



AGENDA FOR THE MIDWEST CITY

SPECIAL ORDINANCE OVERSIGHT COUNCIL COMMITTEE MEETING

City Hall - Midwest City Council Conference Room, 100 N. Midwest Boulevard

January 25, 2022 – 5:00 PM

A. CALL TO ORDER.

B. DISCUSSION ITEMS.

1. Discussion and consideration to approve the minutes of the October 12, 2021 special meeting, as submitted. (City Clerk – S. Hancock)
2. Discussion and consideration for adoption, including any amendments, of an ordinance amending the Midwest City Municipal Code, Chapter 28 Offenses - Miscellaneous, Article V, Offenses Against Public Peace, Section 28-94, out of reserve and entitling it "Offenses Against Disturbing, Disrupting or Interfering with City Business"; and providing for repealer and severability. (City Attorney – D. Maisch)
3. Discussion and consideration for adoption, including any possible amendment of, an ordinance amending Chapter 18 Garbage and Refuse, Article II, Municipal Collection and Disposal Service, Section 18-25, Container Required; Duty to Use; and providing for repealer and severability. (Public Works Director - R. Streets)
4. Discussion of Chapter 24-201 and 24-203 - Residential Parking Restrictions, Soft Surface Parking.
5. Discussion of Chapter 37-67 - Construction of Sidewalks and overlay districts.

C. ADJOURNMENT.



Notice of this Ordinance Oversight Council Committee special 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 for at least 24 hours in advance of the meeting.

**Ordinance Oversight Council Committee Minutes
Special Meeting**

October 12, 2021

This meeting was held in the second floor conference room of City Hall, City of Midwest City, County of Oklahoma, State of Oklahoma.

Chairman Pat Byrne called the meeting to order at 5:00 PM with Mayor Matt Dukes and Councilmember Susan Eads.

Staff Present: City Manager Tim Lyon, City Attorney Donald Maisch, City Clerk Sara Hancock, Assistant City Manager Vaughn Sullivan, Director of Operations Ryan Rushing, Director of Communications Josh Ryan.

DISCUSSION ITEMS.

- 1. Discussion and consideration for adoption, including any possible amendment of, the minutes of the July 14, 2021 special meeting.**

Eads made a motion to approve the minutes, as submitted, seconded by Dukes. Voting aye: Dukes, Eads, and Byrne. Nay: none. Motion carried.

- 2. Discussion and consideration for adoption, including any amendments, of an ordinance amending the Midwest City Municipal Code, Chapter 2, Administration, Article VIII, Purchasing, Sections 2-116 Generally and 2-125 When bidding not required; and providing for a repealer, severability and an effective date.**

Dukes made a motion to approve and submit to the full City Council, seconded by Eads. Voting aye: Dukes, Eads, and Byrne. Nay: none. Motion carried.

- 3. Discussion and consideration for adoption, including any amendments, of an ordinance amending the Midwest City Municipal Code, Chapter 5 Alcoholic Beverages, Article II, Alcoholic Beverages, Article IV, Occupation Tax, Various Sections; and providing for repealer, severability and effective date.**

Eads made a motion to approve and submit to the full City Council, seconded by Dukes. Voting aye: Dukes, Eads, and Byrne. Nay: none. Motion carried.

- 4. Discussion and consideration for adoption, including any amendments, of an ordinance amending the Midwest City Municipal Code, Chapter 7 Amusements, Article IV, Circuses and Carnivals, Sections 7-50, License; and 7-52 Insurance; providing for repealer, severability and effective date.**

Eads made a motion to approve and submit to the full City Council, seconded by Dukes. Voting aye: Dukes, Eads, and Byrne. Nay: none. Motion carried.

5. **Discussion and consideration for adoption, including any amendments, of an ordinance amending the Midwest City Municipal Code, Chapter 20, Housing Code, Article IV, Rental Property, Sections 20-204 through 20-210; and providing for repealer, severability and effective date.**

Dukes made a motion to approve upon further review prior to submitting to the full City Council, seconded by Byrne. Voting aye: Dukes, Eads, and Byrne. Nay: none. Motion carried.

6. **Discussion and consideration for adoption, including any amendments, of an ordinance amending the Midwest City Municipal Code, Chapter 20 Appendix A, Zoning Regulations, Section 8 Definitions, Paragraph 8.3, Words and Terms Defined, Subparagraphs 8.3.13 and 8.3.68; and providing for repealer, severability and an effective date.**

Eads made a motion to approve and submit to the full City Council, seconded by Byrne. Voting aye: Dukes, Eads, and Byrne. Nay: none. Motion carried.

ADJOURNMENT. Chairman Byrne adjourned the meeting at 5:26 PM.

PAT BYRNE, Chairman



City Attorney, Donald D. Maisch

100 N. Midwest Boulevard
Midwest City, OK 73110
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www.midwestcityok.org

MEMORANDUM

To: Ordinance Review Committee

From: Don Maisch
City Attorney

RE: Discussion and consideration for adoption, including any amendments, of an ordinance amending the Midwest City Municipal Code, Chapter 28 Offenses - Miscellaneous, Article V, Offenses Against Public Peace, Section 28-94 out of reserve and entitling it "Offenses Against Disturbing, Disrupting or Interfering with City Business"; and providing for a repealer and severability.

Date: January 25, 2022

The proposed amendment to Chapter 28 Offenses, Section 28-94 takes the provision out of reserve and adopts new language to implement within the City of Midwest City the changes adopted by the Oklahoma Legislature in 2021 to make it a crime to willfully disturb, interfere, or disrupt city business, including publically posted meetings. This ordinance change tracks with the changes in state statute. The punishment for this crime is equal to the punishment for disturbing the peace that is already adopted in city ordinance.

Approval is at the pleasure of the Ordinance Review Committee.

Respectfully submitted,

Donald D. Maisch
City Attorney

1 **Section 3. SEVERABILITY.** If any section, sentence, clause, or portion of this ordinance is for
2 any reason held to be invalid, such decision shall not affect the validity of the remaining provisions
3 of the ordinance.

4
5 PASSED AND APPROVED by the Mayor and the Council of the City of Midwest City,
6 Oklahoma, this _____ day of _____, 2022.

7
8
9 **THE CITY OF MIDWEST CITY, OKLAHOMA**

10
11 ATTEST:

MATTHEW D. DUKES, II, Mayor

12
13
14 _____
SARA HANCOCK, City Clerk

15
16
17 Approved as to form and legality this _____ day of _____, 2022.

18
19 _____
DONALD D. MAISCH, City Attorney

20
21



Public Works Administration

8730 S.E. 15th Street,
Midwest City, Oklahoma 73110

Public Works Director

pstreets@midwestcityok.org

(405) 739-1061

Public Works City Engineer

pmenefee@midwestcityok.org

(405) 739-1062

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Memorandum

To: Ordinance Oversight Council Committee

From: R. Paul Streets, Public Works Director

Date: 25 January 2022

Subject: Discussion and consideration for adoption, including any possible amendment of, an ordinance amending Chapter 18 Garbage and Refuse, Article II, Municipal Collection and Disposal Service, Section 18-25, Container Required; Duty to Use; and providing for repealer and severability.

The proposed amendment to Chapter 18 Garbage and Refuse, Article II, Municipal Collection and Disposal Service, Section 18-25, adds language allowing the city to help enforce the rules associated with curbside single-stream recycling. Previously, we did not have the ability to charge customers when they chose to use the recycling carts for trash disposal. The cost to dump the recycling cart as trash was not being recovered. Additionally, if someone continued to dump trash in their recycling cart we could not remove it.

Action is at the discretion of the committee.

Respectfully,

R. Paul Streets
Public Works Director

Attached: Midwest City Ordinance Chapter 18 with Recommended Changes

1 may have paid for a replacement cart. All carts are to remain at the residence to which they are
2 assigned. It shall be unlawful and an offense for a person to be in possession of a cart without the
3 permission of the resident to which it is assigned. It is the responsibility of the resident to keep the
4 cart clean. At the request of the resident, carts can be cleaned by the city. Such cleaning shall be
5 performed for a twenty dollar (\$20.00) charge which shall be paid by the resident.
6

7 (c) All carts to be emptied, including recycling carts, shall be placed at the curblineline. Carts
8 are not to be obstructed from view, e.g., behind parked cars, behind hedges, etc. Carts
9 shall be placed for collection no earlier than 7:00 p.m. the day before the scheduled
10 collection and no later than 7:00 a.m. the day of scheduled collection. Parking shall
11 not be in front of or blocking access to a poly cart. The resident is required to return
12 the carts to their regular storage place within five (5) feet of the residential structure or
13 behind the front building line of the property by no later than 7:00 p.m. the day of
14 scheduled collection. Failure to return the carts by the stated time limitation above may
15 result in a fine as set forth in 1-15 of this code, assessed to the responsible party. A
16 twenty dollar (\$20.00) call back collection fee shall be charged to empty a cart and/or
17 pick up authorized items not at the curblineline prior to 7:00 a.m. the day of scheduled
18 collection. Any items that are not in compliance with subsection (d) below that are not
19 picked up during collection shall be removed from the curblineline by no later than 7:00
20 p.m. on the day of scheduled collection. Failure to remove such items not in compliance
21 with subsection (d) by 7:00 p.m. may result in a citation for violation of this Code.
22

23 (d) Residents may not place with the carts other types of containers for collection. Garbage
24 and refuse placed in refuse carts and recyclable materials placed in recycle carts will
25 be the only things that will be collected during a normal collection.
26

27 (e) Rollout service will be provided for the disabled. Any residence in which all the
28 residents are disabled may request rollout service be performed by the city. The director
29 shall determine the need for rollout service and to approve or disapprove requests. If
30 the director determines that a particular residence qualifies for rollout service, the city
31 will roll out, dump and return the carts at no extra charge.
32

33 (f) There will be a charge of twenty dollars (\$20.00) if a cart is picked up and returned for
34 nonpayment of a sanitation bill.
35

36 (g) Penalties for non-recyclable items being found in the recycling cart are as follows:
37

- 38 1. For the first offense the occupant of the residence, shall receive a courtesy call or
39 visit in order to provide educational resources.
- 40 2. For the second offense a charge of twenty dollars (\$20.00) to dump the recycling
41 cart's contents as trash will be added to the utility bill.
- 42 3. For the third offense there shall be a charge of twenty dollars (\$20.00) to dump the
43 recycling cart's contents as trash will be added to the utility bill and the recycling
44 cart shall be permanently removed.
45

1 Every offense will be documented by Public Works Department of The City of Midwest City. Any
2 appeal of the decision described herein must be submitted in writing to the Public Works Director.
3 The appeal must state with specificity why the resident believes the action taken by the Public
4 Works Department should be modified.

5
6 **Section 2. REPEALER.** All ordinances or parts of ordinances in conflict herewith are hereby
7 repealed.
8

9 **Section 3. SEVERABILITY.** If any section, sentence, clause, or portion of this ordinance is for
10 any reason held to be invalid, such decision shall not affect the validity of the remaining
11 provisions of the ordinance.
12

13 PASSED AND APPROVED by the Mayor and the Council of the City of Midwest City,
14 Oklahoma, this _____ day of _____, 2022.
15

16 THE CITY OF MIDWEST CITY, OKLAHOMA
17
18

19 _____
20 MATTHEW D. DUKES, II, Mayor
21

22 ATTEST:
23

24 _____
25 SARA HANCOCK, City Clerk
26

27 Approved as to form and legality this _____ day of _____, 2022.
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30 _____
31 DONALD D. MAISCH, City Attorney
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