trade licenses shall be for one (1) year but all such city licenses shall expire on the thirtieth day of June after they are issued, unless sooner revoked. Renewals shall be secured on or before the first day of July each year, to be in effect from July 1 through June 30 of the following year. ~~There will be a penalty fee of five dollars (\$5.00) for a registration that is not renewed by the fifteenth day of August. Registrations not renewed by the fifteenth day of August shall be assessed the fee for a new license (\$300.00 for contractors and \$30.00 for journeymen).~~

(Ord. No. 2927, § 1, 8-10-04; Ord. No. 2994, § 7, 10-10-06; Ord. No. 3072, § 2, 11-25-08)

SECTION 4. That Chapter 9, Buildings and Building Regulations, Article V, Mechanical Systems, of the Midwest City Code, is hereby amended by amending Section 9-206. - Permit fees as follows:

Before a permit is issued for any refrigeration system or air conditioning or forced air heating system, fees shall be paid to the development services department in accordance with the following schedule:

~~For the issuance of each mechanical permit\$ 5.00 \$35.00 or \$0.04 per square foot, whichever is greater~~

~~For the issuance of a supplemental permit (same address and type within 6 months) 2.50~~

IN ADDITION:

1. For the installation or relocation of each forced air or gravity type furnace or burner, including ducts and vents attached to such appliance, up to and including 160,000 BTU/H\$ ~~9.00~~ 35.00
2. For the installation or relocation of each forced air or gravity type furnace or burner, including ducts and vents attached to such appliance, over 160,000 BTU/H ~~11.00~~ 40.00
3. For the installation of self-contained packaged units
 - 0—5 tons~~15.00~~ 25.00
 - 6—15 tons~~20.00~~ 50.00
 - 16+ tons~~25.00~~ 75.00
4. ~~For the installation or relocation of each vent9.00~~
5. For the installation or relocation of each suspended heater, recessed wall heater or floor mounted unit heater~~9.00~~ 35.00
6. ~~For the installation, relocation or replacement of each appliance vent installed and not included in an appliance permit4.50~~
7. For replacement of, alteration of, or addition to each heating appliance, refrigeration unit, cooling unit, absorption unit, or each heating, cooling, absorption, or evaporative cooling system, including installation of controls, regulated by this code~~9.00~~ 35.00

8. For the installation or relocation of each boiler or condensing unit to and including five horsepower, or each absorption system to and including 100,000 BTU/H~~9.00~~50.00
9. For the installation or relocation of each boiler or condensing unit over six horsepower and up to and including 15 horsepower, or each absorption system over 100,000 BTU/H and up to and including 500,000 BTU/H~~16.50~~75.00
10. For the installation or relocation of each boiler or condensing unit over 15 horsepower and up to and including 30 horsepower, or each absorption system over 500,000 BTU/H and up to and including 1,000,000 BTU/H~~22.50~~100.00
11. For the installation or relocation of each boiler or condensing unit over 30 horsepower up to and including 50 horsepower, or for each absorption system over 1,000,000 BTU/H to and including 1,750,000 BTU/H~~33.50~~125.00
12. For the installation or relocation of each boiler or refrigeration compressor over 50 horsepower, or each absorption system over 1,750,000 BTU/H~~56.00~~150.00
13. For each air-handling unit up to and including 2000 cubic feet per minute, including ducts attached thereto~~6.50~~75.00

NOTE: This fee shall not apply to an air handling unit which is a portion of a factory assembled appliance, cooling unit, evaporative cooler or absorption unit for which a permit is required elsewhere

14. For each air-handling unit over 2000 cfm~~11.00~~50.00
15. For each evaporative cooler other than portable type~~6.50~~35.00
16. For each ventilation fan connected to a single duct~~4.50~~35.00
17. For each ventilation system which is not a portion of any heating or air conditioning system authorized by a permit~~6.50~~35.00
18. For the installation of each commercial kitchen hood which is served by mechanical exhaust, including the ducts for such hood~~6.50~~75.00
19. For the installation or relocation of each domestic type incinerator~~11.00~~50.00
20. For the installation or relocation of each commercial or industrial type incinerator~~45.00~~75.00
21. For each appliance or piece of equipment regulated by this code but not classed in other appliance categories, or for which no other fee is listed in this code~~6.50~~35.00
22. For each gas piping system of ~~one (1) to four (4) outlets~~~~3.00~~35.00
Outlets for each gas piping system each...5.00~~For each gas piping system of five (5) or more outlets, per outlet1.00~~
23. Duct installation only.....\$ 35.00 or .04 sq. ft. whichever is greater.

OTHER INSPECTIONS AND FEES:

1. Inspection outside of normal business hours (minimum charge—two (2) hours), per hour\$ ~~30.00~~\$200.00
2. ~~Inspections for which no fee is specifically indicated (minimum charge—one half (½) hour), per hour30.00~~ \$75.00 per hour thereafter
3. Additional plan review required by changes, additions or revisions to approved plans (minimum charge—one-half (½) hour), per hour30.00
4. Each reinspection trip to an address10.00

(Ord. No. 2642, § 8, 5-28-96)

SECTION 5. That Chapter 9, Buildings and Building Regulations, Article V, Mechanical Systems, of the Midwest City Code, is hereby amended by amending Section 9-211. – Inspections;approval as follows:

- (a) When an original rough-in installation of an air conditioning or heating or refrigeration system is completed on any premises, the permit-holding contractor shall notify the

inspector that the work is ready for inspection. When an air conditioning or refrigeration or forced air heating system alteration for which a permit is required under the terms of this article is completed on any premises, the permit-holding contractor shall notify the inspector that the work is ready for inspection. Either in the case of an original installation or in case of an alteration, the permit-holding contractor shall be permitted to immediately place the system in operation, unless a pressure test is required under the terms of this article or other ordinances.

- (b) The inspector shall make an inspection of the alteration or installation within twenty four (24) hours from the time of notification. If the installation or alteration to the air conditioning or refrigeration or forced air heating system has been done in accordance with the terms and provisions of this article and amendments thereto, the inspector shall post an inspection chart at or near the same, noting thereon the date and approval of the work, together with his signature. If the installation or alteration of the system is found to be faulty, incorrect or defectively installed, the inspector shall notify the permit-holding contractor who installed the work, advising him of the changes necessary to be made in order that the same may conform to this article.

(c) The fees required for the making of the required inspection by the development services department unless the inspector is required to make another or an additional inspection of the installation necessitating another trip in which event the applicant shall be assessed A \$50.00 reinspection fee. All subsequent reinspections shall be assessed a \$100.00 fee.

SECTION 6. That Chapter 9, Buildings and Building Regulations, Article V, Mechanical Systems, of the Midwest City Code, is hereby amended by amending Section 9-226. – Registration fees as follows:

There is hereby levied a schedule of registration fees for the mechanical trade to be as follows:

	Registration First Year	Registration Renewal
Unlimited Mechanical Contractor	\$150.00 <u>\$170.00</u>	\$75.00
Limited Mechanical Contractor	130.00 <u>\$150.00</u>	65.00
Mechanical Journeyman	10.00	5.00

A registration may be applied for and secured at any time during the year, but in no event shall the fee for such registration be less than for a full year. All registrations, including building maintenance engineer's licenses, shall be for one (1) year and shall expire on the thirtieth day of June after the same are issued, unless sooner revoked. Renewals shall be secured on or before the first day of July of each year to be in effect for the ensuing registration year. Registrations not renewed by the fifteenth day of August shall be assessed the fee for a new license). The registration year shall coincide with the state license period which is July 1st to June 30.

(Ord. No. 2642, § 8, 5-28-96; Ord. No. 2654, § 2, 9-10-96)

SECTION 7. That Chapter 9, Buildings and Building Regulations, Article VI, Plumbing, of the Midwest City Code, is hereby amended by amending Section 9-308. – Permit fees as follows:

Before a permit is issued for any plumbing system or work, fees shall be paid to the development services department in accordance with the following schedule;

For the issuance of each plumbing permit\$ ~~5.00~~ \$35.00 or \$0.04 per square foot,
whichever is greater

For the issuance of a supplemental permit (same address and type within six (6) months)
~~2.50~~

IN ADDITION:

- (1) ~~For each plumbing fixture or trap or set of fixtures on one trap2.00~~
(including water, drainage piping and backflow protection therefor)
- (2) For each building sewer and each trailer park sewer~~5.00~~ \$35.00
- (3) Rainwater systems—per drain~~2.00~~ 10.00
(inside building)
- (4) For each cesspool~~5.00~~ 100.00
- (5) For each private sewage disposal system~~10.00~~ 100.00
- (6) For each water heater and/or vent (includes gas)~~5.00~~ \$35.00
- (7) For each gas piping system ~~of one (1) to four (4) outlets3.00~~ \$35.00
- (8) For each gas piping system ~~of five (5) or more, per outlet1.00~~ 5.00
- (9) For each industrial waste pre-treatment interceptor, including its trap and vent,
excepting kitchen type grease interceptors functioning as fixture traps~~2.00~~ \$50.00

- (10) For installation, alteration or repair of water piping and/or water treating equipment
.....~~2.00~~ \$35.00
- (11) ~~For repair or alteration of drainage or vent piping2.00~~
- (12) For each lawn sprinkler system or any one (1) meter, including backflow protection
devices therefor~~5.00~~ \$35.00
- (13) For vacuum breakers or backflow protective devices on tanks, vats, etc., or for
installation on unprotected plumbing fixtures, including necessary water piping—one
(1) to four (4)~~5.00~~ 10.00 ea
- (14) Five (5) or more, each~~1.00~~ 5.00
- (15) Oil/Sand separator.... \$50.00
- (16) Commercial Grease Interceptor.... 50.00

OTHER INSPECTIONS AND FEES:

- (1) Inspections outside of normal business hours per hour\$ ~~30.00~~ 200.00
(minimum charge—two (2) hours)
- (2) ~~Inspections for which no fee is specifically indicated per hour30.00~~
(minimum charge—~~one-half (½) hour~~) \$75.00 per hour thereafter
- (3) Additional plan review required for changes, additions or revisions to approved plans
per hour30.00
(minimum charge—~~one-half (½) hour~~)
- (4) Each reinspection trip to an address10.00

(Ord. No. 2642, § 9, 5-28-96)

SECTION 8. That Chapter 9, Buildings and Building Regulations, Article VI, Plumbing, of the Midwest City Code, is hereby amended by amending Section 9-314. – Reinspection as follows:

The fees for permits set forth in section 9-308 shall be all of the fees required for the making of the required inspection by the development services department unless the inspector is required to make another or an additional inspection of the installation necessitating another trip in which event the applicant shall be assessed ~~fifty (50) percent of the original permit fee or five~~

dollars (\$5.00) whichever is greater. Assessment of the reinspection fee shall be determined by the development services department. A \$50.00 reinspection fee. All subsequent reinspections shall be assessed a \$100.00 fee.

(Ord. No. 2642, § 9, 5-28-96)

SECTION 9. That Chapter 9, Buildings and Building Regulations, Article VI, Plumbing, of the Midwest City Code, is hereby amended by amending Section 9-342. – Registration issuance; fees as follows:

- (a) Application; issuance. The development services department shall, upon proper application and payment of fees, issue a journeyman or contractor registration to any person who has a valid plumbing license for the same license period issued by the State of Oklahoma.
- (b) Registration fees. There is hereby levied a schedule of registration fees for the plumbing trade to be as follows:

	Registration First Year	Registration Renewal
Plumbing Contractor	\$300.00	\$50.00
Journeyman	5.00	5.00
Plumbing Maintenance Engineer	5.00	5.00

A registration may be applied for and secured at any time during the year, but in no event shall the fee for such registration be less than for a full year.

(Ord. No. 2642, § 8, 5-28-96; Ord. No. 2654, § 3, 9-10-96)

SECTION 10. That Chapter 9, Buildings and Building Regulations, Article VI, Plumbing, of the Midwest City Code, is hereby amended by amending Section 9-343. - Registration terms; renewal; delinquency penalty as follows:

All registrations, including building maintenance engineer's licenses, shall be for one (1) year and shall expire on the thirtieth day of June after the same are issued, unless sooner revoked. Renewals shall be secured on or before the first day of July of each year to be in effect for the ensuing registration year. Registrations not renewed by the fifteenth day of August shall be assessed the fee for a new license (\$300.00 for contractors and \$5.00 for journeymen). ~~There will be a penalty fee of five dollars (\$5.00) for a registration which is not renewed by the fifteenth day of August.~~ The registration year shall coincide with the state license period which is July 1st to June 30.

(Ord. No. 2642, § 9, 5-28-96)

AN ORDINANCE AMENDING CHAPTER 9, BUILDINGS AND BUILDING REGULATIONS, OF THE MIDWEST CITY CODE, BY AMENDING ARTICLE IV, ELECTRICITY, SECTION 9-93, FEES, SECTION 9-99 INSPECTIONS, SECTION 9-122 LICENSING FEES AND REQUIREMENTS, ARTICLE V, MECHANICAL SYSTEMS, SECTION 9-206 PERMIT FEES, SECTION 9-211 INSPECTIONS APPROVAL, SECTION 9-226 REGISTRATION FEES, ARTICLE VI, PLUMBING, SECTION 9-308 APPLICATIONS FOR PERMIT, SECTION 9-314 REINSPECTION, SECTION 9-342 REGISTRATION ISSUANCE; FEES, SECTION 9-343 REGISTRATION TERMS; RENEWAL; DELINQUENCY PENALTY; AND PROVIDING FOR REPEALER AND SEVERABILITY.

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

ORDINANCE

SECTION 1. That Chapter 9, Buildings and Building Regulations, Article IV, Electricity, of the Midwest City Code, is hereby amended by amending Section 9-93. – Fees as follows:

The fee for each electrical permit shall be \$35.00 or \$0.04 per square foot, whichever is greater. When there is no current building permit issued, the electrical permit fee shall be:

Re-inspection fee\$50.00Each subsequent re-inspection.....\$100.00

SYSTEM FEE SCHEDULE

The following fees do not include the permit issuance fee but shall be based on all wiring and electrical equipment in or on each structure or other electrical equipment on the same premises constructed at the same time.

Private swimming pools:

For new private, residential, in-ground swimming pools for single-family and multi-family occupancies including a complete system of necessary branch circuit wiring, bonding, grounding, underwater lighting, water pumping and other similar electrical equipment directly related to the operation of a swimming pool.

Total \$50.00

Carnivals, circuses, or other traveling shows or exhibitions utilizing transportable-type rides, booths, displays and attractions:

For each electric generator and electrically driven ride \$100.00

For each mechanically driven ride and walk through attraction or display having electric lighting4.50

For each system of area and booth lighting4.50

For permanently installed rides, booths, displays and attractions, the fees shall be determined under the unit fee schedule below.

Temporary power service:

For each temporary service power pole or pedestal including all pole or pedestal-mounted receptacle outlets and appurtenances \$35.00

For each temporary distribution system and temporary lighting and receptacle outlets for construction sites, Christmas tree sales lots, firework stands, etc. 35.00

UNIT FEE SCHEDULE

For pole or platform-mounted lighting fixtures, each 10.00
For theatrical-type lighting fixtures or assemblies, each 10.00

Residential appliances:

Each special circuit 220 volt, 50 amp and above3.00

For other types of air conditioners and other motor-driven appliances having larger electrical ratings, the fees shall be the same as the fees for power apparatus below.

Power apparatus:

For motors, generators, transformers, rectifiers, synchronous converters, capacitors, industrial heating, air conditioners and heat pumps, cooking or baking equipment and other apparatus, the fees shall be as follows:

Rating in horsepower (HP), kilowatts (KW), kilovolt-amperes (KVA) or kilovolt-amperes reactive (KVAR):

Up to and including 5, each\$ 35.00
Over 5 and not over 10, each 35.00
Over 10 and not over 50, each 50.00
Over 50 and not over 100, each 75.00
Over 100, each 100.00

1. For equipment or appliances having more than one (1) motor, transformer, heater, etc., the sum of the combined ratings shall be used.
2. These fees include all switches, circuit breakers, conductors, thermostats, relays and other directly related control equipment.

Busways:

For trolley and plug-in-type busways, first 200 feet minimum fee in the amount of \$100.00; each additional 100 feet or fraction thereof (per 100 feet)\$4.50

Signs, outline lighting and marquees:

For each sign, outline lighting system or marquee supplied from one branch circuit\$ 35.00

Services:

For each service of 600 volts or less and not over 200 amperes in rating\$75.00

For each service of 600 volts or less and over 400 amperes to 1000 amperes in rating\$100.00

For each service over 600 volts or over 1000 amperes in rating\$200.00

Elevators 75.00

Other inspections and fees:

After hours inspections.....\$200.00.....\$75.00 per hour thereafter

SECTION 2. That Chapter 9, Buildings and Building Regulations, Article IV, Electricity, of the Midwest City Code, is hereby amended by amending Section 9-99. – Inspections as follows:

- (a) All electrical systems and equipment for which a permit is required by this code shall be subject to inspection by the city. The electrical system shall remain accessible and exposed for inspection purposes until approved by the city.

It shall be the duty of the permit holder to cause the electrical system to remain accessible and exposed for inspection purposes. Neither the city nor any of its employees shall be liable for the expense entailed in the removal or replacement of any material required to allow inspection. When the installation of an electrical system and equipment is complete, an additional and final inspection shall be made. Electrical systems and equipment regulated by this code shall not be connected to the energy source until authorized by the city.

Any approval by the city or any of its employees shall not be construed to be an approval of any violation of the provisions of this code or any other laws. Inspections presuming to give authority to violate or cancel provisions of this code or of other ordinances of the city shall not be valid.

- (b) It shall be the duty of the electrical contractor doing the work authorized by a permit to notify the city that such work is ready for inspection. The city may require that every request for inspection be transmitted to the city at least one (1) working day before such inspection is desired. Such request may be verbal or by any electronic means. It shall be the duty of the electrical contractor requesting the inspection required by this code to provide access to and means for inspection of the work.
- (c) The requirements of this section shall not be construed to prohibit the operation of any electrical system or equipment installed to replace existing equipment.
- (d) In addition to the inspections required by this code, the city may make or require other inspections of any work to ascertain compliance with the provisions of this code and other building codes that are enforced by the city.
- (e) A re-inspection fee of \$50.00 shall be assessed for each inspection when such portion of work for which inspection is requested is not complete or when corrections called for are not made by contractors and/or homeowners. All subsequent reinspections shall be assessed a fee of \$100.00
- (f) When any portion or all of the wiring in or on any structure or premises is ordered changed for any reason, the electrical inspector shall leave attached to the main switch or service equipment a tag or label showing the date of the order, a memorandum of the correction to be made and the signature of the authority making the order.
- (g) Except as otherwise provided, inspections shall be requested only by the electrical contractor or by his authorized representatives. Each electrical contractor shall notify the city of each representative authorized to act on behalf of that electrical contractor.
- (h) After inspecting any electric wiring, the electrical inspector shall leave notice in the form of a tag or label attached to the service entrance switch or branch cabinet. The notice shall clearly state whether the wiring is approved or is to be kept open for correction, and no person shall seal or in any manner conceal any electric wiring until such wiring has been approved. If, in any case, the wiring is in such a position as to interfere with the completion of the structure as called for by the plans, the electrical contractor must be notified to correct it. Proper conveniences such as ladders must be provided by the electrical contractor on work to be inspected. In all cases, on completion of the rough-in job, a final rough-in inspection must be requested.
- (i) The rough-in of each job shall include the installation of main and branch cabinets and the installation of all boxes and transformers. All rough-in wiring shall be made up, with approved wire connectors and wiring completed. From each active outlet box, one (1) pair of wires not less than eight (8) inches long shall be left for the fixture connection.
- (j) Temporary electric service inspections shall be permitted for any and all new installation for the purpose of construction and safety to personnel and equipment, and to prevent water lines from freezing in cold weather. Outlets will be limited to two (2) 110V and one (1) 220V, and all necessary central heating unit(s).

(Ord. No. 2927, § 1, 8-10-04; Ord. No. 2994, § 3, 10-10-06)

SECTION 3. That Chapter 9, Buildings and Building Regulations, Article IV, Electricity, of the Midwest City Code, is hereby amended by amending Section 9-122. - Licensing fees and requirements as follows:

- (a) There is hereby levied licensing fees for the electrical trade as follows:

	Registration First Year	Registration Renewal
Unlimited Electrical Contractor	\$300.00	\$100.00
Unlimited Journeyman	30.00	20.00

- (b) It shall be unlawful for any person to engage in the trade or otherwise act as an unlimited electrical contractor, unlimited journeyman electrician or apprentice within the city without first having been qualified and licensed as such by the State of Oklahoma. It shall also be unlawful for any person to engage in the electrical trade or otherwise act as any type of electrical contractor or journeyman within the city without first having been licensed by the city. The city shall issue an unlimited journeyman or unlimited contractor license to any person, upon proper application, and payment of fees, who presents a valid unlimited electrician license and proper identification at the time of application for the same license period issued by the State of Oklahoma.
- (c) All city electrical trade licenses shall be for one (1) year but all such city licenses shall expire on the thirtieth day of June after they are issued, unless sooner revoked. Renewals shall be secured on or before the first day of July each year, to be in effect from July 1 through June 30 of the following year. Registrations not renewed by the fifteenth day of August shall be assessed the fee for a new license (\$300.00 for contractors and \$30.00 for journeymen).

(Ord. No. 2927, § 1, 8-10-04; Ord. No. 2994, § 7, 10-10-06; Ord. No. 3072, § 2, 11-25-08)

SECTION 4. That Chapter 9, Buildings and Building Regulations, Article V, Mechanical Systems, of the Midwest City Code, is hereby amended by amending Section 9-206. - Permit fees as follows:

Before a permit is issued for any refrigeration system or air conditioning or forced air heating system, fees shall be paid to the development services department in accordance with the following schedule:

IN ADDITION:

1. For the installation or relocation of each forced air or gravity type furnace or burner, including ducts and vents attached to such appliance, up to and including 160,000 BTU/H\$ 35.00
2. For the installation or relocation of each forced air or gravity type furnace or burner, including ducts and vents attached to such appliance, over 160,000 BTU/H 40.00
3. For the installation of self-contained packaged units
0—5 tons 25.006—15 tons 50.0016+ tons 75.00
4. 5. For the installation or relocation of each suspended heater, recessed wall heater or floor mounted unit heater 35.00
6. 7. For replacement of, alteration of, or addition to each heating appliance, refrigeration unit, cooling unit, absorption unit, or each heating, cooling, absorption, or evaporative cooling system, including installation of controls, regulated by this code 35.008. For the installation or relocation of each boiler or condensing unit to and including five horsepower, or each absorption system to and including 100,000 BTU/H50.00

9. For the installation or relocation of each boiler or condensing unit over six horsepower and up to and including 15 horsepower, or each absorption system over 100,000 BTU/H and up to and including 500,000 BTU/H 75.0010. For the installation or relocation of each boiler or condensing unit over 15 horsepower and up to and including 30 horsepower, or each absorption system over 500,000 BTU/H and up to and including 1,000,000 BTU/H 100.0011. For the installation or relocation of each boiler or condensing unit over 30 horsepower up to and including 50 horsepower, or for each absorption system over 1,000,000 BTU/H to and including 1,750,000 BTU/H 125.0012. For the installation or relocation of each boiler or refrigeration compressor over 50 horsepower, or each absorption system over 1,750,000 BTU/H 150.0013.
For each air-handling unit up to and including 2000 cubic feet per minute, including ducts attached thereto 75.00

NOTE: This fee shall not apply to an air handling unit which is a portion of a factory assembled appliance, cooling unit, evaporative cooler or absorption unit for which a permit is required elsewhere

14. For each air-handling unit over 2000 cfm 50.00
15. For each evaporative cooler other than portable type 35.0016. For each ventilation fan connected to a single duct 35.0017. For each ventilation system which is not a portion of any heating or air conditioning system authorized by a permit 35.00
18. For the installation of each commercial kitchen hood which is served by mechanical exhaust, including the ducts for such hood 75.0019. For the installation or relocation of each domestic type incinerator 50.00
20. For the installation or relocation of each commercial or industrial type incinerator 75.00
21. For each appliance or piece of equipment regulated by this code but not classed in other appliance categories, or for which no other fee is listed in this code 35.0022. For each gas piping system..... 35.00
Outlets for each gas piping system each...5.00

23. Duct installation only.....\$ 35.00 or .04 sq. ft. whichever is greater. OTHER INSPECTIONS AND FEES:

1. Inspection outside of normal business hours (minimum charge—two (2) hours), per hour\$ \$200.00
2. \$75.00 per hour thereafter
3. Additional plan review required by changes, additions or revisions to approved plans (minimum charge—one-half (½) hour), per hour30.00
4. Each reinspection trip to an address10.00

(Ord. No. 2642, § 8, 5-28-96)

SECTION 5. That Chapter 9, Buildings and Building Regulations, Article V, Mechanical Systems, of the Midwest City Code, is hereby amended by amending Section 9-211. – Inspections;approval as follows:

- (a) When an original rough-in installation of an air conditioning or heating or refrigeration system is completed on any premises, the permit-holding contractor shall notify the inspector that the work is ready for inspection. When an air conditioning or refrigeration or forced air heating system alteration for which a permit is required under the terms of this article is completed on any premises, the permit-holding contractor shall notify the inspector that the work is ready for inspection. Either in the case of an original installation or in case of an alteration, the permit-holding contractor shall be permitted to immediately place the system in operation, unless a pressure test is required under the terms of this article or other ordinances.
- (b) The inspector shall make an inspection of the alteration or installation within twenty four (24) hours from the time of notification. If the installation or alteration to the air

conditioning or refrigeration or forced air heating system has been done in accordance with the terms and provisions of this article and amendments thereto, the inspector shall post an inspection chart at or near the same, noting thereon the date and approval of the work, together with his signature. If the installation or alteration of the system is found to be faulty, incorrect or defectively installed, the inspector shall notify the permit-holding contractor who installed the work, advising him of the changes necessary to be made in order that the same may conform to this article.

(c) The fees required for the making of the required inspection by the development services department unless the inspector is required to make another or an additional inspection of the installation necessitating another trip in which event the applicant shall be assessed A \$50.00 reinspection fee. All subsequent reinspections shall be assessed a \$100.00 fee.

SECTION 6. That Chapter 9, Buildings and Building Regulations, Article V, Mechanical Systems, of the Midwest City Code, is hereby amended by amending Section 9-226. – Registration fees as follows:

There is hereby levied a schedule of registration fees for the mechanical trade to be as follows:

	Registration First Year	Registration Renewal
Unlimited Mechanical Contractor	\$170.00	\$75.00
Limited Mechanical Contractor	\$150.00	65.00
Mechanical Journeyman	10.00	5.00

A registration may be applied for and secured at any time during the year, but in no event shall the fee for such registration be less than for a full year. All registrations, including building maintenance engineer's licenses, shall be for one (1) year and shall expire on the thirtieth day of June after the same are issued, unless sooner revoked. Renewals shall be secured on or before the first day of July of each year to be in effect for the ensuing registration year. Registrations not renewed by the fifteenth day of August shall be assessed the fee for a new license). The registration year shall coincide with the state license period which is July 1st to June 30.

(Ord. No. 2642, § 8, 5-28-96; Ord. No. 2654, § 2, 9-10-96)

SECTION 7. That Chapter 9, Buildings and Building Regulations, Article VI, Plumbing, of the Midwest City Code, is hereby amended by amending Section 9-308. – Permit fees as follows:

Before a permit is issued for any plumbing system or work, fees shall be paid to the development services department in accordance with the following schedule;

For the issuance of each plumbing permit\$ \$35.00 or \$0.04 per square foot, whichever is greater

IN ADDITION:

- (1)
- (2) For each building sewer and each trailer park sewer\$35.00
- (3) Rainwater systems—per drain 10.00
(inside building)

- (4) For each cesspool 100.00
- (5) For each private sewage disposal system 100.00(6) For each water heater and/or vent (includes gas)\$35.00
- (7) For each gas piping system.....\$35.00
- (8) For each gas piping system outlet 5.00
- (9) For each industrial waste pre-treatment interceptor, including its trap and vent, excepting kitchen type grease interceptors functioning as fixture traps\$50.00
- (10)For installation, alteration or repair of water piping and/or water treating equipment\$35.00
- (11) (12) For each lawn sprinkler system or any one (1) meter, including backflow protection devices therefor\$35.00
- (13)For vacuum breakers or backflow protective devices on tanks, vats, etc., or for installation on unprotected plumbing fixtures, including necessary water piping—one (1) to four (4) 10.00 ea(14) Five (5) or more, each 5.00 (15) Oil/Sand separator.... \$50.00
- (16) Commercial Grease Interceptor....50.00

OTHER INSPECTIONS AND FEES:

- (1) Inspections outside of normal business hours per hour\$ 200.00
(minimum charge—two (2) hours)
- (2) \$75.00 per hour thereafter
- (3) Additional plan review required for changes, additions or revisions to approved plans per hour30.00
(minimum charge—one-half (1/2) hour)
- (4) Each reinspection trip to an address10.00

(Ord. No. 2642, § 9, 5-28-96)

SECTION 8. That Chapter 9, Buildings and Building Regulations, Article VI, Plumbing, of the Midwest City Code, is hereby amended by amending Section 9-314. – Reinspection as follows:

The fees required for the making of the required inspection by the development services department unless the inspector is required to make another or an additional inspection of the installation necessitating another trip in which event the applicant shall be assessed A \$50.00 reinspection fee. All subsequent reinspections shall be assessed a \$100.00 fee.

(Ord. No. 2642, § 9, 5-28-96)

SECTION 9. That Chapter 9, Buildings and Building Regulations, Article VI, Plumbing, of the Midwest City Code, is hereby amended by amending Section 9-342. – Registration issuance; fees as follows:

- (a) Application; issuance. The development services department shall, upon proper application and payment of fees, issue a journeyman or contractor registration to any person who has a valid plumbing license for the same license period issued by the State of Oklahoma.
- (b) Registration fees. There is hereby levied a schedule of registration fees for the plumbing trade to be as follows:

	Registration First Year	Registration Renewal
Plumbing Contractor	\$300.00	\$50.00

Journeyman	5.00	5.00
Plumbing Maintenance Engineer	5.00	5.00

A registration may be applied for and secured at any time during the year, but in no event shall the fee for such registration be less than for a full year.

(Ord. No. 2642, § 8, 5-28-96; Ord. No. 2654, § 3, 9-10-96)

SECTION 10. That Chapter 9, Buildings and Building Regulations, Article VI, Plumbing, of the Midwest City Code, is hereby amended by amending Section 9-343. - Registration terms; renewal; delinquency penalty as follows:

All registrations, including building maintenance engineer's licenses, shall be for one (1) year and shall expire on the thirtieth day of June after the same are issued, unless sooner revoked. Renewals shall be secured on or before the first day of July of each year to be in effect for the ensuing registration year. Registrations not renewed by the fifteenth day of August shall be assessed the fee for a new license (\$300.00 for contractors and \$5.00 for journeymen). The registration year shall coincide with the state license period which is July 1st to June 30.

(Ord. No. 2642, § 9, 5-28-96)

PASSED AND APPROVED by the Mayor and Council of the City of Midwest City, Oklahoma, on the ____ day of _____, 2016.

THE CITY OF MIDWEST CITY, OKLAHOMA

JAY DEE COLLINS., Mayor

ATTEST:

RHONDA ATKINS, City Clerk

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

KATHERINE BOLLES, City Attorney



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: January 12, 2016

Subject: Discussion and consideration of an ordinance amending Appendix A, Zoning Regulations, of the Midwest City Code, by amending Section 5.2.3, Fencing and Screening; and providing for repealer and severability.

Dates of Hearing: Planning Commission – December 1, 2015
Planning Commission – January 5, 2016
Further Information – December 8, 2015
City Council Discussion – January 12, 2016

This ordinance is intended to clarify the requirements for screening fences in residential areas, specifically fences located beyond the front and side building lines as well as appropriate fence material. This ordinance adds requirements for fence material in commercial and industrial zoning districts.

This proposed ordinance has been updated based on input from the Planning Commissioners and City Councilpersons during their regularly scheduled December 2015 meetings.

Staff recommends approval.

Billy Harless, AICP
Community Development Director

KG

AN ORDINANCE AMENDING APPENDIX A, ZONING REGULATIONS, OF THE MIDWEST CITY CODE, BY AMENDING SECTION 5.2.3, FENCING AND SCREENING; AND PROVIDING FOR REPEALER AND SEVERABILITY.

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

ORDINANCE

SECTION 1. That Appendix A, Zoning Regulations, of the Midwest City Code, is hereby amended by amending Section 5.2.3, ~~Residential~~ Fencing and Screening, to read as follows:

5.2.3. Fencing and Screening.

Residential fences and walls may be erected in residential districts under the following provisions and regulations. A permit must first be obtained from the city before any residential fence is constructed.

(A) Fencing and screening requirements for medium and high density residential districts with multifamily uses. Only properties zoned 2.9 R-MD, Medium Density Residential District and 2.10 R-HD, High Density Residential District are permitted to have fences and walls beyond or in front of the front building line. The properties must be developed with 4.2.4., Multifamily Residential. A fence may then be constructed to the front property line.

(1) All fencing extending beyond or in front of a front building line or extending to a side building line abutting a dedicated public street shall be wrought iron or wrought iron-like to allow visibility into the complex by a person standing on ground level or sitting in a vehicle.

a. Wrought iron or wrought iron-like fences shall be constructed so as to eliminate the possibility of a child becoming trapped between the wrought iron rails and shall not have any sharp points on top of or on any other portion of the fences that may cause bodily harm.

b. Wrought iron or wrought iron-like fences may be installed with or without masonry pillars.

c. If security gates are installed, provisions shall be made for emergency vehicle access such as: (1) security gate guard manning the gate whenever the gate is closed or (2) an emergency system designed to allow entrance by emergency vehicles. Security gates must be approved by the city prior to installation. Provision shall be made for sanitation pick-up and water meter reading by the city if gates are to be installed that would not be manned by a twenty-four-hour security gate guard.

d. If a gate is installed, the gate shall be located a distance of no less than fifty (50) feet from the back of the curb of the public street to the front of the gate so as to allow a minimum of three (3) automobiles to be located completely off the public street.

(B) Fencing and screening requirements for two-Family and single-family residential districts.

(1) Fencing and screening Fencing and screening, including hedges, are prohibited from extending into the street right-of-way.

(2) Fences extending past front or side building lines including ornamental fences. Except as authorized in 5.2.3.(A), Fencing and screening requirements for medium and high density residential districts with multifamily uses, properties are permitted to have ornamental fences up to four (4) feet in height located, placed, or erected to the front and side property lines of the residence. Such fences shall meet the following provisions and regulations:

(a) Maximum of four (4) feet in height as measured from the ground level;

(b) A minimum of fifty (50) percent of the total fence area must be open to allow visibility into the front or side yard (i.e. chain-link or picket fence);

- (c) Any fence in front of the front or side building line in excess of four (4) feet must be approved, prior to its installation, by the Board of Adjustment pursuant to 7.8.2.(G), Provide for fencing in front of front and side setback building lines.
- (3) ~~Fence material. No fence shall be constructed of metal, plastic or plywood sheets.~~ Fencing material must be kept in an attractive state, in good repair, and in safe and sanitary condition at all times by the property owner. ~~Stockade (i.e. wood) posts are prohibited.~~
- (a) Approved fence materials in two-family and single-family districts include wood, vinyl, wrought iron, brick/stone and chain-link.
- (b) Prohibited fence materials in two-family and single-family districts include sheet metal, plastic or plywood. Stockade (i.e. wood) posts are prohibited. Only the caps of posts or poles may extend past the top of the fence line.
- (4) Rear yard height limitation. In rear yards the height limitation shall be eight (8) feet from ground level.
- (5) Sight triangle. No fence, wall, or hedge or any portion thereof shall be located in the sight triangle in accordance with 5.6.3., Sight Lines at Intersections.
- (6) Surface drainage. No fence or wall shall be constructed in such a manner as to impede the normal flow of surface drainage.
- (7) Safety. On lots smaller than one (1) acre, no electrified fence or wall or any fence containing barbed wire or other substances reasonably capable of causing bodily harm shall be permitted.
- (8) Permit fee. Refer to the adopted Zoning Ordinance Fee Schedule for fees.
- (9) Construction prior to occupancy. Where a fence is constructed on a property within any zoning district prior to occupancy, no use or conversion of use shall be made of the property until the owner or occupant has met the requirements of this Code.

(C) Fencing and screening requirements for all Commercial and Industrial districts.

- (1) Fencing and screening are prohibited from extending into the street right-of-way.
- (2) Surface drainage. No fence or wall shall be constructed in such a manner as to impede the normal flow of surface drainage.
- (3) Fence material. Fencing material must be kept in an attractive state, in good repair, and in safe and sanitary condition at all times by the property owner. (a) Approved fencing and screening materials for the O-1, O-2, C-1, C-2 and C-3 zoning districts include: wood, wrought iron, vinyl and brick/stone.
- (b) Prohibited fencing and screening materials for the O-1, O-2, C-1, C-2 and C-3 zoning districts include: sheet metal, plastic or plywood sheets. Stockade (i.e. wood) posts are prohibited. Only the caps of posts or poles may extend past the top of the fence line.
- (c) Approved fencing and screening materials for the C-4, I-1, I-2 and I-3 zoning districts include wood, wrought iron, vinyl, brick/stone and ribbed steel panel fencing that meets the following standards:
- (1) Ribbed sheet panels shall have the following dimensions: Rib depth of one to one and one-half inches by a width of two and one-half to three and one-half inches with six to 12 inches between rib centers.
- (2) Ribbed steel panels must be properly primed and coated with a factory thermal set silicone polyester base finish.
- (3) The tops of ribbed steel panels must be capped and level following the the lay of the land.
- (4) Poles must not extend past the top of the ribbed sheet panels.
- (4) The requirements for ribbed steel panel fencing must be presented with a fence permit application.
- (4) Permit Fee. The fee for a fence permit in all office, commercial and industrial zoning districts shall be \$35.00.
- (5) Construction prior to occupancy. Where a fence is constructed on a property within any zoning district prior to occupancy, no use or conversion of use shall be made of the property until the owner or occupant has met the requirements of this Code.
- (6) Sight triangle. No fence, wall or hedge or any portion thereof shall be located in the sight triangle in accordance with 5.6.3., Sight Lines at Intersections.

(7) Rear yard height limitation. In rear yards the height limitation shall be eight (8) feet from ground level.

SECTION 2. REPEALER. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3. SEVERABILITY. If any section, sentence, clause or portion of this ordinance is for any reason held to be invalid or unconstitutional, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of this ordinance.

PASSED AND APPROVED by the Mayor and Council of the City of Midwest City, Oklahoma, on the _____ day of _____, 2016.

THE CITY OF MIDWEST CITY, OKLAHOMA

JAY DEE COLLINS., Mayor

ATTEST:

RHONDA ATKINS, City Clerk

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

KATHERINE BOLLES, City Attorney

AN ORDINANCE AMENDING APPENDIX A, ZONING REGULATIONS, OF THE MIDWEST CITY CODE, BY AMENDING SECTION 5.2.3, FENCING AND SCREENING; AND PROVIDING FOR REPEALER AND SEVERABILITY.

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

ORDINANCE

SECTION 1. That Appendix A, Zoning Regulations, of the Midwest City Code, is hereby amended by amending Section 5.2.3, Fencing and Screening, to read as follows:

5.2.3. Fencing and Screening.

Residential fences and walls may be erected in residential districts under the following provisions and regulations. A permit must first be obtained from the city before any residential fence is constructed.

(A) Fencing and screening requirements for medium and high density residential districts with multifamily uses. Only properties zoned 2.9 R-MD, Medium Density Residential District and 2.10 R-HD, High Density Residential District are permitted to have fences and walls beyond or in front of the front building line. The properties must be developed with 4.2.4., Multifamily Residential. A fence may then be constructed to the front property line.

(1) All fencing extending beyond or in front of a front building line or extending to a side building line abutting a dedicated public street shall be wrought iron or wrought iron-like to allow visibility into the complex by a person standing on ground level or sitting in a vehicle.

a. Wrought iron or wrought iron-like fences shall be constructed so as to eliminate the possibility of a child becoming trapped between the wrought iron rails and shall not have any sharp points on top of or on any other portion of the fences that may cause bodily harm.

b. Wrought iron or wrought iron-like fences may be installed with or without masonry pillars.

c. If security gates are installed, provisions shall be made for emergency vehicle access such as: (1) security gate guard manning the gate whenever the gate is closed or (2) an emergency system designed to allow entrance by emergency vehicles. Security gates must be approved by the city prior to installation. Provision shall be made for sanitation pick-up and water meter reading by the city if gates are to be installed that would not be manned by a twenty-four-hour security gate guard.

d. If a gate is installed, the gate shall be located a distance of no less than fifty (50) feet from the back of the curb of the public street to the front of the gate so as to allow a minimum of three (3) automobiles to be located completely off the public street.

(B) Fencing and screening requirements for two-Family and single-family residential districts.

(1) Fencing and screening Fencing and screening, including hedges, are prohibited from extending into the street right-of-way.

(2) Fences extending past front or side building lines including ornamental fences. Except as authorized in 5.2.3.(A), Fencing and screening requirements for medium and high density residential districts with multifamily uses, properties are permitted to have ornamental fences up to four (4) feet in height located, placed, or erected to the front and side property lines of the residence. Such fences shall meet the following provisions and regulations:

(a) Maximum of four (4) feet in height as measured from the ground level;

(b) A minimum of fifty (50) percent of the total fence area must be open to allow visibility into the front or side yard (i.e. chain-link or picket fence);

- (c) Any fence in front of the front or side building line in excess of four (4) feet must be approved, prior to its installation, by the Board of Adjustment pursuant to 7.8.2.(G), Provide for fencing in front of front and side setback building lines.
- (3) Fence material. Fencing material must be kept in an attractive state, in good repair, and in safe and sanitary condition at all times by the property owner.
 - (a) Approved fence materials in two-family and single-family districts include wood, vinyl, wrought iron, brick/stone and chain-link.
 - (b) Prohibited fence materials in two-family and single-family districts include sheet metal, plastic or plywood. Stockade (i.e. wood) posts are prohibited. Only the caps of posts or poles may extend past the top of the fence line.
 - (4) Rear yard height limitation. In rear yards the height limitation shall be eight (8) feet from ground level.
 - (5) Sight triangle. No fence, wall, or hedge or any portion thereof shall be located in the sight triangle in accordance with 5.6.3., Sight Lines at Intersections.
 - (6) Surface drainage. No fence or wall shall be constructed in such a manner as to impede the normal flow of surface drainage.
 - (7) Safety. On lots smaller than one (1) acre, no electrified fence or wall or any fence containing barbed wire or other substances reasonably capable of causing bodily harm shall be permitted.
 - (8) Permit fee. Refer to the adopted Zoning Ordinance Fee Schedule for fees.
 - (9) Construction prior to occupancy. Where a fence is constructed on a property within any zoning district prior to occupancy, no use or conversion of use shall be made of the property until the owner or occupant has met the requirements of this Code.
- (C) Fencing and screening requirements for all Commercial and Industrial districts.
- (1) Fencing and screening are prohibited from extending into the street right-of-way.
 - (2) Surface drainage. No fence or wall shall be constructed in such a manner as to impede the normal flow of surface drainage.
 - (3) Fence material. Fencing material must be kept in an attractive state, in good repair, and in safe and sanitary condition at all times by the property owner.
 - (a) Approved fencing and screening materials for the O-1, O-2, C-1, C-2 and C-3 zoning districts include: wood, wrought iron, vinyl and brick/stone.
 - (b) Prohibited fencing and screening materials for the O-1, O-2, C-1, C-2 and C-3 zoning districts include: sheet metal, plastic or plywood sheets. Stockade (i.e. wood) posts are prohibited. Only the caps of posts or poles may extend past the top of the fence line.
 - (c) Approved fencing and screening materials for the C-4, I-1, I-2 and I-3 zoning districts include wood, wrought iron, vinyl, brick/stone and ribbed steel panel fencing that meets the following standards:
 - (1) Ribbed sheet panels shall have the following dimensions: Rib depth of one to one and one-half inches by a width of two and one-half to three and one-half inches with six to 12 inches between rib centers.
 - (2) Ribbed steel panels must be properly primed and coated with a factory thermal set silicone polyester base finish.
 - (3) The tops of ribbed steel panels must be capped and level following the the lay of the land.
 - (4) Poles must not extend past the top of the ribbed sheet panels.
 - (4) The requirements for ribbed steel panel fencing must be presented with a fence permit application.
 - (4) Permit Fee. The fee for a fence permit in all office, commercial and industrial zoning districts shall be \$35.00.
 - (5) Construction prior to occupancy. Where a fence is constructed on a property within any zoning district prior to occupancy, no use or conversion of use shall be made of the property until the owner or occupant has met the requirements of this Code.
 - (6) Sight triangle. No fence, wall or hedge or any portion thereof shall be located in the sight triangle in accordance with 5.6.3., Sight Lines at Intersections.
 - (7) Rear yard height limitation. In rear yards the height limitation shall be eight (8) feet from ground level.

SECTION 2. REPEALER. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3. SEVERABILITY. If any section, sentence, clause or portion of this ordinance is for any reason held to be invalid or unconstitutional, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of this ordinance.

PASSED AND APPROVED by the Mayor and Council of the City of Midwest City, Oklahoma, on the _____ day of _____, 2016.

THE CITY OF MIDWEST CITY, OKLAHOMA

JAY DEE COLLINS., Mayor

ATTEST:

RHONDA ATKINS, City Clerk

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

KATHERINE BOLLES, City Attorney



The City of
MIDWEST CITY
COMMUNITY DEVELOPMENT DEPARTMENT -
ENGINEERING DIVISION

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 Council

From: Billy Harless, Community Development Director

Date: January 12, 2016

Subject: Discussion and consideration of approving and passing an ordinance amending Chapter 9, Buildings and Building Regulations, of the Midwest City Code by amending Article III, Building Code, Section 9-34, Code amended, Subsection 108.5, Lot Inspections Required With the Issuance of a Building Permit, Subsection 110.1, Demolition Permit, Subsection 112.0, Permit Fees; and providing for repealer and severability.

Staff recommends approval of the following attached revisions.

Billy Harless, AICP
Director

Attachments

AN ORDINANCE AMENDING CHAPTER 9, BUILDINGS AND BUILDING REGULATIONS, OF THE MIDWEST CITY CODE; BY AMENDING ARTICLE III, BUILDING CODE, SECTION 9-34, CODE AMENDED, SUBSECTIONS 108.5, LOT INSPECTIONS REQUIRED WITH THE ISSUANCE OF A BUILDING PERMIT, SUBSECTION 110.1, DEMOLITION PERMIT, SUBSECTION 112.0, PERMIT FEES; AND PROVIDING FOR REPEALER AND SEVERABILITY.

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

ORDINANCE

SECTION 1. That Chapter 9, Buildings and Building Regulations, Article III, Building Code, of the Midwest City Code, is hereby amended by amending Section 9-34. – Code Amended, Subsection 108.5(b) as follows:

108.5 Approved plans.

(a) The building official or an assistant shall review and consider for endorsement sets of approved plans with any corrections. For commercial construction, sets of such approved plans shall be retained by the building official and fire marshal. A set of such approved plans shall be kept at the building site, open to inspection of the building official or an authorized representative at all reasonable times. All plans shall comply with this code. The building official shall retain the plot plans for one- and two-family dwellings only.

(b) Lot inspections required with the issuance of building permit.

As one of the requirements for the issuance of a building permit, an applicant applying for said building permit on new structures shall be required to have an on-site meeting with a representative of the City engineering department. The applicant and city official will discuss the drainage plan for the subject lot and what improvements will be needed to meet the requirements of the drainage plan, such as the installation of a retaining wall or any needed drainage improvements. A fifty dollar (\$50.00) fee will be accessed for each site inspection. Failure to attend the scheduled on site meeting will result in standard reinspection fees of \$50.00 for the first and \$100.00 for each one after the initial reinspection.

SECTION 2. That Chapter 9, Buildings and Building Regulations, Article III, Building Code, of the Midwest City Code, is hereby amended by amending Section 9-34. – Code Amended, Subsection 110.1, Demolition permit, as follows:

110.1 Demolition permit. A permit is required for the demolition of any building in excess of one hundred twenty (120) square feet. For residential demolition, the project shall commence within ten (10) days of issuance of permit and shall be completed and cleaned up within the next twenty (20) calendar days. For all other structures/buildings, the project shall commence within ten (10) days of issuance of permit and shall be completed and cleaned up within the next forty-five (45) calendar days. Extensions may be granted by the building official upon written request. The demolition permit fee shall be ~~twenty five dollars (\$25.00)~~ one hundred dollars (\$100.00) per structure, unless the city council or its designated representative recommends or requests the demolition. Then the city shall set the permit fee.

SECTION 3. That Chapter 9, Buildings and Building Regulations, Article III, Building Code, of the Midwest City Code, is hereby amended by amending Section 9-34. – Code Amended, Subsection 112.0, Permit fees, as follows:

(a) No permit as required by this Code shall be issued until the fee prescribed in this Article shall have been paid to the development services department; nor shall an amendment to a permit be approved until the additional fee, if any, due to an increase in the estimated cost of a building or structure, shall have been paid.

(b) For a permit for construction, alteration, or installation of a building or structure, the fee shall be at the rate of:

- 1) New residential; additions.
 - (A) New residence: Five cents (\$0.05) per square foot for new residence.
 - (B) Residential additions: Five cents (\$0.05) per square foot with a minimum fee of fifty dollars (\$50.00) for a residential addition.
 - (C) Capital improvement fee: The fee shall be thirteen cents (\$0.13) per square foot for the capital improvement fee for (A) and (B) above.
 - (D) Sidewalk fee: The fee shall be two cents (\$0.02) per square foot for sidewalk fee for (A) and (B) above.

(c) Accessory buildings, carports, retaining walls and fences: The fee for carports and fences shall be ~~twenty dollars (\$20.00)~~ thirty dollars (\$30.00). The fee for retaining walls shall be ~~twenty five dollars (\$25.00)~~ thirty five dollars (\$35.00). The fee for accessory buildings of two hundred and fifty (250) square feet or less in area shall be ~~twenty dollars (\$20.00)~~ fifty dollars (\$50.00) and for accessory building greater than two hundred and fifty (250) square feet in area but less than ten thousand (10,000) square feet in area shall be five cents (\$0.05) per square foot plus the thirteen cents (\$0.13) per square foot for the capital improvements fee plus two cents (\$0.02) per square foot for the sidewalk fee. The fee for accessory buildings more than ten thousand (10,000) square feet in area shall be two cents (\$0.02) per square foot plus thirteen (\$0.13) per square foot for the capital improvement fee plus two cents (\$0.02) per square foot for the sidewalk fee.

(d) All permit fees associated with the replacement of accessory buildings set out in Subsection (c) above are hereby waived if said original accessory building was destroyed or damaged beyond repair by an act of God. The following conditions are precedent to the granting of the waiver: the replacement accessory building is identical in size to the original accessory building being replaced; the replacement accessory building is to be located upon the lot where the original accessory building was located; and the original accessory building was permitted. In every case, an application for permit shall be required and the applicant is to comply with all other regulations relative to accessory buildings.

(e) Residential remodeling: A permit for remodeling is required when the remodeling involves repairs as defined in section 9-1. The fee for a residential remodeling permit shall be three dollars (\$3.00) per one thousand dollars (\$1,000.00) of the estimated cost of the remodel based upon the fair market value of labor and materials, with a minimum fee of twenty-five dollars (\$25.00). In addition, a capital improvement fee shall be assessed at a rate of thirteen dollars (\$13.00) per ten thousand dollars (\$10,000.00) of the estimated cost plus a sidewalk fee shall be assessed at a rate of one dollar (\$1.00) per ten thousand dollars (\$10,000) of the estimated cost.

(f) Commercial remodeling: A permit for remodeling is required when the remodeling involves repairs as defined in section 9-1. The fee for a commercial remodeling permit shall be four dollars (\$4.00) per one thousand dollars (\$1,000.00) of the estimated cost of the remodel; based upon the fair market value of labor and materials, with a minimum fee of fifty dollars (\$50.00). In addition, a capital improvements fee shall be assessed at a rate of thirteen dollars (\$13.00) per ten thousand dollars (\$10,000.00) of the estimated cost plus a sidewalk fee shall be assessed at a rate of one dollar (\$1.00) per ten thousand dollars (\$10,000) of the estimated cost.

(g) Conversion from residential to commercial uses: Upon approval of such conversion, a permit shall be required. The fee for conversion from residential to commercial uses permit shall be four dollars (\$4.00) per one thousand dollars (\$1,000.00) of the estimated cost of the remodel, based upon the fair market value of labor and materials, with a minimum fee of fifty dollars (\$50.00). In addition, a capital improvements fee shall be assessed at a rate of thirteen dollars (\$13.00) per ten thousand dollars (\$10,000.00) of the estimated cost plus a sidewalk fee shall be assessed at a rate of one dollar (\$1.00) per ten thousand dollars (\$10,000) of the estimated cost.

(h) New commercial: The fee for a new commercial building shall be four cents (\$0.04) per square foot for the first ten thousand (10,000) square feet of floor area and two cents (\$0.02) per square foot for the area in excess of ten thousand (10,000) square feet of floor area. In addition, a capital improvements fee shall be assessed at a

rate of thirteen cents (\$0.13) per square foot plus six cents (\$0.06) per square foot for the sidewalk fee.

(i) New warehouse and agricultural: The fee for new warehouse and agricultural buildings shall be three cents (\$0.03) per square foot for the first ten thousand (10,000) square feet of floor area and one cent (\$0.01) per square foot for the area in excess of ten thousand (10,000) square feet of floor area. In addition, a capital improvements fee shall be assessed at a rate of thirteen cents (\$0.13) per square foot plus six cents (\$0.06) per square foot for the sidewalk fee.

(j) Non-residential additions: The fee for a non-residential addition shall be the same fee as would be charged for new construction, except there is a minimum fee of fifty dollars (\$50.00). In addition, a capital improvements fee shall be assessed at a rate of thirteen cents (\$0.13) per square foot plus six cents (\$0.06) per square foot for the sidewalk fee.

(k) Parking area and driveways: The fee for a residential driveway shall be ~~twenty five dollars (\$25.00)~~ thirty five dollars (\$35.00) whether a curb cut is made or not. The fee for a commercial parking area shall be five-tenths of one cent (\$0.005) per square foot of the commercial parking area.

(l) Reinspection fee: The reinspection fee shall be fifty dollars (\$50.00) for the first reinspection and one hundred dollars (\$100.00) for each reinspection thereafter.

(m) Plan review fees: At the time an application for permit (excluding single family and two-family residential) is submitted to the building official, twenty-five (25) percent of the fee prescribed in this section shall be paid and shall not be refundable. This fee shall be known as a plan review fee. The plan review fee shall be subtracted from the fee prescribed in this section when the permit is issued by the building official.

(n) Refunds: In the case of a revocation of a permit or abandonment or discontinuance of a building project, there shall be no refunds.

(p) Miscellaneous inspections (no permit): Any site visit where no building permit has been issued, there will be a thirty-five dollar (35) fee. This fee will be assessed for each visit.

SECTION 4. REPEALER. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 5. SEVERABILITY. If any section, sentence, clause or portion of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of the ordinance.

PASSED AND APPROVED by the Mayor and Council of the City of Midwest City, Oklahoma, on the _____ day of _____, 2016.

THE CITY OF MIDWEST CITY, OKLAHOMA

JAY DEE COLLINS, Mayor

ATTEST:

RHONDA ATKINS, City Clerk

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

KATHERINE BOLLES, City Attorney

AN ORDINANCE AMENDING CHAPTER 9, BUILDINGS AND BUILDING REGULATIONS, OF THE MIDWEST CITY CODE, BY AMENDING ARTICLE III, BUILDING CODE, SECTION 9-34, CODE AMENDED, SUBSECTION 108.5, LOT INSPECTIONS REQUIRED WITH THE ISSUANCE OF A BUILDING PERMIT, SUBSECTION 110.1, DEMOLITION PERMIT, AND SUBSECTION 112.0, PERMIT FEES; AND PROVIDING FOR REPEALER AND SEVERABILITY.

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

ORDINANCE

SECTION 1. That Chapter 9, Buildings and Building Regulations, Article III, Building Code, of the Midwest City Code, is hereby amended by amending Section 9-34. – Code Amended, Subsection 108.5(b) as follows:

108.5 Approved plans.

(a) The building official or an assistant shall review and consider for endorsement sets of approved plans with any corrections. For commercial construction, sets of such approved plans shall be retained by the building official and fire marshal. A set of such approved plans shall be kept at the building site, open to inspection of the building official or an authorized representative at all reasonable times. All plans shall comply with this code. The building official shall retain the plot plans for one- and two-family dwellings only.

(b) Lot inspections required with the issuance of building permit.

As one of the requirements for the issuance of a building permit, an applicant applying for said building permit on new structures shall be required to have an on-site meeting with a representative of the City engineering department. The applicant and city official will discuss the drainage plan for the subject lot and what improvements will be needed to meet the requirements of the drainage plan, such as the installation of a retaining wall or any needed drainage improvements. A fifty dollar (\$50.00) fee will be assessed for each site inspection. Failure to attend the scheduled on site meeting will result in standard reinspection fees of \$50.00 for the first and \$100.00 for each one after the initial reinspection.

SECTION 2. That Chapter 9, Buildings and Building Regulations, Article III, Building Code, of the Midwest City Code, is hereby amended by amending Section 9-34. – Code Amended, Subsection 110.1, Demolition permit, as follows:

110.1 Demolition permit. A permit is required for the demolition of any building in excess of one hundred twenty (120) square feet. For residential demolition, the project shall commence within ten (10) days of issuance of permit and shall be completed and cleaned up within the next twenty (20) calendar days. For all other structures/buildings, the project shall commence within ten (10) days of issuance of permit and shall be completed and cleaned up within the next forty-five (45) calendar days. Extensions may be granted by the building official upon written request. The demolition permit fee shall be one hundred dollars (\$100.00) per structure, unless the city council or its designated representative recommends or requests the demolition. Then the city shall set the permit fee.

SECTION 3. That Chapter 9, Buildings and Building Regulations, Article III, Building Code, of the Midwest City Code, is hereby amended by amending Section 9-34. – Code Amended, Subsection 112.0, Permit fees, as follows:

(a) No permit as required by this Code shall be issued until the fee prescribed in this Article shall have been paid to the development services department; nor shall an amendment to a permit be approved until the additional fee, if any, due to an increase in the estimated cost of a building or structure, shall have been paid.

(b) For a permit for construction, alteration, or installation of a building or structure, the fee shall be at the rate of:

- 1) New residential; additions.
 - (A) New residence: Five cents (\$0.05) per square foot for new residence.
 - (B) Residential additions: Five cents (\$0.05) per square foot with a minimum fee of fifty dollars (\$50.00) for a residential addition.
 - (C) Capital improvement fee: The fee shall be thirteen cents (\$0.13) per square foot for the capital improvement fee for (A) and (B) above.
 - (D) Sidewalk fee: The fee shall be two cents (\$0.02) per square foot for sidewalk fee for (A) and (B) above.

(c) Accessory buildings, carports, retaining walls and fences: The fee for carports and fences shall be thirty dollars (\$30.00). The fee for retaining walls shall be thirty five dollars (\$35.00). The fee for accessory buildings of two hundred and fifty (250) square feet or less in area shall be fifty dollars (\$50.00) and for accessory building greater than two hundred and fifty (250) square feet in area but less than ten thousand (10,000) square feet in area shall be five cents (\$0.05) per square foot plus the thirteen cents (\$0.13) per square foot for the capital improvements fee plus two cents (\$0.02) per square foot for the sidewalk fee. The fee for accessory buildings more than ten thousand (10,000) square feet in area shall be two cents (\$0.02) per square foot plus thirteen (\$0.13) per square foot for the capital improvement fee plus two cents (\$0.02) per square foot for the sidewalk fee.

(d) All permit fees associated with the replacement of accessory buildings set out in Subsection (c) above are hereby waived if said original accessory building was destroyed or damaged beyond repair by an act of God. The following conditions are precedent to the granting of the waiver: the replacement accessory building is identical in size to the original accessory building being replaced; the replacement accessory building is to be located upon the lot where the original accessory building was located; and the original accessory building was permitted. In every case, an application for permit shall be required and the applicant is to comply with all other regulations relative to accessory buildings.

(e) Residential remodeling: A permit for remodeling is required when the remodeling involves repairs as defined in section 9-1. The fee for a residential remodeling permit shall be three dollars (\$3.00) per one thousand dollars (\$1,000.00) of the estimated cost of the remodel based upon the fair market value of labor and materials, with a minimum fee of twenty-five dollars (\$25.00). In addition, a capital improvement fee shall be assessed at a rate of thirteen dollars (\$13.00) per ten thousand dollars (\$10,000.00) of the estimated cost plus a sidewalk fee shall be assessed at a rate of one dollar (\$1.00) per ten thousand dollars (\$10,000) of the estimated cost.

(f) Commercial remodeling: A permit for remodeling is required when the remodeling involves repairs as defined in section 9-1. The fee for a commercial remodeling permit shall be four dollars (\$4.00) per one thousand dollars (\$1,000.00) of the estimated cost of the remodel; based upon the fair market value of labor and materials, with a minimum fee of fifty dollars (\$50.00). In addition, a capital improvements fee shall be assessed at a rate of thirteen dollars (\$13.00) per ten thousand dollars (\$10,000.00) of the estimated cost plus a sidewalk fee shall be assessed at a rate of one dollar (\$1.00) per ten thousand dollars (\$10,000) of the estimated cost.

(g) Conversion from residential to commercial uses: Upon approval of such conversion, a permit shall be required. The fee for conversion from residential to commercial uses permit shall be four dollars (\$4.00) per one thousand dollars (\$1,000.00) of the estimated cost of the remodel, based upon the fair market value of labor and materials, with a minimum fee of fifty dollars (\$50.00). In addition, a capital improvements fee shall be assessed at a rate of thirteen dollars (\$13.00) per ten thousand dollars (\$10,000.00) of the estimated cost plus a sidewalk fee shall be assessed at a rate of one dollar (\$1.00) per ten thousand dollars (\$10,000) of the estimated cost.

(h) New commercial: The fee for a new commercial building shall be four cents (\$0.04) per square foot for the first ten thousand (10,000) square feet of floor area and two cents (\$0.02) per square foot for the area in excess of ten thousand (10,000) square feet of floor area. In addition, a capital improvements fee shall be assessed at a

rate of thirteen cents (\$0.13) per square foot plus six cents (\$0.06) per square foot for the sidewalk fee.

(i) New warehouse and agricultural: The fee for new warehouse and agricultural buildings shall be three cents (\$0.03) per square foot for the first ten thousand (10,000) square feet of floor area and one cent (\$0.01) per square foot for the area in excess of ten thousand (10,000) square feet of floor area. In addition, a capital improvements fee shall be assessed at a rate of thirteen cents (\$0.13) per square foot plus six cents (\$0.06) per square foot for the sidewalk fee.

(j) Non-residential additions: The fee for a non-residential addition shall be the same fee as would be charged for new construction, except there is a minimum fee of fifty dollars (\$50.00). In addition, a capital improvements fee shall be assessed at a rate of thirteen cents (\$0.13) per square foot plus six cents (\$0.06) per square foot for the sidewalk fee.

(k) Parking area and driveways: The fee for a residential driveway shall be thirty five dollars (\$35.00) whether a curb cut is made or not. The fee for a commercial parking area shall be five-tenths of one cent (\$0.005) per square foot of the commercial parking area.

(l) Reinspection fee: The reinspection fee shall be fifty dollars (\$50.00) for the first reinspection and one hundred dollars (\$100.00) for each reinspection thereafter.

(m) Plan review fees: At the time an application for permit (excluding single family and two-family residential) is submitted to the building official, twenty-five (25) percent of the fee prescribed in this section shall be paid and shall not be refundable. This fee shall be known as a plan review fee. The plan review fee shall be subtracted from the fee prescribed in this section when the permit is issued by the building official.

(n) Refunds: In the case of a revocation of a permit or abandonment or discontinuance of a building project, there shall be no refunds.

(p) Miscellaneous inspections (no permit): Any site visit where no building permit has been issued, there will be a thirty-five dollar (35) fee. This fee will be assessed for each visit.

SECTION 4. REPEALER. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 5. SEVERABILITY. If any section, sentence, clause or portion of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of the ordinance.

PASSED AND APPROVED by the Mayor and Council of the City of Midwest City, Oklahoma, on the _____ day of _____, 2016.

THE CITY OF MIDWEST CITY, OKLAHOMA

JAY DEE COLLINS, Mayor

ATTEST:

RHONDA ATKINS, City Clerk

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

KATHERINE BOLLES, City Attorney



Environmental Services Director
8730 S.E. 15th Street
Midwest City, OK 73110
office 405.739.1062

Memo

To: Honorable Mayor and Council

From: William J. Janacek, Environmental Services Director

Date: January 12, 2016

RE: Discussion and consideration of approving and entering into a five-year Agreement for Purchase of Surplus Municipal Water with the Norman Utilities Authority, the Midwest City Municipal Authority and the Central Oklahoma Master Conservancy District to sell Norman up to 300 million gallons of Midwest City's surplus municipal water at the rate of \$0.36 per 1,000 gallons.

The City of Norman has formally requested that the Central Oklahoma Master Conservancy District (COMCD), with Midwest City's concurrence, coordinate the selling of a portion of Midwest City's unused allocation of COMCD's surplus municipal water to Norman. They are requesting this contract be similar to the contract Norman entered into with the City of Del City in 2013, where Del City contracted with Norman to sell up to 300 million gallons of raw water allocation at the rate of \$0.33 per one thousand gallons, on a yearly basis. There are provisions set in their contract for any emergency where Del City might lose some of their water wells.

Their request of Midwest City is for the same \$0.33 per one thousand gallons, for a total not to exceed 500 million gallons per year. After evaluating our water consumption reports for the last 15 years, I would recommend a contract for a maximum amount of 300 million gallons at the current rate of \$0.36 per 1000 gallons as outlined in my attached memo. They are also open to a provision in the contract, if preferred, that stipulates access to COMCD's surplus municipal water as primarily from Del City's unused portion and then secondarily from Midwest City's unused portion for payment purposes.

Staff recommends approval.

William J. Janacek

William J. Janacek
Director of Environmental Services



The City of NORMAN

201 West Gray • P.O. Box 370
Norman, Oklahoma 73069 • 73070

CITY MANAGER'S OFFICE
Phone: 405-366-5402

September 22, 2015

Randy Worden, General Manager
Central Oklahoma Master Conservancy District (COMCD)
12500 Alameda Drive
Norman, OK 73026
rworden@comcd.net

City Manager Guy Henson
City of Midwest City
100 N. Midwest Blvd
Midwest City, OK 73110
ghenson@midwestcityok.org

City Manager Mark Edwards
City of Del City
3701 SE 15 Street
Del City, Oklahoma 73115
medwards@cityofdelcity.com

RE: Surplus Municipal Water

Gentlemen:

The City of Norman has been notified of COMCD's Petition for Amendments to Schedule of Use ("Petition") filed with the OWRB to secure 21,600 acre feet per year of water supply from Lake Thunderbird for the next fifty (50) years. This request for the maximum term, rather than the minimum seven (7) years term represents a change in approach for COMCD than what has been followed in the past. In reviewing the application, it is clear that the data presented to support the application necessarily relies heavily on Norman's growth patterns. As stated in Paragraph 15 of the Petition, the future growth of Norman alone is expected to require the use of all the rest of COMCD's allocated water. This approach in the Petition certainly makes sense as an expression of COMCD's willingness to manage its water allocation in such a way that will address the factually supported water needs of all three member cities. To the extent COMCD's approach to allocation of water resources does not address member cities' documented supply needs, such an application as submitted to OWRB may be more difficult to justify.

As you may be aware, the City of Norman's 2060 Strategic Water Supply Plan (the "Plan") is a long-range water plan which evaluated long term water needs for Norman and sources of water supply to fulfill both current and future needs. The Plan recommended an expansion of

the ground water supply system, as well as expanded piping to allow blending of wells that currently do not meet EPA guidelines, to help address current capacity needs. Norman voters approved a water rate increase this past January to fund this expansion as well as significant improvements to our water treatment disinfection facilities required by current regulations.

Although Norman is working towards the goal of the Plan to get two additional wells online each year beginning in 2018, we've lost five other wells in the short term. These wells no longer meet the EPA limits for arsenic and gross alpha particles because of overworking our existing well supply to meet demand. Identification of additional water to solidify our supply to meet the needs of Norman citizens is critical.

To help solidify a supply source to meet the needs of Norman citizens, Norman would like to request that COMCD, with Midwest City's concurrence, commit to sell a portion of Midwest City's unused allocation of COMCD's Surplus Municipal Water to Norman. As you know, in 2013 Del City and COMCD agreed to sell Norman up to 300 million gallons of Surplus Municipal Water on an annual basis at a rate of \$0.33 per 1,000 gallons. We would like to pursue similar terms with Midwest City and are formally requesting that COMCD and Midwest City enter into a similar agreement with Norman for the purchase of up to an additional 500 million gallons of Surplus Municipal Water on an annual basis at the same rate we are paying for Del City's unused portion of Surplus Municipal Water. If preferred, Norman would also be open to a provision that recognizes access to COMCD's Surplus Municipal Water as primarily from Del City's unused portion and then secondarily from Midwest City's unused portion for payment purposes.

Norman is working diligently to solidify its water supply needs for its citizens. New well development in accordance with the 2060 Strategic Water Supply Plan is ongoing. Solidifying the availability to Norman of Midwest City's unused allocation of COMCD Surplus Municipal Water in a similar fashion that Del City's unused allocation was made available to Norman will not only help Norman solidify water supply sources for its citizens, but such a strategy will also further illustrate the importance of balancing all COMCD member cities' needs as a method to justify the continuing allocation of the full 21,600 acre feet of Lake Thunderbird water supply to COMCD for equitable use by its member cities according to their needs. The cooperative partnership between the three member cities is critical to the success of COMCD. We appreciate your consideration of this matter and look forward to your response.

Sincerely,



Steve Lewis
City Manager

cc: Jeff Bryant, City Attorney
Ken Komiske, Director of Utilities
Mike Wofford, Counsel for COMCD

**AGREEMENT FOR PURCHASE OF
SURPLUS MUNICIPAL WATER**

This AGREEMENT is made and entered into the _____ day of _____, 2016, by and between the parties, being Norman Utilities Authority of the City of Norman, Oklahoma, a public trust for the benefit of the City of Norman, Oklahoma, (hereinafter referred to as “Norman”), the Midwest City Municipal Authority, a public trust for the benefit of the City of Midwest City, Oklahoma (hereinafter referred to as “MCMA”), as assignee of the Midwest City Utilities Authority; the City of Midwest City, Oklahoma (“City of Midwest City”); and Central Oklahoma Master Conservancy District, a master conservancy district organized under the laws of Oklahoma (hereinafter referred to as “COMCD”).

The parties agree as follows:

1. The City of Midwest City, Oklahoma and MCMA are parties to a certain Contract with the Central Oklahoma Master Conservancy District, dated November 13, 1961 and extended on June 5, 1995, as amended, for a City of Midwest City water supply (“the Midwest City contract”), under the terms and provisions of which the City of Midwest City and the MCMA are entitled to purchase a certain specified allocation of water from COMCD.

2. The City of Norman, Oklahoma and the Norman Utilities Authority are parties to a certain Contract with COMCD, dated September 5, 1961 and similarly extended, as amended, for the Norman water supply (“the Norman Contract”), under the terms and provisions which Norman is entitled to purchase a certain specified allocation of water from COMCD.

3. Norman anticipates, based upon past and current water demand and actual usage, that, in the near future, it will need more than the specified allocation of water available to Norman under said Contract with the COMCD, as amended, and that Norman desires to purchase Surplus Municipal Water (as referenced in Section 8. in both the Norman contract and the Midwest City contract) from COMCD, to help meet the needs and demands of Norman in the future.

4. MCMA and the City of Midwest City are willing to allow COMCD to provide to Norman, at a mutually agreed upon price, some of the Surplus Municipal Water which MCMA is otherwise entitled to purchase under the Midwest City contract.

5. Norman will pay COMCD for such Surplus Municipal Water.

6. Section 8. of the Midwest City contract and the Norman contract provides that when Surplus Municipal Water is available, COMCD may dispose of such current surplus on whatever terms it can arrange.

7. Net revenues from the sale of Surplus Municipal Water to Norman by COMCD, that was from amounts allocated to the City of Midwest City and MCMA, shall be credited on the next payment or payments due to be paid by the City of Midwest City and MCMA to COMCD.

8. MCMA and the City of Midwest City shall retain all allocations and rights to all water which they have possessed immediately prior to the execution of this Agreement, and Norman agrees not to seek or accept any rights to water as a result of the City of Midwest City and MCMA making Surplus Municipal Water available to Norman under this Agreement.

9. The effective date of this Agreement shall be the 1st day of April, 2016.
10. COMCD will sell to Norman up to three hundred million gallons of Surplus Municipal Water per year from the Midwest City/MCMA contract allocation under its COMCD Contract at the commercial billing rate set forth in Paragraph 18 of this Agreement.
11. MCMA agrees to notify Norman, in writing, as soon as practically possible, of any water rationing program implemented by the MCMA or the City of Midwest City.
12. Norman will notify COMCD and MCMA, in writing, within five (5) days of the date that Norman exceeds its allocation under the COMCD contract.
13. Norman will install all equipment required by local, state, and federal laws for the Norman water lines to, among other things, ensure raw water is being distributed and to monitor and reasonably repair any water line breaks.
14. Norman agrees that its water usage shall be subject to a water rationing program at least as stringent as the MCMA or the City of Midwest City, Oklahoma water rationing program should one be implemented at a time when Norman is utilizing water from the MCMA allocation during the contract term.
15. COMCD will prepare accurate billing statements at the conclusion of each water year (ending September 30 of each year) quantifying the amount of water purchased by Norman in accordance with Paragraph 18. herein and charging Norman the rate for such water set forth in Paragraph 18 below. Norman will pay to COMCD the amount stated in the billing statements sent by COMCD to Norman for the sale of such Surplus Municipal Water to Norman within thirty (30) days of the receipt of each such billing statement by Norman.
16. COMCD will receive the payments from Norman for the water Norman receives over its allocation under the COMCD contract and, to the extent such water received by Norman is within the amount of Surplus Municipal Water specified in Paragraph 18. of this Agreement, shall credit such payments to MCMA.
17. The Parties agree that the determination of Norman's purchase of water from COMCD under this Agreement will be based on COMCD's records of Norman's total receipt of water for the water year, minus Norman's allocation amount under the Norman contract with COMCD.
18. COMCD will sell to Norman, and Norman shall pay COMCD for metered water, in a quantity up to three hundred million (300,000,000) gallons per year at the rate of thirty-six (\$.36) cents per 1000 gallons.
19. Norman acknowledges that MCMA has advised Norman that the requirements of the Internal Revenue Code of 1986 and regulations adopted thereunder (collectively, the "Code") applicable to obligations issued and to be issued by MCMA to finance water facilities must be complied with in order for interest on such obligations to be and remain exempt from Federal income taxation. To ensure and maintain compliance with such Code requirements, MCMA makes the following covenants:
 - 19.1 Norman will not sell any water purchased under this Agreement in any manner that would cause such sale to result in any facility of MCMA being deemed to be used for a private business use under the Code.

- 19.2 Norman will not resell any water purchased under this Agreement, whether directly or as a part of a sale of water from Norman's water system, to a wholesale purchaser for resale by such purchaser. Norman will only sell water purchased under this Agreement to its retail customers for ultimate consumption or use.
- 19.3 Norman will not enter into any agreement for water purchased under this Agreement and resold to Norman's retail customers except for arrangements or water sale that is available to the general public at either (i) no charge, or (ii) on the basis of rates that are generally applicable and uniformly applied, it being understood that for this purpose, rates may be treated as generally applicable and uniformly applied even if (x) different rates apply to different classes of users, such as volume purchasers, if the differences in rates are customary and reasonable; or (y) a specially negotiated rate arrangement is entered into, but only if the user is prohibited by federal law from paying the generally applicable rates, and the rates established are as comparable as reasonably possible to the generally applicable rates.
- 19.4 Norman will not enter into any arrangement for water purchased under this Agreement and resold to Norman's retail customers that conveys priority rights or other preferential benefits or that would obligate any retail customer to make payments that are not contingent on the amount of water purchased by such customer such as take or pay or take and pay contracts.
- 19.5 In the event such Code requirements, or interpretations thereof, change after the date hereof, any or all of the foregoing may be modified, by notice in writing from MCMA to Norman based on the advice of counsel, to reflect such changes.
- 19.6 Norman shall confirm to MCMA at least annually by December 31 that it has not sold any water purchased under this Agreement other than in compliance with the foregoing. Nothing contained in this Article shall affect the ability of MCMA to sell water to any customers under any conditions if and to the extent such sales are made solely from resources other than water purchased under this Agreement.
- 19.7 Norman represents and confirms that the Norman Utilities Authority is a public trust created and existing under the laws of the State of Oklahoma for the benefit of the City of Norman, Oklahoma, and covenants that it will continue to be such a public trust for the term of this Agreement. Norman further represents and confirms that it is exempt and will remain exempt from Federal income taxation for the term of this Agreement and, by virtue of such exemption, has not filed or paid and will not file nor pay any Federal income tax returns for the term of this Agreement.
20. Having considered the potential liabilities that may exist during the performance of the services, the Norman fee for the services and in consideration of the promises contained in this Agreement, MCMA, Norman and COMCD agree to allocate and limit such liabilities in accordance with this Article to the extent permitted by Oklahoma statutes, constitution, and case law.

- 20.1 Consequential Damages. To the extent permitted by Oklahoma statutes, constitution, and case law, MCMA shall not be liable to Norman or COMCD, Norman shall not be liable to MCMA or COMCD, and COMCD shall not be liable to MCMA or Norman for any special, indirect or consequential damages resulting in any way from the performance of this Agreement.
- 20.2 Remedies and Indemnification for Breach of Tax Covenants. The parties agree that (a) the provisions of Paragraph 19. of this Agreement constitute material terms and conditions of this Agreement; (b) COMCD, the City of Midwest City, and MCMA each has the right to terminate this Agreement by giving thirty (30) days' written notice to Norman in the event the City of Midwest City, MCMA, or COMCD determines, in good faith, that Norman has breached any part of Paragraph 19. of this Agreement; and (c) because of the importance to MCMA of preserving the tax-exempt treatment of the interest on its obligations, determinations by the MCMA, in good faith, as to Norman's compliance with the provisions of Article VI herein shall be conclusive. Notwithstanding the foregoing, Norman agrees to indemnify and hold harmless MCMA for all costs incurred by MCMA, including reasonable fees of counsel and other professionals, with respect to any action required to be taken by MCMA to prevent, defend or settle any threatened, preliminary or final action or investigation by the Internal Revenue Service questioning or attacking the tax-exempt status under the Code of the interest on obligations issued by MCMA arising from any violation by Norman of Article VI herein, except to the extent such violation results from any sale or resale approved in writing by MCMA in its sole discretion. Any provisions contained herein which provide for indemnification shall not apply to the United States in the event that it or one of its agencies becomes a successor in interest to Norman. This Section shall survive the expiration or earlier termination of this Agreement.
- 20.3 Survival. Upon completion of all obligations and duties provided for in this Agreement or if this Agreement is terminated for any reason, the terms and conditions of this Paragraph 20 and all its subparagraphs shall survive.

21. The initial term of this Agreement shall be for five (5) years commencing on April 1, 2016. The initial term may be renewed for an additional five (5) year term by written agreement of the parties. The foregoing notwithstanding, the provision of Surplus Municipal Water by COMCD to Norman may be terminated for failure to timely pay for such water as provided in this Agreement. This Agreement may be amended or terminated at any time upon the mutual agreement of the parties hereto or their authorized representatives.

22. The terms and provisions of this Agreement for Surplus Municipal Water shall be suspended, and COMCD's duty to sell water and Norman's right to purchase and receive said water shall immediately cease in the event that four (4) or more existing, functioning water wells within the City of Midwest City should cease to function. MCMA shall immediately notify Norman and COMCD, in writing, in the event that four (4) or more of said wells cease to function. In the event that the number of nonfunctioning water wells is reduced to three (3) or

less, the terms and provisions of this Agreement shall be reinstated and the duties and rights hereunder shall be again enforceable from the date of said reinstatement.

23. Neither MCMA, COMCD, nor Norman shall be considered in default of this AGREEMENT for delays in performance caused by circumstances beyond the reasonable control of the non-performing party. For purposes of this AGREEMENT, such circumstances include, but are not limited to: abnormal weather conditions; unforeseen emergency causing infrastructure failure; floods; earthquakes; fire; epidemics; war; riot and other civil disturbances; strikes, work slowdowns and other labor disturbances; sabotage; judicial restraint; and inability to procure permits, licenses, or authorizations from any local, state, or federal agency for anything required to be provided by either MCMA, COMCD, or Norman under this AGREEMENT.

24. Should such circumstances occur the non-performing party shall, within a reasonable period after being prevented from performing, give written notice to the other party describing the circumstances preventing continued performance and the efforts being made to resume performance of this Agreement.

25. Norman may request that COMCD and MCMA grant increases in the quantities of water which Norman may purchase under this Agreement on an annual basis from 300 million gallons to up to 500 million gallons.

26. Any communication required by this Agreement shall be made in writing to the addresses specified below:

Norman: Norman Utilities Authority
Attn: Director of Utilities
201-C West Gray
Norman, OK 73070-0370

City of Midwest City and MCMA: Midwest City Municipal Authority
100 North Midwest Boulevard
Midwest City, OK 73110
Attn: Secretary

COMCD: Central Oklahoma Master Conservancy District
Attn: General Manager
12500 Alameda Drive
Norman, OK 73026

Nothing contained in this Article shall be construed to restrict the transmission of routine communications between representatives of Norman, the City of Midwest City, MCMA and COMCD.

27. Any waiver by the City of Midwest City, MCMA, Norman, or COMCD of any breach of this Agreement shall be in writing. Such a waiver shall not affect the waiving party's rights with respect to any other or further breach.

28. The invalidity, illegality, or unenforceability of any provision of this Agreement or the occurrence of any event rendering any portion or provision of this Agreement void shall in

no way affect the validity or enforceability of any other portion or provision of this Agreement. Any void provision shall be deemed severed from this Agreement, and the balance of this Agreement shall be construed and enforced as if this Agreement did not contain the particular portion or provision held to be void. The parties further agree to amend this Agreement to replace any stricken provision with a valid Provision that comes as close as possible to the intent of the stricken provision. The provisions of this Article shall not prevent this entire Agreement from being void should a provision, which is of the essence of this Agreement, be determined void.

29. This Agreement represents the entire and integrated Agreement between Norman, the City of Midwest City, MCMA, and COMCD. Except as otherwise specified herein, this AGREEMENT supersedes all prior and contemporaneous communications, representations, and Agreements, whether oral or written, relating to the subject matter of this Agreement. This Agreement may only be changed by written amendment executed by both parties.

30. Nothing in this Agreement supersedes, amends, or abrogates any of the provisions of the Midwest City contract with COMCD or the Norman contract with COMCD.

IN WITNESS WHEREOF, Norman, MCMA, City of Midwest City and COMCD have executed this Agreement.

Approved by Norman this _____ day of _____, 2016.

NORMAN UTILITIES AUTHORITY

By: _____
Cindy Rosenthal, Chairman

ATTEST:

Brenda Hall, Secretary

REVIEWED this _____ day of _____, 2016.

Attorney for Norman Utilities Authority

Approved by MIDWEST CITY this 12th day of January, 2016.

MIDWEST CITY MUNICIPAL AUTHORITY

ATTEST:

By: _____
Jay Dee Collins, Chairman

Rhonda Atkins, Secretary

REVIEWED this 12th day of January, 2016.

Attorney for Midwest City Municipal
Authority

CITY OF MIDWEST CITY

ATTEST:

By: _____
Jay Dee Collins, Mayor

Rhonda Atkins, City Clerk

REVIEWED this _____ day of _____, 2016.

Attorney for City of Midwest City

Approved by COMCD this ____ day of _____, 2016.

CENTRAL OKLAHOMA MASTER
CONSERVANCY DISTRICT

ATTEST:

By: _____
_____, President

_____, Secretary

REVIEWED this _____ day of _____, 2016.

Attorney for COMCD



The City of
MIDWEST CITY
COMMUNITY DEVELOPMENT DEPARTMENT -
ENGINEERING DIVISION

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 Council

From: Billy Harless, Community Development Director

Date: January 12, 2016

Subject: Discussion and consideration of approving and passing an ordinance amending the Midwest City Code, Chapter 9, Swimming Pools, Section 39-5(f), Permit, by changing the costs for issuance of swimming pool permits; and providing for repealer and severability.

Staff has reviewed permitting and inspections associated with swimming pools for several communities in the OKC metro area. The attached ordinances reflect recommended amendments to our current fees to bring them in line with the metro area.

Staff recommends approval of the following attached revisions.

Billy Harless, AICP
Director

Attachments

AN ORDINANCE AMENDING CHAPTER 39, SWIMMING POOLS, OF THE MIDWEST CITY CODE, BY AMENDING SECTION 39-5(f), PERMIT; AND PROVIDING FOR REPEALER AND SEVERABILITY.

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

ORDINANCE

SECTION 1. That Chapter 39, Swimming Pools, of the Midwest City Code, is hereby amended by amending Section 39-5(f), Permit, to read as follows:

- (f) Every applicant for a permit to install or alter a swimming pool system or part thereof, shall state in writing on a form furnished for that purpose, the character of work proposed, together with such other information as may be required. Any person who shall commence any swimming pool work for which a permit is required by this chapter without having first obtained a permit therefor shall pay double the permit fee fixed by the section for such work, provided, however, that this provision shall not apply to emergency work required by the building inspection department for the protection of the public health, safety and welfare. In all such cases a permit shall be obtained as soon as it is practical to do so. The applicant shall pay for each permit at the time of making application a fee in accordance with the following schedule for each swimming pool installation:
 - (1) Public pool, ~~one hundred three hundred~~ dollars (\$100.00)(\$300.00);
 - (2) The fee schedule for private pools shall be as follows:
 - a. The permit fee for all in ground pools shall be ~~twenty-five seventy-five~~ dollars (\$25.00)(\$75.00).
 - b. The permit fee, when required, for all above ground pools shall be ~~fifteen dollars seventy-five~~ dollars (\$15.00)(\$75.00).
 - c. A ~~ten dollar (\$10.00) fifty~~ dollar (\$50.00) reinspection fee shall be required on all reinspections necessary. All reinspections after the first are one hundred dollars (\$100.00) each.

SECTION 2. REPEALER. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3. SEVERABILITY. If any section, sentence, clause or portion of this ordinance is for any reason held to be invalid or unconstitutional, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of this ordinance.

PASSED AND APPROVED by the Mayor and Council of the City of Midwest City, Oklahoma, on the _____ day of _____, 2016.

THE CITY OF MIDWEST CITY, OKLAHOMA

JAY DEE COLLINS., Mayor

ATTEST:

RHONDA ATKINS, City Clerk

APPROVED as to form and legality this _____ day of _____, 2015.

KATHERINE BOLLES, City Attorney

AN ORDINANCE AMENDING CHAPTER 39, SWIMMING POOLS, OF THE MIDWEST CITY CODE, BY AMENDING SECTION 39-5(f), PERMIT; AND PROVIDING FOR REPEALER AND SEVERABILITY.

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

ORDINANCE

SECTION 1. That Chapter 39, Swimming Pools, of the Midwest City Code, is hereby amended by amending Section 39-5(f), Permit, to read as follows:

- (f) Every applicant for a permit to install or alter a swimming pool system or part thereof, shall state in writing on a form furnished for that purpose, the character of work proposed, together with such other information as may be required. Any person who shall commence any swimming pool work for which a permit is required by this chapter without having first obtained a permit therefor shall pay double the permit fee fixed by the section for such work, provided, however, that this provision shall not apply to emergency work required by the building inspection department for the protection of the public health, safety and welfare. In all such cases a permit shall be obtained as soon as it is practical to do so. The applicant shall pay for each permit at the time of making application a fee in accordance with the following schedule for each swimming pool installation:
 - (1) Public pool, three hundred dollars(\$300.00);
 - (2) The fee schedule for private pools shall be as follows:
 - a. The permit fee for all in ground pools shall be seventy-five dollars(\$75.00).
 - b. The permit fee, when required, for all above ground pools shall be seventy-five dollars (\$75.00).
 - c. A fifty dollar (\$50.00) reinspection fee shall be required on all reinspections necessary. All reinspections after the first are one hundred dollars (\$100.00) each.

SECTION 2. REPEALER. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3. SEVERABILITY. If any section, sentence, clause or portion of this ordinance is for any reason held to be invalid or unconstitutional, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of this ordinance.

PASSED AND APPROVED by the Mayor and Council of the City of Midwest City, Oklahoma, on the _____ day of _____, 2016.

THE CITY OF MIDWEST CITY, OKLAHOMA

JAY DEE COLLINS., Mayor

ATTEST:

RHONDA ATKINS, City Clerk

APPROVED as to form and legality this _____ day of _____, 2015.

KATHERINE BOLLES, City Attorney

Notice of regular Midwest City Board of Adjustment meetings was filed for the calendar year with the Midwest City Clerk prior to December 15, 2014 and a copy of the agenda for the meeting was posted at City Hall at least 24 hours in advance of the meeting.

**MINUTES OF MIDWEST CITY BOARD OF ADJUSTMENT MEETING
December 1, 2015 -- 6:00 P.M.**

This meeting of the Midwest City Board of Adjustment was held in the City Council Chambers, 100 North Midwest Boulevard, Midwest City, Oklahoma County, Oklahoma, on December 1, 2015, with the following members present:

Present: Joe Lenochoan, Acting Chairman
Eric Sisemore
Jess Huskey
Cy Valanejad

Absent: Tammy Cook

Staff present: Kellie Gilles, Current Planning Manager
Christine Allison, Associate Current Planner

The meeting was called to order by Acting Chairman Lenochoan at 6:00 P.M.

A. MINUTES:

A motion was made by Lenochoan, seconded by Huskey, to approve the minutes of the meeting of November 3, 2015 as presented. Voting aye: Sisemore, Lenochoan and Huskey. Nay: none. Abstain: Valanejad. Absent: Cook. Motion carried.

B. NEW MATTERS:

- 1. (BA-391) Discussion and consideration of an application for a variance to the terms, standards and criteria for the masonry requirement for residential districts as outlined in Section 5.12(A) of the Zoning Ordinance, for the property located at 9412 Caldwell Drive.**

The applicants, Ron and Carol McKey, were present. General discussion on this matter was held among the board members and staff.

The Board members addressed the following requirements for the variance to the masonry requirement for residential buildings as outlined in Section 5.12.1 of the Zoning Ordinance:

1. The application of the ordinance to the particular piece of property would create an unnecessary hardship. A motion was made by Sisemore, seconded by Huskey, to make a

- finding of such unnecessary hardship. Voting aye: Sisemore, Lenochan, Huskey and Valanejad. Nay: none. Absent: Cook. Motion carried.
2. Such conditions are peculiar to the particular piece of property. A motion was made by Huskey, seconded by Sisemore, to make a finding of such conditions peculiar to the particular piece of property. Voting aye: Sisemore, Lenochan, Huskey and Valanejad. Nay: none. Absent: Cook. Motion carried.
 3. Relief, if granted, would not cause substantial detriment to the public good, or impair the purposes and intent of the ordinance or the comprehensive plan. A motion was made by Huskey, seconded by Sisemore, to make such a finding of no substantial detriment. Voting aye: Lenochan, Huskey, Sisemore and Valanejad. Nay: None. Absent: Cook. Motion carried.
 4. The variance, if granted, would be the minimum necessary to alleviate the unnecessary hardship. A motion was made by Huskey, seconded by Sisemore, to make such a finding that the variance is the minimum necessary to alleviate the unnecessary hardship. Voting aye: Sisemore, Lenochan, Huskey and Valanejad. Nay: none. Absent: Cook. Motion carried.

A motion was made by Huskey, seconded by Sisemore, to grant the variance to the terms, standards and criteria of Section 5.12(A)(2) regarding the masonry requirement for residential buildings as requested. . Voting aye: Sisemore, Lenochan, Huskey and Valanejad. Nay: none. Absent: Cook. Motion carried.

C. BOARD DISCUSSION: Board members discussed the appointment of a chairman for the Board of Adjustment. Members decided to wait until all members were present to vote on a chairman.

D. PUBLIC DISCUSSION: Daniel McClure of 2001 Anthony Circle was present to speak to the board members. Mr. McClure, Director of Research and Fiscal Analyst for the Oklahoma Municipal League, informed the board members of training sessions that the OML hosts for Board of Adjustment members. He asked the members to let him know if they would be interested in learning more about the program.

There being no further business, a motion was made by Sisemore, seconded by Huskey, to adjourn the meeting. Voting aye: Sisemore, Lenochan, Huskey and Valanejad. Nay: none. Absent: Cook. Motion carried.

The meeting adjourned at 6:18 P.M.

JOE LENOCHAN, Acting Chairman

Notice of regular Midwest City Planning Commission meetings was filed for the calendar year with the Midwest City Clerk prior to December 15, 2014 and copies of the agenda for the meeting were posted at City Hall at least 24 hours in advance of the meeting.

MINUTES OF MIDWEST CITY PLANNING COMMISSION MEETING

December 1, 2015 - 7:00 p.m.

This regularly scheduled meeting of the Midwest City Planning Commission was held in the Council Chambers, 100 North Midwest Boulevard, Midwest City, Oklahoma County, Oklahoma, on December 1, 2015 at 7:00 p.m., with the following members present:

Commissioners present: Floyd Wicker, Chairman
 Stan Greil
 Dean Hinton
 Russell Smith
 Jess Huskey
 Turner Mann
 Sean Reed

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 7:01 p.m.

A. MINUTES:

A motion was made by Reed, seconded by Huskey, to approve the minutes of the November 3, 2015 Planning Commission meeting as presented. Voting aye: Huskey, Hinton, Mann, Greil, Reed and Smith. Nay: none. Abstain: Wicker. Absent: none. Motion carried.

B. NEW MATTERS:

- 1. (PC-1858) Discussion and consideration of approval of the Oakwood Landing Preliminary Plat for the property described as a tract of land lying in the NE/4 of Section 31, T-12-N, R-1-W, of the Indian Meridian, City of Midwest City, Oklahoma County, Oklahoma, addressed as 10850 NE 10th St.**

Staff members presented a brief overview of this item. A motion was made by Greil, seconded by Reed, to table this item to the January 5, 2016 Planning Commission meeting. Voting aye: Huskey, Hinton, Reed, Mann, Greil, Smith and Wicker. Nay: none. Motion carried.

- 2. (PC-1859) Public hearing with discussion and consideration of an ordinance to redistrict from R-6, Single Family Residential to C-3, Community Commercial, and a resolution to amend a portion of the Comprehensive Plan from Low-Density Residential to OR, Office Retail, for the property described as lots 29, 30 and 31 of block t of the Replat of the Atkinson Heights addition, located at 231, 233 and 235 West Fairchild.**

Staff members presented a brief overview of this requested rezoning. Bob Dillon, 1401 S. Douglas, representing the owner of the property, was present. There was general discussion regarding this item. A motion was made by Smith, seconded by Huskey, to recommend approval of the proposed rezoning subject to staff comments as noted in the PC-1859 file. Voting aye: Huskey, Hinton, Reed, Mann, Greil, Smith and Wicker. Nay: none. Motion carried.

- 3. (PC-1860) Discussion and consideration of approving and passing an ordinance amending Appendix A, Zoning Regulations, of the Midwest City Code, by amending Section 5.2.3, Residential Fencing and Screening and adding subparagraph (C) to Section 5.2.3, Residential Fencing and Screening; and providing for repealer and severability.**

Staff members presented a brief overview of this ordinance change. There was general discussion regarding this item. The commissioners expressed concerns about prohibiting all metal fencing from all zoning districts. The commissioners stated that they would be interested allowing metal screening if it met certain industry standards and included elements such as pre-finished metal trim and excluding metal screening material that is intended for metal buildings. The commissioners agreed that metal fencing should be prohibited in residential, office and lower-intensity commercial districts (C-1 and C-3) but allowed in the C-4, General Commercial district and all industrial districts where screening of materials stored outdoors is necessary for security. As much of the discussion focused on metal screening, staff recommended that any metal, plastic or plywood sheets used as screening should be designed and intended to be used as screening material according to industry standards. The commissioners requested that the Council review their comments as a matter of discussion and send the item back to the Planning Commission for a recommendation at its January 5, 2016 meeting. A motion was made by Huskey, seconded by Smith, to table this item to the January 5, 2016 meeting. Voting aye: Huskey, Hinton, Reed, Mann, Greil, Smith and Wicker. Nay: none. Motion carried.

- 4. (PC-1861) Discussion and consideration of approving and passing an ordinance amending Chapter 9, Buildings and Building Regulations, of the Midwest City Code, Article VII, Sign Regulations, by amending Section 9-385, Regulations and standards, by adding subparagraph (aa); by amending Section 9-391(g), Temporary signs, and by adding subparagraph (i) to Section 9-391, Temporary signs; and providing for repealer and severability.**

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

C. COMMISSION DISCUSSION: There was general discussion about new developments throughout the city.

D. PUBLIC DISCUSSION: No one appeared before the Commission during this portion of the agenda.

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 Reed, seconded by Huskey. Voting aye: Huskey, Hinton, Reed, Mann, Greil, Smith and Wicker. Nay: none. Motion carried.

The meeting adjourned at 7:45 p.m.

Floyd Wicker, Chairman
(KG)



MUNICIPAL AUTHORITY

AGENDA



MIDWEST CITY MUNICIPAL AUTHORITY AGENDA
Midwest City Council Chambers, 100 N. Midwest Boulevard

January 12, 2016 - 7:01 PM

- A. CALL TO ORDER.
- B. CONSENT AGENDA. These items are placed on the Consent Agenda so that trustees of the Midwest City Municipal Authority, by unanimous consent, can approve routine agenda items by one motion. If any item proposed on the Consent Agenda does not meet with approval of all trustees, or members of the audience wish to discuss a proposed item with the Council, that item will be removed and heard in regular order.
1. Discussion and consideration of approving the minutes of the staff briefing and regular meetings of December 8, 2015, and the special meeting of December 18, 2015, as submitted. (City Clerk - R. Atkins)
 2. Discussion and consideration of awarding a bid and entering into a contract to purchase Biosolids Drying and Thickening Polymer from Fort Bend Services Inc., Stafford, Texas. (Environmental Services - W. Janacek)
 3. Discussion and consideration of accepting the attached report on the current financial condition of the Sheraton Midwest City Hotel at the Reed Center for the period ending November 30, 2015. (City Manager - T. Lyon)
 4. Discussion and consideration of declaring the various items of property on the attached list surplus and authorizing their disposal by public auction. (City Manager - T. Lyon)
- 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**

December 8, 2015 – 6:00 p.m.

This meeting was held in the Midwest City Council Conference Room on the second floor of the City Hall of Midwest City, 100 North Midwest Boulevard, City of Midwest City, County of Oklahoma, State of Oklahoma. The following members were present: Chairman Jay Dee Collins; Trustees Daniel McClure, Richard R. Rice, Rick Dawkins, James L. Ray, Christine Allen, and Jeff Moore; and Acting Secretary Deborah Garner. Absent: none.

Chairman Collins called the meeting to order at 6:31 p.m.

Clarification of agenda items, handouts, and presentation of new or additional information for items on the Municipal Authority agenda for December 8, 2015. The Trustees had no questions about any of the items on the agenda.

Chairman Collins closed the meeting at 6:31 p.m.

ATTEST:

JAY DEE COLLINS, Chairman

DEBORAH GARNER, Acting Secretary

DANIEL MCCLURE JR., Trustee

RICHARD R. RICE, Trustee

RICK DAWKINS, Trustee

JAMES L. RAY, Trustee

CHRISTINE C. PRICE ALLEN, Trustee

JEFF MOORE, Trustee

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**

December 8, 2015 - 7:01 p.m.

This meeting was held in the Midwest City Council Chambers, 100 North Midwest Boulevard, City of Midwest City, County of Oklahoma, State of Oklahoma. The following members were present: Chairman Jay Dee Collins; Trustees Daniel McClure Jr., Richard R. Rice, Rick Dawkins, James L. Ray, Christine Allen, and Jeff Moore; and Acting Secretary Deborah Garner. Absent: none. Chairman Collins called the meeting to order at 7:20 p.m.

Discussion Item. Discussion and consideration of approving the minutes of the staff briefing and regular meetings of November 24, 2015, as submitted. Motion was made by McClure, seconded by Dawkins, to approve the minutes, as submitted. Voting aye: McClure, Rice, Dawkins, Ray, Allen, Moore, and Chairman Collins. Nay: none. Absent: none. Motion carried.

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

Adjournment. There being no further business, motion was made by Ray, seconded by McClure, to adjourn. Voting aye: McClure, Rice, Dawkins, Ray, Allen, Moore, and Chairman Collins. Nay: none. Absent: none. Motion carried. The meeting adjourned at 7:20 p.m.

ATTEST:

JAY DEE COLLINS, Chairman

DEBORAH GARNER, Acting Secretary

DANIEL MCCLURE JR., Trustee

RICHARD R. RICE, Trustee

RICK DAWKINS, Trustee

JAMES L. RAY, Trustee

CHRISTINE C. PRICE ALLEN, Trustee

JEFF MOORE, Trustee

Notice of this special Midwest City Municipal Authority meeting was filed with the City Clerk of Midwest City at least 48 hours in advance of the meeting 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 SPECIAL MEETING FOR THE
MIDWEST CITY MUNICIPAL AUTHORITY**

December 18, 2015 – 8:16 a.m.

This meeting was held in the Midwest City Council Conference Room on the second floor of the City Hall of Midwest City, 100 North Midwest Boulevard, City of Midwest City, County of Oklahoma, State of Oklahoma. The following members were present: Chairman Jay Dee Collins; Trustees, Richard Rice, Rick Dawkins, James L. Ray, and Christine Allen; and Secretary Rhonda Atkins. Absent: Daniel McClure Jr. and Jeff Moore. Chairman Collins called the meeting to order at 8:54 a.m.

Executive Session.

1. **Discussion and consideration of 1) entering into executive session, as allowed under 25 O.S. § 307(B)(3), to discuss the purchase or appraisal of real property; and 2) in open session, approving and entering into a Contract for Sale with Falcon Realty Advisors LLC, trustee or assigns to sell Falcon 1.00 acres of land more or less located at 5633 Tinker Diagonal for \$11 per square foot for a total of approximately \$479,160.**

The trustees chose not to enter into executive session. After staff briefed the trustees on this item, motion was made by Rice, seconded by Ray, to approve the contract for sale with Falcon Realty Advisors LLC, trustees or assigns as presented. Voting aye: Rice, Dawkins, Ray, Allen and Chairman Collins. Nay: none. Absent: McClure and Moore. Motion carried.

Adjournment.

There being no further business, motion was made by Dawkins, seconded by Allen, to adjourn. Voting aye: Rice, Dawkins, Ray, Allen and Chairman Collins. Nay: none. Absent: McClure and Moore. Motion carried. The meeting adjourned at 8:56 a.m.

ATTEST:

JAY DEE COLLINS, Chairman

RHONDA ATKINS, Secretary

DANIEL MCCLURE JR., Trustee

RICHARD R. RICE, Trustee

RICK DAWKINS, Trustee

JAMES L. RAY, Trustee

CHRISTINE C. PRICE ALLEN, Trustee

JEFF MOORE, Trustee



Environmental Services Director
8730 S.E. 15th Street
Midwest City, OK 73110
office 405.739.1062

Memorandum

To: Honorable Chairman and Trustees
Midwest City Municipal Authority

From: William J. Janacek, Environmental Services Director

Date: January 12, 2016

Subject: Discussion and consideration of awarding a bid and entering into a contract to purchase Biosolids Drying and Thickening Polymer from Fort Bend Services Inc., Stafford, Texas.

On Tuesday, December 29, 2015, at 2:00 p.m., bids were open for Wastewater Treatment Drying and Thickening Polymers. Two companies visited the plant and ran jar tests with their product however, Fort Bend Services Inc. submitted the only bid. Fort Bend is our current vendor whom we have been with since the biosolids section of the new plant began operation.

We use two different polymers which are covered under this bid. One for thickening, (dry chemical) and another for pressing (wet chemical). Last year we used 3 pallets (36 bags) of dry polymer and 3 totes (2300 pounds) of liquid polymer. The savings from this bid, if we use the same amount of chemical, should be \$178.20 per pallet (dry) and \$713.00 per tote (liquid) which could show a yearly savings of \$2,673.60.

Funds are available in the Wastewater Chemicals Account.

Staff recommends approval.

William J. Janacek

William J. Janacek
Environmental Services Director

**BIOSOLIDS DRYING/THICKING POLYMER
VENDOR BID LIST**

VENDOR	BID UNIT PRICE
Mid America Hydro 34184 Gaddy Road Macomb, Oklahoma 74852 405-598-1772 Fax: 405-598-1335 Attn: Doug Swinney dougswinney@windstream.net	\$ <u>No Bid</u>
Nalco 6717 South 61 st . West Ave Tulsa Oklahoma 74131 877-227-9591 Fax: 214-291-5809 Attn: Brandon Buss bbuss@nalco.com	\$ <u>No Bid</u>
Brenntag Southwest Inc. 206 E. Morrow Road Sand Springs, Oklahoma 74063 918-245-6666 Attn. George Drye gdrye@brenntag.com	\$ <u>No Bid</u>
Fort Bend Services, Inc. 13303 Redfish Ln Stafford, Texas 77477 Phone: 800-933-3678 Cell: 713-725-4809 Fax: 281-261-2295 dustyjan@fortbendservices.com	\$ <u>See Attached Bid</u>



Fort Bend Services, Inc.
Water & Waste Treatment Specialists

BIOSOLIDS DRYING/THICKENING POLYMER

BID PRICING

<u>PRODUCT</u>	<u>QUANTITY</u>	<u>UNIT PRICE</u>	<u>TOTAL NET PRICE</u>
FBS C9046	55# NET BAG	\$1.85/POUND	\$101.75/BAG*
FBS 476	55.1# NET BAG	\$2.75/POUND	\$151.53/BAG*
FBS 10909	450# NET DRUM	\$1.12/POUND	\$504.00/DRUM*
FBS C1286	450# NET DRUM	\$1.12/POUND	\$504.00/DRUM*
FBS C1287	450# NET DRUM	\$1.12/POUND	\$504.00/DRUM*

*FACTORY DIRECT PRICING : 14-15 WORKING DAY DELIVERY ARO

<u>PRODUCT</u>	<u>QUANTITY</u>	<u>UNIT PRICE</u>	<u>TOTAL NET PRICE</u>
FBS C9046	55# NET BAG	\$1.98/POUND	\$108.90/BAG
FBS 476	55.1# NET BAG	\$2.85/POUND	\$157.04/BAG
FBS 10909	450# NET DRUM	\$1.25/POUND	\$562.50/DRUM
FBS C1286	450# NET DRUM	\$1.25/POUND	\$562.50/DRUM
FBS C1287	450# NET DRUM	\$1.25/POUND	\$562.50/DRUM

SHIPPED FROM STAFFORD, TX WAREHOUSE: 5-7 WORKING DAY DELIVERY ARO

office: 281.261.5199 ♦ toll free: 800.933.3678 ♦ fax: 281.261.2295

office: 13303 Redfish, Stafford, TX 77477 ♦ mailing: PO Box 1688, Stafford, TX 77497

www.fortbendservices.com



THE CITY OF
MIDWEST CITY

MEMORANDUM

TO: Honorable Chairman and Trustees
Midwest City Municipal Authority

FROM: Tim Lyon, Assistant City Manager

DATE: January 12, 2016

RE: Discussion and consideration of accepting the attached report on the current financial condition of the Sheraton Midwest City Hotel at the Reed Center for the period ending November 30, 2015.

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 and 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 2015-2016	Jul-15	Aug-15	Sep-15	Oct-15	Nov-15	Dec-15	Jan-16	Feb-16	Mar-16	Apr-16	May-16	Jun-16
Revenue												
Budgeted (MTD)	415,653	654,459	469,101	625,953	517,137							
Actual (MTD)	368,618	555,622	398,995	602,341	466,410							
Budgeted (YTD)	415,653	1,070,112	1,539,213	2,165,166	2,682,303							
Actual (YTD)	368,618	924,240	1,323,235	1,925,576	2,391,986							
Expenses												
Budgeted (MTD)	484,903	555,499	488,849	558,297	506,550							
Actual (MTD)	467,394	527,910	464,834	527,746	483,374							
Budgeted (YTD)	484,903	1,041,022	1,529,871	2,088,168	2,594,718							
Actual (YTD)	467,394	995,304	1,460,138	1,987,884	2,471,258							
Revenue vs. Expenses												
Budgeted (MTD)	(69,250)	97,960	(19,748)	67,656	10,587							
Actual (MTD)	(98,776)	27,712	(65,839)	74,595	(16,964)							
Budgeted (YTD)	(69,250)	29,090	9,342	76,998	87,585							
Actual (YTD)	(98,776)	(71,064)	(136,903)	(62,308)	(79,272)							
Key Indicators												
Hotel Room Revenue	237,624	303,370	238,484	261,573	247,784							
Food and Banquet Revenue	152,583	215,499	194,501	300,137	188,236							

Fiscal Year 2014-2015	Jul-15	Aug-15	Sep-15	Oct-15	Nov-15	Dec-15	Jan-16	Feb-16	Mar-16	Apr-16	May-16	Jun-16
Revenue												
Budgeted (MTD)	511,446	542,630	475,331	553,313	501,325	400,218	403,812	523,717	681,650	607,856	619,911	676,294
Actual (MTD)	470,372	524,186	429,186	589,573	468,516	365,039	372,991	494,170	522,082	621,442	500,863	359,961
Budgeted (YTD)	511,446	1,054,076	1,529,607	2,082,920	2,726,550	3,126,768	3,530,580	4,054,297	4,735,947	5,343,803	5,963,714	6,640,008
Actual (YTD)	470,372	994,558	1,423,743	2,013,317	2,481,832	2,846,871	3,219,862	3,675,468	4,197,550	4,818,992	5,319,855	5,679,816
Expenses												
Budgeted (MTD)	498,201	515,509	482,411	518,740	499,060	475,321	467,058	494,170	565,110	545,860	542,785	559,980
Actual (MTD)	481,222	496,660	484,921	546,148	466,838	471,665	479,316	487,208	506,924	563,705	506,376	467,951
Budgeted (YTD)	498,201	1,013,710	1,496,121	2,014,861	2,575,082	3,050,403	3,517,461	4,011,631	4,576,741	5,122,601	5,665,386	6,225,366
Actual (YTD)	481,222	977,882	1,462,804	2,008,952	2,475,790	2,947,455	3,426,771	3,918,980	4,425,904	4,989,609	5,495,986	5,963,936
Revenue vs. Expenses												
Budgeted (MTD)	13,245	27,121	(6,880)	34,573	2,184	(75,103)	(63,246)	29,547	116,540	61,996	77,126	116,314
Actual (MTD)	(10,850)	27,525	(55,736)	43,425	1,678	(106,626)	(106,325)	(36,602)	15,157	57,737	(5,513)	(107,990)
Budgeted (YTD)	13,245	40,366	33,486	68,059	151,468	76,365	13,119	42,666	159,206	221,202	298,328	414,642
Actual (YTD)	(10,850)	16,675	(39,060)	4,364	6,042	(100,584)	(206,909)	(243,511)	(228,354)	(170,617)	(176,130)	(284,120)



Assistant City Manager

100 N. Midwest Boulevard

Midwest City, OK 73110

office 405.739.1201

TO: Honorable Chairman and Trustees
Midwest City Municipal Authority

FROM: Tim Lyon, Assistant City Manager

DATE: January 12, 2016

SUBJECT: Discussion and consideration of declaring the various items of property on the attached list surplus and authorizing their disposal by public auction.

The items identified on the attached list are property that the Sheraton Reed Center no longer needs or uses. They have already been removed from service. Staff recommends that these items be declared surplus and be disposed of by public auction.

Auction services are provided to the Authority by:

1. www.ebay.com
2. www.govdeals.com
3. www.publicsurplus.com

Tim L. Lyon

Tim Lyon, Assistant City Manager

Attachment

EQUIPMENT INVENTORY

Highlight Items older than:

- no highlighting 3 months
 one month one year

Item Name	Serial Number	Model Number
Fridge		
Microwave	11131387AV	
Standbase for LCD TV	AAN73211204.B27	610984
Standbase for LCD TV	37LD65OH	
Standbase for LCD TV	32LD65OH	
Standbase for LCD TV	37LD65OH	
Standbase for LCD TV	37LD65OH	
Standbase for LCD TV	37LD65OH	
Standbase for LCD TV	32LD65OH	
Phillips TV	YA1A0549030885	32PF532D28
Dell Monitor		E207WFP
Dell Monitor		E151FP6
CTX Monitor	05B43300731	
HP Monitor		HSTND-2A03
Planar Monitor	PEI700-BK	997-2885-00
Plana Monitor	PEI700-BK	
Samsung Monitor	Y553 32QW BOO272N	
Plana Monitor	PEI700-BK	
NEC Monitor		KL7AN
Dell Tower	8R96PDI	
Dell Keyboard	E145614	
IBM Keyboard	13268545	
Microsoft Keyboard	766 8202 958913	
Dell Keyboard		KB212-B
Dell Mouse		09RRC7
Canon Calculater		P23-DHV
Fridge	00 88668	I-qn3-l2a
Printer	cn13bck13z	snprc-1001-01
Tower	621WA00258A	SOQ-080N
Printer	my2741k2qg	CG487C
Tower	0002DE664FFE	Explorer 2000
Tower	0002DEB754AA	Explorer 2000
Printer	USBB371258	CY253A
Printer	MY5BHBYON2	SDGOB-0501-03
Fax Machine	GKT040503	19D0300
Calculater	3D008872	EI-1197P
Type Writer	F9B747332	SX-4000
Printer	MYBBQ11225	CN759H
Toner	69DXC12577	SSCPVR
Printer	CCAB07210090177	

EMPLOYEES & EQUIPMENT LIST

EMPLOYEES	ITEMS
Employee 1	chair
Employee 2	coffee maker
Employee 3	copy machine
Employee 4	desktop computer
Employee 5	dusting cloth (1 set)
Employee 6	extra monitor
Employee 7	inkjet printer
Employee 8	laptop computer
Employee 9	laser printer
Employee 10	marker pens (3 pack)
Employee 11	scanner
Employee 12	stationery
Employee 13	table
Employee 14	USB drive
Employee 15	whiteboard
Employee 16	
Employee 17	
Employee 18	
Employee 19	
Employee 20	



NEW BUSINESS/
PUBLIC DISCUSSION





HOSPITAL AUTHORITY
AGENDA



MIDWEST CITY MEMORIAL HOSPITAL AUTHORITY AGENDA

Midwest City Council Chambers, 100 N. Midwest Boulevard

January 12, 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 meetings of December 8, 2015, and the special meeting of December 18, 2015, as submitted. (Hospital Authority - R. Atkins)

2. Discussion and consideration of action to reallocate assets, change fund managers or make changes in the Statement of Investment Policy, Guidelines and Objectives. (Hospital Authority - R. Atkins)

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(B)(3), to discuss the purchase or appraisal of real property; and 2) in open session, authorizing the general manager/administrator to take action as appropriate based on the discussion in executive session. (Hospital Authority - 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 TRUSTEES**

December 8, 2015 – 6:00 p.m.

This meeting was held in the Midwest City Council Conference Room on the second floor of the City Hall of Midwest City, 100 North Midwest Boulevard, City of Midwest City, County of Oklahoma, State of Oklahoma. The following members were present: Chairman Jay Dee Collins; Trustees Daniel McClure Jr., Richard R. Rice, Rick Dawkins, James L. Ray, Christine Allen, and Jeff Moore; and Acting Secretary Deborah Garner. Absent: None.

Chairman Collins called the meeting to order at 6:31 p.m.

Clarification of agenda items, handouts, and presentation of new or additional information for items on the Hospital Authority agenda for December 8, 2015. Staff briefed the trustees on various items on the agenda, and the trustees sought clarification and discussed individual agenda items with staff. Chairman Collins closed the meeting at 6:35 p.m.

ATTEST:

JAY DEE COLLINS, Chairman

DEBORAH GARNER, Acting Secretary

DANIEL MCCLURE JR., Trustee

RICHARD R. RICE, Trustee

RICK DAWKINS, Trustee

JAMES L. RAY, Trustee

CHRISTINE C. PRICE ALLEN, Trustee

JEFF MOORE, Trustee

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**

December 8, 2015 - 7:02 p.m.

This meeting was held in the Midwest City Council Chambers, 100 N. Midwest Boulevard, Midwest City, County of Oklahoma, and State of Oklahoma with the following members present: Chairman Jay Dee Collins; Trustees Daniel McClure Jr., Richard R. Rice, Rick Dawkins, James L. Ray, Christine Allen, and Jeff Moore; and Acting Secretary Deborah Garner. Absent: none.

Chairman Collins called the meeting to order at 7:20 p.m.

Consent Agenda.

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

1. Discussion and consideration of approving the minutes of the staff briefing and regular meetings of November 24, 2015, as submitted.
2. Discussion and consideration of renewing the agreement with Capitol Decisions, Inc. in the total amount of \$70,000 to continue to provide consultant services regarding economic, community development and redevelopment interests in Midwest City for the period from January 1, 2016 through June 30, 2016.

Voting aye: McClure, Rice, Dawkins, Ray, Allen, Moore, and Chairman Collins. Nay: none. Absent: none. Motion carried.

Discussion Item.

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 needed on this item.

New Business/Public Discussion.

No one addressed the trustees during this portion of the agenda.

Executive Session.

- 1. Discussion and consideration of 1) entering into executive session, as allowed under 25 O.S. § 307(B)(3), 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 action as appropriate based on the discussion in executive session.**

Motion was made by McClure, seconded by Dawkins, to go into executive session. Voting aye: McClure, Rice, Dawkins, Ray, Allen, Moore, and Chairman Collins. Nay: none. Absent: none. Motion carried. The Trustees went into executive session at 7:22 p.m. Chairman Collins reconvened the meeting in open session at 7:55 p.m. Motion was made by Dawkins, seconded by Allen, to authorize the general manager/administrator to take action as discussed in executive session. Voting aye: McClure, Rice, Dawkins, Ray, Allen, Moore, and Chairman Collins. Nay: none. Absent: none. Motion carried.

Adjournment.

There being no further business, motion was made by Ray, seconded by Allen, to adjourn. Voting aye: McClure, Rice, Dawkins, Ray, Allen, Moore, and Chairman Collins. Nay: none. Absent: none. Motion carried. The meeting adjourned at 7:55 p.m.

ATTEST:

 JAY DEE COLLINS, Chairman

 DEBORAH GARNER, Acting Secretary

 DANIEL MCCLURE JR., Trustee

 RICHARD R. RICE, Trustee

 RICK DAWKINS, Trustee

 JAMES L. RAY, Trustee

 CHRISTINE C. PRICE ALLEN, Trustee

 JEFF MOORE, Trustee

Notice of this special Midwest City Memorial Hospital Authority meeting was filed with the City Clerk of Midwest City at least 48 hours prior to the meeting 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 SPECIAL MIDWEST CITY MEMORIAL HOSPITAL AUTHORITY MEETING

December 18, 2015 - 8:17 a.m.

This meeting was held in the Midwest City Council conference room, second floor, 100 N. Midwest Boulevard, Midwest City, County of Oklahoma, and State of Oklahoma with the following members present: Chairman Jay Dee Collins; Trustees, Richard Rice, Rick Dawkins, James L. Ray, and Christine Allen; and Secretary Rhonda Atkins. Absent: Daniel McClure Jr. and Jeff Moore. Chairman Collins called the meeting to order at 8:56 a.m.

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, approving and entering into an Economic Development Contract with Sooner Investment Group, Inc. in the amount of \$350,000 to participate in the redevelopment of the approximately 13.5-acre site on the northeast corner of SE 15th Street and Sooner Road.** Motion was made by Ray, seconded by Dawkins, to go into executive session. Voting aye: Rice, Dawkins, Ray, Allen and Chairman Collins. Nay: none. Absent: McClure and Moore. Motion carried. The Trustees went into executive session at 8:58 a.m.

At the conclusion of the executive session, Chairman Collins reconvened the meeting in open session at 9:20 a.m. Motion was made by Dawkins, seconded by Rice, to approve and enter into the Economic Development Contract with Sooner Investment Group, Inc. in the amount of \$350,000 to participate in the redevelopment of the 13.5 acre site at S.E. 15th Street and Sooner Road. Voting aye: Rice, Dawkins, Ray, Allen and Chairman Collins. Nay: none. Absent: McClure and Moore. Motion carried.

2. **Discussion and consideration of 1) entering into executive session, as allowed under 25 O.S. § 307(B)(3), to discuss the purchase or appraisal of real property; and 2) in open session, authorizing the general manager/administrator to take action as appropriate based on the discussion in executive session.** Motion was made by Dawkins, seconded by Allen, to go into executive session. Voting aye: Rice, Dawkins, Ray, Allen and Chairman Collins. Nay: none. Absent: McClure and Moore. Motion carried. The Trustees went into executive session at 9:22 a.m.

At the conclusion of the executive session, Chairman Collins reconvened the meeting in open session at 10:51 a.m. No action was taken.

Discussion Items.

1. **Discussion and consideration of approving and entering into an agreement with SMC Consulting Engineers, P.C. in an amount not to exceed \$17,500 to provide engineering plans for roadway widening near the intersection of Sooner Road and SE 15th Street.**
Motion was made by Dawkins, seconded by Rice, to approve and enter into an agreement with SMC Consulting Engineers, P.C. in an amount not to exceed \$17,500. Voting aye: Rice, Dawkins, Ray, Allen and Chairman Collins. Nay: none. Absent: McClure and Moore.
Motion carried.

2. **Discussion and consideration of approving and entering into an agreement with SMC Consulting Engineers, P.C. in an amount not to exceed \$20,000 to provide engineering plans for a wastewater line extension in the area of SE 15th Street and Sooner Road.**
Motion was made by Dawkins, seconded by Rice, to approve and enter into an agreement with SMC Consulting Engineers, P.C. in an amount not to exceed \$20,000. Voting aye: Rice, Dawkins, Ray, Allen and Chairman Collins. Nay: none. Absent: McClure and Moore.
Motion carried.

Adjournment.

There being no further business, motion was made by Dawkins, seconded by Allen, to adjourn. Voting aye: Rice, Dawkins, Ray, Allen and Chairman Collins. Nay: none. Absent: McClure and Moore. Motion carried. The meeting adjourned at 10:54 a.m.

ATTEST:

JAY DEE COLLINS, Chairman

RHONDA ATKINS, Secretary

DANIEL McCLURE JR., Trustee

RICHARD R. RICE, Trustee

RICK DAWKINS, Trustee

JAMES L. RAY, Trustee

CHRISTINE C. PRICE ALLEN, Trustee



Midwest City Memorial Hospital Authority

100 North Midwest Boulevard
Midwest City, Oklahoma 73110
(405) 739-1204 FAX (405) 739-1208 TDD (405) 739-1359

J. Guy Henson
*General Manager/
Administrator*

Trustees

Jay Dee Collins
Daniel McClure Jr.
Richard R. Rice
Rick Dawkins
James L. Ray
Christine Allen
Jeff Moore

Board of Grantors

John Cauffiel
Charles McDade
Glenn Goldschlager
Marcia Conner
Beverly Young
Nancy Rice
Sherry Beard
Pam Hall
Pam Dimski

MEMORANDUM

TO: Honorable Chairman and Trustees
Midwest City Memorial Hospital Authority

FROM: Rhonda Atkins, Secretary

DATE: January 12, 2016

SUBJECT: Discussion and consideration of 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, asked staff to put this item on each agenda in the event the Hospital Authority's investments need to be reallocated, an investment fund manager needs to be changed or changes need to be made to the Statement of Investment Policy on short notice.

Action is at the discretion of the Authority.

Rhonda Atkins, Secretary



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 TDD (405) 739-1359
E-mail: GHenson@MidwestCityOK.org

J. Guy Henson
*General Manager/
Administrator*

Trustees

Jay Dee Collins
Daniel McClure Jr.
Richard R. Rice
Rick Dawkins
James Ray
Christine Allen
Jeff Moore

Board of Grantors

John Cauffiel
Charles McDade
Glenn Goldschlager
Marcia Conner
Beverly Young
Nancy Rice
Sherry Beard
Pam Hall
Pam Dimski

MEMORANDUM

TO: Honorable Chairman and Trustees

FROM: J. Guy Henson, General Manager/Administrator

DATE: January 12, 2016

SUBJECT: Discussion and consideration of 1) entering into executive session, as allowed under 25 O.S. § 307(B)(3), to discuss the purchase or appraisal of real property; and 2) in open session, authorizing the general manager/administrator to take action as appropriate based on the discussion in executive session.

Appropriate information will be provided in executive session.

J. Guy Henson
General Manager/Administrator



ECONOMICAL DEVELOPMENT
COMMISSION AGENDA



MIDWEST CITY ECONOMIC DEVELOPMENT COMMISSION AGENDA

Midwest City Council Chambers, 100 N. Midwest Boulevard

January 12, 2016 – 7:03 PM

- A. CALL TO ORDER.
- B. DISCUSSION ITEMS.
 - 1. Discussion and consideration of approving the minutes of the staff briefing and regular meetings of October 13, 2015, as submitted. (City Clerk - R. Atkins)
 - 2. Discussion and consideration of accepting the Midwest City Chamber of Commerce's quarterly report for the period ending December 31, 2015. (City Manager - G. Henson)
- C. NEW BUSINESS/PUBLIC DISCUSSION.
- D. ADJOURNMENT.



DISCUSSION ITEMS



Notice of this regular meeting for the staff briefing for the Midwest City Economic Development Commission was filed with the City Clerk of Midwest City prior to December 15, 2014. Copies of the agenda for this meeting were posted at City Hall and on the Midwest City website, accessible to the public for at least 24 hours in advance of the meeting.

**MINUTES OF THE STAFF BRIEFING FOR MIDWEST CITY
ECONOMIC DEVELOPMENT COMMISSION MEETING**

October 13, 2015 - 6:00 p.m.

This meeting was held in the Midwest City Council Conference Room on the second floor of City Hall, 100 North Midwest Boulevard, Midwest City, County of Oklahoma, State of Oklahoma. The following members were present: Chairman Jay Dee Collins; Commissioners Daniel McClure Jr., Richard R. Rice, Rick Dawkins, James L. Ray, Christine Allen, and Jeff Moore; and City Clerk Rhonda Atkins. Absent: none.

Chairman Collins called the meeting to order at 6:55 p.m.

Clarification of agenda items, handouts, and presentation of new or additional information for items on the Hospital Authority agenda for October 13, 2015. The commissioners had no questions about any of the items on the agenda.

Chairman Collins closed the meeting at 6:55 p.m.

ATTEST:

JAY DEE COLLINS, Chairman

RHONDA ATKINS, City Clerk

DANIEL McCLURE JR., Commissioner

RICHARD R. RICE, Commissioner

RICK DAWKINS, Commissioner

JAMES RAY, Commissioner

CHRISTINE C. PRICE ALLEN, Commissioner

JEFF MOORE, Commissioner

Notice of this regular Midwest City Economic Development Commission meeting was filed with the City Clerk of Midwest City and copies of the agenda for this meeting were posted at City Hall and on the Midwest City website, accessible to the public for at least 24 hours in advance of the meeting.

**MINUTES OF THE REGULAR MIDWEST CITY
ECONOMIC DEVELOPMENT COMMISSION MEETING**

October 13, 2015 - 7:03 p.m.

This meeting was held in the Midwest City Council Chambers, 100 North Midwest Boulevard, Midwest City, County of Oklahoma, State of Oklahoma with the following members present: Chairman Jay Dee Collins; Commissioners Daniel McClure Jr., Richard R. Rice, Rick Dawkins, James L. Ray, Christine Allen, and Jeff Moore; and City Clerk Rhonda Atkins. Absent: none.

Chairman Collins called the meeting to order at 8:53 p.m.

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

1. **Discussion and consideration of approving the minutes of the staff briefing and regular meeting of July 14, 2015, as submitted.**
2. **Discussion and consideration of accepting the Midwest City Chamber of Commerce Quarterly Report for the period ending September 30, 2015.**

Voting aye: McClure, Rice, Dawkins, Ray, Allen, Moore, and Chairman Collins. Nay: none. Absent: none. Motion carried.

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

Adjournment.

There being no further business, motion was made by Dawkins, seconded by Ray, to adjourn. Voting aye: McClure, Rice, Dawkins, Ray, Allen, Moore, and Chairman Collins. Nay: none. Absent: none. Motion carried. The meeting adjourned at 8:54 p.m.

ATTEST:

JAY DEE COLLINS, Chairman

RHONDA ATKINS, City Clerk

DANIEL McCLURE JR., Commissioner

RICHARD R. RICE, Commissioner

RICK DAWKINS, Commissioner

JAMES L. RAY, Commissioner

CHRISTINE C. PRICE ALLEN, Commissioner

JEFF MOORE, Commissioner



City Manager
100 N. Midwest Boulevard
Midwest City, OK 73110
office 405.739.1204

MEMORANDUM

TO: Honorable Chairman and Commissioners
Midwest City Economic Development Commission

FROM: J. Guy Henson, City Manager

DATE: January 12, 2016

SUBJECT: Discussion and consideration of accepting the Midwest City Chamber of
Commerce's quarterly report for the period ending December 31, 2015.

Staff recommends acceptance of the report as presented.

A handwritten signature in black ink, reading "J. Guy Henson", is written over a horizontal line.

J. Guy Henson, AICP
City Manager

Midwest City Chamber of Commerce Quarterly Report

December 31, 2015

The following is a quarterly report of the Midwest City Chamber of Commerce staff relating to Tinker and the Primes and Economic Development for the quarter ending December 31, 2015.

Meetings and Events:

Thursday, October 1, 2015: Staff met with Economic Development Director and a local resident who owns property across the street from Soldier Creek Elementary regarding development opportunities.

Wednesday, October 21, 2015: Director attended EDC Quarterly Meeting at City Hall.

Friday, October 23, 2015: Director, Chamber President and Economic Development Director attended State of the Aerospace luncheon in Oklahoma City.

Thursday, November 12, 2015: Staff updated materials and website for Tinker and the Primes 2016 as well as sent a mass Save the Date email to the Aviation Week database.

Tuesday, December 1, 2015: Director and Economic Development Director attended a luncheon with the Oklahoma City Area Economic Developers Association.

Wednesday, December 2, 2015: Director and Economic Development Director met with representatives from the Dolese Company regarding a potential development the Dolese Company is pursuing.

Tuesday, December 15, 2015: Director met with City Manager regarding the location and design of the electronic billboard.

Chamber staff continues to meet with prospective participants for the August 22-24, 2016 event and have commitments from five exhibitors, including the Premier Title Sponsor.

Chamber staff continues to provide information and support necessary for the continued efforts of Economic Development and the success of Tinker and the Primes National Requirements Symposium.

Respectfully,
Bonnie Cheatwood
Executive Director
Midwest City Chamber of Commerce



NEW BUSINESS/
PUBLIC DISCUSSION

