



CITY OF MIDWEST CITY MEETINGS
FOR DECEMBER 14, 2021

Meetings will be streamed live on the City of Midwest City's (MWC) YouTube channel: bit.ly/CityofMidwestCity.

The recorded video will be available on MWC's YouTube channel: bit.ly/CityofMidwestCity and MWC's website: www.midwestcityok.org within 48 hours. The meeting minutes and video can be found on MWC's website in the Agenda Center: <https://www.midwestcityok.org/meetings>.

To make a special assistance request, call 739-1213 or email bbundy@midwestcityok.org no less than 24 hours prior to the start of a meeting. If special assistance is needed during a meeting, call 739-1388.

MWC continues to take steps to follow federal, state and local guidelines regarding social distancing and crowd size. Thank you for helping us keep our community safe.



CITY COUNCIL AGENDA

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

December 14, 2021 – 6:00 PM

Presiding members: Mayor Matthew Dukes

Ward 1 Susan Eads

Ward 2 Pat Byrne

Ward 3 Española Bowen

Ward 4 Sean Reed

Ward 5 Christine Allen

Ward 6 Rick Favors

City Staff:

City Manager Tim Lyon

City Clerk Sara Hancock

City Attorney Don Maisch

A. CALL TO ORDER.

B. OPENING BUSINESS.

- Invocation by Assistant City Manager Vaughn Sullivan
- Pledge of Allegiance by Carl Albert High School ROTC Cadets
- Community-related announcements and comments
- Mayoral Proclamation for Police Retirees Sgt. Scott Premo and Lt. Steve Simonson

- C. CONSENT AGENDA. These items are placed on the Consent Agenda so the Council, by unanimous consent, can approve routine agenda items by one motion. If any Council member requests to discuss an item(s), it/they will be removed and heard in regular order. If the Consent Agenda is not approved unanimously, and no item(s) is requested for discussion, then each item will be heard in regular order.
1. Discussion and consideration for adoption, including any possible amendment of the November 9, 2021 regular meeting minutes. (City Clerk - S. Hancock)
 2. Discussion and consideration for adoption, including any possible amendment, of the City Manager's Report for the month of October 2021. (Finance - T. Cromar)
 3. Discussion and consideration for adoption, including any possible amendment of supplemental budget adjustments to the following funds for FY 2021-2022, increase: Risk Fund, expenditures/Risk Insurance (29) \$545,987. Worker's Comp Fund, expenditures/Risk Insurance (29) \$1,334,940. Urban Renewal Authority Fund, expenditures/Urban Renewal (93) \$50,000. Grant Fund, revenue/Intergovernmental (62) \$44,880; expenditures/Police (62) \$44,880. 2018 Election G.O. Bonds Fund, revenue/Transfers In (06) \$13,213; expenditures/Park & Rec (06) \$13,213. (Finance - T. Cromar)
 4. Discussion and consideration of adopting, including any possible amendment, 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. (Human Resources - T. Bradley)
 5. Discussion and consideration of entering into an extension of an agreement, including any possible amendment, with INSURICA Insurance Management Network in the amount of \$55,560 for coordination and management of benefit services for the City's Employee Life and Health Benefits Plan. The agreement extension would maintain benefits consulting services without an increase in cost over the previous year. (Human Resources - T. Bradley)
 6. Discussion and consideration, including any amendments, of entering into a Municipal Advisor Contract with BOK Financial Securities for expert financial advice associated with the \$53,650,000 General Obligation Bond issue. (City Manager - T. Lyon)
 7. Discussion and consideration, including any amendments, of entering into a contract with Hilborne & Weidman for expert Bond Counsel services associated with the 2018 Public Safety portion of the General Obligation Bond in an approximate amount of \$5,750,000. (City Manager - T. Lyon)
 8. Discussion and consideration of, including any possible amendment, approving Task Order #3 with C. H. Guernsey & Company (Guernsey), in an amount not to exceed \$16,200.00, for development of a Preliminary Engineering Report (PER) related to the 2018 Moving Midwest City Forward bond issue, Multi-Purpose Sports Complex phase II located at 9400 S.E. 29th Street in Oklahoma City. (City Manager - V. Sullivan)

9. Discussion and Consideration for adoption, including any possible amendment of, approving Amendment No. 3 to the construction management contract with MacHill Construction, Inc. associated with the Reed Baseball Complex renovations with an added cost of \$13,212.36 bringing the new contract total to \$2,461,218.78 and adding 30 days of time. (City Manager - V. Sullivan)
10. Discussion and consideration of adoption, including any possible amendments, of the ADG P.C. Program and Project Management Services Contract Amendment to include extension of contract and modifications to Exhibit A, B and C at no additional cost. (City Manager - V. Sullivan)
11. Discussion and consideration for adoption, including any possible amendment of, approving Change Order No. 4 to the construction management contract with Lippert Brothers, Inc. associated with the Multi-Sports Complex renovations with a decrease in cost of \$240.03, which brings the total cost to \$5,217,129.92. (City Manager - V. Sullivan)
12. Discussion and consideration for adoption, including any amendments, of a Memorandum of Understanding with the City of Oklahoma City and Oklahoma City Water Utilities Trust for the construction and installation of City of Oklahoma City water and sewer line extensions across the Midwest City Multi-Purpose Sports Complex located at 9400 S.E. 29th Street in Oklahoma City at an estimated total cost of \$700,000.00. (City Manager – V. Sullivan)
13. Discussion and consideration, including any possible amendment, to approve Change Order No. 1 with W.L. McNatt & Co., for material, labor, and subcontracting services for Fire Station #1 Headquarters Remodel in an increased amount of \$46,951 and to add 24 additional days of time. (Fire - B. Norton)
14. Discussion and consideration for adoption, including any amendments, of an agreement with Ron Davis for the sale of potable water outside the corporate city limits of the City of Midwest City, located at 10830 SE 29th St., for a five year term, with option of two additional five year terms, at the outside rate of 1 1/2 times the inside rate. (Public Works - P. Streets)
15. Discussion and consideration of, including any possible amendment, awarding a bid and entering into a contract for the third round of Moving Midwest City Forward 2018 G.O. bond asphalt street paving projects with A-Tech Paving Co., in an amount not to exceed \$2,500,000. (Public Works - P. Menefee)
16. Discussion and consideration, including any possible amendment, of approving and entering into a contract extension agreement with Smith, Roberts, Baldischwiler, LLC (S.R.B.) for the construction administration and inspection services associated with the Moving Midwest City Forward 2018 Bond Proposition I, Street Rehabilitation in an amount not to exceed \$212,400.00. (Public Works - P. Menefee)

17. Discussion and consideration for adoption, including any possible amendment of approving the purchase and installation of a 9 x 16 refurbished equipment shelter in the amount of \$86,252.00 from MCG Aerial, LLC for the second P25 radio communication site located at the Mid-America Clock Tower, as a part of the 2018 Moving Midwest City Forward G.O. Bond project. (Information Technology - A. Stephenson)
18. Discussion and consideration, including any amendment thereto, of approving Change Order #04 with the Oklahoma Department of Transportation for STP-255N(496)AG, State Job Number 31546(04), Douglas Resurfacing from SE 4th Street to NE 10th Street in the amount of -\$4,955.64. (Community Development - B. Bundy)
19. Discussion and consideration for adoption, including any possible amendment of change order #2 amending the contract with Shiloh Enterprises, Inc. to construct the WP Bill Atkinson Park in a *decrease* of \$64,150.25 and to add 12 additional days of time. (Community Development - B. Bundy)
20. Discussion and consideration of approving and entering, including any amendment thereto, into a project agreement for Federal-aid Project Number J3-3345(004), State Job Number 33345(04), with the Oklahoma Department of Transportation (ODOT) to receive \$3,886,793 in federal funds for a project to resurface Midwest Boulevard from SE 29th Street to NE 10th Street. (Community Development - B. Bundy)
21. Discussion and consideration, including any amendment thereto, of approving a programming resolution for possible inclusion into the Air Quality Small Grant Program for a project to replace the existing bridge over Soldier Creek in Tom Poore Park. (Community Development - B. Bundy)
22. Discussion and consideration, including any amendment thereto, of declaring a Resolution of Necessity to acquire four tracts of property in connection with the future Rail with Trail Phase 3 Project, a federally funded multi-modal trail. The property is located within the corporate limits of the City of Midwest City, in the Northeast (NE) Quarter of Section Four (4), Township Eleven (11) North, Range Two (2) West, of the Indian Meridian, Oklahoma County, Oklahoma. (Community Development - B. Bundy)
23. Discussion and consideration, including any amendment thereto, of approving Change Order #02 with the Oklahoma Department of Transportation for STPG-255F(482)AG, State Job Number 33739(04), Orchard and Bomber Rail Trail Signals for \$7,292.46. (Community Development - B. Bundy)
24. Discussion and consideration, including any amendment thereto, of approving a programming resolution for possible inclusion into the Air Quality Small Grant Program for a project to add active transportation improvements to Adair Boulevard from Hudiburg Drive to Air Depot Boulevard. (Community Development - B. Bundy)

25. Discussion and consideration, including any amendment thereto, of granting a Permanent Easement to Oklahoma Gas and Electric Company across a certain parcel of land located within the corporate boundaries of Midwest City being part of Section Two (2), Township Eleven (11) North, Range Two (2) West of the Indian Meridian, Oklahoma County, Oklahoma, 8610 E. Reno. (Community Development - B. Bundy)
26. Discussion and consideration, including any amendment thereto, of approving Change Order #05 with the Oklahoma Department of Transportation for STP-255B(461)AG, State Job Number 31548(04), SE 29th Street Reconstruction from Midwest Boulevard to Douglas Boulevard in the amount of \$86,580.18. (Community Development - B. Bundy)
27. Discussion and consideration, including any amendments, of appointing Planning Commission Chairman Russell Smith to serve on the Local Development Review Committee. (Economic Development - R. Coleman)
28. Discussion and consideration for adoption, including any possible amendment of 1) declaring various computer equipment obsolete items of city property on the attached list surplus; and 2) authorizing their disposal by public auction, sealed bid, or other means as necessary. (Information Technology - A. Stephenson)
29. Discussion and consideration for adoption, including any possible amendment of 1) declaring various equipment obsolete items of city property on the attached list surplus; and 2) authorizing their disposal by public auction, sealed bid, or other means as necessary. (City Manager - V. Sullivan)

D. DISCUSSION ITEMS.

1. (PC-2090) Public hearing with discussion and consideration for adoption, including any possible amendment of an ordinance to redistrict from C-3, Community Commercial and to R-HD, High Density Residential, for the property described as a part of the SW/4 of Section 12, T-11-N, R-2-W, located at 2500 S. Douglas Blvd. (Community Development - B. Harless)
2. (PC-2091) Public hearing with discussion and consideration for adoption, including any possible amendment of an ordinance to redistrict from A-1, Agricultural to I-3, Heavy Industrial, and a resolution for a Special Use Permit to allow the use of Animal Waste Processing, for a portion of the property addressed as 7221 NE 36th, part of the the SW/4 of Section 15, T-12-N, R-2-W. (Community Development - B. Harless)
3. Discussion and consideration, for adoption, including any possible amendments of a correction of an error in the legal description of Ordinance No. 3463 approved by the City Council October 26, 2021. (Community Development - B. Harless)

4. (PC-2099) Public hearing with discussion and consideration for adoption, including any possible amendment of an ordinance to redistrict from C-3, Community Commercial and R-6, Single Family Residential to PUD, Planned Unit Development, governed by the R-MD, Medium Density Residential and a resolution to amend the Comprehensive Plan from LDR, Low Density Residential, and OR, Office Retail, to MDR, Medium Density Residential, for the property described as a part of the SW/4 of Section 34, T-12-N, R-2-W, located at 2905 and 2913 N. Glenhaven Drive and 198 and 208 Marlow Drive. (Community Development - B. Harless)
5. (PC-2100) Public hearing with discussion and consideration for adoption, including any possible amendment of an ordinance to redistrict from R-6, Single Family Detached Residential to PUD, Planned Unit Development, governed by the R-6, Single Family Detached Residential and R-HD, High Density Residential districts and a resolution to amend a portion of the Comprehensive Plan from LDR, Low Density Residential to HDR, High Density Residential, for the property described as a part of the SW/4 of Section 5, T-11-N, R-1-W, addressed as 11455 SE 15th Street. (Community Development - B. Harless)
6. (PC – 2101) Discussion and consideration of adoption, including any possible amendment of the proposed preliminary plat of Cypress Village, 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. (Community Development - B. Harless)
7. Discussion and consideration, including any amendment thereto, of a request by Mr. Daryl Ljunghammar to waive the requirements of requiring a sewer connection in order to obtain a building permit per Midwest City Code 43-109, for his property at 8720 NE 17th Street. (Community Development - B. Bundy)
8. Discussion and consideration of adoption, including any possible amendment to an update to the temporary Traffic Calming measures installed along Murray Drive and Cardinal Place six months ago in June of 2021. (Public Works – P. Menefee)
9. (TS-446) Discussion and consideration of adoption, including any possible amendment of accepting the updated Traffic Signal Study and analysis for the intersection of N.E. 10th Street and Shadybrook Drive and approving the Traffic and Safety Commission’s recommendation of denial for a signal installation. (Public Works - P. Menefee)
10. Discussion and consideration of a resolution, including any possible amendment, of the City Council of the City of Midwest City, to rescind Resolution 2018-31; withdrawing from the Trust Agreement and Indenture creating the Regional Transportation Authority of Central Oklahoma (RTA); and rescinding appointments to the Regional Transportation Authority of Central Oklahoma. (City Manager – T. Lyon)
11. Discussion and consideration, including any amendments, to adopting a resolution fixing the amount of bonds to mature each year, fixing the time and place the bonds are to be sold and authorizing the Clerk to give notice of said sale as required by law. (City Manager - T. Lyon)

12. Discussion and consideration for adoption, including any possible amendment, of a resolution declaring the intent of the City Council of the City of Midwest City, Oklahoma, to consider the designation of a portion of the city as a "Statutory Reinvestment Area" and to consider creation of a related "Tax Increment District" pursuant to Oklahoma law; creating the Midwest City Local Development Act Review Committee ("the Review Committee"); determining membership of the Review Committee; designating the manner and term of appointment of Committee members; providing for meetings of the Review Committee; establishing officers; determining voting rights and quorum; directing the Review Committee to consider proposed project plans and to make any findings and recommendations required by law; directing the Midwest City Planning Commission to consider the proposed project plans and make any recommendations required by law; and containing other provisions relating thereto. (Economic Development - R. Coleman)
 13. Appointment of a City Council member to serve as Chairman of the Local Development Review Committee. (Economic Development - R. Coleman)
 14. Discussion and consideration for adoption, including any amendments, of an ordinance amending the Midwest City Municipal Code, Chapter 2, Administration, Article X, Payment of Municipal Obligations, Section 2-143, Authority to institute legal action and settle claims; and providing for a repealer, severability and an effective date of January 15, 2022. (City Attorney - D. Maisch)
- E. NEW BUSINESS/PUBLIC DISCUSSION. In accordance with State Statute Title 25 Section 311. Public bodies - Notice. A-9, the purpose of the "New Business" section is for action to be taken at any Council meeting for any matter not known about or which could not have been reasonably foreseen 24 hours prior to the public meeting. The purpose of the "Public Discussion Section" of the Agenda is for members of the public to speak to the City Council on any Subject not scheduled on the Regular Agenda. The Council shall make no decision or take any action, except to direct the City Manager to take action, or to schedule the matter for discussion at a later date. Pursuant to the Oklahoma Open Meeting Act, the Council will not engage in any discussion on the matter until that matter has been placed on an agenda for discussion. THOSE ADDRESSING THE COUNCIL ARE REQUESTED TO STATE THEIR NAME AND ADDRESS PRIOR TO SPEAKING TO THE COUNCIL.
- F. FURTHER INFORMATION.
1. Signed Minutes of the October 5, 2021 Planning Commission Meeting. (Community Development - B. Harless)
 2. Review of the November 2021 Building Report. (Community Development - B. Harless)
 3. Review of the October 2021 Building Report. (Community Development—B. Harless)

G. EXECUTIVE SESSION.

1. Discussion and consideration of 1) entering into executive session, as allowed under Title 25 Section 307 (B)(4) to discuss confidential communications between a public body and its attorney concerning a pending investigation, claim, or action if the public body with the advice of its attorney, determines that disclosure will seriously impair the ability of the public body to process the claim or conduct a pending investigation, litigation, or proceeding in the public interest; and 2) authorizing the City Manager to take action as appropriate based on discussion. (City Manager - T. Lyon)
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 City Manager to take action as appropriate based on the discussion in executive session. (Economic Development - R. Coleman)

H. ADJOURNMENT.



MUNICIPAL AUTHORITY AGENDA

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

December 14, 2021 – 6:01 PM

Presiding members: Chairman Matt Dukes

Trustee Susan Eads

Trustee Sean Reed

City Manager Tim Lyon

Trustee Pat Byrne

Trustee Christine Allen

City Clerk Sara Hancock

Trustee Española Bowen

Trustee Rick Favors

City Attorney Don Maisch

A. CALL TO ORDER.

B. CONSENT AGENDA. These items are placed on the Consent Agenda so the Authority, by unanimous consent, can approve routine agenda items by one motion. If any Trustee requests to discuss an item(s), it/ they will be removed and heard in regular order. If the Consent Agenda is not approved unanimously, and no item(s) is requested for discussion, then each item will be heard in regular order.

1. Discussion and consideration for adoption, including any possible amendment of, the October 26, 2021 meeting minutes. (Secretary - S. Hancock)
2. Discussion and consideration for adoption, including any possible amendment of, the report on the current financial condition of the Sheraton Midwest City Hotel at the Reed Center for the period ending October 31, 2021. (City Manager – T. Lyon)
3. Discussion and consideration for adoption, including any possible amendment of, a land lease contract with Harmoni Towers, LLC, at \$1,000.00 per month over the next five (5) years, for construction and operation of a cell phone tower. (City Attorney - D. Maisch)

C. NEW BUSINESS/PUBLIC DISCUSSION. In accordance with State Statute Title 25 Section 311. Public bodies - Notice. A-9, the purpose of the "New Business" section is for action to be taken at any Council/Authority /Commission meeting for any matter not known about or which could not have been reasonably foreseen 24 hours prior to the public meeting. The purpose of the "Public Discussion" section of the Agenda is for members of the public to speak to the City Council on any Subject not scheduled on the Regular Agenda. The Council shall make no decision or take any action, except to direct the City Manager to take action, or to schedule the matter for discussion at a later date. Pursuant to the Oklahoma Open Meeting Act, the Council will not engage in any discussion on the matter until that matter has been placed on an agenda for discussion. **THOSE ADDRESSING THE COUNCIL ARE REQUESTED TO STATE THEIR NAME AND ADDRESS PRIOR TO SPEAKING TO THE COUNCIL.**

D. ADJOURNMENT.



MEMORIAL HOSPITAL AUTHORITY AGENDA

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

December 14, 2021 – 6:02 PM

Presiding members: Chairman Matt Dukes

Trustee Susan Eads

Trustee Sean Reed

City Manager Tim Lyon

Trustee Pat Byrne

Trustee Christine Allen

City Clerk Sara Hancock

Trustee Española Bowen

Trustee Rick Favors

City Attorney Don Maisch

A. **CALL TO ORDER.**

B. **DISCUSSION ITEMS.**

1. Discussion and consideration for adoption, including any possible amendment of the November 9, 2021 regular meeting minutes. (Secretary - S. Hancock)
2. Discussion and consideration of adoption, including any possible amendment, of action to reallocate assets, change fund managers or make changes in the Statement of Investment Policy, Guidelines and Objectives. (Finance - T. Cromar)

C. **NEW BUSINESS/PUBLIC DISCUSSION.** In accordance with State Statute Title 25 Section 311. Public bodies - Notice. A-9, the purpose of the "New Business" section is for action to be taken at any Council/Authority /Commission meeting for any matter not known about or which could not have been reasonably foreseen 24 hours prior to the public meeting. The purpose of the "Public Discussion" section of the Agenda is for members of the public to speak to the City Council on any Subject not scheduled on the Regular Agenda. The Council shall make no decision or take any action, except to direct the City Manager to take action, or to schedule the matter for discussion at a later date. Pursuant to the Oklahoma Open Meeting Act, the Council will not engage in any discussion on the matter until that matter has been placed on an agenda for discussion. **THOSE ADDRESSING THE COUNCIL ARE REQUESTED TO STATE THEIR NAME AND ADDRESS PRIOR TO SPEAKING TO THE COUNCIL.**

D. **EXECUTIVE SESSION.**

1. Discussion and consideration of 1) entering into executive session, as allowed under Title 25 Section 307 (B)(4) to discuss confidential communications between a public body and its attorney concerning a pending investigation, claim, or action if the public body with the advice of its attorney, determines that disclosure will seriously impair the ability of the public body to process the claim or conduct a pending investigation, litigation, or proceeding in the public interest; and 2) authorizing the City Manager to take action as appropriate based on discussion. (City Manager - T. Lyon)

E. **ADJOURNMENT.**



SPECIAL ECONOMIC DEVELOPMENT AUTHORITY AGENDA

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

December 14, 2021 – 6:03 PM

Presiding members: Chairman Matt Dukes

Trustee Susan Eads

Trustee Sean Reed

City Manager Tim Lyon

Trustee Pat Byrne

Trustee Christine Allen

City Clerk Sara Hancock

Trustee Española Bowen

Trustee Rick Favors

City Attorney Don Maisch

A. **CALL TO ORDER.**

B. **DISCUSSION ITEMS.**

1. Discussion and consideration for adoption, including any possible amendment of the November 9, 2021 special meeting minutes. (Secretary - S. Hancock)
2. Discussion, consideration and possible action to amend and/or approve a legal services agreement with Riggs, Abney, Turpen, Orbison & Lewis, P.C, Oklahoma City, OK, for special counsel services relative to the consideration and possible establishment of the North Side Improvement District. (Economic Development – R. Coleman)

C. **PUBLIC DISCUSSION.** The purpose of the "Public Discussion" section of the Agenda is for members of the public to speak to the Council on any Subject not scheduled on the Regular Agenda. The Council shall make no decision or take any action, except to direct the City Manager to take action, or to schedule the matter for discussion at a later date. Pursuant to the Oklahoma Open Meeting Act, the Council will not engage in any discussion on the matter until that matter has been placed on an agenda for discussion. **THOSE ADDRESSING THE COUNCIL ARE REQUESTED TO STATE THEIR NAME AND ADDRESS PRIOR TO SPEAKING TO THE COUNCIL.**

D. **EXECUTIVE SESSION.**

1. Discussion and consideration of 1) entering into executive session, as allowed under 25 O.S. § 307(C)(11), to confer on matters pertaining to economic development, including the transfer of property, financing or the creation of a proposal to entice a business to remain or to locate within the City, and 2) in open session, authorizing the general manager/administrator to take action as appropriate based on the discussion in executive session. (Economic Development - R. Coleman)

E. **ADJOURNMENT.**