



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.

The CDC recommendations will be followed to the extent allowed by the Oklahoma Open Meetings Act and temporary Amendment. Please stay home if you or anyone in your household is sick or think they may have had a COVID-19 exposure. If attending in person, please practice social distancing and wear a mask to protect yourself and others.

CITY OF MIDWEST CITY COUNCIL AGENDA

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

August 11, 2020 – 5:30 PM

- A. CALL TO ORDER.
- B. DISCUSSION ITEM.
 - 1. Presentation on Open Meetings, Records Requests and Review of Robert's Rules. (City Attorney - H. Poole)
- C. ADJOURNMENT.





DISCUSSION ITEM





City Attorney

100 N. Midwest Boulevard
Midwest City, OK 73110
hpoole@midwestcityok.org
Office: 405.739.1203
www.midwestcityok.org

TO: Chair and Committee Members

FROM: Heather Poole, City Attorney

Date: August 11, 2020

Subject: Presentation on Open Meetings, Records Requests and Review of Robert's Rules

At the request of Ward 1, Oklahoma Municipal Assurance Group (OMAG) is providing a presentation on the changes to the Open Meetings act to accommodate COVID precautions, Records Request criteria and precautions. There will also be a brief overview of some of the areas of Robert's Rules that may be helpful in public meetings. OMAG will provide materials at the meeting.

Respectfully,

Heather Poole

Heather Poole, City Attorney



MEETING AGENDAS FOR AUGUST 11, 2020

The recorded video will be available on the City's YouTube channel: [Bit.ly/youtubemwc](https://www.youtube.com/channel/UC...) and the City's website: www.midwestcityok.org within 48 hours. The meeting minutes and video can be found on the City's website in the Agenda Center: <https://midwestcityok.org/AgendaCenter>.

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.

The Council will go directly into the City meetings down in the Council Chambers of City Hall at 6:00 PM. However, they will informally gather at or after 5:00 PM in the Chamber for dinner, but no City Council business will be discussed or acted upon and the room will be open to the public. Meals will only be provided to the City Council and staff.

The CDC recommendations will be followed to the extent allowed by the Oklahoma Open Meetings Act and temporary Amendment. Please stay home if you or anyone in your household is sick or think they may have had a COVID-19 exposure. If attending in person, please practice social distancing and wear a mask to protect yourself and others.



CITY COUNCIL AGENDA

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

August 11, 2020 – 6:00 PM

A. CALL TO ORDER.

B. OPENING BUSINESS.

- Invocation by Assistant City Manager Vaughn Sullivan
- Pledge of Allegiance by Councilmember Pat Byrne
- Community-related announcements and comments

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 item proposed does not meet with the approval of all Council, or members of the audience wish to discuss an item, it will be removed and heard in a regular order.

1. Discussion and consideration to approved the minutes of the July 28, 2020 special meeting, as submitted. (City Clerk - S. Hancock)
2. Discussion and consideration to approved the minutes of the July 28, 2020 regular meeting, as submitted. (City Clerk - S. Hancock)
3. Discussion and consideration of supplemental budget adjustment to the following funds for FY 2020-2021, increase: Police, expenses/Police (62) \$3,740. CDBG Fund, revenue/Intergovernmental (00) \$237,620; expenses/Grants Management (39) \$237,620. Grants Fund, revenue/Intergovernmental (62) \$38,341; expenses/Police (62) \$38,341. Grants Fund, revenue/Intergovernmental (62) \$7,928; expenses/Police (62) \$7,928. General Gov't Sales Tax Fund, expenses/City Manager (01) \$3,775. General Fund, expenses/Variou (XX) \$98,151. Technology Fund, expenses/General Gov't (14) \$1,498. Police Fund, expenses/Police (62) \$86,260. Juvenile Fund, expenses/Municipal Court (12) \$1,195. Fire Fund, expenses/Fire (64) \$77,089. CVB Fund, expenses/Economic (87) \$1,990. Emergency Operations Fund, expenses/Emergency Operations (21) \$3,341. Public Works Fund, expenses/Public Works (30) \$10,450. Fleet Fund, expenses/Fleet (25) \$12,929. Surplus Fund, expenses/Surplus (26) \$750. Park & Recreation Fund, expenses/Park & Rec (06) \$909; expenses/Communications (20) \$741. CDBG Fund, expenses/Grants Mgmt (39) \$7,510. Risk Fund, expenses/Risk Insurance (29) \$1,279. Disaster Relief Fund, expenses/Neighborhood Services (15) \$3,918. Reimbursed Projects Fund, revenue/Intergovernmental (05) \$24,000; expenses /Community Development (05) \$26,558; expenses/Park & Recreation (06) \$9,147; expenses/Streets (09) \$10,000; expenses/Animal Welfare (10) \$99,523; expenses/General Gov't (14) \$65,000; expenses/Neighborhood Services (15) \$5,211; expenses/Public Works (30) \$507; expenses/Housing (37) \$60,000; revenue/Intergovernmental (39) \$13,500; expenses/Sewer (43) \$37,205; expenses/Police (62) \$560; expenses/Fire (64) \$2,140; revenue/Miscellaneous (87) \$9,600; expenses/Economic (87) \$98,854. Grants Fund, revenue/Intergovernmental (06) \$17,878; expenses/Transfers Out (06) \$17,878; revenue/Intergovernmental (21) \$15,000; expenses/Transfers Out (21) \$15,000; revenue/Intergovernmental (57) \$126,198; revenue/Intergovernmental (62) \$74,554; revenue/Transfers In (62) \$3,032; expenses/Police (62) \$68,634;

3. continued. expenses/Transfers Out (62) \$269; revenue/Intergovernmental (88) \$23,188; expenses/Transfers Out (88) \$23,188. Dedicated Tax 2012 Fund, revenue/Transfers In (00) \$17,878. Emergency Operations Fund, revenue/Transfers In (00) \$15,000. Police Impound Fees Fund, expenses/Transfers Out (62) \$3,032. Police Fund, revenue/Transfers In (00) \$269. Disaster Relief Fund, revenue/Transfers In (88) \$23,188. Grants/Housing Activities Fund, revenue/Intergovernmental (37) \$209,995; expenses/Housing (37) \$9,995. CDBG Fund, revenue/Intergovernmental (00) \$4,458; expenses/Grants Management (39) \$170,159. Fire Fund, expenses/Fire (64) \$2,977. (Finance – C. Barron)
4. Discussion and consideration of the approval of a Medical Retirement Application made by Employee 3353 through the Oklahoma Municipal Retirement Fund (OMRF). (Human Resources - T. Bradley)
5. Discussion and consideration of renewing the Lease Agreement with Michael Silsby, d/b/a Silsby Media, for three (3) years beginning August 15, 2020, at a monthly rental rate of \$1,550 for the building located at 2425 South Douglas Boulevard. (Economic Development - R. Coleman)
6. Discussion and consideration of the acceptance of and making a matter of record Permit No. WL000055200125 from the State Department of Environmental Quality for a water line extension project to serve Rose Field, Midwest City, Oklahoma. (Community Development - B. Bundy)
7. Discussion and consideration of signing an agreement with Sunoco Pipeline, L.P. (Energy Transfer) for allowing the City to build the future Rail with Trail Phase 2 & 3 on their existing easement. (Community Development - B. Bundy)
8. Discussion and consideration of accepting permanent easements from Eric Lacquement and Danny R. and Mary S. Cassil located near Steed and Midwest Blvd., as well as a temporary easement from Independent School District Number 52 located at 2500 E. Reno. (Community Development - B. Bundy)
9. Discussion and consideration of the re-appointing Clint Reininger and John Reininger to the ADA Transition Plan Committee. (Community Development - B. Bundy)
10. Discussion and consideration of approving the Tree Board's 2020-21 Landscape Plan. (Public Works - R. Streets)
11. Discussion and consideration of declaring office furniture, listed below, as surplus and authorizing disposal by public auction, sealed bid or destruction, if necessary. (City Clerk - S. Hancock)

F0 DISCUSSION ITEM.

- 30 (PC-2043) Public hearing with discussion and consideration of an ordinance to redistrict from C-3, "Community Commercial to SPUD, Simplified Planned Unit Development, governed by the C-4, General Commercial district, subject to staff comments, for the property addressed as 2224 S. Air Depot Boulevard. This item is continued from the June 23, 2020 City Council meeting. (Community Development - B. Harless)

GO NEW BUSINESS/PUBLIC DISCUSSION. 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.

HO FURTHER INFORMATION.

1. Discussion regarding the G.O. Bond Proposition #4, Public Safety, regarding the Phase III Police/Fire Training Center.

G. ADJOURNMENT.



CONSENT AGENDA



Notice for the Midwest City Council special meeting was filed with the City Clerk of Midwest City 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.midwestcityokorg).

Midwest City Council Minutes
Special Meeting

July 28, 2020

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 Matt Dukes called the meeting to order at 5:30 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.

DISCUSSION ITEMS.

1. **Discussion and consideration of renewing and adopting the current Council governing handbook.** Allen made a motion to renew and adopt the handbook, as submitted, seconded by Reed. Voting aye: Eads, Byrne, Bowen, Reed, Allen, Favors and Mayor Dukes. Nay: none. Motion Carried.

2. **Discussion and consideration of (1) participating in the OMAG's training program, (2) complete the OMAG Stability Test, and (3) review the Declarations and Explanation of Coverage page video in compliance with the Oklahoma Municipal Assurance Group Liability Protection Plan (MLPP) and completion of Recognition Program Requirements.** OMAG representatives, Bill Tackett and David Weatherford, presented information. Reed made a motion to approve, as submitted, seconded by Allen. Voting aye: Eads, Byrne, Bowen, Reed, Allen, Favors and Mayor Dukes. Nay: none. Motion Carried.

ADJOURNMENT. There being no further business, Mayor Dukes adjourned the meeting at 5:49 PM.

ATTEST:

MATTHEW D. DUKES II, Mayor

SARA HANCOCK, City Clerk

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

July 28, 2020

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 Matt Dukes called the meeting to order at 6:01 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. Assistant City Manager Vaughn Sullivan opened with the invocation, followed by the Pledge of Allegiance led by Councilmember Susan Eads. City Manager Tim Lyon made Community-related announcements and comments. Mayor Duke presented Proclamation to Fire Chaplin Charles McDade and Police Captain Mark Teply.

CONSENT AGENDA. Allen made a motion to approve the consent agenda, as submitted with the exception of pulling item 29, seconded by Byrne. 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 June 16, 2020 special meeting, as submitted.
2. Discussion and consideration to approve the minutes of the June 23, 2020 regular meeting, as submitted.
3. Discussion and consideration of accepting the City Manager's Report for the month of June 2020.
4. Discussion and consideration of supplemental budget adjustment to the following funds for FY 2020-2021, increase: Emergency Operations, expenses/Emergency Operations (21) \$46,246. PWA, expenses/Public Works (075) \$92,455. General Gov't Sales Tax Fund, expenses/City Manager (01) \$16,622; expenses/Personnel (03) \$40,730; expenses/Community Development (05) \$138,180; expenses/Park & Rec (06) \$16,745; expenses/Finance (08) \$3,100; expenses/Street (09) \$185,256; expenses /Municipal Court (12) \$2,639; expenses/General Gov't (14) \$74,000; expenses/ Neighborhood Services (15) \$2,000; expenses/I.T. (16) \$251,918; expenses/Swimming Pools (19) \$7,958; expenses/Senior Center (55) \$43,027. Capital Outlay Reserve Fund, expenses/General Gov't (14) \$375,378. Street & Alley Fund, expenses/Street (09) \$852,257. Technology Fund, expenses/General Gov't (14) \$33,204. Police Capitalization Fund, expenses/Police (62) \$145,101. Fire Capitalization Fund, expenses/Fire (64) \$388,499. Dedicated Tax 2012 Fund, expenses/Park & Rec (06) \$154,404; expenses/Parks (23) \$476,013; expenses/Streets (66) \$134,292; expenses /Economic (87) \$3,452. Emergency Operations Fund, expenses/Emergency Operations (21) \$8,588. Public Works Fund, expenses/Public Works (30) \$127,783. Fleet Fund, expenses/Fleet (25) \$151,329. Surplus Property Fund, expenses/Surplus Property (26) \$12,459. Activity Fund, expenses/Recreation (78) \$20,000. Park & Recreation Fund, expenses/Park & Rec (06) \$81,000. Capital Improvements Fund, expenses/Capital Improvements (57) \$1,504,854. Downtown Redevelopment Fund, expenses/29th Street (92) \$1,682,265. 2002 GO Street Bond Fund, expenses/Street Bond (69) \$317,949. 2018 Election GO Bonds Fund, expenses/Park & Rec (06) \$7,923,375; expenses/Street(09) \$2,257,126; expenses/Animal Welfare (10) \$96,643;

4. continued - expenses/General Gov't (14) \$2,224,278; expenses/Emergency Operations (21) \$22,770; expenses/Fire (64) \$1,311,003; expenses/29th Street (92) \$3,986,163. 2018 Election GO Bonds – Proprietary Fund, expenses/JC Regional Golf (47) \$4,747,880; expenses/Capital Water Improvements (49) \$5,132,023. Animals Best Friend Fund, expenses/Animal Welfare (10) \$30,000.
5. Discussion and consideration of passing and approving Resolution 2020-11 for the City of Midwest City, Oklahoma to release unappropriated fund balances at the close of day June 30, 2020 to be made available for fiscal year 2020-2021; and amending the budgets for fiscal year 2020-2021 to include the released appropriations from the fiscal year 2019-2020 budgets as supplemental appropriations; and, effective July 1, 2020, renewing encumbrance commitments cancelled at the close of day June 30, 2020.
6. Discussion and consideration of approving and entering into a contract with RSM US, LLP to perform an audit of Midwest City's FY 2019-2020 financial statements in an amount not to exceed \$64,060, and, only if required, \$3,660 for each major Federal program.
7. Discussion and consideration of Resolution 2020-12 to renew Sales Tax Agreement required for Capital Improvement Revenue Bonds, Series 2011A and Capital Improvement Refunding Revenue Bonds, Series 2019 for FY 2020-2021.
8. Discussion and consideration of Resolution 2020-13 to renew Projects Agreement required by the Tax Apportionment Refunding Bonds, Taxable Series 2018 for FY 2020-2021.
9. 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.
10. Discussion and consideration of accepting the filing of the Midwest City Urban Renewal Authority's FY 2019 - 2020 Annual Report.
11. Discussion and consideration of renewing the following contracts, without modifications, for Fiscal Year 20-21: The Connect + Series mail machine lease from Pitney Bowes in the amount of \$248.55 per month and the utility bill production agreement with Dataprose, LLC, at current rates.
12. Discussion and consideration of extending the award of the bid for entering into a contract for an onsite turnkey vehicle and equipment parts operation.
13. Discussion and consideration to approve awarding the bid to and entering into a contract with Bergkamp Inc. for one (1) new Bergkamp FP5 Truck Mounted Flameless Pothole Patcher in the amount of \$201,259.
14. Discussion and consideration of accepting maintenance bonds from Commercial Construction Services, LLC in the amount of \$640.00, respectively.
15. Discussion and consideration of accepting maintenance bonds from Godfrey & Company Site Utility Contractor, LLC in the amount of \$847.70, respectively.

16. Discussion and consideration of accepting maintenance bonds from Godfrey & Company Site Utility Contractor, LLC in the amount of \$697.00, respectively.
17. Discussion and consideration of accepting maintenance bonds from Godfrey & Company Site Utility Contractor, LLC in the amount of \$1,267.00, respectively.
18. Discussion and consideration of renewing the Jail Services Agreement for fiscal year 2020-21 with the City of Choctaw, the City of Nicoma Park, the City of Harrah, Town of Forest Park and the Town of Jones to provide labor and jail facilities to retain all prisoners who are placed into a confinement status by law enforcement officials at a rate of \$60.00 per day, plus a \$30.00 booking fee that will be applied to the daily compensation charge if the inmate is held longer than eleven (11) hours. If an inmate is held less than 11 hours, the cities will be charged \$2.50 per hour.
19. Discussion and consideration of entering into an agreement with the Safe Haven Clinic (Spencer and Oklahoma City locations) to perform veterinary services associated with the Adopt-A-Pet program and additional services on an as-needed basis as determined by the City of Midwest City for fiscal year 2020-2021.
20. Discussion and consideration of renewing the agreements with the City of Choctaw, the City of Nicoma Park, City of Harrah, Town of Forest Park and the Town of Jones for animal care services at an intake rate of \$240.00 per dog or cat being held up to seven days for fiscal year 2020-21.
21. Discussion and consideration of approving and entering into an agreement for fiscal year 2020-21 with Midwest Veterinary Hospital who is electing to offer reduced services to animals adopted from the Midwest City Animal Shelter in conjunction with the Adopt-A-Pet program.
22. Discussion and consideration of renewing an agreement with Midwest Veterinary Hospital in 2020-21.
23. Discussion and consideration of renewing an agreement with the City of Choctaw, City of Harrah, and Town of Forest Park to provide emergency animal control services for fiscal year 2020-21.
24. Discussion and consideration of renewing the contracts with Barnes Wrecker Service, Inc. and McConnell's Body Shop and Towing, Inc. to provide the City of Midwest City, upon its request, with towing and vehicle storing services.
25. Discussion and consideration of approving and entering into a contract for FY 20-21 in the amount of \$171,299 with Central Oklahoma Transportation and Parking Authority (COTPA) for the provision of EMBARK Route 15 bus service in Midwest City.
26. Discussion and consideration of renewing the agreement with Oklahoma County to provide mutual aid fire support.
27. Discussion and consideration of awarding the bid to and entering into a contract with Hunter Mechanical in the amount of \$171,500 for the replacement of the City Hall Broiler.
28. Discussion and consideration of 1) reappointing Sherry Beaird; and 2) appointing Jack Fry to the Midwest City Urban Renewal Authority each for a three-year term to end on July 25, 2023.

29. **Discussion and consideration of the appointment of Chris Clark and Steve Merriman to the Builders Advisory Board for three-year terms to replace Todd Isaac and Mike Castleberry.** Byrne made a motion to approve, seconded by Favors. Voting Aye: Byrne, Eads, Bowen, Reed, Allen, Favors, and Mayor Dukes. Nay: None. Motion carried.
30. Discussion and consideration of appointing Mr. Chris Cooney to the Midwest City Park and Recreation Board for a three-year term ending on July 28, 2023.
31. Discussion and consideration 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.

DISCUSSION ITEMS.

1. **(PC-2045) Public hearing with discussion and consideration of an ordinance to redistrict from R-6, Single Family Residential 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 South Douglas Blvd.** John Doyle with Cedar Creek Engineering, Staff, and Council had discussion. Byrne made a motion to approve Ordinance 3415, seconded by Favors. Voting aye: Eads, Byrne, Bowen, Reed, Allen, Favors and Mayor Dukes. Nay: none. Motion Carried.
2. **(PC – 2046) 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 a part of the Lots 7-10 of the Thomas Acres Addition addressed as 9070 NE 13th Street.** Alice Thomas of 1404 N Douglas Blvd. and Adam Stephens of 12400 S Hiwassee Rd addressed the council. After Staff and Council discussion, Allen made a motion to approve Ordinance 3416, seconded by Byrne. Voting aye: Byrne, Bowen, Reed, Allen, Favors and Mayor Dukes. Nay: none. Abstain: Eads. Motion Carried.
3. **(PC – 2047) Discussion and consideration of approval of the proposed preliminary plat of Freedom Villas, described as a part of the SE/4 of Section 35, T12N, R2W, located at 8712 E. Main Street.** Glenn Goldschlager of 1409 Evergreen requested his email be read into public record. Mark Grubb of Grubbs Consulting LLC addressed the council. Staff and Council had discussion. No Action Taken.

Council took a recess at 6:52 PM and returned at 7:01 PM.

4. **(PC-2048) Discussion and consideration of an ordinance amending Appendix A, Zoning Regulations, of the Midwest City Code; by amending Section 4.5.2, Light Industrial: Restricted; Section 4.9.2, Use Chart and providing for repealer and severability and setting an effective date.** Reed made a motion to approve Ordinance 3417, seconded by Eads. Voting aye: Eads, Byrne, Bowen, Reed, Allen, Favors and Mayor Dukes. Nay: none. Motion Carried.

*Byrne left the meeting at 7:27 PM and returned at 7:28 PM.

9. **Presentation on City of Midwest City's Juvenile Program.** Yolanda Whitlow presented information. Staff and Council discussion was had. No Action Needed.

5. **Discussion and consideration of the approval of the Collective Bargaining Agreement (CBA) between the City of Midwest City and the International Association of Firefighters (IAFF) Local 2066, as negotiated to be effective from July 1, 2020, through June 30, 2021.** After Staff Discussion, Reed made a motion to approve the agreement, seconded by Byrne. Voting aye: Eads, Byrne, Bowen, Reed, Allen, Favors and Mayor Dukes. Nay: none. Motion Carried.
6. **Discussion and consideration of the approval of the Collective Bargaining Agreement (CBA) between the City of Midwest City and the Fraternal Order of Police (FOP) Lodge 127, as negotiated to be effective from July 1, 2020, through June 30, 2021.** After Staff discussion Eads made a motion to approve the agreement, seconded by Bowen. Voting aye: Eads, Byrne, Bowen, Reed, Allen, Favors and Mayor Dukes. Nay: none. Motion Carried.
7. **Discussion and Consideration of Emergency Ordinance, amending Chapter 11, City Emergency Management, by adding Section 11-4, Face Covering and Social Distancing During “COVID-19 Pandemic Emergency;” setting out definitions; setting out exceptions; providing an expiration date and grounds for extension or reduction of expiration date; penalties; and providing for repealer and severability and declaring an emergency.**

Phil Maytubby with Oklahoma County Health Department, Lindsay Oudit of 912 Covington Ln. and Jan Boerger of 1276 Three Oaks Cir. addressed the council. Byrne made a motion to amend expiration date to September 22 and approve Ordinance 3414, seconded by Bowen. Voting aye: Eads, Byrne, Bowen, Reed, Allen, Favors and Mayor Dukes. Nay: none. Motion Carried.

Byrne made a motion to approve the emergency clause, seconded by Eads. Voting aye: Eads, Byrne, Bowen, Reed, Allen, Favors and Mayor Dukes. Nay: none. Motion Carried.

8. **Discussion and consideration of passing and approving an ordinance amending Chapter 43, Water, Sewer, Sewage Disposal and Stormwater Quality, of the Midwest City Code, by amending Article III, Sewers and Sewage Disposal, Division 8, Usage Rates and Charges, Section 43-224, Sewer User Charge; Section 43-227, Annual Review of User Charge Rates; Section 43-230, Capital Improvement Charges; Establishing an Effective Date; and Providing for Repealer and Severability.** After Staff and Council discussion, Favors made a motion to approve Ordinance 3418, seconded by Allen. 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.

ADJOURNMENT. There being no further business, Mayor Dukes adjourned the meeting at 8:09 PM.

ATTEST:

MATTHEW D. DUKES II, Mayor

SARA HANCOCK, City Clerk



Finance Department
100 N. Midwest Boulevard
Midwest City, OK 73110
cbarron@midwestcity.org
Office: 405-739-1245
www.midwestcityok.org

TO: Honorable Mayor and City Council

FROM: Christy Barron, City Treasurer/Finance Director

DATE: August 11, 2020

SUBJECT: Discussion and consideration of supplemental budget adjustment to the following funds for FY 2020-2021, increase: Police, expenses/Police (62) \$3,740. CDBG Fund, revenue/Intergovernmental (00) \$237,620; expenses/Grants Management (39) \$237,620. Grants Fund, revenue/Intergovernmental (62) \$38,341; expenses/Police (62) \$38,341. Grants Fund, revenue/Intergovernmental (62) \$7,928; expenses/Police (62) \$7,928. General Gov't Sales Tax Fund, expenses/City Manager (01) \$3,775. General Fund, expenses/Various (XX) \$98,151. Technology Fund, expenses/General Gov't (14) \$1,498. Police Fund, expenses/Police (62) \$86,260. Juvenile Fund, expenses/Municipal Court (12) \$1,195. Fire Fund, expenses/Fire (64) \$77,089. CVB Fund, expenses/Economic (87) \$1,990. Emergency Operations Fund, expenses/Emergency Operations (21) \$3,341. Public Works Fund, expenses/Public Works (30) \$10,450. Fleet Fund, expenses/Fleet (25) \$12,929. Surplus Fund, expenses/Surplus (26) \$750. Park & Recreation Fund, expenses/Park & Rec (06) \$909; expenses/Communications (20) \$741. CDBG Fund, expenses/Grants Mgmt (39) \$7,510. Risk Fund, expenses/Risk Insurance (29) \$1,279. Disaster Relief Fund, expenses/Neighborhood Services (15) \$3,918. Reimbursed Projects Fund, revenue/Intergovernmental (05) \$24,000; expenses/Community Development (05) \$26,558; expenses/Park & Recreation (06) \$9,147; expenses/Streets (09) \$10,000; expenses/Animal Welfare (10) \$99,523; expenses/General Gov't (14) \$65,000; expenses/Neighborhood Services (15) \$5,211; expenses/Public Works (30) \$507; expenses/Housing (37) \$60,000; revenue/Intergovernmental (39) \$13,500; expenses/Sewer (43) \$37,205; expenses/Police (62) \$560; expenses/Fire (64) \$2,140; revenue/Miscellaneous (87) \$9,600; expenses/Economic (87) \$98,854. Grants Fund, revenue/Intergovernmental (06) \$17,878; expenses/Transfers Out (06) \$17,878; revenue/Intergovernmental (21) \$15,000; expenses/Transfers Out (21) \$15,000; revenue/Intergovernmental (57) \$126,198; revenue/Intergovernmental (62) \$74,554; revenue/Transfers In (62) \$3,032; expenses/Police (62) \$68,634; expenses/Transfers Out (62) \$269; revenue/Intergovernmental (88) \$23,188; expenses/Transfers Out (88) \$23,188. Dedicated Tax 2012 Fund, revenue/Transfers In (00) \$17,878. Emergency Operations Fund, revenue/Transfers In (00) \$15,000. Police Impound Fees Fund, expenses/Transfers Out (62) \$3,032. Police Fund, revenue/Transfers In (00) \$269. Disaster Relief Fund, revenue/Transfers In (88) \$23,188. Grants/Housing Activities Fund, revenue/Intergovernmental (37) \$209,995; expenses/Housing (37) \$9,995. CDBG Fund, revenue/Intergovernmental (00) \$4,458; expenses/Grants Management (39) \$170,159. Fire Fund, expenses/Fire (64) \$2,977.

The first supplement is needed to increase contractual for counseling services in the Police Department. The second supplement is needed to budget fiscal year 2020 CDBG-CV (Covid) Substantial Amendment PY 2019 from U.S. Department of Housing and Urban Development. The third supplement is needed to budget fiscal year 2020 OJP Grant from Department of Justice to be used to purchase respirator units. The fourth supplement is needed to budget fiscal year 2019 Byrne Justice Assistance Grant from U.S. Department of Justice to be used to purchase law enforcement equipment. The fifth through nineteenth supplements are needed to budget City-wide expenses related to merit increases for full time employees. The twentieth supplement is needed to roll forward remaining budgets in Reimbursed Projects Fund from fiscal year 2019-2020 to current fiscal year. The twenty-first supplement is needed to roll forward remaining budgets in Grants Fund from fiscal year 2019-2020 to current fiscal year. The twenty-second through twenty-sixth supplements are needed to roll forward budgets for transfers in/out of Grants Fund from fiscal year 2019-2020 to current fiscal year. The twenty-seventh supplement is needed to roll forward remaining budget on Homebuyer Assistance Grant from fiscal year 2019-2020 to current fiscal year. The twenty-eighth supplement is needed to roll forward remaining CDBG budget from fiscal year 2019-2020 to current fiscal year and increase budgeted revenue to actual amount of grant award. The twenty-ninth supplement is needed to increase budget for unplanned Committee Incentive Pay expenses for Fire.

Christy Barron
Finance Director

SUPPLEMENTS
August 11, 2020

Fund POLICE (020)		BUDGET AMENDMENT FORM Fiscal Year 2020-2021			
		Estimated Revenue		Budget Appropriations	
<u>Dept Number</u>	<u>Department Name</u>	<u>Increase</u>	<u>Decrease</u>	<u>Increase</u>	<u>Decrease</u>
62	Police			3,740	
		<u>0</u>	<u>0</u>	<u>3,740</u>	<u>0</u>

Explanation:
To increase contractual for counseling services. Funding to come from fund balance.

Fund CDBG (141)		BUDGET AMENDMENT FORM Fiscal Year 2020-2021			
		Estimated Revenue		Budget Appropriations	
<u>Dept Number</u>	<u>Department Name</u>	<u>Increase</u>	<u>Decrease</u>	<u>Increase</u>	<u>Decrease</u>
00	Intergovernmental	237,620			
39	Grants Management			237,620	
		<u>237,620</u>	<u>0</u>	<u>237,620</u>	<u>0</u>

Explanation:
To budget Fiscal Year 2021 CDBG-CV Substantial Amendment PY 2019 from U.S. Department of Housing and Urban Development.

Fund GRANTS (143)		BUDGET AMENDMENT FORM Fiscal Year 2020-2021			
		Estimated Revenue		Budget Appropriations	
<u>Dept Number</u>	<u>Department Name</u>	<u>Increase</u>	<u>Decrease</u>	<u>Increase</u>	<u>Decrease</u>
62	Intergovernmental	38,341			
62	Police			38,341	
		<u>38,341</u>	<u>0</u>	<u>38,341</u>	<u>0</u>

Explanation:
To budget Fiscal Year 2020 OJP Grant from Department of Justice to be used to purchase respirator units.

Fund GRANTS (143)		BUDGET AMENDMENT FORM Fiscal Year 2020-2021			
		Estimated Revenue		Budget Appropriations	
<u>Dept Number</u>	<u>Department Name</u>	<u>Increase</u>	<u>Decrease</u>	<u>Increase</u>	<u>Decrease</u>
62	Intergovernmental	7,928			
62	Police			7,928	
		<u>7,928</u>	<u>0</u>	<u>7,928</u>	<u>0</u>

Explanation:
To budget Fiscal Year 2019 Byrne Justice Assistance Grant from U.S. Department of Justice to be used to purchase law enforcement equipment.

Fund GENERAL GOV'T SALES TAX (009)		BUDGET AMENDMENT FORM Fiscal Year 2020-2021			
		Estimated Revenue		Budget Appropriations	
<u>Dept Number</u>	<u>Department Name</u>	<u>Increase</u>	<u>Decrease</u>	<u>Increase</u>	<u>Decrease</u>
01	City Manager			3,775	
		<u>0</u>	<u>0</u>	<u>3,775</u>	<u>0</u>

Explanation:
To increase budget for payroll expenses related to merit increases due to sales tax coming in better than expected. Funding to come from fund balance.

SUPPLEMENTS
August 11, 2020

Fund GENERAL (010)		BUDGET AMENDMENT FORM Fiscal Year 2020-2021			
		Estimated Revenue		Budget Appropriations	
<u>Dept Number</u>	<u>Department Name</u>	<u>Increase</u>	<u>Decrease</u>	<u>Increase</u>	<u>Decrease</u>
02	City Clerk			601	
03	Personnel			5,574	
04	City Attorney			1,091	
05	Community Development			16,820	
06	Park & Rec			3,344	
08	Finance			9,684	
09	Streets			21,366	
10	Animal Welfare			2,462	
12	Municipal Court			4,451	
15	Neighborhood Services			10,690	
16	I.T.			9,517	
18	EOC			8,268	
19	Swimming Pool			90	
20	Communications			3,584	
55	Senior Center			609	
		<u>0</u>	<u>0</u>	<u>98,151</u>	<u>0</u>

Explanation:
To increase budget for payroll expenses related to merit increases due to sales tax coming in better than expected. Funding to come from fund balance.

Fund TECHNOLOGY (014)		BUDGET AMENDMENT FORM Fiscal Year 2020-2021			
		Estimated Revenue		Budget Appropriations	
<u>Dept Number</u>	<u>Department Name</u>	<u>Increase</u>	<u>Decrease</u>	<u>Increase</u>	<u>Decrease</u>
14	General Gov't			1,498	
		<u>0</u>	<u>0</u>	<u>1,498</u>	<u>0</u>

Explanation:
To increase budget for payroll expenses related to merit increases due to sales tax coming in better than expected. Funding to come from fund balance.

Fund POLICE (020)		BUDGET AMENDMENT FORM Fiscal Year 2020-2021			
		Estimated Revenue		Budget Appropriations	
<u>Dept Number</u>	<u>Department Name</u>	<u>Increase</u>	<u>Decrease</u>	<u>Increase</u>	<u>Decrease</u>
62	Police			86,260	
		<u>0</u>	<u>0</u>	<u>86,260</u>	<u>0</u>

Explanation:
To increase budget for payroll expenses related to merit increases due to sales tax coming in better than expected. Funding to come from fund balance.

Fund JUVENILE (025)		BUDGET AMENDMENT FORM Fiscal Year 2020-2021			
		Estimated Revenue		Budget Appropriations	
<u>Dept Number</u>	<u>Department Name</u>	<u>Increase</u>	<u>Decrease</u>	<u>Increase</u>	<u>Decrease</u>
12	Municipal Court			1,195	
		<u>0</u>	<u>0</u>	<u>1,195</u>	<u>0</u>

Explanation:
To increase budget for payroll expenses related to merit increases due to sales tax coming in better than expected. Funding to come from fund balance.

Fund FIRE (040)		BUDGET AMENDMENT FORM Fiscal Year 2020-2021			
		Estimated Revenue		Budget Appropriations	
<u>Dept Number</u>	<u>Department Name</u>	<u>Increase</u>	<u>Decrease</u>	<u>Increase</u>	<u>Decrease</u>
64	Fire			77,089	
		<u>0</u>	<u>0</u>	<u>77,089</u>	<u>0</u>

Explanation:
To increase budget for payroll expenses related to merit increases due to sales tax coming in better than expected. Funding to come from fund balance.

SUPPLEMENTS
August 11, 2020

Fund CVB (046)		BUDGET AMENDMENT FORM Fiscal Year 2020-2021			
		Estimated Revenue		Budget Appropriations	
<u>Dept Number</u>	<u>Department Name</u>	<u>Increase</u>	<u>Decrease</u>	<u>Increase</u>	<u>Decrease</u>
87	Economic			1,990	
		0	0	1,990	0

Explanation:
To increase budget for payroll expenses related to merit increases due to sales tax coming in better than expected. Funding to come from fund balance.

Fund EMERGENCY OPERATIONS (070)		BUDGET AMENDMENT FORM Fiscal Year 2020-2021			
		Estimated Revenue		Budget Appropriations	
<u>Dept Number</u>	<u>Department Name</u>	<u>Increase</u>	<u>Decrease</u>	<u>Increase</u>	<u>Decrease</u>
21	Emergency Operations			3,341	
		0	0	3,341	0

Explanation:
To increase budget for payroll expenses related to merit increases due to sales tax coming in better than expected. Funding to come from fund balance.

Fund PWA (075)		BUDGET AMENDMENT FORM Fiscal Year 2020-2021			
		Estimated Revenue		Budget Appropriations	
<u>Dept Number</u>	<u>Department Name</u>	<u>Increase</u>	<u>Decrease</u>	<u>Increase</u>	<u>Decrease</u>
30	Public Works			10,450	
		0	0	10,450	0

Explanation:
To increase budget for payroll expenses related to merit increases due to sales tax coming in better than expected. Funding to come from fund balance.

Fund FLEET (080)		BUDGET AMENDMENT FORM Fiscal Year 2020-2021			
		Estimated Revenue		Budget Appropriations	
<u>Dept Number</u>	<u>Department Name</u>	<u>Increase</u>	<u>Decrease</u>	<u>Increase</u>	<u>Decrease</u>
25	Fleet			12,929	
		0	0	12,929	0

Explanation:
To increase budget for payroll expenses related to merit increases due to sales tax coming in better than expected. Funding to come from fund balance.

Fund SURPLUS (081)		BUDGET AMENDMENT FORM Fiscal Year 2020-2021			
		Estimated Revenue		Budget Appropriations	
<u>Dept Number</u>	<u>Department Name</u>	<u>Increase</u>	<u>Decrease</u>	<u>Increase</u>	<u>Decrease</u>
26	Surplus			750	
		0	0	750	0

Explanation:
To increase budget for payroll expenses related to merit increases due to sales tax coming in better than expected. Funding to come from fund balance.

SUPPLEMENTS
August 11, 2020

Fund PARK & RECREATION (123)		BUDGET AMENDMENT FORM Fiscal Year 2020-2021			
		Estimated Revenue		Budget Appropriations	
<u>Dept Number</u>	<u>Department Name</u>	<u>Increase</u>	<u>Decrease</u>	<u>Increase</u>	<u>Decrease</u>
06	Park & Rec			909	
20	Communications			741	
		<u>0</u>	<u>0</u>	<u>1,650</u>	<u>0</u>

Explanation:
To increase budget for payroll expenses related to merit increases due to sales tax coming in better than expected. Funding to come from fund balance.

Fund CDBG (141)		BUDGET AMENDMENT FORM Fiscal Year 2020-2021			
		Estimated Revenue		Budget Appropriations	
<u>Dept Number</u>	<u>Department Name</u>	<u>Increase</u>	<u>Decrease</u>	<u>Increase</u>	<u>Decrease</u>
39	Grants Mgmt			7,510	
		<u>0</u>	<u>0</u>	<u>7,510</u>	<u>0</u>

Explanation:
To increase budget for payroll expenses related to merit increases due to sales tax coming in better than expected. Funding to come from fund balance.

Fund RISK (202)		BUDGET AMENDMENT FORM Fiscal Year 2020-2021			
		Estimated Revenue		Budget Appropriations	
<u>Dept Number</u>	<u>Department Name</u>	<u>Increase</u>	<u>Decrease</u>	<u>Increase</u>	<u>Decrease</u>
29	Risk Insurance			1,279	
		<u>0</u>	<u>0</u>	<u>1,279</u>	<u>0</u>

Explanation:
To increase budget for payroll expenses related to merit increases due to sales tax coming in better than expected. Funding to come from fund balance.

Fund DISASTER RELIEF (310)		BUDGET AMENDMENT FORM Fiscal Year 2020-2021			
		Estimated Revenue		Budget Appropriations	
<u>Dept Number</u>	<u>Department Name</u>	<u>Increase</u>	<u>Decrease</u>	<u>Increase</u>	<u>Decrease</u>
15	Neighborhood Services			3,918	
		<u>0</u>	<u>0</u>	<u>3,918</u>	<u>0</u>

Explanation:
To increase budget for payroll expenses related to merit increases due to sales tax coming in better than expected. Funding to come from fund balance.

Fund REIMBURSED PROJECTS (016)		BUDGET AMENDMENT FORM Fiscal Year 2020-2021			
		Estimated Revenue		Budget Appropriations	
<u>Dept Number</u>	<u>Department Name</u>	<u>Increase</u>	<u>Decrease</u>	<u>Increase</u>	<u>Decrease</u>
05	Intergovernmental	24,000			
05	Community Development			26,558	
06	Park & Recreation			9,147	
09	Streets			10,000	
10	Animal Welfare			99,523	
14	General Gov't			65,000	
15	Neighborhood Services			5,211	
30	Public Works			507	
37	Housing			60,000	
39	Intergovernmental	13,500			
43	Sewer			37,205	
62	Police			560	
64	Fire			2,140	
87	Miscellaneous	9,600			
87	Economic			98,854	
		<u>47,100</u>	<u>0</u>	<u>414,705</u>	<u>0</u>

Explanation:
To roll forward remaining budgets in Reimbursed Projects Fund from fiscal year 2019-2020 to current fiscal year. Funding to come from fund balance.

SUPPLEMENTS
August 11, 2020

Fund GRANTS (143)		BUDGET AMENDMENT FORM Fiscal Year 2020-2021			
		Estimated Revenue		Budget Appropriations	
<u>Dept Number</u>	<u>Department Name</u>	<u>Increase</u>	<u>Decrease</u>	<u>Increase</u>	<u>Decrease</u>
06	Intergovernmental	17,878			
06	Transfer Out			17,878	
21	Intergovernmental	15,000			
21	Transfer Out			15,000	
57	Intergovernmental	126,198			
62	Intergovernmental	74,554			
62	Transfers In	3,032			
62	Police			68,634	
62	Transfer Out			269	
88	Intergovernmental	23,188			
88	Transfer Out			23,188	
		<u>259,850</u>	<u>0</u>	<u>124,969</u>	<u>0</u>

Explanation:
To roll forward remaining budgets in Grants Fund from fiscal year 2019-2020 to current fiscal year.

Fund DEDICATED TAX 2012 (065)		BUDGET AMENDMENT FORM Fiscal Year 2020-2021			
		Estimated Revenue		Budget Appropriations	
<u>Dept Number</u>	<u>Department Name</u>	<u>Increase</u>	<u>Decrease</u>	<u>Increase</u>	<u>Decrease</u>
00	Transfers In	17,878			
		<u>17,878</u>	<u>0</u>	<u>0</u>	<u>0</u>

Explanation:
To roll forward budget for transfer in from Grants Fund from fiscal year 2019-2020 to current fiscal year.

Fund EMERGENCY OPERATIONS (070)		BUDGET AMENDMENT FORM Fiscal Year 2020-2021			
		Estimated Revenue		Budget Appropriations	
<u>Dept Number</u>	<u>Department Name</u>	<u>Increase</u>	<u>Decrease</u>	<u>Increase</u>	<u>Decrease</u>
00	Transfers In	15,000			
		<u>15,000</u>	<u>0</u>	<u>0</u>	<u>0</u>

Explanation:
To roll forward budget for transfer in from Grants Fund from fiscal year 2019-2020 to current fiscal year.

Fund POLICE IMPOUND FEES (037)		BUDGET AMENDMENT FORM Fiscal Year 2020-2021			
		Estimated Revenue		Budget Appropriations	
<u>Dept Number</u>	<u>Department Name</u>	<u>Increase</u>	<u>Decrease</u>	<u>Increase</u>	<u>Decrease</u>
62	Transfers Out			3,032	
		<u>0</u>	<u>0</u>	<u>3,032</u>	<u>0</u>

Explanation:
To roll forward budget for transfer out to Grants Fund for social security on Safe Oklahoma Grant from fiscal year 2019-2020 to current fiscal year. Funding to come from fund balance.

Fund POLICE (020)		BUDGET AMENDMENT FORM Fiscal Year 2020-2021			
		Estimated Revenue		Budget Appropriations	
<u>Dept Number</u>	<u>Department Name</u>	<u>Increase</u>	<u>Decrease</u>	<u>Increase</u>	<u>Decrease</u>
00	Transfers In	269			
		<u>269</u>	<u>0</u>	<u>0</u>	<u>0</u>

Explanation:
To roll forward budget for transfer in from Grants Fund from fiscal year 2019-2020 to current fiscal year.

SUPPLEMENTS
August 11, 2020

Fund DISASTER RELIEF (310)		BUDGET AMENDMENT FORM Fiscal Year 2020-2021			
		Estimated Revenue		Budget Appropriations	
<u>Dept Number</u>	<u>Department Name</u>	<u>Increase</u>	<u>Decrease</u>	<u>Increase</u>	<u>Decrease</u>
88	Transfers In	23,188			
		<u>23,188</u>	<u>0</u>	<u>0</u>	<u>0</u>

Explanation:
To roll forward budget for transfer in from Grants Fund from fiscal year 2019-2020 to current fiscal year.

Fund GRANTS/HOUSING ACTIVITIES (142)		BUDGET AMENDMENT FORM Fiscal Year 2020-2021			
		Estimated Revenue		Budget Appropriations	
<u>Dept Number</u>	<u>Department Name</u>	<u>Increase</u>	<u>Decrease</u>	<u>Increase</u>	<u>Decrease</u>
37	Intergovernmental	209,995			
37	Housing			9,995	
		<u>209,995</u>	<u>0</u>	<u>9,995</u>	<u>0</u>

Explanation:
To roll forward remaining budget on Homebuyer Assistance Grant from fiscal year 2019-2020 to current fiscal year. \$200,000 year expenses are already budgeted in fiscal 2020-2021.

Fund CDBG (141)		BUDGET AMENDMENT FORM Fiscal Year 2020-2021			
		Estimated Revenue		Budget Appropriations	
<u>Dept Number</u>	<u>Department Name</u>	<u>Increase</u>	<u>Decrease</u>	<u>Increase</u>	<u>Decrease</u>
00	Intergovernmental	4,458			
39	Grants Management			170,159	
		<u>4,458</u>	<u>0</u>	<u>170,159</u>	<u>0</u>

Explanation:
To roll forward remaining budget in CDBG Fund from fiscal year 2019-2020 to current fiscal year and increase budgeted revenue to actual amount of 2020 CDBG grant award. Funding to come from fund balance.

Fund FIRE (040)		BUDGET AMENDMENT FORM Fiscal Year 2020-2021			
		Estimated Revenue		Budget Appropriations	
<u>Dept Number</u>	<u>Department Name</u>	<u>Increase</u>	<u>Decrease</u>	<u>Increase</u>	<u>Decrease</u>
64	Fire			2,977	
		<u>0</u>	<u>0</u>	<u>2,977</u>	<u>0</u>

Explanation:
To budget for unplanned Committee Incentive Pay expenses. Funding to come from fund balance.



Human Resources
100 N. Midwest Boulevard
Midwest City, OK 73110
office 405.739.1235

Memorandum

TO: Honorable Mayor and Council

FROM: Troy Bradley, Human Resources Director

DATE: August 11, 2020

RE: Discussion and consideration of the approval of a Medical Retirement Application made by Employee 3353 through the Oklahoma Municipal Retirement Fund (OMRF).

Employee 3353 has been diagnosed with a debilitating medical issue. Employee 3353's physician has certified that their condition has and will keep them from performing the essential functions of their position. Per OMRF guidelines and procedures, an employee is eligible to apply for disability retirement under these circumstances.

Staff has received and reviewed the required documentation and recommends approval of this request.

A handwritten signature in black ink that reads "Troy Bradley". The signature is written in a cursive, flowing style.

Troy Bradley, Human Resources Director



Economic Development Department
100 N. Midwest Boulevard
Midwest City, OK 73110
Office: (405) 739-1218
rcoleman@MidwestCityOK.org

MEMORANDUM

TO: Honorable Mayor and City Council

FROM: Robert Coleman, Director of Economic Development

DATE: August 11, 2020

SUBJECT: Discussion and consideration of renewing the Lease Agreement with Michael Silsby, d/b/a Silsby Media, for three (3) years beginning August 15, 2020, at a monthly rental rate of \$1,550 for the building located at 2425 South Douglas Boulevard.

Mr. Michael Silsby agreed to renew the lease for the building that formerly served as the Stormwater Quality office. His business, Silsby Media, applies wraps on vehicles and has been successfully operating on South Douglas Blvd. location for over seven years.

Mr. Silsby operates a very clean business requiring very little outdoor storage and is a sales tax collection point. It appears he has done a good job of property upkeep as well.

Attached for your review is a draft of a Lease Agreement memorializing the terms staff and Mr. Silsby have negotiated. The last rent adjustment (+ 3.065%) occurred in 2017. Mr. Silsby has proposed a 7% increase to his lease rate provided the City will commit to a three-year agreement.

Staff recommends approval.

A handwritten signature in black ink, appearing to read "R. Coleman", written over a horizontal line.

Robert B. Coleman
Director of Economic Development

Attachment: 2020 – 2021 Lease Agreement

LEASE AGREEMENT

This Lease is made and entered into on the _____ day of August, 2020, wherein the City of Midwest City, a municipal corporation, is referred to as "Lessor" and Michael Silsby, a sole proprietor, d/b/a Silsby Media, is referred to as "Lessee."

WITNESSETH:

Lessor does hereby lease to Lessee the premises known and described as:

A tract of land known as 2425 South Douglas Boulevard, Midwest City, Oklahoma County, Oklahoma, being a part of the Southeast Quarter (SE/4) of Section 11, Township 11 North, Range 2 West, Oklahoma County, Oklahoma, more particularly described as follows: Beginning 588 feet South and 60 feet West of the NE/C of the SE/4; thence West 150 feet; thence South 150 feet; thence East 150 feet; thence North 150 feet to the place of beginning, containing 0.5165 acres, more or less,

including the 2,400 square foot building and appurtenant parking lot thereon, collectively referred to as the "Leased Premises," in their current and "as is" condition, to be used by Lessee as a commercial space for the application of vehicle wraps. Lessee's continuing possession of the Leased Premises shall be conclusive evidence that Lessee continues to accept the Leased Premises "as is" and that the Leased Premises were in good condition at the time possession was taken, except such items as may be agreed upon in writing by both parties.

1. Term of Lease. The term of this Lease shall be for three (3) years beginning on August 15, 2020. Lessee may request to renew this Lease for additional terms provided that Lessor reserves the right to renegotiate the rental payments and other provisions of this Lease. Lessee shall, at least sixty (60) days prior to the expiration date of the primary one-year term of this Lease, notify Lessor, in writing, whether or not he intends to renew this Lease.
2. Rent. Rent shall commence on August 16, 2020. The annual rent that Lessee shall pay to Lessor shall be the sum of eighteen thousand, six hundred twenty, and 00/100 dollars (\$18,600.00), with monthly installments being fifteen hundred fifty and 00/100 dollars (\$1,550.00).
3. Parking lot. Lessor agrees to furnish as an appurtenance of the Leased Premises a parking area and shall keep the parking area in good repair. Lessee shall keep the parking area lighted, striped and clean and free from all debris.
4. Utilities. During the term of this Lease, Lessee shall be responsible for managing and paying for all utility services required at the Leased Premises.
5. Maintenance. During the term of this Lease, Lessor shall keep in good repair all exterior parts of the 2,400 square foot building including, but not limited to, the foundation, walls, roof,

sewer service lines, sidewalks and exterior painting, and all plumbing, electrical and gas installations. Lessee shall maintain and keep in good repair the interior of the Leased Premises, including the replacement of any plate glass in the Leased Premises broken or damaged by any means, whether or not any such maintenance or repairs become necessary because of a defect in or damage to the roof and/or exterior of the building or due to defective workmanship or materials, the elements, normal wear and tear, act of God, fire, war, insurrection, civil riot or other casualty, irrespective of the cause thereof.

6. HVAC. Lessee shall service and maintain the air conditioning and heating equipment furnished with the Leased Premises at his own expense at least twice each year, proof of which he shall provide to Lessor. All costs incurred in normal maintenance of the HVAC system including, without limitation, replacement or re-charging of freon or other cooling fluids, cleaning of condensers and filters, and replacement of filters shall be at Lessee's sole expense. Lessee shall replace any worn or damaged parts. Lessor shall replace the condenser as necessary. All work performed on the HVAC system shall be performed only by contractors approved by Lessor.

7. Improvements; fixtures. All alterations, additions or improvements upon the Leased Premises, no matter by whom made, shall be the property of Lessor and remain upon and be surrendered with the Leased Premises, except that movable furniture, trade fixtures and attachments to the Leased Premises made by Lessee, except built-in fixtures, shall remain the property of Lessee and may be removed by Lessee subject to Lessee's restoration of any damage to the Leased Premises caused by any such removal and providing that Lessee has punctually fulfilled all obligations under this Lease. Lessee agrees that where floor covering has been glued, cemented or otherwise fastened to the floor, it is a part of the building and is the property of Lessor. Any signs that Lessee plans to place on any part of the Leased Premises that shall be visible from outside of the building must first be approved by Lessor in writing.

8. Use; assignment. Lessee will not use the Leased Premises or any part of them, or permit them to be used, for any purpose other than as a location for Lessee's business, a place for the application of vehicle wraps. Lessee's business shall be conducted entirely within the building on the Leased Premises and there shall be no outdoor storage or display of any merchandise associated with Lessee's business at the Leased Premises, including vehicles on which Lessee is working. Lessee shall use no mechanical equipment or conduct any activity on the Leased Premises that creates excessive traffic, noise, dust, odor or electrical disturbance beyond the confines of the Leased Premises. Neither Lessee nor any of Lessee's agents, employees, guests or invitees shall engage in any conduct prohibited or proscribed by any local, state or federal law and, further, Lessee agrees to indemnify and hold Lessor harmless from any loss, cost or damage including, without limitation, court costs and/or attorney's fees incurred by Lessor as a result of Lessee's violation of this covenant. No interest in this Lease shall, without Lessor's written consent, be assigned or otherwise disposed of voluntarily or by operation of law or otherwise, nor shall any part of the Leased Premises be sublet without Lessor's written consent.

9. Hazard Insurance. Lessor shall carry adequate hazard insurance to cover the Leased Premises and, in the event the Leased Premises are partially destroyed by fire or other casualty, irrespective of the cause, Lessor may, in its discretion, promptly rebuild or replace the damaged

portion of the Leased Premises in as good condition as prior to such casualty in which case this Lease shall remain in full force and effect, although Lessor agrees to abate the monthly rental due during such reconstruction until the Leased Premises are ready for Lessee to re-occupy. Should Lessor elect not to rebuild the Leased Premises after such casualty, then this Lease shall terminate and all parties shall be released from any further obligation hereunder.

10. Indemnity; insurance. Lessee shall indemnify and hold Lessor harmless against all claims, judgments and demands of any person or persons whomsoever on account of injuries or accidents occurring on the Leased Premises and resulting from the negligent acts or omissions of Lessee, his employees, agents, representatives, guests or invitees, or the breach of any obligation of Lessee as set out in this Lease. Lessee shall carry public liability insurance on the Leased Premises with limits of not less than \$500,000 for each person and \$1,000,000 for each occurrence, naming Lessor as an additional insured with certificates of such insurance to be furnished to Lessor annually and at such other times as Lessor may reasonably request.

11. Signs. Lessee shall be entitled to install and maintain signs on the Leased Premises at its sole expense, approved as to form and content by Lessor.

12. Notices. All notices required or options granted under this Lease shall be given or exercised in writing and shall be deemed to be properly served if delivered in writing personally or sent by certified mail with return receipt requested to Lessor at:

100 North Midwest Boulevard
Midwest City, Oklahoma 73110-4319
Attention: City Clerk

or to Lessee at:

2425 South Douglas Boulevard
Midwest City, Oklahoma 73130

Except as otherwise specifically provided to the contrary in this Lease, the effective date of such notice or option shall be the date that is stamped on the envelope by the United States Post Office and the parties to this Lease shall not refuse to accept delivery of any notices. Such refusal shall constitute receipt.

13. Default. In the event Lessee should default in payment of rent, or default by failing or refusing to perform any other action required under this Lease or by performing any action prohibited by this Lease, Lessor shall give Lessee written notice of such default either in person or by certified mail and Lessee shall have ten (10) days from the date of receiving such notice to correct the default. Should Lessee fail to correct such default within the ten (10) day period, Lessor may, at its option, in addition to all other rights available to Lessor under Oklahoma law, terminate this Lease.

14. Severability. All rights and liabilities herein given or imposed on either of the parties to this Lease shall be binding upon the heirs, executors, administrators, successors and assigns of

the parties to this Lease. Should any clause or provision of this Lease be invalid or void for any reason, such invalid or void clause or provision shall not affect the whole of this instrument, but the balance of the provisions of this Lease shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have approved and executed this Lease.

CITY OF MIDWEST CITY, a municipal corporation ("Lessor")

MATTHEW D. DUKES II, Mayor

ATTEST:

SARA HANCOCK, City Clerk

APPROVED as to form and legality this _____ day of August, 2020.

HEATHER POOLE, City Attorney

MICHAEL SILSBY, a sole proprietor, dba Silsby Media ("Lessee")

MICHAEL SILSBY



CITY of MIDWEST CITY
COMMUNITY DEVELOPMENT DEPARTMENT
ENGINEERING DIVISION

Billy Harless, Community Development Director
Brandon Bundy, P.E., City Engineer

ENGINEERING DIVISION
Brandon Bundy, P.E., City Engineer
CURRENT PLANNING DIVISION
Kelly Gilles, Manager
COMPREHENSIVE PLANNER
Petya Stefanoff, Comprehensive Planner
BUILDING INSPECTION DIVISION
Christine Brakefield, Building Official
GIS DIVISION
Greg Hakman, GIS Coordinator

TO : Honorable Mayor and Council

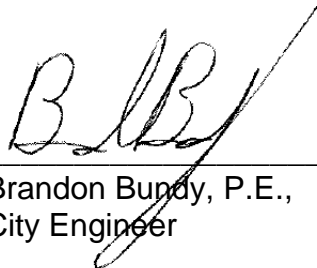
FROM : Brandon Bundy, P.E., City Engineer

DATE : August 11th, 2020

SUBJECT : Discussion and consideration of the acceptance of and making a matter of record Permit No. WL000055200125 from the State Department of Environmental Quality for a water line extension project to serve Rose Field, Midwest City, Oklahoma.

Permit No. WL000055200125 is for the construction of 220 L.F. of six inch (6") sewer line to serve Rose Field Stadium Improvements, Midwest City, Oklahoma. Extension is required for developing the property as per Sec. 43-109 of the Midwest City Code of Ordinances.

Staff recommends acceptance as this is consistent with past policy.



Brandon Bundy, P.E.,
City Engineer

Attachment



SCOTT A. THOMPSON
Executive Director

OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY

KEVIN STITT
Governor

July 16, 2020

Tim Lyon, City Manager
City of Midwest City
100 North Midwest Boulevard
Midwest City, Oklahoma 73110

Re: Permit No.: WL000055200125
Mid-Del Public Schools
Rose Field Stadium
Water Line Extension Project
PWSID No.: 1020806

Dear Mr. Lyon:

Enclosed is Permit No.: WL000055200125 for the construction of approximately 220 L. F. of six (6) inch water line and appurtenances to serve the City of Midwest City Mid-Del Public Schools Rose Field Stadium Improvements Water Line Extension Project, Oklahoma County, Oklahoma.

The project authorized by this permit should be constructed in accordance with the plans approved by this Department on July 16, 2020. Any deviations from the approved plans and specifications affecting capacity, flow, or operation of units must be approved, in writing, by the Department before changes are made.

Receipt of this permit should be noted in the minutes of the next regular meeting of the City of Midwest City, after which it should be made a matter of permanent record.

We are returning one (1) set of the approved plans to you, one (1) set to your engineer and retaining one (1) set for our files.

Respectfully,

A handwritten signature in black ink, appearing to read 'Robert B. Walker', written over a faint circular seal of the State of Oklahoma.

Robert B. Walker
Construction Permit Section
Water Quality Division

A handwritten signature in black ink, appearing to read 'Rocky Chen', written over a faint circular seal of the State of Oklahoma.

Rocky Chen, P. E.
Construction Permit Section
Water Quality Division

RBW/RC/md

Enclosure

c: Oklahoma City DEQ Office
Travis Mensik, Regional Manager, DEQ
Bret Cabbiness, P. E., Cabbiness Engineering, LLC





SCOTT A. THOMPSON
Executive Director

OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY

KEVIN STITT
Governor

PERMIT NO.: WL000055200125

WATER LINES

PWSID NO.: 1020806

PERMIT TO CONSTRUCT

July 16, 2020

Pursuant to O.S. 27A 2-6-304, the City of Midwest City is hereby granted this Tier I Permit to construct approximately 220 L. F. of six (6) inch water line and appurtenances to serve the City of Midwest City Mid-Del Public Schools Rose Field Stadium Improvements Water Line Extension Project, located in part of SE-1/4, NW-1/4, Section 10, T-11-N, R-2-W, I. M., Oklahoma County, Oklahoma, in accordance with the plans approved on July 16, 2020.

By acceptance of this permit, the permittee agrees to operate and maintain the facility in accordance with the Public Water Supply Operation rules (OAC 252:631) and to comply with the State Certification laws, Title 59, Section 1101-1116 O.S. and the rules and regulations adopted thereunder regarding the requirements for certified operators.

This permit is issued subject to the following provisions and conditions.

- 1) Based on review of the submitted limited hydraulic information, this water line design is deemed adequate to provide the 2015 International Fire Code, Appendix B, Table B105.2 fire hydrant fire flow of 1,000-gpm for a commercial building with International Building Code (IBC) classification of IIB, fire surface area of 6,000-ft, and to be equipped with an automatic sprinkler system designed in accordance with NFPA 13, in general compliance with 2015 IFC Section 903.3.1.1.
- 2) That the recipient of the permit is responsible that the project receives supervision and inspection by competent and qualified personnel.
- 3) That construction of all phases of the project will be started within one year of the date of approval or the phases not under construction will be resubmitted for approval as a new project.
- 4) That no significant information necessary for a proper evaluation of the project has been omitted or invalid information has been presented in applying for the permit.
- 5) That the Oklahoma Department of Environmental Quality shall be kept informed on occurrences which may affect the eventual performance of the works or that will unduly delay the progress of the project.
- 6) That the recipient of the permit is responsible for the continued operation and maintenance of these facilities in accordance with rules and regulations adopted by the Environmental Quality Board, and that this Department will be notified in writing of any sale or transfer of ownership of these facilities.

Page 1 of 2





SCOTT A. THOMPSON
Executive Director

OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY

KEVIN STITT
Governor

PERMIT NO.: WL000055200125

WATER LINES

PWSID NO.: 1020806

PERMIT TO CONSTRUCT

- 7) That before placing this facility into service, at least two samples of the water, taken on different days, shall be tested for bacteria to show that it is safe for drinking purposes.
- 8) That any deviations from approved plans or specifications affecting capacity, flow or operation of units must be approved by the Department before any such deviations are made in the construction of this project.
- 9) The issuance of this permit does not relieve the responsible parties of any obligations or liabilities which the permittee may be under pursuant to prior enforcement action taken by the Department.
- 10) That the permittee is required to inform the developer/builder that a DEQ Storm Water Construction Permit is required for a construction site that will disturb one (1) acre or more in accordance with OPDES, 27A O.S. Section 2-6-201 *et seq.* For information or a copy of the GENERAL PERMIT (OKR10) FOR STORM WATER DISCHARGES FROM CONSTRUCTION ACTIVITIES, Notice of Intent (NOI) form, Notice of Termination (NOT) form, or guidance on preparation of a Pollution Prevention Plan, contact the Storm Water Unit of the Water Quality Division at P.O. Box 1677, Oklahoma City, OK 73101-1677 or by phone at (405) 702-8100.
- 11) That any notations or changes recorded on the official set of plans and specifications in the Oklahoma Department of Environmental Quality files shall be part of the plans as approved.
- 12) That whenever plastic pipe is approved and used for potable water, it shall bear the seal of the National Sanitation Foundation and meet the appropriate commercial standards.
- 13) That when it is impossible to obtain proper horizontal and vertical separation as stipulated in Public Water Supply Construction Standards OAC 252:626-19-2(h)(1) and OAC 252:626-19-2(h)(2), respectively, the sewer shall be designed and constructed equal to water pipe, and shall be pressure tested to the highest pressure obtainable under the most severe head conditions of the collection system prior to backfilling.

Failure to appeal the conditions of this permit in writing within 30 days from the date of issue will constitute acceptance of the permit and all conditions and provisions.

RBW

Rocky Chen, P.E., Engineering Manager, Construction Permit Section
Water Quality Division



CITY of MIDWEST CITY
COMMUNITY DEVELOPMENT DEPARTMENT
ENGINEERING DIVISION

Billy Harless, Community Development Director
Brandon Bundy, P.E., City Engineer

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TO : Honorable Mayor and Council

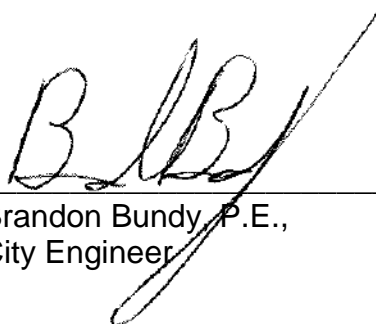
FROM : Brandon Bundy, P.E., City Engineer

DATE : August 11th, 2020

SUBJECT : Discussion and consideration of signing an agreement with Sunoco Pipeline, L.P. (Energy Transfer) for allowing the City to build the future Rail with Trail Phase 2 & 3 on their existing easement.

The City has been working with Energy Transfer to find a solution to a conflict between an existing Sunoco Pipeline and our future Rail with Trail Phase 2 & 3. This agreement will allow the City to continue with the plans to construct the future trail. Design is ongoing with the trail likely to be bid in Fall 2021.

Staff recommends approval.



Brandon Bundy, P.E.,
City Engineer

Attachment



Dwight Kouri
Sr. Representative – ROW
Office: 918.524.7353
Cell: 479.4141377

Dwight.Kouri@energytransfer.com

June 1, 2020
Via Postal Mail

City of Midwest City, OK
100 North Midwest Boulevard
Midwest City, Oklahoma 73110

RE: Railroad Trail Phase 2 & 3
551002 - 8" Shawnee to Seminole
Oklahoma County, Oklahoma

Dear City of Midwest City, OK, ("City")

Sunoco Pipeline, L.P. ("Sunoco") owns an eight (8) inch pipeline, known as the 551002 - 8" Shawnee to Seminole Pipeline, lying within an easement being thirty feet in width, fifteen feet either side of the pipeline, that traverses your project area shown in Exhibit "A", attached hereto and made a part hereof, located in Oklahoma County, Oklahoma. Sunoco does not object to City's improvements shown in Exhibit "A" that will cross and encroach on the easement ("Approved Encroachments") pursuant to the following terms:

- Prior to any work taking place within the easement a One Call shall be placed with the Oklahoma 811 system and a Sunoco representative must be present when any work is performed on or adjacent to the easement. The onsite Sunoco representative will have the authority to shut down work if any activities are deemed unsafe or noncompliant by the Sunoco representative.
- No cover shall be removed from the easement and pipeline as part of the Approved Encroachments.
- Any concrete surface is to be installed with expansion joints a minimum of ten (10) feet apart and to be constructed in a manner so as to facilitate its removal from the right of way and easement.
- If at any time it becomes necessary for Sunoco to remove portions of the Approved Encroachments constructed pursuant to this letter, for any purpose, including but not limited to maintaining, inspecting, operating, protecting, repairing, replacing or removing the pipeline and appurtenances on the property and such activities result in damage to the Approved Encroachments, then payment for and accomplishing any repair, replacement or restoration of such Approved Encroachments shall be the sole responsibility of City, their successors, heirs or assigns.
- Should any activity by City or its contractors result in damage to Sunoco facilities (including damage to coating), the total cost of the required repairs shall be one hundred percent (100%) reimbursable to Sunoco including any legal fees necessary to compel such reimbursement.

To the extent allowed under the laws of Oklahoma, City agrees to indemnify, defend, protect, and hold Sunoco, its parent, affiliates, subsidiaries, and their directors, officers, employees, representatives, and agents harmless from and against any and all actions or causes of action, claims, demands, liabilities, loss, damage, injury, suit, proceeding, judgment, cost (including the cost or expense of environmental response, removal or remediation activities) or expense of whatever kind or nature, including but not limited to reasonable attorneys' fees, arising from:

- A. **City's non-compliance with any laws, regulations and orders applicable to the ownership or the operation and maintenance of the encroachment within the easement area described herein;**

- B. Any incidents, acts, releases, negligence, transactions or omissions, or conditions on or affecting the easement area that would:**
- I. Contribute to or constitute a violation of any local, state or federal environmental rule, regulation, law or judicial order;**
 - ii. Result, in whole or in part, in any requirement to clean up or otherwise remedy or remediate a condition;**
 - iii. Give rise to any lien, liability, injunction, order, restriction, claim, expense, damage, fine or penalty; or**
 - iv. Adversely affect human health or the environment at or near the easement area; and**

C.. Any incident, act, action, cause of action, negligence, transaction, or omission or in connection with, or incidental to the construction, operation, maintenance, presence, or use of the encroachment, except where such loss, cost, liability, or expense was proximately caused solely by the gross negligence of Sunoco, its employees or agents.

City shall procure and maintain with reputable insurers with AM Best Company's rating of not less than "A-:VII" policies of insurance written on an occurrence basis or on claims made basis (in which event insurance shall be maintained during the term of the Construction), with limits not less than those indicated for the respective items as follows:

- 1. Statutory Workers' Compensation and Occupational Disease Insurance, including Employer's Liability Insurance complying with laws of each jurisdiction in which any work is to be performed or elsewhere as may be required. Employer's Liability Insurance shall be provided with a limit not less than: \$2,000,000 each occurrence;
- 2. Commercial Liability Insurance, including but not limited to all Premises and Operations, Contractual Liability, Products-Completed Operations Liability, Fire Legal Liability, Explosion, Collapse and Underground Damage Liability, Broad Form Property Damage Liability, and if applicable, Watercraft and Aircraft Liability, as well as coverage on all Contractor's mobile equipment (other than motor vehicles licensed for highway use) owned, hired or used in the performance of this Contract with limits not less than: \$5,000,000 Bodily Injury, Personal Injury & Property Damage combined each occurrence and aggregate;
- 3. Commercial Automobile Liability Insurance, including Contractual Liability, covering all motor vehicles licensed for highway use and employed in the performance of this Contract, with limits not less than: \$5,000,000 Bodily Injury, Personal Injury & Property Damage combined each occurrence and aggregate.

Upon execution of this agreement, City shall furnish Sunoco a certificate of insurance evidencing the coverage required herein.

To the extent allowed by law, City shall include Sunoco as an additional insured under the policies required above, but only to the extent of City's indemnification obligations hereunder.

You will find enclosed two (2) copies of this letter. Please sign and date below acknowledging receipt of and acceptance of the terms listed above and return one (1) copy to us in the prepaid envelope enclosed for your convenience. Any change in the scope of work for the Approved Encroachments not addressed above will require re-evaluation of construction activities.

Should you have any further questions please feel free to contact me at one of the numbers listed above. Otherwise, thank you for your continued support in working with Sunoco Pipeline, L.P.

Best Regards,
Sunoco Pipeline L.P.
By: Sunoco Logistics Partners Operations GP LLC, its general partner



By: Kevin Taliaferro
Title: Senior Director – Land & Right of Way

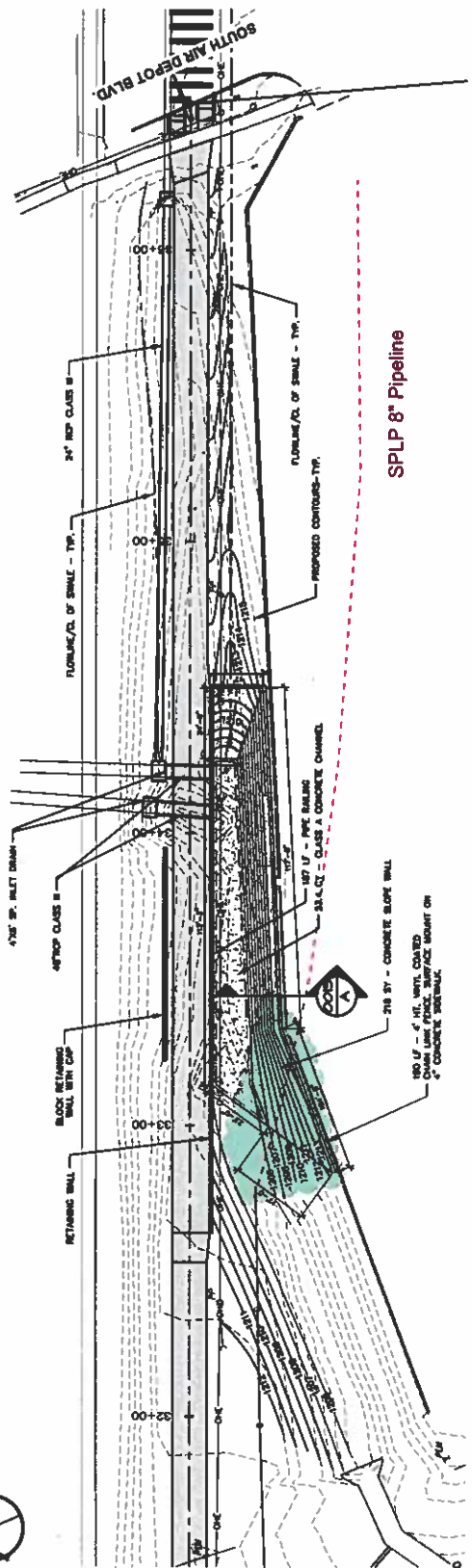
RECEIVED AND AGREED TO THIS _____ DAY OF _____, 2020.

Name: _____
City of Midwest City, OK – Mayor

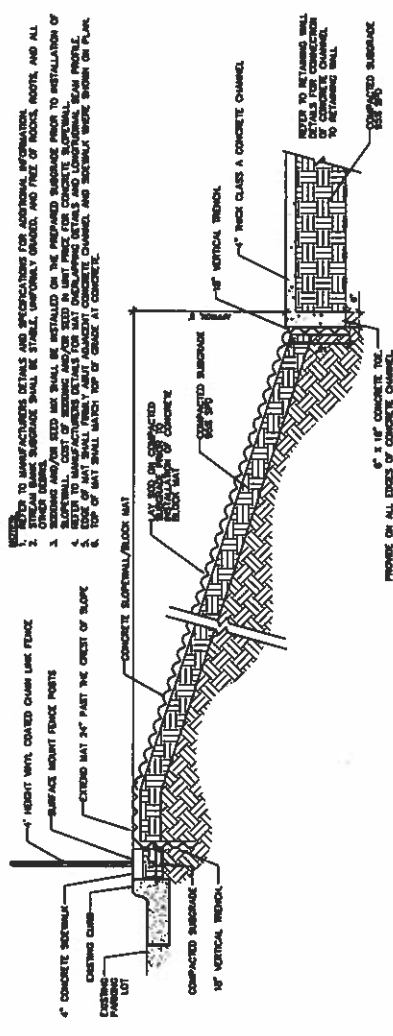
Name: _____
City of Midwest City, OK – City Clerk

PLAN LEGENDA

<ul style="list-style-type: none"> 1" = 100' 2" = 200' 3" = 300' 4" = 400' 5" = 500' 6" = 600' 7" = 700' 8" = 800' 9" = 900' 10" = 1000' 	<ul style="list-style-type: none"> EX. SIGN EX. POLE EX. COVERED GUT EX. TRAFFIC SIGNAL POLE EX. LIGHT POLE EX. LIGHT POLE EX. GUT EX. AIR/MT. VALVE EX. WATER METER EX. METER CONTROL VALVE EX. METER TO MAIN EX. TREE LINE EX. BUILDING EX. PROPERTY LINE EX. PARADISE LINE EX. FENCE EX. OVERHEAD ELECTRIC LINE EX. NATURAL GAS LINE EX. STORM DRAIN LINE EX. SANITARY SEWER LINE EX. FLOW LINE EX. TOP/PIPE BANK 	<ul style="list-style-type: none"> REMOVE EX. TOWER REMOVE EX. TREE REFER TO DETAIL EX. LAMBERT 	<ul style="list-style-type: none"> CONCRETE TRAIL TRAIL CENTER LINE ALIGNMENT CUT BOUNDARY LINE FILL BOUNDARY LINE RETAINING WALL PPR RAILING POST & CABLE FENCE 6" WOODEN FENCE
--	--	---	--



SPLP 8" Pipeline



SECTION: CONCRETE SLOPEWALL

SCALE: 1/2" = 1'-0"



CITY OF MIDWEST CITY RAILROAD TRAIL - PHASE 2&3	
PLANS AND ESTIMATES	PREPARED BY:
DESIGN	RLS 10/79
DRAWN	MBD 10/79
CHECKED	RLS 10/79
P/I 3/20/00(C)	

RLS SHEARS COMPANY, P.C.
 Landscape Architects
 12112 152ND AVE, SUITE 100
 OVERLAND PARK, KS 66213
 TEL: 913.241.1111 FAX: 913.241.1113

TRAIL DETAILS (1)
 SHEET 0015

NOTES:
 1. REFER TO MANUFACTURER'S DETAILS AND SPECIFICATIONS FOR ADDITIONAL INFORMATION.
 2. OTHER DETAILS.
 3. SLOPING AND/OR SLOPE MAT SHALL BE INSTALLED ON THE PREPARED SUBGRADE PRIOR TO INSTALLATION OF FORMWORK.
 4. REFER TO MANUFACTURER'S DETAILS FOR MAT INSTALLATION DETAILS AND LOGICAL/STANDARD BEAM PROFILE.
 5. SIZE OF MAT SHALL BE AT LEAST 18" WIDE AND 18" HIGH.
 6. TOP OF MAT SHALL MATCH TOP OF GRADE AT CORNER/END.

4" CONCRETE SIDEWALK
 EXISTING PAVEMENT
 4" CONCRETE SIDEWALK
 1" VERTICAL TRENCH
 COMPACTED SUBGRADE
 1" VERTICAL TRENCH
 4" INCH CLASS A CONCRETE CHANNEL
 1" VERTICAL TRENCH
 4" INCH CLASS A CONCRETE CHANNEL
 6" x 16" CONCRETE TIE
 PROVIDE ON ALL ENDS OF CONCRETE CHANNEL.

Rail with Trail Phase 2 & 3



Legend

- Street Names
- Parcels



1 in = 752 ft
when printed actual size
on 11"x17" paper

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



CITY of MIDWEST CITY
 COMMUNITY DEVELOPMENT DEPARTMENT
 ENGINEERING DIVISION

Billy Harless, Community Development Director
 Brandon Bundy, P.E., City Engineer

ENGINEERING DIVISION
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 GIS DIVISION
 Greg Hakman, GIS Coordinator

TO : Honorable Mayor and Council

FROM : Brandon Bundy, P.E., City Engineer

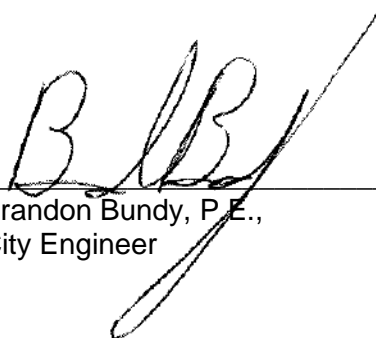
DATE : August 11th, 2020

SUBJECT : Discussion and consideration of accepting permanent easements from Eric Lacquement and Danny R. and Mary S. Cassil located near Steed and Midwest Blvd., as well as a temporary easement from Independent School District Number 52 located at 2500 E Reno.

The below easements are needed in connection with an upcoming Pedestrian Signal Project for the purposes of constructing ADA compliant sidewalk ramps.

Owner	Location	Description of Parcel	Type
Eric Lacquement	526 E Steed Dr, SW Corner of Steed Dr / Midwest Blvd	Lot Four (4) Block Three (3) of Country Estates Fourth Addition	Permanent
Danny R. and Mary S. Cassil	1200 S Midwest Blvd, SE Corner of Steed Dr / Midwest Blvd	Lot Forty Six (46) of Block Two (2) of Country Estates Sixth Addition	Permanent
Independent School District Number 52	2500 E Reno (Monroney Middle School)	Part of the NE/4 of Section 3 Township 11 N Range 2 W	Temporary

Staff recommends accepting the easements.



Brandon Bundy, P.E.,
 City Engineer

Attachments

Easement Map



Copyright near map 2015



Legend

Street Names



Parcels

1 in = 752 ft

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

DISCLAIMER

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GRANT OF PERMANENT EASEMENT

Project: Pedestrian Signal Project B
COUNTY: Oklahoma
JP 33347(D4)
Parcel 1-1

KNOW ALL BY THESE PRESENTS:

That Eric Lacquement, a single person, of Oklahoma County, grantor for good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto the City of Midwest City, a municipal corporation, (grantee) a permanent public easement across, over and under the following described lots, tracts or parcels of land situated in Oklahoma County, State of Oklahoma, to-wit:

A parcel of land found in Lot Four (4) Block Three (3) of Country Estates Fourth Addition, a subdivision of the Southeast Quarter of Section 3, Township 11 North, Range 2 West of Oklahoma County, Oklahoma; said parcel being more particularly described as:

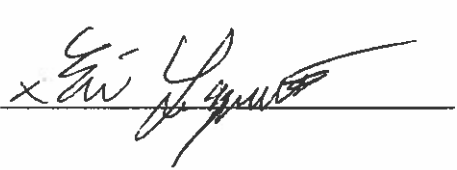
Beginning at the northeast corner of said Lot 4 Block 3 of Country Estates Fourth Addition; thence south on the east line of said lot four a distance of 8'; thence northwesterly to a point on the north line of said lot 4 that is 8' west of said northeast corner; thence east on said north line to the point or place of beginning. (150 510 530 526 E. Steed)

This easement is granted for the purpose of enabling the City of Midwest City, its officers, agents, contractors and employees to go upon, layout, construct, change, and or build any and all public improvements of whatsoever nature upon the above-described lots, parcels or tracts of land and includes the permanent right of ingress and egress for employees, tools and equipment of the City of Midwest City, its officers, agents, contractors and employees.

The consideration herein covers all kinds and character of damages or injury that may be sustained directly or indirectly to any lands owned by the Grantor by reason of the construction and maintenance of such improvements.

Grantor hereby covenants and warrants that at the time of the delivery of this easement that the above-described real estate and premises are free of all liens and claims whatsoever, except -none- and that they will, so long as this easement is in full force and effect, defend the same unto the City of Midwest City against all claiming to the contrary.

WITNESS the hands of the parties this 13th day of February, 20 20

x 

STATE OF OKLAHOMA)
)ss.
COUNTY OF OKLAHOMA)

Before me, the undersigned Notary Public in and for the state and county aforesaid, on this 13th day of February, 20 20 personally appeared

Eric Lacquement, to me known to be the identical person who executed the within and foregoing

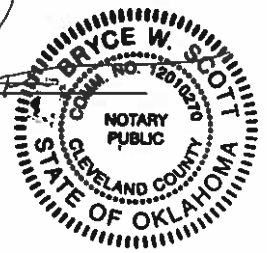
instrument and acknowledged to me that he executed the same as a free and voluntary act and deed

for the purposes set out herein.

WITNESS, my hand and seal this 13th day of February, 2020

My Commission expires: 10/29/2020


NOTARY PUBLIC



Approved by City Attorney _____ Date: _____

Approved by City Council _____ Date: _____

RETURN TO: City Clerk 100 N Midwest Boulevard Midwest City OK 73110

Pedestrian Signal Project B / JP # 33347(04) // Parcel No: I-I (150 510 530 526 E Steed Drive)

GRANT OF PERMANENT EASEMENT

Project: Pedestrian Signal Project B
COUNTY: Oklahoma
JP 33347(04D)
Parcel 1 - 2 Cassil

KNOW ALL BY THESE PRESENTS:

That Danny R. Cassil and Mary S. Cassil, of Oklahoma County, Oklahoma, (grantors) for good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto the City of Midwest City, a municipal corporation, (grantee) a permanent public easement across, over and under the following described lots, tracts or parcels of land situated in Oklahoma County, State of Oklahoma, to-wit:

A parcel of land found in Lot Forty Six (46) of Block Two (2) of Country Estates Sixth Addition, a subdivision of the Southwest Quarter of Section 2, Township 11 North, Range 2 West of Oklahoma County, Oklahoma; said parcel being more particularly described as follows;

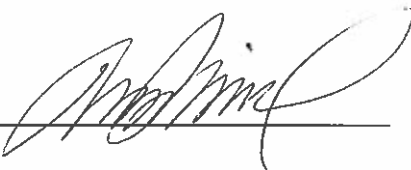
Beginning at the northwest Corner of said Lot 2; thence east on the north line of said lot 2 a distance of 10'; thence southwesterly to a point on the west line of said lot 2 that is 10' south of said northwest corner; thence north on said west line to the point or place of beginning. (150531715 / 1200 S Midwest Blvd.)

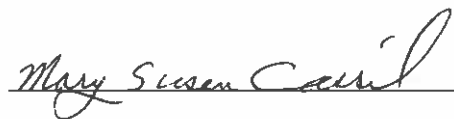
This easement is granted for the purpose of enabling the City of Midwest City, its officers, agents, contractors and employees to go upon, layout, construct, change, and or build any and all public improvements of whatsoever nature upon the above-described lots, parcels or tracts of land and includes the permanent right of ingress and egress for employees, tools and equipment of the City of Midwest City, its officers, agents, contractors and employees.

The consideration herein covers all kinds and character of damages or injury that may be sustained directly or indirectly to any lands owned by the Grantor by reason of the construction and maintenance of such improvements.

Grantor hereby covenants and warrants that at the time of the delivery of this easement that the above-described real estate and premises are free of all liens and claims whatsoever, except -none- and that they will, so long as this easement is in full force and effect, defend the same unto the City of Midwest City against all claiming to the contrary.

WITNESS the hands of the parties this 24th day of JAN, 2020





STATE OF OKLAHOMA)
)ss.
COUNTY OF OKLAHOMA)

Before me, the undersigned Notary Public in and for the state and county aforesaid, on this

24 day of January, 2020 personally appeared

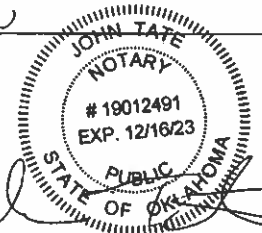
Dawn Cassil and Mary S Cassil to me

known to be the identical person(s) who executed the within and foregoing instrument and

acknowledged to me that They executed the same as a free and voluntary act and deed for the

purposes set out herein as the

WITNESS, my hand and seal this 24 day of Jan, 2020



My Commission expires: 12/14 2023

NOTARY PUBLIC

Approved by City Attorney _____ Date: _____

Approved by City Council _____ Date: _____

Pedestrian Signal Project B / JP # 33347(04) // Parcel No: I-2 // Cassil // (150531 715/ 1200 S Midwest Blvd.)

RETURN TO: City Clerk 100 N Midwest Boulevard Midwest City OK 73110

GRANT OF TEMPORARY EASEMENT

Project: Pedestrian Signal Project B
COUNTY: Oklahoma
JP 33347(04)
Parcel 8 - 1

KNOW ALL BY THESE PRESENTS:

That Independent School District Number 52, Oklahoma County, State of Oklahoma, (a.k.a. Midwest City Del City Public Schools (ISD 52)) , (Grantor), of Oklahoma County, Oklahoma, for good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto the City of Midwest City, a municipal corporation, a temporary easement and right-of-way across, over and under the following described real estate and premises situated in Oklahoma County, State of Oklahoma, to-wit:

SEE EXHIBIT A

This easement, effective upon the inception of construction, is granted for the sole purpose of enabling the City of Midwest City, its officers, agents, contractors and employees to go upon, layout, construct, change, build and at all times maintain the easement and improvement upon the above described tract of land and includes the temporary right of ingress and egress for employees, tools, and equipment, of the City of Midwest City, its officers, agents, contractors and employees. **THE TEMPORARY EASEMENT SHALL BECOME NULL AND VOID UPON COMPLETION OF CONSTRUCTION AND ACCEPTANCE OF THE PROJECT.**

The consideration herein covers any and all kinds and character of damages or injury that may be sustained directly or indirectly to any lands owned by the Grantor(s) herein by reason of the construction and maintenance of such improvements.

Said Grantor(s) hereby covenant and warrant that at the time of the delivery that the above-described real estate and premises are free of all liens and claims whatsoever, except **none** and that Grantor(s) will, so long as this easement is in full force and effect, defend the same unto the City of Midwest City against all and every person whomsoever claiming the same.

WITNESS the hands of the parties this 18th day of FEBRUARY, 20

R. D. Ull

SUPERINTENDENT
MID-DEL PUBLIC SCHOOLS, ISD 52

STATE OF Oklahoma)
)ss.
COUNTY OF Oklahoma)

Before me, the undersigned, a Notary Public, in and for said County and State, on this

18 day of February, 20 personally appeared,

Rick Cobb to me known to be the identical person(s)

who subscribed the name of the maker thereof to the forgoing instrument as its _____

_____, and acknowledged to me that _____

executed the same as _____ free and voluntary act and deed of such School District, for the
uses and purposes therein set forth.

WITNESS, my hand and seal this 18 day of February, 20

My Commission expires: 8/26/21

Kellie Duckworth
NOTARY PUBLIC



Approved by City Attorney _____ Date: _____

Approved by City Council _____ Date: _____

RETURN TO: City Clerk, 100 N Midwest Blvd., Midwest City OK. 73110

EXHIBIT A

A part of the NE/4 of Section 3 T 11N R 2W of the Indian Meridian in Oklahoma County Oklahoma:

Commencing at a point on the north line of said Northeast Quarter that is 900 feet west of the Northeast Corner of said Northeast Quarter;

THENCE south and parallel to the East Line of said Northeast Quarter a distance of 50 feet;

THENCE west and parallel to the North Line of said Northeast Quarter a distance of 470 feet to the POINT OF BEGINNING;

THENCE south and parallel to the East Line of the Northeast Quarter a distance of 30 feet;

THENCE west and parallel to the North Line of said Northeast Quarter a distance of 60 feet;

THENCE north and parallel to the east line of said Northeast Quarter a distance of 30 feet;

THENCE east 60 feet to the POINT OF BEGINNING.

TEMPORARY EASEMENT

Pedestrian Signal Project 8; J/P 33347(D4)AG; OKLAHOMA COUNTY; PARCEL: 8-1; Independent School District No. 52; ISO 410 125

Parcel 8-1



CITY of MIDWEST CITY
COMMUNITY DEVELOPMENT DEPARTMENT
ENGINEERING DIVISION

Billy Harless, Community Development Director
Brandon Bundy, P.E., City Engineer

ENGINEERING DIVISION
Brandon Bundy, P.E., City Engineer
CURRENT PLANNING DIVISION
Kelly Gilles, Manager
COMPREHENSIVE PLANNER
Petya Stefanoff, Comprehensive Planner
BUILDING INSPECTION DIVISION
Christine Brakefield, Building Official
GIS DIVISION
Greg Hakman, GIS Coordinator

TO : Honorable Mayor and Council

FROM : Brandon Bundy, P.E., City Engineer

DATE : August 11th, 2020

SUBJECT : Discussion and consideration of the re-appointing Clint Reininger and John Reininger to the ADA Transition Plan Committee.

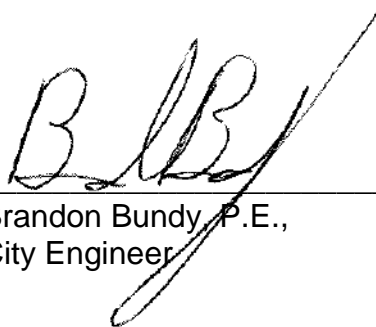
The terms of Clint Reininger and John Reininger expire on August 11th, 2020. Both gentlemen would like to be re-appointed for the standard three year term upon the discretion of the Mayor.

On August 11, 2015, the Midwest City Council voted to accept the Americans with Disabilities Act (ADA) Self Evaluation and Transition Plan and an ADA Transition Plan Committee made up of five people who live and/or work in Midwest City as well as one Planning Commissioner and one City Councilperson. The ADA Transition Plan Committee typically meets every May and November.

Current members are as follows:

<i>Clint Reininger</i>	<i>Expires August 11th, 2020</i>
<i>John Reininger</i>	<i>Expires August 11th, 2020</i>
Earl Foster	Expires August 10 th , 2021
Dean Hinton (Planning Commission)	Expires August 10 th , 2021
Christine Price Allen (City Council)	Expires August 10 th , 2021
Max Wilson	Expires December 10 th , 2022
Rick Wilson	Expires December 10 th , 2022

Action is at the discretion of Mayor and Council.



Brandon Bundy, P.E.,
City Engineer



Public Works Administration

R. Paul Streets,
Public Works Director
pstreets@midwestcityok.org
405-739-1061

Patrick Menefee,
City Engineer of Public Works
pmenefee@midwestcityok.org
405-739-1062
8730 S.E. 15th Street,
Midwest City, Oklahoma 73110

To: Honorable Mayor and Council

From: R. Paul Streets, Public Works Director

Date: 11 August 2020

Subject: Discussion and consideration of approving the Tree Board's 2020-21 Landscape Plan.

On July 14, 2020, the Tree Board approved the Year 2020-21 Landscape Plan. A copy of the plan has been submitted for your review.

Action is at the discretion of the Chairman and Trustees.

Respectfully,

R. Paul Streets
Public Works Director

Enc. 2020-21 Landscape Plan

2020/2021

Midwest City Landscape Master Plan



Midwest City Tree Board
8730 S.E. 15th St.
Office # (405) 739-1066
Fax # (405) 739-1090
www.midwestcityok.org



Midwest City Tree Board

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Midwest City Tree Board



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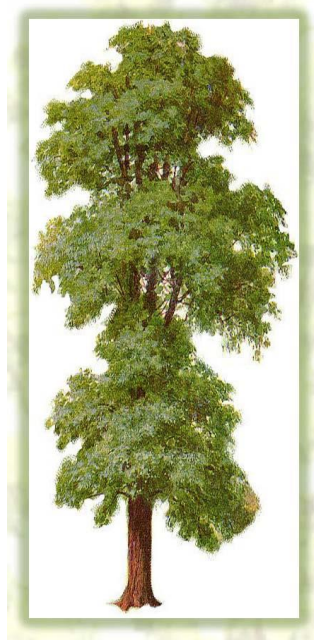


Midwest City Tree Board

Acknowledgements

City Council Members

Mayor Matt Dukes
Ward 1 Susan Eads
Ward 2 Pat Byrne
Ward 3 Espaniola Bowen
Ward 4 Sean Reed
Ward 5 Christine Allen
Ward 6 Rick Favors



Tree Board Members

Grace Sullivan, Chair
Lou Atkinson
Sherry Beaird
Sherri Anderson
Suzi Byrne
Theresa Mortimer
Susan Glapion

City Manager Tim Lyon
A LANDSCAPE MASTER PLAN
PREPARED FOR
THE CITY OF MIDWEST CITY, OKLAHOMA

REVISED:
July 2020

PROFESSIONAL AND TECHNICAL STAFF

R. Paul Streets, Public Works Director
Steve Bray, Forestry and Facility
Supervisor

Midwest City Tree Board



Preface

The urban forest is an essential element of the modern city. Without trees and landscaping cities become concrete jungles void of natural surroundings. In planned communities trees and plant materials are used to accent and soften building lines, screen-parking areas, and heavy use activity areas, provide a buffer between land uses and create privacy. In addition, trees and plant materials serve to control noise levels and create aesthetically pleasing environments in which to live.

The Midwest City Council demonstrated its support for the development of the urban forest by forming a Tree Board to oversee the “care, preservation, trimming, planting, replanting, removal, or disposition of trees and shrubs; in public ways, streets, parks, and alleys.” As required in section 42-3(f) of the Midwest City Municipal Code the Midwest City Tree Board has developed a Landscape Master Plan identifying the goals, plans, and objectives necessary to enhance the development of the urban forest in Midwest City. The following document provides detailed information concerning the Midwest City Tree Board’s Landscape Master Plan.



Midwest City Tree Board

Purpose

The Midwest City Tree Board has developed a Landscape Master Plan, which establishes city policy concerning tree planting and landscaping. The Landscape Master Plan facilitates orderly and consistent tree planting and landscaping throughout the city. The purpose of this plan is to accumulate and present the data needed to enhance and increase the tree population of Midwest City. Apart from the development of the Landscape Master Plan, the Tree Board has researched and prepared regulations pertaining to tree pruning, removal, disposal, and specifications for planting within city right-of-ways.



Midwest City Tree Board



Tree Board Standing Committees

The Midwest City Tree Board held its first meeting in March 1980. The seven-member board works closely with several government agencies including the City of Midwest City Public Works Department and the Oklahoma Department of Agriculture's Urban Forestry Division. The Oklahoma State University Horticultural Extension Center also serves as a consultant to the Tree Board. Standing committees serve at the pleasure of the Tree Board. Standing committee members are appointed by the Chairman and are confirmed by the board.

Public Image

The Public Image sub-committee engages the news media and special programs to enlist public support and to inform Midwest City residents of the Tree Board's progress and plans.

Master Plan

The Master Plan sub-committee defines and delineates those areas that are to be a part of the Master Plan. The extent of a planting project and its priority are also assigned.

Annual Work

The Annual Work sub-committee works with the Street Department to implement the programs approved by the Tree Board.

Community Projects

The Community Projects sub-committee provides a communication link with various community organizations and civic groups. This committee is responsible for the solicitation of funds from community groups.



Midwest City Tree Board

Master Plan Phase History

- Phase I - S. Midwest Blvd. from the 2200 block to the 2700 block within the easement on the west side of the roadway
- Phase II - S.E. 15th St. from Century Blvd to Woodbriar Ln. along the walking trail located on the north side of the roadway
- Phase III - S.E. 29th St. from the 6500 block to the 6900 block within the center islands of the roadway
- Phase IV - Hudiburg Dr. from S.E. 15th St. to Adair Blvd. within the center islands of the roadway
- Phase V - Parklawn Dr. from E. Reno Ave. to National Ave. within the center islands of the roadway
- Phase VI - S.E. 15th St. from S. Westminster Rd. to S. Anderson Rd. within the center islands of the roadway
- Phase VII - S. Post Rd. from E. Reno Ave. to S.E. 15th St. within the center islands of the roadway

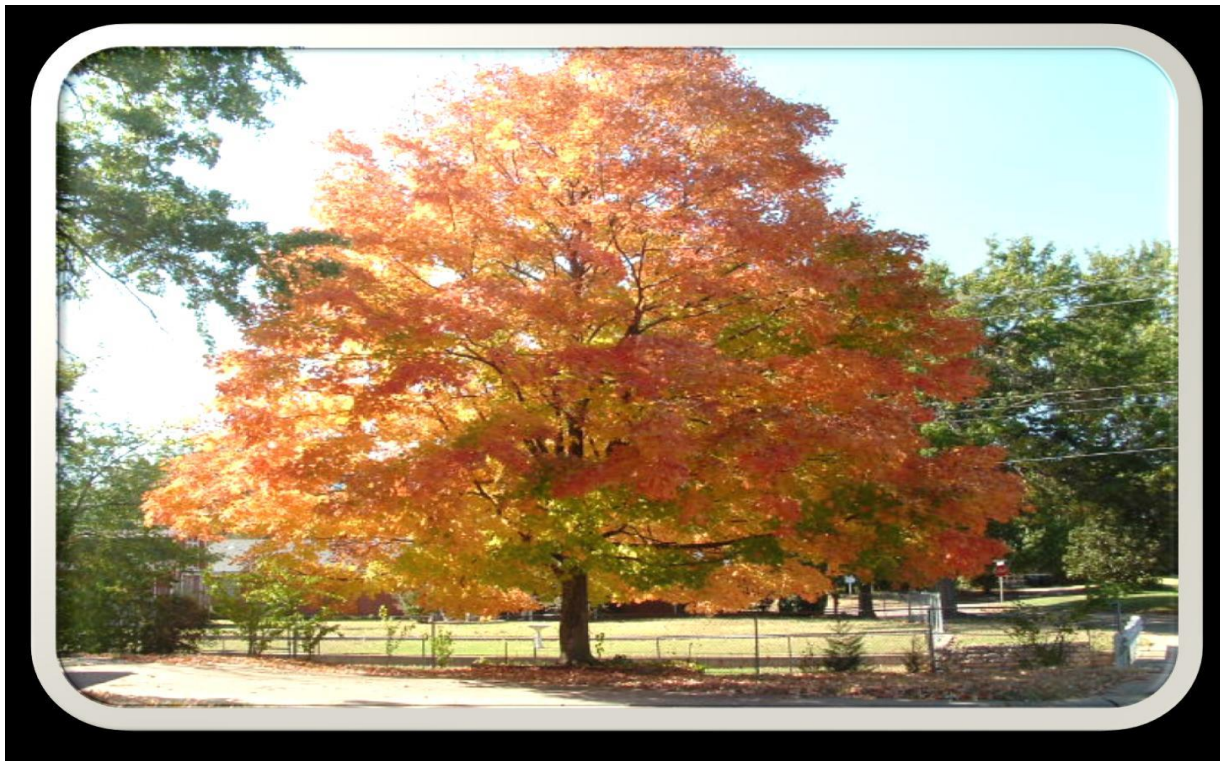


The Value of Trees in a Community

The role of trees in providing beauty and shade in our communities and neighborhoods is widely appreciated. But what is less generally understood are the many vital and often unseen things trees do to make our cities and towns more pleasant and healthful places in which to live.

In The Community, Trees:

Reduce Energy Costs – Trees have been called the low tech solution to energy conservation. Shade from trees reduces the need for air conditioning in summer. In winter, trees break the force of winter winds.



Studies have shown that parts of cities without cooling shade from trees can literally be “heat islands,” with temperatures as much as 12 degrees Fahrenheit higher than surrounding areas.



Midwest City Tree Board

Clean the Air – Trees produce oxygen that we breathe. In addition, trees remove air pollution by lowering air temperature, by releasing water into the atmosphere, and by retaining particulates. By reducing the need for heating and cooling systems, trees also reduce emissions that contribute to atmospheric carbon dioxide and the greenhouse effect.

Produce Economic Benefits – Trees add value to retail areas by making them more attractive places for shopping. Trees along streets and on private property increase property values. Studies conducted in two communities in New York and Connecticut showed that the presence of trees increased the selling price of homes by as much as 15 percent.

Screen Noise and Undesirable Views – Strips of densely planted trees and shrubs will not completely remove the annoyance of city noise, but they can significantly reduce it. Urban forestry researchers have shown that even narrow belts of trees can reduce noise by three to five decibels. And, trees can provide privacy or screen out undesirable views.

Attract Wildlife – Trees can provide habitat for songbirds and other desirable wildlife, adding natural sounds and beauty in the urban environment.

Slow Runoff and Prevent Erosion – The leaves of trees break the force of rain, reducing flooding by helping water percolate into the soil instead of quickly running off. Tree roots also help hold the soil in place on steeper hillsides, preventing erosion and improving water quality.



Midwest City Tree Board



The Importance of Urban & Community Forestry

To some it may sound like a contradiction of terms, but many foresters actually work in cities. Their work may not be as well-known as that of their rural colleagues, but urban foresters play a vital role in the health and future of some of America's most important forests-the trees along our streets and urban river corridors, and in our parks and yards. Every citizen wants professional police protection, a high quality fire department, and the best possible administrators of the city coffers. It is important that the welfare of our communities, tree resources be similarly entrusted to professional management.

According to studies cited by The National Arbor Day Foundation, only 39 percent of American municipalities have programs to systematically care for their publicly owned trees. Yet the health and appearance of a community's trees is one of the most important factors in determining a city's visual image and quality of life.

"Trees are vital elements in the fabric of any community," says John Rosenow, president of the Foundation. "They provide cooling shade in summer, help reduce the chill of winter winds, clean the air, reduce noise, and provide a home for songbirds, to name just a few of the benefits of trees in an urban setting."

The National Arbor Day Foundation operates the Tree City USA program to help encourage community forestry programs and provide recognition to cities and towns that meet certain standards for community tree planting and care.

Rosenow notes that every community's forestry program will be different, tailored to the needs and circumstances of its citizens and trees. Flying the flag of Tree City USA is a symbol of good urban forestry, but that symbol represents a lot of hard work. Some of the goals that city foresters seek to attain for their communities include:



Midwest City Tree Board

1. Making the Community a Beautiful Place

Trees make life more pleasant. City forestry programs work toward giving greater vitality to neighborhoods and a unique character to the community. In turn, this attracts and retains residents and desirable industries, increasing both property values and the tax base. A well-managed city forestry program contributes to the well-being of the community through the beauty of trees.

2. Keeping Public Trees Safe

Proper selection of tree species, routine inspection, knowledgeable pruning and maintenance, control of insects and diseases, and the timely removal of dangerous or dead trees- these are some of the ways city forestry programs provide for public safety and protect people and property from falling limbs or trees.



3. Efficiency in Tree Care

With 134 trees per mile lining the streets of an average American city, a systematic approach to tree management is needed. After making a well-developed inventory of publicly owned trees, city foresters can use scheduled maintenance instead of crisis management. The result is longer life of trees. Also, more time and money can be available for planting and maintaining trees instead of removing them.

4. Community Involvement

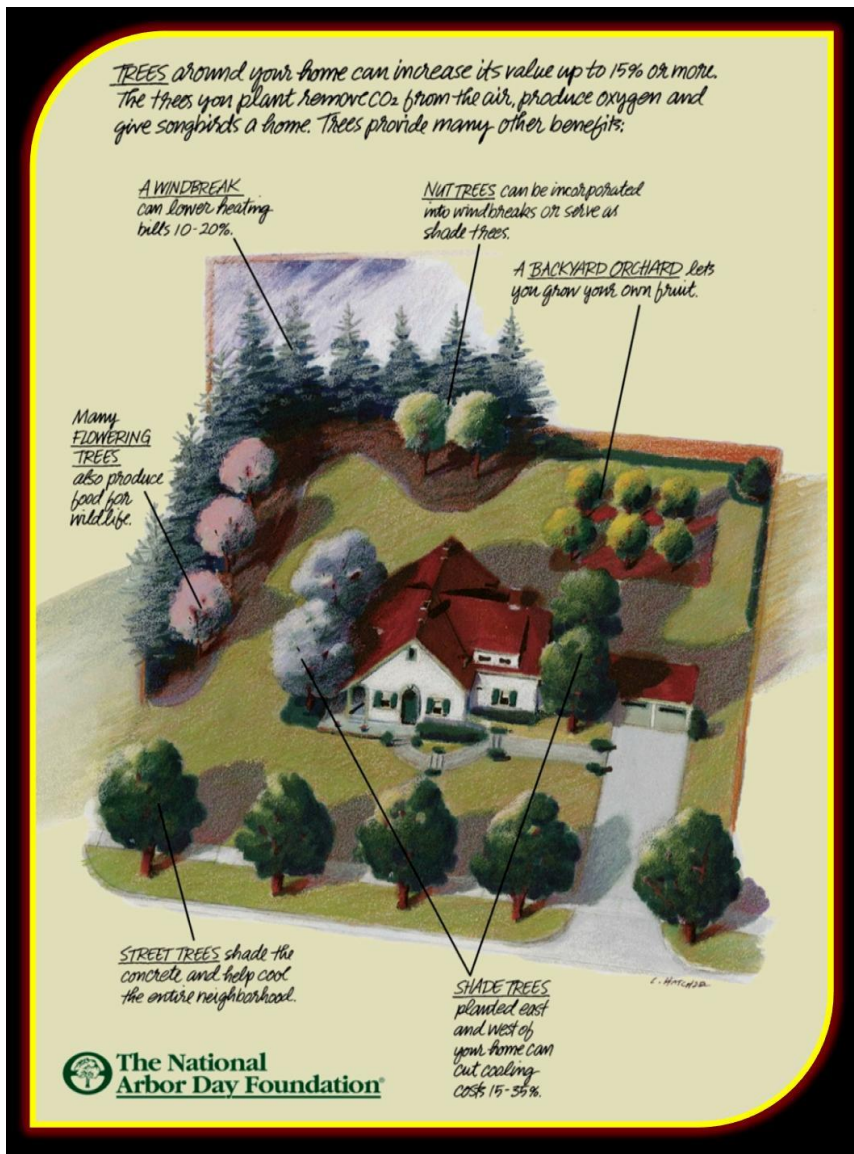
Public support is essential for the success of an urban forestry program. Therefore, city foresters work with tree advisory boards, volunteer groups and others, as well as the media. Many conduct educational outreach programs aimed at informing home and business owners about how to care for trees on their own property.

Midwest City Tree Board



Benefits of Trees

Trees are major capital assets in Midwest City. Just as streets, sidewalks, utilities, public buildings and recreational facilities are a part of a community's infrastructure, so are publicly owned trees. Trees and collectively the urban forest are important assets that require care and maintenance the same as other public property.



Without proper landscaping the city is a sterile landscape of concrete, brick, steel, and asphalt. Trees make the community livable as well as add beauty and create an environment beneficial to mental health.



Midwest City Tree Board



S. Midwest Blvd.
2200 to 2700 Block

Midwest City Tree Board





S.E. 29th St.

6800 Block Islands



Midwest City Tree Board



Hudiburg Dr.
Center Islands

Midwest City Tree Board





Parklawn Dr.
Center Islands



Midwest City Tree Board



Midwest City Tree Board



Additional Tree Inventory

(Trees added 2019/2020 Fiscal Year)

Willow Desert	1
Kentucky Coffee Tree	1
River Birch	1
Bosnian Pine	1
Purple Robe Locust	3
Loblolly Pine	3
Chokecherry	3
Caddo Maple	2
Oklahoma Redbud	9
Crabapple	4
Blue Atlas Cedar	5
Golden Rain	6
Maple Amur	4
Chinese Pistache	9
Lacebark Elm	2

Total 54

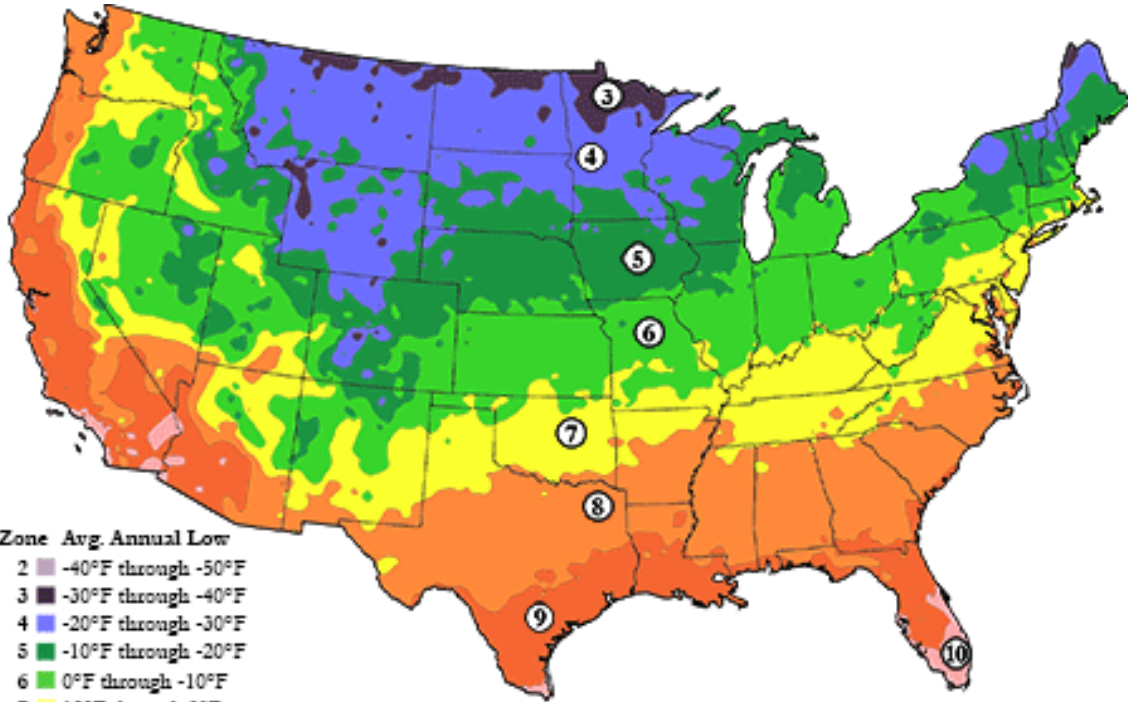


Midwest City Tree Board

Hardiness Zones Map

Go to arborday.org to find the zone for your zip code.

You can also find trees for planting in your zip code.



Zone	Avg. Annual Low
2	-40°F through -50°F
3	-30°F through -40°F
4	-20°F through -30°F
5	-10°F through -20°F
6	0°F through -10°F
7	10°F through 0°F
8	20°F through 10°F
9	30°F through 20°F
10	40°F through 30°F

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Plant A Tree

Midwest City Tree Board



Recommended Deciduous Trees for Midwest City

Bald Cypress- *Taxodium distichum*

General Shape - Pyramidal

Mature Height - 60-80'

Growth Rate - Rapid

Site - Wide range of soils and locations.

Best Characteristics - Can take waterlogged conditions and drought. Perfect for low areas that flood in the spring and go bone dry in the summer.

Use - Ornamental

Mature Width - 30-40'

Pests - No major

Shumard Oak - *Quercus shumardii*

General Shape - Spreading

Mature Height - 60'

Growth Rate - Slow

Site - Prefers better soils, not as tolerant to tight clay soils.

Best Characteristics - Majestic tree, long lived, bright red fall color.

Use - Shade

Mature Width - 50'

Pests - No major, sometime mites

Bur Oak - *Quercus macrocarpa*

General Shape - Spreading

Mature Height - 40-60'

Growth Rate - Slow

Site - Wide range of soils and locations.

Best Characteristics - The toughest oak tolerating sites with extreme heat and wind.

Use - Shade

Mature Width - 50-70'

Pests - No major

“Caddo” Sugar Maple - *Acer saccharum* “Caddo”

General Shape - Spreading

Mature Height - 50' Mature Width - 25'

Growth Rate - Moderate

Site - Better soils preferred afternoon shade helpful.

Best Characteristics - Deep red fall color, deep green summer color.

Use - Shade

Pests - No major

Chinese Pistache - *Pistacia chinensis*

General Shape - Umbrella

Mature Height - 30' Mature Width - 25'

Growth Rate - Moderate

Site - Wide range of soils and locations, super tough tree.

Best Characteristics - Excellent recreational tree, deep rooted, no surface roots, tolerates tight clay soils, provides a little delicate shade, excellent fall color from deep orange-red to reddish purple hues.

Use - Shade

Pests - No major



Midwest City Tree Board

Recommended Evergreen Trees for Midwest City

Live Oak – *Quercus virginiana*

General Shape – Spreading

Mature Height – 40 - 60'

Growth Rate – Slow

Site – Better soils preferred.

Best Characteristics – Green color in the winter.

Use – Ornamental

Mature Width – 60 - 80'

Pests – No major

Drawbacks – No major

Atlas Cedar – *Cedrus atlantica*

General Shape – Spreading

Mature Height – 50'

Growth Rate – Moderate

Site – Better soils preferred.

Best Characteristics – Evergreen, variety of foliage colors.

Use – Ornamental

Mature Width – 30'

Pests – No major

Drawbacks – No major

Loblolly Pine – *Pinus taeda*

General Shape – Spreading

Mature Height – 80'

Growth Rate – Moderate

Site – Better soils preferred, with at least fair drainage.

Best Characteristics – Most pest resistant pine native to the southeastern section of the United States.

Use – Ornamental

Mature Width – 30'

Pests – No major

Drawbacks – Iron chlorosis in high pH soils.

Eastern Red Cedar – *Juniperus virginiana* 'Canaertii'

General Shape – Pyramidal

Mature Height – 25'

Growth Rate – Rapid

Site – Anywhere, wide range of soils and locations, one of the toughest trees.

Best Characteristics – Excellent windbreak tree the toughest of the tough trees.

Use – Windbreak

Mature Width – 20'

Pests – Bagworms, Cedar Apple Rust

Leyland Cypress – x *Cupressocyparis leylandii*

General Shape – Pyramidal

Mature Height – 40 - 60'

Growth Rate – Rapid

Site – Better soils preferred with at least fair drainage.

Best Characteristics – less rapid growth, gray green summer color.

Use – Ornamental

Mature Width – 20 - 30'

Pests – No major, sometimes Bagworms

Drawbacks – some Winter Tip-burn

Midwest City Tree Board



Other Deciduous Trees for Oklahoma

Trees for wet sites

Red Maple
River Birch
Bald Cypress
Willow
Sweetgum

Trees for showy fruit

Chinese Pistache
Soapberry
Hawthorn
Possumhaw
Winterberry

Trees for difficult sites

Common Hackberry
Bur Oak
Soapberry
Chittimwood
Osage Orange
Lacebark Elm
Desert Willow
Fruitless Mulberry
Japanese Tree Lilac



Trees for fall color

Chinese Pistache
White Ash
Ginkgo
White Oak
Red Oak
Red Maple
Cado Sugar Maple
Tatarian Maple
Amur Maple

Trees for small sites or large containers

Goldenrain Tree
Amur Maple
Katarina Maple
Possumhaw
Oklahoma Redbud

Trees for showy flowers

Saucer Magnolia
Star Magnolia
Japanese Pagoda
Japanese Tree Lilac
Crabapple
Redbud
Flowering Dogwood

Trees to plant less of

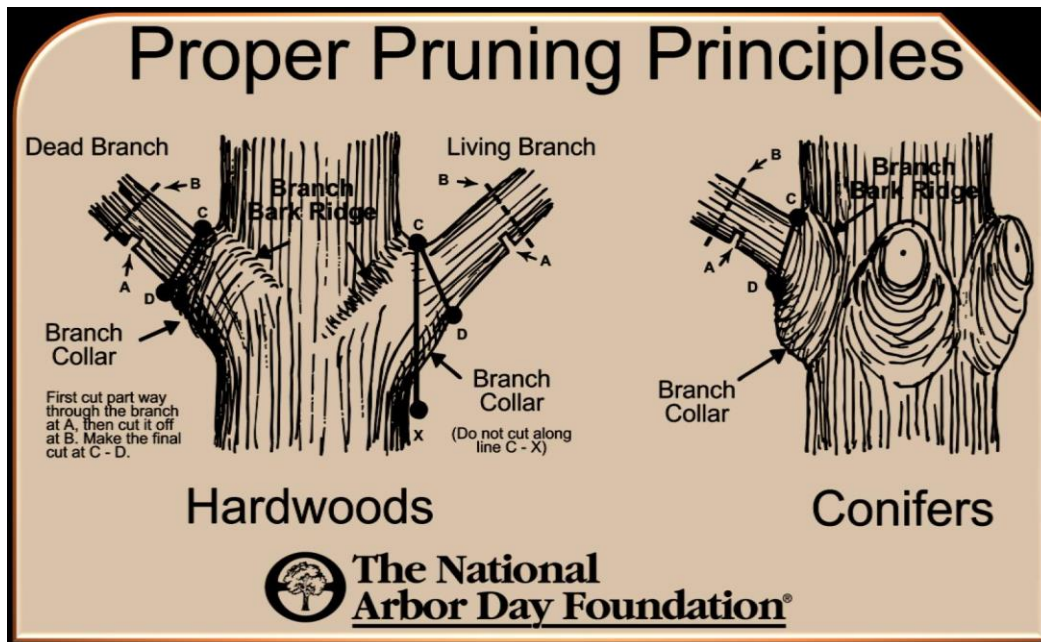
Fruitless Mulberry
American Sweetgum
Eastern Cottonwood
Bradford Pear



Midwest City Tree Board

Pruning

Proper pruning while the trees are young prevents most growth problems the tree may cause in the future. The best time to prune most species is in the dormant season. Remove all dead branches. Remove crossed branches or ones growing to the same location to prevent rubbing. Remove any branches that have severe insect or disease problems. Also, remove any water sprouts, which may have developed. Use pruning to keep only one central leader on the tree. Favor branches that have a crotch with a wide angle and remove branches with a “V” shape or narrow crotch. Never trim more than one-third of the branches at one time.



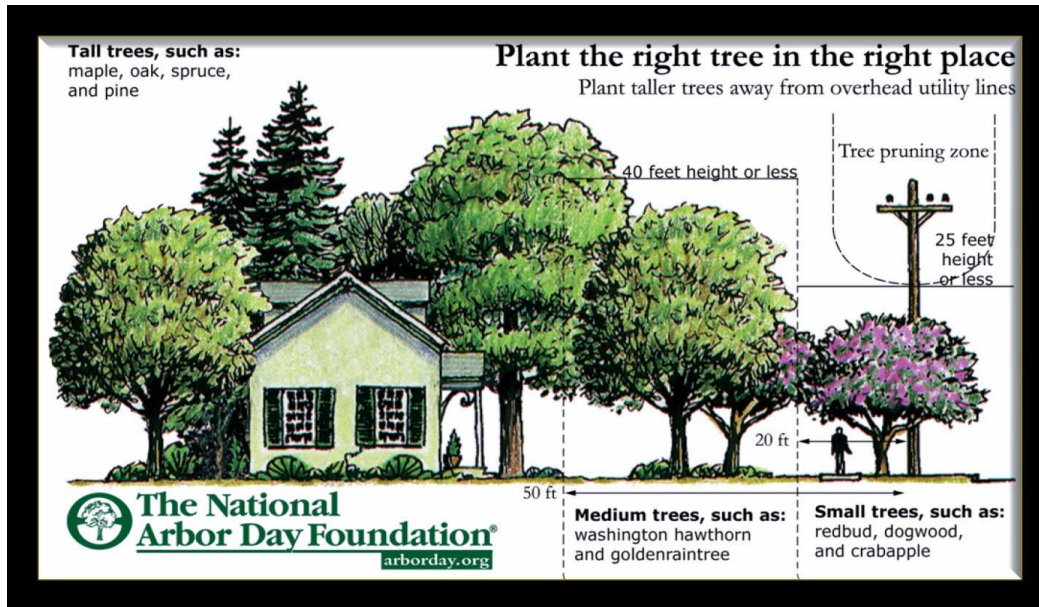
Dehorning or topping of a tree is not pruning but butchery. No one who leaves a tree looking like a hat rack understands the principles of pruning or plant growth. Dehorning a tree substantially shortens the life of a healthy tree because the stubs that are left usually become infected with heartwood rot and borers. Regrowth after dehorning forms many narrow “V” crotches, which split during storms. Such tremendous stress is placed on a tree by dehorning that most trees die prematurely as a result.

Midwest City Tree Board



Planting

Site selection is an important part of any planting program. The location of buildings, sidewalks, utilities and other objects can have a large influence on how well a new tree will grow and is noted in the plan.



Soil type is also an important factor to consider before digging. Soil characteristics to consider are texture, potential growing depth, availability of nutrients, and drainage.

1. Prepare a planting area five times the diameter of the root ball about 12" deep.
2. Avoid digging the hole too deep since the tree should be planted at its original depth or slightly higher (1-2 inches above grade). If the tree is planted above grade, it is important to cover the edges of the exposed root ball with soil tapered down to the surrounding soil line.
3. Once the tree is in the hole, remove all rope and wires wrapped around the ball or the container. If burlapped, remove as much fabric as possible without disturbing the root ball.



Midwest City Tree Board

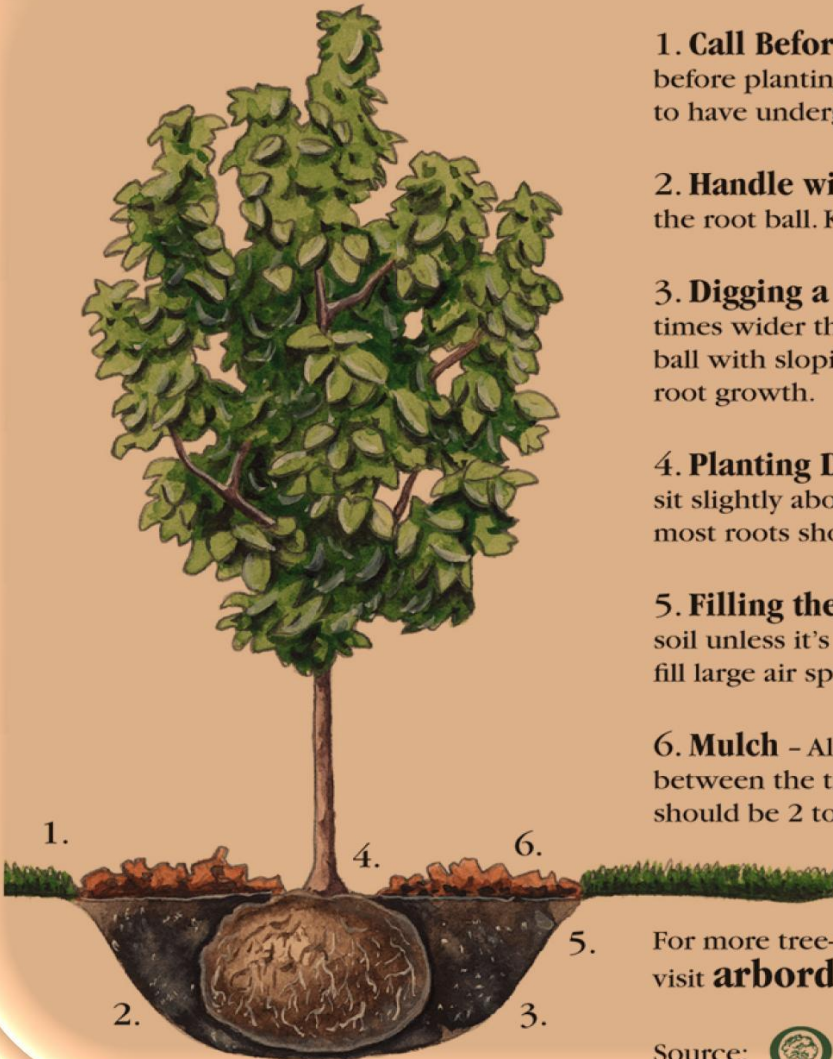
4. Fill in the planting hole with native soil and tamp lightly
5. Do not over fertilize the new tree. A newly planted tree has a very limited capacity for utilizing fertilizer until it starts to establish itself.
6. Stake young trees (top-heavy or planted in windy areas) when necessary but allow for sway. Remove all stakes after the first season if possible.
7. Avoid over pruning new trees. Leave lower limbs intact the first season if possible.
8. Keep a 5-6 feet weed and turf-free circle around the tree. Place organic mulch, 1-3 inches deep, around the tree.
9. Apply at least one inch of water weekly.
10. Wrap young trees as fall approaches. Tree wraps protect tender bark from rodent damage and environmental stresses because of temperature fluctuations. It should be noted some young trees benefit from summer wrapping to avoid sunscald.
11. Irrigate in the winter, when temperatures remain above freezing for more than a few days, to avoid dehydration injury.

Midwest City Tree Board



Below is an example of the correct way to plant trees as shown by the National Arbor Day Foundation.

Six things you should know when planting a tree.



1. **Call Before You Dig** - Several days before planting, call the national 811 hotline to have underground utilities located.

2. **Handle with Care** - Always lift tree by the root ball. Keep roots moist until planting.

3. **Digging a Proper Hole** - Dig 2 to 5 times wider than the diameter of the root ball with sloping sides to allow for proper root growth.

4. **Planting Depth** - The trunk flare should sit slightly above ground level and the top-most roots should be buried 1 to 2 inches.

5. **Filling the Hole** - Backfill with native soil unless it's all clay. Tamp in soil gently to fill large air spaces.

6. **Mulch** - Allow 1 to 2 inch clearance between the trunk and the mulch. Mulch should be 2 to 3 inches deep.

5. For more tree-planting tips and information, visit arborday.org.

Source:  **Arbor Day Foundation**

9007520



Midwest City Tree Board

Irrigation

Most areas of our state receive plenty of water for tree growth except during summer months. Water newly planted trees for the first three years with a slow stream or steady drip from the hose overnight. Do not repeat watering until the ground around the tree completely dries, usually 6-10 days. Long, less frequent watering allows the entire root zone to become moist, and help promote normal root growth.

Drip systems are the most efficient means of watering. Installed properly, drip systems will deliver a set amount of water per hour directly to the root zone. . Drip systems are composed of 1/2" poly hose, with a 1016 pressure regulator and three emitters each releasing one-gallon per hour at each tree.

Mulching

Mulch helps conserve soil moisture by reducing evaporation from the soil surface and by reducing weeds that compete for water. Mulch is important for trees that are watered infrequently. Mulch also helps prevent trunk damage caused by lawnmowers and weed eaters.

Apply 2-4 inches of mulch in the planting area. Composted mulches are preferred, because fresh mulch can often tie-up soil nutrients needed by the plant. Some examples of mulch are bark, wood chips, cottonseed hulls, grass clippings, sawdust, and leaves. As mulch breaks down over time, new mulch must be added.

Midwest City Tree Board



In the Storm's Wake...

After a major storm, a community is instantly changed. Buildings may be damaged or destroyed, power lines down, and trees broken and torn. In the wake of this loss, neighborhoods and entire cities may experience a sense of devastation they have never known before.

"Because trees are such a large part of a city's visual landscape, damage to them from a severe storm can be a major shock to residents," says John Rosenow, president of The National Arbor Day Foundation, an organization that helps people plant and care for trees. "Seeing a favorite tree down or badly damaged in the front yard can be a traumatic experience-almost like losing an old friend."



But even in the wake of this shock, Rosenow says there are ways of coping with the loss. Among other things, he counsels patience in dealing with the storm's consequences. Trees are amazingly resilient and many recover with proper care and time. Despite the urge to do something immediately, people should try to be patient. As long as there isn't an immediate physical risk from a damaged tree, my advice is simple: if you're unsure about its condition, keep the tree for now.



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“Of course, safety is the first major concern,” Rosenow says. “Everyone should stay away from downed power lines and beware of broken tree limbs that may be ready to fall. Never use pruning equipment near utility lines.” Downed utility lines should be reported to utility companies or 911 operators.



He adds that citizens' patience also allows city officials time to organize and respond properly to the situation. After a major storm, city officials, utility workers, and private tree care firms must focus first on dealing with hazards to life and property. After that, one of the city's major tasks is the removal of debris from the storm and the work of removing damaged branches and sometimes entire trees.

Homeowners should remember that street trees, usually those between the streets and sidewalks, are typically city-owned, and when that is the case, their care will be the city's responsibility.

By exercising a cool head, despite the devastation that accompanies a major storm, homeowners are helping their community as well as working to preserve their own trees and property values, Rosenow notes.

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Use a Qualified Arborist

"If a tree is large and the work is off the ground, or if a chainsaw is needed, it's best to contact a qualified arborist," Rosenow adds. "They have the equipment and know-how to safely remove broken or downed limbs and to help save and repair trees." Qualified tree experts can be found under the "Tree Service" section of most telephone directories.

"Whatever professional help you seek, make the decision wisely, as it will have long-term consequences for your trees," he says. "Locate a qualified tree care specialist and check references. Above all, don't be pressured by people with chainsaws knocking on your door and offering to remove or repair your trees. Unfortunately, storms seem to produce such door-to-door callers, most of whom have no training and little interest in your trees beyond making a quick buck."

Storm Recovery Tips for Trees from the National Arbor Day Foundation

- **Safety First** - Beware of utility lines and hazardous overhanging limbs.
- **Be Patient** - If a tree does not represent a hazard, take the time necessary to be sure it gets proper care and make a final decision about it in a few weeks or months.
- **Hire a Qualified Arborist** - If a tree is large, requires high climbing, is leaning against wires, buildings or other trees, or if wires or structures are endangered, let a professional do the job.
- **Take Heart** - Trees are amazingly resilient, and the trees of other communities have recovered over time.

Can These Trees Be Saved?

A storm can leave trees looking like there's no tomorrow. Major limbs may be broken or damaged, foliage can be shredded or stripped, or the bark may be torn or gouged. But what at first glance may look like mortal wounds are not necessarily fatal to a tree.

Trees have an amazing ability to recover from storm damage.



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First, Assess the Damage

Before writing off a damaged tree as a “goner,” homeowners should evaluate their trees by asking the following questions:

- Other than the storm damage, is the tree basically healthy and vigorous? If the tree is basically healthy, is not creating a hazard, and did not suffer major structural damage, it will generally recover if first aid measures are applied immediately after the storm.
- Are major limbs broken? The larger a broken limb is, the harder it will be for the tree to recover from the damage. If a majority of the main branches are gone, the tree may have little chance of surviving.
- Has the leader (the main upward-trending branch on most trees) been lost? In species where a leader is important to upward growth or desirable appearance, it may have to be a judgment call. The tree may live without its leader, but at best would be a stunted or deformed version of the original.
- Is at least 50 percent of the tree’s crown (branches and leaves) still intact? This is a good rule of thumb on tree survivability. A tree with less than half of its branches remaining may not be able to produce enough foliage to nourish the tree through another season.
- How big are the wounds where branches have been broken or bark has been damaged? The larger the wound is in relation to the size of the limb, the less likely it is to heal, leaving the tree vulnerable to disease and pests. A two- to three-inch wound on a 12-inch diameter limb will seal over with new bark within a couple of years.
- Are there remaining branches that can form a new branch structure? The remaining limbs will grow more vigorously as the tree tries to replace its missing foliage. Look to see if branches are in place that can eventually fill out the tree’s appearance.



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Then, Make the Decision

The questions listed above will help you make informed decisions about your trees. In general, the answer as to what to do about a particular tree will fall into one of three categories:

1: It's a Keeper

If damage is relatively slight, prune any broken branches, repair torn bark or rough edges around wounds, and let the tree begin the process of wound repair.

Some examples:

An Easy Call: Too Young to Die:

Young trees can sustain quite a bit of damage and still recover quickly. If the leader is intact and the structure for future branching remains, remove the broken branches and let the tree close over the wounds and recover itself. A mature shade tree can usually survive the loss of one major limb. The broken branch should be pruned back to the trunk. In the months to follow, large wounds should be closely monitored for signs of decay.



Minor Damage:

Although the tree has been damaged, enough strong limbs may remain on a basically healthy tree to make saving it possible.

2: Wait and See

If a valuable tree appears to be a borderline case, resist the temptation to simply cut the tree down and be done with it. In such cases, it may be best to stand back for a while and think it over.

Remember that time is on your side. After careful pruning of broken branches, give the tree some time to recover. A final decision can be made later.



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Easy Does It:

Resist the temptation to prune too heavily. Remember that the tree will need all the foliage it can produce in order to make it through the next growing season. Remove only the damaged limbs, wait and see what happens.

Hold Off:

A healthy mature tree can recover even when several major limbs are damaged. With large trees, a professional arborist should be brought in to assess damage on a borderline situation, and to safely accomplish needed pruning and branch removal.



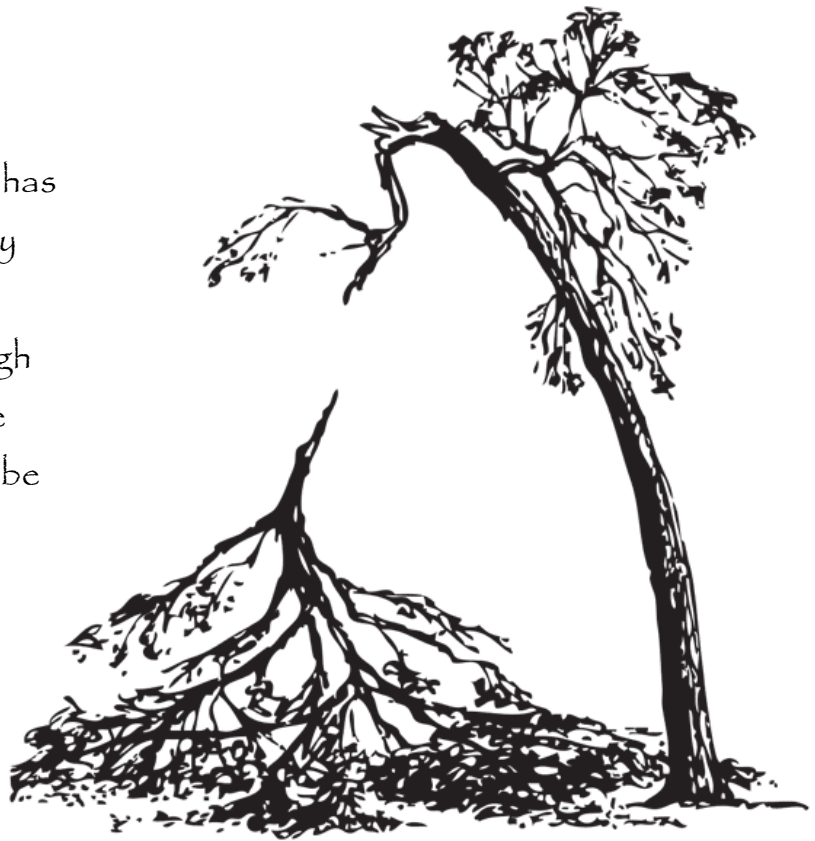
3: Say Goodbye

Some trees simply can't be saved or are not worth saving. If the tree has already been weakened by disease, if the trunk is split, or more than 50 percent of the crown is gone, the tree has lost its survival edge.

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This otherwise healthy young tree has lost too much of its crown - the leafy head that is vital for survival. It will probably not be able to grow enough new branches and leaves to provide needed nourishment, and will never be able to regain its former beautiful shape.



Hopeless Case:

About all that's left of this tree is its trunk. The few remaining branches can't provide enough foliage to enable the tree to make it through another growing season.

Farewell to a Friend:

A rotten inner core in the trunk or structural weakness in branching patterns can cause a split trunk- the tree equivalent of a heart attack. The wounds are too large to ever mend, and the tree has lost its sap lifeline between roots and leaves. This tree is all but dead.



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Don't Try to Do it All Alone

Some of your trees may have damage that's too close to call, or may have hidden damage. To help with such questions, a tree professional may be needed to help you decide what to do about your trees. Don't hire just anyone who shows up at your door following a storm. Look for qualified arborists in the phone book or by contacting your state or city forester.

For free information about saving trees that have been damaged in a storm,
send your name and address to:

The National Arbor Day Foundation
100 Arbor Avenue
Nebraska City, NE 68410



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Watch Out for Scam Artists Posing as Arborists

After a storm, it is common for people claiming to be tree specialists to show up at your door offering their services to remove or repair trees. In the words of one city forester: “They seem to come out of the woodwork—people we have never even heard of before.”

Unfortunately, many such individuals have little or no training, and sometimes have little interest in removing anything but money from the pocketbooks of unsuspecting residents.

The National Arbor Day Foundation urges you to not be a victim. “Make sure you are dealing with a reputable individual or tree care firm when you contemplate repairs or removal of any trees on your property,” warns John Rosenow, president of The National Arbor Day Foundation. “Legitimate arborists rarely go door to door to solicit business.”



Hiring just anyone who shows up at your door may result in fatal damage to your trees. It's best to go with a qualified professional arborist.

—National Arbor Day Foundation illustration

Here are eight guidelines to help you find qualified tree-care specialists:

1. Make sure they are part of an established business in the community or nearby area, with a listing in the phone book, usually under Tree Service.
2. Have them provide you with evidence that they are actually working for the company, rather than moonlighting.
3. Ask for current certificates of insurance showing that they are fully insured for property damage, personal liability, and worker compensation.
4. Ideally, they should be members of a professional association of arborists such as the International Society of Arboriculture (ISA), the National Arborist Association (NAA), or the American Society of Consulting Arborists (ASCA).



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5. Arborists who have received certification from their professional associations, such as ISA Certified Arborists, will have received training and access to current technical information on tree care, repair, and removal.
6. If possible, get more than one estimate to ensure that the price offered is competitive with that offered by others for the same services.
7. In case of tree removals, have a clear understanding about who removes the limbs and debris from the property, and whether or not the price includes stump removal and clean up.
8. Check to see if the estimate has considered the possible value your tree will have as firewood or chips, either to yourself or if sold to others.

“Above all, don’t be pressured into making a decision,” Rosenow warns. “Taking the time to select a qualified tree professional can safeguard your trees and save you from the long-term consequences of wrong decisions about what to do about them after a storm.”

Special note for victims of large-scale disasters

During large-scale disasters — such as the aftermath of Hurricane Katrina in August, 2005 — many arborists from around the country may travel to help aid in recovery from widespread, catastrophic damage. In these special cases, it may not be practical to use a local professional. In addition, professional arborists may very well be knocking on doors as they participate in coordinated efforts to canvas large areas.

Ask for proof of insurance

The insurance certificate will list a company name that you can call directly for verification. Number eight may not apply. There may be so many trees to remove that the value of trees for firewood or chips may be drastically reduced.

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Sources of Accurate Tree Information in Your Local Area:

One of the best sources for localized information will probably be your City Forester, or other city officials who care for public trees in your communities. In many cities this is a function of the city's parks or public works department. In addition, we have Mark Goeller as our State Forester and Director of Oklahoma Forestry in Oklahoma. County and state extension services, usually affiliated with state land-grant universities, are also good sources of information about trees, tree care, and tree issues.



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*Cross references: Definitions and rules of construction generally, § 1-2; shrubs, hedges, etc., around fire hydrants, § 28-4. State law references: Authority of city to regulate trees, 11 O.S. § 22-122.

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Article I. In General

Sec. 42-1. Legislative findings.

(a) Trees are recognized as a valued asset, providing a healthier and more beautiful environment in which to live. They provide oxygen, shade, aesthetics, and a priceless psychological counterpoint to the man-made, urban setting. Trees aid in preventing erosion, siltation of streams and reservoirs; flash flooding; and air, noise and visual pollution. (b) Trees are economically beneficial in attracting new industry, residents and visitors. Healthy trees of the right size and species, growing in the right places, enhance the value and marketability of property, and promote the stability of desirable neighborhoods, thus helping to prevent the emergence of blighted areas and slum conditions. (c) Therefore, it is the purpose of the tree board to provide for the planting of appropriate trees and removal of dead, dying or diseased trees. (Code 1972, § 35 1/2-17)

Sec. 42-2. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning: Landscape shall mean the planting and maintenance of any tree, bush, shrub or any other woody vegetation. Park shall mean any public parks or may include private parks approved by the city council and maintained by homeowner associations. Park trees are herein defined as trees, shrubs, bushes and all other woody vegetation in public parks having individual names, and all areas owned by the city, or to which the public has free access as a park. Property line shall mean the outer edge of a street or highway for the purpose of this chapter. Public place shall include any other ground owned by the city, any real property other than parks, streets or highways which is owned by the city or held by it in trust for the benefit of the public.

Public trees shall include all trees now or hereafter growing on any street, park or other public place.



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Street or highway shall mean the entire width of every public way or right-of-way when any part thereof is open to the use of the public, as a matter of right, for purposes of vehicular and pedestrian traffic. Street trees are trees, shrubs, bushes and all other woody vegetation on land lying between property lines on either side of all streets, avenues or rights-of-way within the city. Tree lawn is that part of a street or highway, not covered by sidewalk or other paving, lying between the property line and that portion of the street or highway usually used for vehicular traffic. (Code 1972, § 35 1/2-18)

Sec. 42-3. General administrative and enforcement responsibilities.

- (a) The tree board shall have the authority and jurisdiction of regulating the protection, maintenance, removal and planting of trees on streets, parks and public places.
- (b) The city manager or his designated representative shall be charged with authority of administering this chapter and to ensure that provisions of this chapter are not violated, including but not limited to the issuance of citations for the violation of any provisions of this chapter.
- (c) The city manager or his designee shall supervise or inspect all work done in accordance with this chapter.
- (d) The city manager or his designated representative shall have the responsibility of inventorying (and classifying as to location, species, size, condition and evaluation) the existing trees on streets, parks and other public places, as an integral part of the landscaping master plan. This inventory shall be periodically updated.
- (e) The tree board may request enforcement, supervision or other assistance from the city manager or his designated representative.
- (f) The tree board shall also have the authority to prepare and submit to the city council the landscape master plan. The master street plan shall include the inventory of existing trees, and shall specify the species of tree to be protected, maintained, removed and/or planted on each of the streets, parks and other public places of the municipality. From and after the effective date of the master street tree plan, or any amendment thereof, all tree work shall conform thereto.

(Code 1972, § 35 1/2-19; Ord. No. 2092, §§ 7-10, 1-14-86)

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Sec. 42-4. Reserved.

Editor's note: Section 6 of Ord. No. 2092, adopted Jan. 14, 1986, repealed § 42-4 which pertained to requirements for new developments to be landscaped with trees which derived from Code 1972, § 35 1/2-20.

Sec. 42-5. Street tree species to be planted.

The following list constitutes the official street tree species for the city. Trees were selected based on their ability to perform well in the surrounding soil conditions and climate. Also considered was the tree's ability to withstand wind without severe breakage and the amount of debris produced by the tree. No species other than those included in this list shall be planted as street trees without written permission of the city tree board:

Small Trees:

Flowering Crabapple
Redbud
Purpleleaf Plum
Bradford Pear
Amur Maple
Smoketree
Russian Olive
Winterberry Euonymus
Deciduous Holly
Yaupon Holly
Red Buckeye
Panicked Goldenrain Tree
Crape Myrtle
Pomegranate

Medium Trees:

Pin Oak
Kentucky Coffee Tree
Red Mulberry (male)
Osage Orange
(male/thornless)
Chinese Pistachio
Ginko
Lacebark Elm
Austrian Pine
Scotch Pine
Live Oak
River Birch
Japanese Pagoda
Ash

Large Trees:

Bur Oak
Hackberry
American Sycamore
Pecan
Red Oak
Caddo Sugar Maple
Sweetgum
Sawtooth Oak
Chinquapin Oak
Water Oak
Willow Oak
Shumard Oak
Bald Cypress
European Sycamore
(London Plane)

(Code 1972, § 35 1/2-29; Ord. No. 2401, § 1, 4-24-90)



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Sec. 42-6. Street tree species prohibited from planting.

No American Elm, Siberian or Chinese Elm, Mimosa, Female Cottonwood or Peach tree will be allowed for planting. (Code 1972, § 35 1/2-30; Ord. No. 2401, § 2, 4-24-90)

Sec. 42-7. Spacing of street trees.

The spacing of street trees will be in accordance with the tree species size classes listed in section 42-5 of this chapter, and no trees may be planted closer together than the following: Small trees, twenty (20) feet; medium trees, thirty (30) feet; and large trees, forty (40) feet. Nothing in this section shall be construed to allow planting in the sight distance triangle. (Code 1972, § 35 1/2-31)

Sec. 42-8. Distance from curb and sidewalk.

The distance street trees may be planted from curbs or curblines and sidewalks will be in accordance with the tree species size classes listed in section 42-5 of this chapter, and no street trees shall be planted closer to any curb or sidewalk than six (6) feet. (Code 1972, § 35 1/2-32)

Sec. 42-9. Distance from fireplugs.

No street tree shall be planted closer than ten (10) feet from any fireplug. (Code 1972, § 35 1/2-33)

Sec. 42-10. Protection of utilities.

No street tree, other than those species listed as small trees in section 42-5 of this chapter, may be planted near or within ten (10) lateral feet of any overhead utility wire, or over or within five (5) lateral feet of any underground waterline, sewer line, transmission line or other utility. (Code 1972, § 35 1/2-34)

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Sec. 42-11. Sight distance triangle.

Limitations on obstructing sight triangles are defined in section 4.8.3 of the zoning ordinance and are incorporated by reference into this chapter, and limitations therein shall be expressly made applicable to the planting and cultivating of any permissible tree. (Code 1972, § 35 1/2-35; Ord. No. 2092, § 11, 1-14-86) Cross references: Zoning, App. A.

Sec. 42-12. Requests for waivers.

The requirements set out in sections 42-7 through 42-10 of this Code may be waived in those instances whereby if relief from said requirements, if granted, would not cause substantial detriment to the public good, impair the purpose or intent of the section or where the conditions requiring the waiver request are peculiar to the piece of property involved. (Ord. No. 2092, § 1, 1-14-86)

Sec. 42-13. Application procedures.

Any request for waiver of the requirements of sections 42-7 through 42-10 shall be in writing addressed to the Chairman of the Midwest City Tree Board received at least fourteen (14) days in advance of the next regularly scheduled meeting. The chairman will advise the representative of the Midwest City Manager of the request and the manager's representative shall present a staff report and recommendation to the members of the board at least three (3) days before the next regularly scheduled meeting. The staff representative shall also cause said requested waiver to be placed on the agenda of said meeting and notify the applicant in writing of the time and place of the meeting. (Ord. No. 2092, § 2, 1-14-86)



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Sec. 42-14. Planting trees within public right-of-way; removal or relocation; fees.

(a) Prior to planting any tree(s) within public right-of-way, a site plan shall be submitted showing the location and species of trees to be planted. Any plantings within public right-of-way shall comply with sections 42-5 through 42-11 of this Code.

(b) Prior to the removal or relocation of any tree within public right-of-way, an application shall be made to the Midwest City Tree Board as prescribed in sections 42-12 and 42-13 of this Code. It shall be the responsibility of the applicant to submit a site plan showing the exact location, diameter and species of the tree(s) to be removed from the public right-of-way. The tree board shall have the authority to grant or deny the removal or relocation of any street tree. The tree board shall have the power to authorize said applicant to have a professional landscaper to relocate the tree(s) in a different location on the public right-of-way adjoining the subject property at no fee cost to the applicant as prescribed in section 42-14; if the applicant submits in writing to the tree board guaranteeing should the tree(s) die within a three-year period after being relocated, the applicant will replace the tree(s) with a species approved by the tree board as prescribed in section 42-5. In lieu of relocating the tree(s) on the public right-of-way adjoining the property, the tree board may require the tree(s) to be located to a different location within the city upon payment of fees by the applicant as prescribed in section 42-14(c). If fees are charged for the removal and relocation of any tree(s), it shall be the responsibility of the Midwest City Street Department to remove and relocate said tree(s) at the direction of the Midwest City Tree Board.

(c) The following fees shall be paid prior to the removal or relocation of any street tree(s):

(1) Three-inch diameter or smaller--\$150.00.

(2) More than three-inch diameter--\$50.00 per inch. In calculating fees, inches shall be rounded off to the next whole inch. The diameter of the tree shall be measured from three (3) feet to four (4) feet from the base of the tree.

(3) Fees collected shall be deposited to the tree board account.

(Ord. No. 2390, § 1, 2-13-90)

Secs. 42-15--42-22. Reserved.

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Article II. Tree Board*

*Cross references: Termination of membership on board for unauthorized absence, § 2-28.

Sec. 42-23. Created.

There is hereby created a city tree board.

(Code 1972, § 35 1/2-1)

Sec. 42-24. Members.

(a) The city tree board shall be composed of seven (7) members, all of whom shall be residents of Midwest City, nominated by the mayor and confirmed by the council. The mayor shall be ex officio a member of the board.

(b) The term of the seven (7) members shall be three (3) years or until their successors take office, except that in the first instance, three (3) members shall be appointed for three (3) years; two (2) members for two (2) years, two (2) members for one year. The members of the board shall be nominated and appointed solely with reference to their fitness and without reference to party affiliation, and shall serve without compensation as hereinafter provided. Members may be removed by the city council only for inefficiency, neglect of duty or malfeasance in office. Absences from meetings by the board members shall be governed by section 2-28 of the Municipal Code. Vacancies occurring otherwise than through the expiration of terms shall be filled only for the unexpired term by the mayor with confirmation by the city council, provided that each member appointed prior to the effective date of this chapter shall continue to hold office for the balance of the term for which he is appointed.

(Code 1972, § 35 1/2-1, 35 1/2-2; Ord. No. 2238, § 4, 1-12-88; Ord. No. 2405, § 1, 5-8-90)



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Sec. 42-25. Officers.

The city tree board shall elect a chairman and a secretary and shall create and fill such other offices as it may determine. The term of chairman and secretary shall be one (1) year, with eligibility for reelection.

(Code 1972, § 35 1/2-3)

Sec. 42-26. Standing committees.

The city tree board shall receive recommendations and assistance from standing committees. Forestry master plan committee, public image committee, annual work plans committee, park board liaison, and community projects committee. Members shall be appointed by the chairman and confirmed by the board. Each committee shall serve at the pleasure of the board. (Code 1972, § 35 1/2-4; Ord. No. 1864, § 1, 5-24-83; Ord. No. 2503, § 1, 5-26-92)

Sec. 42-27. Meetings required.

The city tree board shall hold at least one (1) regular meeting each calendar quarter. (Code 1972, § 35 1/2-5; Ord. No. 2929, § 1, 8-24-04)

Sec. 42-28. Quorum.

Four (4) members of the city tree board shall constitute a quorum for the transaction of business. (Code 1972, § 35 1/2-7; Ord. No. 2503, § 2, 5-26-92)

Sec. 42-29. Reserved.

Editor's note: Section 5 of Ord. No. 2092, adopted Jan. 14, 1986, repealed § 42-29, relative to council approval of tree board action, which derived from Code 1972, § 35 1/2-8.

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Sec. 42-30. General powers.

In general, the board shall have such powers as may be necessary to enable it to fulfill its functions, promote sound urban forest management, maintain a healthy and beneficial tree population, and carry out the purposes of this chapter. (Code 1972, § 35 1/2-12)

Sec. 42-31. Duties and responsibilities.

It shall be the responsibility of the board to study, investigate, counsel and develop and/or update annually a written plan for the care, preservation, trimming, planting, replanting, removal or disposition of trees and shrubs in public ways, streets, parks and alleys. Such plan will be presented annually to the city council and upon their acceptance and approval shall constitute the official comprehensive city tree plan for the city. The board, when requested by the city council, shall consider, investigate, make findings, report and recommend upon any special matter of question coming within the scope of its work. In addition to the above described duties and responsibilities the Midwest City Tree Board shall hear all requests for waivers as outlined in section 42-12 and section and section 42-13 of the Code. A report with the recommendation of the tree board shall be forwarded to the city council for final action on each application. Said hearing shall be open to the public and all interested parties shall be given the opportunity to be heard. The board shall propose rules to govern these hearings to the council for approval.

(Code 1972, § 35 1/2-9; Ord. No. 2092, § 3, 1-14-86; Ord. No. 2503, § 3, 5-26-92)

Sec. 42-32. Entry powers.

The city tree board, its members, officers and employees, in the performance of their functions, may enter public ways, streets, alleys and parks to make examinations and surveys.

(Code 1972, § 35 1/2-10)



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Sec. 42-33. Interference with board.

It shall be unlawful for any person to prevent, delay or interfere with the city tree board, or any of its agents, or employees while engaging in and about the planting, cultivating, mulching, pruning, spraying, or removing of any street trees or park trees as authorized in this chapter. (Code 1972, § 35 1/2-11)

Sec. 42-34. Master plan.

The city tree board shall have the power and the duty to make and recommend to the city council for adoption a master plan for the development of a forestry program for the city. The plan shall be made with the general purposes of guiding and accomplishing a coordinated forestry program. The landscape master plan shall outline tree planting needs relative to the specific landscape plans for individual areas, such as parks and other major public areas.

(Code 1972, § 35 1/2-13, 35 1/2-14)

Sec. 42-35. Annual work plans.

The work plan developed annually by the city tree board shall implement the master plan, working with the general public. The annual plan shall describe planned activities for the coming year in tree planting, tree maintenance, and tree removal and disposal. Main items of the work plan, shall include what is to be done, how it is to be done, who is to do it, and estimated cost to the community. The annual work plan committee shall make recommendations to the board. The annual work plan shall be coordinated with the park and recreation board and then presented to the city council for final approval.

(Code 1972, § 35 1/2-15)

Sec. 42-36. Review by city council.

The city council shall review the conduct, acts, decisions and recommendations of the city tree board. No action of the city tree board shall become final until approved by the city council. Requests for waivers considered by the city tree board pursuant to section 42-31 shall be considered by the city council by public hearing.

(Code 1972, § 35 1/2-16; Ord. No. 2092, § 4, 1-14-86)

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Sec. 42-37. Rules authorized; records.

The city tree board shall adopt rules for the transaction of business and shall keep a record of its resolutions, transactions, findings and determinations, which record shall be a public record.

(Code 1972, § 35 1/2-6)

Secs. 42-38--42-48. Reserved.



Midwest City Tree Board

Article III. Tree Trimming, Etc.*

*Cross references: Tree trimming by CATV franchises, § 17-57(f).

Sec. 42-49. Trimming; clearance.

Every owner of any tree or shrub overhanging any street or right-of-way within the city shall trim the branches so that such branches shall not obstruct the light from any street lamp, or obstruct the view of any street, intersection or traffic control device or sign, and so that there shall be a clear space of twelve (12) feet above the surface of the street or right of way. Every property owner shall remove from the owner's property all dead, diseased or dangerous trees and shrubs, or broken or decayed limbs which constitute a menace to the safety of the public. The city shall have the authority to order the trimming or removal of any tree or shrub that interferes with the proper spread of light from a street light, or interferes with visibility or any traffic control device or sign, or does not provide a clear space of twelve (12) feet above the surface of the street or right of way. In the event of failure of owners to comply with the provisions of this section, the city shall also have the authority to trim or remove any tree or shrub that violates the provisions of this section and charge the cost of trimming or removal to the owner.

(Code 1972, § 35 1/2-21; Ord. No. 2656, § 1, 10-8-96)

Sec. 42-50. Dead or diseased tree removal within right-of-way.

The city shall have the right to cause the removal of any dead or diseased trees on right-of-way abutting private property within the city when such trees constitute a hazard to life and property, or harbor insects or disease which constitute a potential threat to other trees within the city. The city tree board will notify in writing the owners of such trees. Removal shall be done by said owners at their own expense within thirty (30) days after the date of service or notice. In the event of failure of owners to comply with such provisions, the city shall have the authority to remove such trees and charge the cost of removal to the owner.

(Code 1972, § 35 1/2-22)

Midwest City Tree Board



Sec. 42-51. Notice to owner.

(a) After ten (10) days' written notice by the city to the property owner by certified mail with return receipt requested, or by personal service to the owner of such property, at the address shown by the current year's tax rolls in the county treasurer's office, a hearing shall be held by the governing body as hereinafter provided. (b) If the property owner is unable to be notified by certified mail, or if the property owner refuses receipt of the certified mail, then notice of said violation shall be published in two (2) consecutive Thursday issues in an official newspaper in the city; and the last publication shall be at least four (4) days prior to the day set for the hearing prescribed by section 42-52. (Code 1972, § 35 1/2-23)

Sec. 42-52. Hearing.

Upon the date specified in the notice given as required by this article, the city council shall hold a hearing on the report and shall receive information thereon, including anything which may be presented by the owner of the premises, personally or by agent or attorney. The owner of such property may give his written consent to the city authorizing the removal of dead, dying or diseased trees or any part of the tree, and waive his right to a hearing by the city council. (Code 1972, § 35 1/2-24)

Sec. 42-53. Order to trim or remove.

If the city council determines that the conditions specified in sections 42-49 and 42-50 exist upon such premises and declares same to be a nuisance, it shall order the property to be removed of dead, dying or diseased trees or any part of the tree, if necessary to abate the conditions found to exist. (Code 1972, § 35 1/2-25)



Midwest City Tree Board

Sec. 42-54. Work to be done by city forces or contract.

The work ordered to be performed under section 42-53 may be done by the employees of this city under the supervision of the department head designated by the city manager, or it may be let by contract to the lowest and best bidder, after appropriate notice, in the manner for letting other contracts by public bid.

(Code 1972, § 35 1/2-26)

Sec. 42-55. Cost to be determined; statement of cost to be sent.

Upon completion of the work ordered to be performed under section 42-52, the department head designated by the city manager shall report the cost thereof to the city council. Such report shall be itemized as to each tract as follows: Actual cost of the labor, maintenance and equipment required for removal or trimming, including the cost of notice and mailing. The city council shall examine its report, and after receiving appropriate information shall determine the total actual costs of the work, and shall direct the city clerk to forward a statement and demand payment thereof, by certified mail with return receipt requested to the owner of the property at the address shown by the current tax rolls in the office of the treasurer of the county in which the property lies.

(Code 1972, § 35 1/2-27)

Sec. 42-56. Failure to pay costs to be certified to county treasurer.

If the payment for the work performed under this chapter is not made within thirty (30) days from the date of mailing the notice prescribed by section 42-55, the city clerk shall forward a certified statement of the amount of such costs to the county treasurer of the county in which the property upon which the work was done is located, to be levied upon the property and to be collected by the county treasurer in the manner prescribed by the laws of this state.

(Code 1972, § 35 1/2-28)

Midwest City Tree Board



Recommendations and Conclusions

The Midwest City Tree Board's primary goal during the next year is to continue planting trees and therefore, expand the development of the urban forest in Midwest City.

In addition to planting trees during the next year, the Tree Board anticipates the creation of a "tree sensitive" educational program aimed at creating awareness for trees and the issues surrounding their growth and development. The program will emphasize the need for botanical awareness and appeal to a broad range of age groups. The National Arbor Day Foundation has selected the City of Midwest City as a "Tree City USA" for over thirty (30) years. The Midwest City Tree Board is proud of this achievement. In the future, the Tree Board's ability to form public/private-funding partnerships will be a key issue in the continued development of Midwest City's urban forest. Working together under a focused vision will ensure that Midwest City's citizens benefit from the value of trees. Together we can make a difference.



TREE CITY USA®



Midwest City Tree Board

NOTES

Midwest City Tree Board





Memorandum

TO: Honorable Mayor and Council

FROM: Sara Hancock, City Clerk

DATE: August 11, 2020

SUBJECT: Discussion and consideration of declaring office furniture, listed below, as surplus and authorizing disposal by public auction, sealed bid or destruction, if necessary.

This agenda item will declare the item listed as surplus. There are no other operational applications available within the City.

- (3) Filing cabinets
- (2) Book cases
- (1) Table
- (2) Desks
- (2) Chairs

Staff recommends approval.

Sara Hancock
Sara Hancock, City Clerk



DISCUSSION ITEM





The City of
MIDWEST CITY
COMMUNITY DEVELOPMENT DEPARTMENT

Billy Harless, Community Development Director

ENGINEERING DIVISION
Brandon Bundy, City Engineer
CURRENT PLANNING DIVISION
Kellie Gilles, Manager
COMPREHENSIVE PLANNING
Petya Stefanoff, Comprehensive Planner
BUILDING INSPECTION DIVISION
Christine Brakefield, Building Official
GIS DIVISION
Greg Hakman, GIS Coordinator

To: Honorable Mayor and City Council

From: Billy Harless, Community Development Director

Date: August 11, 2020

Subject: (PC-2043) Public hearing with discussion and consideration of an ordinance to redistrict from C-3, Community Commercial to SPUD, Simplified Planned Unit Development, governed by the C-4, General Commercial district, subject to staff comments, for the property addressed as 2224 S. Air Depot Boulevard.

Executive Summary: The structure at 2224 S. Air Depot. is currently vacant. This request is to rezone the property to a Simplified Planned Unit Development, SPUD, governed by the C-4, General Commercial district. The commercial zoning districts in the Midwest City Zoning Ordinance are cumulative, meaning that all uses allowed in the C-3, Community Commercial district are also allowed in the C-4 district with the C-4 district allowing additional, more intensive uses. This application requests to allow all C-3 uses and the one C-4 use of commercial marijuana grow. Staff met with the applicant in May of 2019 to discuss the possibility of rezoning this property to allow the use of commercial marijuana grow as this use is not allowed in the C-3 district. The Midwest City Council adopted an ordinance creating the use of commercial marijuana grow and setting forth the allowable zoning districts for the use which are C-4, General Commercial, I-1, Light Industrial, I-2, Moderate Industrial and I-3, Heavy Industrial. In February 2020, a similar application for a SPUD to allow grow was approved for a location on E. Reno. Notice was sent to all property owners within 300 feet of the area of request as well as published in the Journal Record. As of this writing, no protest has been submitted. The SPUD application does not include any request for variances. This item is continued from the June 23, 2020 Council meeting. Action is at the discretion of the City Council.

Dates of Hearing: Planning Commission – June 2, 2020
City Council – June 23, 2020, August 11, 2020

Council/Ward: Ward 1 – Susan Eads



Applicant: David M. Box

Owner: Hunter Grace, LLC.

Proposed Use: marijuana grow

Size:

The area of request contains approximately 95' of frontage on S. Air Depot Blvd. and contains an area of approximately .32 acres.

Zoning Districts:

- Area of Request – C-3, Community Commercial
- North – R-6, Single Family Detached Residential
- South – C-3, Community Commercial
- West – C-3, Community Commercial
- East – C-3, Community Commercial

Land Use:

Area of Request – Vacant building

North – Single Family Home



South – Commercial uses



East – Commercial uses



West – Commercial uses/Adair Blvd.



Future Land Use

Area of request – Commercial

North and West – Office/Retail

South and East – Commercial

Comprehensive Plan Citation:

Commercial

Areas designated for commercial land use are intended for a variety of commercial uses and establishments with outside storage, display and sales. Examples of such uses include automobile-related services, manufactured home sales, self-storage units, welding shops, and pawnshops. Commercial uses are often located along major thoroughfares, not because they need the visibility, as retail uses generally do, but because they need the accessibility. The challenge lies in the fact that commercial uses often have a greater need for outside storage areas and these areas tend to lessen the visual quality of major thoroughfares.

Municipal Code Citation:

2.26 SPUD, Simplified Planned Unit Development

2.26.1. General Description

The simplified planned unit development, herein referred to as SPUD, is a special Zoning district that provides an alternate approach to conventional land use controls to produce unique, creative, progressive or quality land developments.

The SPUD may be used for particular tracts or parcels of land that are to be developed as one unit according to a master development plan map.

The SPUD is subject to special review procedures and once approved by the City Council it becomes a special zoning classification for the property it represents.

2.26.2 Intent and Purpose

The intent and purpose of the simplified planned unit development provisions are to ensure:

(A) Innovative development

Encouraging innovative development and protect the health, safety and welfare of the community.

(B) Efficient use of land

Encourage efficient use of land, facilitate economic arrangement of buildings and circulation systems;

(C) Appropriate limitations and compatibility

Maintain appropriate limitations on the character and intensity of use, assuring compatibility with adjoining and proximate properties, and following the guidelines of the comprehensive plan.

History:

1. PC- The property has been zoned R-6, Single Family Detached Residential since the adoption of the 1985 Zoning Map.
2. The Planning Commission recommended approval of this item June 2, 2020.
3. The City Council took no action on this item at the June 23, 2020 meeting.

Staff Comments:

Engineer's report:

Note: No engineering improvements are required with this application.

Water Supply and Distribution

A twelve (12) inch public water main is located along the east side of S Air Depot. The existing building in the area of request is currently on City water, therefore water line improvements are not required as outlined in Municipal Code 43-32.

Sanitary Sewerage Collection and Disposal

Multiple public sewer mains are located within or bordering area of request. The public sewer main is accessible and the existing building is connected to the city sewer main, sewer line improvements are not required as outlined in Municipal Code 43-109.

Streets and Sidewalks

Access to the area of request exists off S Air Depot Boulevard and W Harmon Drive. Recent improvements have been made to S Air Depot which removed the option of a southbound left into the northern drive. Southbound access is still provided via W Harmon Drive.

S Air Depot is classified as a Secondary Arterial and W Harmon Drive as a local road in the 2008 Comprehensive Plan.

The applicant has stated in the Master Design Statement, 9.10 as the existing sidewalks conform to all sidewalk regulations. This office disagrees with this statement since there are no sidewalks on the property which appear to meet City or federal ADA regulations. Although sidewalk improvements are not required with this application, future building permits will require that sidewalks are considered.

Drainage and Flood Control, Wetlands, and Sediment Control

The area of request is developed with houses already established. The area of request is shown to be in an "Area of Minimal Flood Hazard" meaning no floodplain on Flood Insurance Rate map (FIRM) number 40109C0310H, dated December 18th, 2009. Drainage and detention improvements are not required with this application.

Easements and Right-of-Way

No further easements or right of way would be required with this application.

Fire Marshal's report:

The Fire Marshal has reviewed this application. The property is required to meet and maintain the requirements of Midwest City Ordinances Section 15.

Plan Review Comments:

As mentioned in the Executive Summary, staff met with the applicant in May of 2019 to discuss this application.

The Zoning Ordinance was updated in late 2018 after Oklahoma voters approved a measure to legalize medical marijuana in the State. Use unit classifications were created for commercial marijuana grow and processing.

The use of commercial marijuana grow was approved as an allowable use in the C-4, General Commercial, I-1, Light Industrial, I-2, Moderate Industrial and I-3, Heavy Industrial zoning districts. These were approved as the allowable zoning districts as they are typically buffered from single-family residential districts.

As noted in the executive summary, the commercial uses listed in the Midwest City Zoning Ordinance are cumulative. This means that all uses currently allowed in the C-3, Community Commercial (less intensive) district are also allowed in the C-4, General Commercial (more intensive) district.

The C-4 district also allows more intensive uses such as automotive sales and rentals and manufactured home sales. This is an application to rezone this parcel to a SPUD, governed by the C-4, General Commercial district, allowing all uses that are also currently allowed in C-3 and the one additional C-4 use of commercial marijuana grow.

If this request is approved, staff would recommend that the applicant meet with the Chief Building Official and Fire Marshal to ensure that all equipment to be used as part of the growing process meets current building, electrical and fire codes. A building permit will be required for any remodeling. Trade permits will be required for any mechanical, electrical or plumbing work done.

A master development plan is not required as the structure is already existing and there are no plans to expand or change the existing structure. Parking is existing in front of and behind the structure.

The SPUD document is included with this agenda item. No variances are requested with this application.

This item was heard by the City Council on June 23, 2020 and no action was taken to allow the applicant and Councilmember Eads to discuss concerns. A conference call occurred on July 21, 2020 between the applicant, Councilmember Eads and staff to discuss this application. No changes are proposed to the SPUD document as originally submitted as a result of the meeting.

Action is at the discretion of the City Council.

Action Required:

Approve or reject the ordinance to redistrict to SPUD for the property as noted herein, subject to staff's comments as found in the August 11, 2020 agenda packet and made a part of PC-2043 file.



Billy Harless,
Community Development Director

KG

THE CITY OF MIDWEST CITY
SIMPLIFIED PLANNED UNIT DEVELOPMENT

SPUD-___

MASTER DESIGN STATEMENT FOR

2224 S. Air Depot

April 20, 2020

PREPARED BY:

Williams, Box, Forshee & Bullard PC
522 Colcord Drive
Oklahoma City, OK 73102
405-232-0080 Phone
405-236-5814 Fax
dmbox@wbflaw.com

1.0 INTRODUCTION

This Simplified Planned Unit Development consists of approximately 0.32 acres and is located at 2224 S. Air Depot Blvd. in the City of Midwest City, Oklahoma.

2.0 LEGAL DESCRIPTION

The legal description of the property is described in attached Exhibit A, which is made a part of this design statement.

3.0 OWNER/DEVELOPER

The owner/developer of the property described in Section 2.0 is Hunter Grace, LLC.

4.0 SCOPE AND CONCEPT

The concept is to use the existing building and allow an entity licensed by the Oklahoma State Department of Health to grow, harvest and package medical marijuana for the purpose of selling medical marijuana to a dispensary or processor.

5.0 SITE AND SURROUNDING DEVELOPMENT

This property is presently zoned C-3, Community Commercial District. The property surrounding the proposed SPUD is zoned as follows:

- North: R-6, Single Family Detached Residential
- South: C-3, Community Commercial
- East: C-3, Community Commercial
- West: Right-of-way and C-3, Community Commercial

6.0 SITE

The subject property is currently developed as a commercial building.

7.0 SERVICE AVAILABILITY

7.1 STREETS

This site is located off S. Air Depot Blvd., north of SE 29th St. and south of SE 15th St.

7.2 WATER LINE

Water facilities to the site are available.

7.3 SANITARY SEWER LINE

Sanitary sewer facilities to the site are available.

7.4 GAS, ELECTRICAL AND TELEPHONE SERVICES

Gas, electrical, and telephone services serve several developments in the area of this Planned Unit Development and have lined adjacent to the subject property. Proper coordination with the various utility companies will be made in conjunction with this Development.

7.5 FIRE PROTECTION

There is a Midwest City Fire Station in close proximity to the site. Station #2 is at 550 Adair Blvd.

8.0 SPECIAL DEVELOPMENT REGULATIONS

The use and development regulations set out herein shall control the development and use of the property listed in Exhibit A (legal description). In case of a conflict between the regulations set out in this Planned Unit Development and ordinances contained in the Planning and Zoning Code Regulations for The City of Midwest City, the use and development regulations continued in this Planned Unit Development shall take precedent and control the development and use of the property. All regulations not specifically addressed herein shall comply with zoning ordinances and building regulations of The City of Midwest City in effect at the time of the approval of this SPUD, along with State and Federal Regulations as they may apply.

The use and development regulations of the C-4, General Commercial District shall govern development of this SPUD, except as modified below.

In addition to the uses allowed pursuant to any lower commercial zoning district other than the base zoning district, the following use shall be the only C-4 use permitted within this SPUD:

- 4.5.10 *Commercial Medical Marijuana Grower.*

9.0 GENERAL REGULATIONS:

9.1 FAÇADE REGULATIONS

All existing structures shall be permitted to remain on site and shall be deemed to conform to any requirements contained within the SPUD. For exterior work on existing structures, building materials shall be permitted to match or be of similar kind to those building materials currently utilized on existing structures.

In the event that any new structure is built, it shall conform to the following:

Exterior building wall finish on all structures, exclusive of windows and doors, shall consist of a minimum 80% brick veneer, rock or stone masonry, stucco and cementitious siding (including, but not limited to, the brand commonly known as James Hardie). No more than 30% EIFS (Exterior Insulation Finish System) shall be permitted. Exposed metal or exposed concrete block buildings shall not be permitted.

9.2 LANDSCAPING REGULATIONS

The current landscaping on site shall remain and be deemed to conform to any applicable regulation. In the event that any new structure is built, said landscaping shall meet all requirements of the City of Midwest City's Landscaping Ordinance in place at the time of development.

9.3 SIGHT PROOF SCREENING REGULATIONS

The current screening on site shall remain and be deemed to conform to any applicable regulation. In the event that any new structure is built, said sight proof screening shall meet all requirements of the City of Midwest City's Sight Proof Screening ordinance in place at the time of development.

9.4 DUMPSTER REGULATIONS

Dumpster(s) shall be consolidated where practical and located within an area a minimum of 20 feet from any residential district and shall be screened by a 8' masonry wall on three sides and a minimum of 11' wide clear space when gates are open.

9.5 ACCESS REGULATIONS

Access to the site shall be permitted from S. Air Depot Blvd. and W. Harmon Dr.

9.6 SIGNAGE REGULATIONS

All existing signage on this parcel shall be deemed to conform to all signage regulations for the existing development on the site. All new development on this parcel shall be in accordance with the following:

9.6.1 Freestanding Signs:

All freestanding signs shall be ground (monument) signs with the maximum height being 10 feet and maximum size being 100 square feet in area. The sign shall have no less than 25 square feet of landscaping at the base. No pole signs will be allowed.

9.6.3 Attached Signs:

Attached signs will be in accordance with the base zoning district regulations.

9.6.4 Non-Accessory Signs:

Non-accessory signs are specifically prohibited in this SPUD.

9.6.5 Electronic Message Display Signs:

Electronic Message Display signs shall be prohibited within this SPUD.

9.7 LIGHTING REGULATIONS

All existing lighting on this parcel shall be deemed to conform to all lighting regulations for the existing development on the site.

In the event that any new structure is built, said lighting shall be required to be in accordance with Midwest City Code.

9.8 SETBACK REGULATIONS

The existing building shall be deemed to conform to all setback regulations for the existing development on the site.

In the event that any new structure is built, said building shall be required to be in accordance with the base zoning district.

9.9 HEIGHT REGULATIONS

The existing building shall be deemed to conform to all parking regulations for the existing development on the site.

In the event that any new structure is built, said building shall be required to be in accordance with the base zoning district.

9.10 SIDEWALK REGULATIONS

The existing sidewalks shall be deemed to conform to all sidewalk regulations for the existing development on the site.

9.11 PARKING REGULATIONS

The existing parking shall be deemed to conform to all parking regulations for the existing development on the site.

In the event that any new structure is built, said parking shall be required to be in accordance with the base zoning district.

10.0 EXHIBITS:

Exhibit A – Legal Description
Exhibit B – On site aerial

Exhibit A

Legal Description

All of Lot Two (2) and the North 95 feet of the West 15 feet of Lot Three (3) of MCCORKLE PARK ADDITION to Oklahoma County, Oklahoma, according to the recorded plat thereof.



Call for
Instant Service
405-VOLTAGE



NINJA ELECTRIC

NINJA ELECTRIC
405-VOLTAGE
NINJA ELECTRIC.COM

2224



2224 S Air Depot Blvd

© 2020 Google

Google Earth

35°26'31.17" N - 97°24'21.09" W elev 1234 ft eye alt 1480 ft

The City of
MIDWEST CITY

COMMUNITY DEVELOPMENT DEPARTMENT - ENGINEERING DIVISION

William Harless, Community Development Director

Brandon Bundy, P.E., C.F.M., City Engineer

To: Kellie Gilles, Plans Review Manager

From: Brandon Bundy, City Engineer

Date: May 11th, 2020

Subject: Engineering staff comments for pc-2043 application

ENGINEERING STAFF CODE CITATIONS AND COMMENTS - PC-2043:

Note: No engineering improvements are required with this application.

Water Supply and Distribution

A twelve (12) inch public water main is located along the east side of S Air Depot. The existing building in the area of request is currently on City water, therefore water line improvements are not required as outlined in Municipal Code 43-32.

Sanitary Sewerage Collection and Disposal

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Easements and Right-of-Way

No further easements or right of way would be required with this application.



Midwest City Fire Marshal's Office

8201 E Reno Avenue, Midwest City, OK 73110
dhelmberger@midwestcityok.org Office: 405-739-1355
www.midwestcityok.org



Re: PC - 2043

Date: 12 May 2020

PC-2043 is a request to rezone the parcel at 2224 S. Air Depot from C-3 to a SPUD governed by C-4.

- The property is required to meet and maintain the requirements of Midwest City Ordinances Section 15.

Respectfully,

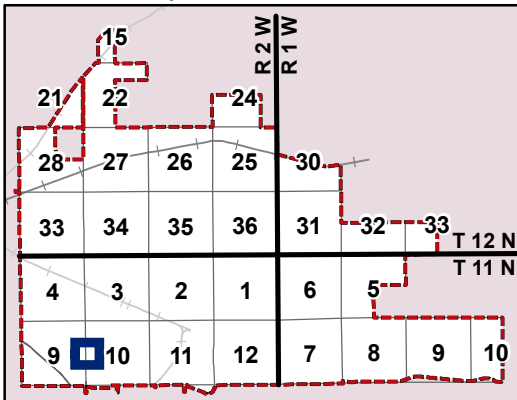
A handwritten signature in black ink, appearing to read "D. Helmberger".

Duane Helmberger
Fire Marshal
Midwest City Fire Department








The Midwest City Fire Department is committed to providing the highest level of public safety services for our community and citizens. We protect lives and property through fire suppression, emergency medical response, disaster management, fire prevention and public education.



Locator Map



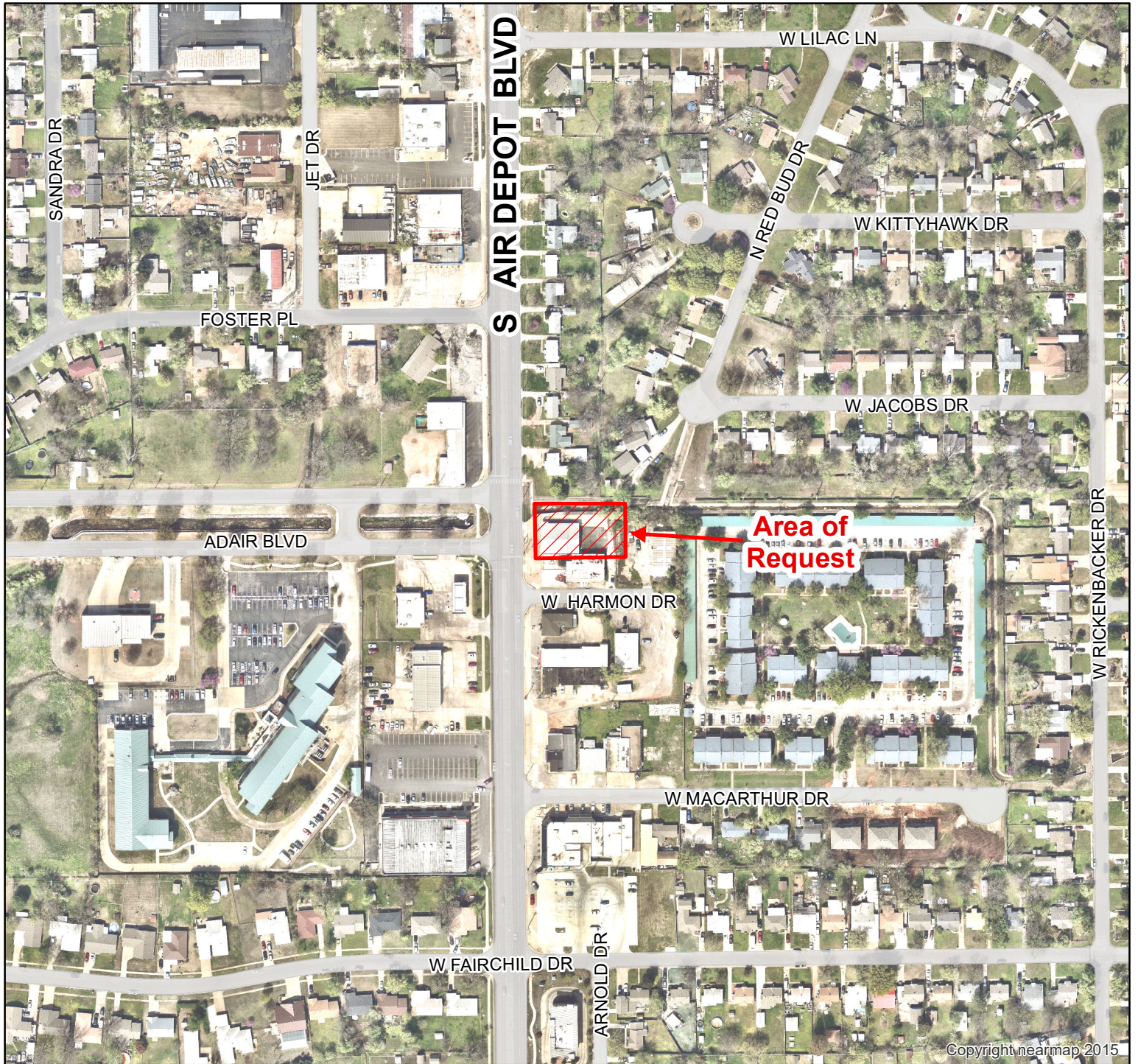
General Map Legend

-  Area of Request
-  Parcels with Addresses
-  Buildings
-  Edge of Pavement
-  MWC City Limits
- Railroads**
-  Active
-  Inactive / Closed

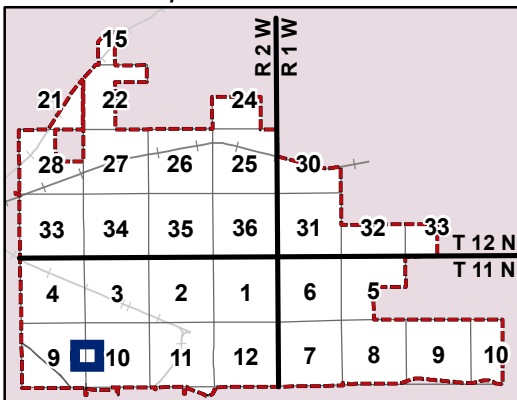
**GENERAL MAP FOR
PC-2043
(SW/4, Sec. 10, T11N, R2W)**



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.



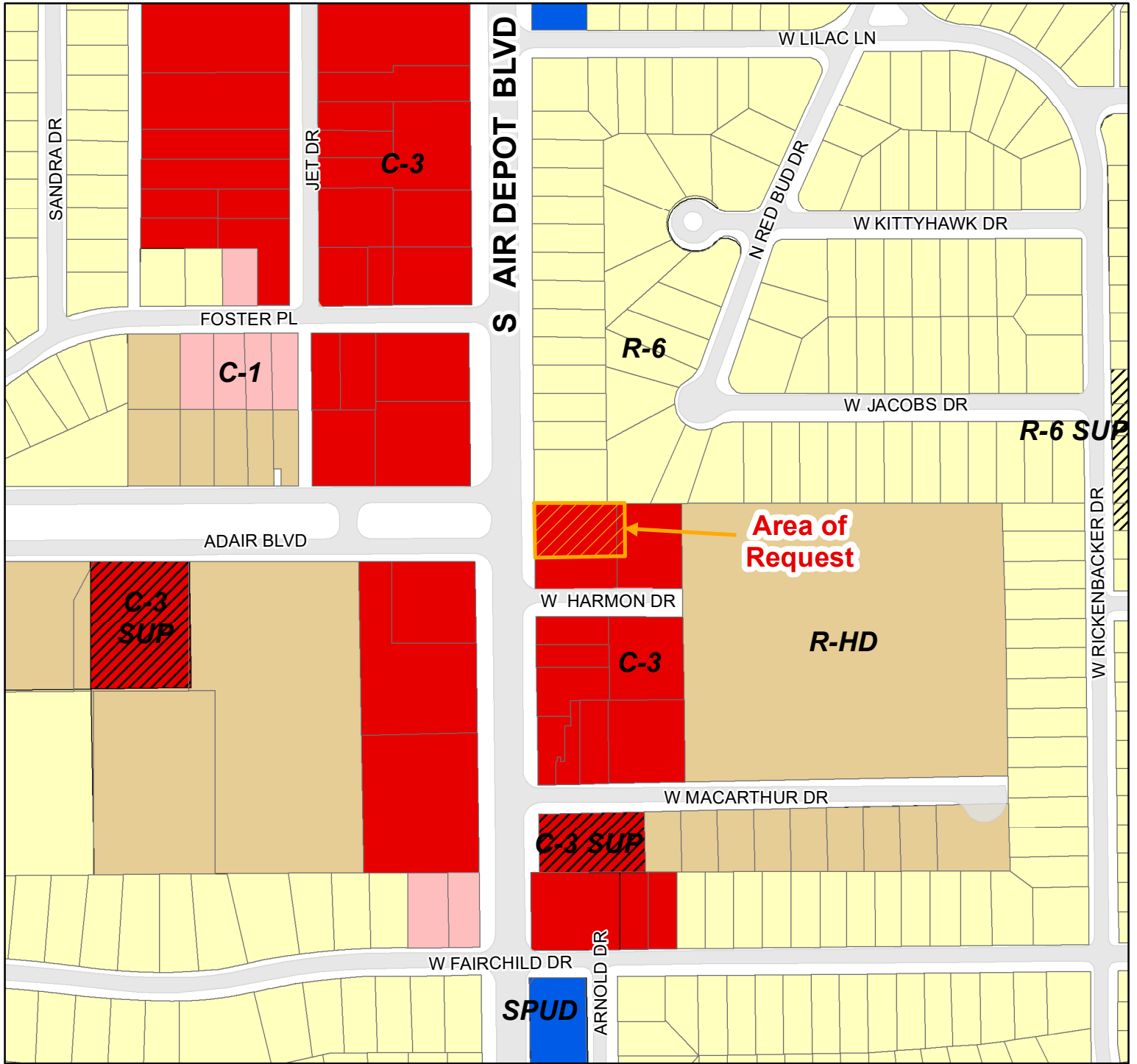
Locator Map



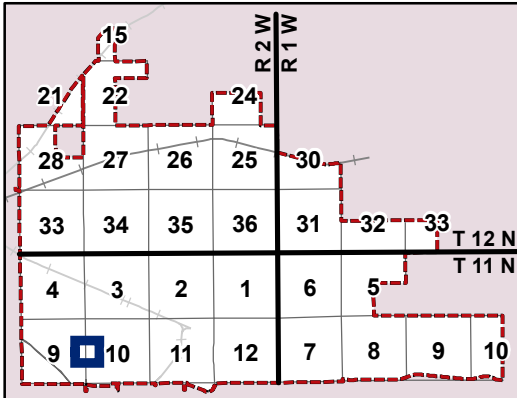
**2020 NEARMAP AERIAL VIEW FOR
PC-2043
(SW/4, Sec. 10, T11N, R2W)**



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

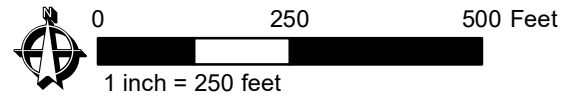


Current Zoning Legend

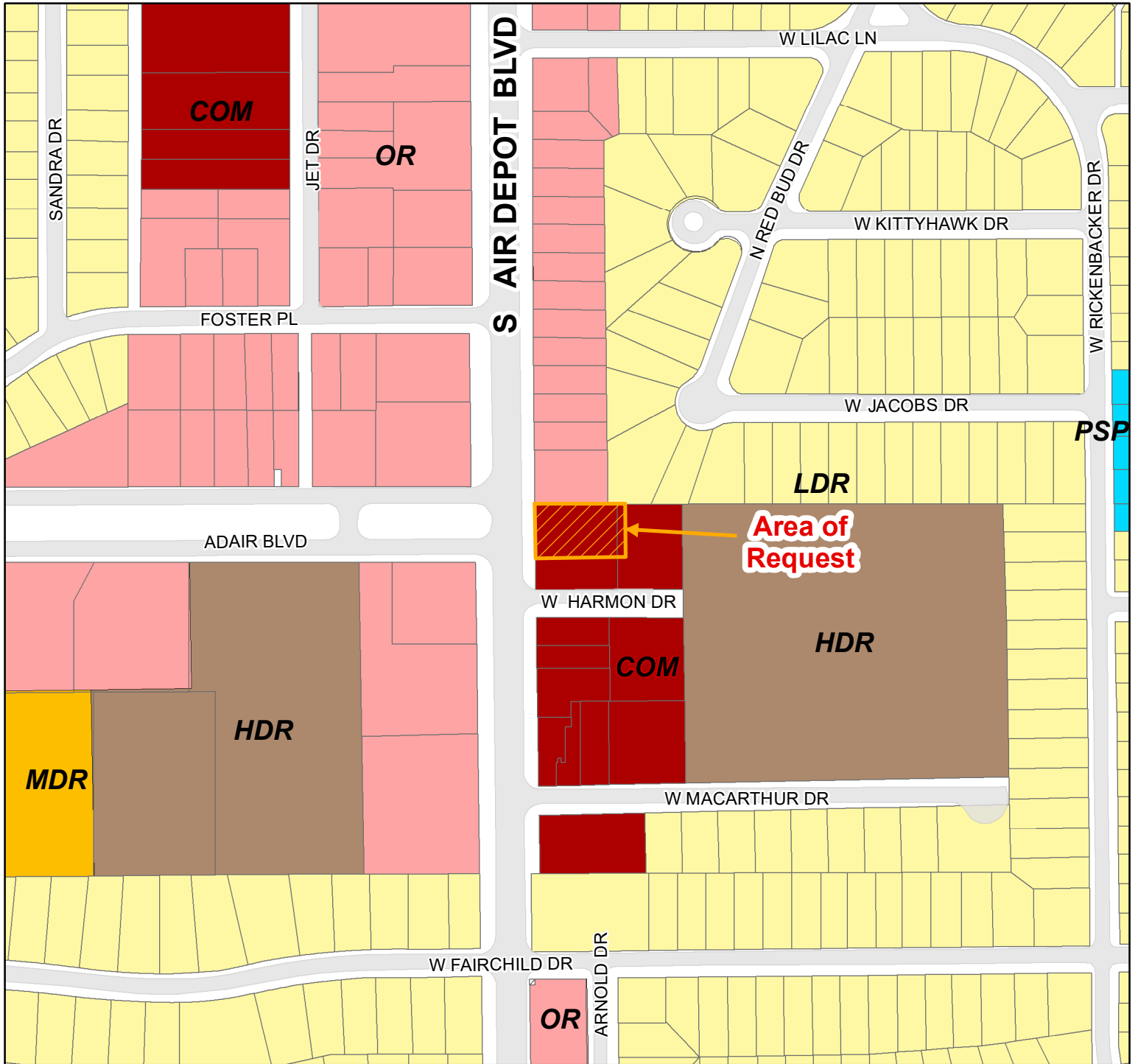
A-1	I-2 SUP	R-35
A-1 SUP	I-3	R-2F
C-1	O-1	R-MD
C-1 SUP	O-1 SUP	R-MD SUP
C-2	O-2	R-HD
C-3	O-2 SUP	R-HD SUP
C-3 SUP	R-6	R-MH-1
C-4	R-6 SUP	R-MH-2
C-4 SUP	R-8	PUD
I-1	R-10	SPUD
I-2	R-22	HOS
		HOS SUP

ZONING MAP FOR PC-2043

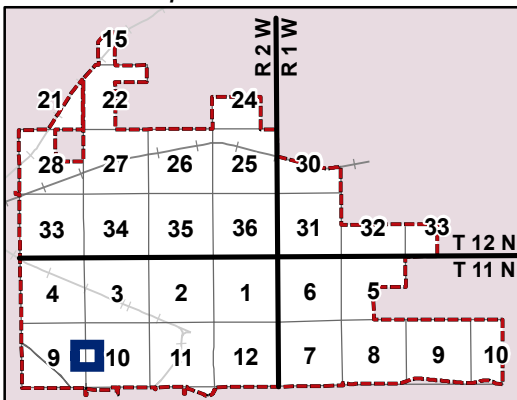
(SW/4, Sec. 10, T11N, R2W)



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-2043
(SW/4, Sec. 10, T11N, R2W)**



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1 **PC-2043**

2 **ORDINANCE NO. _____**

3 **AN ORDINANCE RECLASSIFYING THE ZONING DISTRICT OF THE PROPERTY**
4 **DESCRIBED IN THIS ORDINANCE TO SPUD, SIMPLIFIED PLANNED UNIT DE-**
5 **VELOPMENT, AND DIRECTING AMENDMENT OF THE OFFICIAL ZONING DIS-**
6 **TRICT MAP TO REFLECT THE RECLASSIFICATION OF THE PROPERTY’S ZON-**
7 **ING DISTRICT; AND PROVIDING FOR REPEALER AND SEVERABILITY**

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

9 **ORDINANCE**

10 **SECTION 1.** That the zoning district of the following described property is hereby reclassified
11 to SPUD, Simplified Planned Unit Development, subject to the conditions contained in the PC-
12 2043 file, and that the official Zoning District Map shall be amended to reflect the reclassifica-
13 tion of the property’s zoning district as specified in this ordinance:

14 All of Lot Two (2) and the North 95 feet of the West 15 feet of Lot Three (3) of
15 MCCORKLE PARK ADDITION to Oklahoma County, Oklahoma, according to the rec-
16 orded plat thereof

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

19 **SECTION 3. SEVERABILITY.** If any section, sentence, clause or portion of this ordinance is
20 for any reason held to be invalid, such decision shall not affect the validity of the remaining por-
21 tions of the ordinance.

22 PASSED AND APPROVED by the Mayor and Council of the City of Midwest City, Oklahoma,
23 on the _____ day of _____, 2020.

24 THE CITY OF MIDWEST CITY, OKLAHOMA

25 _____
26 MATTHEW D. DUKES II, Mayor

27 ATTEST:

28 _____
29 SARA HANCOCK, City Clerk

30 APPROVED as to form and legality this _____ day of _____, 2020.

31 _____
32 HEATHER POOLE, City Attorney



NEW BUSINESS/
PUBLIC DISCUSSION





FURTHER INFORMATION





City Manager
 100 N. Midwest Blvd.
 Midwest City, OK 73110
 tlyon@midwestcityok.org
 Office: 405-739-1201
 www.midwestcityok.org

MEMORANDUM

TO: Honorable Mayor and City Council

FROM: Tim Lyon, City Manager

DATE: August 11, 2020

SUBJECT: Discussion regarding the G.O. Bond Proposition #4, Public Safety, regarding the Phase III Police/Fire Training Center.

As you know, there has been concerns over the location of the Police/Fire Training Center. At the request of Councilmember Byrne, we held a community meeting for the residents/businesses within 300 feet of the site, the standard practice for any property being developed. We also reviewed the ballot proposed to the Midwest City voters seen below.

PROPOSITION #4

“Shall the City of Midwest City, State of Oklahoma, incur an indebtedness by issuing its bonds in the sum of Ten Million Four Hundred Ninety Thousand Dollars (\$10,490,000), to be issued in series, to provide funds (either with or without state or federal aid) for the purpose of acquiring, constructing, reconstructing, improving, remodeling, and repairing public safety buildings and facilities and acquiring necessary lands therefor and purchasing and installing public safety equipment to be owned exclusively by said City, and levy and collect an annual tax, in addition to all other taxes, upon all the taxable property in said City sufficient to pay the interest on said bonds as it falls due, and also to constitute a sinking fund for the payment of the principal thereof when due, said bonds to bear interest at not to exceed the rate of ten percent (10%) per annum, payable semi-annually and to become due serially within twenty-five (25) years from the date?”

Proposition #4

To acquire, construct, reconstruct, improve, remodel, and repair public safety buildings and facilities, and purchase and install public safety equipment as follows within said City:	
Animal Shelter – 8400 Block of East Reno Avenue	\$ 2,513,200
Police/Fire Training Facility – 9500 Block of S.E. 15 th Street	\$ 885,840
Firetrucks (2)	\$ 1,401,200
Self-Contained Breathing Apparatus	\$ 370,800
Fire Hoses and Nozzles, Shift Command Vehicle, Mobile Air	\$ 263,680
Fire Station 1 and Headquarters Remodel	\$ 576,800
Fire Station Exhaust removal system (5 stations)	\$ 206,000
Police Fire Radio System Replacement	\$ 1,169,200
Outdoor Warning System	\$ 288,400
Public Safety Technology Improvements	\$ 716,880
Identified Projects total	\$ 8,392,000
Estimated Total	\$10,490,000

Tim Lyon, City Manager



MUNICIPAL AUTHORITY AGENDA

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

August 11, 2020 – 6:01 PM

- A. CALL TO ORDER.
- B. CONSENT AGENDA. These items are placed on the Consent Agenda so that Trustees, by unanimous consent, can approve routine agenda items by one motion. If any item proposed does not meet with approval of all Trustees, or members of the audience wish to discuss an item, it will be removed and heard in regular order.
1. Discussion and consideration to approve the minutes of the July 28, 2020 regular meeting, as submitted. (City Clerk - S. Hancock)
 2. Discussion and consideration of supplemental budget adjustments to the following funds for FY 2020-2021, increase: Capital Drainage Improvements Fund, expenses/Drainage Improvements (72) \$4,815. Stormwater Fund, expenses/Stormwater (061) \$4,930. Utility Services Fund, expenses/Utility Services (50) \$15,923. Sanitation Fund, expenses/Sanitation (41) \$6,390. Water Fund, expenses/Water (42) \$22,703. Wastewater Fund, expenses/Wastewater (43) \$26,836. Hotel/Conf. Center Ops Fund, expenses/Hotel/Conf Center (40) \$334. Golf Fund, expenses/John Conrad Regional Golf (47) \$3,202; expenses/Hidden Creek (48) \$632. FF&E Reserve Fund, expenses/Hotel/Conf Center (40) \$44,989. Hotel/Conf. Center Ops Fund, expenses (40) \$70,256. (Finance – C. Barron)
 3. Discussion and consideration of rejecting the bid submitted for the Boiler Burner Replacement. (Public Works - R. Streets)
 4. Discussion and consideration of entering into a contract with Municipal H2O for professional services in the amount of \$28,500.00. (Public Works - R. Streets)
- C. NEW BUSINESS/PUBLIC DISCUSSION. The purpose of the "Public Discussion Section" of the Agenda is for members of the public to speak to the Authority on any Subject not scheduled on the Regular Agenda. The Authority 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 Authority will not engage in any discussion on the matter until that matter has been placed on an agenda for discussion. **THOSE ADDRESSING THE AUTHORITY ARE REQUESTED TO STATE THEIR NAME AND ADDRESS PRIOR TO SPEAKING TO THE AUTHORITY.**
- D. ADJOURNMENT.



CONSENT AGENDA



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.midwestcityokorg).

Midwest City Municipal Authority Minutes

July 28, 2020

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 Matt Dukes called the meeting to order at 8:09 PM with the following members present: Trustees Susan Eads, Pat Byrne, Española Bowen, Sean Reed, Christine Allen, Rick Favors and Secretary Sara Hancock, City Attorney Heather Poole, and City Manager Tim Lyon.

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

1. Discussion and consideration to approve the minutes of the June 23, 2020 regular meeting, as submitted.
2. Discussion and consideration of supplemental budget adjustments to the following funds for FY 2020-2021, increase: Capital Drainage Improvements Fund, expenses/Drainage Improvements (72) \$130,000. Stormwater Fund, expense/Stormwater (061) \$33,550. Capital Water Improvements Fund, expenses/Capital Water Improvements (49) \$1,263,216. Construction Loan Payment Fund, expenses/Water (42) \$2,182,449. Sewer Construction Fund, expenses/Sewer Construction (46) \$344,603. Utility Services Fund, expenses/Utility Services (50) \$29,346. Utilities Capital Outlay Fund, expenses/Utility Services (50) \$236,491. Sanitation Fund, expenses/Sanitation (41) \$1,060,236. Water Fund, expenses/Water (42) \$140,992. Wastewater Fund, expenses/Wastewater (43) \$60,525. FF&E Reserve Fund, expenses/Hotel/Conf Center (40) \$167,572.
3. Discussion and consideration of passing and approving a resolution for the Midwest City Municipal Authority, a public trust, to release unappropriated fund balances at the close of day June 30, 2020 to be made available for fiscal year 2020-2021; and amending the budget for fiscal year 2020-2021 to include the released appropriations from the fiscal year 2019-2020 budgets as supplemental appropriations; and, effective July 1, 2020, renewing encumbrance commitments canceled at the close of day June 30, 2020.
4. 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 June 30, 2020.
5. Discussion and consideration of declaring miscellaneous items from the Water Resources Recovery Facility surplus property and authorizing their disposal by sealed bid, public auction, or by other means as necessary.

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

ADJOURNMENT.

There being no further business, Chairman Dukes adjourned the meeting at 8:10 pm.

ATTEST:

MATTHEW D. DUKES II, Chairman

SARA HANCOCK, Secretary



Finance Department

100 N. Midwest Boulevard
Midwest City, OK 73110
cbarron@midwestcity.org
Office: 405-739-1245
www.midwestcityok.org

TO: Honorable Chairman and Trustees
Midwest City Municipal Authority

FROM: Christy Barron, City Treasurer/Finance Director

DATE: August 11, 2020

SUBJECT: Discussion and consideration of supplemental budget adjustments to the following funds for FY 2020-2021, increase: Capital Drainage Improvements Fund, expenses/Drainage Improvements (72) \$4,815. Stormwater Fund, expenses/Stormwater (061) \$4,930. Utility Services Fund, expenses/Utility Services (50) \$15,923. Sanitation Fund, expenses/Sanitation (41) \$6,390. Water Fund, expenses/Water (42) \$22,703. Wastewater Fund, expenses/Wastewater (43) \$26,836. Hotel/Conf. Center Ops Fund, expenses/Hotel/Conf Center (40) \$334. Golf Fund, expenses/John Conrad Regional Golf (47) \$3,202; expenses/Hidden Creek (48) \$632. FF&E Reserve Fund, expenses/Hotel/Conf Center (40) \$44,989. Hotel/Conf. Center Ops Fund, expenses (40) \$70,256.

The first through eighth supplements are needed to budget City-wide expenses related to merit increases for all full time employees. The ninth supplement is needed to budget the insurance check received to repair the roof for FF&E Reserve Fund. The tenth supplement is needed to budget unbudgeted monthly allocation expenses for Hotel/Conf. Center Operations Fund.

Christy Barron

Christy Barron
Finance Director

SUPPLEMENTS
August 11, 2020

Fund CAPITAL DRAINAGE (060)		BUDGET AMENDMENT FORM Fiscal Year 2020-2021			
		Estimated Revenue		Budget Appropriations	
<u>Dept Number</u>	<u>Department Name</u>	<u>Increase</u>	<u>Decrease</u>	<u>Increase</u>	<u>Decrease</u>
72	Drainage Improvements			4,815	
		<u>0</u>	<u>0</u>	<u>4,815</u>	<u>0</u>

Explanation:
To increase budget for payroll expenses related to merit increases due to sales tax coming in better than expected. Funding to come from fund balance.

Fund STORMWATER QUALITY (061)		BUDGET AMENDMENT FORM Fiscal Year 2020-2021			
		Estimated Revenue		Budget Appropriations	
<u>Dept Number</u>	<u>Department Name</u>	<u>Increase</u>	<u>Decrease</u>	<u>Increase</u>	<u>Decrease</u>
61	Storm Water			4,930	
		<u>0</u>	<u>0</u>	<u>4,930</u>	<u>0</u>

Explanation:
To increase budget for payroll expenses related to merit increases due to sales tax coming in better than expected. Funding to come from fund balance.

Fund UTILITY SERVICES (187)		BUDGET AMENDMENT FORM Fiscal Year 2020-2021			
		Estimated Revenue		Budget Appropriations	
<u>Dept Number</u>	<u>Department Name</u>	<u>Increase</u>	<u>Decrease</u>	<u>Increase</u>	<u>Decrease</u>
50	Utility Services			15,923	
		<u>0</u>	<u>0</u>	<u>15,923</u>	<u>0</u>

Explanation:
To increase budget for payroll expenses related to merit increases due to sales tax coming in better than expected. Funding to come from fund balance.

Fund SANITATION (190)		BUDGET AMENDMENT FORM Fiscal Year 2020-2021			
		Estimated Revenue		Budget Appropriations	
<u>Dept Number</u>	<u>Department Name</u>	<u>Increase</u>	<u>Decrease</u>	<u>Increase</u>	<u>Decrease</u>
41	Sanitation			6,390	
		<u>0</u>	<u>0</u>	<u>6,390</u>	<u>0</u>

Explanation:
To increase budget for payroll expenses related to merit increases due to sales tax coming in better than expected. Funding to come from fund balance.

Fund WATER (191)		BUDGET AMENDMENT FORM Fiscal Year 2020-2021			
		Estimated Revenue		Budget Appropriations	
<u>Dept Number</u>	<u>Department Name</u>	<u>Increase</u>	<u>Decrease</u>	<u>Increase</u>	<u>Decrease</u>
42	Water			22,703	
		<u>0</u>	<u>0</u>	<u>22,703</u>	<u>0</u>

Explanation:
To increase budget for payroll expenses related to merit increases due to sales tax coming in better than expected. Funding to come from fund balance.

SUPPLEMENTS

August 11, 2020

Fund WASTEWATER (192)		BUDGET AMENDMENT FORM Fiscal Year 2020-2021			
		Estimated Revenue		Budget Appropriations	
<u>Dept Number</u>	<u>Department Name</u>	<u>Increase</u>	<u>Decrease</u>	<u>Increase</u>	<u>Decrease</u>
43	Wastewater			26,836	
		0	0	26,836	0

Explanation:
To increase budget for payroll expenses related to merit increases due to sales tax coming in better than expected. Funding to come from fund balance.

Fund HOTEL/CONF. CENTER OPS (195)		BUDGET AMENDMENT FORM Fiscal Year 2020-2021			
		Estimated Revenue		Budget Appropriations	
<u>Dept Number</u>	<u>Department Name</u>	<u>Increase</u>	<u>Decrease</u>	<u>Increase</u>	<u>Decrease</u>
40	Hotel/Conf Center			334	
		0	0	334	0

Explanation:
To increase budget for payroll expenses related to merit increases due to sales tax coming in better than expected. Funding to come from fund balance.

Fund GOLF (197)		BUDGET AMENDMENT FORM Fiscal Year 2020-2021			
		Estimated Revenue		Budget Appropriations	
<u>Dept Number</u>	<u>Department Name</u>	<u>Increase</u>	<u>Decrease</u>	<u>Increase</u>	<u>Decrease</u>
47	JC Regional Golf			3,202	
48	Hidden Creek			632	
		0	0	3,834	0

Explanation:
To increase budget for payroll expenses related to merit increases due to sales tax coming in better than expected. Funding to come from fund balance.

Fund FF&E Reserve (196)		BUDGET AMENDMENT FORM Fiscal Year 2020-2021			
		Estimated Revenue		Budget Appropriations	
<u>Dept Number</u>	<u>Department Name</u>	<u>Increase</u>	<u>Decrease</u>	<u>Increase</u>	<u>Decrease</u>
40	Hotel/Conf Center			44,989	
		0	0	44,989	0

Explanation:
To increase budget to Infrastructure for insurance check for repair of roof. Funding to come from fund balance.

Fund HOTEL/CONF. CENTER OPS (195)		BUDGET AMENDMENT FORM Fiscal Year 2020-2021			
		Estimated Revenue		Budget Appropriations	
<u>Dept Number</u>	<u>Department Name</u>	<u>Increase</u>	<u>Decrease</u>	<u>Increase</u>	<u>Decrease</u>
40	Hotel/Conf Center			70,256	
		0	0	70,256	0

Explanation:
To increase budget for unbudgeted monthly allocation expenses. Funding to come from fund balance.



Public Works Administration

R. Paul Streets,
Public Works Director
pstreets@midwestcityok.org
405-739-1061

Patrick Menefee,
City Engineer of Public Works
pmenefee@midwestcityok.org
405-739-1062
8730 S.E. 15th Street,
Midwest City, Oklahoma 73110

To: Honorable Chairman and Trustees
Midwest City Municipal Authority

From: R. Paul Streets, Public Works Director

Date: 11 August 2020

Subject: Discussion and consideration of rejecting the bid submitted for the Boiler Burner Replacement.

The bid opening for the above referenced bid was held on July 28, 2020. Staff recommends rejecting the single bid received. The one bid received was only for a Boiler Burner Replacement while a complete Boiler Replacement is required at the Water Resource Recovery Facility. As such, we request to reject this bid and allow a bid for a Boiler replacement with more detailed specifications.

Action is at the discretion of the Chairman and Trustees.

R. Paul Streets
Public Works Director

**BOILER BURNER REPLACEMENT
BID TAB**

Bidder	Total Net Price
Jackson Boiler & Tank Attn. Larry Beatty 2600 N. Oklahoma Ave. PO Box 18824 Oklahoma City, OK 73154 Phone: 405-525-3788 Email: Larry_beatty@jmsokc.com	\$ <u>73,932.00</u>
Bailey Boiler Works Attn. Rick Carson 1103 Fish to Market Lubbock, TX 79423	\$ <u>No Bid</u>
Federal Corp Attn. Fred Ringold 120 E. Main St. Oklahoma City, OK 73104	\$ <u>No Bid</u>
J.S. Haren Co. Jsharen@jsharen.com 1175 Highway 11 North Athens TN, 37303	\$ <u>No Bid</u>



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

www.midwestcityok.org

Memorandum

To: Honorable Chairman and Trustees
Midwest City Municipal Authority

From: R. Paul Streets, Public Works Director

Date: 11 August 2020

Subject: Discussion and consideration of entering into a contract with Municipal H2O for professional services in the amount of \$28,500.00.

Passed by Congress in 2018, America's Water Infrastructure Act (AWIA) requires water treatment facilities serving more than 3,300 people to develop a Risk and Resilience Assessment that considers the risks to the water system from malevolent acts and natural hazards. The law also requires an Emergency Response Plan (ERP) for the water system to be developed, or the existing ERP for the water system be updated based on the results of the completed Risk and Resilience Assessment. The law specifies the components that the Risk and Resilience Assessment and Emergency Response Plan must address and establishes deadlines by which water systems must certify to EPA that the Risk and Resilience Assessment and Emergency Response Plans have been completed. Our deadline based on population is December 31, 2020 and it will take approximately four months to complete the required documents.

I respectfully request to retain the professional services of Municipal H2O to develop the Emergency Response Plan (ERP) for the Water Treatment Plant in Midwest City. They completed the Risk Management Plan (RMP) last year which covers chlorine gas safety, its hazards, and any procedures related to a chlorine gas release. We are recommending that the Municipal Authority retain their services.

Action is at the discretion of the Chairman and Trustees.

Respectfully,

R. Paul Streets
Public Works Director

Attached: Municipal H2O Proposal Letter
Project Service Agreement with Municipal H2O



650 South Shackleford Road, Suite 325

Little Rock, Arkansas 72211

www.MunicipalH2O.com

Phone: 800-897-9425 FAX: 501-537-7778

July 2, 2020

Mark Roberts
Water Plant Chief Operator
City of Midwest City
8730 SE 15th Street
Midwest City, OK 73110

Re: America's Water Infrastructure Act Compliance Service – MunicipalH2O Proposal

Dear Mark,

Thank you for your interest in MunicipalH2O's America's Water Infrastructure Act (AWIA) Compliance Service and for allowing us an opportunity to submit this proposal for your consideration.

America's Water Infrastructure Act (AWIA) - Background

Passed by Congress in 2018, America's Water Infrastructure Act (AWIA) requires water treatment facilities serving more than 3,300 people to develop a Risk and Resilience Assessments that considers the risks to the water system from malevolent acts and natural hazards. The law also requires an Emergency Response Plan (ERP) for the water system to be developed based on the results of the Risk and Resilience Assessment.

According to EPA's Safe Drinking Water Information System (SDWIS), the Midwest City water system serves a population of 55,935 which requires the Risk and Resilience Assessment to be completed and certified before December 31, 2020. AWIA regulations require the Emergency Response Plan to be completed within six months after submission and certification of the Risk and Resilience Assessment.

AWIA Compliance Service – The MunicipalH2O AWIA Compliance Service consists of the following processes and activities:

Complete Risk and Resilience Assessment

To assist the City of Midwest City in meeting the requirements of AWIA, MunicipalH2O will perform the following activities and services to develop a documented Risk and Resilience Assessment:

1. Identify assets of the Midwest City water system that could be impacted by malevolent acts and/or natural hazards.
 - AWIA-identified assets categories will include:
 - Physical barriers
 - Source water
 - Pipes and constructed conveyances, water collection and intake

- Pretreatment and treatment
 - Storage and distribution facilities
 - Electronic, computer or other automated systems
 - Capital and operation needs for risk and resilience management of the system
 - Malevolent Acts asset categories will include:
 - Monitoring practices
 - Financial infrastructure
 - Use, storage, or handling of chemicals
 - Operation and maintenance of the system
2. Using tools provided by EPA, assess the risk and resilience of critical assets of the Midwest City water system in terms of the following:
 - Threat - natural or manmade occurrence, individual, entity, or action that has the potential to harm life, information, operations, the environment, and/or property
 - Vulnerability - physical feature or operational attribute that renders an entity open to exploitation or susceptible to a given hazard
 - Consequence - effect of an event, incident, or occurrence
 3. Identify the highest risks to mission-critical operations for the Midwest City water system
 - Assessment/identification of measures for reducing risks and/or increasing resilience of the water system
 4. Assist the City of Midwest City in electronic submission of certification statements to EPA to confirm completion of the Risk and Resilience Assessment

Development of an Emergency Response Plan (ERP)

Provide assistance in updating/developing an Emergency Response Plan for the Midwest City water system based on results of the Risk and Resilience Assessment

1. Review existing Emergency Response Plan for the Midwest City water system to determine updates that may be required to meet AWIA rules or develop an Emergency Response Plan as may be required.
2. The Emergency Response Plan will address the following:
 - Details and Overview of the Midwest City water system
 - Utility Overview
 - Personnel Information
 - Primary Utility Components
 - Industry Chemical Handling and Storage Facilities
 - Safety Response Resources
 - Key Local Services
 - Resilience Strategies - Identification of strategies, resources and emergency response roles that provide for the resilience of the Midwest City water system in the event of a malevolent attack or natural disaster. This section will provide tables and checklists related to:
 - Water Utility Personnel Roles and Responsibilities
 - External Response Partner Roles to assist in coordination efforts
 - Basic Communication Strategies and Responsibilities
 - Emergency Plans and Procedures - Identification of plans and procedures that can be utilized to help ensure the ability to deliver safe drinking water
 - Access
 - Physical Security
 - Cybersecurity
 - Power Loss
 - Alternate Drinking Water Supplies

- Sampling and Analysis
 - Contact Lists
 - Utility Family and Personal Well Being
 - Mitigation Actions – Development of a list of actions, procedures and equipment that can be used to lessen the impact of a malevolent act or natural hazard
 - Alternative Source Water Options
 - Interconnected Utilities
 - Specific Mitigation Actions based on threat
 - Detection Strategies - Identification of strategies that can be utilized to aid in the detection of malevolent acts or natural disaster that may threaten the security of the water system
3. Assist the City of Midwest City in electronic submission of certification statements to EPA to confirm completion of the Emergency Response Plan

Pricing and Payment Schedule

The One-Time Project Fee for completion of the AWIA Compliance Service for the City of Midwest City would be \$28,500 with payment due as follows:

\$5,700	20% Due Upon Signing of the Agreement
\$11,400	40% Due Upon Completion of the Risk and Resilience Plan
\$11,400	40% Due Upon Completion of the Emergency Response Plan
\$28,500	One-Time Project Total

Price quoted is good for a minimum of 45 days.

We will work closely with City of Midwest City personnel to ensure the Risk and Resilience Assessment is certified to EPA prior to the December 31, 2020 deadline and that the Emergency Response Plan is completed and certified within six months after certification of the Risk and Resilience Assessment.

Please call or email with any immediate questions. Thank you for considering MunicipalH2O.

Sincerely,

Steve

Steve Glenn
 VP Business Operations
 MunicipalH2O

PROJECT SERVICES AGREEMENT

This AGREEMENT is entered into by the City of Midwest City Municipal Authority, located in Midwest City, Oklahoma, here-in-after called "CITY" and AssureCo Risk Management and Regulatory Compliance LLC (d/b/a/ MunicipalH2O); here-in-after called "MHC". In consideration of the terms and conditions herein, the parties agree as follows:

1. SERVICES TO BE PROVIDED BY MHC. In accordance with the terms of this AGREEMENT, CITY agrees to contract with MHC to perform Project services ("Services") related to CITY compliance with America's Water Infrastructure Act requirements as specified in Exhibit A. MHC shall provide services to CITY as an independent contractor, not as an employee of CITY. All services required hereunder will be performed by MHC or under its supervision.

2. COMPENSATION. CITY agrees to pay MHC a total One-Time Project Fee of **\$28,500** with payments scheduled as follows:

- 20% upon Signing of AGREEMENT
- 40% upon Completion of the Risk and Resilience Assessment Plan
- 40% upon Completion of the Emergency Response Plan

Payments are due within thirty (30) days of CITY's receipt of invoice. If services beyond the project services described in Exhibit A are required by CITY, the time and cost required to perform such services shall be agreed upon by CITY and MHC prior to the initiation of such work. The parties agree that the project services specified in Exhibit A can normally be performed by telephone and through online services and tools provided by MHC. If any of the project services require a site visit and if CITY approves the site visit in advance, CITY agrees to reimburse MHC for travel expenses to include mileage expense calculated using current IRS rates (or airfare and rental car if less expensive) and lodging and meals if required to complete the work. All fees shall be deemed fully earned and non-refundable upon delivery to CITY of the Report described in Exhibit A.

3. COOPERATION. CITY agrees to provide such cooperation and support as reasonably necessary, as specified in Exhibit B, to allow MHC to timely and efficiently complete the required services.

4. CONFIDENTIALITY. Each party to this AGREEMENT agree that neither it nor its employees, agents and assigns shall disclose any information pertaining to the business affairs, finances,

methods of operation, computer programs or any personal information of the other party, whether written, oral, or otherwise, except where required by law or upon express consent of the other party.

5. WARRANTY, DISCLAIMERS, WAIVER AND LIMITATION OF LIABILITY. MHC warrants that it will use commercially reasonable efforts to provide the Services. THE WARRANTY STATED ABOVE IS A LIMITED WARRANTY AND IS THE ONLY WARRANTY MADE BY MHC AND IS EXPRESSLY MADE SUBJECT TO THE LIMITATIONS CONTAINED IN THIS PARAGRAPH. MHC DOES NOT MAKE, AND CITY HEREBY EXPRESSLY WAIVES TO THE FULLEST EXTENT PERMITTED BY LAW, ALL OTHER WARRANTIES, EXPRESSED OR IMPLIED, INCLUDING WITHOUT LIMITATION, THE IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE. TO THE FULLEST EXTENT PERMITTED BY LAW, CITY WAIVES ANY CLAIM EXCEPT FOR GROSS MISCONDUCT OR NEGLIGENCE IN THE PERFORMANCE OR DELIVERY OF THE SERVICES. EXCEPT FOR LIABILITY ARISING UNDER PARAGRAPH 4, IN NO EVENT SHALL (I) MHC BE LIABLE FOR ANY DAMAGES IN EXCESS OF THE CITY'S ACTUAL LOSSES.

6. NOTICES. Any notices required pursuant to this AGREEMENT shall be mailed by first class or certified mail to the parties at the following addresses:

AssureCo Risk Management and Regulatory Compliance LLC (MHC):

ARMARC/MunicipalH2O
Attention: MHC Business Operations
650 South Shackleford Rd, Suite 325
Little Rock, AR 72211

City of Midwest City (CITY):

City of Midwest City
Attention: Water Plant Chief Operator
8730 SE 15th Street
Midwest City, OK 73110

7. MISCELLANEOUS. Nothing under this AGREEMENT shall be construed to give any rights or benefits in this AGREEMENT to anyone other than CITY and MHC, and all duties and responsibilities undertaken pursuant to this AGREEMENT will be for the sole and exclusive benefit of CITY and MHC and not for the benefit of any other party. If any provision of this AGREEMENT is found or deemed by a court of competent jurisdiction to be invalid or unenforceable, it shall be considered severable from the remainder of this AGREEMENT and shall not cause the remainder to be invalid or unenforceable. In such event, the parties shall reform this AGREEMENT to replace such stricken provision with a valid and enforceable provision with comes as close as legally possible to expressing the intention of the stricken provision. This AGREEMENT is governed by the laws of the State of Oklahoma and any legal action brought shall be brought in Oklahoma County, Oklahoma.

This AGREEMENT, together with Exhibit A and Exhibit B attached hereto, constitutes the entire AGREEMENT between CITY and MHC and supersedes all prior written or oral understandings. This AGREEMENT is executed in two counterparts, each of which as well as a copy thereof shall be deemed to be an original and all of which together shall comprise but one and the same instrument.

IN TESTIMONY HEREOF, the duly authorized representatives of the parties have executed this AGREEMENT as shown below:

City of Midwest City Municipal Authority (CITY):

_____	_____
Matthew D. Dukes, II	Date

Signature	

Chair, Municipal Authority	

AssureCo Risk Management and Regulatory Compliance LLC (MHC)

_____	_____
Print Name	Date

Signature	

Title	

EXHIBIT A

Scope of Services

In accordance with the terms of the AGREEMENT, MHC will provide the following project services:

Complete Risk and Resilience Assessment

1. Identify assets of the CITY Water System that could be impacted by malevolent acts and/or natural hazards.
 - AWIA-identified assets categories will include:
 - Physical barriers
 - Source water
 - Pipes and constructed conveyances, water collection and intake
 - Pretreatment and treatment
 - Storage and distribution facilities
 - Electronic, computer or other automated systems
 - Capital and operation needs for risk and resilience management of the system
 - Malevolent Acts asset categories will include:
 - Monitoring practices
 - Financial infrastructure
 - Use, storage, or handling of chemicals
 - Operation and maintenance of the system
2. Using tools provided by EPA, assess the risk and resilience of critical assets of the CITY Water System in terms of the following:
 - Threat - natural or manmade occurrence, individual, entity, or action that has the potential to harm life, information, operations, the environment, and/or property
 - Vulnerability - physical feature or operational attribute that renders an entity open to exploitation or susceptible to a given hazard
 - Consequence - effect of an event, incident, or occurrence
3. Identify the highest risks to mission-critical operations for the CITY
 - Assessment/identification of measures for reducing risks and/or increasing resilience of the water system
4. Assist the CITY in electronic submission of certification statements to EPA to confirm completion of the Risk and Resilience Assessment Plan

Development of an Emergency Response Plan (ERP)

Provide assistance in updating/developing an Emergency Response Plan for the CITY Water System based on results of the Risk and Resilience Assessment

1. Review existing Emergency Response Plan for the CITY to determine updates that may be required to meet AWIA rules or develop an Emergency Response Plan as may be required.
2. The Emergency Response Plan will address the following:
 - Details and Overview of the CITY Water System
 - Utility Overview
 - Personnel Information
 - Primary Utility Components
 - Industry Chemical Handling and Storage Facilities

- Safety Response Resources
 - Key Local Services
 - Resilience Strategies - Identification of strategies, resources and emergency response roles that provide for the resilience of the CITY Water System in the event of a malevolent attack or natural disaster. This section will provide tables and checklists related to:
 - Water Utility Personnel Roles and Responsibilities
 - External Response Partner Roles to assist in coordination efforts
 - Basic Communication Strategies and Responsibilities
 - Emergency Plans and Procedures - Identification of plans and procedures that can be utilized to help ensure the ability to deliver safe drinking water
 - Access
 - Physical Security
 - Cybersecurity
 - Power Loss
 - Emergency Alternate Drinking Water Supplies
 - Sampling and Analysis
 - Contact Lists
 - Utility Family and Personal Well Being
 - Mitigation Actions – Development of a list of actions, procedures and equipment that can be used to lessen the impact of a malevolent act or natural hazard
 - Alternative Source Water Options
 - Interconnected Utilities
 - Specific Mitigation Actions based on threat
 - Detection Strategies - Identification of strategies that can be utilized to aid in the detection of malevolent acts or natural disaster that may threaten the security of the water system
3. Assist the CITY in electronic submission of certification statements to EPA to confirm completion of the Emergency Response Plan that incorporates the findings of the Risk and Resiliency Assessment

Report

Upon completion of the work described above, MHC will deliver to CITY one or more reports (the “Report”) setting forth its findings and/or recommendations.

EXHIBIT B
CITY RESPONSIBILITIES

In accordance with the terms of Section 3 of the AGREEMENT, CITY understands and agrees to consistently and promptly perform the following requirements:

1. Provide such cooperation and support as reasonably necessary to allow MHC to timely and efficiently complete the required project services.
2. Designate a primary contact that will be responsible for ensuring information requested by MHC is provided in a timely and accurate manner.
3. In response to MHC's email and/or telephone request, provide MHC with timely and accurate information regarding all assets identified as part of the Risk and Resilience Assessment.
4. Identify and coordinate meetings between MHC and CITY personnel that are most familiar with each identified asset that will allow MHC to obtain accurate information needed to compile the Risk and Resilience Assessment Report and Emergency Response Plan.
5. Promptly reply to any MHC voice mail or email related to a request for information related to the "AWIA Project."
6. MHC is not obligated to continue the work and may stop work if requests for information required to complete the project are not provided on a timely basis.
7. In the event work is stopped, CITY shall be responsible for payment only for the services provided up to that point on a pro rata basis.



NEW BUSINESS/
PUBLIC DISCUSSION





MEMORIAL HOSPITAL AUTHORITY AGENDA

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

August 11, 2020 – 6:02 PM

A. CALL TO ORDER.

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

1. Discussion and consideration to approved the minutes of the July 28, 2020 regular meeting, as submitted. (City Clerk - S. Hancock)
2. Discussion and consideration of supplemental budget adjustments to the following fund for FY 2020-2021, increase: Hospital Authority Fund, expenses/Hospital Authority (90) \$2,388. (C. Barron - Finance)

- C. NEW BUSINESS/PUBLIC DISCUSSION. The purpose of the "Public Discussion Section" of the Agenda is for members of the public to speak to the Authority on any Subject not scheduled on the Regular Agenda. The Authority 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 Authority will not engage in any discussion on the matter until that matter has been placed on an agenda for discussion. **THOSE ADDRESSING THE AUTHORITY ARE REQUESTED TO STATE THEIR NAME AND ADDRESS PRIOR TO SPEAKING TO THE AUTHORITY.**

D. ADJOURNMENT.



CONSENT AGENDA



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

July 28, 2020

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 Matt Dukes called the meeting to order at 8:10 PM with following members present: Trustees Susan Eads, Pat Byrne, Española Bowen, Sean Reed, Christine Allen, Rick Favors with Secretary Sara Hancock, City Attorney Heather Poole, and City Manager Tim Lyon.

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

1. Discussion and consideration to approve the minutes of the June 23, 2020 regular meeting, as submitted.
2. Discussion and consideration of supplemental budget adjustments to the following fund for FY 2019-2020, increase: Hospital Authority Fund, expenses/Hospital Authority (90) \$4,712,729.
3. Discussion and consideration of passing and approving a resolution for the Midwest City Memorial Hospital Authority, a public trust, to release unappropriated fund balance at the close of day June 30, 2020 to be made available for fiscal year 2020-2021; and amending the budget for fiscal year 2020-2021 to include the released appropriations from the fiscal year 2019-2020 budget as supplemental appropriations; and, effective July 1, 2020, renewing encumbrance commitments canceled at the close of day June 30, 2020.

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 Needed.

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

ADJOURNMENT.

There being no further business, Chairman Dukes adjourned the meeting at 8:10 PM.

ATTEST:

MATTHEW D. DUKES II, Chairman

SARA HANCOCK, Secretary



Midwest City Memorial Hospital Authority

100 North Midwest Boulevard
Midwest City, Oklahoma 73110
(405) 739-1207 Fax (405) 739-1208 TDD (405) 739-1359

MEMORANDUM

TO: Honorable Chairman and Trustees

FROM: Christy Barron, Treasurer/Finance Director

DATE: August 11, 2020

SUBJECT: Discussion and consideration of supplemental budget adjustments to the following fund for FY 2020-2021, increase: Hospital Authority Fund, expenses/Hospital Authority (90) \$2,388.

The supplement is needed to budget payroll expenses related to merit increases.

Christy Barron

Christy Barron
Finance Director

SUPPLEMENTS

August 11, 2020

Fund HOSPITAL AUTHORITY (425)		BUDGET AMENDMENT FORM Fiscal Year 2020-2021			
		Estimated Revenue		Budget Appropriations	
<u>Dept Number</u>	<u>Department Name</u>	<u>Increase</u>	<u>Decrease</u>	<u>Increase</u>	<u>Decrease</u>
90	Hospital Authority			2,388	
		<u>0</u>	<u>0</u>	<u>2,388</u>	<u>0</u>

Explanation:
To increase budget for payroll expenses related to merit increases due to sales tax coming in better than expected. Funding to come from fund balance.



NEW BUSINESS/
PUBLIC DISCUSSION





SPECIAL ECONOMIC DEVELOPMENT AUTHORITY AGENDA

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

August 11, 2020 – 6:04 PM

- A. CALL TO ORDER.
- B. CONSENT AGENDA. These items are placed on the Consent Agenda so that Trustees, by unanimous consent, can approve routine agenda items by one motion. If any item proposed does not meet with approval of all Trustees, or members of the audience wish to discuss an item, it will be removed and heard in regular order.
1. Discussion and consideration to approve the minutes of the July 28, 2020 special meeting, as submitted. (City Clerk - S. Hancock)
 2. Discussion and consideration of supplemental budget adjustments to the following funds for FY 2020-2021, increase: Economic Development Authority Fund, expenses/ Economic Dev Auth (95) \$1,677. (Finance – C. Barron)
- C. PUBLIC DISCUSSION. The purpose of the "Public Discussion Section" of the Agenda is for members of the public to speak to the Authority on any Subject not scheduled on the Regular Agenda. The Authority 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 Authority will not engage in any discussion on the matter until that matter has been placed on an agenda for discussion. **THOSE ADDRESSING THE AUTHORITY ARE REQUESTED TO STATE THEIR NAME AND ADDRESS PRIOR TO SPEAKING TO THE AUTHORITY.**
- D. ADJOURNMENT.



CONSENT AGENDA



Notice for the Midwest City Economic Development Authority special meeting was filed with the City Clerk of Midwest City 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.midwestcityokorg).

Midwest City Economic Development Authority Minutes
Special Meeting

July 28, 2020

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 8:10 PM with following members present: Trustees Susan Eads, Pat Byrne, Española Bowen, Sean Reed, Christine Allen, Rick Favors with Secretary Sara Hancock, City Attorney Heather Poole, and City Manager Tim Lyon.

CONSENT AGENDA. Reed made a motion to approve Consent Agenda, as submitted, seconded by Favors. Voting aye: Bowen, Byrne, Reed, Eads, Allen, Favors, and Chairman Dukes. Nay: none. Motion carried.

1. Discussion and consideration to approve the minutes of the June 23, 2020 special meeting, as submitted.
2. Discussion and consideration of supplemental budget adjustments to the following funds for FY 2020-2021, increase: Economic Development Authority Fund, expenses/Economic Dev Auth (95) \$325,000.
3. Discussion and consideration of passing and approving Resolution EDA2020-03 for the Midwest City Economic Development Authority, a public trust, to release unappropriated fund balances at the close of day June 30, 2020 to be made available for fiscal year 2020-2021; and amending the budget for fiscal year 2020-2021 to include the released appropriations from the fiscal year 2019-2020 budgets as supplemental appropriations; and, effective July 1, 2020, renewing encumbrance commitments canceled at the close of day June 30, 2020.

PUBLIC DISCUSSION. There was no public discussion.

ADJOURNMENT.

There being no further business, Chairman Dukes adjourned the meeting at 8:11 PM.

ATTEST:

MATTHEW D. DUKES II, Chairman

SARA HANCOCK, Secretary



Finance Department

100 N. Midwest Boulevard
Midwest City, OK 73110
cbarron@midwestcity.org
Office: 405-739-1245
www.midwestcityok.org

TO: Honorable Chairman and Trustees
Economic Development Authority

FROM: Christy Barron, Finance Director

DATE: August 11, 2020

SUBJECT: Discussion and consideration of supplemental budget adjustments to the following funds for FY 2020-2021, increase: Economic Development Authority Fund, expenses/Economic Dev Auth (95) \$1,677.

This supplement is needed to budget expenses related to merit increases for full time employees.

Christy Barron
Finance Director

SUPPLEMENTS

August 11, 2020

Fund ECONOMIC DEVELOPMENT AUTHORITY (353)		BUDGET AMENDMENT FORM Fiscal Year 2020-2021			
		Estimated Revenue		Budget Appropriations	
<u>Dept Number</u>	<u>Department Name</u>	<u>Increase</u>	<u>Decrease</u>	<u>Increase</u>	<u>Decrease</u>
95	Economic Dev Authority			1,677	
		<u>0</u>	<u>0</u>	<u>1,677</u>	<u>0</u>

Explanation:
To increase budget for payroll expenses related to merit increases due to sales tax coming in better than expected. Funding to come from fund balance.



PUBLIC DISCUSSION

