

Notice for the Midwest City Council meetings was filed for the calendar year with the City Clerk of Midwest City. Public notice of this agenda was accessible at least 24 hours before this meeting at City Hall and on the Midwest City website (www.midwestcityok.org).

Midwest City Council Minutes

January 26, 2021

This meeting was held in the Midwest City Chambers at City Hall, 100 N Midwest Blvd, Midwest City, County of Oklahoma, State of Oklahoma.

Mayor Matthew Dukes* called the meeting to order at 6:02 PM with following members present: Councilmembers Susan Eads**, Pat Byrne***, Española Bowen, Sean Reed, Christine Allen, Rick Favors and with City Clerk, Sara Hancock, City Attorney Heather Poole, and City Manager Tim Lyon.

OPENING BUSINESS. The invocation was given by Assistant City Manager Vaughn Sullivan, followed by the Pledge of Allegiance led by Carl Albert Jr ROTC Cadet Striegel. Council and Staff made community-related announcements.

CONSENT AGENDA. Eads made a motion to approve the consent agenda with exception to pull item #2, seconded by Bowen. Voting Aye: Byrne, Eads, Bowen, Reed, Allen, Favors, and Mayor Dukes. Nay: None. Motion carried.

1. Discussion and consideration to approve the minutes of the January 12, 2021 meeting, as submitted.
2. **Discussion and consideration of accepting the financial audit of the City of Midwest City as of and for the year ended June 30, 2020.** M. Gibson of RSM US LLP addressed the council. Allen made a motion to approve, as submitted, seconded by Byrne. Voting Aye: Byrne, Eads, Bowen, Reed, Allen, Favors, and Mayor Dukes. Nay: None. Motion carried.
3. Discussion and consideration of accepting the City Manager's Report for the month of December 2020.
4. Discussion and consideration of supplemental budget adjustments to the following funds for FY 2020-2021, increase: Grant Funds, revenue/Intergovernmental (62) \$32,820; expenditures/Police (62) \$32,820. CDBG Fund, revenue/Intergovernmental (00) \$321,726; expenditures/Grants Management (39) \$321,726.
5. Discussion and consideration of accepting the monthly report on the City of Midwest City Employees' Health Benefits Plan by the City Manager and action as deemed necessary by the Council to maintain the plan.
6. Discussion and consideration to approve Amendment #1 to the professional design services contract with Olsson, Inc. in the amount of \$10,045 plus \$600 per easement for the W.P. Bill Atkinson Park, a 2018 General Obligation project.
7. Discussion and consideration of awarding bid to Top Tier Tactical for Police Department Respirator Equipment in the amount of \$38,100.

8. Discussion and consideration of entering into a contract agreement with Great Plains Consulting in the amount of \$148,080.00 for the inspection of the construction and installation of the new Booster Pump Station and Storage Tank Reconstruction funded by the 2018 G.O. Bond proposal.
9. Discussion and consideration of accepting maintenance bonds from Turning Point Industries, Inc. in the amount of \$9,744.30, respectively.
10. Discussion and consideration of accepting maintenance bonds from Holland Backhoe, Inc. in the amount of \$4,708.50, \$4,004.50, and \$4,065.50, respectively.
11. Discussion and consideration of reappointing Russell Smith to the Planning Commission for an additional three-year term.
12. Discussion and consideration of declaring used fire hose as surplus and authorizing the disposal by public auction, sealed bid, or destruction, if necessary.

DISCUSSION ITEMS.

1. **(PC – 2056) Public hearing with discussion and consideration of approval of a resolution for a Special Use Permit (SUP) to allow the use of communication services in the R-6, Single Family Detached Residential District for the property described as a part of the NW/4 of section 36 T-12-N, R-2-W, located at 600 N. Douglas Boulevard. This item was continued from the October 27, 2020 and November 10, 2020 City Council meetings.**

Billy Harless and Ralph Wyngarden of Faulk & Foster, Pastor John Jones of Highland Park Baptist Church, and Jackie Parks of 9100 E. Cardinal addressed the council. After Staff and Council discussion, Byrne made a motion to approve Resolution 2021-02, with stipulations: 1. No commercial advertising or signage shall be allowed on any cell tower. 2. Any tower that is not operated or used for a continuous period of 12 consecutive months shall be considered abandoned and the owner of said tower shall be required, at the owner's expense, to remove the tower and all associated buildings, power supply, fence, and other items associated with, and permitted with, the tower. If not removed the City of Midwest City may contract the removal and the expense passed onto the tower owner. City staff check quarterly to determine if the tower is still operational. 3. Tower facilities shall be visually buffered by a hedge of low -maintenance evergreen plant material, or other approved opaque screening material, which effectively screens the view of the tower, building, fencing and accessory facilities. The tower owner shall be responsible for all costs of equipment, labor, and materials associated with the screening of the tower facilities. The tower owner will be responsible for all costs associated with the landscaping requirements. Upon completion of the tower construction, screening and landscaping, all maintenance of the landscaping and screening shall become the responsibility of the property owner. Plants that die or do not effectively buffer the tower, screening, or building power equipment shall be replaced within a reasonable length of time, not to exceed three months, at the landowner's expense. Failure to maintain the plants shall constitute a fine to the landowner. The tower owner shall be responsible for all costs, equipment, labor around the cell tower. The fencing shall consist of a chain-link fence in type and be a minimum height of eight feet. The fence must be installed around the tower site with a locking gate. A sign must also be posted containing the tower owner's name and contact information. Tower owner shall be responsible for maintaining the fence in good

condition. 4. The City of Midwest City may at any time request the tower owner to perform additional inspections if damaging winds, earthquakes, other natural phenomenon, or unexpected damages occur that may cause structural failure of the cell tower or facilities. If, upon inspection, the tower owner determines that the facility fails to comply with such applicable codes and that such failure constitutes a danger to persons or property, then the owner of the facility must immediately notify the City of Midwest City. The owner shall have 30 days to bring the facility into compliance with the applicable codes and standards. Failure to bring the facility into compliance within the said 30 days shall constitute cause for the removal of the facility at the owner's expense, seconded by Reed. Voting Aye: Byrne, Reed, Favors, and Mayor Dukes. Abstain: Eads, Bowen, Allen. Nay: None. Motion carried.

2. **(PC – 2065) Discussion and consideration of approval of the Final Plat of Ryan's Ridge, described as a part of the SW/4 of Section 6, T11N, R1W, addressed as 10332 S.E. 10th Street.** Billy Harless, Jeff Bradley of 12420 Hastings Rd (on behalf of Mother at 10416 SE 10th), and applicant Kevin Ergenbright addressed the Council. After Staff and Council discussion, Favors made motion to approve the final plat, seconded by Eads. Voting Aye: Byrne, Eads, Bowen, Allen, Reed, Favors, and Mayor Dukes. Nay: None. Motion carried.

3. **(PC-2066) Public hearing with discussion and consideration of an ordinance to redistrict from R-6, Single Family Detached Residential to C-1, Restricted Commercial, and a resolution to amend the Comprehensive Plan from LDR, Low Density Residential to OR, Office Retail, for the property described as part the SE/4 of Section 6, T-11-N, R-1W, and a portion of the parcel addressed as 10601 SE 15th Street.**

Council recessed at 7:10 PM and returned at 7:16 PM.

Billy Harless, Attorney David Box, Gerry Gulbrauson of 10525 Songbird, and Brandon Bundy addressed the Council. After Staff and Council discussion, Reed made motion to approve Ordinance 3436 and Resolution 2021-03, seconded by Byrne. Voting Aye: Eads, Byrne, Bowen, Reed, and Mayor Dukes. Nay: Allen and Favors. Motion carried.

4. **(PC-2067) Public hearing with discussion and consideration of an ordinance to redistrict from R-6, Single Family Detached Residential with a Special Use Permit for a Church to C-3, Community Commercial, and a resolution to amend the Comprehensive Plan from PSP, Public/Semi-Public to COMM, Commercial, for the property described as part of the NW/4 of Section 1, T-11-N, R-2-W, addressed as 208 S. Douglas Blvd.** Billy Harless and Rod Baker the applicant addressed the Council. After discussion, Byrne made motion to approve Ordinance 3437 and Resolution 2021-04, seconded by Allen. Voting Aye: Eads, Byrne, Bowen, Reed, Allen, Favors and Mayor Dukes. Nay: None. Motion carried.

5. **(PC – 2068) Public hearing with discussion and consideration of an ordinance redistricting from Planned Unit Development (PUD) to Amended Planned Unit Development (PUD), for the property described as Lot 1 of the Red Oak Development addressed as 2113 S. Douglas Boulevard.** Billy Harless and Attorney Rick Rice addressed the Council. After discussion, Reed made motion to approve Ordinance 3438, seconded by Eads. Voting Aye: Eads, Byrne, Bowen, Reed, Allen, Favors and Mayor Dukes. Nay: None. Motion carried.

6. **(PC-2069) Public hearing with discussion and consideration of an ordinance to redistrict from R-6, Single Family Detached Residential, PUD, Planned Unit Development and O-2 General Office to a PUD, governed by the R-MD, Medium Density Residential and a resolution to amend the Comprehensive Plan from LDR, Low Density Residential to MDR, Medium Density Residential, for the property described as a part of the SW/4 of Section 6, T11N, R1W, addressed as 10100 S.E. 10th St. and 1120 S. Post Rd. No action taken.**

7. **(PC – 2070) Discussion and consideration of approval of the proposed preliminary plat of Primrose Hill, described as a part of the SW/4 of Section 31, T12N, R1W, located at 316 N. Post Road.** Billy Harless, James Ergenbright of 10012 Park Dr, Attorney David Box, Mark Grubb of Grubbs Consulting, and Brandon Bundy addressed the Council. After discussion, Bowen made a motion to approve the preliminary plat subject to requiring detention be 10% above City requirements and move the drainage outfall 25 feet back from the property line incorporate a weir system and that dissipates and all storm events will be accounted for, seconded by Byrne. Voting Aye: Eads, Byrne, Bowen, Reed, Allen, Favors and Mayor Dukes. Nay: None. Motion carried.

8. **(PC – 2071) Discussion and consideration of approval of the Replat of Lot 3, Block 2 of the Harper Addition, described as a part of the NW/4 of Section 31, T12N, R1W and addressed as 910 N. Poplar Lane.** Billy Harless and applicant, Rodney Tyra of 910 N Poplar Ln, addressed the Council. Bowen made motion to approve the replat, as submitted, seconded by Allen. Aye: Eads, Byrne, Bowen, Reed, Allen, Favors and Mayor Dukes. Nay: None. Motion carried.

9. **Discussion and consideration of presentation by W.D. Ballew, PhD., P.E. on comprehensive review of the Midwest City Police Department jail operations.** W.D Ballew presented information. After Staff and Council discussion, Reed made motion to approve the report, seconded by Allen. Voting Aye: Eads, Byrne, Bowen, Reed, Allen, Favors and Mayor Dukes. Nay: None. Motion carried.

- *Mayor left the meeting at 8:31 pm and returned at 8:33 pm

- **Eads left the meeting at 8:33 pm and returned at 8:34 pm

- ***Councilmember Byrne left the meeting at 8:48pm and returned at 8:51 pm.

10. **Discussion and consideration of awarding the bid and entering into a contract with United Golf, LLC, for renovation of John Conrad Regional Golf Course in the total amount of \$3,563,555.16, which includes the base bid in the amount of \$3,532.450.16 and Alternate number A-2 (Driving range floor shaping) in the amount of \$5,415.00, Alternate number A-3 (Driving range drainage) \$4,810.00, Alternative number A-5 (Driving range Astro sprigs) \$5,880.00, Alternative number A-13 (Pump-house refurbishment) one (1) item at \$15,000.00.** Vaughn Sullivan addressed Council. After Staff and Council discussion, Reed made motion to award bid to United Golf, LLC, seconded by Eads. Voting Aye: Eads, Byrne, Bowen, Reed, Allen, Favors and Mayor Dukes. Nay: None. Motion carried.

NEW BUSINESS/PUBLIC DISCUSSION. There was no new business or public discussion.

***Councilmember Byrne left the meeting at 9:02 PM.

At 9:03 PM, Reed made motion to recess, seconded by Eads. Voting Aye: Eads, Bowen, Reed, Allen, Favors and Mayor Dukes. Nay: None. Absent: Byrne. Motion carried.

The Council returned to the City Council agenda at 9:07 PM.

EXECUTIVE SESSION.

1. Discussion and consideration of 1) entering into executive session as allowed under 25 O.S. § 307 (B) (2) to discuss negotiations concerning employees and representatives of employee groups; and 2) in open session, authorizing the city manager to take action as appropriate based on the discussion in executive session.

At 9:07 PM, Reed made motion to enter into executive session, seconded by Eads. Voting Aye: Eads, Bowen, Reed, Allen, Favors and Chairman Dukes. Nay: None. Absent: Byrne. Motion carried.


At 9:36 PM, Reed made motion to return to open session and to authorize City Manager to proceed as discussed, seconded by Eads. Voting Aye: Eads, Bowen, Reed, Allen, Favors and Chairman Dukes. Nay: None. Absent: Byrne. Motion carried.

ADJOURNMENT. There being no further business, Mayor Dukes adjourned the meeting at 9:37 PM.

ATTEST:




MATTHEW D. DUKES II, Mayor


SARA HANCOCK, City Clerk

Notice for the Midwest City Municipal Authority meetings was filed for the calendar year with the City Clerk of Midwest City. Public notice of this agenda was accessible at least 24 hours before this meeting at City Hall and on the Midwest City website (www.midwestcityok.org).

Midwest City Municipal Authority Minutes

January 26, 2021

This meeting was held in Midwest City Council Chambers at City Hall, 100 N. Midwest Boulevard, Midwest City, County of Oklahoma, State of Oklahoma.

Chairman Matthew Dukes called the meeting to order at 9:03 PM with the following members present: Trustees Susan Eads, Española Bowen, Sean Reed, Christine Allen, Rick Favors and Secretary Sara Hancock, City Attorney Heather Poole, and City Manager Tim Lyon. Absent: Pat Byrne.

CONSENT AGENDA. Allen made motion to approve the consent agenda, as submitted, and seconded by Favors. Voting Aye: Eads, Bowen, Reed, Allen, Favors and Chairman Dukes. Nay: None. Absent: Byrne. Motion carried.

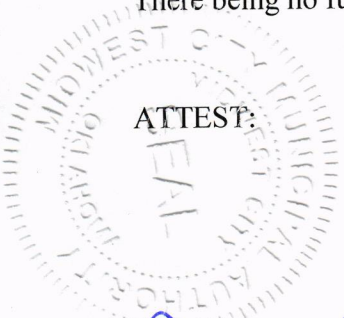
1. Discussion and consideration to approve the minutes of the January 12, 2021 meeting, as submitted.
2. Discussion and consideration of accepting the report on the current financial condition of the Sheraton Midwest City Hotel at the Reed Center for the period ending December 31, 2020.

NEW BUSINESS/PUBLIC DISCUSSION. There was no new business or public discussion.

ADJOURNMENT.

There being no further business, Chairman Dukes adjourned the meeting at 9:03 pm.

ATTEST:

A circular seal of the Midwest City Municipal Authority is visible in the background, partially overlapping the signature of Sara Hancock. The seal contains the text "MIDWEST CITY MUNICIPAL AUTHORITY" around the perimeter and "SEAL" in the center.
Sara Hancock
Sara Hancock, Secretary

A handwritten signature in blue ink, appearing to read "Matthew D. Dukes II", is written over a horizontal line.
Matthew D. Dukes II, Chairman

Notice for the Midwest Memorial Hospital Authority meetings was filed for the calendar year with the City Clerk of Midwest City. Public notice of this agenda was accessible at least 24 hours before this meeting at City Hall and on the Midwest City website (www.midwestcityokorg).

Midwest City Memorial Hospital Authority Minutes

January 26, 2021

This meeting was held in the Midwest City Chambers at City Hall, 100 N Midwest Blvd, Midwest City, County of Oklahoma, State of Oklahoma.

Chairman Matthew Dukes called the meeting to order at 9:03 PM with following members present: Trustees Susan Eads, Española Bowen, Sean Reed, Christine Allen, Rick Favors with Secretary Sara Hancock, City Attorney Heather Poole, and City Manager Tim Lyon. Absent: Pat Byrne.

CONSENT AGENDA. Allen made motion to approve the consent agenda, as submitted, seconded by Favors. Voting aye: Eads, Bowen, Reed, Allen, Favors, and Chairman Dukes. Nay: None. Absent: Byrne. Motion passed.

1. Discussion and consideration to approve the minutes of the January 5, 2021 special meeting, as submitted.
2. Discussion and consideration to approve the minutes of the January 12, 2021 meeting, as submitted.

DISCUSSION ITEMS.


1. **Discussion and consideration of action to reallocate assets, change fund managers or make changes in the Statement of Investment Policy, Guidelines and Objectives.** No Action Needed.
2. **Discussion and consideration of approving and entering into an engagement letter with Grant Thornton, LLP to perform a GAAP audit for the calendar year ending December 31, 2020 for STC II, LLC in an amount not to exceed \$28,100, plus 7% administrative fee of \$1,967, and authorizing the city manager and/or finance director to act on behalf of the Authority during the audit to provide information, oversee the audit process and make determinations as required.** Reed made motion to approve, as submitted, seconded by Eads. Voting aye: Eads, Bowen, Reed, Allen, Favors, and Chairman Dukes. Nay: None. Absent: Byrne. Motion carried.
3. **Discussion and consideration to authorize Savory Development, L.L.C. to submit construction documents and a building permit application for Lots 8 – 10, Block 1, Replat of Atkinson Heights Addition (a/k/a 2500 S Air Depot BL) on behalf of the Midwest City Memorial Hospital Authority.** Coleman addressed the council. Reed made motion to authorize, as submitted, seconded by Allen. Voting aye: Eads, Bowen, Reed, Allen, Favors, and Chairman Dukes. Nay: None. Absent: Byrne. Motion passed.

NEW BUSINESS/PUBLIC DISCUSSION. There was no new business or public discussion.

ADJOURNMENT.

There being no further business, Chairman Dukes adjourned the meeting at 9:05 PM.

ATTEST:



Sara Hancock
SARA HANCOCK, Secretary

Matthew D. Dukes II
MATTHEW D. DUKES II, Chairman

Notice for the Midwest City Economic Development Authority special meeting was filed for the with the City Clerk of Midwest City at least 48 hours prior to the meeting. Public notice of this agenda was accessible at least 24 hours before this meeting at City Hall and on the Midwest City website (www.midwestcityok.org).

Midwest City Economic Development Authority
Special Meeting Minutes

January 26, 2021

This meeting was held in the Midwest City Chambers at City Hall, 100 N Midwest Blvd, Midwest City, County of Oklahoma, State of Oklahoma.

Chairman Matthew Dukes called the meeting to order at 9:06 PM with following members present: Trustees Susan Eads, Española Bowen, Sean Reed, Christine Allen, Rick Favors with Secretary Sara Hancock, City Attorney Heather Poole, and City Manager Tim Lyon. Absent: Pat Byrne.

DISCUSSION ITEMS.

1. **Discussion and consideration to approve the minutes of the November 10, 2020 special meeting, as submitted.** Reed made motion to approve the minutes, as submitted, seconded by Eads. Voting aye: Eads, Bowen, Reed, Allen, Favors, and Chairman Dukes. Nay: None. Absent: Byrne. Motion carried.


2. **Discussion and consideration of approving and entering into engagement letters with Grant Thornton, LLP to perform GAAP audits for the calendar year ending December 31, 2020 for 1) Sooner Town Center (STC), LLC and STC Lowe's, LLC in an amount not to exceed \$46,600, plus 7% administrative fee of \$3,262; and 2) STC II, LLC in an amount not to exceed \$28,100, plus 7% administrative fee of \$1,967; and 3) authorizing the city manager and/or finance director to act on behalf of the Authority during the audits to provide information, oversee the audit process and make determinations as required.** Reed made motion to approve, as submitted, seconded by Eads. Voting aye: Eads, Bowen, Reed, Allen, Favors, and Chairman Dukes. Nay: None. Absent: Byrne. Motion carried.

PUBLIC DISCUSSION. There was no public discussion.

ADJOURNMENT.

There being no further business, Chairman Dukes adjourned the meeting at 9:07 PM.

ATTEST:


SARA HANCOCK, Secretary




MATTHEW D. DUKES II, Chairman