



MIDWEST CITY MEETINGS FOR JANUARY 12, 2021

The regular Council/Authority/Commission meetings are live-streamed on the City of Midwest City Government Facebook page as @MidwestCityOK at <https://www.facebook.com/MidwestCityOK/>.

The recorded video will be available on the City's YouTube channel: [Bit.ly/youtubemwc](https://bit.ly/youtubemwc) 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 6:30 PM. However, they will informally gather at or after 5:45 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 OF MIDWEST CITY COUNCIL AGENDA

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

January 12, 2021 – 6:30 PM

A. CALL TO ORDER.

B. OPENING BUSINESS.

- Invocation by Assistant City Manager Vaughn Sullivan
- Pledge of Allegiance by Carl Albert Jr ROTC Cadets
- Community-related announcements and comments
- Presentation from Keep Oklahoma Beautiful for the North Oaks Revitalization
- Mayoral Proclamations: Erich Love, Doug Williams, Lt Ron Strecker, Sgt Jerry Gitthens

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 approve the minutes of the December 08, 2020 meeting, as submitted. (City Clerk - S. Hancock)
2. Discussion and consideration of accepting the City Manager's Report for the month of November 2020. (Finance - J. Siemens)
3. Discussion and consideration of supplemental budget adjustments to the following funds for FY 2020-2021, increase: Disaster Relief Fund, expenditures/Disaster Relief (88) \$25,000. General Fund, expenditures/Transfer Out (00) \$20,000. Urban Renewal Authority, revenue/Transfer In (00) \$20,000; expenditures/Urban Renewal (93) \$20,000. Grant Fund, revenue/Intergovernmental (62) \$40,000; expenditures/Police Department (62) \$40,000. Reimbursed Projects, revenue/Miscellaneous (15) \$1,330; expenditures/Neighborhood Services (15) \$1,100. Grant Fund, revenue/Intergovernmental (41) \$55,400; expenditures/Transfer Out (41) \$55,400. General Gov't Sales Tax, expenditures/City Manager (01) \$68,974. Grant Fund, revenue/Intergovernmental (88) \$6,375,000; expenditures/Transfers Out (88) \$6,375,000. Disaster Relief Fund, revenue/Transfer In (00) \$6,375,000; expenditures/Disaster Relief (88) \$4,475,000. 2018 Election GO Bonds, expenditures/Animal Welfare (10) \$59,531. (Finance - J. Siemens)
4. Discussion and consideration of passing and approving a resolution to notify the public of publication of the most recent biennial supplement #16, dated October 2020 and supplement #16 revision, dated November 2020; to the Midwest City Code of Ordinances and to ratify all previous supplements and codifications. (City Clerk - S. Hancock)

5. Discussion and consideration of accepting the monthly report on the City of Midwest City Employees' Health Benefits Plan by the City Manager and action as deemed necessary by the Council to maintain the plan. (Human Resources - T. Bradley)
6. Review of the monthly Neighborhood Services report for November 2020. (Neighborhood Services - M. Stroh)
7. Discussion and consideration of approving and entering into a contract in an amount not to exceed \$10,000 for fiscal year 2020/2021 with Jay D. Collins to establish the terms and condition under which he shall serve as the Volunteer Income Tax Assistance (VITA) Center Coordinator. (Neighborhood Services - M. Stroh)
8. Discussion and consideration of entering into an agreement with the City of Spencer for the term of January 12, 2021 through June 30, 2021 for animal care services at an intake rate of \$240.00 per dog or cat being held up to seven days. (Police - B. Clabes)
9. Discussion and consideration of 1) approving and entering into the 2021 Safe Oklahoma Grant Program Contract with the Oklahoma Attorney General's Office to establish the terms and conditions under which the City will receive a law enforcement grant in the amount of \$40,000; and 2) authorizing the mayor and/or city manager to execute such documents and enter into such agreements as are necessary or appropriate to carry out the objectives of the grant. (Police - B. Clabes)
10. Discussion and consideration of entering into a Jail Services Agreement for part of fiscal year 2020-21 with the City of Spencer 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 11 hours. If an inmate is held less than 11 hours, the city will be charged \$2.50 per hour. (Police - B. Clabes)
11. Discussion and consideration of awarding the bid and attached contract for an onsite turnkey vehicle and equipment parts operation to O'Reilly Auto Parts. (Fleet - C. Davis)
12. Discussion and consideration to approve Change Order No. 1 to the Animal Services Center construction contract with Shiloh Enterprises, Inc. in an increase amount of \$59,530.96 for site lighting at \$4,022.43, for a dog/cat sculpture at \$11,948.23 and a retaining wall at \$43,560.30 and adding two (2) additional days of time. (Community Development - B. Bundy)
13. Discussion and consideration of the re-appointment of Doyle Kelso and Tye Moore to the Electrical Board for a three-year term. (B. Harless - Community Development)
14. Discussion and consideration of declaring (1) Chevy Impala, (9) office cubicles, (1) Treadmill and (1) Elliptical as surplus and authorizing disposal of all by public auction, sealed bid or destruction, if necessary. (Police - B. Clabes)

15. 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. (Information Technology - A. Stephenson)

16. Discussion and consideration of declaring multiple office items as surplus and authorizing disposal by public auction, sealed bid or destruction, if necessary. (City Clerk - S. Hancock)

D. DISCUSSION ITEMS.

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

2. (PC-2058) Public hearing with discussion and consideration of an ordinance to redistrict from SPUD, Simplified Planned Unit Development governed by the I-1, Light Industrial district to Amended SPUD, for the property described as a part of the SE/4 of Section 29, T-12-N, R-2-W, located at 1101 N. Sooner Road. This item was tabled from the December 8, 2020 meeting.(Community Development - B. Harless)

3. (PC-2059) 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 subject to staff comments, for the properties described as Lots 1 and 2 of Block A of the Marydale Acres Addition, addressed as 1101 and 1107 N. Post Rd. (Community Development - B. Harless)

4. (PC-2062) Public hearing with discussion and consideration of an ordinance to redistrict from C-3, Community Commercial, to C-4, General Commercial, and a resolution to amend the Comprehensive Plan from OR, Office/Retail to COMM, Commercial, for the property described as a part the SW/4 of Section 34, T12N, R2W, and addressed as 422 N. Air Depot Blvd. (Community Development - B. Harless)

5. (PC-2063) Public hearing with discussion and consideration of an ordinance to redistrict from R-HD, High Density Residential to R-MH-2, Manufactured Home Park, for the property described as a part the SW/4 of Section 7, T11N, R1W, and addressed as 10301 S.E. 29th Street. (Community Development - B. Harless)

6. (PC – 2064) Public hearing with discussion and consideration of approval of an ordinance redistricting from Planned Unit Development (PUD) to Amended PUD, for the property described as a part of the NW/4 of Section 15, T-11-N, R-2-W, located at 7200 S.E. 29th Street. (Community Development - B. Harless)

7. Discussion of the conceptual design of Mid-America Park, a 2018 General Obligation Bond project. (Community Development - B. Bundy)
 8. Discussion and consideration of rejecting the bids received from Cimarron Construction and Cooley Construction for the construction and installation of the new I-40 and Hudiburg Drive Guard Rails and Safety Wall Improvements. (P. Menefee - Public Works)
 9. Discussion and consideration of 1) approving an additional \$120,000.00 from the 2018 Moving Midwest City Forward G.O. Bond project, to be used in conjunction with \$170,000.00 from Police funds, to purchase P25 Communications Equipment in an amount not to exceed \$290,000.00 from the Oklahoma State Wide Contract #SW1053T through Stolz Telecom LLC, and 2) a resolution for the City Council of the City of Midwest City relating to the expenditure of \$290,000.00 for the purchase of P25 Communications Equipment under the Oklahoma State Wide Contract #SW1053T through Stolz Telecom, LLC. as a part of the 2018 Moving Midwest Forward G.O. Bond. (Information Technology - A. Stephenson)
- E. 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.**
- F. FURTHER INFORMATION.
1. Minutes of the December 1, 2020 Planning Commission meeting. (Community Development - B. Harless)
 2. Minutes of the December 1, 2020 Board of Adjustment Meeting. (Community Development - B. Harless)
 3. Minutes of the December 9, 2020 Park Land Review Committee Meeting. (Community Development - B. Harless)
 4. Building Report November 2020 Building Report. (Community Development—B. Harless)
- G. ADJOURNMENT.



CONSENT AGENDA



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

December 08, 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 6:00 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 Carl Albert JROTC Cadets Butler and Crouch. Council and Staff made community-related announcements and an Ice Storm Recovery update was provided.

CONSENT AGENDA. Byrne made a motion to approve the consent agenda, as submitted with exception of pulling item #8, seconded by Allen. 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 November 10, 2020 meeting, as submitted.
2. Discussion and consideration of accepting the City Manager's Report for the month of October 2020.
3. Discussion and consideration of supplemental budget adjustments to the following funds for FY 2020-2021, increase: Disaster Relief Fund, expenditures/Disaster Relief (88) \$4,000,000. 2018 Election GO Bonds Fund, revenues/Bond Proceeds (09) \$8,022,486; expenditures/Street Department (09) \$8,022,486. General Fund, expenditures/Municipal Court (12) \$1,875. 2018 Election GO Bonds, revenue/Transfer In (06) \$398,000; expenditures/Parks & Recreation (06) \$398,000.
4. 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.
5. Discussion and consideration of 1) approval of a proposed Substantial Amendment to the 2019 Action Plan for the use of a second special allocation of HUD Community Development Block Grant COVID-19 (CDBG-CV3) funds, 2) authorization of the Mayor to submit amendment and any certifications to the U.S. Department of Housing and Urban Development, and 3) authorization of the Mayor and City Manager to enter into the necessary contracts to implement said program.
6. Discussion and consideration of accepting maintenance bonds from H&H Plumbing & Utilities, Inc. in the amount of \$2,429.00, \$1,749.50, and \$5,235.50, respectively.

7. Discussion and consideration of accepting maintenance bonds from H&H Plumbing & Utilities, Inc. in the amount of \$873.00, respectively.
8. **Public Hearing with discussion and consideration to approve an ordinance, to close for public use, a 21 foot Fire Lane Easement located at 8000 East Reno, which is part of Block 1 of the Atkinson Park Addition, a subdivision of part the Northwest Quarter (NW/4) of Section 2, Township 11 North, Range 2 West, of the Indian Meridian, Oklahoma County, Oklahoma.** Staff addressed the council. After discussion, Reed made motion to approve Ordinance 3433, seconded by Allen. Voting Aye: Byrne, Bowen, Reed, Allen, Favors, and Mayor Dukes. Nay: Eads. Motion carried.
9. Discussion and consideration of approving and entering into a project agreement for Federal-aid Project Number SRS-255E(340)ST, State Job Number 31480(26), with the Oklahoma Department of Transportation to receive federal funds up to the amount of \$180,000.00 for the Safe Routes to School Trail.
10. Discussion and consideration of approving and entering into a project agreement for Federal-aid Project Number TAP-255D(330)AG, State Job Number 31437(04), with the Oklahoma Department of Transportation to receive \$500,000.00 in federal funds for the West Palmer Loop Trail and agree to pay the City match of \$749,128.00.
11. Discussion and consideration of 1) approving and entering into the Oklahoma Highway Safety Office grant (Project Number PT-21-03-18-18) to establish the terms and conditions under which the City will receive a law enforcement traffic safety grant in the amount of \$32,820; and 2) authorizing the mayor and/or city manager to execute such documents and enter into such agreements as are necessary or appropriate to carry out the objectives of the grant.
12. Discussion and consideration of declaring (1) 2005 Chevy Impala and (1) 2009 Dodge Ram as surplus and authorizing disposal by public auction, sealed bid or other means necessary.
13. Discussion and consideration of declaring 200 firearms of various calibers as surplus and authorizing their disposal by trade-in toward future purchases with GT Distributors, Austin, Texas for a trade-in amount of \$19,706.00.
14. Discussion and consideration of declaring miscellaneous fire tools surplus and authorizing their disposal by public auction, sealed bid or destruction, if necessary.

DISCUSSION ITEMS.

1. **Discussion and consideration of a quarterly update on the progress of the execution of the General Obligation Bond (the Bond) projects.** No action needed.
2. **Discussion and Consideration approving Amendment No 6 to the construction management contract with CMS Willowbrook Inc. for the Delta Midwest City Public Areas Renovation in an amount not to exceed \$1,098,769.39.** After Staff and Council discussion, Eads made motion to approve amendment, as submitted, seconded by Reed. Voting Aye: Byrne, Eads, Bowen, Reed, Allen Favors, and Mayor Dukes. Nay: None. Motion carried.

3. **Discussion and consideration of awarding the bid and entering into a contract with Sprinturf LLC, for the installation of the Multi-Purpose Sports Complex Phase I synthetic fields, located in the 9200 – 9400 blocks of S.E. 29th Street in Oklahoma City in the total amount of \$749,600.00.** After Staff and Council discussion, Allen made motion to award bid and enter into contract, as submitted, seconded by Byrne. Voting Aye: Byrne, Eads, Bowen, Reed, Allen, Favors, and Mayor Dukes. Nay: None. Motion carried.
4. **Discussion and consideration of awarding the bid and entering into a contract with Lippert Brothers Construction, Inc. for the construction of the Multi-Purpose Sports Complex Phase I, located in the 9200 – 9400 blocks of S.E. 29th Street in Oklahoma City in the total net amount of \$5,082,000.00, which includes the base bid in the amount of \$4,900,000.00 and Alternate number 1 (shade sails spectators) in the amount of \$100,000.00, Alternate number 2 (playground) \$146,000.00, Alternative number 3 (playground triangle shade sail) \$24,000.00, Alternative number 4 (shade sails restroom) \$53,000.00 and Alternative number 5 (clearing and grubbing haul off) deduct \$141,000.00.** After Staff and Council discussion, Byrne made a motion to award bid and enter into contract, as submitted, seconded by Allen. Voting Aye: Byrne, Eads, Bowen, Reed, Allen, Favors, and Mayor Dukes. Nay: None. Motion carried.
5. **Consider and approve a Resolution joining in and approving a Joint Resolution to be considered by the Midwest City Memorial Hospital Authority on December 8, 2020 authorizing and approving a Joint Resolution with the Midwest City Chamber of Commerce, Trustor of the Authority, amending Paragraph 2 (b) of Article III of the Amended Trust to allow items related to technology that do not have an expected useful life of greater than twenty (20) years to be recommended for and awarded grants from the Trust.** After Staff and Council discussion, Bowen motion to approve Resolution 2020-08, as submitted, seconded by Eads. Voting Aye: Byrne, Eads, Bowen, Reed, Allen, Favors, and Mayor Dukes. Nay: None. Motion carried.
6. **(PC – 2053) Public hearing with discussion and consideration of approval of an ordinance to rezone from R-6, Single Family Detached Residential to R-2F, Two Family Attached Residential and a resolution to amend the Comprehensive Plan from LDR, Low Density Residential to MDR, Medium Density Residential for the property addressed as 2200 Saint Luke. This item was continued from the November meeting.** Applicant, Roshan Kalra, 2200 St. Luke addressed the council. After Staff and Council discussion, Reed made motion to deny request, as submitted, seconded by Eads. Voting Aye: Byrne, Eads, Bowen, Reed, Favors, and Mayor Dukes. Nay: None. Abstain: Allen. Motion carried.
7. **(PC-2058) Public hearing with discussion and consideration of an ordinance to redistrict from SPUD, Simplified Planned Unit Development governed by the I-1, Light Industrial district to Amended SPUD, for the property described as a part of the SE/4 of Section 29, T-12-N, R-2-W, located at 1101 N. Sooner Road.** After Staff and Council discussion, Item was tabled.
8. **(PC-2059) 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-3, Community Commercial subject to staff comments, for the properties described as Lots 1 and 2 of Block A of the Marydale Acres Addition, addressed as 1101 and 1107 N. Post Rd.** No action taken.

9. **(PC-2060) Public hearing with discussion and consideration of an ordinance to redistrict from PUD, Planned Unit Development, governed by the I-2, Moderate Industrial district, to Amended PUD, Planned Unit Development, governed by the I-2, Moderate Industrial district subject to staff comments, for the properties described as Lots 1, 4, 8, 9, 10 and 11 of the Global Business Centre Addition. The lots are addressed as 2700, 2710, 2800, 2830, 2800 and 2841 Global Parkway.** Applicant, Donald B. Nevard, 2825 NW Grand Blvd., OKC, addressed the council. After Staff and Council discussion, Reed made a motion to deny the ordinance, seconded by Eads. Voting Aye: Eads, Bowen, Reed, Allen, and Mayor Dukes. Nay: Byrne. Abstain: Favors. Motion carried.

At 7:23 PM Council recessed and returned at 7:32 PM.

10. **(PC-2061) Discussion and consideration of approval of the StatusOne Preliminary Plat for the property described as a part the SW/4 of Section 12, T11N, R2W, addressed as 2500 S. Douglas Blvd.** After Staff and Council discussion, Byrne made motion to approve the plat, as submitted, seconded by Reed. Voting Aye: Byrne, Eads, Bowen, Reed, Allen, Favors, and Mayor Dukes. Nay: None. Motion carried.
11. **(PC-2057) Public hearing with discussion and consideration of an ordinance to redistrict from R-6, Single Family Detached Residential to PUD, Planned Unit Development, governed by the R-HD, High Density Residential and a resolution to amend the Comprehensive Plan from LDR, Low Density Residential and PSP, Public/Semi-Public, to HDR, High Density Residential, for the property described as Lots 9-13, 17 and 18, Block 5 of the Pine Addition.** David Box, 522 Colcord Dr., and Larry Roberts, 210 Jacobs Dr., addressed the council. After Staff and Council discussion, Reed made motion to approve Ordinance 3429 and Resolution 2020-29, as submitted, seconded by Byrne. Voting Aye: Byrne, Bowen, Reed, Favors, and Mayor Dukes. Nay: Eads. Abstain: Allen. Motion carried.

Eads left horseshoe at 8:11 PM and returned at 8:12 PM.

12. **Discussion and consideration of passing and approving an ordinance amending the Midwest City Municipal Code, Chapter 2, Administration; Article II, City Council; Section 2-11, Time of Regular Meetings of Council; and providing for repealer, severability and declaring an emergency.**

After Council discussion, Reed made a motion to approve ORD 3432, with the exception of the January 12 meeting being at 6:30 PM, seconded by Byrne. Voting Aye: Byrne, Bowen, Reed, Allen, Favors, and Mayor Dukes. Nay: Eads. Motion carried.

Byrne made motion to approve the emergency clause, seconded by Reed. Voting Aye: Byrne, Bowen, Reed, Allen, Favors, and Mayor Dukes. Nay: Eads. Motion carried.

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

EXECUTIVE SESSION.

- 1. Discussion and consideration of 1) entering into executive session as allowed under 25 O.S. § 307 (B)(1), to discuss the employment, hiring, appointment, promotion, demotion, disciplining or resignation of the City Manager; and 2) in open session, taking action as appropriate based on the discussion in executive session.** Item was not needed.

ADJOURNMENT. There being no further business, Mayor Dukes adjourned the meeting at 8:25 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: Judy Siemens, Interim Finance Director
DATE: January 12, 2021
SUBJECT: Discussion and consideration of accepting the City Manager's Report for the month of November 2020.

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

Downtown Redevelopment (194) decreased because of the payment to: Turning Point Industries, Inc.	<\$165,224>
Golf (197) had an operational loss of \$31,949 in November.	
2018 Election G.O. Bonds (270) decreased due to the payments for: Various Capital Outlay Payments	<\$160,861>
G.O. Debt Services (350) decreased because of the payment for: Series 2019A Phase II Interest	<\$258,750>
MWC Hospital Authority (425) activities for November:	
Compounded Principal (9010) - unrealized gain on investment	\$8,529,366
Discretionary (9050) - unrealized gain on investment	\$2,203,716

Judy Siemens

Judy Siemens
Interim Finance Director

City of Midwest City
Financial Summary by Fund
for Period Ending November, 2020

(Unaudited)

Fund Number	Fund Description	Assets	Liabilities	6/30/2020 Fund Balance	Revenues	Expenditures	Gain or (Loss)	Fund Balance
9	GENERAL GOVERNMENT SALES TAX	4,150,049	-	3,692,885	1,155,077	(697,913)	457,165	4,150,049
10	GENERAL	8,425,027	(148,331)	7,257,964	17,524,737	(16,506,005)	1,018,732	8,276,696
11	CAPITAL OUTLAY RESERVE	880,522	-	878,312	2,210	-	2,210	880,522
13	STREET AND ALLEY FUND	1,713,420	-	1,615,489	237,983	(140,053)	97,931	1,713,420
14	TECHNOLOGY FUND	272,150	-	207,826	136,446	(72,123)	64,323	272,150
15	STREET LIGHT FEE	1,881,045	-	1,874,909	248,619	(242,483)	6,136	1,881,045
16	REIMBURSED PROJECTS	1,171,609	-	1,247,928	62,587	(138,906)	(76,319)	1,171,609
17	29TH & DOUGLAS PROPERTY	289	-	288	1	-	1	289
20	MWC POLICE DEPARTMENT	6,760,687	-	5,969,836	7,372,201	(6,581,349)	790,852	6,760,687
21	POLICE CAPITALIZATION	1,463,925	-	448,160	1,125,698	(109,933)	1,015,765	1,463,925
25	JUVENILE FUND	31,858	-	27,943	38,143	(34,228)	3,915	31,858
30	POLICE STATE SEIZURES	76,690	-	72,260	4,681	(251)	4,430	76,690
31	SPECIAL POLICE PROJECTS	96,826	-	93,392	3,434	-	3,434	96,826
33	POLICE FEDERAL PROJECTS	48,417	-	49,067	54	(705)	(651)	48,417
34	POLICE LAB FEE FUND	26,058	-	23,424	2,892	(259)	2,633	26,058
35	EMPLOYEE ACTIVITY FUND	21,056	(180)	20,356	608	(89)	519	20,876
36	JAIL	146,070	-	144,218	21,564	(19,712)	1,852	146,070
37	POLICE IMPOUND FEE	90,957	-	109,036	18,248	(36,327)	(18,080)	90,957
40	MWC FIRE DEPARTMENT	4,925,533	(4)	4,029,690	5,681,983	(4,786,143)	895,840	4,925,529
41	FIRE CAPITALIZATION	1,348,431	-	1,180,917	267,653	(100,139)	167,514	1,348,431
45	MWC WELCOME CENTER	402,115	3	353,512	74,899	(26,293)	48,606	402,118
46	CONV / VISITORS BUREAU	239,250	-	184,975	129,361	(75,085)	54,276	239,250
50	DRAINAGE TAX FUND	-	-	-	-	-	-	-
60	CAPITAL DRAINAGE IMP	671,250	-	614,336	195,781	(138,867)	56,914	671,250
61	STORM WATER QUALITY	1,084,225	-	1,014,388	328,802	(258,965)	69,837	1,084,225
65	STREET TAX FUND	1,920,672	-	1,840,981	218,515	(138,824)	79,691	1,920,672
70	EMERGENCY OPER FUND	822,996	-	765,195	240,830	(183,029)	57,802	822,996
75	PUBLIC WORKS ADMIN	601,357	-	647,055	447,188	(492,887)	(45,698)	601,357
80	INTERSERVICE FUND	750,870	-	638,120	1,098,198	(985,448)	112,751	750,870
81	SURPLUS PROPERTY	534,980	(420,419)	108,739	22,533	(16,710)	5,823	114,562
115	ACTIVITY FUND	339,781	7	351,549	28,555	(40,316)	(11,761)	339,787
123	PARK & RECREATION	779,900	(150)	639,507	265,379	(125,136)	140,242	779,750
141	COMM. DEV. BLOCK GRANT	9,779	(3,750)	6,029	365,076	(365,076)	-	6,029
142	GRANTS/HOUSING ACTIVITIES	192,150	(8,357)	142,535	108,488	(67,229)	41,259	183,794
143	GRANT FUNDS	111,487	(51,490)	60,000	4,689,315	(4,689,318)	(3)	59,997

City of Midwest City
Financial Summary by Fund
for Period Ending November, 2020

(Unaudited)

Fund Number	Fund Description	Assets	Liabilities	6/30/2020 Fund Balance	Revenues	Expenditures	Gain or (Loss)	Fund Balance
157	CAPITAL IMPROVEMENTS	2,554,648	-	2,523,375	361,322	(330,049)	31,273	2,554,648
172	CAP. WATER IMP-WALKER	1,589,603	-	1,440,837	238,995	(90,229)	148,766	1,589,603
178	CONST LOAN PAYMENT REV	3,188,130	(15,358)	2,876,857	368,273	(72,358)	295,915	3,172,772
184	SEWER BACKUP FUND	83,982	-	83,771	211	-	211	83,982
186	SEWER CONSTRUCTION	4,838,740	(175,000)	4,285,350	606,864	(228,474)	378,389	4,663,740
187	UTILITY SERVICES	538,770	(924)	494,006	487,066	(443,226)	43,840	537,846
188	CAP. SEWER IMP.-STROTH	341,366	-	121,949	220,519	(1,101)	219,417	341,366
189	UTILITIES CAPITAL OUTLAY	2,097,826	(88,914)	3,009,651	572,351	(1,573,090)	(1,000,739)	2,008,912
190	MWC SANITATION DEPARTMENT	3,715,792	-	3,020,287	3,113,152	(2,417,648)	695,504	3,715,792
191	MWC WATER DEPARTMENT	3,521,740	-	2,749,260	3,270,922	(2,498,442)	772,480	3,521,740
192	MWC SEWER DEPARTMENT	1,662,635	(26)	1,282,446	2,713,539	(2,333,375)	380,164	1,662,610
193	MWC UTILITIES AUTHORITY	949,650	-	952,584	2,383	(5,316)	(2,933)	949,650
194	DOWNTOWN REDEVELOPMENT	2,097,820	(19,649)	2,364,928	5,656	(292,414)	(286,757)	2,078,171
195	HOTEL/CONFERENCE CENTER	536,270	(565,017)	86,188	808,756	(923,690)	(114,935)	(28,747)
196	HOTEL 4% FF&E	819,015	(39,561)	672,955	1,138,542	(1,032,043)	106,499	779,454
197	JOHN CONRAD REGIONAL GOLF	498,939	(143,049)	164,931	586,324	(395,365)	190,959	355,890
201	URBAN RENEWAL AUTHORITY	81,897	-	81,862	25,200	(25,165)	35	81,897
202	RISK MANAGEMENT	1,214,815	(37)	1,337,005	377,601	(499,827)	(122,226)	1,214,779
204	WORKERS COMP	3,416,876	-	3,342,285	409,067	(334,476)	74,591	3,416,876
220	ANIMALS BEST FRIEND	87,659	-	89,075	8,895	(10,311)	(1,416)	87,659
225	HOTEL MOTEL FUND	-	-	-	229,414	(229,414)	-	-
230	CUSTOMER DEPOSITS	1,514,440	(1,514,440)	-	3,877	(3,877)	-	-
235	MUNICIPAL COURT	92,954	(92,954)	-	202	(202)	-	-
240	L & H BENEFITS	1,434,646	(107,234)	1,519,039	3,875,605	(4,067,231)	(191,626)	1,327,412
250	CAPITAL IMP REV BOND	14,551,766	(54,547,940)	(40,619,738)	6,650,138	(6,026,573)	623,565	(39,996,174)
269	2002 G.O. STREET BOND	315,964	-	315,172	792	-	792	315,964
270	2018 ELECTION G.O. BOND	25,012,103	(54,267)	27,003,375	65,002	(2,110,540)	(2,045,539)	24,957,836
271	2018 G.O. BONDS PROPRIETARY	10,510,612	-	10,686,758	26,666	(202,812)	(176,146)	10,510,612
310	DISASTER RELIEF	5,628,684	(185,573)	1,072,308	4,535,361	(164,557)	4,370,804	5,443,112
340	REVENUE BOND SINKING FUND	-	-	-	2,719,176	(2,719,176)	-	-
350	G. O. DEBT SERVICES	1,346,545	-	1,877,552	53,648	(584,655)	(531,007)	1,346,545
352	SOONER ROSE TIF	1,682,665	-	1,654,228	31,937	(3,500)	28,437	1,682,665
353	ECONOMIC DEV AUTHORITY	54,197,294	(50,723,092)	2,884,708	730,737	(141,243)	589,494	3,474,202
425-9010	MWC HOSP AUTH-COMP PRINCIPAL	110,253,366	(6,205,384)	93,145,527	12,889,486	(1,987,029)	10,902,457	104,047,984
425-9020	MWC HOSP AUTH-LOAN RESERVE	559,708	(559,708)	-	-	-	-	-
425-9050	MWC HOSP AUTH-DISCRETIONARY	15,999,745	(3,883)	11,287,755	4,925,405	(217,299)	4,708,106	15,995,861
425-9060	MWC HOSP IN LIEU OF/ROR/MISC	8,709,059	-	8,746,405	155	(37,500)	(37,345)	8,709,059
425-9080	MWC HOSP AUTH GRANTS	429,155	-	28,398	496,757	(96,000)	400,757	429,155
	TOTAL	328,066,309	(115,674,679)	186,891,905	94,667,734	(69,168,007)	25,499,727	212,391,631



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: Judy Siemens, City Treasurer

DATE: January 12, 2021

SUBJECT: Discussion and consideration of supplemental budget adjustments to the following funds for FY 2020-2021, increase: Disaster Relief Fund, expenditures/Disaster Relief (88) \$25,000. General Fund, expenditures/Transfer Out (00) \$20,000. Urban Renewal Authority, revenue/Transfer In (00) \$20,000; expenditures/Urban Renewal (93) \$20,000. Grant Fund, revenue/Intergovernmental (62) \$40,000; expenditures/Police Department (62) \$40,000. Reimbursed Projects, revenue/Miscellaneous (15) \$1,330; expenditures/Neighborhood Services (15) \$1,100. Grant Fund, revenue/Intergovernmental (41) \$55,400; expenditures/Transfer Out (41) \$55,400. General Gov't Sales Tax, expenditures/City Manager (01) \$68,974. Grant Fund, revenue/Intergovernmental (88) \$6,375,000; expenditures/Transfers Out (88) \$6,375,000. Disaster Relief Fund, revenue/Transfer In (00) \$6,375,000; expenditures/Disaster Relief (88) \$4,475,000. 2018 Election GO Bonds, expenditures/Animal Welfare (10) \$59,531.

The first supplement is needed to pay for the spraying of trucks due to Covid 19 through the end of fiscal year 2021. The second supplement is needed to budget the transfer out for the House of Realty case. The third supplement is needed to budget the transfer in from the General Fund and expenditures for the House of Realty Case. The fourth supplement is needed to budget the receipt of the Safe OK Grant 2021 and reimbursement of overtime expenditures that targets violent crimes. The fifth supplement is needed to budget the revenue from Christmas basket donations and the expenditures for the Christmas baskets. The sixth supplement is needed to budget the receipt of the ACOG grant and the transfer out of the grant to fund the purchase of the automated side-loader with CNG which was purchased in fiscal year 2019-2020. The seventh supplement is needed to budget the new position of Director of Operations for 12 pay periods from Jan through June 2021. The Ice Storm Debris pickup is estimated to cost \$8,500,000. With the Federal Disaster Declaration of 75% reimbursement the eighth supplement is needed to record revenues to be received and the transfer out of funds to Disaster Relief Fund 310. The ninth supplement is needed to record the transfer in from Grants Fund 143 of the 75% FEMA funds and the balance needed to appropriate \$8,500,000 for expenditures. The tenth supplement is needed to increase Animal Control Facility, Project 1019G1 due to the addition of a required retaining wall.

Judy Siemens

Judy Siemens
City Treasurer

SUPPLEMENTS
January 12, 2021

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	Disaster Relief			25,000	
		<u>0</u>	<u>0</u>	<u>25,000</u>	<u>0</u>
Explanation: This supplement is needed to pay for the spraying of trucks due to Covid 19 through the end of fiscal year 2021. Funding is to come from fund balance.					

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>
00	Transfer Out			20,000	
		<u>0</u>	<u>0</u>	<u>20,000</u>	<u>0</u>
Explanation: This supplement is needed to budget the transfer out for the House of Realty case. Funding to come from fund balance.					

Fund URBAN RENEWAL AUTHORITY (201)		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	Transfer In	20,000			
93	Urban Renewal			20,000	
		<u>20,000</u>	<u>0</u>	<u>20,000</u>	<u>0</u>
Explanation: This supplement is needed to budget transfer in & expenditure for the House of Realty case.					

Fund GRANT FUNDS (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	40,000			
62	Police Department			40,000	
		<u>40,000</u>	<u>0</u>	<u>40,000</u>	<u>0</u>
Explanation: This supplement is needed to budget the receipt of the Safe OK Grant 2021 & reimbursement of overtime expenditures that targets violent crimes.					

SUPPLEMENTS
January 12, 2021

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>
15	Miscellaneous	1,330			
15	Neighborhood Services			1,100	
		1,330	0	1,100	0
Explanation: This supplement is needed to budget revenue & expenditures for the Christmas Baskets.					

Fund GRANT FUNDS (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>
41	Intergovernmental	55,400			
41	Transfer Out			55,400	
		55,400	0	55,400	0
Explanation: This supplement is needed to budget the receipt of the ACOG grant and the transfer out of the grant to fund the purchase of the automated side-loader with CNG which was purchased in fiscal year 2019-2020.					

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			68,974	
		0	0	68,974	0
Explanation: This supplement is needed to budget the new position of Director of Operations for 12 pay periods from Jan through June 2021. Funding to come from fund balance.					

Fund GRANT FUNDS (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>
88	Intergovernmental	6,375,000			
88	Transfers Out			6,375,000	
		6,375,000	0	6,375,000	0
Explanation: Ice Storm Debris pickup is estimated to cost \$8,500,000. With the Federal Disaster Declaration of 75% reimbursement this supplement is needed to record revenues to be received and the transfer out of funds to Disaster Relief Fund 310.					

SUPPLEMENTS
January 12, 2021

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>
00	Transfer In	6,375,000			
88	Disaster Relief			4,475,000	
		6,375,000	0	4,475,000	0

Explanation:
Ice Storm Debris pickup is estimated to cost \$8,500,000. With the Federal Disaster Declaration of 75% reimbursement this supplement is needed to record the transfer in from Grants Fund 143 of the 75% FEMA funds and the balance needed to appropriate \$8,500,000 for expenditures.

Fund 2018 ELECTION GO BONDS (270)		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>
10	Animal Welfare			59,531	
		0	0	59,531	0

Explanation:
Increase in Animal Control Facility, Project 1019G1 due to the addition of a required retaining wall.



City Clerk Department
100 N. Midwest Boulevard
Midwest City, OK 73110
office 405.739.1240
fax 405.869.8655

TO: Honorable Mayor and Council
FROM: Sara Hancock, City Clerk
DATE: January 12, 2021
SUBJECT: Discussion and consideration of passing and approving a resolution to notify the public of publication of the most recent biennial supplement #16, dated October 2020 and supplement #16 revision dated November 2020; to the Midwest City Code of ordinances and to ratify all other previous supplements and codifications.

The approval of the resolution is necessary to notify the public of the Supplement #16 of penal ordinances of the Midwest City Code of ordinances in compliance with title 11 of the Oklahoma Statutes, section 14-110 and to ratify all other previous supplements and codifications. As required by state statutes, this resolution shall be filed in the office of the county clerk of Oklahoma County upon its adoption.

Staff recommends approval.

Sara Hancock
Sara Hancock, City Clerk

RESOLUTION NO. _____

A RESOLUTION TO NOTIFY THE PUBLIC OF PUBLICATION OF THE MOST RECENT BIENNIAL SUPPLEMENT #16, DATED OCTOBER 2020, AND SUPPLEMENT #16 REVISION, DATED NOVEMBER 2020; TO THE MIDWEST CITY CODE OF ORDINANCES AND TO RATIFY ALL PREVIOUS SUPPLEMENTS AND CODIFICATIONS.

WHEREAS, the Oklahoma Statutes 11 O.S., Section 14-110, requires the governing body of a municipality must adopt a resolution notifying the publication of a supplement of the city's penal ordinances; and

WHEREAS, the most recent biennial supplement, supplement #16, dated October 2020, and to the Midwest City Code of ordinances has been published and a copy of the Code is available for public inspection in the office of the City Clerk; and

WHEREAS, a permanent volume and each biennial supplement of the code has been deposited free of cost in the county law library;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MIDWEST CITY that:

- 1) The public is hereby notified that the most recent biennial supplement, dated November 2020, to the Midwest City Code of ordinances has been published; and
- 2) All other previous supplements and codification of the Midwest City Code are hereby ratified.

PASSED AND APPROVED BY THE Mayor and Council of the City of Midwest City, Oklahoma, this 12th day of January, 2021.

CITY OF MIDWEST CITY, OKLAHOMA

MATTHEW D. DUKES, Mayor

ATTEST:

SARA HANCOCK, City Clerk

APPROVED as to form and legality this 12th day of January, 2021.

HEATHER POOLE, City Attorney



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: January 12, 2021

RE: 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.

This item is placed on the agenda at the request of the Council. Attached to this memo is information regarding the current financial condition of the City Employees' Health Benefits Plan for the month of November 2020 which is the fifth (5) period of the FY 2020/2021.

A handwritten signature in black ink that reads "Troy Bradley".

Troy Bradley, Human Resources Director

<u>FISCAL YEAR 2020-2021</u>	<u>Jul-20</u>	<u>Aug-20</u>	<u>Sep-20</u>	<u>Oct-20</u>	<u>Nov-20</u>	<u>Dec-20</u>	<u>Jan-21</u>	<u>Feb-21</u>	<u>Mar-21</u>	<u>Apr-21</u>	<u>May-21</u>	<u>Jun-21</u>
PLAN INCOME												
Projected Budgeted (MTD)	729,416	729,416	729,416	729,416	729,416	729,416	729,416	729,416	729,416	729,416	729,416	729,416
Actual (MTD)	662,819	704,904	753,466	689,432	1,065,534							
Projected Budgeted (YTD)	729,416	1,458,832	2,188,248	2,917,664	3,647,080	4,376,496	5,105,912	5,835,328	6,564,744	7,294,160	8,023,576	8,752,992
Actual (YTD)	662,819	1,367,723	2,121,189	2,810,621	3,876,155							
PLAN CLAIMS/ADMIN COSTS	<u>Jul-20</u>	<u>Aug-20</u>	<u>Sep-20</u>	<u>Oct-20</u>	<u>Nov-20</u>	<u>Dec-20</u>	<u>Jan-21</u>	<u>Feb-21</u>	<u>Mar-21</u>	<u>Apr-21</u>	<u>May-21</u>	<u>Jun-21</u>
Projected Budgeted (MTD)	691,492	864,366	691,492	691,492	864,366	691,492	691,492	691,492	864,366	691,492	864,366	691,492
Actual (MTD)	548,997	965,005	927,589	766,622	859,038							
Projected Budgeted (YTD)	691,492	1,555,858	2,247,350	2,938,842	3,803,208	4,494,700	5,186,192	5,877,684	6,742,050	7,433,542	8,297,908	8,989,400
Actual (YTD)	548,997	1,514,002	2,441,591	3,208,213	4,067,251							
EXCESS INCOME vs. EXPENDITURES	<u>Jul-20</u>	<u>Aug-20</u>	<u>Sep-20</u>	<u>Oct-20</u>	<u>Nov-20</u>	<u>Dec-20</u>	<u>Jan-21</u>	<u>Feb-21</u>	<u>Mar-21</u>	<u>Apr-21</u>	<u>May-21</u>	<u>Jun-21</u>
Projected Budgeted (MTD)	37,924	-134,950	37,924	37,924	-134,950	37,924	37,924	37,924	-134,950	37,924	-134,950	37,924
Actual (MTD)	113,822	-260,101	-174,123	-77,190	206,496	0	0	0	0	0	0	0
Projected Budgeted (YTD)	37,924	-97,026	-59,102	-21,178	-156,128	-118,204	-80,280	-42,356	-177,306	-139,382	-274,332	-236,408
Actual (YTD)	113,822	-146,279	-320,402	-397,592	-191,096	0	0	0	0	0	0	0
FISCAL YEAR 2019-2020	<u>Jul-19</u>	<u>Aug-19</u>	<u>Sep-19</u>	<u>Oct-19</u>	<u>Nov-19</u>	<u>Dec-19</u>	<u>Jan-20</u>	<u>Feb-20</u>	<u>Mar-20</u>	<u>Apr-20</u>	<u>May-20</u>	<u>Jun-20</u>
PLAN INCOME												
Projected Budgeted (MTD)	674,837	674,837	674,837	674,837	674,837	674,837	674,837	674,837	674,837	674,836	674,836	674,836
Actual (MTD)	627,213	652,720	650,545	655,169	734,359	715,169	723,236	970,288	715,536	649,274	675,554	732,160
Projected Budgeted (YTD)	674,837	1,349,674	2,024,511	2,699,348	3,374,185	4,049,022	4,723,859	5,398,696	6,073,533	6,748,369	7,423,205	8,098,041
Actual (YTD)	627,213	1,279,933	1,930,478	2,585,647	3,320,007	4,035,176	4,758,412	5,728,700	6,444,236	7,093,510	7,769,064	8,501,224
PLAN CLAIMS/ADMIN COSTS	<u>Jul-19</u>	<u>Aug-19</u>	<u>Sep-19</u>	<u>Oct-19</u>	<u>Nov-19</u>	<u>Dec-19</u>	<u>Jan-20</u>	<u>Feb-20</u>	<u>Mar-20</u>	<u>Apr-20</u>	<u>May-20</u>	<u>Jun-20</u>
Projected Budgeted (MTD)	727,655	640,699	727,655	640,699	640,699	727,655	640,699	640,699	727,655	640,698	640,698	640,698
Actual (MTD)	646,453	673,397	845,354	678,761	893,068	996,518	825,669	776,712	849,727	629,694	538,458	736,771
Projected Budgeted (YTD)	727,655	1,368,354	2,096,009	2,736,708	3,377,407	4,105,062	4,745,761	5,386,460	6,114,115	6,754,813	7,395,511	8,036,209
Actual (YTD)	646,453	1,319,850	2,165,204	2,843,965	3,737,033	4,733,551	5,559,220	6,335,932	7,185,659	7,815,353	8,353,811	9,090,582
EXCESS INCOME vs. EXPENDITURES	<u>Jul-19</u>	<u>Aug-19</u>	<u>Sep-19</u>	<u>Oct-19</u>	<u>Nov-19</u>	<u>Dec-19</u>	<u>Jan-20</u>	<u>Feb-20</u>	<u>Mar-20</u>	<u>Apr-20</u>	<u>May-20</u>	<u>Jun-20</u>
Projected Budgeted (MTD)	-52,818	34,138	-52,818	34,138	34,138	-52,818	34,138	34,138	-52,818	34,138	34,138	34,138
Actual (MTD)	-19,240	-20,677	-194,809	-23,592	-158,708	-281,349	-102,433	193,576	-134,191	19,580	137,096	-4,611
Projected Budgeted (YTD)	-52,818	-18,680	-71,498	-37,360	-3,222	-56,040	-21,902	12,236	-40,582	-6,444	27,694	61,832
Actual (YTD)	-19,240	-39,917	-234,726	-258,318	-417,026	-698,375	-800,808	-607,232	-741,423	-721,843	-584,747	-589,358

Nov 5/FY 2021: \$1,326,902
 Nov 5/FY 2020: \$1,690,309
 Nov 5/FY 2019: \$1,978,052
 Nov 5/FY 2018: \$2,080,962

** HAD FIVE MONDAYS WITH REPORTED MEDICAL CLAIMS PAID***



The City Of Midwest City
Neighborhood Services Department
Neighborhoods In Action • Code Enforcement • Neighborhood Initiative

MEMO

To: Honorable Mayor and Council
From: Mike S. Stroh, Neighborhood Services Director
Date: January 12, 2021
Subject: Review of the monthly Neighborhood Services report for November 2020.

In November 2020, the Code Enforcement Division had very limited use of the officers for the month as they were all working the ice storm debris including the City Clerk's Code Enforcement Officer. Together they opened 57 new cases, cleared 166 cases, contracted 6 properties, and wrote 5 new citations. This makes 8,778 cases for the year and we currently have 854 open cases.

Here is a breakdown of all the violations worked for the month.

	November 2019	Total 2019	November 2020	Total 2020
Other Nuisance	86	1,475	41	1,907
Rubbish	58	893	3	909
Structures	56	814	5	1,631
Tall Grass & Weeds	4	2,447	2	2,113
Trash & Debris	62	1,456	5	1,668
Vehicles	35	567	1	448

This shows a comparison between 2019 and 2020 of the total cases worked by each ward.

	November 2019	Total 2019	November 2020	Total 2020
Ward 1	76	2,303	21	3,191
Ward 2	72	1,268	8	931
Ward 3	66	1,596	3	2,150
Ward 4	34	650	11	506
Ward 5	55	1,373	12	1,408
Ward 6	11	766	2	543

For the total in the Tall Grass & Weeds we only count the one notice type.

For the total in the Rubbish we only count the one notice type.

For the total in the Trash & Debris we only count the one notice type.

For the total in the Other Nuisance we count thirty-two notice types; Alcoholic Beverages, Assistance to Another Officer, Beer License, Coin Amusement Devices, Collection/Donation Boxes-Debris, Collection/Donation Boxes-Maintenance, Collection/Donation Boxes-Registered, Computer Work, Family Amusement License, Garage Sale-Permit Required, Graffiti, Health License, Litter, Misc. Violation, Nuisance Yard, Personal Storage Units (Commercial), Personal Storage Units (Residential), PM-Sewer, PM-Utilities Required-Water, Polycarts, Pool and Billiard Halls, Sight Triangle, Solicitor-Permit Required, Sports Equipment, Temporary Signs, Thank You Cards, Trim Trees, Utilities Required-Sanitation, Zoning-Group Residential, Zoning-Merchandise For Sale, and Zoning-C-3.

For the total in the Structures we count thirteen notice types; Address Numbers, PM-Accessory Structure, PM-Blighting Influence, PM-Boarded Dwellings, PM-Condemned Structure, PM-Exterior Paint, PM-Garage Doors, PM-General Exterior, PM-Open and Unsecure, PM-Roofs & Drainage, PM-Stairways and Porches, PM-Swimming Pools, Spas & Hot Tubs, PM-Vacant (Dilapidated) Structures, and PM-Windows and Glazing.

For the total in the Vehicle we count four notice types; Commercial Soft Surface, Inoperative Vehicle, Parking or Storing Commercial Vehicles, and Soft Surface Parking.

Mike S. Stroh

Mike S. Stroh, Neighborhood Services Director



The City of Midwest City

NEIGHBORHOODS IN ACTION

1124 N. DOUGLAS BLVD. * MIDWEST CITY, OKLAHOMA,
73130 * (405) 736-1973 * FAX * (405) 869-9289

TO: Honorable Mayor and Council

FROM: Tom Bridgett, Neighborhoods in Action Coordinator

Date: January 12, 2021

Subject: Discussion and consideration of approving and entering into a contract in an amount not to exceed \$10,000 for fiscal year 2020/2021 with Jay D. Collins to establish the terms and conditions under which he shall serve as the Volunteer Income Tax Assistance (VITA) Center Coordinator.

Jay D. Collins, VITA Center Coordinator, would like to partner with the City of Midwest City for the City to provide the space for the Volunteer Income Tax Assistance Program. Jay D. Collins will provide oversight of tax preparation to community residents each Tuesday and Thursday between the hours 1:00 p.m. and 7:00 p.m. at the City of Midwest City's Community Center. Also, to facilitate and coordinate a virtual program to accommodate tax preparation needs to the community.

This contract, a copy which is attached for your review, provides for a comprehensive scope of services associated with tax preparation to community residents.

Staff recommends approval.

Tom Bridgett
Neighborhoods in Action Coordinator

Attachment (1)

CONTRACT FOR PROFESSIONAL SERVICES

This agreement is made and entered into the 12th day of January 2021, by and between the City of Midwest City (the City) and Jay Dee Collins, who agree to the following:

1. For the duration of this agreement, Mr. Collins shall serve as the City's VITA (Volunteer Income Tax Assistance) Center Coordinator, with the primary responsibility for coordination and training of volunteers, oversight of tax preparation, reviewing and revising returns, e-filing all prepared returns, trouble shooting, contacting taxpayers as necessary, compiling and submitting all required reports as well as day to day operations of the VITA center. Also, to facilitate and coordinate a virtual program to accommodate tax preparation needs to the community. Mr. Collins shall provide the City proof of site coordinator training completion and IRS certification to the highest level available. During the term of this agreement, Mr. Collins agrees to represent the City in all such matters. The City agrees to pay Mr. Collins the sum of \$24.00 per hour as consideration for said representation.
2. Jay Dee Collins, for the duration of this agreement, shall be and is considered an independent contractor and, as such, no benefit of city employment, such as medical insurance, vacation leave, sick leave, mileage, retirement benefits or any other benefits provided to its employees by the city, will be extended to Mr. Collins.
3. The term of this agreement shall extend from January 12, 2021 through June 30, 2021
4. Projected hours of work shall be as follows:

January 12, 2021 through June 30, 2021: 16-35 hours/week

During the term of this contract, Mr. Collins total wages are not to exceed \$10,000.00.

City of Midwest City

Volunteer Income Tax Assistance

 Matthew D. Dukes II, Mayor
 City of Midwest City
 100 N. Midwest Boulevard
 Midwest City, OK 73110
 Phone: (405) 739-1204



 Jay Dee Collins
 721 S. Margene Road
 Midwest City, OK. 73130
 Phone: (405) 831-3153

Date

 12-23-2020
 Date



**City of Midwest City Police
Department**
100 N. Midwest Boulevard
Midwest City, OK 73110
Office 405.739.1320
Fax 405.739.1398

MEMORANDUM

TO: Honorable Mayor and City Council

FROM: Brandon Clabes, Chief of Police

DATE: January 12, 2021

SUBJECT: Discussion and consideration of entering into an agreement with the City of Spencer for the term of January 12, 2021 through June 30, 2021 for animal care services at an intake rate of \$240.00 per dog or cat being held up to seven days.

Entering into this agreement, the City of Midwest City will house and care for the animals that the City of Spencer may bring to Midwest City's animal welfare facility from January 12, 2021 through June 30, 2021. An intake rate has been established at \$240.00 per dog or cat being held up to seven days.

Staff recommends approval.

Brandon Clabes
Chief of Police

Attachment: Agreement

**THE CITY OF MIDWEST CITY
ANIMAL WELFARE DIVISION
AGREEMENT**

This Agreement is made and entered into this _____ day of _____, 20____, by and between the City of Midwest City, a municipal corporation, hereinafter referred to as "Midwest City," and the **City of Spencer**, hereinafter referred to as "Municipality." The purpose of this Agreement is to promote the health, safety and public welfare of the citizens of Midwest City and of Municipality, and to further promote the humane care, treatment and disposal of animals coming into the possession of either of the parties to this Agreement.

"DVM" shall mean Doctor of Veterinary Medicine. "Animal" shall mean all non-hoofed animals. "Livestock" shall mean all domestic hoofed animals. "Dogs" shall mean all canine domestic animals. "Cats" shall mean all feline domestic animals. "Disposal Only" shall mean that animals are to be disposed of upon entry. "D/A" shall mean dead animals.

NOW, THEREFORE, in consideration of the mutual covenants, promises and agreements hereinafter set forth, it is mutually agreed between the parties to this Agreement as follows:

1. Midwest City shall furnish an animal shelter on the site provided by Midwest City.
2. Midwest City agrees that it shall accept, at its shelter facility and give receipt for, all animals collected by Municipality and delivered to Midwest City by Municipality or those working under its direction. The hours of operation for acceptance are Monday through Saturday 9:00 a.m. through 6:00 p.m. Municipality must make arrangements internally to accept unwanted/owned animals or strays found by citizens within its city limits. Midwest City shall not accept unwanted/owned or stray animals directly from citizens of Municipality.
3. Midwest City agrees that all activities relating to veterinary medicine and veterinary care given to animals in its custody shall be performed by or at the direction of a licensed doctor of veterinary medicine, in compliance with the Veterinary Practice Act of State of Oklahoma.
4. Midwest City agrees that, for the purpose of this Agreement, it shall maintain office hours for reclamation and adoption of animals from 9:00 a.m. to 6:00 p.m., Monday through Saturday. Minor and/or seasonal changes by Midwest City shall be effective only following reasonable notification to Municipality.
5. Midwest City agrees that it shall, upon payment by the animal's owner of all applicable Midwest City animal reclamation fees and costs, release any animal in its custody to its owner or the owner's authorized representative subject to the following:

- a. A vaccination receipt or a DVM's written or verbal acknowledgment of a valid rabies vaccination must be provided to comply with the Oklahoma State statutes relating to vaccination. If the owner does not have sufficient proof of vaccination, it shall be the responsibility of the owner to have the animal properly vaccinated and provide sufficient proof to the Municipality. Municipality shall be responsible for following up with owners of reclaimed animals to ensure this is done by their ordinance and/or state statute.
 - b. The requirement of rabies vaccination shall be waived for an animal upon the request of the owner's veterinarian in the case of a sick or injured animal.
 - c. Midwest City takes no responsibility for the collection of fees or issuance of citations on behalf of the Municipality.
6. Midwest City shall keep in its custody and properly care for dogs and cats licensed, tagged or with a known owner collected and delivered to Midwest City by Municipality for a period of seven (7) days unless sooner redeemed by the owner. Any dog or cat collected and delivered to Midwest City by Municipality whose owner is unknown (meaning a stray) shall be held for five (5) days unless sooner redeemed by its owner. D/A will be billed as required. Dogs and cats entered at the collected and delivered to Midwest City by Municipality for Disposal only will be humanely disposed of upon entry. Holidays shall not be counted for billing purposes. After the expiration of the required holding period, Midwest City shall dispose of animals as it deems fit and/or humane.
7. Midwest City agrees that it will provide proper food, water, shelter, care and other humane treatment for such animals while they are in its possession and until they are placed or otherwise disposed of by Midwest City.
8. Midwest City agrees that it will provide access to the public in seeking lost or stray animals during the hours scheduled in paragraph 4 above.
9. Midwest City and Municipality do hereby mutually agree that the following schedule of fees and charges shall apply to all animals received in the performance of the terms and conditions of this Agreement brought to Midwest City by Municipality as follows, with payment made by Municipality to Midwest City plus payment of charges as set forth in paragraph 6:
 - a. Two hundred and forty dollars (\$240.00) per animal for live dogs and cats entered by municipality. This fee includes up to 7 days boarding as outlined in paragraph 6. Twenty dollars (\$20.00) per sick/injured animal Municipality requests euthanized by Midwest City.
 - b. Eight dollars (\$8.00) per additional day of boarding.

- c. Twenty dollar (\$20.00) disposal fee for any dead/euthanized animal Municipality wishes Midwest City to dispose of. This includes animals Midwest City deems euthanized after no reclamation or adoption.
 - d. Ten dollars (\$10.00) for incineration, or disposal of dead non-ungulate animals (D/A).
 - e. Fifteen dollars (\$15.00) for incineration, or disposal of dead ungulate animals (D/A).
 - f. Midwest City staff reserves the right to determine if an animal is to be entered into the shelter as live or euthanized/dead on arrival. Municipality agrees that euthanasia of healthy animals is not at the discretion of the officer/representative delivering the animal and Midwest City can refuse service should this become an issue.
- 10. If the Animal Welfare supervisor deems, in his/her professional opinion, that the injury or illness of an owned or stray animal is of such a nature that the animal should be immediately euthanized for humane reasons, then Midwest City is authorized to euthanize the animal upon entry.
 - 11. Midwest City shall collect and retain all reclamation/adoption and disposal fees, and shall keep proper financial records to account for them.
 - 12. Municipality may have full information as to the methods, means and manner of the operation, maintenance and management of its animal shelter during the term of this Agreement, including inspection by appointment.
 - 13. In the event Midwest City is required to keep and maintain animals delivered by Municipality in excess of the periods set out in Paragraph 6 of this Agreement because of a requirement of health officials, law enforcement officials, Municipality or court order, Municipality agrees to pay Midwest City the sum of eight dollars (\$8.00) per day for any day the animal is kept and maintained in excess of the requirement set out in Paragraph 6.
 - 14. Midwest City shall have the right to refuse any animal due to health or overcrowding.
 - 15. Midwest City shall keep full and accurate records of all animals brought to Midwest City and a record of their final disposition. It shall individually identify, mark or tag to effect an individual record of each animal received. A current copy of the records shall be open to inspection by Municipality. Midwest City will make every reasonable effort to notify the known owner of the animal including, but not limited to, mailing written notice to the owner.

16. On or before the tenth (10th) day of each month upon proper claim by Midwest City to Municipality, Municipality shall pay all fees to which Midwest City is entitled under the terms of this Agreement.
17. Municipality will provide Midwest City with complete copies of Municipality's animal control ordinances, and keep and maintain them at all times.
18. Municipality, upon delivery of animals to the shelter, shall unload the animals, locate a representative of Midwest City and assist in the proper intake procedures of vaccination, de-fleaing, worming, etc. Municipality shall then enter the animals into the appropriate area of the shelter as specified by Midwest City. Municipality shall complete applicable entry forms prior to Midwest City's acceptance of any animals. Municipality shall have no responsibility in the handling of the animals after acceptance by Midwest City.
19. Municipality hereby agrees that any loss resulting from the performance of this Agreement shall be borne by it and, further, Municipality hereby agrees to indemnify and save forever harmless Midwest City and all of its officers and employees from any and all claims for damages of any kind or nature whatsoever which may hereafter be made against Midwest City or any of its officers or employees on account of any personal injury, animal injury, property damages or other losses or damages caused by the negligent acts of Municipality, its agents or employees. Nothing in this paragraph shall be deemed a waiver by Municipality of any provision of the Governmental Tort Claims Act, Title 51, Oklahoma Statutes, Section 151 *et seq.*
20. It is hereby agreed that this Agreement shall not be assigned by Municipality, in whole or in part, without the written consent of Midwest City.
21. It is hereby agreed that no waiver or modification of this Agreement shall be valid or admissible as evidence in any litigation proceeding unless such waiver or modification has been signed by the party sought to be charged with such waiver or modification.
22. It is hereby agreed that the breach of any of the terms of this Agreement shall be grounds for the party aggrieved thereby to terminate this Agreement if the violation is not corrected within thirty (30) days after written notice to the offending party.
23. The term of this Agreement shall be from the date of the acceptance by the governing bodies of Midwest City and of Municipality through the following 30th day of June. This Agreement may be renewed by the mutual consent of both parties received in writing at least thirty (30) days in advance of the termination date hereof. Said renewal shall be for the following fiscal year (**July 1, 2020 through June 30, 2021**). This Agreement may be renewed from year to year.

24. This Agreement may be terminated for any reason upon thirty (30) days written notice by either party to the other party.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed as of the day and year first above written.

Matthew D. Dukes II, Mayor


Attest: _____
Sara Hancock, City Clerk

Approved as to form and legality this _____ day of _____, 20____.

Heather Poole, City Attorney

Approved by the governing body of _____, Oklahoma, on this _____ day of _____, 20____.

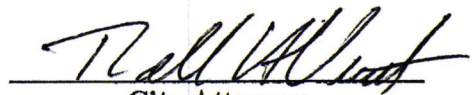
City of Spencer



Mayor

Attest: _____
Stallin A. Marsh
City Clerk

Approved as to form and legality this 15 day of October, 2020.



City Attorney

Approved by the governing body of City of Spencer, Oklahoma, on this 15th day of October, 2020.



City of Midwest City Police Department

100 N. Midwest Boulevard

Midwest City, OK 73110

Office 405.739.1320

Fax 405.739.1398

Memorandum

TO: Honorable Mayor and Council

FROM: Brandon Clabes, Chief of Police

DATE: January 12, 2021

SUBJECT: Discussion and consideration of 1) approving and entering into the 2021 Safe Oklahoma Grant Program Contract with the Oklahoma Attorney General's Office to establish the terms and conditions under which the City will receive a law enforcement grant in the amount of \$40,000; and 2) authorizing the mayor and/or city manager to execute such documents and enter into such agreements as are necessary or appropriate to carry out the objectives of the grant.

The Midwest City Police Department requests that you enter into an agreement with the Oklahoma Attorney General's Office for the Law Enforcement Grant 2021 Safe Oklahoma Grant in the amount of \$40,000.00. Safe Oklahoma Grant funds would be used to reestablish overtime emphasis in high crime areas in Midwest City using GIS technology to reduce escalating violent crime. The grant funds will directly target crime hot spots and increase the number of frequency of patrols in those areas. The crime prevention tactics will use data-driven techniques to help reduce the number of violent crimes in Oklahoma. Grant contract period is for one year.

Staff recommends approval.

Brandon Clabes
Chief of Police

Attachment: Contract



THE OFFICE OF ATTORNEY GENERAL
2021 SAFE OKLAHOMA GRANT PROGRAM CONTRACT

This agreement is made between the Office of Attorney General (OAG) and the **Midwest City Police Department** (Recipient). OAG agrees to provide funding to Recipient for the purposes provided in Appendix A of this contract and in accordance with the terms and conditions provided in this contract. Recipient agrees to carry out the purposes for funding provided in Appendix A timely and in good faith and to abide by all terms and conditions of this contract.

1. **AMOUNT AND PURPOSE OF FUNDS**

- a. OAG is providing **\$40,000.00** to Recipient for overtime funds to target violent crime. The terms of use for the funds are more fully described in Appendix A.

2. **AVAILABILITY OF FUNDS**

- a. Payment pursuant to this contract is to be made only from monies appropriated to the Office of Attorney General (OAG) by the Oklahoma Legislature for the Safe Oklahoma Grant Program established in Title 74, Section 20k of Oklahoma Statutes. Notwithstanding any other provisions, payments to the Recipient by OAG are contingent upon sufficient appropriations being made by the Oklahoma Legislature. We may terminate our obligation under this contract if sufficient appropriations are not made available by the Legislature. OAG may take any action necessary in accord with such determination.

3. **TERM OF CONTRACT**

- a. **The term of the contract begins the date that funds are received by the Recipient.**
- b. The term of this contract shall expire twelve (12) months from the date of a receipt of funds unless otherwise agreed in Appendix A or an extension is granted by OAG in writing. The date of receipt of funds by Recipient shall be used as a time reference date for purposes of reporting.

- c. If the funds are not fully spent by the expiration of this contract, Recipient shall return all unencumbered funds to OAG, unless an extension is granted by OAG in writing.

4. MODIFICATION AMENDMENT

- a. This contract is subject to such modification as may be required by law or regulation. Any such modification may be done unilaterally by OAG.
- b. Revisions to the contract and any attachment in Appendix A, which is part of this contract, must be approved in writing in advance by OAG.
- c. A waiver by OAG to any provision in this contract must be signed and in writing by OAG.

5. OAG PERFORMANCE

- a. In accordance with the terms of this contract, the OAG will provide funding for the project up to the total amount detailed in Appendix A. **Funding will be dispersed only upon receipt of an invoice received by OAG from Recipient for the full amount of the awarded funds.**

6. RECIPIENT PERFORMANCE

- a. Recipient agrees to perform those duties, obligations and representations contained in this contract and Appendix A, and to be bound by the provisions of this contract and Appendix A, and all amendments thereto, which were submitted to OAG.
- b. In no event shall any subcontract or subcontractor of the Recipient incur obligation on the part of OAG or beyond the terms of Appendix A of this contract.
- c. Recipient shall commence implementation of the project described in Appendix A within sixty (60) days from the date of receipt of funds unless otherwise agreed to in Appendix A or in writing by OAG.
- d. Recipient agrees to cooperate with, and provide information to, any third-party evaluator for the purpose of tracking results of the Safe Oklahoma Grant Program.

7. FUNDING TO RECIPIENT

- a. **Funding will be dispersed only upon receipt of an invoice received by OAG from Recipient for the full amount of the awarded funds.**
- b. Funds made available shall be used only for the purposes and expenses approved by OAG under this contract. These funds are distributed to Recipient who shall be responsible for the payment of all expenses incurred by Recipient in performing

under this contract. The funds provided to the Recipient shall be expended only for expenses incurred during the term of this contract as specified in Appendix A and shall not be expended for expenses incurred prior to, or after, the term of this contract.

- c. Funds made available to Recipient under this grant shall be used to supplement, and not supplant, other funds expended to carry out activities of the Recipient.

8. EMPLOYEE BENEFITS

- a. Recipient acknowledges that the grant funds used to pay overtime are to pay for time worked and not to be used to pay the associated benefits an employee is entitled to in addition to payment for overtime hours worked.
- b. Recipient has full responsibility for the payment of Workers' Compensation insurance, unemployment insurance, social security, State and federal income tax, salaries, benefits, and any other obligations required by law for its employees.
- c. The parties intend that each shall be responsible for its own intentional and negligent acts or omissions to act. OAG shall not be responsible for the acts and omissions to act of Recipient or any of Recipient's subcontractors or vendors.

9. CERTIFICATIONS BY RECIPIENT

- a. Recipient expressly agrees to be solely responsible to ensure that the use of monies received under this contract complies with all federal, State and local statutes, regulations and other legal authority, including any laws relating to nondiscrimination, equal opportunity, and labor standards.

10. NO-CONFLICT COVENANT

- a. Recipient covenants that no officers or employees of recipient have any interest, direct or indirect, and that none shall acquire any such interest during their tenure that would conflict with the full and complete execution of this contract. Recipient further covenants that no employee of OAG received anything of value in connection to this contract.

11. NON-COLLUSION

- a. OAG and Recipient certify that neither has been a party to any collusion among applicants to the Safe Oklahoma Grant Program, collusion with any state official or employee in the awarding of this grant, or in any discussions with any applicants or state officials concerning the exchange of anything of value for special consideration in awarding this grant.

- b. Recipient has not paid, given or donated or agreed to pay, give or donate to any officer or employee of the State of Oklahoma any money or other thing of value, directly or indirectly, in the procuring of this contract.
- c. No person who has been involved in any manner in the development of this contract while employed by the State of Oklahoma will be employed to fulfill any of the services provided for under this contract.

12. PUBLICATIONS AND OTHER MATERIALS

- a. Any material produced in whole or in part as a result of this contract may be subject to the Open Records Act of Oklahoma. OAG shall have authority to publish, disclose, distribute and otherwise use any reports, data or other materials prepared under this contract.

13. PROCUREMENT

- a. Recipient agrees and is responsible for ensuring that procurement, management, and disposition of property acquired with contract funds shall be governed by any applicable federal and State laws, including any competitive bidding requirements and requirements for the accounting of public funds.

14. RECORDS, REPORTS, DOCUMENTATION

- a. Recipient shall provide a Quarterly Report every three (3) months to OAG of funds dispersed during the term of this contract and a report detailing the progress of the project. The reporting period shall commence on the date of the receipt of funds. Reports shall be due within two (2) weeks of the end of the reporting period. The reports shall include, but not be limited to, the following information:
 - i. A detailed itemization of the funds spent during the three (3) month reporting period (including the attachment of supporting financial documents to the report);
 - ii. An explanation of what was funded under item i. above;
 - iii. The remaining balance of the funds provided under this contract;
 - iv. An explanation of measurement and evaluation tools used to track progress and results;
 - v. An explanation of any observed change in violent crime rates or trends as a result of this project; and
 - vi. A brief narrative of the results, successes, and other observations from this reporting period.
- b. The Recipient shall maintain records and accounts, including property, personnel, and financial records that properly account for all project funds. Recipient shall make these records available to OAG upon request.

- c. Recipient shall keep and maintain appropriate books and records reflecting the services performed and costs and expenses incurred in connection with its performance of this contract for a period of five (5) years from the ending date of this contract. Upon reasonable notice, OAG, the State Auditor's Office, the State Purchasing Director, or their representatives, shall be entitled to access any books, records, and other documents and items directly pertaining to the project funds for purpose of audit and examination, at Recipients premises during normal business hours. In the event any audit, litigation, or other action involving these pertinent records is started before the end of the five (5) year period, the Recipient agrees to retain these records until all issues arising out of the action are resolved or until the end of the five (5) year period, whichever is later.
- d. Recipient shall provide any status updates during the term of this contract to OAG upon request.

15. CLOSING OUT OF CONTRACT

- a. Recipient shall promptly return to OAG any funds received under this contract that are not expended for the agreed purposes under this contract in Appendix A.
- b. Recipient shall submit any closeout documents showing proof of completion of the terms of this contract to OAG.
- c. Recipient agrees to provide any additional information required by OAG after the expiration of this contract for the purpose of showing completion and results of the project.

16. INTERPRETATION, REMEDIES, VENUE, CHOICE OF LAW

- a. This contract shall be construed and interpreted pursuant to Oklahoma law.
- b. Venue for any disagreement or cause of action arising under this contract shall be Oklahoma County, Oklahoma.

17. TERMINATION OR SUSPENSION

- a. This contract may be terminated or suspended in whole or in part at any time by written agreement of the parties.
- b. This contract may be terminated or suspended by OAG in whole or in part, for cause, after notice and an opportunity for Recipient to present reasons why such action should not be taken. Grounds for cause include, but are not limited to:
 - i. Recipient fails to commence implementation of the terms of this contract within 60 days or as otherwise agreed in writing or in Appendix A.

- ii. Recipient fails to comply with the terms of this contract or with any applicable laws or regulations or is unduly dilatory in executing its commitments under this contract.
 - iii. Purposes for the funds have not been or will not be fulfilled or would be illegal to carry out.
 - iv. The Recipient has submitted incorrect or incomplete documentation pertaining to this contract.
- c. In the event of termination or suspension, Recipient shall be entitled to payment for otherwise valid and allowable obligations incurred in good faith prior to notice of termination or suspension.

18. SEVERABILITY

- a. If any provision of this contract is held invalid by any court of competent jurisdiction, such invalidity does not affect any other provision of this contract that can be given effect.

19. POINT OF CONTACT

- a. Correspondence and contact to the OAG shall be made through the primary and secondary contact persons listed below:

Primary Contact Name: Marie Schuble
 Title: Assistant Attorney General
 Phone Number: (405) 522-2887
 Email: marie.schuble@oag.ok.gov

Secondary Contact Name: Lori Carter
 Title: Director of Legislative Affairs
 Phone Number: (405) 522-4744
 Email: lori.carter@oag.ok.gov

Agreed to the _____ day of _____, 2021.

X _____
 Chief Brandon Clabes, Midwest City Police Department

X _____
 Tim Lyon, City Manager, Midwest City

X _____
 Dawn Cash
 First Assistant Attorney General, Oklahoma Office of Attorney General

APPENDIX A – Purposes of Funding

City of Midwest City Police Department

Appendix A must include a copy of the Recipient’s itemized budget for the project with of all items/labor/services to be purchased with funds, and provide descriptions and overviews of the activities planned. These documents are attached to this contract and incorporated into the terms and requirements of this contract.

Funding is provided solely for the purposes in Appendix A and shall be spent solely on items in Appendix A.

Funds awarded: \$40,000.00

Purpose: Overtime

(Please attached an itemized budget as described above)



**City of Midwest City Police
Department**
100 N. Midwest Boulevard
Midwest City, OK 73110
Office 405.739.1320
Fax 405.739.1398

MEMORANDUM

TO: Honorable Mayor and City Council

FROM: Brandon Clabes, Chief of Police

DATE: January 12, 2021

SUBJECT: Discussion and consideration of entering into a Jail Services Agreement for part of fiscal year 2020-21 with the City of Spencer 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 11 hours. If an inmate is held less than 11 hours, the city will be charged \$2.50 per hour.

The Midwest City Police Department requests the Council to enter into a jail services agreement with the City of Spencer to provide labor and jail facilities to retain all prisoners who are placed into a confinement status by law enforcement officials. This agreement will allow the Midwest City Police Department jail facility to hold adult prisoners for this town 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 11 hours. If the inmate is held less than 11 hours, the city will be charged \$2.50 per hour.

Staff recommends approval.

Brandon Clabes
Chief of Police

Attachment: Agreement

**CITY OF MIDWEST CITY
JAIL SERVICES AGREEMENT**

This Jail Services Agreement is made and entered into as of the **1st day of July 2020** by and between the **City of Spencer**, Oklahoma a municipal corporation (hereinafter referred to as “Spencer”), and the City of Midwest City, Oklahoma, a municipal corporation (hereinafter referred to as “Midwest City”).

Whereas, this Agreement is made recognizing the provisions of 74 Oklahoma Statutes, § 192, as may be amended from time to time, and all rights as provided under the state and federal Constitutions; and

Whereas, Midwest City owns and operates a fully licensed and accredited jail facility located at 100 North Midwest Boulevard in Midwest City, Oklahoma (hereinafter referred to as the “Jail”); and

Whereas, the Oklahoma statutes and Midwest City charter authorize and allow Midwest City to contract to provide services pursuant to this Agreement;

NOW, THEREFORE, the parties, in consideration of the premises and the mutual covenants set forth below, do hereby agree as follows:

1. Term/Renewal.

- A. The term of this Agreement shall commence on this **1st day of July, 2020 at 12:01 a.m. and terminate at midnight on the 30th day of June, 2021.** Billings will start upon receipt of prisoners.
- B. This Agreement may be renewed for successive one-year terms each to begin at 12:01 a.m. on July 1 and to terminate at midnight on June 30 of the following calendar year.

2. No Separate Legal Entity. No separate legal entity or organizations shall be deemed created by virtue of this Agreement.

3. Definitions.

- A. A “Spencer prisoner” shall be defined as any prisoner incarcerated in the Jail solely on Spencer municipal convictions and/or any other person that is otherwise held solely at the request of Spencer police.
- B. A “hold for municipal/state prisoner” shall be defined as a prisoner arrested by a Spencer police officer with or without a warrant for any alleged violation of state law. Hold for municipal/state prisoners will become Spencer prisoners when all state charges

have been declined or disposed of and the prisoner is being held only for Spencer municipal charge(s) or Spencer municipal conviction(s), or otherwise held at the request of Spencer police.

4. Purpose. The purpose of this Agreement is to provide for the incarceration of Spencer prisoners and hold for municipal/state prisoners within the Jail, under the custody of Midwest City officials, and to otherwise coordinate booking and detention functions

5. Termination.

- A. This Agreement may be terminated by either party for any reason or for no reason upon one hundred eighty (180) days written notice to the other party.
- B. This Agreement may be terminated by any party for cause upon the passage of sixty (60) days, subsequent to the mailing of notice stating the cause and the requested cure, where cause has failed to be cured.

6. Compensation.

- A. Spencer financial obligations under this Agreement shall be limited to the compensation described in this paragraph. As compensation for the services described in this Agreement, Spencer agrees to pay Midwest City sixty dollars (\$60.00) per day or \$2.50 per hour, prorated to the closest hour interval, per Spencer prisoner or hold for municipal/state prisoner per day the Spencer prisoner or hold for municipal/state prisoner is held on behalf of Spencer. A booking fee of thirty dollars (\$30.00) shall be assessed to each Spencer prisoner upon entry into the jail. If the Spencer prisoner is held longer than eleven (11) hours, the thirty dollar (\$30.00) booking fee shall be applied to the daily compensation charge. In consideration of which Midwest City will operate and maintain a fully licensed and certified jail facility and shall assume responsibility for the incarceration of Spencer prisoners or hold for municipal/state prisoners therein consistent with applicable statutes of the state of Oklahoma and the laws of the United States of America for detention for violation of Spencer municipal ordinances or Oklahoma state statutes, or otherwise held for Spencer police.
- B. Midwest City agrees to prepare and submit to Spencer monthly statements no later than the 15th of each month following the month of the detention service on a claim form pursuant to statutory and charter requirements. Spencer agrees to use due

diligence to pay properly invoiced amounts within thirty (30) days of receipt.

7. Services. In exchange for the above compensation, Midwest City agrees to provide a jail facility that shall meet the standards set forth in 74 Oklahoma Statutes, § 192, as may be amended from time to time, and all constitutional rights as provided by the state and federal Constitutions and provide the following services:

- A. Midwest City hereby assumes all detention and incarceration functions, consistent with applicable laws, for persons delivered to the Jail who are Spencer prisoners or hold for municipal/state prisoners.
- B. Midwest City shall permit Spencer law enforcement officers and Spencer agents, in the pursuance of their official duties, as approved by the Spencer Chief of police and Midwest City, to enter the Jail at any and all hours for the purpose of conducting official business in the course of investigative process including, but not limited to, taking custody and/or removing prisoners as necessary for official investigations. During such time, Spencer assumes responsibility and liability for such prisoners until the return of the prisoners to the Jail.
- C. Midwest City shall allow Spencer access, at all times, to Spencer prisoners or hold for municipal/state prisoners. Spencer assumes responsibility and liability for any and all prisoners or trustees upon their removal from the Jail by Spencer until such time as they are returned to the Jail by Spencer.
- D. Midwest City agrees to provide appropriate personnel, if available, to serve in the capacity of hospital guards for Spencer prisoners or hold for municipal/state prisoners when admittance into a medical facility outside the Jail is required. Spencer agrees to pay any costs incurred by Midwest City for the appropriate personnel serving as guards for Spencer prisoners or hold for municipal/state prisoners when so required by the Spencer Police Department.

8. Custody.

- A. For purposes of this Agreement, custody shall be deemed to pass from Spencer to Midwest City upon Spencer presentation and Midwest City's acceptance of the documentation required by Midwest City for booking of prisoners. For compensation purposes, Spencer financial responsibility for Spencer prisoners and hold for municipal/state prisoners shall begin upon the presentation of the necessary documentation to book a prisoner into the Jail.

- B. Midwest City agrees to accept and provide for the secure custody care and safekeeping of Spencer prisoners and hold for municipal/state prisoners.
- C. Midwest City shall coordinate with municipal judges of Spencer for the posting of bonds for those persons charged with violations of Spencer ordinances. All fines/bonds will be posted with the Spencer municipal court clerk. Spencer will be responsible for authorization of all own-recognition bonds on Spencer prisoners. Spencer municipal authorities shall coordinate with Midwest City for the purposes of conducting arraignments of prisoners on municipal charges.
- D. Midwest City agrees to release Spencer prisoners and hold for municipal/state prisoners within two (2) hours of notification or authorization to release unless special circumstances prevent release within that time whereupon the release shall be done as soon as practicable. For compensation purposes, Spencer financial responsibility ends at release or two (2) hours after providing Midwest City notification or authorization to release a Spencer prisoner or hold for municipal/state prisoner, whichever is earlier.

9. Medical Care.

- A. Spencer will not present to the Jail but, rather, will take a prisoner who needs emergency medical care to an approved emergency medical care institution for treatment. Arrested persons who are not conscious, semi-conscious, bleeding, cannot answer questions concerning their health to the satisfaction of the Jail staff or who are otherwise in need of any medical care will be taken to an approved medical care institution for treatment prior to being presented for booking at the Jail.
- B. Once a prisoner is in the custody of Midwest City, Midwest City agrees to accept and provide for the secure custody, care and safekeeping of Spencer prisoners and hold for municipal/state prisoners in accordance with the federal and state standards and laws, Spencer ordinances and court orders applicable to the operations of the Jail.
- C. Midwest City agrees the compensation set out in paragraph 6 of this Agreement includes providing Spencer prisoners and hold for municipal/state prisoners with the same level of care and services provided Midwest City prisoners. Spencer agrees to provide transportation to and from medical facilities outside of the Jail for any Spencer prisoner or hold for municipal/state prisoner by a law enforcement vehicle if the situation is not life-threatening and/or

by other means including, but not limited to, ambulance transportation as the prisoner's medical condition requires.

10. Severable Liability.

- A. This Agreement shall not be construed as creating any agency or third party beneficiary agreements in any form or manner whatsoever.
- B. All parties herein shall be exclusively liable for loss resulting from its torts or the torts of its employees acting within the scope of their employment, subject to the limitations and exceptions specified in the Governmental Tort Claims Act, 51, Oklahoma Statutes, §§ 151-172, inclusive, as may be amended from time to time. All parties shall further be exclusively responsible for their own acts and/or the acts of their employees for any alleged violations of rights under the United States Constitution as required by law. Therefore, no party shall be liable for the acts or omissions of the other party.

11. Notices. All notices required under this Agreement shall be in writing and shall be mailed by certified mail, return receipt requested, to Spencer and to Midwest City at the following addresses:

If to Spencer:	City Clerk City of Spencer 8300 NE 36 th Street Spencer, Oklahoma 73084
With a copy to police chief:	Chief of Police City of Spencer 8300 NE 36 th Street Spencer, Oklahoma 73084
If to Midwest City:	City Clerk City of Midwest City 100 North Midwest Boulevard Midwest City, Oklahoma 73110

With a copy to police chief:

Chief of Police
City of Midwest City
100 North Midwest Boulevard
Midwest City, Oklahoma 73110

12. Fiscal Limitations. The obligations of the parties to pay out funds pursuant to the terms of this Agreement are specifically subject to the appropriation of sufficient funds for said purpose under the laws of the state of Oklahoma.

13. Non-Assignability. This Agreement shall be non-assignable unless agreed to in writing by all of the parties hereto.

14. Severable. The provisions of this Agreement shall be considered severable and, in the event any part or provision shall be held void by a court of competent jurisdiction, the remaining parts shall then constitute the Agreement.

15. Laws and Regulations. This Agreement shall be subject to the Constitution and laws of the United States and state of Oklahoma; in particular, the provisions of 74 Oklahoma Statutes § 192, as may be amended from time to time, pertaining to minimum standards for jails shall specifically apply.

16. Multiple Counterparts. This Agreement may be executed in multiple counterparts, each of which shall be deemed an original.

17. Inspections. Midwest City shall make available upon request any and all inspection reports concerning the Jail to the chief of police and city manager of Spencer in a timely manner. This provision does not intend or create any liability and/or indicate that Spencer has or exerts any control of or over the Jail but, rather, is expressly intended solely to allow monitoring of Spencer prisoners, hold for municipal/state prisoners and jail standards.

18. Security. Spencer personnel shall at all times comply with all security and confidentiality regulations provided to them in effect at the Jail. Information belonging to Midwest City will be safeguarded by Spencer to the same extent as Spencer safeguards its own information of like kind relating to its own operation, subject to disclosures required by law.

19. Transportation of Spencer Prisoners. Spencer hereby assumes responsibility for the transportation of Spencer prisoners to all municipal court appearances and shall hereby coordinate with the Spencer municipal judges for the posting of bonds for those persons charged with violations of Spencer ordinances. Spencer hereby assumes responsibility for the transportation of hold for municipal/state prisoners to the Oklahoma County Jail or other appropriate institution.


20. Amendments. Any amendments to this Agreement must be in writing and approved by the parties.

21. Complete Agreement. This Agreement is the complete agreement of the parties regarding matters addressed herein. No oral agreements or representations shall be considered binding on the parties.

PASSED AND APPROVED by the mayor and council of the City of Spencer, Oklahoma on the 15th day of October, 2020 and by the mayor and council of the City of Midwest City, Oklahoma the _____ day of _____, 2020.

City of Spencer

Attest:




Mayor



City Clerk

Approved as to form and legality this 15 day of October, 2020.



City Attorney

City of Midwest City

Attest:

Matthew D. Dukes II, Mayor

Sara Hancock, City Clerk

Approved as to form and legality this _____ day of _____, 20____.

Heather Poole, City Attorney



Fleet Services
8730 SE 15th Street
Midwest City, OK 73110
crdavis@midwestcityok.org
Office: 405.739.1035
www.midwestcityok.org

TO: Mayor and Council

FROM: Craig Davis, Fleet Services

Date: January 12, 2021

Subject: Discussion and consideration of awarding the bid and attached contract for an onsite turnkey vehicle and equipment parts operation to O'Reilly Auto Parts.

The City of Midwest City opened bids for an onsite turnkey vehicle and equipment parts operation on May 26, 2020. Both NAPA / Genuine Parts Company and O'Reilly's Auto Parts Company submitted proposals. O'Reilly auto parts had the lowest and best bid meeting published specification. The contract shall be in effect from January 13, 2021 until June 30, 2021 with a provision to renew.

The Fleet Services Department expects to spend approximately \$800,000 for replacement parts, oils and lubricants through this contract in fiscal year 2020-21. The Fleet Services Department uses these products to service and repair City owned vehicles and equipment.

Respectfully,

Craig Davis

Craig Davis, Fleet Services

INTEGRATED SUPPLY AGREEMENT BY

AND BETWEEN

O'REILLY AUTO ENTERPRISES LLC.

AND

THE CITY OF MIDWEST CITY, OKLAHOMA

THIS INTEGRATED SUPPLY AGREEMENT (this "Agreement") is made by and between O'Reilly Auto Enterprises LLC., a Missouri Corporation (dba O'Reilly Auto Parts) (referred to as "O'REILLY" or "OAP"), and The City of Midwest City, Oklahoma and its affiliates and subsidiaries (referred to as "THE CITY OF MIDWEST CITY, OKLAHOMA"), (collectively, the "Parties") to be effective as of the **13th** day of **January, 2021** (the "Effective Date").

WITNESSETH

WHEREAS, O'REILLY desires to establish an on-site vendor managed parts store in THE CITY OF MIDWEST CITY, OKLAHOMA location(s) to service the vehicle parts needs of THE CITY OF MIDWEST CITY, OKLAHOMA and to serve as a supplier of automotive replacement parts and other supplies and/or equipment (the "Inventory") to serve the needs of THE CITY OF MIDWEST CITY, OKLAHOMA; and

WHEREAS, THE CITY OF MIDWEST CITY, OKLAHOMA desires to provide space for the Inventory on the premises of THE CITY OF MIDWEST CITY, OKLAHOMA for use by O'REILLY ("On-Site Store") and agrees that O'REILLY will be the sole on-site store provider of Inventory both "O'Reilly internal and Non O'Reilly inventory" pursuant to the terms here within. O'Reilly understands The City reserves the right to purchase parts and/or services from other sources, if it is in the best interest of the City. If the vendor cannot obtain the desired part by start of the next business day, in an emergency situation, or if, for any reason, the vendor cannot supply the part in an acceptable time frame, the City may procure parts immediately by any means necessary.

NOW THEREFORE, in consideration of the mutual promises and covenants contained herein, and of those contained in the "bid document" submitted (by O'Reilly for the 2021 fiscal year) to the City of Midwest City, and other good and valuable consideration, the receipt and sufficiency of which are acknowledged, the parties hereto agree as follows:

AGREEMENT

Each of the recitals set forth above is hereby incorporated into the Agreement in its entirety.

1. THE CITY OF MIDWEST CITY, OKLAHOMA CURRENT LOCATION: O'REILLY will establish On-Site Store(s) at THE CITY OF MIDWEST CITY, OKLAHOMA location listed below:

8730 SE 15th St, Midwest City, OK 73110

2. TERM: The initial term of this Agreement shall be for (1) fiscal year or the remaining months of FY20/21 (“Term”) ending June 30, 2021. Upon expiration of the initial term, THE CITY OF MIDWEST CITY, OKLAHOMA will have the option to renew in (1) one year increments not to exceed (5) five consecutive contract years, by writing to the vendor requesting such renewal. Notwithstanding the foregoing, either party may terminate this Agreement at any time for its convenience for any reason or no reason by tendering to the other party ninety (90) days prior written notice of such termination, provided, however that THE CITY OF MIDWEST CITY, OKLAHOMA shall be liable for cancellation fees associated with any services, including without limitation, internet cancellation fees, incurred by O’REILLY as a result of the termination.

3. DUTIES AND RESPONSIBILITIES OF O’REILLY: O’REILLY shall have the following duties and responsibilities during the term of this Agreement:

a. O’REILLY will operate the On-Site Store(s) and provide the Inventory to THE CITY OF MIDWEST CITY, OKLAHOMA’s location(s) designated in Paragraph (1) (the “Location(s)”). O’REILLY shall provide all personnel required to operate the Location(s).

b. In those circumstances when delivery is required by THE CITY OF MIDWEST CITY, OKLAHOMA, O’REILLY will provide parts to the Location(s) on a daily route basis. O’REILLY will issue a fee on the monthly profit and loss statement that will cover all associated costs for distribution center and city route delivery. This will be the only fee in regards to daily deliveries and nightly inventory replenishment that O’REILLY will pass on to THE CITY OF MIDWEST CITY, OKLAHOMA.

c. OAP understands that any item, parts or supplies, are not to be issued to the City personnel until all part information has been entered into the Computerized Fleet Analysis (CFA) application first. Upon entering the information into CFA, the on-site team member will then be responsible for delivering the correct parts and/or supplies to the corresponding technician’s work station who will review and sign the order ticket (receipt). This will be the responsibility of the on-site team member for every item and/or supplies that are ordered. Every order ticket (receipt) shall contain what items were delivered and the signature of the City employee who received them. These order tickets (receipts) will then be given to the Fleet records clerk for each work order requisition. OAP understands how important checks and balances are and will make sure all reporting team members are trained properly with all qualifying tasks.

d. OAP agrees that the on-site personnel will be responsible for utilizing the City’s Fleet Shop Management application, CFA, and any other modules within. These modules will require the selected vendor to utilize the CFA parts classification and task codes as adopted by the City. In the event the City adds hand held devices and/or bar code equipment into practice, OAP agrees to utilize said devices in any capacity necessary to meet the needs of the City. OAP agrees to maintain and enter all information into the City’s Fleet Shop Management application, CFA, as needed to ensure accuracy of reporting and posting information. OAP will attend and cooperate with all of the necessary operation/process training required to effectively run CFA. OAP agrees to send our team members to additional CFA training when offered at the expense of OAP.

- e. O'REILLY shall provide all computers and reports necessary to monitor monthly expenses as they pertain to the daily operation of the Location(s). O'REILLY shall provide computer ordering to each Location(s) through its point-of-sale system. Upon termination or expiration of this Agreement, THE CITY OF MIDWEST CITY, OKLAHOMA will have no further access to or right to use O'Reilly's point-of-sale system. All point-of-sale and equipment costs and fees will be passed on to THE CITY OF MIDWEST CITY, OKLAHOMA at cost on the monthly profit and loss statement through a 36 month depreciation schedule. In the event this contract is subsequently renewed for an additional 12 month term, pursuant to Section 2, above, THE CITY OF MIDWEST CITY, OKLAHOMA shall continue to pay monthly maintenance fees as incurred by O'REILLY on all hardware/software items used under the terms of this Agreement.
- f. O'REILLY shall provide a profit and loss statement of the parts operations to THE CITY OF MIDWEST CITY, OKLAHOMA on the last business day of the following month for each Location.
- g. O'REILLY shall provide back-up emergency service during non-working hour contingencies. The overtime expense (calculated at time and one half) will be charged on a cost basis to THE CITY OF MIDWEST CITY, OKLAHOMA. O'REILLY will provide a list of personnel, including telephone numbers, who will respond to emergency service requests. O'REILLY shall revise the aforementioned list as needed to provide THE CITY OF MIDWEST CITY, OKLAHOMA with reliable up-to-date information and non-working hour support.
- h. Upon the request of THE CITY OF MIDWEST CITY, OKLAHOMA, O'REILLY shall monitor and oversee any and all shop support services, including but not limited to, rag services and parts cleaning services, performed by a third party on the premises of THE CITY OF MIDWEST CITY, OKLAHOMA. If THE CITY OF MIDWEST CITY, OKLAHOMA hired such third parties, O'REILLY shall not be held liable for the intentional, willful, negligent or grossly negligent acts or omissions of such third parties.
- i. Cores for items within the O'Reilly network will be placed into a core bank and will not be charged to THE CITY OF MIDWEST CITY, OKLAHOMA provided that any such cores are placed into the core bank within thirty (30) days of their return. Cores from outside the O'Reilly network or non-O'Reilly vendors will be charged and credited according to the agreements in place with those outside vendors. O'REILLY is exempt from control or liability over the processes and policies of outside vendors.
- j. O'REILLY agrees that all returns on products within the O'Reilly network will be processed for full credit if returned within the first thirty (30) days. All returns on products outside of the O'Reilly network (Non-O'Reilly Products) will be processed for full credit if returned within the timeframe allowed by the outside vendor. Any credit for items returned outside the allotted window will be credited to THE CITY OF MIDWEST CITY, OKLAHOMA minus re-stock fee or any other fees assessed by the vendor for returns outside of allowable return timeframe defined by the vendor.

k. O'REILLY acknowledges and agrees that THE CITY OF MIDWEST CITY, OKLAHOMA location will receive no less than three (3) deliveries a day, if necessary, from the O'REILLY distribution network in THE CITY OF MIDWEST CITY, OKLAHOMA servicing area. Additionally, THE CITY OF MIDWEST CITY, OKLAHOMA location will receive a daily replenishment of Inventory, Monday – Friday, from the O'Reilly distribution network. If immediate availability is required and local supply is unavailable, overnight/expedited freight services will be utilized with approval from a THE CITY OF MIDWEST CITY, OKLAHOMA representative. Applicable charges will be passed on to THE CITY OF MIDWEST CITY, OKLAHOMA at cost.

l. O'Reilly agrees to provide disposal services and/or recycling of used batteries, not to include recycling of tires, antifreeze, motor oils, greases and any other disposal items including hazardous wastes generated by the Fleet Services department.

4. DUTIES AND RESPONSIBILITIES OF THE CITY OF MIDWEST CITY, OKLAHOMA: THE CITY OF MIDWEST CITY, OKLAHOMA shall have the following duties and responsibilities during the term of this Agreement:

a. THE CITY OF MIDWEST CITY, OKLAHOMA shall provide, at its sole expense, usable space for O'REILLY's Location(s) and the Inventory. THE CITY OF MIDWEST CITY, OKLAHOMA shall provide access to restroom facilities for O'REILLY team members. Further, THE CITY OF MIDWEST CITY, OKLAHOMA shall furnish, at its sole expense, all utilities for the On-Site Store(s) including: water, sanitation, sewer, light, telephone, heat, gas, electricity, power, janitorial and all other utilities and services rendered or delivered to the On-Site Store(s).

b. Subject to the terms below, THE CITY OF MIDWEST CITY, OKLAHOMA shall use O'REILLY as the sole on-site store provider of inventory pursuant to the terms here within.

c. Each On-Site Store Location shall be appropriately secured or otherwise maintained separate and apart from the business of THE CITY OF MIDWEST CITY, OKLAHOMA. There shall be no intermingling of THE CITY OF MIDWEST CITY, OKLAHOMA's parts or other inventory with O'REILLY parts or inventory. Access to the secured Location(s) shall be restricted to O'REILLY team members and authorized O'REILLY representatives only. THE CITY OF MIDWEST CITY, OKLAHOMA employees, contractors or agents shall not be permitted to enter the secured Location area unless accompanied by an O'REILLY team member or other authorized O'REILLY representative.

d. THE CITY OF MIDWEST CITY, OKLAHOMA shall, at all times during the term of this Agreement, at THE CITY OF MIDWEST CITY, OKLAHOMA's sole expense, maintain in good condition and repair (so as to prevent any damage or injury to O'REILLY team members, the Inventory or other personal property located in the Location(s)) the roof, exterior walls, foundation, and structural portions of the Location(s) and all portions of the electrical plumbing systems lying outside of the Location(s) but serving the Location(s).

5. HOURS OF OPERATION: Hours of operation will be M-F 7:30a-4:00p. Any changes in the hours of operation will be discussed and mutually agreed upon between the Parties before being implemented.

6. PAYMENT TERMS/PRICING: O'REILLY shall invoice THE CITY OF MIDWEST CITY, OKLAHOMA for all Inventory purchased pursuant to this Agreement on a monthly basis according to the pricing plan below. OAP will provide a 2% early pay discount on the monthly "Parts Usage Statement" if payment is received by the 10th of each month. THE CITY OF MIDWEST CITY, OKLAHOMA agrees to pay the entire undisputed amount of all invoices on statements received from O'REILLY within thirty (30) days of the date of invoice. All invoices and credits will be processed before the last business day of the month, except for deferred cores. Any open undisputed invoices or credits must be approved by THE CITY OF MIDWEST CITY, OKLAHOMA if they are to remain open after the last business day of the month. THE CITY OF MIDWEST CITY, OKLAHOMA shall reimburse O'REILLY for all reasonable costs incurred by O'REILLY in collecting any undisputed past due amounts owed to O'REILLY pursuant to this Agreement, including all reasonable attorney's fees, costs and interest on any unpaid undisputed amounts (whether for Inventory or Operational Costs) at the lesser of 1.5% per month (18% per annum), or the highest rate allowed by law.

The overall goal of THE CITY OF MIDWEST CITY, OKLAHOMA's pricing plan is for O'REILLY to achieve a 10% net profit above store cost (Ex: Store Cost divided by 0.90) on all O'REILLY products and 10% net profit above acquisition cost (Ex: Acquisition cost divided by 0.90) on outside purchases or services.

THE CITY OF MIDWEST CITY, OKLAHOMA's pricing plan is comprised of the following elements:

a. **Product Costs:** The pricing of the Inventory to be supplied to THE CITY OF MIDWEST CITY, OKLAHOMA by O'REILLY shall be established pursuant to this Agreement. Product Costs shall be further divided into "O'REILLY Product Costs", which is the pricing of O'REILLY supplier manufactured products, and "Non-O'REILLY Product Costs", which is the pricing of products which have not been manufactured by O'REILLY suppliers but which have been acquired for THE CITY OF MIDWEST CITY, OKLAHOMA by O'REILLY pursuant to this Agreement.

b. **Maximum Profit:** OAP understands that the maximum allowed profit charge for the acquisition of any one part shall be limited to \$200.

c. **Operational Costs:** Except for costs and expenses related to O'Reilly team members at the Location(s) (such as salary and benefits payable to O'Reilly team members at the Location(s), employment and related taxes, worker's compensation benefits and insurance, and unemployment insurance) ("O'REILLY Team Member Expenses"), which are addresses separately below, any and all other costs and expenses associated with the operation of the Location(s), including but not limited to, personal property insurance for the Location(s) and Inventory, any deductible for losses covered under the personal property or general liability insurance policies of O'REILLY, all equipment supplied by O'REILLY, payroll accounting fees and general office expenses (as defined below) will be passed on to THE CITY OF MIDWEST CITY, OKLAHOMA at the

cost specified on the monthly profit and loss statement. O'REILLY Team Member Expenses will be treated as follows.

- a. O'REILLY will supply one (1) full-time team member at the Location.
- I. O'REILLY and THE CITY OF MIDWEST CITY, OKLAHOMA reserves the right to evaluate the number of team members required to successfully operate the On-Site Store and make appropriate adjustments agreed upon by both parties as needed.
- b. O'REILLY Team Member Expenses for the team members at each Location within the Staffing Model will be passed on to THE CITY OF MIDWEST CITY, OKLAHOMA at cost on the monthly profit and loss statement.
- c. Quarterly Team Member Bonus Payouts: Each Full Time O'Reilly team member associated with the operation is eligible for a "quarterly bonus" to be placed on the monthly Profit and Loss statement and is defined as follows:

Integrated Parts Manager: \$500.00

District Manager: \$250.00

THE CITY OF MIDWEST CITY, OKLAHOMA acknowledges and agrees that the costs and expenses reflected on the profit and loss statement are subject to change based on actual monthly costs, expenses or Payroll Accounting and General Office Expenses incurred relative to the operation of the Location(s). To achieve economies of scale, O'REILLY utilizes certain corporate personnel to assist in the performance of this Agreement. As a result, each On-Site Store location is charged with a Payroll Accounting/General Office Expense ("Payroll Acctg/General Office") which is calculated as a percentage (1.43%) of sales for each location. The Payroll Accounting and General Office expense allows O'REILLY to have fewer team members performing routine general administrative tasks such as paper work and filing at the Location(s), allowing O'REILLY counter personnel to focus more attention on serving the Location operations, and maximizing on-site cost efficiency. O'REILLY shall invoice THE CITY OF MIDWEST CITY, OKLAHOMA for the Operational Costs each month, in arrears, with respect to each location, and THE CITY OF MIDWEST CITY, OKLAHOMA shall pay such undisputed Operational Costs to O'Reilly within thirty (30) days from receipt of each invoice.

Pricing Plan Summary

- O'REILLY Products – Invoiced to THE CITY OF MIDWEST CITY, OKLAHOMA at a 10% net profit
- Non-O'REILLY Products and Services – Invoiced to THE CITY OF MIDWEST CITY, OKLAHOMA at a 10% net profit
- Operational Costs – Invoiced to THE CITY OF MIDWEST CITY, OKLAHOMA in accordance with Section 6

Should THE CITY OF MIDWEST CITY, OKLAHOMA request that O'REILLY procure any Non-O'REILLY products, then O'REILLY's sole responsibility with respect to the non-O'REILLY products shall be to obtain them on behalf of THE CITY OF MIDWEST CITY, OKLAHOMA. O'REILLY shall not be required to warranty or guarantee any such non-O'Reilly products, nor inspect their quality or design. O'REILLY shall have no liability for any of the Non-O'REILLY products due to production or design defects.

7. INSURANCE: THE CITY OF MIDWEST CITY, OKLAHOMA shall provide at its sole expense "all risks" fire and property insurance on all buildings and/or improvements in which the On-Site Store(s) are located throughout the term of the Agreement. Further, THE CITY OF MIDWEST CITY, OKLAHOMA shall, throughout the term of this Agreement, at THE CITY OF MIDWEST CITY, OKLAHOMA's expense, obtain and maintain in force a policy of commercial general liability insurance in the name of THE CITY OF MIDWEST CITY, OKLAHOMA as insured, such insurance to be written on an "occurrence" basis with combined single limits for any one injury, including death, and for property of not less than \$1,000,000.00 per occurrence and \$2,000,000 general aggregate. Further, THE CITY OF MIDWEST CITY, OKLAHOMA shall, throughout the term of this Agreement, at THE CITY OF MIDWEST CITY, OKLAHOMA's expense, obtain and maintain in force a policy of commercial automobile liability insurance on all of its vehicles with limits of at least \$1,000,000.00 combined single limit per accident in the name of THE CITY OF MIDWEST CITY, OKLAHOMA as insured. Said policies shall be issued by a reputable insurance company authorized to transact business in all states where On-Site Store(s) are located. THE CITY OF MIDWEST CITY, OKLAHOMA shall further maintain during the term of this Agreement worker's compensation insurance coverage in amounts required by law. THE CITY OF MIDWEST CITY, OKLAHOMA shall provide to O'REILLY, upon execution of this Agreement, a copy of all Certificates of Insurance evidencing the insurance coverages above. With respect to Commercial General Liability, Auto Liability, Umbrella Liability, "O'Reilly Auto Enterprises, Inc. and its past, present, and future affiliates and subsidiaries" shall be named as additional insureds under an ISO CG 2010 11-85 or equivalent endorsement. Insurance coverages shall be written with a company or companies having an AM Best rating of "A-" with a financial size classification of "VI" as determined by the most recently published Best's Key Rating Guide. Evidence of the required coverages shall be provided in the form of an acceptable certificate of insurance to O'REILLY.

a. O'REILLY shall maintain during the term of this Agreement worker's compensation insurance coverage for its team members located at the Location(s) in amounts required by law. In addition, O'REILLY shall maintain personal property insurance during the term of this Agreement in an amount sufficient to cover any loss or damage to the Inventory and any other personal property owned by O'REILLY that is located at the Location(s) which is caused by an O'Reilly team member. O'REILLY will carry general liability coverage in the amount of \$1,000,000 per occurrence, and comply with the Workers' Compensation requirements mandated by the jurisdiction of any Location.

8. NO LIENS:

a. The Parties agree that they shall not take any action, or fail to take any action, which would result in the granting of a security interest, lien or encumbrance against property of the other party related to this Agreement. Further, the Parties agree to defend and hold harmless each other from any claim which results from the encumbrance of the property of the other party related to this Agreement, and from any and all liability, costs and expenses, including attorney's fees, resulting from any claim or encumbrance on the property of the other party related to this Agreement.

b. THE CITY OF MIDWEST CITY, OKLAHOMA agrees and acknowledges that Inventory that is delivered and stored on THE CITY OF MIDWEST CITY, OKLAHOMA's property which (i) is stored in the parts cage, and (ii) has not been paid for by THE CITY OF MIDWEST CITY, OKLAHOMA, is Inventory owned by O'REILLY.

9. PERSONNEL: O'REILLY and THE CITY OF MIDWEST CITY, OKLAHOMA shall attempt in good faith to mutually agree upon the identity of the O'REILLY personnel that will staff the Location(s). In the event that THE CITY OF MIDWEST CITY, OKLAHOMA for any reason wishes to remove or replace any of the O'REILLY personnel at any Location, the parties will attempt to resolve THE CITY OF MIDWEST CITY, OKLAHOMA's request by mutual agreement. O'REILLY will perform all necessary drug screens and background checks O'REILLY personnel assigned to any Location pursuant to O'REILLY policies and applicable law.

All O'REILLY personnel assigned to the Location(s) will be solely employees of O'REILLY. O'REILLY shall be responsible for any negligent, grossly negligent, willful or intentional conduct of its employees and agents while they are on THE CITY OF MIDWEST CITY, OKLAHOMA property, and agrees to train its employees and agents as to THE CITY OF MIDWEST CITY, OKLAHOMA premises' rules and regulations of operation, including non-smoking and drug-free workplace. O'REILLY shall ensure adequate staffing of the Location(s) at all time.

10. WARRANTY/LIABILITY DISCLAIMER:

a. All merchandise supplied pursuant to this Agreement are subject to the terms of written warranties provided by the manufacturer of each part, and O'REILLY shall use commercially reasonable efforts to assist THE CITY OF MIDWEST CITY, OKLAHOMA in processing all warranty claims that THE CITY OF MIDWEST CITY, OKLAHOMA may have against any manufacturer of merchandise supplied by O'REILLY. The manufacturer's warranty will be the sole and exclusive

remedy of THE CITY OF MIDWEST CITY, OKLAHOMA in connection with any claims concerning the parts supplied to THE CITY OF MIDWEST CITY, OKLAHOMA pursuant to this Agreement. **ALL OTHER WARRANTIES, BOTH EXPRESS AND IMPLIED, INCLUDING ANY IMPLIED WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE, ARE HEREBY EXCLUDED.** Copies of the manufacturer's warranties are available to THE CITY OF MIDWEST CITY, OKLAHOMA upon request.

For suppliers (or categories of suppliers) of Non-O'REILLY products that THE CITY OF MIDWEST CITY, OKLAHOMA instructs O'REILLY to utilize or consider for future purchases, O'REILLY is under no obligation to investigate (and O'REILLY disclaims all liability in connection with investigating) product quality, management, ownership, reputation, certifications, qualifications, price competitiveness, or any other related characteristics of the product, individuals or entities at issue.

11. TERMINATION FOR CAUSE: Notwithstanding either parties' ability to terminate this Agreement for convenience upon ninety (90) days written notice, as set forth in Section 2, above, either party may terminate this agreement immediately for cause as set forth herein:

- a. In the event that the other party fails or refuses to pay any undisputed amounts due under this Agreement; or
- b. In the event that the other party fails or refuses to perform any obligation required under this Agreement, and fails or refuses to cure any such breach within thirty (30) days of receipt of written notice thereof; or
- c. In the event that the other party files any bankruptcy petition, has any bankruptcy petition filed against it, makes any assignment of its assets for the benefit of creditors, or admits in writing its inability to pay its debts as they become due.

12. EFFECT OF TERMINATION: Upon termination of this Agreement by either party for any reason:

- a. All duties, responsibilities and other obligations of each party hereunder shall terminate, except for the payment of any undisputed amounts due and owing to either party at the time of termination.
- b. Each party shall immediately return to the other party all equipment, software, books, records, tools and any other personal property or information owned by the other party that are in such party's possession. THE CITY OF MIDWEST CITY, OKLAHOMA shall allow O'REILLY full and unrestricted access to enter into the On-Site Store(s) and immediately remove the Inventory, all equipment and other items of personal property owned by O'REILLY without being deemed guilty of trespass or any other violation of the law.

Nothing contained in this Section shall be deemed a waiver of, or in any other manner impair or prejudice, any other legal rights that either party may have against the other party for any breach of this Agreement. The provisions and obligations of Sections 8, 10, 12, 13, 14 and 15 shall survive the termination of this Agreement for any reason.

13. BUY-BACK OF INVENTORY: Upon termination, expiration, or non-renewal of this Agreement, THE CITY OF MIDWEST CITY, OKLAHOMA agrees to and shall purchase all Non-O'REILLY Inventory owned by O'REILLY and located in the Location(s) at O'REILLY's last acquisition cost, and THE CITY OF MIDWEST CITY, OKLAHOMA shall have the option to purchase all O'REILLY Inventory, owned by O'REILLY and located in the Location(s) at O'REILLY's store acquisition cost with the agreed upon applicable net profit percentage of 7.5% being made by O'REILLY.

14. CONFIDENTIALITY: THE CITY OF MIDWEST CITY, OKLAHOMA and O'REILLY may, from time to time, acquire or otherwise receive confidential or proprietary information concerning the other party's products, pricing, business affairs and practices. In consideration of the confidential and proprietary nature of this information, each party agrees as follows:

a. All confidential or proprietary knowledge and information received from the other party shall for all time and purposes be regarded by the receiving party, its employees and agents as strictly confidential and will not be disclosed to any third parties or to any of the other affiliates of the receiving party.

b. Each party agrees to utilize any information provided by the other party only for the purposes of carrying out this Agreement and further acknowledges that it will not utilize any information provided by the other party for any purpose including but not limited to directly or indirectly competing with the other party or otherwise assisting another person or entity in doing the same.

c. All confidentiality obligations hereunder shall continue in full force and effect during the term of this Agreement, and after termination: (a) in the case of confidential information that constitutes a trade secret under applicable law, for as long as such confidential information remains a trade secret; or (b) in the case of any other confidential information, for a term of two (2) years.

d. Each party further understands that money damages will not be a sufficient remedy for a breach of this Section 14 and that, in addition to all other remedies available at law or in equity, each party shall be entitled to seek equitable relief, including injunctions or specific performance, without proof of actual damages.

e. In the event that the receiving party is requested or required by legal or regulatory authority to disclose confidential or proprietary information of the disclosing party, the receiving party shall promptly notify the disclosing party of such request or requirement prior to disclosure to the extent permitted by applicable law, so that the disclosing party may seek an appropriate protective order. In the event that a protective order or other remedy is not obtained, receiving party agrees to furnish only that portion of the confidential or proprietary information that it reasonably determines, in consultation with its counsel, is consistent with the scope of the subpoena or demand, and to exercise reasonable efforts to obtain assurance that confidential treatment will be accorded such information.

15. INDEMNIFICATION: To the fullest extent permitted by law, each party shall defend, indemnify and hold harmless the other from and against any and all claims, suits, damages, losses, liabilities, fines, penalties, costs or expenses (including reasonable attorney's fees) arising from or related to (i) the indemnifying party's negligence, gross negligence or willful misconduct in the performance of its duties and obligations hereunder, or the negligence, gross negligence or willful misconduct of the indemnifying party's officers, directors, employees, agents, or guests, (ii) infringement of a third party's intellectual property rights by the indemnifying party or its products and services, (iii) any material breach of this Agreement by the indemnifying party, or (iv) any violation of applicable law by the indemnifying party or its products and services.

16. NOTICES: Whenever any notice, demand or request is required or permitted hereunder, such notice, demand or request shall be hand-delivered in person or sent via facsimile, by overnight mail through a reputable service, by email, or by certified mail, return receipt requested, to the addresses set forth below:

As to O'REILLY: O'Reilly Auto Enterprises, LLC
 233 S. Patterson Avenue
 Springfield, MO 65802
 Attn: Heath Johnson
 Email address: hjohnson9@oreillyauto.com

With a copy to General Counsel

As to THE CITY OF MIDWEST CITY, OKLAHOMA: THE CITY OF MIDWEST CITY, OKLAHOMA
 Craig Davis
 8730 SE 15th St Midwest City, OK 73110
 crdavis@midwestcityok.org

Eva Deen
8730 SE 15th St Midwest City, OK 73110
edeen@midwestcityok.org

With a copy to General Counsel

Each such notice shall be deemed delivered (i) on the date of receipt if delivered by hand, email, overnight courier service or if sent by facsimile, or (ii) on the date three (3) business days after depositing with the United States Postal Service if mailed by registered or certified mail. Either party may change its address specified for this notice by giving the other party at least ten (10) days written notice in accordance with this Section 16.

17. FORCE MAJEURE/DAMAGE OF PREMISES:

a. Whenever performance by either party of any of their respective obligations is substantially prevented by reason of any act of God, other industrial or transportation disturbance, fire, floods, riots, acts of enemies, national emergencies or by any other cause not within the reasonable control of such party and not occasioned by its negligence, then such performance shall be excused and the performance of such obligations under this Agreement shall be suspended for the duration of such prevention and for a reasonable time thereafter.

b. Notwithstanding any other provisions of this Agreement O'REILLY may terminate this Agreement, at its sole discretion, immediately in the event that THE CITY OF MIDWEST CITY, OKLAHOMA's premises are damaged by any casualty, or such portion of the premises is condemned by any legally constituted authority, such as will make THE CITY OF MIDWEST CITY, OKLAHOMA's premises unusable for the Location in the reasonable judgment of O'REILLY.

18. SUCCESSORS AND ASSIGNS: The provisions of this Agreement shall be binding upon and shall inure to the benefit of the parties hereto and their respective officers, directors, employees, successors and permitted assigns. Notwithstanding the foregoing, the rights and obligations of either party to this Agreement may not be assigned without the prior written consent of the other party hereto, which consent shall not be unreasonably withheld, provided, however, that each party may assign this Agreement to any of its affiliated entities.

19. AMENDMENTS: No amendment to this Agreement shall be binding on either party hereto unless such amendment is in writing and executed by both parties with the same formality as this Agreement is executed.

20. NO WAIVER OF RIGHTS: No failure of either party hereto to exercise any power given such party hereunder or to insist upon strict compliance by the other party to its obligations hereunder, and no custom or practice of the parties in variance with the terms hereof, shall constitute a waiver of either party's right to demand exact compliance with the terms hereof.

21. LIMITATIONS ON RIGHTS OF THIRD PARTIES: All obligations of a party under this Agreement are imposed solely and exclusively for the benefit of the parties, and no other person shall, under any circumstances, be deemed to be a beneficiary of such obligations.

22. INDEPENDENT CONTRACTOR: The parties hereto are independent contractors. Nothing in this Agreement shall create or shall be deemed to create any fiduciary relationship or the relationship of principal and agent, partnership, joint ventures, employee, or any other similar or representative relationship between parties hereto. Neither of the Parties nor any of their agents or employees shall have the power or authority, to state or imply, directly or indirectly, that they are empowered or authorized to commit or bind, to incur any expenses on behalf of the other or to enter into any oral or written agreement in the name of or on behalf of the other or their respective affiliates.

23. CHOICE OF LAW/DISPUTE RESOLUTION: This Agreement shall be construed and interpreted under the laws of the State of Oklahoma, without giving effect to its choice of law rules. Any disputes arising out of this Agreement shall be litigated under the laws of the State of Oklahoma ...court of competent jurisdiction in Oklahoma County, Oklahoma.

24. COUNTERPARTS: This Agreement may be executed in one or more counterparts and each counterpart shall, for all purposes, be deemed an original, but all such counterparts shall together constitute but one and the same instrument.

25. SECTION HEADINGS: Section titles or captions contained herein are inserted only as a matter of convenience for reference and in no way define, limit, extend, or describe the scope hereof or the intent of any provision hereof.

26. SEVERABILITY: In the event that any part of this Agreement shall be finally determined by a court of law to be illegal or unenforceable for any reason, then that illegal or enforceable part shall be severed from the Agreement, and the remaining terms shall continue in full force and effect.

27. ENTIRE AGREEMENT: This Agreement and any attachments referenced in this contract, constitute the entire contract between O'REILLY and THE CITY OF MIDWEST CITY, OKLAHOMA concerning the subject matter of this Agreement. To the extent not expressly incorporated herein, this Agreement supersedes all prior proposals, contracts and understandings between the parties concerning the subject matter of this Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement through their duly-authorized representatives to be effective as of the date and year first above written.

(Continued on next page)

O'REILLY AUTO ENTERPRISES LLC.

By: _____/___/___

Name: Chuck Rogers

Title: Vice President of Professional Sales/O'Reilly Auto Parts

THE CITY OF MIDWEST CITY, OKLAHOMA

By: _____/___/___

Name: Craig Davis

Title: Transportation Manager/City of Midwest City, OK



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
Kellie 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 : January 12th, 2021

SUBJECT : Discussion and consideration to approve Change Order No. 1 to the Animals Services Center construction contract with Shiloh Enterprises, Inc. in an increased amount of \$59,530.96 for site lighting at \$4,022.43, for a dog/cat sculpture at \$11,948.23, and a retaining wall at \$43,560.30 and adding two (2) additional days of time.

The attached change order is for the construction of the Animal Services Center still underway. This change order is a culmination of various field changes.

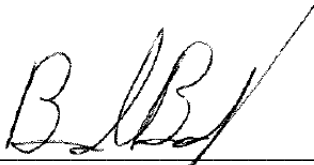
PCO #1 – Site Lighting, \$4,022.43. After this project was awarded, it was found that OG&E would be able to provide lighting for the parking lot and paths. This addition will provide for the electrician to construct the necessary pole bases and conduit in advance of the OG&E lighting.

PCO #2 – Dog/Cat Sculpture, \$11,948.23. This item is for the construction of two (2) pairs of dog and cat sculptures to be added to the approach of the building. The sculptures will have electrical components to enhance the aesthetics and provide a unique identifier for the Animal Services Center.

PCO #3 – Retaining Wall, \$43,560.30. The building footprint was designed so that the existing pecan trees could be preserved in front of the building. The design of the original retaining wall was modified after discussions with the architect and working with the general contractor.

Weather Days – In October the general contractor could not work because of the ice storm. The original contract provides for 3 weather days in October so an overall 2 additional days is included in this change order.

This will increase the original contract by \$59,530.96, bringing the new contract amount to \$2,790,730.96. The additional 2 weather days will bring the new contract length to 367 days.



Brandon Bundy, P.E.,
City Engineer

Attachment



AIA® Document G701™ – 2017

Change Order

PROJECT: (Name and address)
MWC Animal Services Center-0461
8485 East Reno
Midwest City, Oklahoma 73110

CONTRACT INFORMATION:
Contract For: General Construction
Date: 3/11/20

CHANGE ORDER INFORMATION:
Change Order Number: 001
Date: 12/17/20

OWNER: (Name and address)
City Of Midwest City
100 North Midwest Blvd
Midwest City, Oklahoma 73110

ARCHITECT: (Name and address)
Selser Schaefer Architects
2002 East 6th Street
Tulsa, Oklahoma 74104

CONTRACTOR: (Name and address)
Shiloh Enterprises, Inc
5720 N. Industrial Boulevard
Edmond, Oklahoma 73034.

THE CONTRACT IS CHANGED AS FOLLOWS:

(Insert a detailed description of the change and, if applicable, attach or reference specific exhibits. Also include agreed upon adjustments attributable to executed Construction Change Directives.)

PCO #01 - Site Lighting	\$4,022.43
PCO #02 - PR#01 Dog/Cat Sculpture	\$11,948.23
PCO #03 - PR#01 Retaining Wall	\$43,560.30
Total	\$59,530.96

October Weather Delays - Two days

The original Contract Sum was	\$	2,731,200.00
The net change by previously authorized Change Orders	\$	0.00
The Contract Sum prior to this Change Order was	\$	2,731,200.00
The Contract Sum will be increased by this Change Order in the amount of	\$	59,530.96
The new Contract Sum including this Change Order will be	\$	2,790,730.96

The Contract Time will be increased by two (2) days.
The new date of Substantial Completion will be April 15th 2021

NOTE: This Change Order does not include adjustments to the Contract Sum or Guaranteed Maximum Price, or the Contract Time, that have been authorized by Construction Change Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive.

NOT VALID UNTIL SIGNED BY THE ARCHITECT, CONTRACTOR AND OWNER.

Selser Schaefer Architects
ARCHITECT (Firm name)

SIGNATURE

Jeffrey Thomas, Associate Principal
PRINTED NAME AND TITLE

12/17/2020
DATE

Shiloh Enterprises, Inc
CONTRACTOR (Firm name)

SIGNATURE

Steve Preston, President
PRINTED NAME AND TITLE

12/21/2020
DATE

City Of Midwest City
OWNER (Firm name)

SIGNATURE

PRINTED NAME AND TITLE

DATE



GENERAL CONSTRUCTION
 MANAGEMENT
 5720 N. I-35 Industrial Blvd.
 Edmond, Ok. 73034

405-341-5500 Phone
 405-341-7106 Fax

8/17/2020

Midwest City Animal Service Center
COR#1-Changes made by OG&E to the site lighting

	ADD	DEDUCT
Prime Electric	\$3,656.75	

Note: No additional days requested for this work.

Subtotal	\$3,656.75
OH&P 10%	\$365.68
Total	\$4,022.43

PRIME ELECTRIC CO. / 400 S. Coltrane, Edmond, OK 73034 • (405) 359-9190

TO: Shiloh Construction
 Project MWC Animal Shelter
 COR No. 2
 COR Title OG&E to Furnish Light Poles

COR Date 8/17/2020
 Revision Date

COR Item No	Description	Qty	Material	Labor		Equipment	
				Hours	Costs	Type	Cost
1	OMIT THE FOLLOWING				\$ -	DJE	\$ -
2	1" PVC	(800)	(\$627.20)	(49.60)	\$ (2,120.40)	DJE	\$ (159.03)
3	1" GRC 90'S	(16)	(\$231.36)	(4.32)	\$ (184.68)	DJE	\$ (13.85)
4	3-#10 THHN	(800)	(\$912.00)	(24.80)	\$ (1,060.20)	DJE	\$ (79.52)
5	POLE LIGHT (MINOR)	(2)	(\$40.50)	(6.75)	\$ (288.56)	DJE	\$ (21.64)
6	POLE LIGHT (QUOTE)	(1)	(\$840.00)		\$ -	DJE	\$ -
7	ADD BACK THE FOLLOWING				\$ -	DJE	\$ -
8	2" PVC	800	\$1,140.80	68.00	\$ 2,907.00	DJE	\$ 218.03
9	2" GRC 90'S	32	\$1,142.72	11.87	\$ 507.44	DJE	\$ 38.06
10	12"X12"X12" QUAZITE W/ LID	8	\$1,620.00	16.00	\$ 684.00	DJE	\$ 51.30
11	GRAVEL SUMP	8	\$308.00	8.00	\$ 342.00	DJE	\$ 25.65
12	UPDATE AS-BUILTS	1	\$5.74	1.35	\$ 57.71	DJE	\$ 4.33
13	REWORK PANEL SCHEDULE	1	\$5.74	1.35	\$ 57.71	DJE	\$ 4.33
14					\$ -	DJE	\$ -
15	PRICING IS TO OMIT POLES P41 & P21 AND ASSOCIATED PIPE AND WIRE				\$ -	DJE	\$ -
16	TO ALL SITE POLES.				\$ -	DJE	\$ -
17	OG&E TO FURNISH ALL 8 POLES. ADD BACK PRICING IS TO INSTALL OG&E				\$ -	DJE	\$ -
18	REQUIRED CONDUIT AND BOXES. CONCRETE POLE BASE STILL BY OTHERS				\$ -	DJE	\$ -
19	POLES WILL BE FED FROM THE PAD MOUNT TRANSFORMER				\$ -	DJE	\$ -
20					\$ -	DJE	\$ -
21					\$ -	DJE	\$ -
22					\$ -	DJE	\$ -
23					\$ -	DJE	\$ -
24					\$ -	DJE	\$ -
25					\$ -	DJE	\$ -
26					\$ -	DJE	\$ -
27					\$ -	DJE	\$ -
Totals			\$ 1,571.94	21.10	\$ 902.03		\$ 67.65
					Labor Burden	\$ 368.48	
Total Raw Costs (Labor+Labor Burden+Material+Equipment+Tax)						\$ 2,910.09	
Project Management Expense						\$ -	
Sales Tax - No						\$ -	
Overhead @ 5%						\$ 145.50	
Profit @ 5%						\$ 152.78	
Supervision						\$ 448.38	
Bonds -No						\$ -	
GRAND TOTAL						\$ 3,656.75	

NOTES: Pricing Expires 2weeks From Date Above and Subject to Recalculation
 Proposal excludes cutting, patching, or painting of any surface unless specifically included above.
 Proposal assumes all work to be performed during normal working hours and does not include any overtime unless shown
 No work to begin until written authorization for this proposal.



GENERAL CONSTRUCTION
MANAGEMENT
5720 N. I-35 Industrial Blvd.
Edmond, Ok. 73034

405-341-5500 Phone
405-341-7106 Fax

9/9/2020

Midwest City Animal Service Center
CO-PR#1 partial-Add cat/dog sculpture

	ADD	DEDUCT
CEI-Concrete	\$1,885.00	
Omega Signs-Sculpture	\$4,175.00	
Prime Electric	\$5,319.27	

Note: No additional days requested for this work.

Subtotal	<hr/>
	\$11,379.27
OH&P 5% per bid day	\$568.96
Total	<hr/>
	\$11,948.23

Concrete Enterprises, Inc.

200 NE 46th Street
Oklahoma City, OK 73105
Ph : (405)605-4141

Change Request

To: Steve Preston
Shiloh Enterprises
5720 N Industrial Boulevard
Edmond, OK 73034
Ph: (405)341-5500 x3 Fax: (405)341-7106

Number: 1
Date: 7/29/20
Job: 20-024 MWC Animal Services Center
Phone:

Description: PR 01

We are pleased to offer the following specifications and pricing to make the following changes:

Install Concrete Footings and Concrete Pedestals for Dog and Cat Sculpture

The total amount to provide this work is \$1,885.00

If you have any questions, please contact me at .

Submitted by:

Approved by: _____
Date: _____

SIGNAGE BID BY OMEGA SIGNS

DATE SUBMITTED	8/10/2020	ATTENTION	Shiloh Enterprises
PROJECT NAME	MWC Animal Services - Signage		
JOB LOCATION	Midwest City, OK		
BID GOOD UNTIL	11/10/2020	EMAIL BID TO:	steve@shiloh-inc.com

SUBCONTRACTOR		PROJECT MANAGER / BID COORDINATOR	
COMPANY NAME	Omega Signs	CONTACT NAME	Tiffany Janish
ADDRESS	4309 SW 119th St., Suite F Oklahoma City, OK 73173	PHONE	(405)641-1594
		EMAIL	sales@omegasignsco.com

Sign Type We propose to furnish **MATERIAL and LABOR** to include:

ALT2 Alternate #2 - Steel Dog & Cat sculptures - \$4175, QTY 1

ADD: to include LED backlighting - Add \$245 to total = \$4420

MATERIALS	TAX	\$	-
LABOR	TOTAL BID	\$	4,175.00

ABOUT THE OMEGA SIGN & LASER DESIGN TEAM

Thank you for the opportunity to bid for the signage portion of this project. Our company is highly qualified and competitive, and we always deliver exceptional work on every project we win. We look forward to working with you!

AGREEMENT TERMS

Payment is due upon completion of the job. Any alteration from the stated specifications must be made by a written change order and may require additional charges above this estimate to finish. Any change order may require additional time to complete. Our workers are fully insured with certificates available for inspection.

ACCEPTANCE OF PROPOSAL

Proposed costs, specifications, and conditions detailed above are accepted, and specified work is authorized to begin on the agreed upon date. Payment for services rendered will be made as specified.

AUTHORIZED CLIENT
SIGNATURE

DATE OF
ACCEPTANCE

PRIME ELECTRIC CO. / 400 S. Coltrane, Edmond, OK 73034 • (405) 359-9190

TO: Shiloh Construction
 Project MWC Animal Shelter
 COR No. 1
 COR Title PR#1 DOG & CAT SCULPTURE

COR Date 8/17/2020
 Revision Date

COR Item No	Description	Qty	Material	Labor		Equipment	
				Hours	Costs	Type	Cost
1	12" x 12" x 12" QUAZITE	1	\$202.50	2.00	\$ 85.50	DJE	\$ 6.41
2	GRAVEL SUMP	1	\$38.50	1.00	\$ 42.75	DJE	\$ 3.21
3	DITCH AND BACKFILL	70	\$292.95	7.07	\$ 302.24	DJE	\$ 22.67
4	3/4" PVC	70	\$37.31	3.78	\$ 161.60	DJE	\$ 12.12
5	FIXTURE "SA" (QUOTE)	2	\$380.00		\$ -	DJE	\$ -
6	FIXTURE "SA" (MINOR)	2	\$50.00	4.50	\$ 192.38	DJE	\$ 14.43
7	20A GFCI WR RECEPTACLE	2	\$102.60	4.05	\$ 173.14	DJE	\$ 12.99
8	UNISTRUT FRAME	1	\$50.00	2.00	\$ 85.50	DJE	\$ 6.41
9	5 - #12 THHN	90	\$112.41	4.05	\$ 173.14	DJE	\$ 12.99
10	3 - #12 THHN	80	\$59.92	2.16	\$ 92.34	DJE	\$ 6.93
11	1P 20AMP BREAKER TERMINATION	2	\$3.38	0.89	\$ 38.13	DJE	\$ 2.86
12	TRENCHER RENTAL	1	\$190.00		\$ -	DJE	\$ -
13	MOB/DEMOB TRENCHER	2	\$300.00	2.00	\$ 85.50	DJE	\$ 6.41
14	UPDATE AS-BUILTS	1	\$5.74	1.35	\$ 57.71	DJE	\$ 4.33
15	REWORK PANEL SCHEDULE	1	\$5.74	1.35	\$ 57.71	DJE	\$ 4.33
16					\$ -	DJE	\$ -
17					\$ -	DJE	\$ -
18	CONCRETE BASE FOR SPOT LIGHTS TO BE BY				\$ -	DJE	\$ -
19	OTHERS IF NEEDED				\$ -	DJE	\$ -
20					\$ -	DJE	\$ -
21					\$ -	DJE	\$ -
22					\$ -	DJE	\$ -
23					\$ -	DJE	\$ -
24					\$ -	DJE	\$ -
25					\$ -	DJE	\$ -
26					\$ -	DJE	\$ -
27					\$ -	DJE	\$ -
Totals			\$ 1,831.04	36.20	\$ 1,547.64		\$ 116.07
					Labor Burden	\$ 632.21	
Total Raw Costs (Labor+Labor Burden+Material+Equipment+Tax)							\$ 4,126.96
Project Management Expense							\$ -
Sales Tax - No							\$ -
Overhead @ 5%							\$ 206.35
Profit @ 5%							\$ 216.67
Supervision							\$ 769.29
Bonds -No							\$ -
GRAND TOTAL							\$ 5,319.27

NOTES: Pricing Expires 2weeks From Date Above and Subject to Recalculation
 Proposal excludes cutting, patching, or painting of any surface unless specifically included above.
 Proposal assumes all work to be performed during normal working hours and does not include any overtime unless shown
 No work to begin until written authorization for this proposal.



405-341-5500 Phone

405-341-7106 Fax

GENERAL CONSTRUCTION
MANAGEMENT

5720 N. I-35 Industrial Blvd.
Edmond, Ok. 73034

12/14/2020

**Midwest City Animal Service Center
CO-PR#1 partial-Retaining Wall**

	ADD	DEDUCT
Complete Landsculpture	\$39,986.00	
Add if Engineered Drawings are required	\$1,500.00	

Note: No additional days requested for this work.

Subtotal	<hr/>	\$41,486.00
OH&P 5% per bid day		\$2,074.30
Total	<hr/>	\$43,560.30



COMPLETE LANDSCULPTURE

12/11/2020

Shiloh Enterprises, Inc
5720 N. Industrial Blvd., Edmond, Ok 73034
Attn: Steve Preston, 405-341-5500 steve@shiloh-inc.com

COMPLETE LANDSCULPTURE

MWC Animal Services Center - CO-01 240lf Stack Retaining Wall

PROJECT TOTAL \$ 39,986.00

NOTES:



Proposal incorporated into existing contract as a Change Order
Stamped engineering plan not included
Work per manufacturers recommended installation
Regal Stone Pro 818 material used
Dry stack per manufacturers installation method
Compacted base footing, no concrete
Drainline at base of wall only, connection to existing system extra
TriAx GeoGrid Black Polypropylene Stabilization Underlayment max 6' behind wall
Up to 2 layers of stabilization underlayment used depending on wall height
Wall height per plan sheet C104 elevations (range between 2' and 4')
Wall footing and top may be stepped to install per elevations
Any excess excavation to be graded on site, no export.
Assumes clear access into and out of the work area.
Proposal excludes rock excavation.
Proposal is good for 90 days, after 90 days repricing may be necessary.

Submitted:

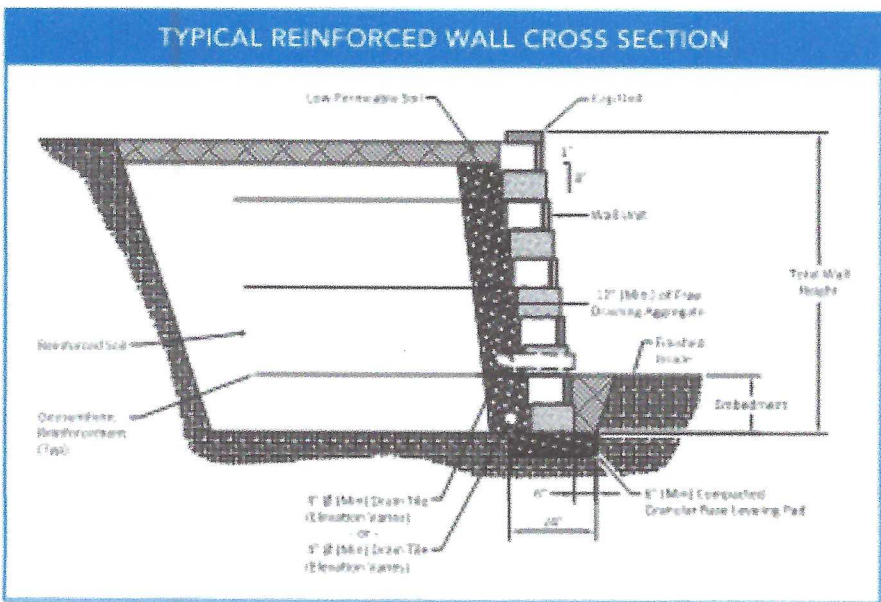
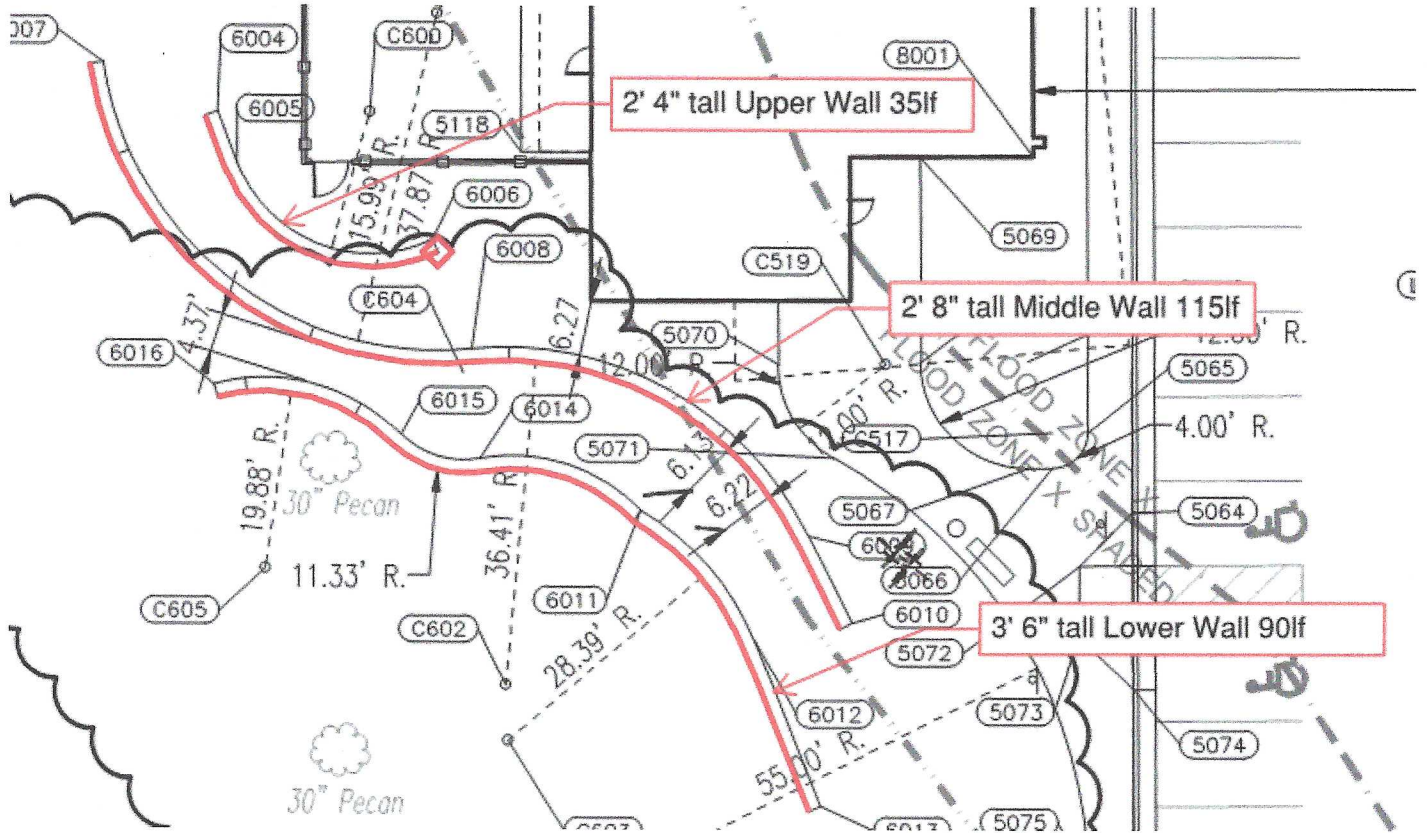
Approved:

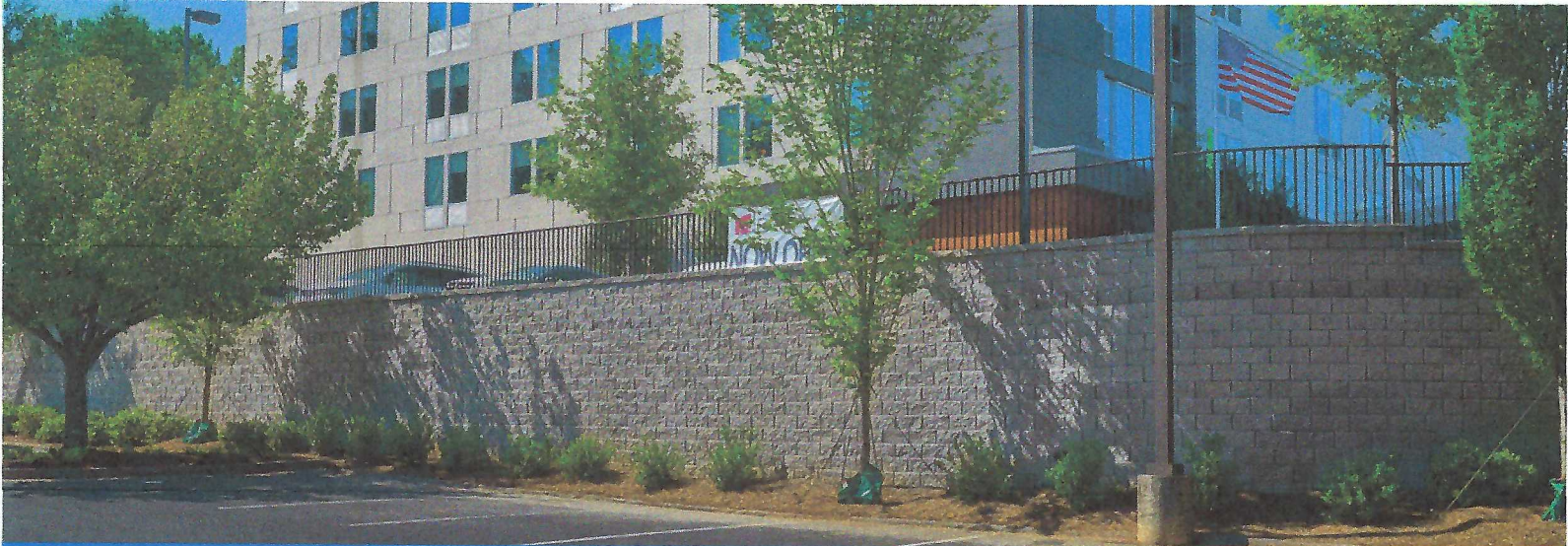
Larry Rudd – Business Development Manager
Complete Landsculpture, OKC
larryr@completelandsculpture.com

Steve Preston
Shiloh Enterprises, Inc.



COMPLETE LANDSCULPTURE





STRUCTURAL RETAINING WALL

REGAL STONE PRO® - ROCKFACE

A full one-square foot face complemented by a natural texture makes the Regal Stone Pro - RockFace a beautiful addition to any landscape. Behind the handsome, rugged exterior is a hollow core that lightens the stone for easy handling and installation. Rear lip installation and engineering innovation make Regal Stone Pro the right choice for even the most challenging wall designs.



#818 - RockFace Unit

Before specifying a specific product, please confirm availability with your local Keystone Hardscapes producer.

PRODUCT	DIMENSIONS			WEIGHT/ UNIT (LBS)	PRODUCT #
	Height	Width	Depth		
RockFace	8" 203.2mm	18" 457.2	12" 304.8 mm	80	818

FEATURES & BENEFITS

Maximum Versatility and Performance

- Made of durable concrete with iron oxide pigments that resist fading in extended UV exposure. Meets or exceeds applicable requirements of ASTM C1372 for compressive strength, absorption and dimensional tolerance.
- Able to build engineered walls in excess of 60' tall.

Ease of Installation

- Rear lips ensure setback and ease of installation.
- Unit cores reduce product weight and shipping cost and make it easy to handle.

Aesthetics

- Rugged rockface finish evokes the look and feel of naturally weathered stone.
- Cap and corner units available.
- Variety of colors complement any landscape.

Note: Unit color, dimensions, weight, and availability varies by manufacturer.



STRUCTURAL RETAINING WALL | REGAL STONE PRO® - ROCKFACE

INSTALLATION INSTRUCTIONS

STEP 1: Layout - Stake out the wall's placement according to lines and grades on approved plans. Excavate for the leveling pad to the lines and grades shown. Excavate soil to a dimension behind the wall for placement of grid and reinforced soils.

STEP 2: Leveling Pad - The leveling pad consists of a crushed aggregate compactible base material. The pad must extend a minimum six (6) inches in front and behind the first course of unit, and be a minimum six (6) inches in depth. Compact the aggregate and check top elevation for level.

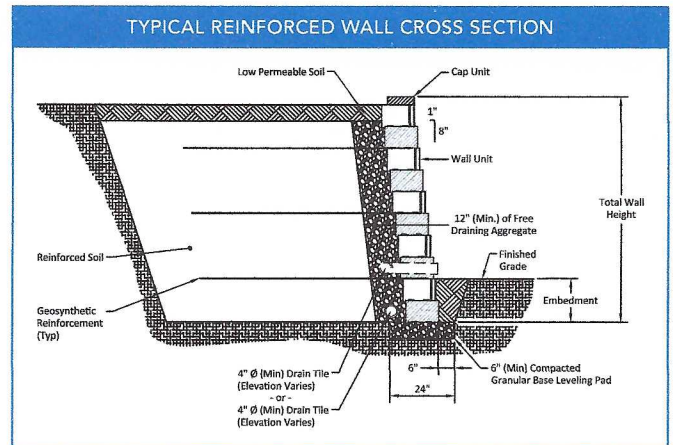
STEP 3: Base Course - Place a string line along the back of the unit to align the wall units. Begin laying unit at the lowest elevation of the wall. Place wall units flat on the leveling pad with facings aligned according to plans. If necessary, remove rear lip of the unit so that it will lie flat on the leveling pad. Place the units side-by-side, flush against each other, and in full contact with the leveling pad. Level the unit front-to-back and side-to-side. Check the units for proper horizontal alignment.

STEP 4: Wall Construction - Clean any debris off the top of the units. Place the second course of units on the base course maintaining running bond pattern (do not align vertical joints). Push each unit forward as far as possible to ensure unit-to-unit engagement and the correct setback. Fill all voids between and within concrete wall units with drainage aggregate. Backfill with drainage aggregate directly behind the unit to a depth of 24" from the face of the wall. Fill behind the aggregate with soil meeting design parameters. Place and compact the backfill material before the next course is laid. Hand-operated equipment should be used within three (3) feet of the wall. Avoid driving heavy equipment within three (3) feet of the wall units.

STEP 5: Drainage - Place a perforated drain pipe at the base of the drainage aggregate. Daylight or direct the drain to an area lower than the lowest drain elevation in the wall. Additional drainage design may be required.

STEP 6: Install Fill and Compaction - Place the drainage aggregate and unit core fill as directed. Place reinforced backfill soil behind the drainage aggregate in maximum 6-8" lifts and compact to a minimum of 95% standard Proctor density with the appropriate compaction equipment.

STEP 7: Geogrid Reinforcement Placement - Check approved wall construction plan for grid placement lengths, elevations and strengths. Measure and cut the reinforcement geogrid to the design length in the plans. The design strength direction of the geogrid shall be laid perpendicular to



the wall. Place the front edge of the geogrid on the designated course a maximum of one (1) inch from the face of the unit. Apply the next course of units to secure it in place. Pull the reinforcement taut and secure in place. A minimum of six (6) inches of backfill over the grid is required prior to vehicular operation.

Repeat steps 4 to 7 as required to reach the top of wall elevation.

STEP 8: Cap Placement - Thoroughly clean the top course of wall units. Dry set the caps on the wall units using a string line to obtain the proper horizontal alignment. Cut caps to fit as needed. Adhere the cap units to the wall units with a sufficient amount of an exterior concrete adhesive.

STEP 9: Finish Grade and Surface Drainage - Protect your wall from water damage and erosion with a finished grade to provide positive drainage away from the wall at the top and bottom of the wall structure during construction. To minimize infiltration of water into the top of the backfill area of the wall, place a minimum of eight (8) inches of soil with low permeability (clay or similar materials) over the drainage aggregate and backfill soils.

NOTE: Colors are shown as accurately as possible in brochures and samples, but due to the nature of the product, regional color differences and variables in print reproduction, colors may not match exactly.

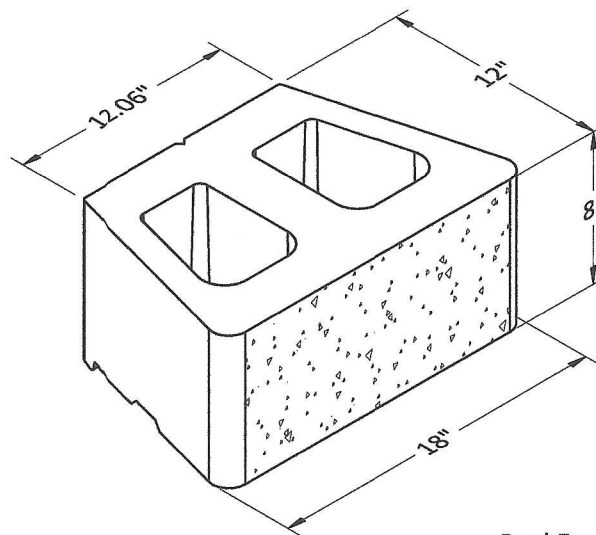
Complete installation and specification details are available by contacting your Keystone Hardscapes Sales Representative.



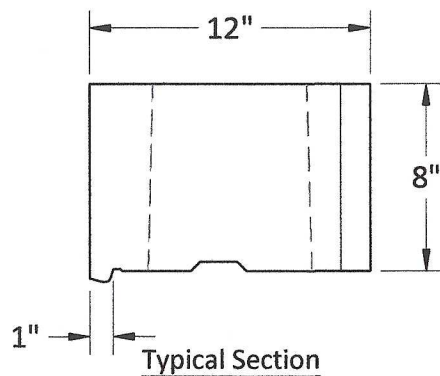
www.keystonehardscapes.com

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FOLLOW US



RockFace Unit



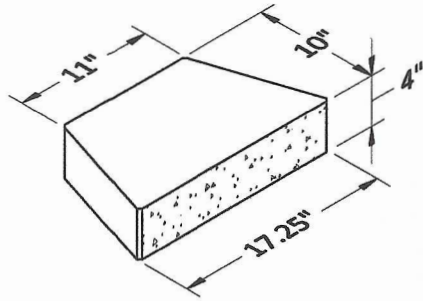
* Dimensions May Vary by Region

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 The suitability and/or manner of use of any details contained in this document is the sole responsibility of the user.
 Final project specific designs shall be prepared by a licensed professional engineer.

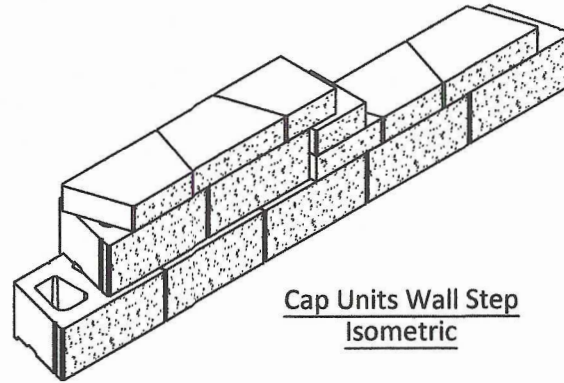


4444 W 78th St, Minneapolis, MN 55435
 952-897-1040

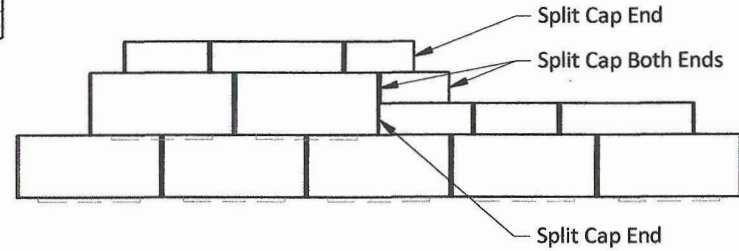
Project: Regal Stone Pro Details			Title: 8" Single Unit Details		
Designed By: RKM	Checked By: CDM	Scale: No Scale	Revision:	Date: 08/2018	Drawing No: 1 of 12



Cap Unit

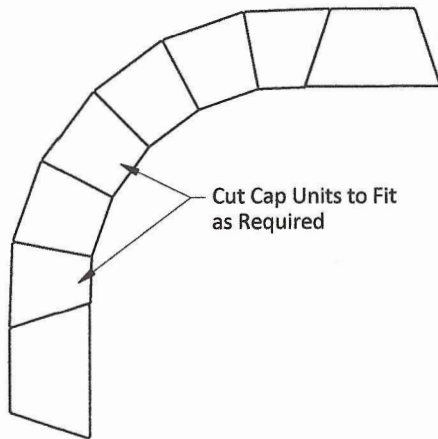


Cap Units Wall Step Isometric

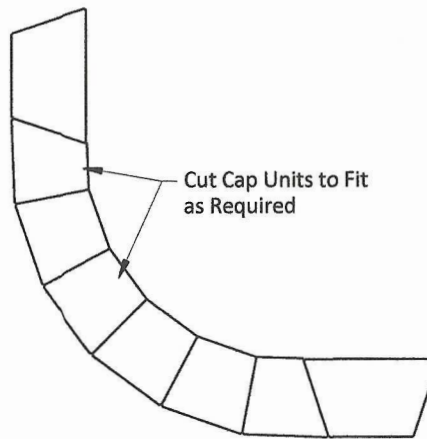


Cap Units Wall Step Plan

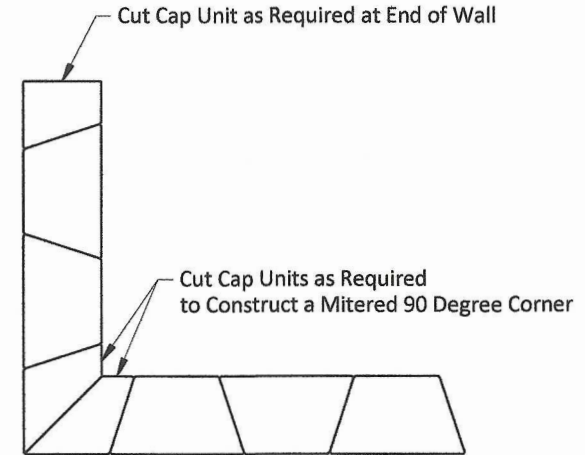
Note:
Straight face units are shown for simplicity.
Details are applicable to any face style.



Cap Units Inside Curve



Cap Units Outside Curve



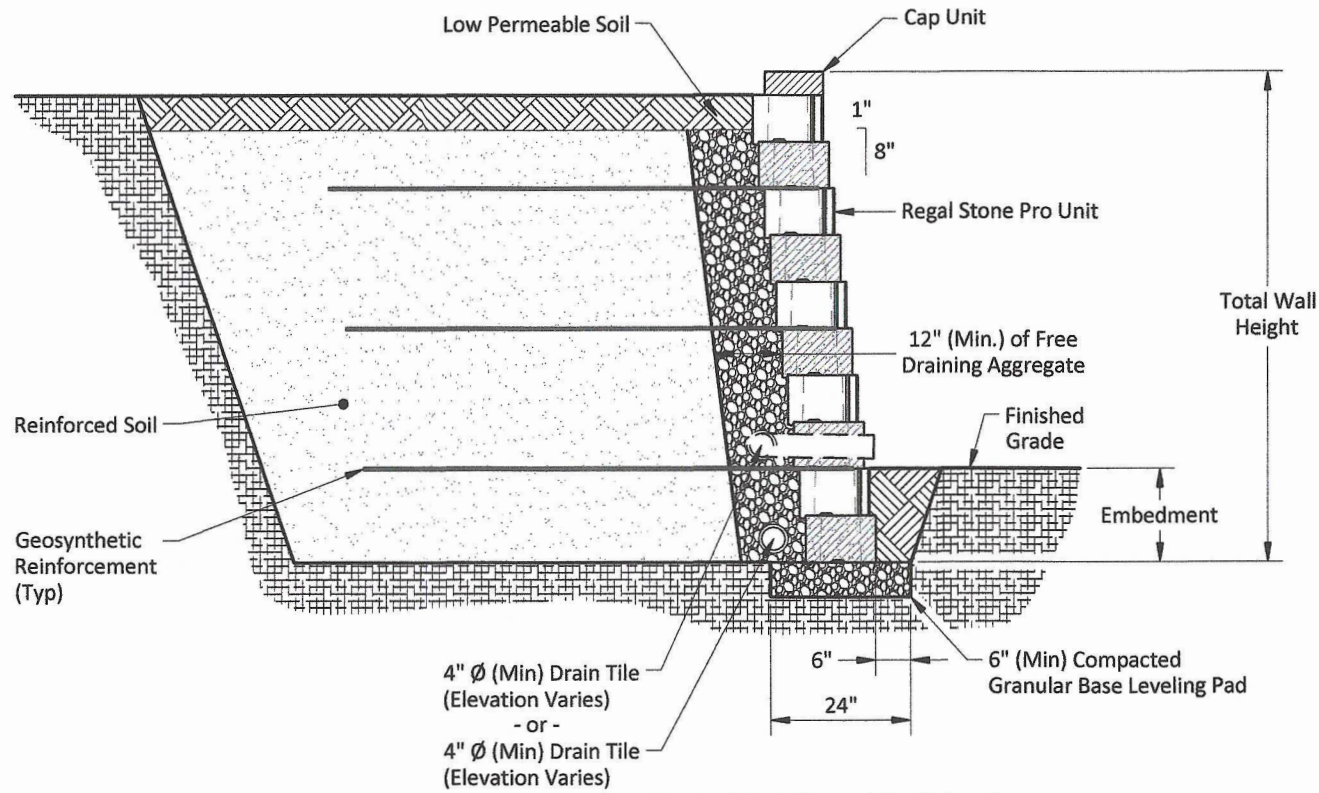
Cap Units Corner / Wall

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Final project specific designs shall be prepared by a licensed professional engineer.



Project: Regal Stone Pro Details			Title: Trapezoidal Cap Unit Details		
Designed By: RKM	Checked By: CDM	Scale: No Scale	Revision:	Date: 08/2018	Drawing No: 2 of 12

Note:
 Straight face units are shown for simplicity.
 Details are applicable to any face style.



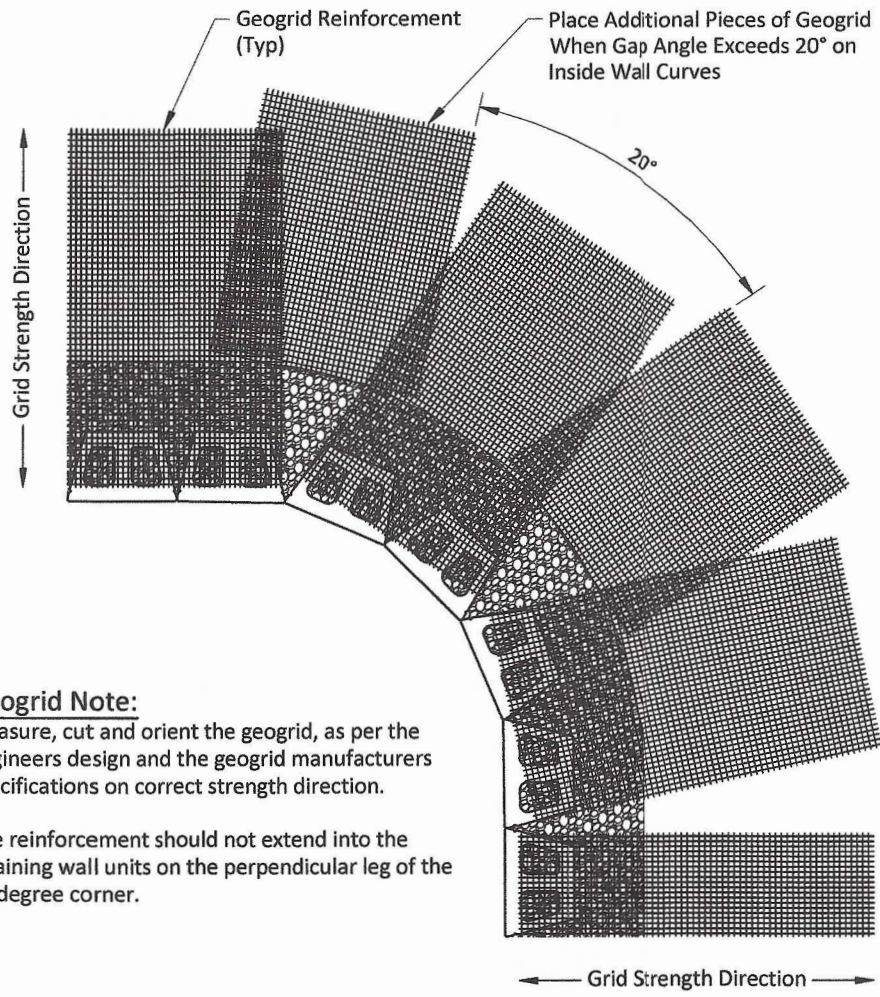
Typical Reinforced Wall Section

Note:
 Drain should be at bottom of wall when possible.
 Utilize raised drain location when bottom of wall drainage is not possible.

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 Final project specific designs shall be prepared by a licensed professional engineer.



Project: Regal Stone Pro Details		Title: Reinforced Wall Details		
Designed By: RKM	Checked By: CDM	Scale: No Scale	Revision:	Date: 08/2018
				Drawing No: 5 of 12



Geogrid Note:

Measure, cut and orient the geogrid, as per the engineers design and the geogrid manufacturers specifications on correct strength direction.

The reinforcement should not extend into the retaining wall units on the perpendicular leg of the 90 degree corner.

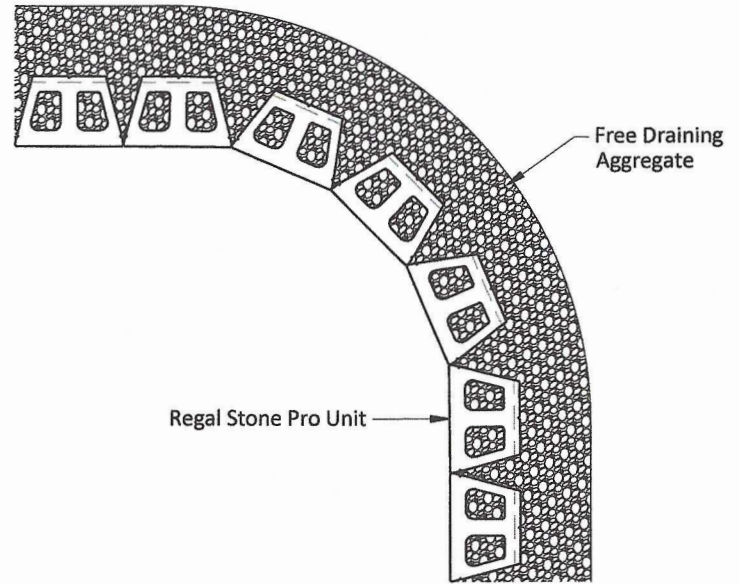
Inside Curve Plan with Geogrid

Note:

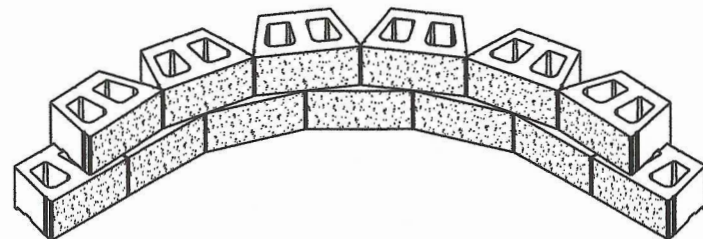
Straight face units are shown for simplicity. Details are applicable to any face style.

Block Note:

Cut units as required to maintain running bond pattern.



Typical Inside Curve Plan



Inside Curve Isometric

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 Final project specific designs shall be prepared by a licensed professional engineer.



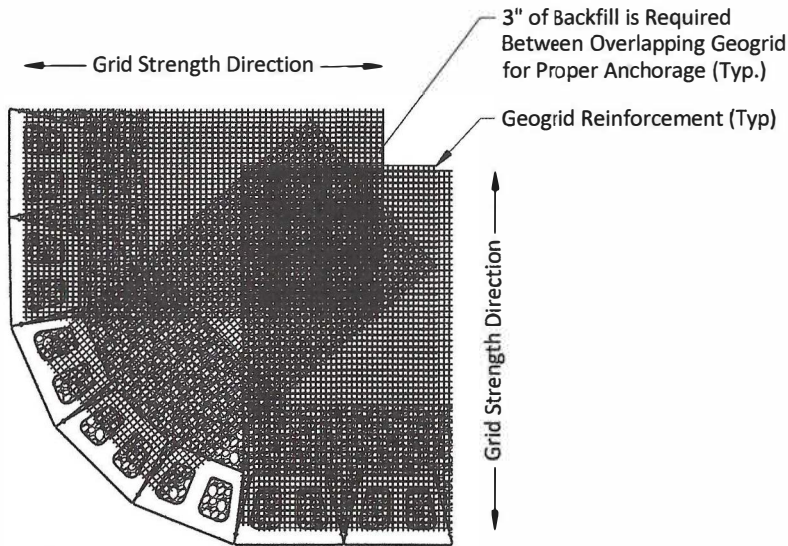
4444 W 78th St, Minneapolis, MN 55435
 952-897-1040

Project: Regal Stone Pro Details			Title: Inside Curve Details		
Designed By: RKM	Checked By: CDM	Scale: No Scale	Revision:	Date: 08/2018	Drawing No: 9 of 12

Geogrid Note:

Measure, cut and orient the geogrid, as per the engineers design and the geogrid manufacturers specifications on correct strength direction.

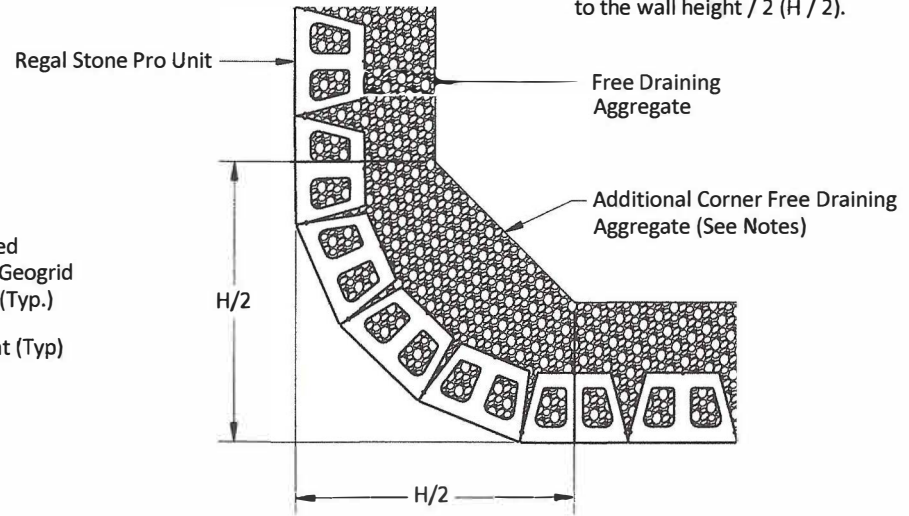
The reinforcement should not extend into the retaining wall units on the perpendicular leg of the 90 degree corner.



Outside Curve Plan with Geogrid

Free Draining Aggregate Note:

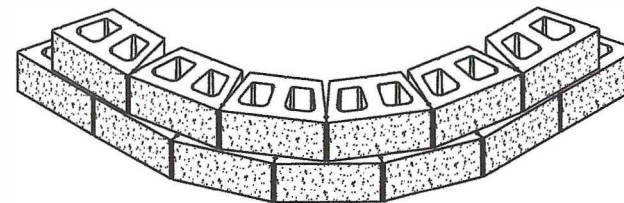
Place additional free draining aggregate fill at outside wall corners to extend back from wall face each way a distance equal to the wall height / 2 (H / 2).



Typical Outside Curve Plan

Block Note:

Cut units as required to maintain running bond pattern.



Outside Curve Isometric

Note:

Straight face units are shown for simplicity. Details are applicable to any face style.

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Final project specific designs shall be prepared by a licensed professional engineer.



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952-897-1040

Project: **Regal Stone Pro Details**

Title: **Outside Curve Details**

Designed By: **RKM**

Checked By: **CDM**

Scale: **No Scale**

Revision:

Date: **08/2018**

Drawing No: **10 of 12**



General Construction
Management

Selser Schaefer Architects
2002 E 6th Street
Tulsa, OK 74104

October 31, 2020

Ref: MWC Animal Service Center
Lost Weather Days for October

Jeff,

We are requesting a time extension of 5 additional days for the month of October 2020. The lost days are as follows; 10-26, 10-27, 10-28, 10-29 & 10-30. These lost weather days were due to rain and/or muddy conditions which would not allow us to perform work associated with the critical path.

Sincerely,

A handwritten signature in blue ink, appearing to read "Steve Preston", with a horizontal flourish extending to the right.

Steve Preston

Architect's Response: Per Specification Section 01 3200, three (3) weather days were allocated for October so the total number of days for extension shall be two (2) days.



The City of
MIDWEST CITY
COMMUNITY DEVELOPMENT DEPARTMENT

Christine Brakefield, Chief Building Official

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

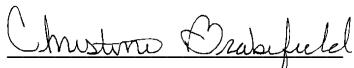
Date: January 12, 2020
To: Honorable Mayor and City Council
From: Christine Brakefield, Chief Building Official
Subject: Discussion and consideration of the re-appointment of Doyle Kelso and Tye Moore to the Electrical Board for a three-year term.

The terms of Doyle Kelso and Tye Moore ended on September 22, 2020 and would both like to be considered for reappointment. Mr. Kelso and Mr. Moore are active members in the community and are known for the integrity of their work.

In accordance with Sec. 9-17 of the Municipal Code, the Builders Advisory Board shall consist of seven (7) members to be appointed by the mayor and approved by the city council. The members of the board shall be chosen from the residents of the city at large with reference to their fitness for such office. Ownership, operation or involvement in the building, construction or development business within the city shall also qualify one to serve on the board.

Current members include Steve Flowers, Mike Gregory, and John Hill.

Action is at the Council's discretion.


Christine Brakefield, MPA, CBO
Chief Building Official



City of Midwest City Police Department

100 N. Midwest Boulevard

Midwest City, OK 73110

Office 405.739.1320

Fax 405.739.1398

Memorandum

TO: Honorable Mayor and City Council

FROM: Brandon Clabes, Chief of Police

DATE: January 12, 2021

SUBJECT: Discussion and consideration of declaring (1) Chevy Impala, (9) office cubicles, (1) Treadmill and (1) Elliptical as surplus and authorizing disposal of all by public auction, sealed bid or destruction, if necessary.

The items identified are property that the Midwest City Police Department no longer needs or uses and have been removed from service. Staff recommends that these items be declared surplus. None of these items are estimated to have a value or sell for \$10,000.00 or more.

Items for surplus:

- 2006 Chevy Impala VIN 2G1WS551169395932
- (9) Office Cubicles
- Treadmill – Precor 932i – Serial #A925K1507004
- Elliptical – Precor EFX546 – Serial #DCE02P0036

Auction services are provided to the City by:

1. www.ebay.com
2. www.govdeals.com
3. www.pulicsurplus.com

Staff recommends approval.

Brandon Clabes, Police Chief



Information Technology
100 N. Midwest Boulevard
Midwest City, OK 73110
Office 405.739.1374
Fax 405.869.8602

MEMORANDUM

TO: Honorable Mayor and City Council

FROM: Allen Stephenson, Information Technology Director

DATE: January 12, 2021

SUBJECT: 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.

The following computer equipment and peripheral devices are obsolete, defective or have been replaced.

COMPUTERS			
Quantity	Inventory #	Hardware Type	Serial #
1		ME3060	JLC9PW1
1		ME3060	5ZFYJ02
1		Cisco ASA5510	JMX1511L1FQ
1		Cisco ASA5508	JMX19314005
1		Barracuda Spam Filter	BAR-SF-675884
1		Barracuda Web Filter	BAR-YF-398098
1		Dell Poweredge Server	JD67Q22
1		Dell Poweredge Server	HC0VGX1
1		Dell Poweredge Server	DDMTCX1
1		Dell Poweredge Server	50PP6X1
1		Dell Poweredge Server	D4WJ5M1
1		Dell Poweredge Server	HC0TGX1
1		Dell Poweredge Server	HLZLBY1
1		Dell Poweredge Server	21PP6X1
1		Dell Poweredge Server	J3QP6X1
1		Dell Poweredge Server	HLKNBY1
1		Dell Poweredge Server	DDNRXCX1
1		Dell Poweredge Server	8CCWLS1
1		Dell Poweredge Server	8CCXLS1
1		Dell Poweredge Server	FN7QQL1

MISCELLANEOUS			
Quantity	Inventory #	Hardware Type	Serial #
1		Box of misc. brackets and hardware	n/a
1		Box of misc. battery chargers	n/a
9		Misc plastic case covers	n/a
6		APC Battery Pack	
2		APC Rack Mount UPS	
2		Box of Misc. Microphones	N/A
2		Box of Misc. Headphones	
2		Box of misc. wire	

1		Bogen TPU250 Audio Amplifier	154401352
3		Misc. Radio Equipment Cabinet	N/A
1		Vertex CD-18 6-bank charger	N/A
1		Vertex VX-414 portable radio	5J290779
1		Vertex VX-414 portable radio	5J290764
1		Vertex VX-414 portable radio	5J290778
1		Vertex VX-414 portable radio	5J290780
1		Vertex VX-414 portable radio	5J290776
1		Vertex VX-414 portable radio	5J290777
1		Vertex VX-800U portable radio	3J450585
1		Vertex VX-800V portable radio	3H300187
1		Vertex VX-4000V mobile radio	4J200129
1		Vertex VX-4000V mobile radio	0K020179
1		Vertex VX-2000v mobile radio	1D440615
1		Vertex VX-3200U mobile radio	2J040082
1		Vertex VX-2000v mobile radio	1D440623
1		Vertex VX-2000v mobile radio	1D440618
1		ICOM IC-F121 mobile radio	5163778
1		ICOM IC-F121 mobile radio	5163779
1		ICOM IC-F121 mobile radio	5163780
1		Motorola Radius SM120	682FWE5174
2		Motorola Radius 1225	869YEN1729
2		Motorola Radius 1225	869FCC2054
1		Motorola Radius 1225	869FBY0232
3		Motorola Radius 1225	869YEL2528
1		Motorola Radius 1225	869FAC1383
1		Motorola Radius 1225	869YCU5407
1		Vertex VX-3000V	9C090280
1		Motorola Maxtrac	428ASU2480
1		Motorola Maxtrac	428TXC2166
1	07MO16	Motorola Maxtrac	428ARA2214



Information Technology
 100 N. Midwest Boulevard
 Midwest City, OK 73110
 Office 405.739.1374
 Fax 405.869.8602

1		Motorola Maxtrac	428HQL2292
1		Motorola Maxtrac	428ASU2481
1	13743	XTL2500 Mobile	514CHK0618
1	13751	XTL2500 Mobile	514CHK0626
1	13785	XTL2500 Mobile	514CHK0660
1	13798	XTS2500 Portable	205CHK4298
1	13799	XTS2500 Portable	205CHK4299
1	13800	XTS2500 Portable	205CHK4300
1	13801	XTS2500 Portable	205CHK4301
1	13802	XTS2500 Portable	205CHK4302
1	13804	XTS2500 Portable	205CHK4304
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1	13806	XTS2500 Portable	205CHK4306
1	13807	XTS2500 Portable	205CHK4307
1	13810	XTS2500 Portable	205CHK4310
1	13812	XTS2500 Portable	205CHK4312
1	13813	XTS2500 Portable	205CHK4313
1	13815	XTS2500 Portable	205CHK4315
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1	13827	XTS2500 Portable	205CHK4327
1	13828	XTS2500 Portable	205CHK4328
1	13829	XTS2500 Portable	205CHK4329



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1	13831	XTS2500 Portable	205CHK4331
1	13832	XTS2500 Portable	205CHK4332
1	13834	XTS2500 Portable	205CHK4334
1	13835	XTS2500 Portable	205CHK4335
1	13836	XTS2500 Portable	205CHK4336
1	13838	XTS2500 Portable	205CHK4338
1	13840	XTS2500 Portable	205CHK4340
1	13841	XTS2500 Portable	205CHK4341
1	13843	XTS2500 Portable	205CHK4343
1	13845	XTS2500 Portable	205CHK4345
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1	13869	XTS2500 Portable	205CHK4270
1	13870	XTS2500 Portable	205CHK4271
1	13871	XTS2500 Portable	205CHK4272



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1	13873	XTS2500 Portable	205CHK4274
1	13874	XTS2500 Portable	205CHK4275
1	13875	XTS2500 Portable	205CHK4276
1	13877	XTS2500 Portable	205CHK4278
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1	13888	XTS2500 Portable	205CHK4289
1	13894	XTS2500 Portable	205CHK4295
1	51429	XTL2500 Mobile	514CHK0697



City Clerk Department
100 N. Midwest Boulevard
Midwest City, OK 73110
office 405.739.1240
fax 405.869.8655

TO: Honorable Mayor and Council

FROM: Sara Hancock, City Clerk

DATE: January 12, 2021

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

This agenda item will declare the items listed below, as surplus.

- Box of Folders
- (2) Brief Cases
- (6) Chairs
- (1) Fax Machine
- (1) Magazine Rack
- (1) Clock
- (3) Inspirational Pictures
- (2) Shredders (Broken)
- (1) Storage Cabinet
- (1) Table
- (2) Tray Organizers
- (1) Set of Cube Organizers
- (1) Wire Filing Cart

Staff recommends approval.

Sara Hancock
Sara Hancock, City Clerk



DISCUSSION ITEMS





The City of
MIDWEST CITY
COMMUNITY DEVELOPMENT DEPARTMENT

Billy Harless, Community Development Director

ENGINEERING DIVISION
Brandon Bundy, City Engineer
CURRENT PLANNING DIVISION
Kellie Gilles, Planning 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: January 12, 2021

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

Executive Summary: This is a request for a Special Use Permit to allow for the placement of a 110' monopole cell tower with 10' lightning rod for Verizon Wireless. Included within the agenda packet is a "Determination of No Hazard to Air Navigation" from the FAA. Staff received an email from Tinker Planning Staff on August 25, 2020 stating that this location is outside the APZ zone and does not violate the imaginary surfaces. If approved, the base of the tower should be locked to the public. Several residents spoke in opposition of this request at the Planning Commission meeting. Action is at the discretion of the City Council.

Dates of Hearing: Planning Commission – October 6, 2020
City Council – October 27, 2020, November 10, 2020
and January 12, 2021

Owner: Highland Park Baptist Church, Inc.

Applicant: Verizon Wireless

Representative: Faulk & Foster by Ralph Wyngarden

Proposed Use: site for the placement of a 110' cell tower and associated equipment buildings

Size:

The pad site for the proposed cell tower is 49' X 49' with an easement from E. Cardinal Pl. to the pad site.

Development Proposed by Comprehensive Plan:

Area of Request – PSP, Public/Semi-Public
North and East – LDR, Low Density Residential
South and West – LDR, Low Density Residential

Zoning Districts:

Area of Request – R-6, Single Family Detached Residential with SUP, Special Use Permit for a Church

North – R-6, Single Family Detached Residential

East – R-6, Single Family Detached Residential

South – R-HD, Residential High Density

West – R-6, Single Family Detached Residential



Land Use:

Area of Request – Highland Park Missionary Baptist

North – Single Family Residence

East – Single Family Residences

South – Multifamily Residences

West – Single Family Residences

Municipal Code Citation:

2.7.1. R-6, Single Family Detached Residential District

The R-6, Single-Family Detached Residential District is intended for single-family residences on lots of not less than 6,000 square feet in size. This district is estimated to yield a maximum density of 5.1 gross dwelling units per acre (DUA).

Additional uses for the district shall include churches, schools and public parks in logical neighborhood units.

7.6 Special Use Permit

7.6.1 General Description and Authorization

The uses listed under the various districts as special use permits are so classified because they more intensely dominate the area in which they are located than do other uses permitted in the district.

A. Consideration for compatibility

With consideration given to setting, physical features, compatibility with surrounding land uses, traffic and aesthetics, certain uses may locate in an area where they will be compatible with existing or planned land uses.

B. Review and approval

The Planning Commission shall review each case on its own merit, apply the criteria established herein and recommend either approval or denial of the special use permit to the City Council. Following the Planning Commission's recommendation, the City Council shall review each case on its own merit, apply the criteria established herein, and, if appropriate, authorize said use by granting a special use permit.

C. Use identified by individual zoning district

If a special use permit is granted it shall be for all the uses permitted in the specified districted plus the special use permit requested.

History:

1. A Special Use Permit was approved prior to the adoption of the 2010 Zoning Map
2. This area has been zoned R-6, Single Family Residential since the adoption of the 2010 Zoning Ordinance.
3. The Planning Commission recommended approval of this item October 6, 2020.
4. This item was continued from the October 27, 2020 and November 12, 2020 Council meetings.

Staff Comments:

Engineering Division Comments:

Note: No engineering improvements are required with this application.

Water Supply and Distribution

A twelve (12) inch public water main is located along the west of N Douglas Boulevard bordering the western edge of the parcel. Municipal Code 43-32 does not apply since the proposed improvement does not have facilities which use water or wastewater.

Sanitary Sewerage Collection and Disposal

A twelve (12) inch public sanitary sewer is located on the south side of Cardinal Place from approximately the midpoint of the parcel to the west and then running along the east end of N Douglas Boulevard. Municipal Code 43-109 does not apply since the proposed improvement does not have facilities which use water or wastewater.

Streets and Sidewalks

Access to the area of request is available off of Cardinal Place which is classified as a collector street in the 2008 Comprehensive Plan.

Drainage and Flood Control, Wetlands, and Sediment Control

The area of request is developed with commercial businesses bordering residential to the southwest.

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 40109C0330H, 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 Comments:

PC-2056 is a request for a 110' cell tower with a 10' lightning rod at 600 N. Douglas.

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

Planning Division Comments:

The criteria for special use permit approval is outlined in Section 7.6.3. of the Midwest City Zoning Ordinance and listed below.

7.6.3 Criteria for Special Use Permit Approval

A. Special use permit criteria

The Planning Commission and City Council shall use the following criteria to evaluate a special use permit:

- (1) Whether the proposed use shall be in harmony with the policies of the Comprehensive Plan.
- (2) Whether the proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.
- (3) Whether the proposed use shall not adversely affect the use of neighboring properties.
- (4) Whether the proposed use shall not generate pedestrian and vehicular traffic that is hazardous or in conflict with the existing and anticipated traffic in the neighborhood.
- (5) Whether utility, drainage, parking, loading, signs, lighting access and other necessary public facilities to serve the proposed use shall meet the adopted codes of the city.

B. Specific conditions

The City Council may impose specific conditions regarding location, design, operation and screening to assure safety, to prevent a nuisance and to control the noxious effects of excessive sound, light, odor, dust or similar conditions.

Regarding the Comprehensive Plan, the only reference to telecommunications and broadcasting towers is in Chapter 1, Baseline Analysis. This section indicates that telecommunications and broadcasting towers are commercial uses.

With regard to the Zoning Ordinance, the use of Communication Services:
Tower/Antennas require a Special Use Permit in all zoning districts within Midwest City.

There are currently cell towers in a variety of zoning districts within Midwest City including commercial and residential.

Action is at the discretion of the City Council.

Action Required: Approve or reject the resolution for a Special Use Permit to allow the use of a cell tower for the property noted in this report and subject to staff's comments as found in the January 12, 2021, agenda packet, and as noted in PC – 2056 file.

A handwritten signature in black ink, appearing to read "Billy Harless". The signature is fluid and cursive, with a long horizontal stroke at the end.

Billy Harless, AICP
Community Development Director
KG

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, Current Planning Manager

From: Brandon Bundy, City Engineer

Date: September 15th, 2020

Subject: Engineering staff comments for pc-2056 application

ENGINEERING STAFF CODE CITATIONS AND COMMENTS - PC-2056:

Note: No engineering improvements are required with this application.

Water Supply and Distribution

A twelve (12) inch public water main is located along the west of N Douglas Boulevard bordering the western edge of the parcel. Municipal Code 43-32 does not apply since the proposed improvement does not have facilities which use water or wastewater.

Sanitary Sewerage Collection and Disposal

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Drainage and Flood Control, Wetlands, and Sediment Control

The area of request is developed with commercial businesses bordering residential to the southwest.

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 40109C0330H, 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.



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 - 2056

Date: 18 September 2020

PC-2056 is a request for a 110' cell tower with a 10' lightning rod at 600 N. Douglas.

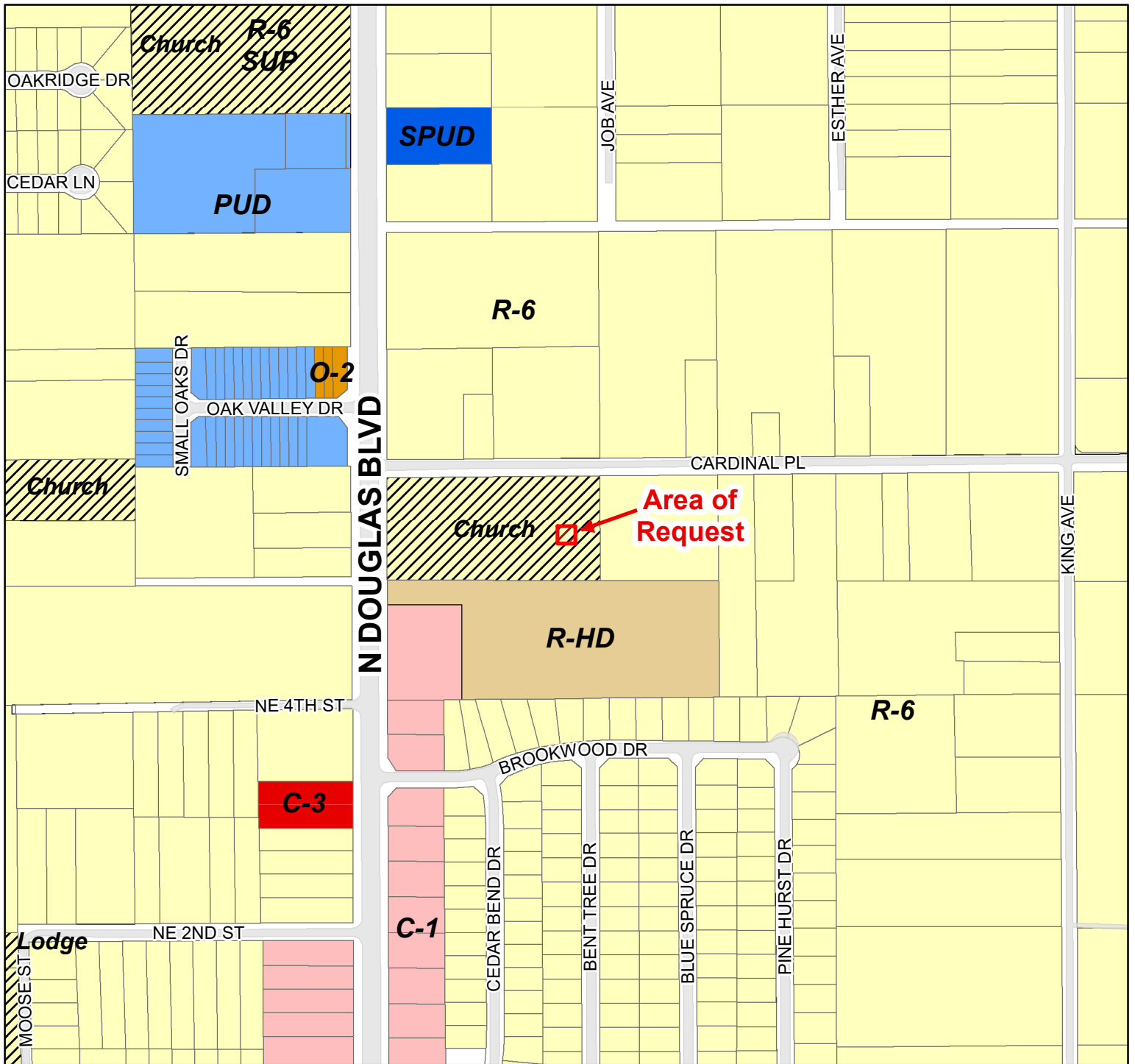
- The property is required to meet and maintain the requirements of Midwest City Ordinances Section 15.

Respectfully,

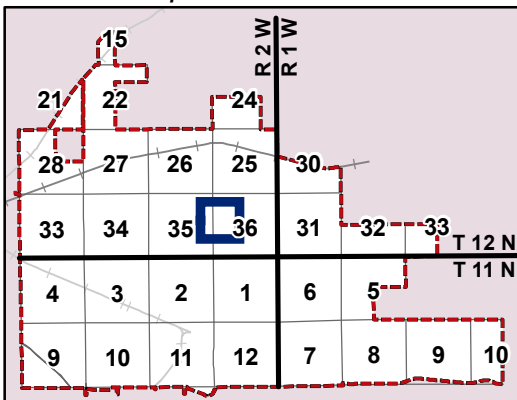
A handwritten signature in black ink, appearing to read "D. Helmberger".

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



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

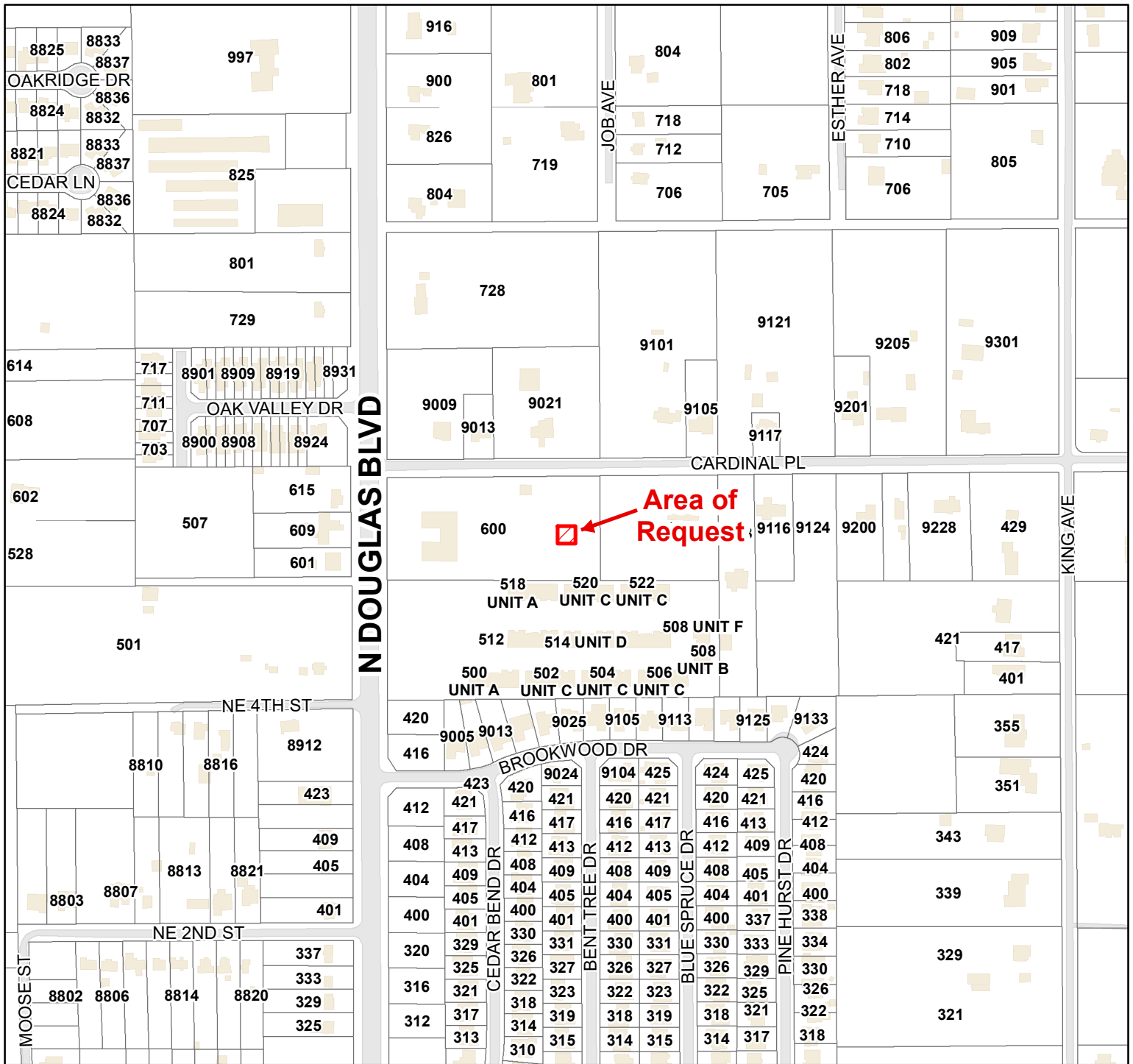
ZONING MAP FOR PC-2056 (NW/4, Sec. 36 T12N, R2W)



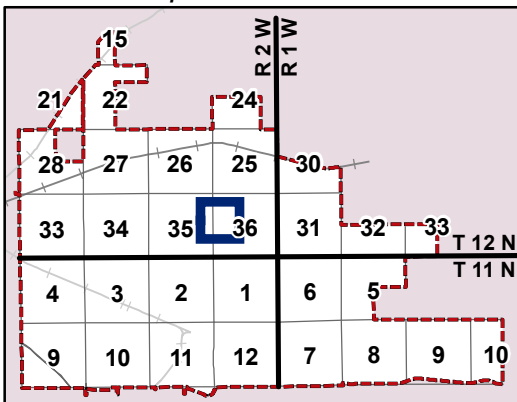
0 400 800 Feet

1 inch = 400 feet






THIS MAP IS A GENERAL INFORMATION PUBLIC RESOURCE. THE CITY OF MIDWEST CITY MAKES NO WARRANTY, REPRESENTATION OR GUARANTEE AS TO THE CONTENT, ACCURACY, TIMELINESS OR COMPLETENESS OF ANY OF THE INFORMATION PROVIDED ON THIS MAP. ANY PARTY'S USE OR RELIANCE ON THIS MAP OR ANY INFORMATION ON IT IS AT THAT PARTY'S OWN RISK AND WITHOUT LIABILITY TO THE CITY OF MIDWEST CITY, ITS OFFICIALS OR ITS EMPLOYEES FOR ANY DISCREPANCIES, ERRORS OR VARIANCES THAT MAY EXIST.





Locator Map



General Map Legend

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

Railroads

-  Active
-  Inactive / Closed

**GENERAL MAP FOR
PC-2056**

(NW/4, Sec. 36, T12N, R2W)



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E. CARDINAL PLACE
20' ASPHALT ROAD
50' PUBLIC RIGHT-OF-WAY

ROW - - - - - ROW - - - - - ROW - - - - - ROW - - - - - ROW - - - - -

PARENT TRACT
ACCT #R156552097
HIGHLAND PARK BAPTIST CHURCH
(BOOK 4121, PAGE 472)

PROPOSED 12' GRAVEL ACCESS
ROAD (APPROX. 250LF)

ACCT #R156552050
PARKS, JACQUELYN
(BOOK 12873, PAGE 9)

LANDSCAPE BUFFER
TREES TO BE PLANTED
@ 10 O.C. AROUND
PROPOSED COMPOUND.
MATURE HEIGHT TO BE
NOT LESS THAN 6 FEET.

PROPOSED 30'
INGRESS/EGRESS &
UTILITY EASEMENT
6,750.3 SQ. FT.±
0.15 ACRES±

LANDSCAPE BUFFER SHRUBS
TO BE PLANTED AS NEEDED
AROUND PROPOSED
COMPOUND MATURE HEIGHT TO
BE NOT MORE THAN 3 FEET.

PROPOSED 50'x50'
LEASE AREA
2,500.0 SQ. FT.±
0.06 ACRES±
(SEE SHEET C2)


PROPOSED 110' MONOPOLE TOWER
PROPOSED 110' RAD CENTER

EXISTING TREELINE
TO BE TRIMMED
WITHIN LEASE AREA
AS NECESSARY

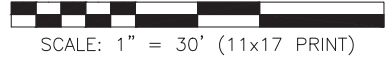
PROPOSED 8'
WOODEN FENCE
(49'x49')

PROPOSED EQUIPMENT
LEASE AREA (24'x11.5')




CALL "CALL OKIE"
1-800-522-6543
THREE WORKING DAYS
BEFORE ANY CONSTRUCTION
BEGINS.
OKLAHOMA ONE CALL SYSTEM, INC
THE UTILITIES AS SHOWN ON THIS
DRAWING WERE DEVELOPED FROM THE
INFORMATION AVAILABLE. THIS IS NOT
IMPLIED NOR INTENDED TO BE THE
COMPLETE INVENTORY OF UTILITIES
IN THIS AREA. IT IS THE CONTRACTORS
RESPONSIBILITY TO VERIFY THE
LOCATION OF ALL UTILITIES (WHETHER
SHOWN OR NOT) AND PROTECT SAID
UTILITIES FROM ANY DAMAGE.

SUBJECT PROPERTY IS LOCATED IN PANEL #
40109C0330H, DATED DECEMBER 18, 2009
AND IS IN THE BASE FLOOD ZONE X AND
IS NOT IN A SPECIAL FLOOD HAZARD AREA.



**PRELIMINARY
DRAWING**
(NOT VALID UNLESS
STAMPED AND SIGNED)



REVISIONS	NO.	DESCRIPTION	DATE
	0	ISSUED FOR CLIENT REVIEW	07/08/20

PREPARED FOR:



RENO & DOUGLAS OK
E911 ADDRESS NOT PROVIDED
MIDWEST CITY, OK 73130
OVERALL SITE PLAN

CA #:	OK 5140
DESIGNED BY:	JDS
DRAWN BY:	DTT
CHECKED BY:	JDS

SITE NO.	267589
DATE	07/08/2020
PROJECT NO.	19-10483

C1



Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 10101 Hillwood Parkway
 Fort Worth, TX 76177

Aeronautical Study No.
 2020-ASW-11992-OE

Issued Date: 09/08/2020

Network Regulatory
 Alltel Corporation
 5055 North Point Pkwy
 NP2NE Network Engineering
 Alpharetta, GA 30022

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Monopole Reno and Douglas OK - B-15965725
 Location: Midwest City, OK
 Latitude: 35-28-21.18N NAD 83
 Longitude: 97-22-08.18W
 Heights: 1219 feet site elevation (SE)
 120 feet above ground level (AGL)
 1339 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/lighting are accomplished on a voluntary basis, we recommend it be installed in accordance with FAA Advisory circular 70/7460-1 L Change 2.

This determination expires on 03/08/2022 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.
- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination of No Hazard is granted provided the following conditional statement is included in the proponent's construction permit or license to radiate:

Upon receipt of notification from the Federal Communications Commission that harmful interference is being caused by the licensee's (permittee's) transmitter, the licensee (permittee) shall either immediately reduce the power to the point of no interference, cease operation, or take such immediate corrective action as is necessary to eliminate the harmful interference. This condition expires after 1 year of interference-free operation.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, effective 21 Nov 2007, will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA. This determination includes all previously filed frequencies and power for this structure.

If construction or alteration is dismantled or destroyed, you must submit notice to the FAA within 5 days after the construction or alteration is dismantled or destroyed.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

A copy of this determination will be forwarded to the Federal Communications Commission (FCC) because the structure is subject to their licensing authority.

If we can be of further assistance, please contact our office at (817) 222-4848, or Brian.Oliver@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2020-ASW-11992-OE.

Signature Control No: 449355575-450292688

(DNE)

Brian Oliver
Specialist

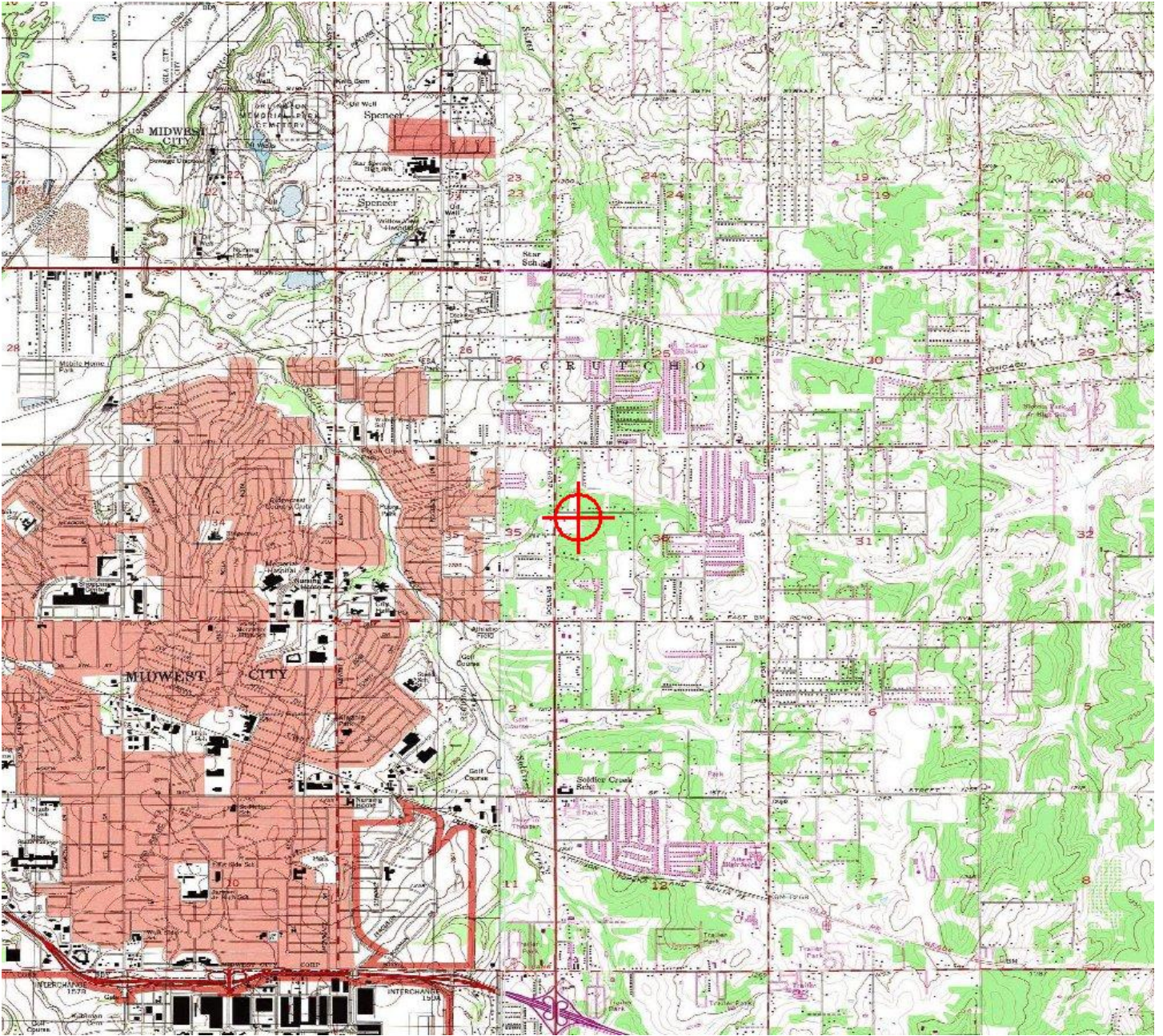
Attachment(s)
Frequency Data
Map(s)

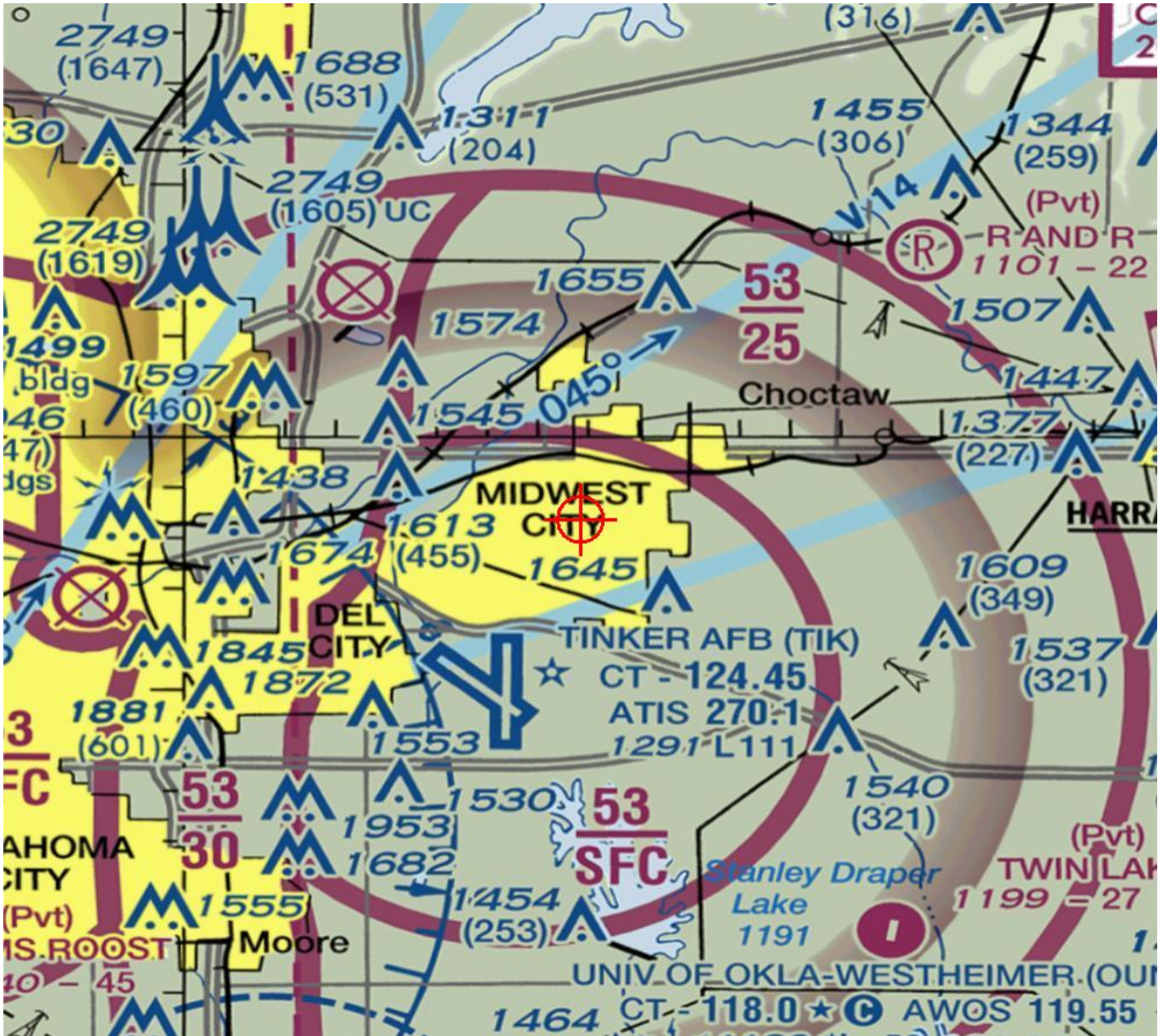
cc: FCC

Frequency Data for ASN 2020-ASW-11992-OE

LOW FREQUENCY	HIGH FREQUENCY	FREQUENCY UNIT	ERP	ERP UNIT
6	7	GHz	55	dBW
6	7	GHz	42	dBW
10	11.7	GHz	55	dBW
10	11.7	GHz	42	dBW
17.7	19.7	GHz	55	dBW
17.7	19.7	GHz	42	dBW
21.2	23.6	GHz	55	dBW
21.2	23.6	GHz	42	dBW
614	698	MHz	2000	W
614	698	MHz	1000	W
698	806	MHz	1000	W
806	824	MHz	500	W
806	901	MHz	500	W
824	849	MHz	500	W
851	866	MHz	500	W
869	894	MHz	500	W
896	901	MHz	500	W
901	902	MHz	7	W
929	932	MHz	3500	W
930	931	MHz	3500	W
931	932	MHz	3500	W
932	932.5	MHz	17	dBW
935	940	MHz	1000	W
940	941	MHz	3500	W
1670	1675	MHz	500	W
1710	1755	MHz	500	W
1850	1990	MHz	1640	W
1850	1910	MHz	1640	W
1930	1990	MHz	1640	W
1990	2025	MHz	500	W
2110	2200	MHz	500	W
2305	2360	MHz	2000	W
2305	2310	MHz	2000	W
2345	2360	MHz	2000	W
2496	2690	MHz	500	W
27500	28350	MHz	75	dBm
29100	29250	MHz	75	dBm
31000	31225	MHz	75	dBm
31225	31300	MHz	75	dBm
38600	40000	MHz	75	dBm

TOPO Map for ASN 2020-ASW-11992-OE





From: [TURNBULL, HEARTSONG GS-11 USAF AFMC 72 ABW/CENPD](#)
To: [Kellie Gilles](#)
Cc: [Ralph Wyngarden](#); [RHODES, STEVEN B NH-03 USAF AFMC 72 ABW/CENPD](#)
Subject: FW: Tinker AFB Clearance for Proposed Verizon Wireless Tower at 600 N. Douglas, Midwest City, OK
Date: Tuesday, August 25, 2020 4:16:57 PM

Good afternoon,

I have shared the below information with our Flight Operations group as well as Flight Safety. The location indicated is outside of our APZ zones and the height does not violate the imaginary surfaces. However, it is our recommendation that a notice be filed with the FAA.

Let me know if you have further questions.

Very respectfully,

Heartsong Turnbull

Community Planner, 72 ABW/CENPL
Tinker Air Force Base
405-734-2074

From: Ralph Wyngarden <ralph.wyngarden@faulkandfoster.com>
Sent: Tuesday, August 11, 2020 12:40 PM
To: TURNBULL, HEARTSONG GS-11 USAF AFMC 72 ABW/CENPD <heartsong.turnbull@us.af.mil>
Subject: [Non-DoD Source] Tinker AFB Clearance for Proposed Verizon Wireless Tower at 600 N. Douglas, Midwest City, OK

Good afternoon,

I had a pre-application meeting with Midwest City Planner Kellie Gilles about a Conditional Use Permit for a proposed Verizon Wireless monopole tower at 600 N. Douglas. She indicated one of the application requirements was to present documentation from Tinker Air Force Base indicating the proposed height and location would not interfere with base operations and she gave me your name as a contact point.

The proposed height and location information is as follows:

Latitude: 35-28-21.184 N

Longitude: 97-22-8.181 W

Monopole Tower Height: 110' AGL + 10' Lightning Rod = Total Tip Height of 120' AGL

Ground Elevation: 1218.7' AMSL

Tip Elevation (including lightning rod): 1338.7 AMSL

Please let me know if you have questions or need any additional information to address this request. Thanks very much for your assistance.

Best Regards,

Ralph

Ralph Wyngarden | Sr. Zoning Specialist

678 Front Avenue NW, Suite 215 | Grand Rapids, MI 49504

Cell 616.490.9804 | Desk 616.647.3720 x115

Faulk & Foster | www.faulkandfoster.com

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www.faulkandfoster.com

This communication is Private and Confidential as detailed [here](#).

Please reply to sender if you cannot access the hyperlink.

2 **RESOLUTION NO. _____**

3 **A RESOLUTION APPROVING A SPECIAL USE PERMIT TO ALLOW THE USE OF**
4 **COMMUNICATION SERVICES: TOWERS/ANTENNAS IN THE R-6 SINGLE FAM-**
5 **ILY DETACHED RESIDENTIAL DISTRICT AND DIRECTING AMENDMENT OF**
6 **THE OFFICIAL ZONING DISTRICT MAP TO REFLECT THE RECLASSIFICATION**
7 **OF THE PROPERTY'S ZONING DISTRICT; AND PROVIDING FOR REPEALER**
8 **AND SEVERABILITY**

9 **WHEREAS**, the Zoning Map of Midwest City, Oklahoma, 2010, shows the following described
10 property with a classification of **R-6, Single Family Detached Residential with a Special Use**
11 **Permit for a church:**

12 A tract of land lying in and being a part of the SE/4 of Section 31, Township 12 North,
13 Range 1 West, Indian Base and Meridian and being further described in Book 9387, Page
14 505, Deed Records of Oklahoma County, Oklahoma; Said tract of land being more par-
15 ticularly described as follows:

16 Commencing at a PK Nail found for the Southwest corner of said SE/4; Thence N
17 89°32'56" E on the South line of said SE/4, a distance of 749.83 feet to a point; Thence N
18 00°27'04" W perpendicular to said South line, a distance of 141.00 feet to a 1/2" Iron Rod
19 with cap set for the Southwest corner, said corner being the point of beginning; Thence
20 continuing N 00°27'04" W a distance of 50.00 feet to a 1/2" Iron Rod with cap set for the
21 Northwest corner; Thence N 89°32'56" E parallel to said South line, a distance of 50.00
22 feet to a 1/2" Iron Rod with cap set for the Northeast corner; Thence S 00°27'04" E per-
23 pendicular to said South line, a distance of 50.00 feet to a 1/2" Iron Rod with cap set for
24 the Southeast corner; Thence S 89°32'56" W parallel to said South line, a distance of
25 50.00 feet to the Point of Beginning, containing 2,500.00 square feet or 0.057 acres, more
26 or less.

27 **WHEREAS**, it is the desire of the Midwest City Council to grant a Special Use
28 Permit for said property.

29 **NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF MID-**
30 **WEST CITY, OKLAHOMA COUNTY, STATE OF OKLAHOMA:**

31 That the above described property located in Midwest City, Oklahoma be and is
32 hereby granted a Special Use Permit to allow the use of **Communication Services: Tow-**
33 **ers/Antennas.**

34 **PASSED AND APPROVED** by the Mayor and Council of the City of Midwest City, Okla-
35 homa, on the _____ day of _____, 2021.

36 THE CITY OF MIDWEST CITY, OKLA-
HOMA

MATTHEW D. DUKES II, Mayor

ATTEST:

SARA HANCOCK, City Clerk

APPROVED as to form and legality this _____ day of _____, 2021.

HEATHER POOLE, City Attorney



**Federal
Communications
Commission**

Submitted to staff by
the applicant 10/7/20

**Local and State
Government
Advisory
Committee**

**A Local Government Official's Guide to
Transmitting Antenna RF Emission Safety:
Rules, Procedures, and Practical Guidance**



June 2, 2000

A Local Government Official's Guide to Transmitting Antenna RF Emission Safety: Rules, Procedures, and Practical Guidance

Over the past two years, the Federal Communications Commission (FCC) and its Local and State Government Advisory Committee (LSGAC) have been working together to prepare a voluntary guide to assist state and local governments in devising efficient procedures for ensuring that the antenna facilities located in their communities comply with the FCC's limits for human exposure to radiofrequency (RF) electromagnetic fields. The attached guide is the product of this joint effort.

We encourage state and local government officials to consult this guide when addressing issues of facilities siting within their communities. This guide contains basic information, in a form accessible to officials and citizens alike, that will alleviate misunderstandings in the complex area of RF emissions safety. This guide is not intended to replace OET Bulletin 65, which contains detailed technical information regarding RF issues, and should continue to be used and consulted for complex sites. The guide contains information, tables, and a model checklist to assist state and local officials in identifying sites that do not raise concerns regarding compliance with the Commission's RF exposure limits. In many cases, the model checklist offers a quick and effective way for state and local officials to establish that particular RF facilities are unlikely to exceed specific federal guidelines that protect the public from the environmental effects of RF emissions. Thus, we believe this guide will facilitate federal, state, and local governments working together to protect the public while bringing advanced and innovative communications services to consumers as rapidly as possible. We hope and expect that use of this guide will benefit state and local governments, service providers, and, most importantly, the American public.

We wish all of you good luck in your facilities siting endeavors.

William E. Kennard, Chairman
Federal Communications Commission

Kenneth S. Fellman, Chair
Local and State Government
Advisory Committee

A LOCAL GOVERNMENT OFFICIAL'S GUIDE TO TRANSMITTING ANTENNA RF EMISSION SAFETY: RULES, PROCEDURES, AND PRACTICAL GUIDANCE

A common question raised in discussions about the siting of wireless telecommunications and broadcast antennas is, "Will this tower create any health concerns for our citizens?" We have designed this guide to provide you with information and guidance in devising efficient procedures for assuring that the antenna facilities located in your community comply with the Federal Communication Commission's (FCC's) limits for human exposure to radiofrequency (RF) electromagnetic fields.¹

We have included a checklist and tables to help you quickly identify siting applications that do not raise RF exposure concerns. Appendix A to this guide contains a checklist that you may use to identify "categorically excluded" facilities that are unlikely to cause RF exposures in excess of the FCC's guidelines. Appendix B contains tables and figures that set forth, for some of the most common types of facilities, "worst case" distances beyond which there is no realistic possibility that exposure could exceed the FCC's guidelines.

As discussed below, FCC rules require transmitting facilities to comply with RF exposure guidelines. The limits established in the guidelines are designed to protect the public health with a very large margin of safety. These limits have been endorsed by federal health and safety agencies such as the Environmental Protection Agency and the Food and Drug Administration. The FCC's rules have been upheld by a Federal Court of Appeals.² As discussed below, most facilities create maximum exposures that are only a small fraction of the limits. Moreover, the limits themselves are many times below levels that are generally accepted as having the potential to cause adverse health effects. Nonetheless, it is recognized that any instance of noncompliance with the guidelines is potentially very serious, and the FCC has therefore implemented procedures to enforce compliance with its rules. At the same time, state and local governments may wish to verify compliance with the FCC's exposure limits in order to protect their own citizens. As a state or local government official, you can play an important role in ensuring that innovative and beneficial communications services are provided in a manner that is consistent with public health and safety.

This document addresses only the issue of compliance with RF exposure limits established by the FCC. It does not address other issues such as construction, siting, permits, inspection, zoning, environmental review, and placement of antenna facilities within communities. Such issues fall generally under the jurisdiction of states and local governments, within the limits imposed for personal wireless service facilities by Section 332(c)(7) of the Communications Act.³

¹ This guide is intended to complement, but not to replace, the FCC's OET Bulletin 65, "Evaluating Compliance with FCC Guidelines for Human Exposure to Radiofrequency Electromagnetic Fields," August 1997. Bulletin 65 can be obtained from the FCC's Office of Engineering and Technology (phone: 202-418-2464 or e-mail: rfsafety@fcc.gov). Bulletin 65 can also be accessed and downloaded from the FCC's "RF Safety" website: <http://www.fcc.gov/oet/rfsafety>.

² See *Cellular Phone Taskforce v. FCC*, 205 F.3d 82 (2d Cir. 2000).

This document is not intended to provide legal guidance regarding the scope of state or local government authority under Section 332(c)(7) or any other provision of law. Section 332(c)(7)⁴ generally preserves state and local authority over decisions regarding the placement, construction, and modification of personal wireless service facilities,⁵ subject to specific limitations set forth in Section 332(c)(7). Among other things, Section 332(c)(7) provides that “[n]o State or local government or instrumentality thereof may regulate the placement, construction, and modification of personal wireless service facilities on the basis of the environmental effects of radio frequency emissions to the extent that such facilities comply with the [FCC’s] regulations concerning such emissions.” The full text of Section 332(c)(7) is set forth in Appendix C.

State and local governments and the FCC may differ regarding the extent of state and local legal authority under Section 332(c)(7) and other provisions of law. To the extent questions arise regarding such authority, they are being addressed by the courts. Rather than address these legal questions, this document recognizes that, as a practical matter, state and local governments have a role to play in ensuring compliance with the FCC’s limits, and it provides guidance to assist you in effectively fulfilling that role. The twin goals of this document are: (1) to define and promote locally-adaptable procedures that will provide you, as a local official concerned about transmitting antenna emissions, with adequate assurance of compliance, while (2), at the same time, avoiding the imposition of unnecessary burdens on either the local government process or the FCC’s licensees.

First, we'll start with a summary of the FCC’s RF exposure guidelines and some background information that you'll find helpful. Next, we'll review the FCC’s procedures for verifying compliance with the guidelines and enforcing its rules. Finally, we'll offer you some practical guidance to help you determine if personal wireless service facilities may raise compliance concerns. Note, however, that this guide is only intended to help you distinguish sites that are unlikely to raise compliance concerns from those that may raise compliance concerns, not to identify sites that are out of compliance. Detailed technical information necessary to determine compliance for individual sites is contained in the FCC’s OET Bulletin 65 (see footnote 1, above).

³ 47 U.S.C. § 332(c)(7). Under limited circumstances, the FCC also plays a role in the siting of wireless facilities. Specifically, the FCC reviews applications for facilities that fall within certain environmental categories under the National Environmental Policy Act of 1969 (NEPA), *see* 47 C.F.R. § 1.1307(a). Antenna structures that are over 200 feet in height or located near airport runways must be marked or lighted as specified by the Federal Aviation Administration and must be registered with the FCC, *see* 47 C.F.R. Part 17.

⁴ Section 332(c)(7) of the Communications Act is identical to Section 704(a) of the Telecommunications Act of 1996.

⁵ “Personal wireless services” generally includes wireless telecommunications services that are interconnected with the public telephone network and are offered commercially to the public. Examples include cellular and similar services (such as Personal Communications Service or “PCS”), paging and similar services, certain dispatch services, and services that use wireless technology to provide telephone service to a fixed location such as a home or office.

Before we start, however, let's take a short tour of the radiofrequency spectrum. RF signals may be transmitted over a wide range of frequencies. The frequency of an RF signal is expressed in terms of cycles per second or "Hertz," abbreviated "Hz." One kilohertz (kHz) equals one thousand Hz, one megahertz (MHz) equals one million Hz, and one gigahertz (GHz) equals one billion Hz. In the figure below, you'll see that AM radio signals are at the lower end of the RF spectrum, while other radio services, such as analog and digital TV (DTV), cellular and PCS telephony, and point-to-point microwave services are much higher in frequency.

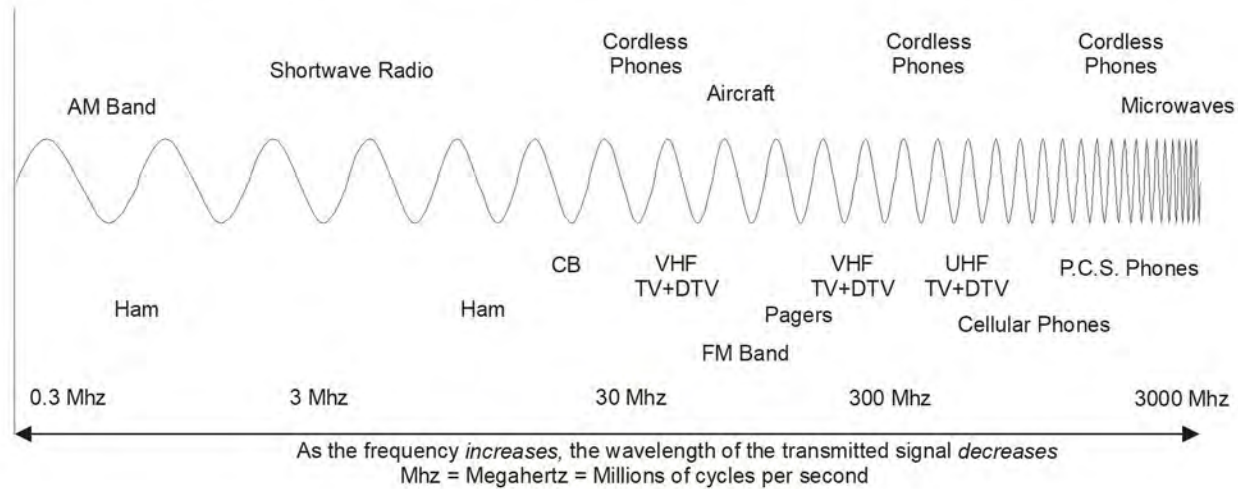


Illustration 1

The FCC's limits for maximum permissible exposure (MPE) to RF emissions depend on the frequency or frequencies that a person is exposed to. Different frequencies may have different MPE levels. Later in this document we'll show you how this relationship of frequency to MPE limit works.

I. The FCC's RF Exposure Guidelines and Rules.

Part 1 of the FCC's Rules and Regulations contains provisions implementing the National Environmental Policy Act of 1969 (NEPA). NEPA requires all federal agencies to evaluate the potential environmental significance of an agency action. Exposure to RF energy has been identified by the FCC as a potential environmental factor that must be considered before a facility, operation or transmitter can be authorized or licensed. The FCC's requirements dealing with RF exposure can be found in Part 1 of its rules at 47 C.F.R. § 1.1307(b). The exposure limits themselves are specified in 47 C.F.R. § 1.1310 in terms of frequency, field strength, power density and averaging time. Facilities and transmitters licensed and authorized by the FCC must either comply with these guidelines or else an applicant must file an Environmental Assessment (EA) with the FCC as specified in 47 C.F.R. § 1.1301 *et seq.* An EA is an official document required by the FCC's rules whenever an action may have a significant environmental impact (see discussion below). In practice, however, a potential environmental RF exposure problem is typically resolved before an EA would become necessary. Therefore, compliance with the FCC's RF guidelines constitutes a *de facto* threshold for obtaining FCC approval to construct or operate a station or transmitter. The FCC guidelines are based on exposure criteria

recommended in 1986 by the National Council on Radiation Protection and Measurements (NCRP) and on the 1991 standard developed by the Institute of Electrical and Electronics Engineers (IEEE) and later adopted as a standard by the American National Standards Institute (ANSI/IEEE C95.1-1992).

The FCC's guidelines establish separate MPE limits for "general population/uncontrolled exposure" and for "occupational/controlled exposure." The general population/uncontrolled limits set the maximum exposure to which most people may be subjected. People in this group include the general public not associated with the installation and maintenance of the transmitting equipment. Higher exposure limits are permitted under the "occupational/controlled exposure" category, but only for persons who are exposed as a consequence of their employment (*e.g.*, wireless radio engineers, technicians). To qualify for the occupational/controlled exposure category, exposed persons must be made fully aware of the potential for exposure (*e.g.*, through training), and they must be able to exercise control over their exposure. In addition, people passing through a location, who are made aware of the potential for exposure, may be exposed under the occupational/controlled criteria. The MPE limits adopted by the FCC for occupational/controlled and general population/uncontrolled exposure incorporate a substantial margin of safety and have been established to be well below levels generally accepted as having the potential to cause adverse health effects.

Determining whether a potential health hazard could exist with respect to a given transmitting antenna is not always a simple matter. Several important factors must be considered in making that determination. They include the following: (1) What is the frequency of the RF signal being transmitted? (2) What is the operating power of the transmitting station and what is the actual power radiated from the antenna?⁶ (3) How long will someone be exposed to the RF signal at a given distance from the antenna? (4) What other antennas are located in the area, and what is the exposure from those antennas? We'll explore each of these issues in greater detail below.

For all frequency ranges at which FCC licensees operate, Section 1.1310 of the FCC's rules establishes maximum permissible exposure (MPE) limits to which people may be exposed. The MPE limits vary by frequency because of the different absorptive properties of the human body at different frequencies when exposed to whole-body RF fields. Section 1.1310 establishes MPE limits in terms of "electric field strength," "magnetic field strength," and "far-field equivalent power density" (power density). For most frequencies used by the wireless services, the most relevant measurement is power density. The MPE limits for power density are given in terms of "milliwatts per square centimeter" or mW/cm^2 . One milliwatt equals one thousandth of one watt (1/1000 of a watt).⁷ In terms of power density, for a given frequency the FCC MPE limits can be interpreted as specifying the maximum rate that energy can be transferred (*i.e.*, the power) to a square centimeter of a person's body over a period of time (either 6 or 30 minutes, as explained

⁶ Power travels from a transmitter through cable or other connecting device to the radiating antenna. "Operating power of the transmitting station" refers to the power that is fed from the transmitter (transmitter output power) into the cable or connecting device. "Actual power radiated from the antenna" is the transmitter output power minus the power lost (power losses) in the connecting device plus an apparent increase in power (if any) due to the design of the antenna. Radiated power is often specified in terms of "effective radiated power" or "ERP" or "effective isotropic radiated power" or "EIRP" (see footnote 14).

⁷ Thus, by way of illustration, it takes 100,000 milliwatts of power to fully illuminate a 100 watt light bulb.

below). In practice, however, since it is unrealistic to measure separately the exposure of each square centimeter of the body, actual compliance with the FCC limits on RF emissions should be determined by “spatially averaging” a person’s exposure over the projected area of an adult human body (this concept is discussed in the FCC’s OET Bulletin 65).

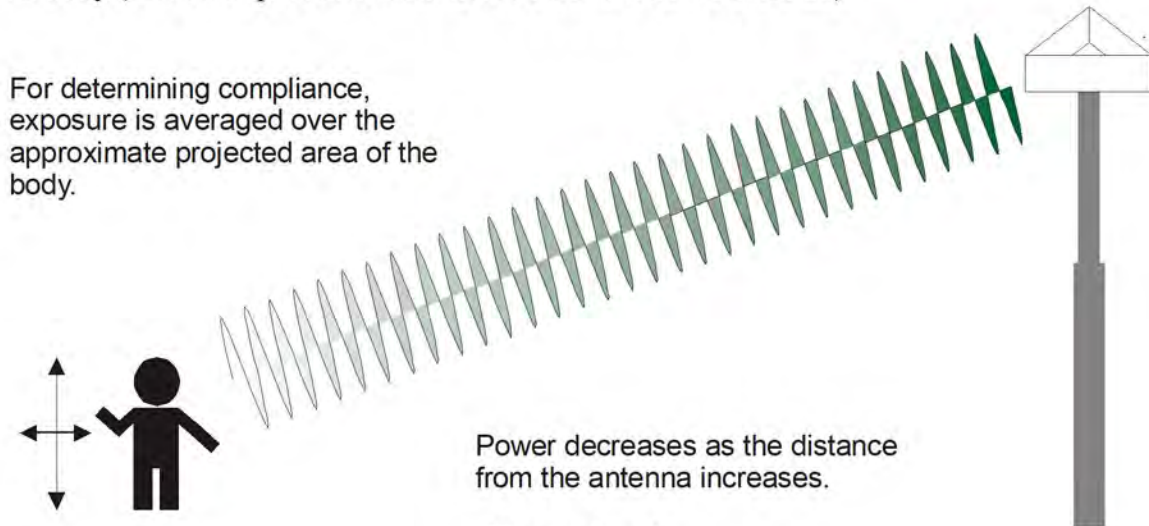


Illustration 2

Electric field strength and magnetic field strength are used to measure “near field” exposure. At frequencies below 300 MHz, these are typically the more relevant measures of exposure, and power density values are given primarily for reference purposes. However, evaluation of far-field equivalent power density exposure may still be appropriate for evaluating exposure in some such cases. For frequencies above 300 MHz, only one field component need be evaluated, and exposure is usually more easily characterized in terms of power density. Transmitters and antennas that operate at 300 MHz or lower include radio broadcast stations, some television broadcast stations, and certain personal wireless service facilities (*e.g.*, some paging stations). Most personal wireless services, including all cellular and PCS, as well as some television broadcast stations, operate at frequencies above 300 MHz. (See Illustration 1.)

As noted above, the MPE limits are specified as time-averaged exposure limits. This means that exposure can be averaged over the identified time interval (30 minutes for general population/uncontrolled exposure or 6 minutes for occupational/controlled exposure). However, for the case of exposure of the general public, time averaging is usually not applied because of uncertainties over exact exposure conditions and difficulty in controlling time of exposure. Therefore, the typical conservative approach is to assume that any RF exposure to the general public will be continuous. The FCC’s limits for exposure at different frequencies are shown in Illustration 3, below:

Illustration 3. FCC Limits for Maximum Permissible Exposure (MPE)**(A) Limits for Occupational/Controlled Exposure**

Frequency Range (MHz)	Electric Field Strength (E) (V/m)	Magnetic Field Strength (H) (A/m)	Power Density (S) (mW/cm ²)	Averaging Time E ² , H ² or S (minutes)
0.3-3.0	614	1.63	(100)*	6
3.0-30	1842/f	4.89/f	(900/f ²)*	6
30-300	61.4	0.163	1.0	6
300-1500	--	--	f/300	6
1500-100,000	--	--	5	6

(B) Limits for General Population/Uncontrolled Exposure

Frequency Range (MHz)	Electric Field Strength (E) (V/m)	Magnetic Field Strength (H) (A/m)	Power Density (S) (mW/cm ²)	Averaging Time E ² , H ² or S (minutes)
0.3-1.34	614	1.63	(100)*	30
1.34-30	824/f	2.19/f	(180/f ²)*	30
30-300	27.5	0.073	0.2	30
300-1500	--	--	f/1500	30
1500-100,000	--	--	1.0	30

f = frequency in MHz

*Plane-wave equivalent power density

NOTE 1: Occupational/controlled limits apply in situations in which persons are exposed as a consequence of their employment provided those persons are fully aware of the potential for exposure and can exercise control over their exposure. Limits for occupational/controlled exposure also apply in situations when an individual is transient through a location where occupational/controlled limits apply provided he or she is made aware of the potential for exposure.

NOTE 2: General population/uncontrolled exposures apply in situations in which the general public may be exposed, or in which persons that are exposed as a consequence of their employment may not be fully aware of the potential for exposure or cannot exercise control over their exposure.

Finally, it is important to understand that the FCC's limits apply cumulatively to all sources of RF emissions affecting a given area. A common example is where two or more wireless operators have agreed to share the cost of building and maintaining a tower, and to place their antennas on that joint structure. In such a case, the total exposure from the two facilities taken together must be within the FCC guidelines, or else an EA will be required.

A. Categorically Excluded Facilities

The Commission has determined through calculations and technical analysis that due to their low power or height above ground level, many facilities by their very nature are highly unlikely to

cause human exposures in excess of the guideline limits, and operators of those facilities are exempt from routinely having to determine compliance. Facilities with these characteristics are considered "categorically excluded" from the requirement for routine environmental processing for RF exposure.

Section 1.1307(b)(1) of the Commission's rules sets forth which facilities are categorically excluded.⁸ If a facility is categorically excluded, an applicant or licensee may ordinarily assume compliance with the guideline limits for exposure. However, an applicant or licensee must evaluate and determine compliance for a facility that is otherwise categorically excluded if specifically requested to do so by the FCC.⁹ If potential environmental significance is found as a result, an EA must be filed with the FCC.

No radio or television broadcast facilities are categorically excluded. Thus, broadcast applicants and licensees must affirmatively determine their facility's compliance with the guidelines before construction, and upon every facility modification or license renewal application. With respect to personal wireless services, a cellular facility is categorically excluded if the total effective radiated power (ERP) of all channels operated by the licensee at a site is 1000 watts or less. If the facility uses sectorized antennas, only the total effective radiated power in each direction is considered. Examples of a 3 sector and a single sector antenna array are shown below:

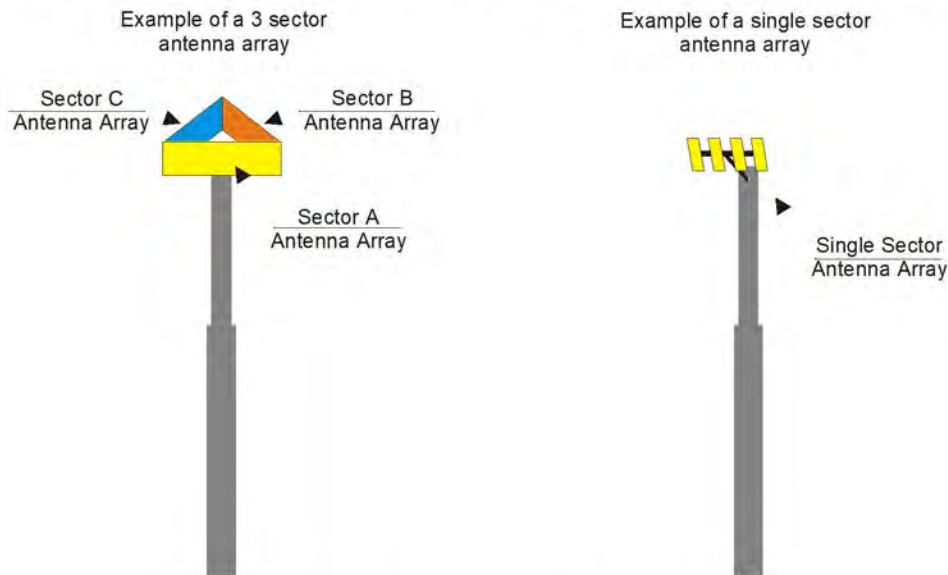


Illustration 4

⁸ "The appropriate exposure limits . . . are generally applicable to all facilities, operations and transmitters regulated by the Commission. However, a determination of compliance with the exposure limits . . . (routine environmental evaluation), and preparation of an EA if the limits are exceeded, is necessary only for facilities, operations and transmitters that fall into the categories listed in table 1 [of §1.1307], or those specified in paragraph (b)(2) of this section. All other facilities, operations and transmitters are categorically excluded from making studies or preparing an EA . . ."

⁹ See 47 C.F.R §1.1307(c) and (d).

In addition, a cellular facility is categorically excluded, regardless of its power, if it is not mounted on a building and the lowest point of the antenna is at least 10 meters (about 33 feet) above ground level. A broadband PCS antenna array is categorically excluded if the total effective radiated power of all channels operated by the licensee at a site (or all channels in any one direction, in the case of sectorized antennas) is 2000 watts or less. Like cellular, another way for a broadband PCS facility to be categorically excluded is if it is not mounted on a building and the lowest point of the antenna is at least 10 meters (about 33 feet) above ground level. The power threshold for categorical exclusion is higher for broadband PCS than for cellular because broadband PCS operates at a higher frequency where exposure limits are less restrictive. For categorical exclusion thresholds for other personal wireless services, consult Table 1 of Section 1.1307(b)(1).¹⁰

For your convenience, we have developed the checklist in Appendix A that may be used to streamline the process of determining whether a proposed facility is categorically excluded. You are encouraged to adopt the use of this checklist in your jurisdiction, although such use is not mandatory.

B. What If An Applicant Or Licensee Wants To Exceed The Limits Shown In Illustration 3?

Any FCC applicant or licensee who wishes to construct or operate a facility that, by itself or in combination with other sources of emissions (*i.e.*, other transmitting antennas), may cause human exposures in excess of the guideline limits must file an Environmental Assessment (EA) with the FCC. Where more than one antenna is collocated (for example, on a single tower or rooftop or at a hilltop site), the applicant must take into consideration all of the RF power transmitted by all of the antennas when determining maximum exposure levels. Compliance at an existing site is the shared responsibility of all licensees whose transmitters produce exposure levels in excess of 5% of the applicable exposure limit. A new applicant is responsible for compliance (or submitting an EA) at a multiple-use site if the proposed transmitter would cause non-compliance and if it would produce exposure levels in excess of 5% of the applicable limit.¹¹

An applicant or licensee is not permitted to construct or operate a facility that would result in exposure in excess of the guideline limits until the FCC has reviewed the EA and either found no significant environmental impact, or pursued further environmental processing including the preparation of a formal Environmental Impact Statement. As a practical matter, however, this process is almost never invoked for RF exposure issues because applicants and licensees normally undertake corrective actions to ensure compliance with the guidelines before submitting an application to the FCC.

Unless a facility is categorically excluded (explained above), the FCC's rules require a licensee to evaluate a proposed or existing facility's compliance with the RF exposure guidelines and to

¹⁰ Table 1 of §1.1307(b)(1) is reproduced in Appendix A to this guide.

¹¹ For more information, see OET Bulletin 65, or see 47 CFR §1.1307(b)(3).

determine whether an EA is required. In the case of broadcast licensees, who are required to obtain a construction permit from the FCC, this evaluation is required before the application for a construction permit is filed, or the facility is constructed. In addition, if a facility requires the filing of an EA for any reason other than RF emissions, the RF evaluation must be performed before the EA is filed. Factors other than RF emissions that may require the filing of an EA are set out in 47 C.F.R. § 1.1307(a). Otherwise, new facilities that do not require FCC-issued construction permits should be evaluated before they are placed in operation. The FCC also requires its licensees to evaluate existing facilities and operations that are not categorically excluded if the licensee seeks to modify its facilities or renew its license. These requirements are intended to enhance public safety by requiring periodic site compliance reviews.

All facilities that were placed in service before October 15, 1997 (when the current RF exposure guidelines became effective) are expected to comply with the current guidelines no later than September 1, 2000, or the date of a license renewal, whichever is earlier.¹² If a facility cannot meet the September 1, 2000, date, the licensee of that facility must file an EA by that date. Section 1.1307(b) of the FCC's rules requires the licensee to provide the FCC with technical information showing the basis for its determination of compliance upon request.

II. How the FCC Verifies Compliance with and Enforces Its Rules.

A. Procedures Upon Initial Construction, Modification, and Renewal.

The FCC's procedures for verifying that a new facility, or a facility that is the subject of a facility modification or license renewal application, will comply with the RF exposure rules vary depending upon the service involved. Applications for broadcast services (for example, AM and FM stations, and television stations) are reviewed by the FCC's Mass Media Bureau (MMB). As part of every relevant application, the MMB requires an applicant to submit an explanation of what steps will be taken to limit RF exposure and comply with FCC guidelines. The applicant must certify that RF exposure procedures will be coordinated with all collocated entities (usually other stations at a common transmitter site or hill or mountain peak). If the submitted explanation does not adequately demonstrate a facility's compliance with the guidelines, the MMB will require additional supporting data before granting the application.

The Wireless Telecommunications Bureau (WTB) reviews personal wireless service applications (for cellular, PCS, SMR, etc.). For those services that operate under blanket area licenses, including cellular and PCS, the license application and renewal form require the applicant to certify whether grant of the application would have a significant environmental impact so as to require submission of an EA. The applicant's answer to this question covers all of the facilities sites included within the area of the license.

For those services that continue to be licensed by site (*e.g.*, certain paging renewals), the WTB requires a similar certification on the application form for each site. To comply with the FCC's rules, an applicant must determine its own compliance before completing this certification for

¹² Prior to October 15, 1997, the Commission applied a different set of substantive guidelines.

every site that is not categorically excluded. The WTB does not, however, routinely require the submission of any information supporting the determination of compliance.

B. Procedures For Responding To Complaints About Existing Facilities.

The FCC frequently receives inquiries from members of the public as to whether a particular site complies with the RF exposure guidelines. Upon receiving these inquiries, FCC staff may ask the inquiring party to describe the site at issue. In many instances, the information provided by the inquiring party does not raise any concern that the site could exceed the limits in the guidelines. FCC staff will then inform the inquiring party of this determination.

In some cases, the information provided by the inquiring party does not preclude the possibility that the limits could be exceeded. Under these circumstances, FCC staff may ask the licensee who operates the facility to supply information demonstrating its compliance. FCC staff may also inspect the site to determine whether it is accessible to the public, and examine other relevant physical attributes. Usually, the information obtained in this manner is sufficient to establish compliance. If compliance is established in this way, FCC staff will inform the inquiring party of this determination.

In some instances, a licensee may be unable to provide information sufficient to establish compliance with the guideline limits. In these cases, FCC staff may test the output levels of individual facilities and evaluate the physical installation. Keep in mind, however, that instances in which physical testing is necessary to verify compliance are relatively rare.

If a site is found to be out of compliance with the RF guidelines, the FCC will require the licensees at the site to remedy the situation. Depending on the service and the nature and extent of the violation, these remedies can include, for example, an immediate reduction in power, a modification of safety barriers, or a modification of the equipment or its installation. Actions necessary to bring a site into compliance are the shared responsibility of all licensees whose facilities cause exposures in that area that exceed 5% of the applicable MPE limit. In addition, licensees may be subject to sanctions for violating the FCC's rules and/or for misrepresentation.

The FCC is committed to responding fully, promptly, and accurately to all inquiries regarding compliance with the RF exposure guidelines, and to taking swift and appropriate action whenever the evidence suggests potential noncompliance. To perform this function effectively, however, the FCC needs accurate information about potentially problematic situations. By applying the principles discussed in this guide about RF emissions, exposure and the FCC's guidelines, state and local officials can fulfill a vital role in identifying and winnowing out situations that merit further attention.

III. Practical Guidance Regarding Compliance.

This section is intended to provide some general guidelines that can be used to identify sites that should not raise serious questions about compliance with FCC RF exposure guidelines. Sites that don't fall into the categories described here may still meet the guidelines, but the determination

of compliance will not be as straightforward. In such cases, a detailed review may be required. The tables and graphs shown in Appendix B are intended only to assist in distinguishing sites that should not raise serious issues from sites that may require further inquiry. They are not intended for use in identifying sites that are out of compliance. As noted above, the factors that can affect exposure at any individual site, particularly a site containing multiple facilities, are too numerous and subtle to be practically encompassed within this framework.

Applying the basic principles discussed in this guide should allow you to eliminate a large number of sites from further consideration with respect to health concerns. You may find it useful to contact a qualified radio engineer to assist you in your inquiry. Many larger cities and counties, and most states, have radio engineers on staff or under contract. In smaller jurisdictions, we recommend you seek initial assistance from other jurisdictions, universities that have RF engineering programs, or perhaps the engineer in charge of your local broadcast station(s).

We'll exclude any discussion of broadcast sites. As explained before, broadcast licensees are required to submit site-specific information on each facility to the FCC for review, and that information is publicly available at the station as long as the application is pending. The focus in this section is on personal wireless services, particularly cellular and broadband PCS, the services that currently require the largest numbers of new and modified facilities. Many other personal wireless services, however, such as paging services, operate in approximately the same frequency ranges as cellular and broadband PCS.¹³ Much of the information here is broadly applicable to those services as well, and specific information is provided in Appendix B for paging and narrowband PCS operations over frequency bands between 901 and 940 MHz.

Finally, this section only addresses the general population/uncontrolled exposure guidelines, since compliance with these guidelines generally causes the most concern to state and local governments. Compliance with occupational/controlled exposure limits should be examined independently.

A. Categorically Excluded Facilities.

As a first step in evaluating a siting application for compliance with the FCC's guidelines, you will probably want to consider whether the facility is categorically excluded under the FCC's rules from routine evaluation for compliance. The checklist in Appendix A will guide you in making this determination. Because categorically excluded facilities are unlikely to cause any exposure in excess of the FCC's guidelines, determination that a facility is categorically excluded should generally suffice to end the inquiry.

B. Single Facility Sites.

If a wireless telecommunications facility is not categorically excluded, you may want to evaluate potential exposure using the methods discussed below and the tables and figures in Appendix B.

¹³ The major exception is fixed wireless services, which often operate at much higher frequencies. In addition, some paging and other licensees operate at lower frequencies

If you "run the numbers" using the conservative approaches promoted in this paper and the site in question does not exceed these values, then you generally need look no further. Alternately, if the "numbers" don't pass muster, you may have a genuine concern. But remember, there may be other factors (*i.e.*, power level, height, blockages, etc.) that contribute to whether the site complies with FCC guidelines.

Where a site contains only one antenna array, the maximum exposure at any point in the horizontal plane can be predicted by calculations. The tables and graphs in Appendix B show the maximum distances in the horizontal plane from an antenna at which a person could possibly be exposed in excess of the guidelines at various levels of effective radiated power (ERP).¹⁴ Thus, if people are not able to come closer to an antenna than the applicable distance shown in Appendix B, there should be no cause for concern about exposure exceeding the FCC guidelines. The tables and graphs apply to the following wireless antennas: (1) cellular omni-directional antennas (Table B1-1 and Figure B1-1); (2) cellular sectorized antennas (Table B1-2 and Figure B1-2); (3) broadband PCS sectorized antennas (Table B1-3 and Figure B1-3);¹⁵ and (4) high-power (900 MHz-band) paging antennas (Table B1-4 and Figure B1-4). Table B1-4 and Figure B1-4 can also be used for omni-directional, narrowband (900 MHz) PCS antennas. Note that both tables and figures in Appendix B have been provided. In some cases it may be easier to use a table to estimate exposure distances, but figures may also be used when a more precise value is needed that may not be listed in a table.

It's important to note that the predicted distances set forth in Appendix B are based on a very conservative, "worst case" scenario. In other words, Appendix B identifies the furthest distance from the antenna that presents even a remote realistic possibility of RF exposure that could exceed the FCC guidelines. The power levels are based on the approximate maximum number of channels that an operator is likely to operate at one site. It is further assumed that each channel operates with the maximum power permitted under the FCC's rules and that all of these channels are "on" simultaneously, an unlikely scenario. This is a very conservative assumption. In reality, most sites operate at a fraction of the maximum permissible power and many sites use fewer than the maximum number of channels. Therefore, actual exposure levels would be expected to be well below the predicted values. Another mitigating factor could be the presence of intervening structures, such as walls, that will reduce RF exposure by variable amounts. For all these reasons, the values given in these tables and graphs are considered to be quite conservative and should over-predict actual exposure levels.

¹⁴ ERP is the apparent effective amount of power leaving the transmit antenna. The ERP is determined by factors including but not limited to transmitter output power, coaxial line loss between the transmitter and the antenna, and the "gain" (focusing effect) of the antenna. In some cases, power may also be expressed in terms of EIRP (effective isotropically radiated power). Therefore, for convenience, the tables in Appendix B also include a column for EIRP. ERP and EIRP are related by the mathematical expression: $(1.64) \times \text{ERP} = \text{EIRP}$.

¹⁵ Because broadband PCS antennas are virtually always sectorized, no information is provided for omni-directional PCS antennas.

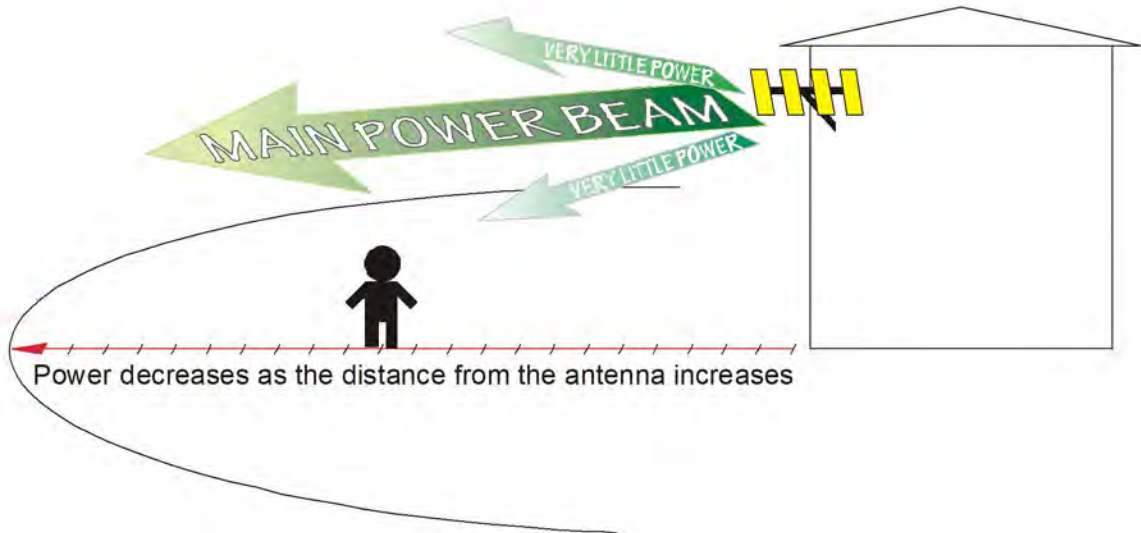


Illustration 5

Personal wireless service antennas typically do not emit high levels of RF energy directed above or below the horizontal plane of the antenna. Although the precise amount of energy transmitted outside the horizontal plane will depend upon the type of antenna used, we are aware of no wireless antennas that produce significant non-horizontal transmissions. Thus, exposures even a small distance below the horizontal plane of these antennas would be significantly less than in the horizontal plane. As discussed above, the tables and figures in Appendix B show distances in the horizontal plane from typical antennas at which exposures could potentially exceed the guidelines, assuming “worst case” operating conditions at maximum possible power levels. In any direction other than horizontal, including diagonal or straight down, these “worst case” distances would be significantly less.

Where unidirectional antennas are used, exposure levels within or outside the horizontal plane in directions other than those where the antennas are aimed will typically be insignificant. In addition, many new antennas are being designed with shielding capabilities to minimize emissions in undesired directions.

C. Multiple Facility Sites.

Where multiple facilities are located at a single site, the FCC’s rules require the total exposure from all facilities to fall within the guideline limits, unless an EA is filed and approved. In such cases, however, calculations of predicted exposure levels and overall evaluation of the site may become much more complicated. For example, different transmitters at a site may operate different numbers of channels, or the operating power per channel may vary from transmitter to transmitter. Transmitters may also operate on different frequencies (for example, one antenna array may belong to a PCS operator, while the other belongs to a cellular operator). A large number of variables such as these make the calculations more time consuming, and make it difficult to apply a simple rule-of-thumb test. See the following illustration.

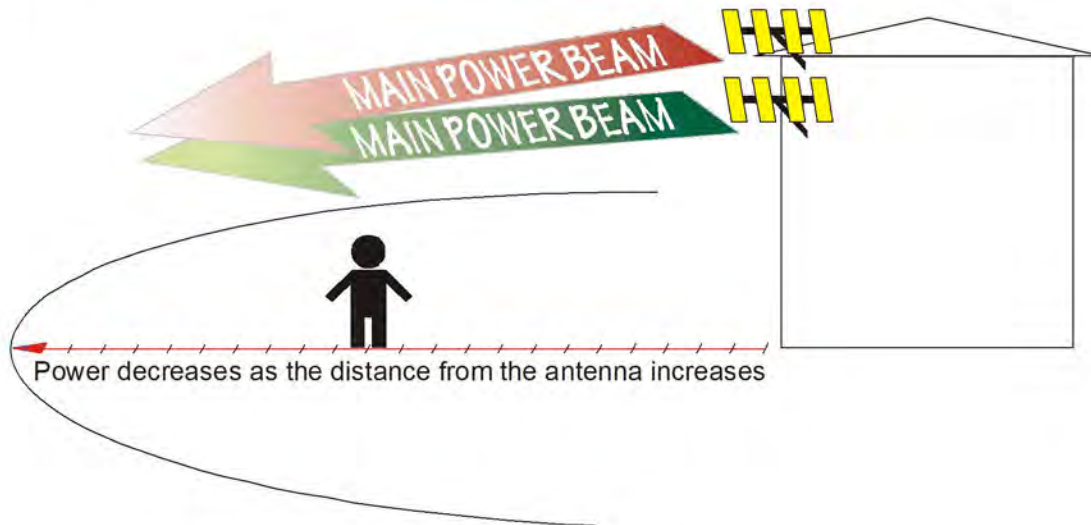


Illustration 6

However, we can be overly conservative and estimate a "worst case" exposure distance for compliance by assuming that the total power (e.g., ERP) of all transmitting antennas at the site is concentrated in the antenna that is closest to the area in question. (In the illustration above, this would be the antenna that is mounted lower on the building.) Then the values in the tables and graphs in Appendix B may be used as if this were the only antenna at the site, with radiated power equal to the sum of the actual radiated power of all antennas at the site. Actual RF exposure at any point will always be less than the exposure calculated using these assumptions. Thus, if people are not able to come closer to a group of antennas than the applicable distance shown in Appendix B using these assumptions, there should be no cause for concern about exposure exceeding the FCC guidelines. This is admittedly an extremely conservative procedure, but it may be of assistance in making a "first cut" at eliminating sites from further consideration.

IV. Conclusion.

We've highlighted many of the most common concerns and questions raised by the siting of wireless telecommunications and broadcast antennas. Applying the principles outlined in this guide will allow you to make initial conservative judgments about whether RF emissions are or should be of concern, consistent with the FCC's rules.

As we have explained, when first evaluating a siting application for compliance with the FCC's guidelines, you will probably want to consider whether the facility is categorically excluded under the FCC's rules from routine evaluation for compliance. The checklist in Appendix A will guide you in making this determination. Because categorically excluded facilities are unlikely to cause any exposure in excess of the FCC's guidelines, determination that a facility is categorically excluded should generally suffice to end the inquiry.

If a wireless telecommunications facility is not categorically excluded, you may want to evaluate potential exposure using the methods discussed in Part III of this paper and the tables and figures in Appendix B. If the site in question does not exceed the values, then you generally need look no further. Alternately, if the values don't pass muster, you may have a genuine concern. But

remember, there may be other factors (*i.e.*, power level, height, blockages, etc.) that contribute to whether the site complies with FCC guidelines.

If you have questions about compliance, your initial point of exploration should be with the facilities operator in question. That operator is required to understand the FCC's rules and to know how to apply them in specific cases at specific sites. If, after diligently pursuing answers from the operator, you still have genuine questions regarding compliance, you should contact the FCC at one of the numbers listed below. Provision of the information identified in the checklist in Appendix A may assist the FCC in evaluating your inquiry.

General Information: Compliance and Information Bureau, (888) CALL-FCC

Concerns About RF Emissions Exposure at a Particular Site: Office of Engineering and Technology, RF Safety Program, phone (202) 418-2464, FAX (202) 418-1918, e-mail rfsafety@fcc.gov

Licensing and Site Information Regarding Wireless Telecommunications Services: Wireless Telecommunications Bureau, Commercial Wireless Division, (202) 418-0620

Licensing and Site Information Regarding Broadcast Radio Services: Mass Media Bureau, Audio Services Division, (202) 418-2700

Licensing and Site Information Regarding Television Service (Including DTV): Mass Media Bureau, Video Services Division, (202) 418-1600

Also, note that the RF Safety Program Web site is a valuable source of general information on the topic of potential biological effects and hazards of RF energy. For example, OET recently updated its OET Bulletin 56 ("Questions and Answers about Biological Effects and Potential Hazards of Radiofrequency Electromagnetic Fields"). This latest version is available from the program and can be accessed and downloaded from the FCC's web site at:

<http://www.fcc.gov/oet/rfsafety/>

APPENDIX A

*Optional Checklist for Determination
Of Whether a Facility is Categorically Excluded*

**Optional Checklist for Local Government
To Determine Whether a Facility is Categorically Excluded**

Purpose: The FCC has determined that many wireless facilities are unlikely to cause human exposures in excess of RF exposure guidelines. Operators of those facilities are exempt from routinely having to determine their compliance. These facilities are termed "categorically excluded." Section 1.1307(b)(1) of the Commission's rules defines those categorically excluded facilities. This checklist will assist state and local government agencies in identifying those wireless facilities that are categorically excluded, and thus are highly unlikely to cause exposure in excess of the FCC's guidelines. Provision of the information identified on this checklist may also assist FCC staff in evaluating any inquiry regarding a facility's compliance with the RF exposure guidelines.

BACKGROUND INFORMATION

1. Facility Operator's Legal Name: _____
2. Facility Operator's Mailing Address: _____
3. Facility Operator's Contact Name/Title: _____
4. Facility Operator's Office Telephone: _____
5. Facility Operator's Fax: _____
6. Facility Name: _____
7. Facility Address: _____
8. Facility City/Community: _____
9. Facility State and Zip Code: _____
10. Latitude: _____
11. Longitude: _____

continue
→

Optional Local Government Checklist (page 2)

EVALUATION OF CATEGORICAL EXCLUSION

12. Licensed Radio Service (see attached Table 1): _____
13. Structure Type (free-standing or building/roof-mounted): _____
14. Antenna Type [omnidirectional or directional (includes sectored)]: _____
15. Height above ground of the lowest point of the antenna (in meters): _____
16. Check if all of the following are true:
- (a) This facility will be operated in the Multipoint Distribution Service, Paging and Radiotelephone Service, Cellular Radiotelephone Service, Narrowband or Broadband Personal Communications Service, Private Land Mobile Radio Services Paging Operations, Private Land Mobile Radio Service Specialized Mobile Radio, Local Multipoint Distribution Service, or service regulated under Part 74, Subpart I (see question 12).
 - (b) This facility will not be mounted on a building (see question 13).
 - (c) The lowest point of the antenna will be at least 10 meters above the ground (see question 15).

If box 16 is checked, this facility is categorically excluded and is unlikely to cause exposure in excess of the FCC's guidelines. The remainder of the checklist need not be completed. If box 16 is not checked, continue to question 17.

17. Enter the power threshold for categorical exclusion for this service from the attached Table 1 in watts ERP or EIRP* (note: $EIRP = (1.64) \times ERP$): _____
18. Enter the total number of channels if this will be an omnidirectional antenna, or the maximum number of channels in any sector if this will be a sectored antenna: _____
19. Enter the ERP or EIRP per channel (using the same units as in question 17): _____
20. Multiply answer 18 by answer 19: _____
21. Is the answer to question 20 less than or equal to the value from question 17 (yes or no)? _____

If the answer to question 21 is YES, this facility is categorically excluded. It is unlikely to cause exposure in excess of the FCC's guidelines.

If the answer to question 21 is NO, this facility is not categorically excluded. Further investigation may be appropriate to verify whether the facility may cause exposure in excess of the FCC's guidelines.

*"ERP" means "effective radiated power" and "EIRP" means "effective isotropic radiated power"

TABLE 1: TRANSMITTERS, FACILITIES AND OPERATIONS SUBJECT TO ROUTINE ENVIRONMENTAL EVALUATION

SERVICE (TITLE 47 CFR RULE PART)	EVALUATION REQUIRED IF:
Experimental Radio Services (part 5)	power > 100 W ERP (164 W EIRP)
Multipoint Distribution Service (subpart K of part 21)	<u>non-building-mounted antennas</u> : height above ground level to lowest point of antenna < 10 m <u>and</u> power > 1640 W EIRP <u>building-mounted antennas</u> : power > 1640 W EIRP
Paging and Radiotelephone Service (subpart E of part 22)	<u>non-building-mounted antennas</u> : height above ground level to lowest point of antenna < 10 m <u>and</u> power > 1000 W ERP (1640 W EIRP) <u>building-mounted antennas</u> : power > 1000 W ERP (1640 W EIRP)
Cellular Radiotelephone Service (subpart H of part 22)	<u>non-building-mounted antennas</u> : height above ground level to lowest point of antenna < 10 m <u>and</u> total power of all channels > 1000 W ERP (1640 W EIRP) <u>building-mounted antennas</u> : total power of all channels > 1000 W ERP (1640 W EIRP)

TABLE 1 (cont.)

SERVICE (TITLE 47 CFR RULE PART)	EVALUATION REQUIRED IF:
<p>Personal Communications Services (part 24)</p>	<p>(1) Narrowband PCS (subpart D): <u>non-building-mounted antennas</u>: height above ground level to lowest point of antenna < 10 m <u>and</u> total power of all channels > 1000 W ERP (1640 W EIRP) <u>building-mounted antennas</u>: total power of all channels > 1000 W ERP (1640 W EIRP)</p> <p>(2) Broadband PCS (subpart E): <u>non-building-mounted antennas</u>: height above ground level to lowest point of antenna < 10 m <u>and</u> total power of all channels > 2000 W ERP (3280 W EIRP) <u>building-mounted antennas</u>: total power of all channels > 2000 W ERP (3280 W EIRP)</p>
<p>Satellite Communications (part 25)</p>	<p>all included</p>
<p>General Wireless Communications Service (part 26)</p>	<p>total power of all channels > 1640 W EIRP</p>
<p>Wireless Communications Service (part 27)</p>	<p>total power of all channels > 1640 W EIRP</p>
<p>Radio Broadcast Services (part 73)</p>	<p>all included</p>

TABLE 1 (cont.)

SERVICE (TITLE 47 CFR RULE PART)	EVALUATION REQUIRED IF:
Experimental, auxiliary, and special broadcast and other program distributional services (part 74)	subparts A, G, L: power > 100 W ERP subpart I: <u>non-building-mounted antennas</u> : height above ground level to lowest point of antenna < 10 m <u>and</u> power > 1640 W EIRP <u>building-mounted antennas</u> : power > 1640 W EIRP
Stations in the Maritime Services (part 80)	ship earth stations only
Private Land Mobile Radio Services Paging Operations (part 90)	<u>non-building-mounted antennas</u> : height above ground level to lowest point of antenna < 10 m <u>and</u> power > 1000 W ERP (1640 W EIRP) <u>building-mounted antennas</u> : power > 1000 W ERP (1640 W EIRP)
Private Land Mobile Radio Services Specialized Mobile Radio (part 90)	<u>non-building-mounted antennas</u> : height above ground level to lowest point of antenna < 10 m <u>and</u> total power of all channels > 1000 W ERP (1640 W EIRP) <u>building-mounted antennas</u> : total power of all channels > 1000 W ERP (1640 W EIRP)

TABLE 1 (cont.)

SERVICE (TITLE 47 CFR RULE PART)	EVALUATION REQUIRED IF:
Amateur Radio Service (part 97)	transmitter output power > levels specified in § 97.13(c)(1) of this chapter
Local Multipoint Distribution Service (subpart L of part 101)	<p><u>non-building-mounted antennas</u>: height above ground level to lowest point of antenna < 10 m <u>and</u> power > 1640 W EIRP</p> <p><u>building-mounted antennas</u>: power > 1640 W EIRP</p> <p>LMDS licensees are required to attach a label to subscriber transceiver antennas that: (1) provides adequate notice regarding potential radiofrequency safety hazards, <i>e.g.</i>, information regarding the safe minimum separation distance required between users and transceiver antennas; and (2) references the applicable FCC-adopted limits for radiofrequency exposure specified in § 1.1310 of this chapter.</p>

APPENDIX B

*Estimated "Worst Case" Distances that Should be Maintained from
Single Cellular, PCS, and Paging Base Station Antennas*

Table B1-1. Estimated "worst case" horizontal* distances that should be maintained from a single, omni-directional, **cellular base-station** antenna to meet FCC RF exposure guidelines

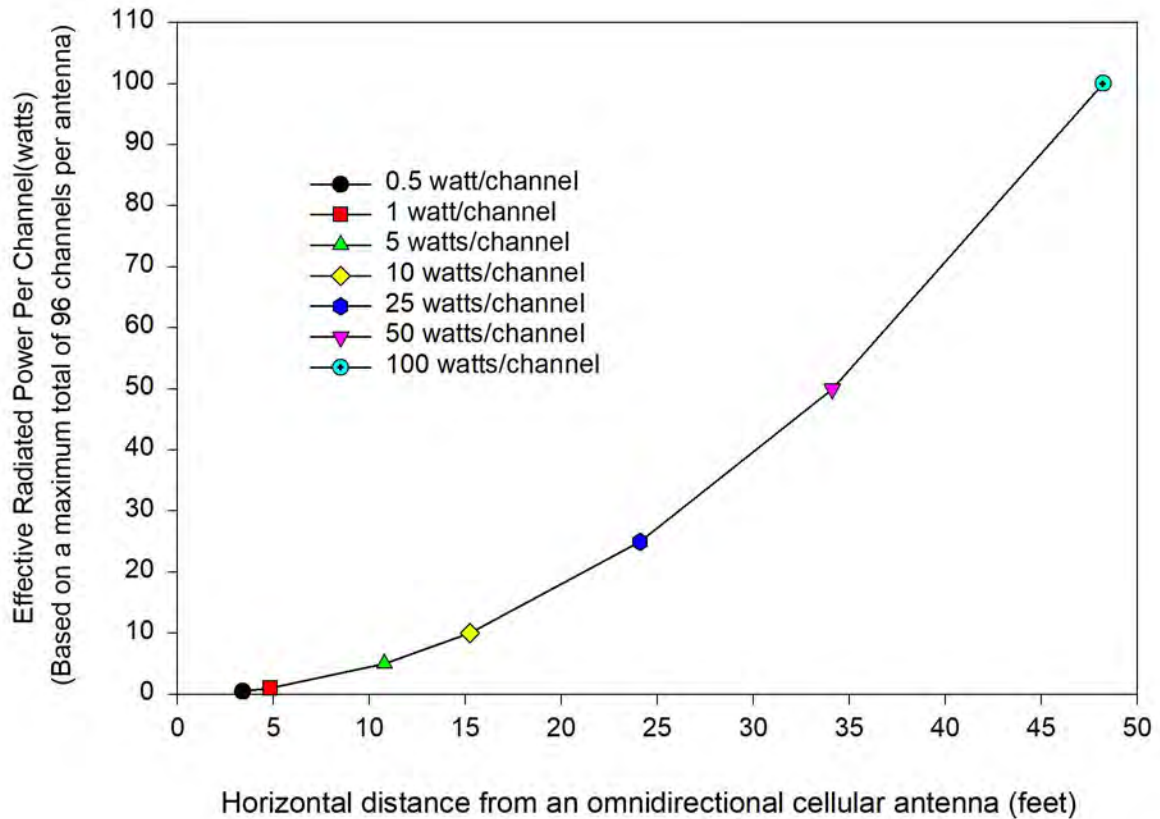
Effective Radiated Power (watts) per channel based on maximum total of 96 channels per antenna	Effective Isotropic Radiated Power (watts) per channel based on a maximum total of 96 channels per antenna	Horizontal* distance (feet) that should be maintained from a single omni-directional cellular antenna
0.5	0.82	3.4
1	1.6	4.8
5	8.2	10.8
10	16.4	15.2
25	41	24.1
50	82	34.1
100	164	48.2

For intermediate values not shown on this table, please refer to the Figure B1-1

*These distances are based on exposure at same level as the antenna, for example, on a rooftop or in a building directly across from and at the same height as the antenna.

Note: These estimates are worst case, assuming an omnidirectional antenna using 96 channels. If the systems are using fewer channels, the actual horizontal distances that must be maintained will be less. Cellular omnidirectional antennas transmit more or less equally from the antenna in all horizontal directions and transmit relatively little energy directly toward the ground. Therefore, these distances are even more conservative for “non-horizontal” distances, for example, distances directly below an antenna.

Figure B1-1. Estimated "worst case" horizontal* distances that should be maintained from a single omni-directional **cellular base station** antenna to meet FCC RF exposure guidelines



* These distances are based on exposure at same level as antenna, for example, on a rooftop or in a building directly across from and at the same height as the antenna.

Note: These estimates are worst case, assuming an omnidirectional antenna using 96 channels. If the systems are using fewer channels, the actual horizontal distances that must be maintained will be less. Cellular omnidirectional antennas transmit more or less equally from the antenna in all horizontal directions and transmit relatively little energy directly toward the ground.

Table B1-2. Estimated "worst case" horizontal* distances that should be maintained from a single, sectorized, **cellular base-station** antenna to meet FCC RF exposure guidelines

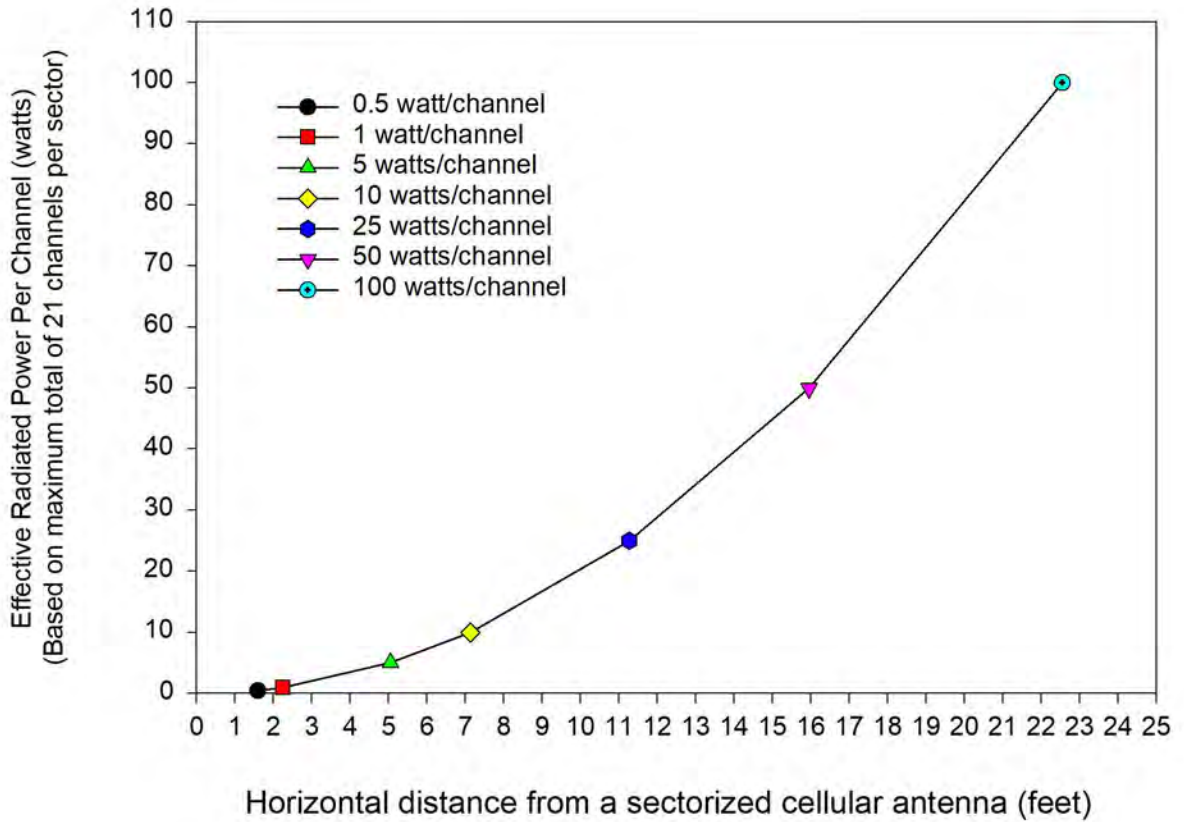
Effective Radiated Power (watts) per channel based on maximum total of 21 channels per sector	Effective Isotropic Radiated Power (watts) per channel based on maximum total of 21 channels per sector	Horizontal* distance (feet) that should be maintained from a single sectorized cellular antenna
0.5	0.82	1.6
1	1.6	2.3
5	8.2	5
10	16.4	7.1
25	41	11.3
50	82	16
100	164	22.6

For intermediate values not shown on this table, please refer to the Figure B1-2

*These distances are based on exposure at same level as the antenna, for example, on a rooftop or in a building directly across from and at the same height as the antenna.

Note: These estimates are "worst case," assuming a sectorized antenna using 21 channels. If the systems are using fewer channels, the actual horizontal distances that must be maintained will be less. Cellular sectorized antennas transmit more or less in one direction from the antenna in a horizontal direction and transmit relatively little energy directly toward the ground. Therefore, these distances are even more conservative for "non-horizontal" distances, for example, distances directly below an antenna.

Figure B1-2. Estimated "worst case" horizontal* distances that should be maintained from a single sectorized, **cellular base station** antenna to meet FCC RF exposure guidelines



* These distances are based on exposure at same level as antenna, for example, on a rooftop or in a building directly across from and at the same height as the antenna.

Note: These estimates are "worst case", assuming a sectorized antenna using 21 channels. If the systems are using fewer channels, the actual horizontal distances that must be maintained will be less. Cellular sectorized antennas transmit more or less in one direction from the antenna in a horizontal direction and transmit relatively little energy directly toward the ground.

Table B1-3. Estimated "worst case" horizontal* distances that should be maintained from a single sectorized **Broadband PCS base station** antenna to meet FCC RF exposure guidelines

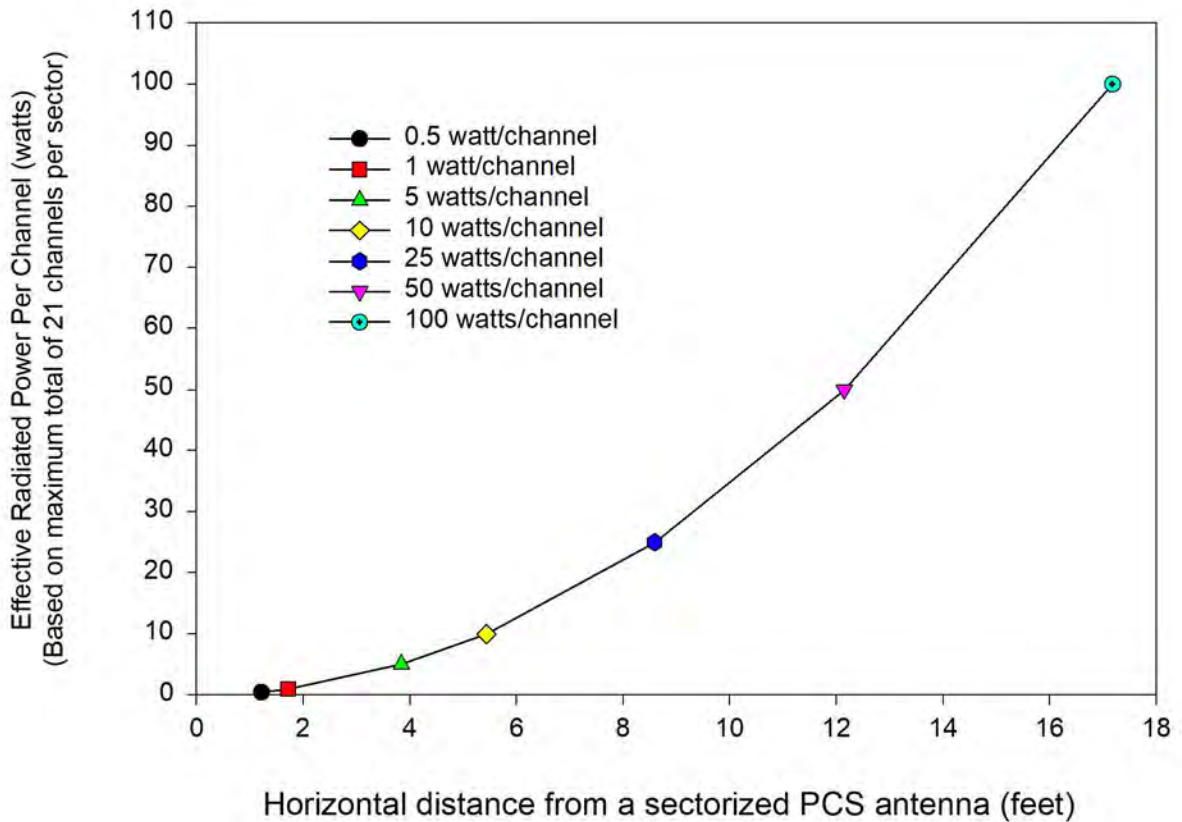
Effective Radiated Power (watts) per channel based on maximum total of 21 channels per sector	Effective Isotropic Radiated Power (watts) per channel based on maximum total of 21 channels per sector	Horizontal* distance (feet) that should be maintained from a single sectorized Broadband PCS antenna
0.5	0.82	1.2
1	1.6	1.7
5	8.2	3.8
10	16.4	5.4
25	41	8.6
50	82	12.1
100	164	17.2

For intermediate values not shown on this table, please refer to the Figure B1-3

*These distances are based on exposure at same level as the antenna, for example, on a rooftop or in a building directly across from and at the same height as the antenna.

Note: These estimates are "worst case," assuming a sectorized antenna using 21 channels. If the system is using fewer than 21 channels, the actual horizontal distances that must be maintained will be less. PCS sectorized antennas transmit more or less in one direction from the antenna in a horizontal direction and transmit relatively little energy directly toward the ground. Therefore, these distances are even more conservative for "non-horizontal" distances, for example, distances directly below an antenna.

Figure B1-3. Estimated "worst case" horizontal* distances that should be maintained from a single sectorized, **PCS base station** antenna to meet FCC RF exposure guidelines



* These distances are based on exposure at same level as antenna, for example, on a rooftop or in a building directly across from and at the same height as the antenna.

Note: These estimates are "worst case", assuming a sectorized antenna using 21 channels. If the systems are using fewer channels, the actual horizontal distances that must be maintained will be less. PCS sectorized antennas transmit more or less in one direction from the antenna in a horizontal direction and transmit relatively little energy directly toward the ground.

Table B1-4. Estimated "worst case" horizontal* distances that should be maintained from a single omnidirectional **paging** or **narrowband PCS** antenna to meet FCC RF exposure guidelines. Note: this table and the associated figure only apply to the 900-940 MHz band; paging antennas at other frequencies are subject to different values.

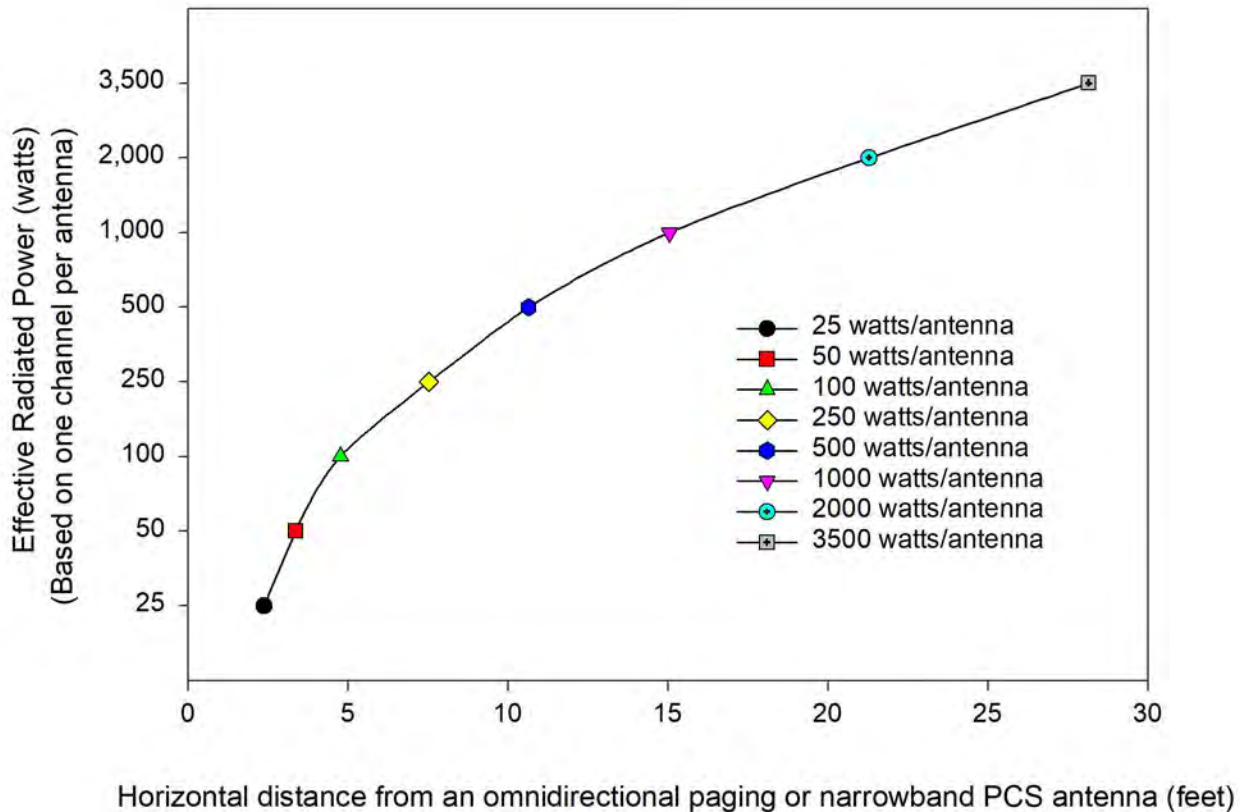
Effective Radiated Power (watts) based on one channel per antenna	Effective Isotropic Radiated Power (watts)	Horizontal* distance (feet) that should be maintained from a single omnidirectional paging or narrowband PCS antenna
50	82	3.4
100	164	4.8
250	410	7.5
500	820	10.6
1,000	1,640	15.1
2,000	3,280	21.3
3,500	5,740	28.2

For intermediate values not shown on this table, please refer to the Figure B1-4

*These distances are based on exposure at same level as the antenna, for example, on a rooftop or in a building directly across from and at the same height as the antenna.

Note: These distances assume only one frequency (channel) per antenna. Distances would be greater if more than one channel is used per antenna. Omnidirectional paging and narrowband PCS antennas transmit more or less equally from the antenna in all horizontal directions and transmit relatively little energy toward the ground. Therefore, these distances are even more conservative for “non-horizontal” distances, for example, distances directly below an antenna.

Figure B1-4. Estimated "worst case" horizontal* distances that should be maintained from a single omnidirectional **paging** or **narrowband PCS** antenna to meet FCC RF exposure guidelines.
 Note: this figure and the associated table only apply to the 900-940 MHz band; paging antennas at other frequencies are subject to different values



* These distances are based on exposure at the same level as the antenna, for example, on a rooftop or building directly across from and at the same height as the antenna.

Note: These distances assume only one frequency (channel) per antenna. Distances would be greater if more than one channel is used per antenna. Omnidirectional paging and narrowband PCS antennas transmit more or less equally from the antenna in all horizontal directions and transmit relatively little energy towards the ground.

APPENDIX C

Text of 47 U.S.C. § 332(c)(7)

(7) PRESERVATION OF LOCAL ZONING AUTHORITY.

- (A) GENERAL AUTHORITY. Except as provided in this paragraph, nothing in this Act shall limit or affect the authority of a State or local government or instrumentality thereof over decisions regarding the placement, construction, and modification of personal wireless service facilities.
- (B) LIMITATIONS.
- (i) The regulation of the placement, construction, and modification of personal wireless service facilities by and State or local government or instrumentality thereof (I) shall not unreasonably discriminate among providers of functionally equivalent services; and (II) shall not prohibit or have the effect of prohibiting the provision of personal wireless services.
 - (ii) A State or local government or instrumentality thereof shall act on any request for authorization to place, construct, or modify personal wireless service facilities within a reasonable period of time after the request is duly filed with such government or instrumentality, taking into account the nature and scope of such request.
 - (iii) Any decision by a State or local government or instrumentality thereof to deny a request to place, construct, or modify personal wireless service facilities shall be in writing and supported by substantial evidence contained in a written record.
 - (iv) No State or local government or instrumentality thereof may regulate the placement, construction, or modification of personal wireless service facilities on the basis of the environmental effects of radio frequency emissions to the extent that such facilities comply with the Commission's regulations concerning such emissions.
 - (v) Any person adversely affected by any final action or failure to act by a State or local government or any instrumentality thereof that is inconsistent with this subparagraph may, within 30 days after such action or failure to act, commence an action in any court of competent jurisdiction. The court shall hear and decide such action on an expedited basis. Any person adversely affected by an act or failure to act by a State or local government or any instrumentality thereof that is inconsistent with clause (iv) may petition the Commission for relief.
- (C) DEFINITIONS. For purposes of this paragraph
- (i) the term "personal wireless services" means commercial mobile services, unlicensed wireless services, and common carrier wireless exchange access services;
 - (ii) the term "personal wireless service facilities" means facilities for the provision of personal wireless services; and
 - (iii) the term "unlicensed wireless service" means the offering of telecommunications service using duly authorized devices which do not require individual licenses, but does not mean the provision of direct-to-home satellite services (as defined in section 303(v)).

October 14, 2020

The City Council of Midwest City
Attn: Ms. Espaniola Bowen
City Council Member, Ward 3
100 N. Midwest Boulevard
Midwest City, OK 73110

Re: Cellular Tower in Our Neighborhood

Dear Ms. Bowen:

Because of health reasons, I was unable to attend the Planning Commission meeting held on Tuesday, October 6, 2020 to discuss the prospect of erecting a cellular tower in our community. As I understand it, the motion was passed to consider erecting such tower. This issue will again be discussed in the City Council meeting on October 27, 2020 and it is my intention to attend with our neighbors to oppose this measure from being passed.

As the neighborhood spokesperson, I want to inform you that our community of neighbors (on E. Cardinal Place from Woodland Dr. to N. Douglas Blvd. and N. King Ave. from NE 10th St. to E. Reno Ave.) are intensely opposed to the construction of a cellular tower in our midst for several reasons as follows:

(1) Too High of a Risk to Our Health

Many studies have been conducted to determine if cellular tower radiation poses a significant risk to humans and animals alike. Most of the conclusions reached are inconclusive while others point to its dangers to life and health.

In its Technology News report of April 12, 2017, the World Health Organization (WHO) stated on page two (**attachment #1**) that “long-term exposure to mobile phones and cell tower radiation – an average of 30 minutes per day for a decade – increases the risk of brain cancer.” It adds that “WHO has also classified EMF (electromagnetic frequencies-FG) radiation from mobiles, mobile towers and wi-fi as category 2(B), or possibly carcinogenic.”

In addition, it reported that a professor at IIT Bombay and one of the advocates of cell phone towers’ health hazards, had told the Hindustan Times, “Being exposed to a mobile tower located within 50 meters of your home or workplace is like being in a microwave oven for 24 hours.” Can you imagine the peril these cell towers cause to our health?

In the Workers Health & Safety Centre June 2, 2016 report, it mentioned that “exposure to RF (radiofrequency energy-FG) radiation can result in the heating of tissue, the ‘thermal’ effect, which can cause damage in humans.” See **attachment #2**. It also reported on April 6, 2018 (**attachment #3**) that “a new study, billed as the largest of its kind, has shown that

radiofrequency radiation (RFR) emitted from cell towers increases cancer rates in rats.” It mentioned that “governments need to strengthen regulations to protect the public from these harmful non-thermal exposures.”

All the neighbors to be affected by erecting and operating the proposed cell tower, me included, believe that their health will be placed at risk and that is simply unacceptable. We are all in favor of having better services and welcome companies who bring such services, but not at the expense of our health or our family's. We recognize that other industries pose risk to life and health, such as the gas and oil industry, but such risks are well known and controlled posing minimum danger. However, this is not the case with the cell towers and the radiation they constantly emit. Many of the aforementioned studies regarding the radiation danger those cell towers pose to people and animals are inconclusive. More studies and time is needed to determine if there is truly a danger or not. According to the experts, it cannot be said at this time with any certainty that it poses a danger to humans, but neither can it be said that it does not. Therefore, we need to wait to install cell towers in residential areas until more conclusive evidence is attained to be certain its risks and peril to human and animal life is minimal or none.

(2) Real Estate Property Values Will Undoubtedly Decrease

The neighbors are also concerned that, if a cell tower is erected in our residential neighborhood, our property values will decline. This concern is a valid one according to a very well-respected Real Estate Agent and Broker in Oklahoma City. Please see **attachment #4**. When prospective buyers see a cell tower where they are considering purchasing real estate property, they automatically become apprehensive in continuing to consider the purchase. Who can blame them? Instinctively, people know cell towers do pose a high risk to their life and health as well as their family's. After all, perception is reality, is it not?

A Science ABC article (**attachment #5**) said it best, “The notion of whether phone towers pose a health risk has been speculated for decades. The presence of towers and cell phones concerned people even at times when mobile devices were a luxury...The situation today seems to cause even more apprehension...radio towers are planted more often than trees.”

To prevent a decline of property values, it is our position that cell towers should not be constructed in residential areas, certainly not in our residential neighborhood. We suggest those type of towers be constructed somewhere in the country away from residential areas with boosters within the city in specific unoccupied areas as is the case in London U.K. to minimize or eliminate the risk of radiation exposure to humans and animals.

(3) An Eyesore

A cell tower is ugly. There is no other way to describe it. It will destroy our scenery and country-like atmosphere which is the reason many of us purchased here to begin with. No matter how companies try to camouflage them, they are still an unwelcomed sight. Again, as soon as a potential buyer sees the tower, the sale of a property inside our community is shot.

These, in a nutshell, are our reasons why we oppose a cell tower in our community. It is our hope that the City Council will consider our legitimate reasons for opposing the construction of a cellular tower in our community and will not vote to override those concerns expressed by our neighbors. It is our expectation that the City Council will look to protect the health of its citizens, which is much more valuable, rather than profits or convenience.

Should you have any questions or if I can be of any assistance, please do not hesitate to contact the undersigned.

With Much Respect,



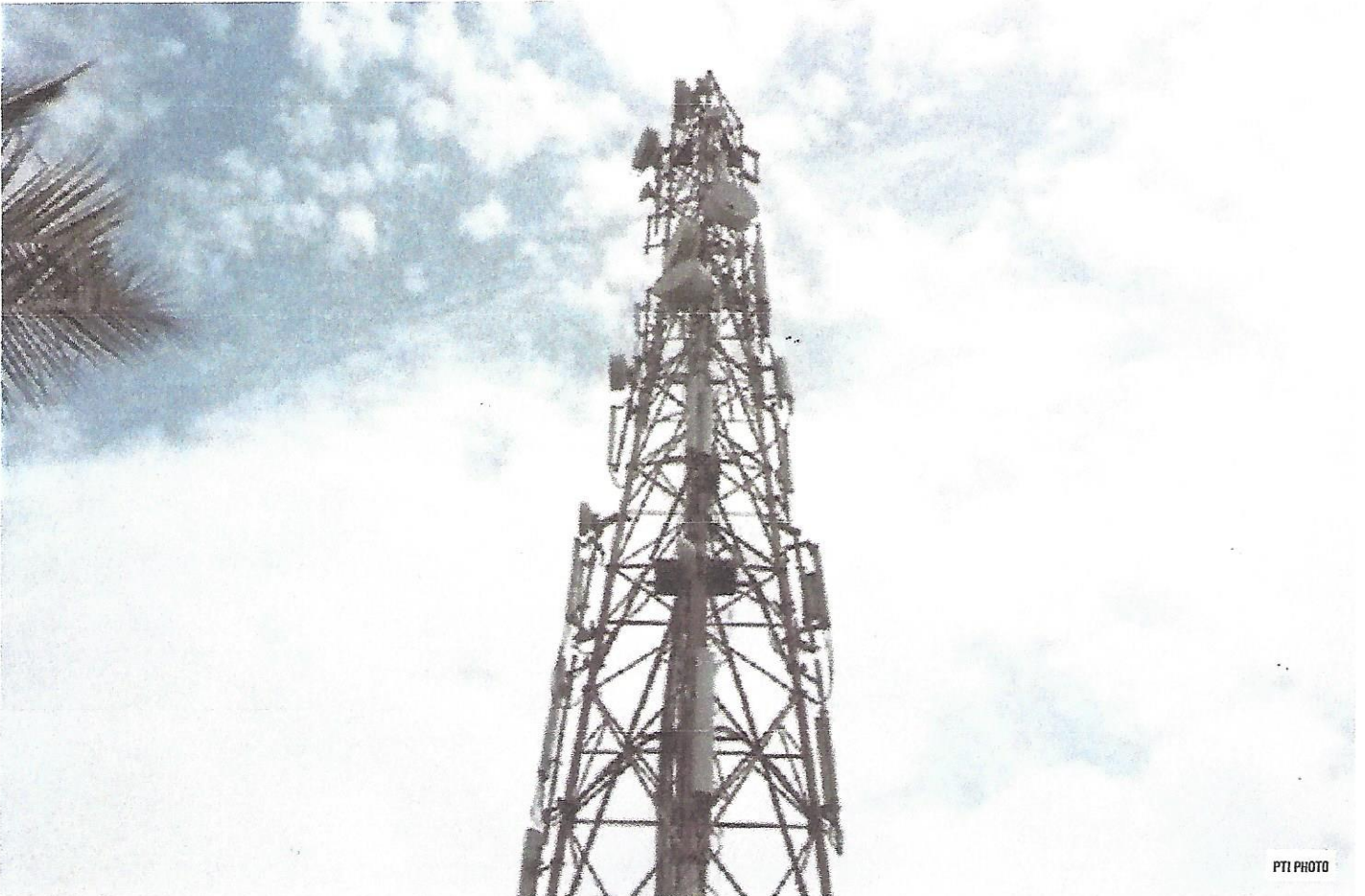
FELIX I. GARCIA
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(405) 227-7861
cristianosolo2@yahoo.com

Atch (5)

Cc Matt Dukes, Mayor, Midwest City
Kellie Gilles, Planning Commission Manager

Can radiation from mobile towers cause cancer? The scientific and legal debate continues

The Supreme Court recently ordered deactivation of mobile tower after a cancer-stricken man said the radiation was responsible for his ill health.



NEWS TECHNOLOGY | WEDNESDAY, APRIL 12, 2017 - 19:29

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In a landmark ruling, the Supreme Court recently ordered in favour of a man who said that the radiation from a mobile tower had affected his health. According to Dhananjay Mahapatra's report in [TOI](#), Harish Chandra Tiwari has Hodgkin's Lymphoma, a type of cancer, and he claimed that the harmful radiations from a mobile tower near his workplace affected him.

Not only did the court rule in Tiwari's favour, the SC also asked for the tower to be deactivated in a week.

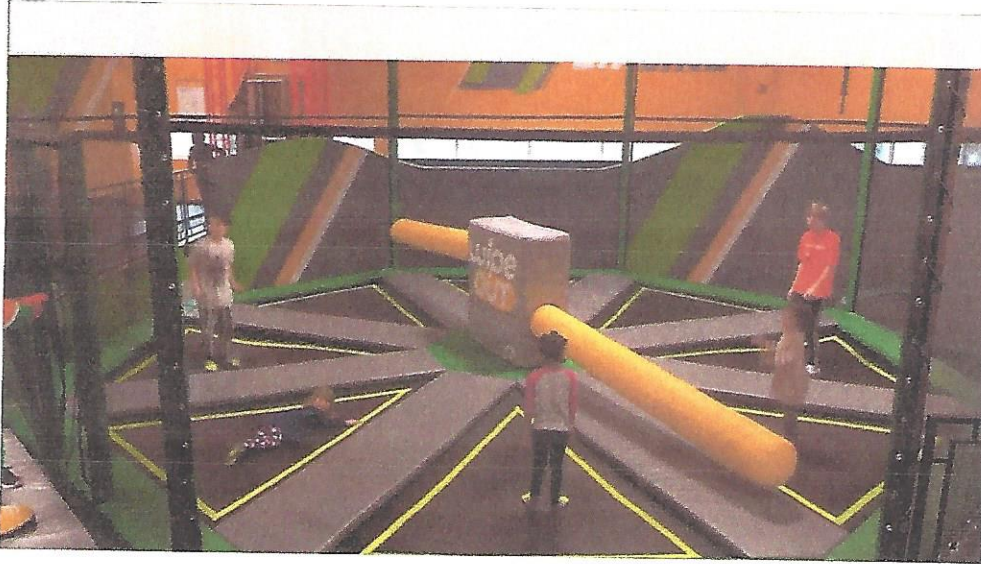
At a time when there is plenty of research about radiation and how it affects the human body - and plenty that counters it - the SC's decision has thrown open the gate yet again for the debate on the health hazards posed by electromagnetic radiation of mobile towers.

While activists and some organisations have registered strong concerns about it, the government has continued to [maintain](#) that low Electro Magnetic Frequency (EMF) from mobile towers does not have adverse health consequences.

The debate

atch #1
1 of 3

are harmful to the body and can cause cancer. Non-ionizing radiation on the other hand is a low energy radiation which generates heat. This is the category into which mobile tower radiation falls.



SKIP AD

Over the years, there have been many studies refuting the connection between non-ionizing radiation given out by cell phone towers, and cancer. Oncologists have also said that these radiations are not carcinogenic, but not everyone from the science fraternity agrees.

For instance, Dariusz Leszczynski, a Finnish scientist on WHO's International Agency for Research on Cancer's (IARC) expert committee, said that long-term exposure to mobile phones and cell tower radiation - an average of 30 minutes per day for a decade - increases the risk of brain cancer.

WHO has also classified EMF radiation from mobiles, mobile towers and wi-fi as category 2(B), or possibly carcinogenic.

According to Malini Bhupta's report in Business Standard, the safety standards followed in India are 10 times more stringent than a majority of the world's countries. Mobile handsets emitting over 1.6 watt/kilogram radiation are not allowed in India. This limit is called the Specific Absorption Rate or SAR.

But like Tiwari, other individuals have also alleged that exposure to cell phone towers has had serious health consequences for them.

For instance, a Hindustan Times report from 2012 tells the story of a family in Jaipur. Two of its members were diagnosed with brain cancer, incidentally after three cell phone towers were erected in their neighbourhood.

Girish Kumar, a professor at IIT Bombay and one of the advocates of cell phone towers' health hazards, had told HT then, "Being exposed to a mobile tower located within 50m of your home or workplace is like being in a microwave oven for 24 hours."

Legally speaking

Tiwari's case is not the first time that the matter has been taken up by the higher judiciary. Bollywood actor Juhi Chawla has been campaigning for a more stringent mobile tower policy for many years now. She and activist Prakash Munshi filed a PII in the Bombay High Court in 2015 regarding increasing radiation levels as well as illegal towers across the country.

atch#1
2 of 3

the Rajasthan High Court had held mobile towers as a health hazard, and asked operators in the state to remove towers in close proximity of hospitals, schools, colleges and playgrounds, or relocate them.

The matter moved to the Supreme Court where telecom operators challenged the Rajasthan High Court's order. Speaking to Kalyan Parbat and Gulveen Aulakh for Economic Times, a spokesperson for the World Health Organisation (WHO) said in the regard that while the electromagnetic fields produced by mobile phones had been classified as "possibly carcinogenic", there was no conclusive evidence to prove adverse health effects.

He conceded however that "lack of data on the impact of prolonged mobile phone use in excess of 15 years warrants further research."

The Supreme Court ultimately upheld the Rajasthan High Court's decision in June 2013.

However, concerns about the radiation from mobile phones and towers continued to be raised in the following years as well. Just last year, the apex court heard a "batch of appeals from various High Courts relating to erection of mobile towers in towns and cities."

Counsel Prashant Bhushan had submitted that in cities like London, there were no cell phone towers - they were erected outside the city and boosters were used in the city. This wasn't being done in India.

The CJI, one of the judges hearing the case, observed that a retired judge had said in his book that he used mobile phones for long hours, which could have been one of the reasons behind his cancer and subsequent death. However, the CJI also said that unless the lawyer could submit scientific proof about harmful effects of radiation from the mobile towers, the court could not pass an order against them.

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PARTNER |

This auto-driver and his wife are struggling to save their daughter's life, and you can help them

While Pouviarassy and Venkatesan have waited over a decade for their daughter's health to improve, pouring money into various treatments, Aarthi's worsening condition has left them deeply dejected.

atch#1
3 of 3

Workers Health & Safety Centre

U.S. researchers release landmark study on cell phones and cancer

Submitted to
staff by Felix
Garcia
10/15/2020

June 02, 2016 WHSC, Training, Legislation, Statistics and Trends, Work hazards, Prevention, Vulnerable Workers

[Go to News Index](#) ▶



The U.S. National Toxicology Program has released partial results of a new animal study which finds cell phone radiation poses an increased risk for certain cancers.

The \$25 million [study](#), the most expensive in the NTP's history, **may be a turning point** in a decades-old debate about the possible link between cell phones and cancer. As reported by [Microwave News](#), the study may also set a new standard for research on the topic. Until now, the research produced conflicting results and often failed to assess long-term health effects like cancer.

Increased risk of brain and heart tumours

Communication devices such as cell phones operate on **radiofrequency (RF) energy**, a type of non-ionizing radiation, consisting of electric and magnetic fields. Worker and public exposure to RF radiation can also include wireless internet (WiFi), broadcast towers, MRI machines, radar guns, and heating equipment such as induction heaters and microwave ovens.

Exposure to RF radiation can result in the heating of tissue, the **"thermal" effect, which can cause damage in humans**. Much of the current research and existing exposure levels are designed to address this health risk.

The comprehensive NTP animal study, underway for 10 years, not only controls for the thermal effect but assesses longer term exposure. Researchers exposed rats and mice to two types of cell phone radiation at three different exposure levels, in 10-minute on and off increments, for nine hours a day from birth to two years of age. While no effect was observed among the mice, the exposed male rats experienced **higher rates of two types of cancer, glioma (a type of brain cancer) and a rare malignant schwannoma of the heart**. None of the unexposed rats developed either cancer.

Importantly, the authors note, the increased incidence of brain and heart tumors, "are of a type **similar to tumors observed in some epidemiology (human) studies** of cell phone use." The NTP research supports earlier work by the International Agency for Research on Cancer. In 2011, IARC evaluated and classified radiofrequency electromagnetic fields as [possibly carcinogenic to humans](#) based upon evidence of increased risk for glioma linked to cell phone use.

Regulating the hazard

The complete NTP study will be available by the end of 2017 however these partial results have **significant implications for worker and public health**. The findings will be reviewed by the Food and Drug Administration and the Federal Communications Commission, both of which regulate cell phone radiation exposure in the U.S.

The **new data could also result in changes to Canadian guidelines**. Health Canada's [Safety Code 6](#) (Limits of Human Exposure to Radiofrequency Electromagnetic Energy in the Frequency Range from 3 kHz to 300 GHz) sets out human exposure limits to RF radiation. The Ontario Ministry of Labour adopts and uses this guideline.

Last year, as part of a regular review of Safety Code 6, a [federal government standing committee report](#) warned about the **health impacts of wireless technology** and argued for more protective exposure guideline.

Other related resources:

atch#2
1 of 2

Download the NTP study [press release](#).

[National Toxicology Program cell phone research](#)

[Fact Sheet – What is Safety Code 6?](#)

[CAREX Canada Radiofrequency Radiation exposure profile](#)

WHSC offers a range of [training programs](#), including one on EMF's and Dirty Electricity, and [resources](#) to help workplace parties understand their legal duties and responsibilities related to workplace hazards. Many of these resources also offer essential insight into the information and tools needed to eliminate or reduce harmful workplace and environmental exposures.

To learn more:

Call: 1-888-869-7950 and ask to speak with a training services representative

Visit: www.whsc.on.ca

Email: contactus@whsc.on.ca

atch#2
2 of 2

Workers Health & Safety Centre

Submitted to staff by
Felix Garcia
10/15/2020

Cell tower radiation linked with cancer in new study

April 06, 2018 Statistics and Trends, Work hazards, Prevention

[Go to News Index](#) ▶



Is your workplace or home located near a cell tower? There may be reason for concern.

A new study, billed as the largest of its kind, has shown that radiofrequency radiation (RFR) emitted from cell towers increases cancer rates in rats.

The finding has the potential to shatter Health Canada's radiofrequency exposure guidelines outlined in Safety Code 6.

"...a person can legally be exposed to this level of radiation," says Ronald Melnick, senior science advisor with the Environmental Health Trust. "Yet cancers occurred in these animals at these legally

permitted levels.

"Governments need to strengthen regulations to protect the public from these harmful non-thermal exposures," adds Melnick.

Map: [See how close you are to a cell tower](#)

[U.S. researchers release landmark study on cell phones and cancer](#)

The Ramazzini Institute study found a significant increase in the incidence of Schwannoma, a rare and highly malignant form of cancer, in the hearts of male rats exposed to the highest level of RFR. It also found increases in malignant brain tumors in female rats and precancerous conditions in both male and female rats.

In the landmark study, rats were exposed to "environmental" cell tower radiation for 19 hours per day, from prenatal life until natural death, reproducing the exposure generated by a 1.8 GHz cellphone radio base station antenna at a strength of 50 volts per metre.

This is significantly lower than what's currently considered safe in Canada.

Health Canada's Safety Code 6 currently allows for exposure in the frequency range of 3 kHz to 300 GHz. At 1.8 GHz, the code allows for 137 volts per metre in workplaces – significantly higher than the electric field strength in the study.

The Ontario Ministry of Labour uses this same guideline.

Recent studies on cell phone radiation by the U.S. National Toxicology Program came to similar findings: male rats treated at the highest dose of RFR developed the same unusual cancer.

On the basis of these studies and now reinforced by the Ramazzini Institute study, researchers are also calling for the International Agency for Research on Cancer (IARC) to reclassify RFR. In 2011, IARC classified it as possibly carcinogenic to humans.

The strength of radiofrequency fields is greatest at its source, and diminishes quickly with distance, according to the World Health Organization (WHO). In other words, the closer you are to an antenna, the more radiofrequency radiation

you are exposed to.

“Typical values inside of buildings at distances up to 200 metres from base station sites are in the range of 0.1 - 1 (volts per metre),” according to a [WHO report on base station exposure](#).

WHSC offers a wide range of training programs, including EMF's and Dirty Electricity, as well as resources to help workplace parties understand their legal rights and responsibilities related to workplace hazards. Many of these resources also offer essential insight into the information and tools needed to eliminate or reduce harmful workplace and environmental carcinogens.

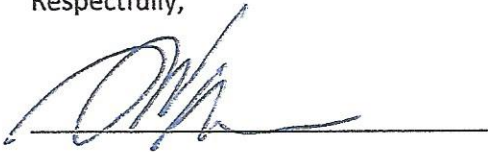
atch #3
2 of 2

October 07, 2020

To whom it may concern,

I have been a licensed real estate agent in the state of Oklahoma since 1986 and a licensed broker since 2006 License #80415. I have been asked to give my opinion as it is related to my experience with the value of real estate close to cell phone towers. Any time a home goes on the market for sale in close proximity to any type of electrical tower it has a direct impact on the level of interest in that home. When I go on line and research the potential impact of any type of electrical tower, including cell phone, the data is mixed and inconclusive. I anticipate most buyers will do the same type of research. In absence of a clear data supporting the safety, I believe most people would conclude the possibility of it being unsafe therefor dissuading them from pursuing the purchase. That being said, there is a saying in real estate "anything will sell at the right price". If one of my clients asked me for a pricing recommendation and their home was in close proximity to a cell phone tower, I would advise them to price their home well below the competition. I would suggest anywhere from 10%-20% below where similar homes have sold that were not subject to the influence of a cell phone tower. I hope my opinion is helpful. If I can be of further assistance please let me know.

Respectfully,



Gordon Watson Broker/Owner for Hamilwood Realty



atch #4



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

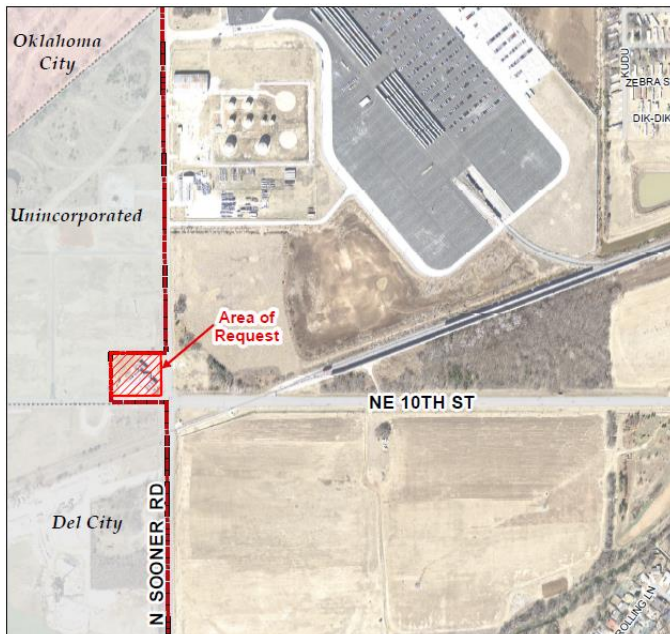
From: Billy Harless, Community Development Director

Date: January 12, 2021

Subject: (PC-2058) Public hearing with discussion and consideration of an ordinance to redistrict from SPUD, Simplified Planned Unit Development governed by the I-1, Light Industrial district to Amended SPUD, for the property described as a part of the SE/4 of Section 29, T-12-N, R-2-W, located at 1101 N. Sooner Road.

Executive Summary: This property was annexed into the City of Midwest City in the summer of 2018. The property was designated to be zoned I-1, Light Industrial to accommodate the existing uses of automotive equipment heavy, gasoline sales and off-premise advertising. In March of 2019, the property was rezoned to a Simplified Planned Unit Development, SPUD, governed by I-1 and allowing all I-1 uses as well as the use of alcoholic beverage retail sales. The applicant contacted staff in September about remodeling a portion of the existing structure for use as a medical marijuana dispensary. The use of a dispensary is not permitted in the I-1, Light Industrial district so the applicant is requesting a special development regulation to amend the SPUD to allow a dispensary (convenience sales and personal services) along with the already approved I-1

uses and the use of alcoholic beverage retail sales. No new structures are proposed with this application. Action is at the discretion of the City Council.



Dates of Hearing: Planning Commission – November 3, 2020
City Council – December 8, 2020;
January 12, 2021

Council Ward: Ward 4,
Councilmember Sean Reed

Owner: 333 Sooner LLC

Applicant: Anuj (AJ) Shrestha

Proposed Use: Dispensary in addition to existing uses

Size:

The area of request is a corner property containing approximately 330' of frontage along NE 10th Street and approximately 250' of frontage along N. Sooner Road for an area of approximately 2.27 acres.

Development Proposed by Comprehensive Plan:

Area of Request – Industrial
North and West – Unincorporated
South – Del City
East – Industrial

Zoning Districts:

Area of Request – SPUD governed by I-1, Light Industrial
North and West – Unincorporated
South – Del City
East – I-3, Heavy Industrial

Land Use:

Area of Request – gas station, large truck wash (vacant), off-premise advertising, liquor store
North and West – Vacant
South – Vacant/Dolese Sand Mining Plant in Del City
East – Vacant

Comprehensive Plan Citation:

Industrial Land Uses

The industrial land use designation is applied to areas intended for a range of heavy commercial, assembly, warehousing and manufacturing uses. Given the beneficial relations that Midwest City and Tinker AFB have shared, industries and businesses that support and supply Tinker AFB are highly appropriate within this land use category.

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. This property was annexed into Midwest City in June of 2018 under the I-1, Light Industrial zoning designation.
2. This property was rezoned to a SPUD, Simplified Planned Unit Development, governed by I-1, Light Industrial also allowing the use of alcoholic beverage retail sales in March 2019 (PC-1987).
3. The Planning Commission recommended approval of this item November 3, 2020.

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 Sooner Road and an eight (8) inch public water main along the north side of the parcel. 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

There are no public sewer mains within or bordering area of request. Extension is not required with this application but any future building permit will require a sanitary sewer extension and connection as outlined in Municipal Code 43-109. Plans will have to be designed by an Oklahoma licensed engineer, permitted through Oklahoma Department of Environmental Quality (ODEQ), bonded, and inspected by City Inspection.

Streets and Sidewalks

Access to the area of request exists off Sooner Road and N.E. 10th Street. Sooner Road is classified as a Primary Arterial and N.E. 10th Street as a Primary Arterial in the 2008 Comprehensive Plan. 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 Comments:

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

Plan Review Comments:

This property is zoned as a SPUD governed by the I-1, Light Industrial district. The SPUD also allows the use of alcoholic beverage retail sales. The applicant met with staff in September about remodeling the part of the building that was used for a truck wash for use as a medical marijuana dispensary.

No additions or new structures are proposed. If this request is approved, the zoning would allow all I-1, Light Industrial uses as well as the less intensive uses of alcoholic beverage retail sales and convenience sales and personal services (dispensary).

Staff would recommend that, if this request is approved, additional parking spaces be added to serve the uses within the existing structure. The portion of the building proposed for the dispensary was previously a large truck wash. There was not a need for parking for that use as the trucks would drive through the wash and leave the site. If the space is used for a dispensary, adequate hard surface parking must be available to serve the gas station, liquor store and dispensary prior to issuance of a Certificate of Occupancy for the dispensary.

Action is at the discretion of the City Council.

Action Required:

Approve or reject the ordinance to redistrict to Amended SPUD for the property as noted herein, subject to staff's comments as found in the December 8, 2020 agenda packet and made a part of PC-2059 file.



Billy Harless,
Community Development Director



The City of
MIDWEST CITY
COMMUNITY DEVELOPMENT DEPARTMENT
CURRENT PLANNING DIVISION

REZONING APPLICATION

Simplified Planned Unit Development

The following is to be used if the request is for a Simplified Planned Unit Development. If this request is not for a Simplified Planned Unit Development, do not complete the next 2 pages.

This document serves as the DESIGN STATEMENT and fulfills the requirement for the SPUD. The Special Development Regulations section of the form must be completed in its entirety. If the applicant proposes additional, more restrictive, design criteria than established in the Special Development Regulations, please elaborate under Other Development Regulations.

A. Special Development Regulations

- List of the owners and/or developers: OWNER 333 Sooner Rd.
Applicant - staff
- Please list the adjoining land uses, both existing and proposed.
North: Vacant
South: Railroad / Dohse Plant
East: Vacant
West: Future Industrial Park
- Please list the use or uses that would be permitted on the site. All I-1, Light Industrial uses plus Alcoholic Beverage Retail Sales
- This site will be developed in accordance with the Development Regulations of the I-1, Light Industrial zoning district.
- Please list all applicable special development regulations or modified regulations to the base zoning district: Allow all I-1 uses plus Alcoholic Beverage Retail Sales. Existing uses should be allowed to remain.
- Please provide a statement of the existing and proposed streets, including right-of-way standards and street design concepts: Site is located at the Northwest corner of N. Sooner NE 1/4. No new streets are proposed
- Please describe the physical characteristics of the following:
Sight-proof screening proposed: NONE

Landscaping proposed: None - Building, parking are existing



The City of
MIDWEST CITY
 COMMUNITY DEVELOPMENT DEPARTMENT
 CURRENT PLANNING DIVISION

Signs proposed: Signs are existing - Liquor store would be allowed to advertise on existing signs

Area of open space proposed: Existing

Proposed access points: Existing - 2 points of access from NE 10th!
 2 points of access from N. Stoner

Drainage information: No changes

- 8. Existing or proposed building size: Existing
- Maximum building height: " "
- Number of existing or proposed buildings: one
- Building setbacks - Front: Existing
- Sides: " "
- Rear: " "

9. Please provide a description of the proposed sequence of development.
Remodel for liquor store is almost complete.

B. Other Development Regulations

Please list any other amenities or controls included in the SPUD: _____

C. Master Plan Map (attached)

Exhibit A: None as building is existing

This site will be developed in accordance with the Master Development Plan Map as submitted to the City of Midwest City for approval in conjunction with this request.

Signature _____

Date _____

Midwest City Council
The Planning Commission
100 N Midwest Blvd,
Midwest City, OK
73110

Re: Amend Spud zoning to allow the use of Convenience sales and personal services

Dear Sir/Madam,

I, Anuj Shrestha, would like to request to apply for amend SPUD to allow the use of convenience sales and personal Services- Dispensary In addition to the uses that currently allowed in the SPUD.

Thank you

Anuj Shrestha

2212 NW 157th St,

Edmond, OK, 73013

405-412-3709



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 - 2058

Date: 12 October 2020

PC-2058 is a request to amend the SPUD for 1101 N. Sooner Rd (Thunder Express) to allow the use of a dispensary along with the uses currently allowed.

- 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.

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: October 14th, 2020

Subject: Engineering staff comments for pc-2058 application

ENGINEERING STAFF CODE CITATIONS AND COMMENTS - PC-2058:

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 Sooner Road and an eight (8) inch public water main along the north side of the parcel. 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

There are no public sewer mains within or bordering area of request. Extension is not required with this application but any future building permit will require a sanitary sewer extension and connection as outlined in Municipal Code 43-109. Plans will have to be designed by an Oklahoma licensed engineer, permitted through Oklahoma Department of Environmental Quality (ODEQ), bonded, and inspected by City Inspection.

Streets and Sidewalks

Access to the area of request exists off Sooner Road and N.E. 10th Street. Sooner Road is classified as a Primary Arterial and N.E. 10th Street as a Primary Arterial in the 2008 Comprehensive Plan.

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.

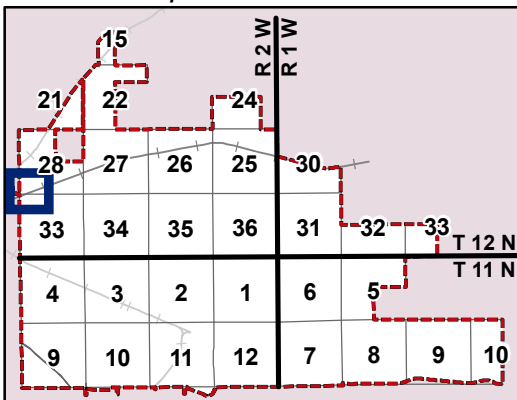
Easements and Right-of-Way

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

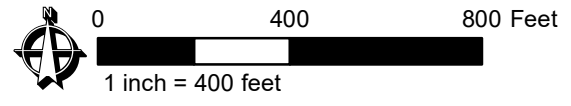


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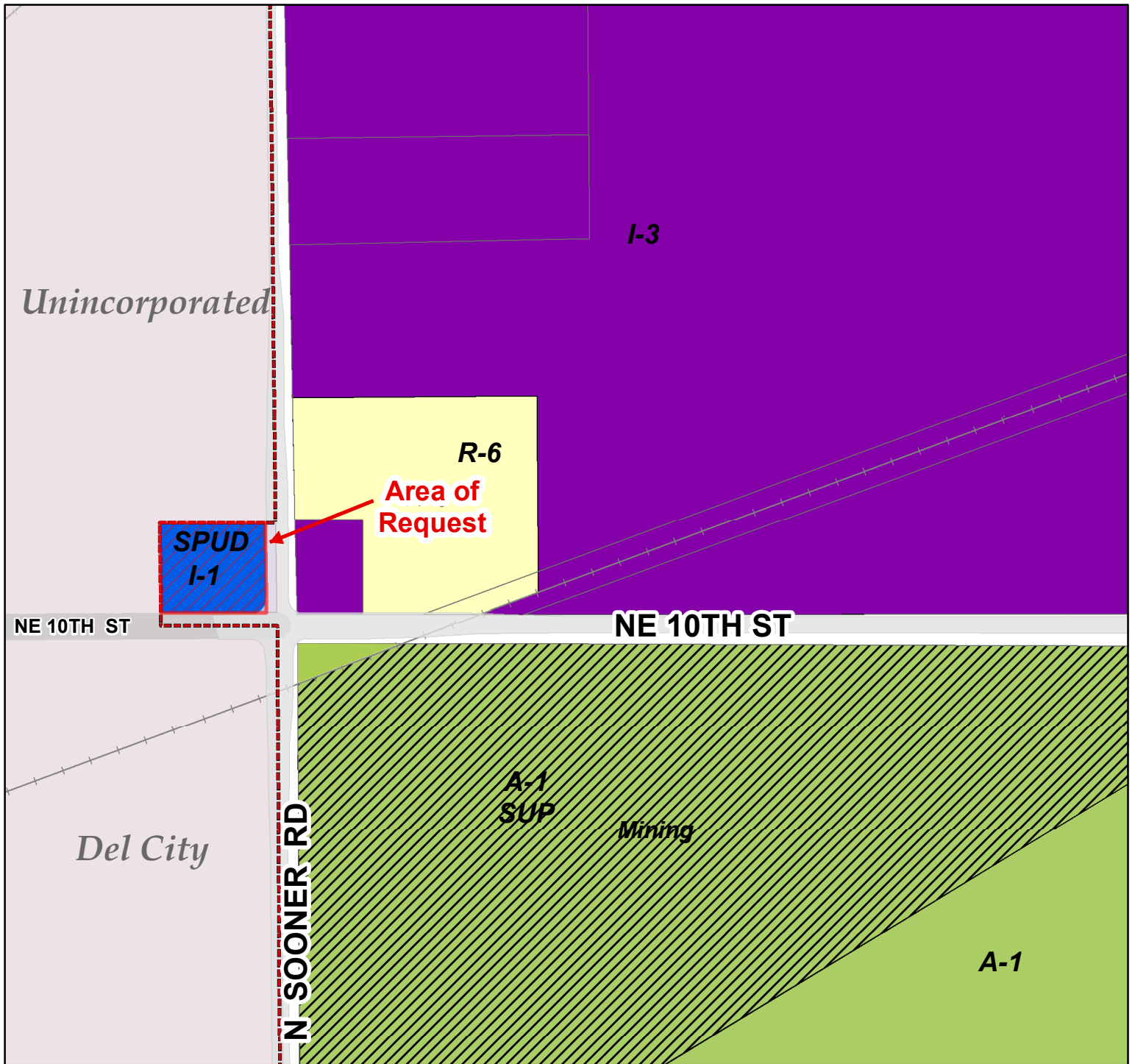
Locator Map



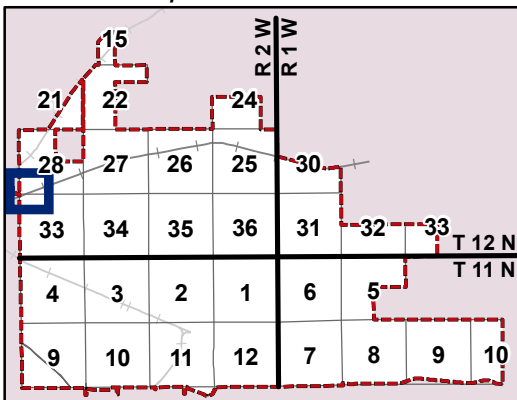
**3/2020 NEARMAP AERIAL VIEW FOR
PC-2058
(SE/4, Sec. 29, T12N, R2W)**



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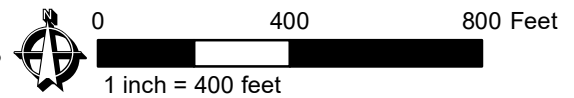
Locator Map



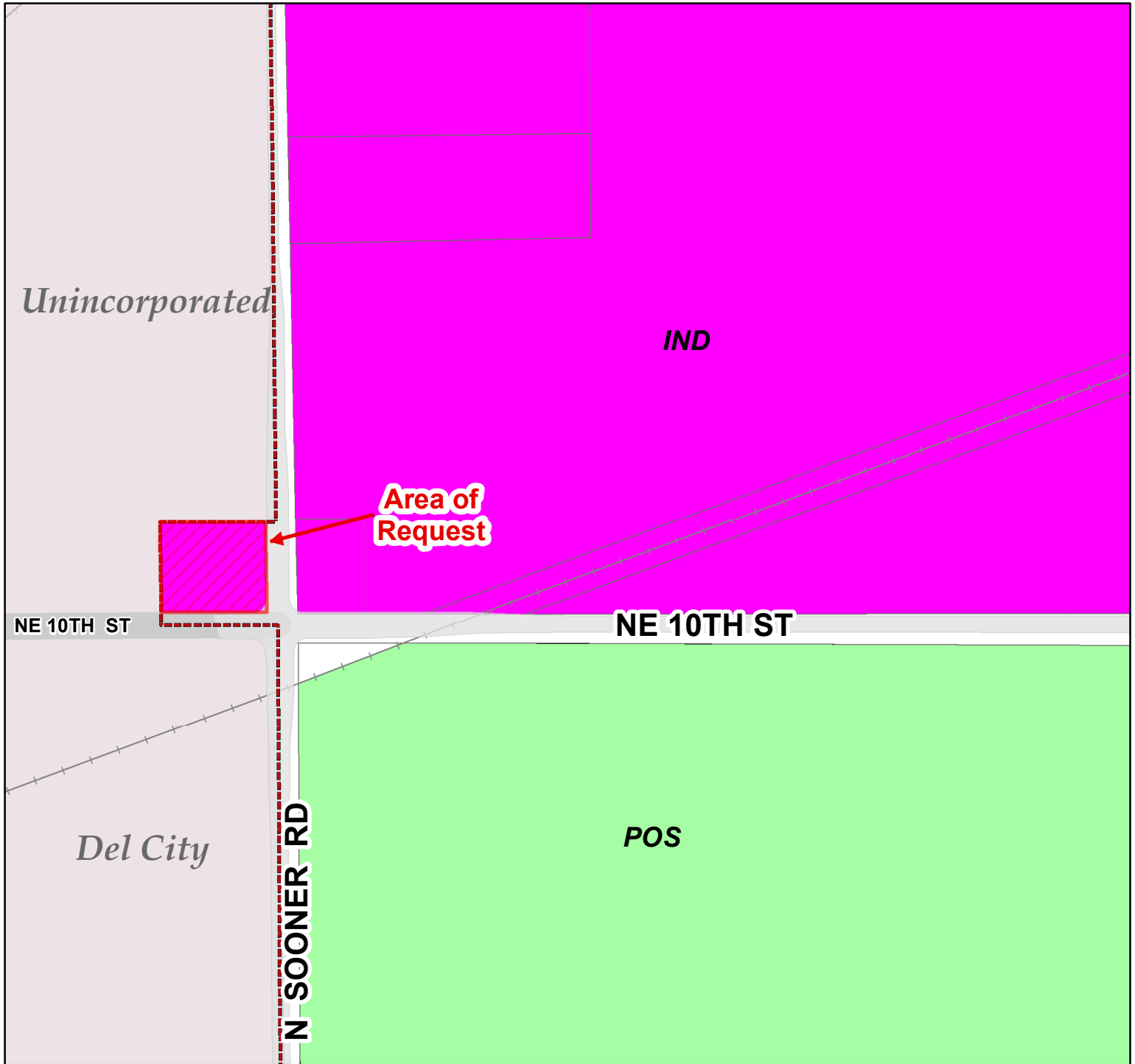
Current Zoning Legend

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

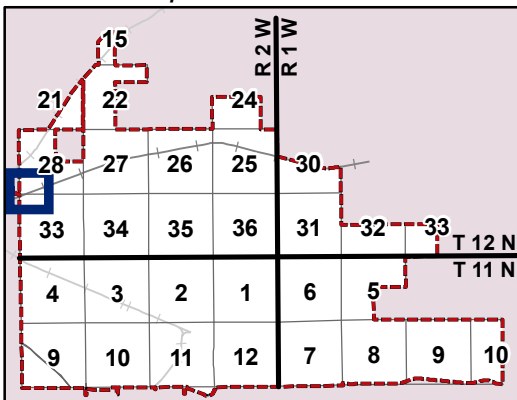
ZONING MAP FOR PC-2058 (SE/4, Sec. 29, T12N, R2W)



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Locator Map

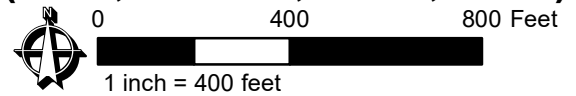


Future Land Use Legend

- 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-2058**

(SE/4, Sec. 29, T12N, R2W)



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1 **PC-2058**

2 **ORDINANCE NO. _____**

3 **AN ORDINANCE RECLASSIFYING THE ZONING DISTRICT OF THE PROPERTY**
4 **DESCRIBED IN THIS ORDINANCE TO AMENDED SPUD, SIMPLIFIED PLANNED**
5 **UNIT DEVELOPMENT, AND DIRECTING AMENDMENT OF THE OFFICIAL ZON-**
6 **ING DISTRICT MAP TO REFLECT THE RECLASSIFICATION OF THE PROP-**
7 **ERTY’S ZONING DISTRICT; AND PROVIDING FOR REPEALER AND SEVERABIL-**
8 **ITY**

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

10 **ORDINANCE**

11 **SECTION 1.** That the zoning district of the following described property is hereby reclassified
12 to Amended SPUD, Simplified Planned Unit Development, subject to the conditions contained in
13 the PC-2058 file, and that the official Zoning District Map shall be amended to reflect the reclas-
14 sification of the property’s zoning district as specified in this ordinance:

15 A part of the SE/4 of Section 29, T-12-N, R-2-W of the Indian Meridian, Oklahoma
16 County, Oklahoma, being more particularly described as follows:

17 BEGINNING at the Southeast corner of said Southeast Quarter (SE/4); Thence North a
18 distance of 300 feet; Thence North 89°46’40” West and parallel to the South line of said
19 Southeast Quarter (SE/4) a distance of 330.00 feet; Thence South a distance of 300.00
20 feet to a point on the South line of said Southeast Quarter (SE/4); Thence 89°46’40” East
21 a distance of 330.00 feet to the Point of Beginning.

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

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

27 PASSED AND APPROVED by the Mayor and Council of the City of Midwest City, Oklahoma,
28 on the _____ day of _____, 2021.

29 THE CITY OF MIDWEST CITY, OKLA-
30 HOMA

31 _____
32 MATTHEW D. DUKES II, Mayor

33 ATTEST:

34 _____
35 SARA HANCOCK, City Clerk

36 APPROVED as to form and legality this _____ day of _____, 2021.

HEATHER POOLE, City Attorney



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: January 12, 2021

Subject: (PC-2059) 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 subject to staff comments, for the properties described as Lots 1 and 2 of Block A of the Marydale Acres Addition, addressed as 1101 and 1107 N. Post Rd.

Executive Summary: This request is to rezone the properties from C-3, Community Commercial to a SPUD governed by C-4, with Special Development Regulations to exclude some C-4 uses. Current zoning does allow for a marijuana dispensary. Staff met with the applicant in September of 2020 to discuss rezoning the area of request to allow commercial marijuana grow, light processing and commercial uses. If the property were to use heavy processing in the future, a zoning amendment would be required. The zoning districts where the use of commercial marijuana grow are C-4, General Commercial, I-1, Light Industrial, I-2, Moderate Industrial and I-3, Heavy Industrial. The use of light marijuana processing is allowed by Special Use Permit in C-3, Community Commercial and by right in C-4, General Commercial, I-1, Light Industrial, I-2, Moderate Industrial, and I-3, Heavy Industrial. The lots do not currently have access to city sewer. A public sewer extension is required prior to building permits. As of this writing, staff has not received protest to the rezoning. The Planning Commission recommended approval of this application. Action is at the discretion of the City Council.

Dates of Hearing: Planning Commission – December 1, 2020
City Council – January 12, 2021

Council/Ward: Ward 5 – Christine Allen

Applicant: Arnold Sefcik

Owner: Janet Miller

Proposed Use: Three (3) Multi-Tenant commercial buildings



Size:

The area of request contains approximately 200' of frontage on N. Post Rd. and contains an area of approximately 1.38 acres.

Zoning Districts:

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

Land Use:

Area of Request – Vacant lots
North – Delling Enterprises
East – Single Family Homes and Sam's Corner Market
South – Single Family Homes
West - Single Family Home

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 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 face 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-607) – This property was rezoned from single family residential to C-3, Community Commercial in December of 1982
2. The property has been zoned C-3, Community Commercial since the adoption of the 2010 Zoning Map.
3. The Planning Commission recommended approval of this item December 1, 2020.

Staff Comments:

Engineer's report:

Note: No engineering improvements are required with this application.

Water Supply and Distribution

A ten (10) inch public water main is located along the south side of N.E. 10th Street and a twelve (12) inch public water main along the east side of Post Road. Any future building will have to connect to public water as outlined in Municipal Code 43-32.

Sanitary Sewerage Collection and Disposal

There are no public sewer mains within or bordering area of request. The nearest public sewer is at the northeast corner of 1111 N Post. Any future building permit will require that a public sewer line to be extended and connect as outlined in Municipal Code 43-109. Plans will have to be designed by an Oklahoma licensed engineer, permitted through Oklahoma Department of Environmental Quality (ODEQ), bonded, and inspected by City Inspection.

Streets and Sidewalks

Access to the area of request exists off N.E. 10th Street and Post Road.

N.E. 10th Street is classified as a Primary Arterial and Post Road is classified as a Secondary Arterial (Divided) in the 2008 Comprehensive Plan.

Although sidewalk improvements are not required with this application, future building permits will require that sidewalks.

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 40109C0330H, dated December 18th, 2009. Drainage and detention improvements are not required with this application but will be required with any future building permits.

Easements and Right-of-Way

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

Fire Marshal's report:

The property is required to meet and maintain the requirements of Midwest City Ordinances Section 15. Minimum fire apparatus turning radius is required to be maintained throughout the site. Fire lane minimums are required to be maintained per city standards.

Plan Review Comments:

As mentioned in the Executive Summary, staff met with the applicant in September of 2020 to discuss this application. The SPUD calls for a phased development of the three (3) proposed multitenant buildings. All buildings will have shared drives with access along both frontages at N. Post Road and N.E. 10th Street. All future buildings will be required to observe the 25' platted front building line along both N. Post Road and N.E. 10th Street.

There is also 50' of right-of-way present along both frontages of N.E. 10th Street and N. Post Road. Development, observing both the right-of-way and platted building lines, must be at a minimum of 75' from the center of the N. Post Road and N.E. 10th Street. If this request is approved, an amending plat will be required to combine the two lots. At the time of building permit, the development must meet current zoning requirements for impervious surface coverage, landscaping, parking, exterior materials, open space, setbacks, and screening.

The building must meet all the requirements for a commercial building including 80% masonry exterior construction requirement and all setbacks. The maximum allowable impervious surface coverage is 90% of lot area, with 10% being open space. The applicant has requested two (2) multi-tenant buildings of 5000 sq. ft. and one (1) multi-tenant building of 8000 sq. ft with a proposed building coverage of approximately 30%. Site proof screening would be required along the West side property line where abutting residential. The applicant has agreed to provide a 6 ft. stockade fence along the West property line for the site-proof screening. The parking area must be a paved hard surface. For retail uses, parking is calculated on a regressed scale. A minimum of 1 parking space for every 150 sq. ft of gross floor area for the first 5,000 sq. ft, then a minimum of 1 parking space for every 200 sq. ft of gross floor area for 5,001 to 12,000 sq. ft. of gross floor area. There are no specific parking requirements for the use of marijuana grow. Light processing, falling under the Light Industrial zoning, is required 1 space for every 500 sq. ft. of gross floor area. The parking spaces must be striped and meet the minimum width and depth requirements of the Zoning Ordinance. Parking aisle width must be a minimum of 26'. The applicant is requesting a Special Development Regulation to allow a minimum of 35 parking spaces. Regarding landscaping, a base of 6 trees and 12 shrubs are required plus 2 trees and 2 shrubs for every 10 parking spaces installed. A minimum of 75% of the required landscaping must be installed in the front of the property. The SPUD design statement calls for one (1) 8X12 multi-tenant freestanding sign at the corner of 10th Street and N. Post Road in addition to wall signs for the entrances to the multi-tenant units. Midwest City code for freestanding signs allows for a maximum of 20' in height and 200 sq. ft. of display surface area. All wall signs must adhere to current Midwest City codes which allows for a maximum of 500 square feet of display surface area per building.

The applicant has requested to exclude the following C-4 uses:

- Automotive Sales and Rentals: Light
- Automotive and Equipment: Storage
- Eating Establishments: Drive-In
- Funeral and Internment Services: Undertaking
- Gasoline Sales: Restricted
- Gasoline Sales: General
- Manufactured Housing and Travel Trailers: Sales and Rentals
- Spectator Sports and Entertainment: Restricted
- Spectator Sports and Entertainment: General
- Tourist Accommodations: Campground
- Off-Street Parking: Commercial Parking
- Off-Street Parking: Personal Vehicle Storage

As noted in the history section, the area of request was rezoned from residential to commercial in 1982. Since that time, the area of request has remained vacant on the corner of two arterial streets.

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 for growing and light processing meets current building, electrical and fire codes. Also, if this application is approved, as mentioned above, an Amending Plat application should be submitted to combine the two lots. At time of building permit, the sewer extension and sidewalks will be required.

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 January 12, 2021 agenda packet and made a part of PC-2059 file.



Billy Harless,
Community Development Director

SS:kg



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 - 2059

Date: 29 October 2020

PC-2059 is a request to rezone the parcels addressed as 1101 and 1107 N. Post from C-3 to a SPUD, governed by C-3 and also allowing the uses of marijuana grow and marijuana processing.

- The property is required to meet and maintain the requirements of Midwest City Ordinances Section 15.
- Minimum fire apparatus turning radius is required to be maintained throughout the site.
- Fire lane minimums are required to be maintained per city standards.

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.

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: October 14th, 2020

Subject: Engineering staff comments for pc-2059 application

ENGINEERING STAFF CODE CITATIONS AND COMMENTS - PC-2059:

Note: No engineering improvements are required with this application.

Water Supply and Distribution

A ten (10) inch public water main is located along the south side of N.E. 10th Street and a twelve (12) inch public water main along the east side of Post Road. Any future building will have to connect to public water as outlined in Municipal Code 43-32.

Sanitary Sewerage Collection and Disposal

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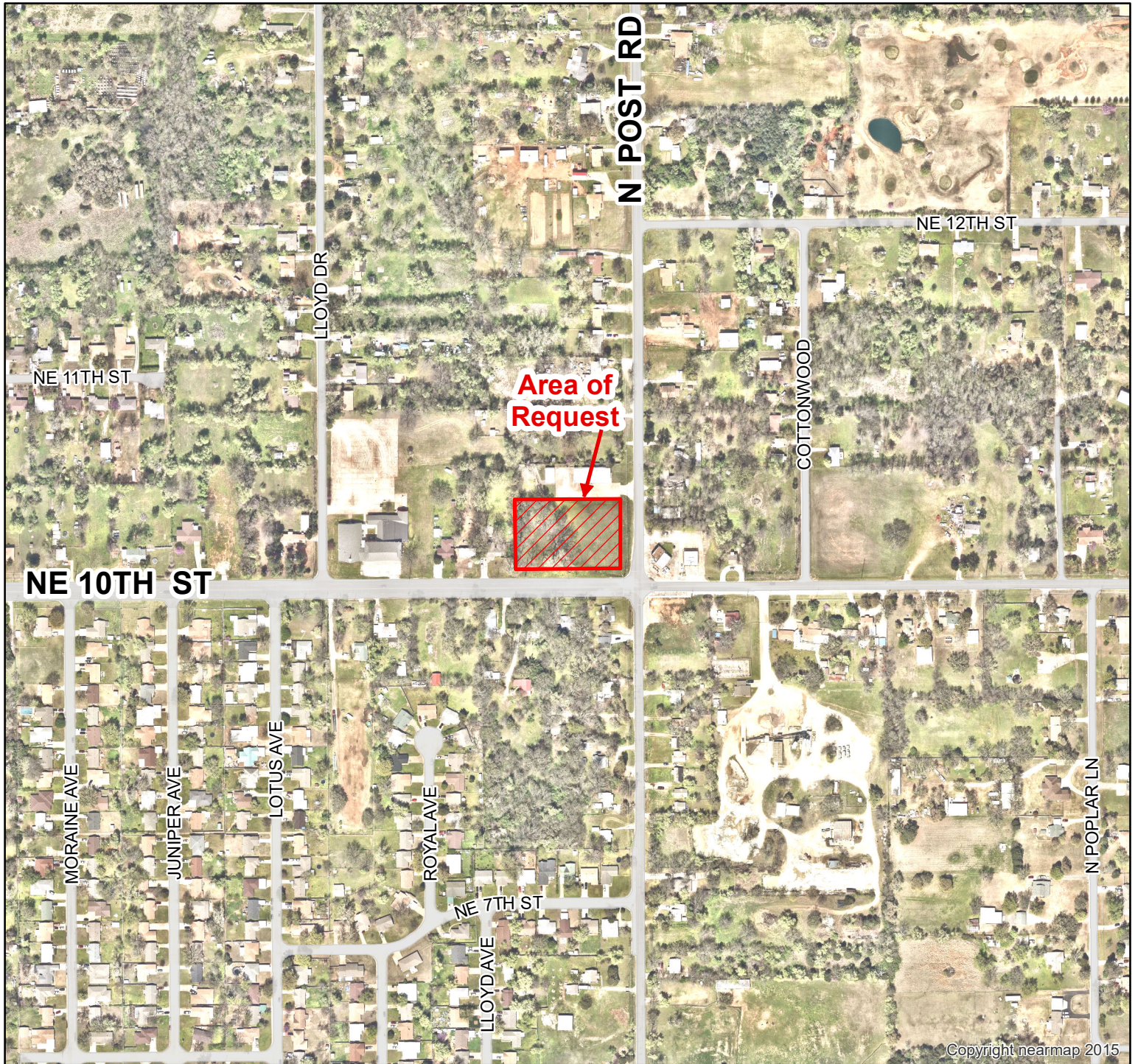
Although sidewalk improvements are not required with this application, future building permits will require that sidewalks.

Drainage and Flood Control, Wetlands, and Sediment Control

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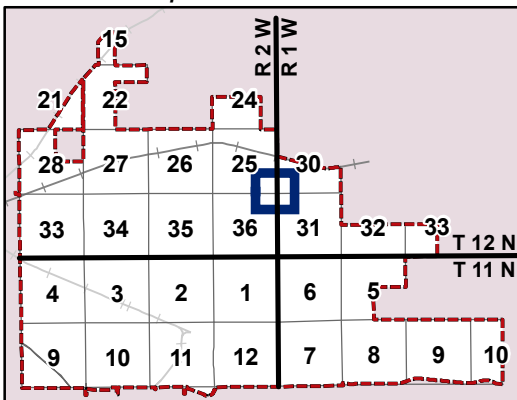
Easements and Right-of-Way

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



Copyright nearmap 2015

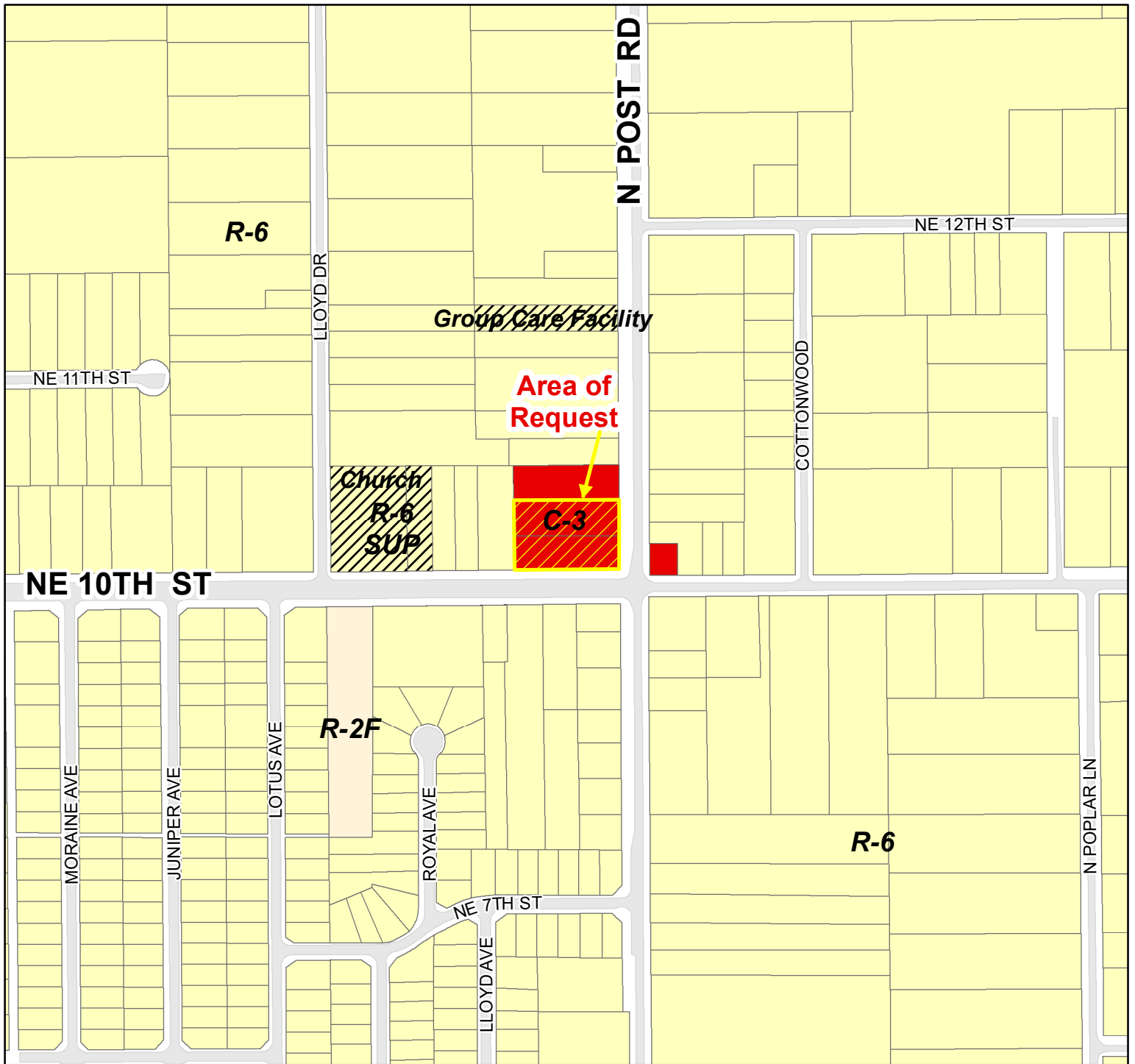
Locator Map



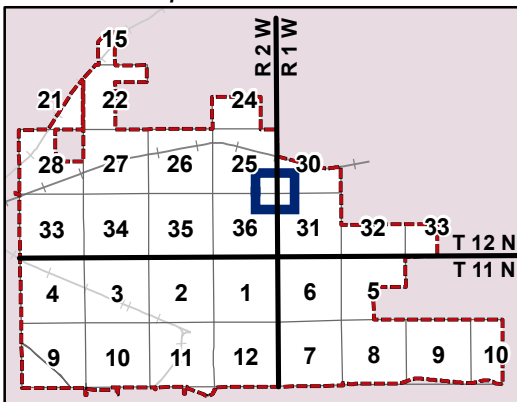
**3/2020 NEARMAP AERIAL VIEW FOR
PC-2059
(SE/4, Sec. 25, T12N, R2W)**



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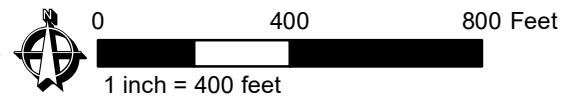
Locator Map



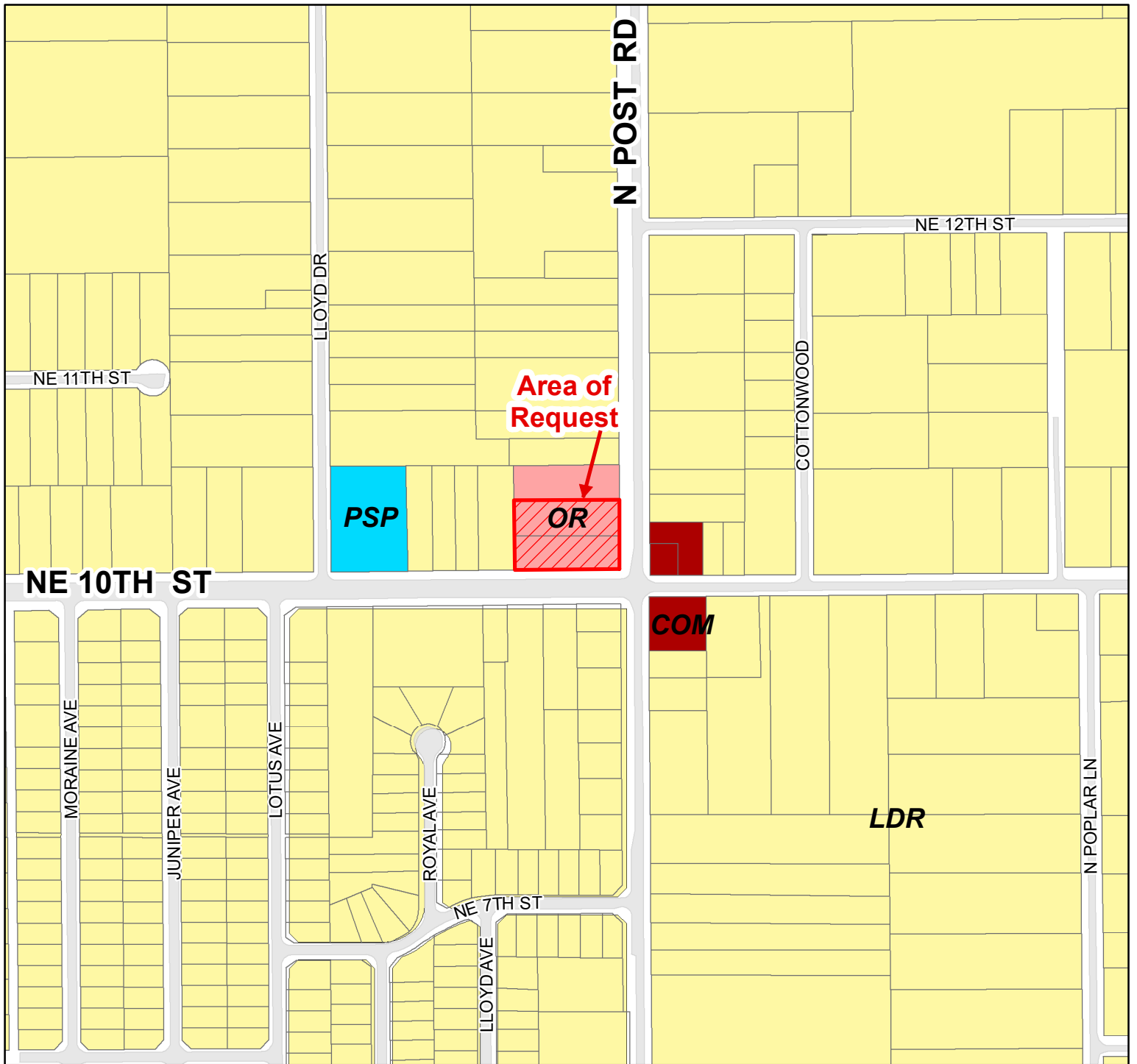
Current Zoning Legend

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

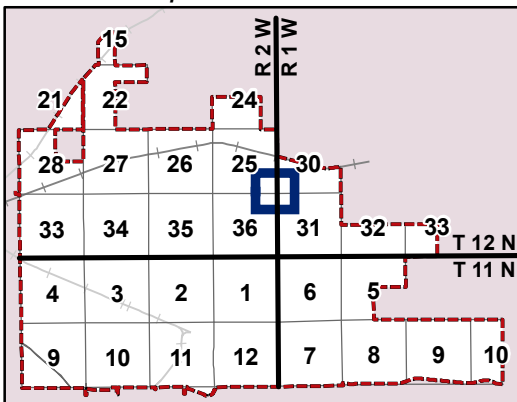
**ZONING MAP FOR
PC-2059
(SE/4, Sec. 25, T12N, R2W)**



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Locator Map

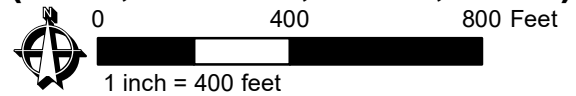


Future Land Use Legend

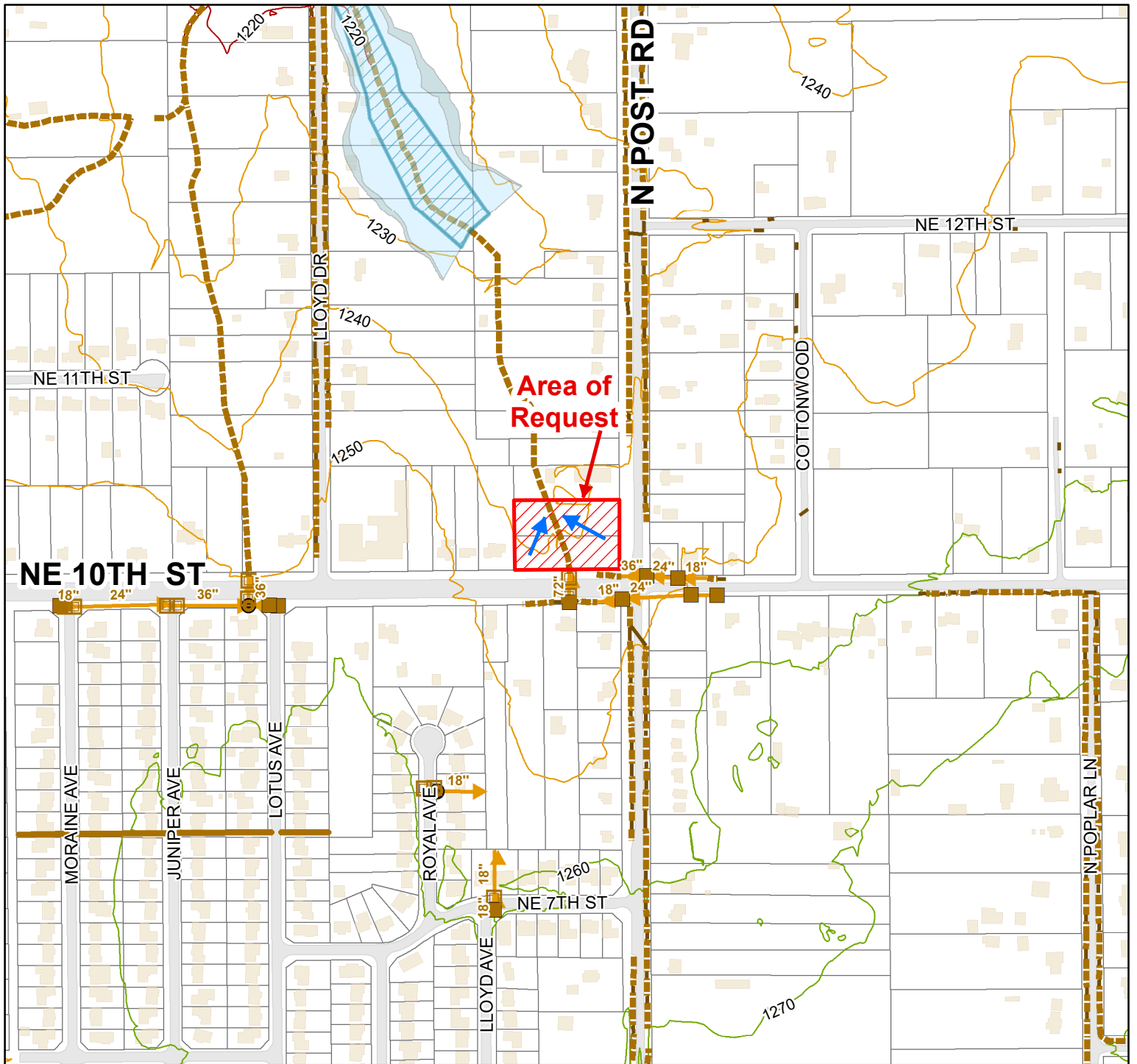
- Single-Family Detached Residential
- Medium Density Residential
- High Density Residential
- Manufactured Home
- Public/Semi-Public
- Parks/Open Space
- Office/Retail
- Commercial
- Industrial
- Town Center

**FUTURE LAND USE
MAP FOR
PC-2059**

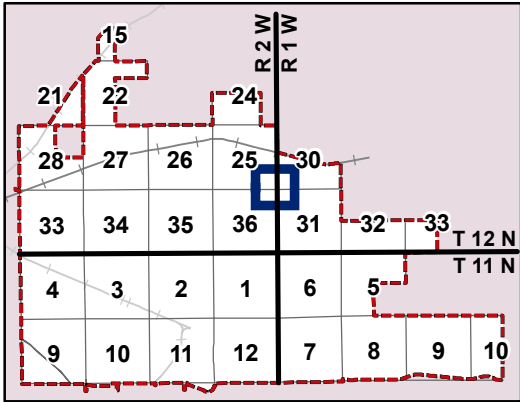
(SE/4, Sec. 25, T12N, R2W)



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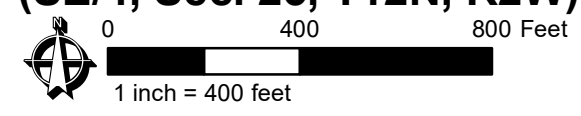
Locator Map



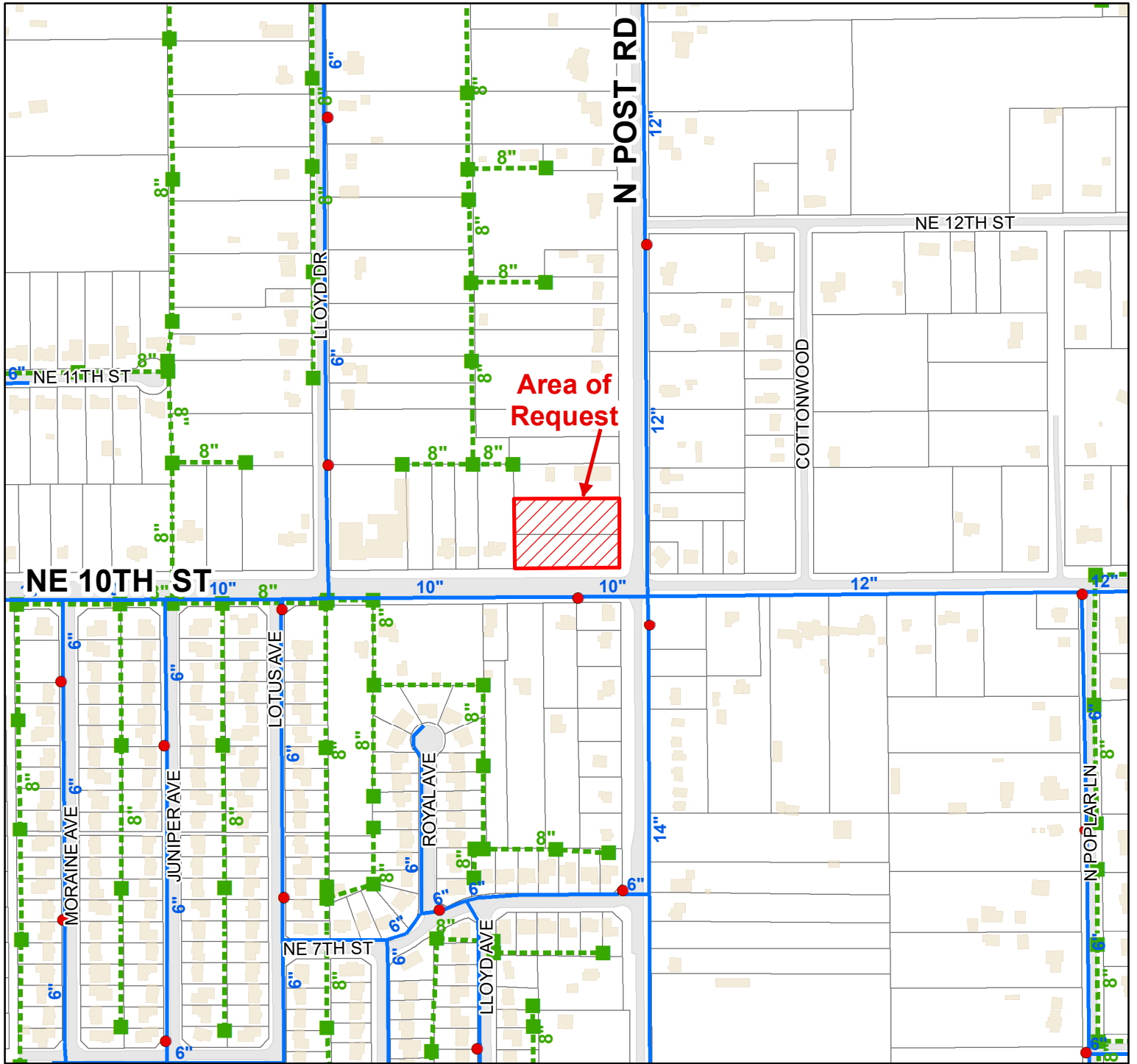
- Drainage Legend**
- Curb Inlets
 - Inlets
 - Junction Box
 - Culverts
 - Flumes
 - Developed Channels
 - Trickle Channels
 - Undeveloped Channels
 - Storm Lines
 - Creeks
- ELEVATION**
- 1166-1204 ft
 - 1204-1228 ft
 - 1228-1250 ft
 - 1250-1278 ft
 - 1278-1324 ft

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

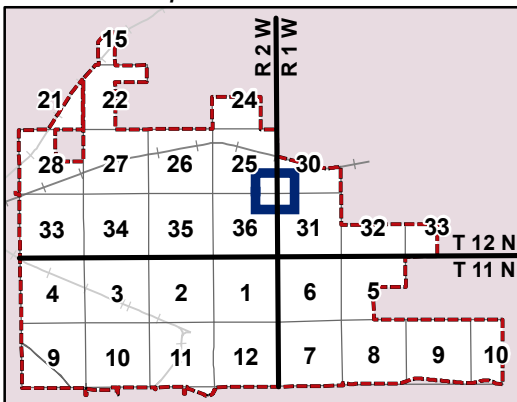
DRAINAGE LOCATION MAP FOR PC-2059 (SE/4, Sec. 25, T12N, R2W)



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Locator Map

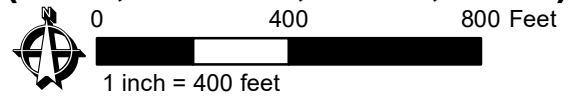


Water/Sewer Legend

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

**WATER/SEWER LINE
LOCATION MAP FOR
PC-2059**

(SE/4, Sec. 25, T12N, R2W)



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The City of
MIDWEST CITY
COMMUNITY DEVELOPMENT DEPARTMENT
CURRENT PLANNING DIVISION

Simplified Planned Unit Development

The following is to be used if the request is for a Simplified Planned Unit Development. If this request is not for a Simplified Planned Unit Development, do not complete the next 2 pages.

This document serves as the DESIGN STATEMENT and fulfills the requirement for the SPUD. The Special Development Regulations section of the form must be completed in its entirety. If the applicant proposes additional, more restrictive, design criteria than established in the Special Development Regulations, please elaborate under Other Development Regulations.

A. Special Development Regulations

1. List of the owners and/or developers: AMA Holdings LLC.
2. Please list the adjoining land uses, both existing and proposed.
North: commercial
South: residential
East: commercial & residential
West: residential
3. Please list the use or uses that would be permitted on the site. Please see attachment for approved uses
4. This site will be developed in accordance with the Development Regulations of the C-4, general commercial zoning district.
5. Please list all applicable special development regulations or modified regulations to the base zoning district: Please see proposed site plan
6. Please provide a statement of the existing and proposed streets, including right-of-way standards and street design concepts: N/A - no new streets
7. Please describe the physical characteristics of the following:
Sight-proof screening proposed: 6 ft. stockade fence along west property line.
Landscaping proposed: will meet or exceed city code



The City of
MIDWEST CITY
COMMUNITY DEVELOPMENT DEPARTMENT
CURRENT PLANNING DIVISION

Signs proposed: 8x12 sign @ the corner of 10th & Post,
business signs located over the entrance of space

Area of open space proposed: 10% minimum required

Proposed access points: NE 10th St. & Post - 2 access points

Drainage information: per engineer specs, retainage to the
NE of 10th St entrance and/or underground
retainage below parking

8. Existing or proposed building size: (2)-5000 sq.ft., (1)-8000 sq.ft.

Maximum building height: 22

Number of existing or proposed buildings: see proposed site plan

Building setbacks - Front: _____

Sides: _____

Rear: _____

9. Please provide a description of the proposed sequence of development.

North buildings will be developed first

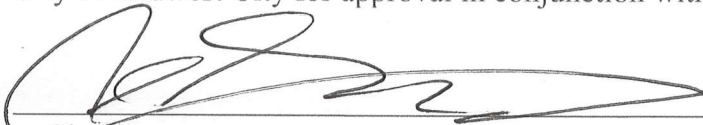
B. Other Development Regulations

Please list any other amenities or controls included in the SPUD: _____

C. Master Plan Map (attached)

Exhibit A: see attached site plan, renderings, and plat map

This site will be developed in accordance with the Master Development Plan Map as submitted to the City of Midwest City for approval in conjunction with this request.


Signature

11/16/20
Date

Please see the attached list of all C-4 uses, those highlighted in yellow will be excluded from development.

4.2.9 Home Occupation

4.3.1 Public Service or Utility: Light

4.3.2 Public Service or Utility: Moderate

4.3.6 Low Impact Institutional: Neighborhood Related

4.3.9 Cultural Exhibits

4.3.10 Library Services and Community Centers

4.3.11 Community Recreation: Restricted

4.3.12 Community Recreation: General

4.3.13 Community Recreation: Property Owners' Association

4.4.1 Administrative and Professional Office

4.4.3 Agricultural Supplies and Services

4.4.4 Alcoholic Beverage Retail Sales

4.4.6 Animals: Grooming and Sales

4.4.8 Animal Sales and Services: Kennels and Veterinary, Restricted

4.4.10 Automotive Equipment: Light

4.4.12 Automotive Sales and Rentals: Light

4.4.14 Automotive and Equipment: Storage

4.4.15 Building Maintenance Services

4.4.16 Business Support Services

4.4.17 Child Care Center and Adult Day Care Center

4.4.18 Communication Services: Limited

4.4.20 Construction Sales and Services

4.4.21 Convenience Sales and Personal Services (dispensary)

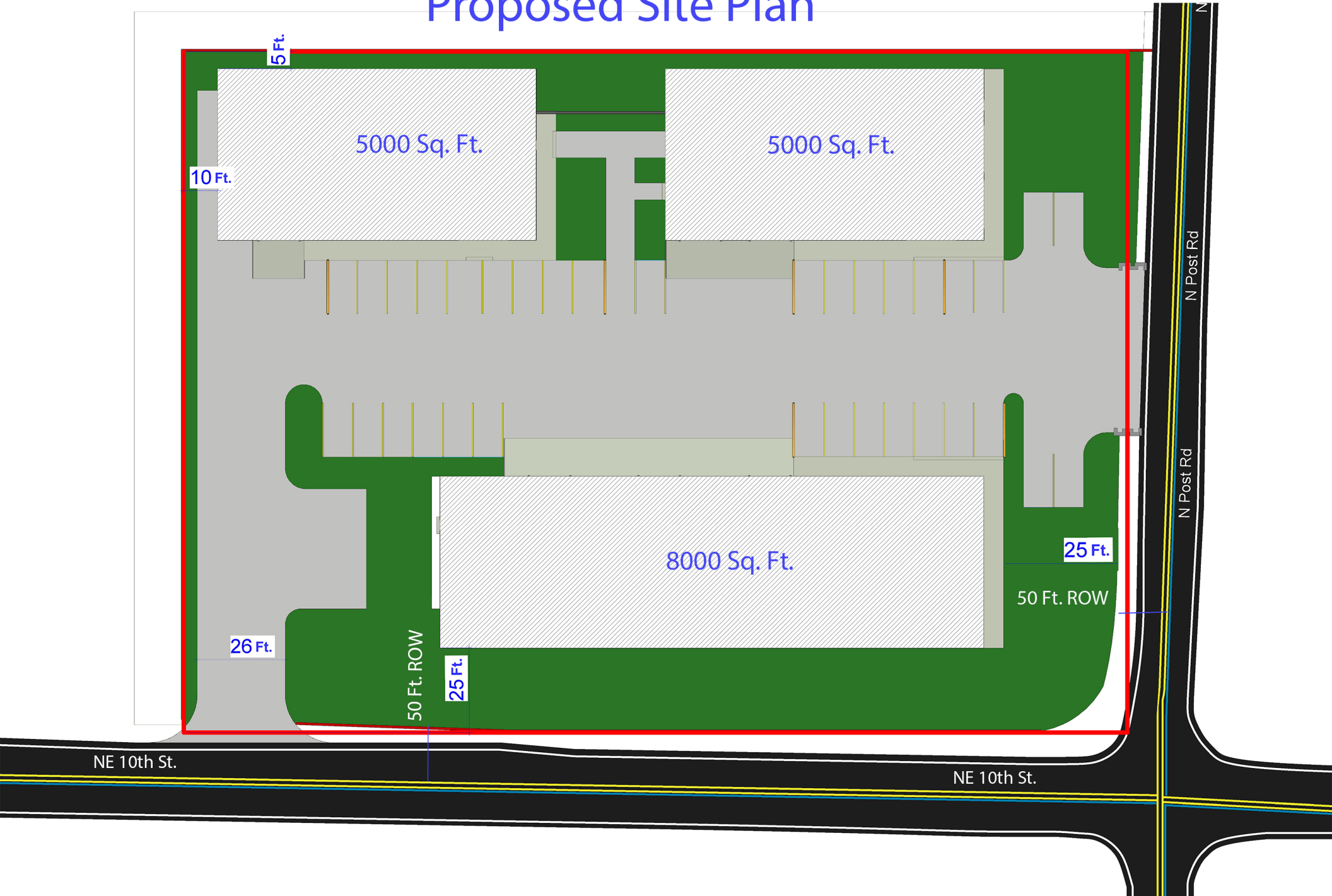
4.4.23 Eating Establishments: Drive-In

4.4.24 Eating Establishments: Fast Foods

4.4.26 Eating Establishments: Sit-Down, Alcoholic Beverages not Permitted

- 4.4.28 Eating Establishments: Sit-Down, Alcoholic Beverages Permitted
- 4.4.29 Food and Beverage Retail Sales
- 4.4.33 Funeral and Internment Services: Undertaking
- 4.4.34 Gasoline Sales: Restricted
- 4.4.35 Gasoline Sales: General
- 4.4.36 Health Club
- 4.4.37 Laundry Services
- 4.4.38 Manufactured Housing and Travel Trailers: Sales and Rentals
- 4.4.39 Medical Services: Restricted
- 4.4.40 Medical Services: General
- 4.4.42 Participation Recreation and Entertainment: Indoor, Alcoholic Beverages Permitted
- 4.4.44 Personal Services: Restricted
- 4.4.45 Personal Services: General
- 4.4.46 Personal Storage
- 4.4.47 Repair Services: Consumer
- 4.4.48 Research Services (testing lab)
- 4.4.49 Retail Sales and Services: General
- 4.4.52 Spectator Sports and Entertainment: Restricted
- 4.4.53 Spectator Sports and Entertainment: General
- 4.4.55 Tourist Accommodations: Campground
- 4.4.56 Tourist Accommodations: Lodging
- 4.4.57 Off-Street Parking: Accessory Parking
- 4.4.58 Off-Street Parking: Commercial Parking
- 4.4.59 Off-Street Parking: Personal Vehicle Storage
- 4.5.1 Custom Manufacturing
- 4.5.2 Light Industrial: Restricted (Light processing)
- 4.5.8 Wholesaling, Storage and Distribution: Restricted
- 4.5.10 Commercial Medical Marijuana Grower
- 4.7.6 Horticulture

Proposed Site Plan











N Post Rd

N Post Rd

1 **PC-2059**

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 2059 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 Lots 1 and 2 of Block A of the Marydale Acres Addition, Midwest City, OK.

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

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

20 PASSED AND APPROVED by the Mayor and Council of the City of Midwest City, Oklahoma,
21 on the _____ day of _____, 2021.

22 THE CITY OF MIDWEST CITY, OKLAHOMA

23 _____
24 MATTHEW D. DUKES II, Mayor

25 ATTEST:

26 _____
27 SARA HANCOCK, City Clerk

28 APPROVED as to form and legality this _____ day of _____, 2021.

29 _____
30 HEATHER POOLE, City Attorney



The City of
MIDWEST CITY
COMMUNITY DEVELOPMENT DEPARTMENT

Billy Harless, Community Development Director

ENGINEERING DIVISION
Brandon Bundy, City Engineer
CURRENT PLANNING DIVISION
Kellie Gilles, Current Planning 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: January 12, 2021

Subject: (PC-2062) Public hearing with discussion and consideration of an ordinance to redistrict from C-3, Community Commercial, to C-4, General Commercial, and a resolution to amend the Comprehensive Plan from OR, Office/Retail to COMM, Commercial, for the property described as a part the SW/4 of Section 34, T12N, R2W, and addressed as 422 N. Air Depot Blvd.

Executive Summary: This is a request to rezone the property from C-3, Community Commercial to C-4, General Commercial. An auto mechanic shop is currently being operated at this location. The owner met with staff and stated that he would like to operate a car sales lot on the property. As the property is zoned C-3, which only allows limited outdoor storage and display, the applicant is making this application to rezone the property to C-4, which does allow the use of car sales and outdoor display. No additions or modifications to the existing structure are requested with this application. Action is at the discretion of the City Council.



Dates of Hearing: Planning Commission – December 1, 2020

City Council – January 12, 2021

Council Ward: Ward 4, Sean Reed

Owner/Applicant: Abdul Karem Alsalafi

Proposed Use: Car sales

Size:

The area of request has a frontage of approximately 167' along N. Air Depot Blvd. and contains an area of approximately 1.46 acres, more or less.

Development Proposed by Comprehensive Plan:

Area of Request – O/R, Office Retail
South and East – O/R, Office Retail
West – HDR, High Density Residential
North – PSP, Public Open Space

Zoning Districts:

Area of Request – C-3, Community Commercial
North and South – C-3 Community Commercial
East – R-6, Single Family Residential with a SUP for a church
West – Rolling Oaks Apartments

Land Use:

Area of Request – Pit Stop Total Car Care Center
North – Vacant and Ridgecrest Church of Christ property
South – Multi-tenant commercial buildings
East – Vacant
West - Apartments

Municipal Code Citation:

2.21. C-4, General Commercial

2.21.1 General Description

This commercial district is designed for the conduct of personal and business services and the general retail trade of the community and surrounding area.

Because the permitted uses may serve and employ large numbers of people, the activities conducted and traffic generated make this district very incompatible with residential development.

Therefore, this district should be utilized at points of direct access from freeways, expressways and arterial intersections, or in areas identified for heavy commercial activity that will be well separated from nearby residential areas. Outdoor storage and display is permitted.

Comprehensive Code 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 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 face that commercial uses often have a greater need for outside storage areas and these areas tend to lessen the visual quality of major thoroughfares.

History:

1. The property was designated as C-3, Community Commercial, at the time of adoption of the 1985 Zoning Map.
2. Planning Commission recommended denial of this request 12/1/2020.

Staff Comments:

Engineer Brandon Bundy'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 Air Depot Boulevard. Any building permit will require tie into the public water system as outlined in Municipal Code 43-32.

Sanitary Sewerage Collection and Disposal

There are two eight (8) inch public sanitary sewers bordering the site. One runs along the east side of Air Depot Boulevard and another runs along the east edge of the property. Any building permit will require that connection to the public sanitary sewer as outlined in Municipal Code 43-109.

Streets and Sidewalks

Access to the area of request exists off Air Depot Boulevard which is classified as a Secondary Arterial in the 2008 Comprehensive Plan. City sidewalks currently exist along the frontage of Air Depot Boulevard.

Drainage and Flood Control, Wetlands, and Sediment Control

The area of request is shown to be in an "Area of Minimal Flood Hazard" meaning no floodplain on Flood Insurance Rate map (FIRM) on map 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 Duane Helmberger's report:

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

- Fire department access is required around entire facility; car sales placement cannot cover a 20' wide fire lane that is required. The fire lane is required to be properly marked.
- Tires are not allowed to be allowed in storage units unless done in accordance with the International Fire Code.
- Based on observation made on Monday, November 16, 2020, this facility is currently being used for motor-rebuilding which classifies it as an F-1 Moderate Occupancy building use. The currently permitted occupancy type is a B occupancy. The change in occupancy type requires the facility to be permitted for an F-1 occupancy.
- A fire place / stove was also observed in the facility work area. This was not installed per any observable requirements and is currently being evaluated under an unsafe building report.
- The facility layout and site plan are not currently adequate for auto sales. Please provide a detailed layout of the facility for further evaluation in regards to re-zoning the property. There is not enough adequate information provided to efficiently evaluate the request for re-zoning.

Neighborhood Services Director Mike Stroh's report:

The property at 422 North Air Depot Boulevard has been an ongoing code issue. We have worked twelve (12) cases for the year of 2020. The property is constantly parking on what was a grass lot on the East side to include up on the hill. We have also had issues with trash and debris. The property does not have an area to park vehicles that are for sale as they are always over their allowable storage now, changing zoning to allow for more outside storage would only add to the unsightly condition. Pictures of the property from our code enforcement's case files are being provided with this packet. Please do a physical inspection before voting to change the zoning.

Plan Review Comments:

The applicant has met with staff and would like to operate a car sales business from the parcel addressed as 422 N. Air Depot Blvd. The parcel is currently zoned C-3, Community Commercial which does not allow car sales and only allows limited outdoor merchandise display/storage. This application is a request to rezone the parcel to C-4, General Commercial to allow the use of automotive sales and rentals: light.

All parking for customers and merchandise (cars for sale) must be permanent paved hard surface. There is an area in the rear, eastern portion of this lot that has been used for vehicle storage before. If this request is approved, this area must be paved with hard surface pavement prior to issuance of a Certificate of Occupancy for car sales.

At this time, there are no proposed additions or alterations to the existing structure. If alterations are proposed in the future, a building permit is required and all alterations must meet all requirements of the municipal code.

Action is at the discretion of the City Council.

Action Required:

Approve or reject the ordinance to redistrict to C-4, General Commercial for the property as noted herein, subject to staff's comments as found in the January 12, 2021 agenda packet and made a part of PC-2062 file.



Billy Harless,
Community Development Director

KG

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: November 10th, 2020

Subject: Engineering staff comments for pc-2062 application

ENGINEERING STAFF CODE CITATIONS AND COMMENTS - PC-2062:

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 Air Depot Boulevard. Any building permit will require tie into the public water system as outlined in Municipal Code 43-32.

Sanitary Sewerage Collection and Disposal

There are two eight (8) inch public sanitary sewers bordering the site. One runs along the east side of Air Depot Boulevard and another runs along the east edge of the property. Any building permit will require that connection to the public sanitary sewer as outlined in Municipal Code 43-109.

Streets and Sidewalks

Access to the area of request exists off Air Depot Boulevard which is classified as a Secondary Arterial in the 2008 Comprehensive Plan. City sidewalks currently exist along the frontage of Air Depot Boulevard.

Drainage and Flood Control, Wetlands, and Sediment Control

The area of request is shown to be in an "Area of Minimal Flood Hazard" meaning no floodplain on Flood Insurance Rate map (FIRM) on map 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.



The City Of Midwest City
Neighborhood Services Department
Code Enforcement • Neighborhood Initiative

MEMO

To: Kellie Gilles, Planning Manager
From: Mike S. Stroh, Neighborhood Services Director
Date: November 17, 2020
Subject: 422 North Air Depot Boulevard

The property at 422 North Air Depot Boulevard has been an ongoing code issue. We have worked twelve (12) cases for the year of 2020. The property is constantly parking on what was a grass lot on the East side to include up on the hill. We have also had issues with trash and debris. The property does not have an area to park vehicles that are for sale as they are always over their allowable storage now, changing zoning to allow for more outside storage would only add to the unsightly condition. I have attached a few pictures of the property from our case files. Please do a physical inspection before voting to change the zoning.

Thank you,

Mike S. Stroh
Neighborhood Services Director



Jan 13, 2020 at 4:21:20 PM



Jan 13, 2020 at 4:12:14 PM



Mar 20, 2020 at 11.1





Midwest City Fire Marshal's Office

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



Re: PC - 2062

Date: 18 November 2020

PC-2062 is a request to rezone the parcel at 422 N. Air Depot (Pit Stop) from C-3, Community Commercial to C-4, General Commercial, to allow for the use of auto sales.

- The property is required to meet and maintain the requirements of Midwest City Ordinances Section 15.
- Fire department access is required around entire facility, car sales placement cannot cover a 20' wide fire lane that is required. The fire lane is required to be properly marked.
- Tires are not allowed to be allowed in storage units unless done in accordance with the International Fire Code.
- Based on observation made on Monday, November 16, 2020, this facility is currently being used for motor-rebuilding which classifies it as an F-1 Moderate Occupancy building use. The currently permitted occupancy type is a B occupancy. The change in occupancy type requires the facility to be permitted for an F-1 occupancy.
- A fire place / stove was also observed in the facility work area. This was not installed per any observable requirements and is currently being evaluated under an unsafe building report.
- The facility layout and site plan are not currently adequate for auto sales. Please provide a detailed layout of the facility for further evaluation in regards to re-zoning the property. There is not enough adequate information provided to efficiently evaluate the request for re-zoning.

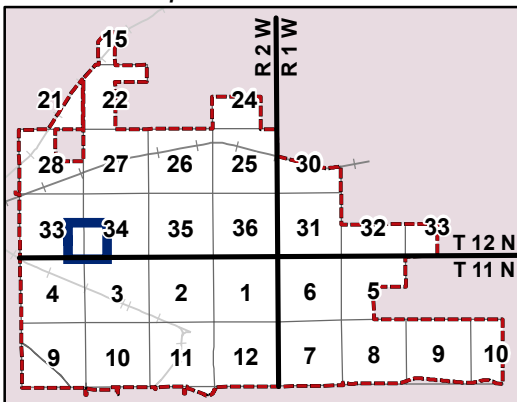
Respectfully,

Duane Helmlberger
Fire Marshal
Midwest City Fire Department

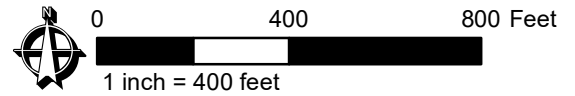
The Midwest City Fire Department is committed to providing the highest level of public safety services for our community and citizens. We protect lives and property through fire suppression, emergency medical response, disaster management, fire prevention and public education.



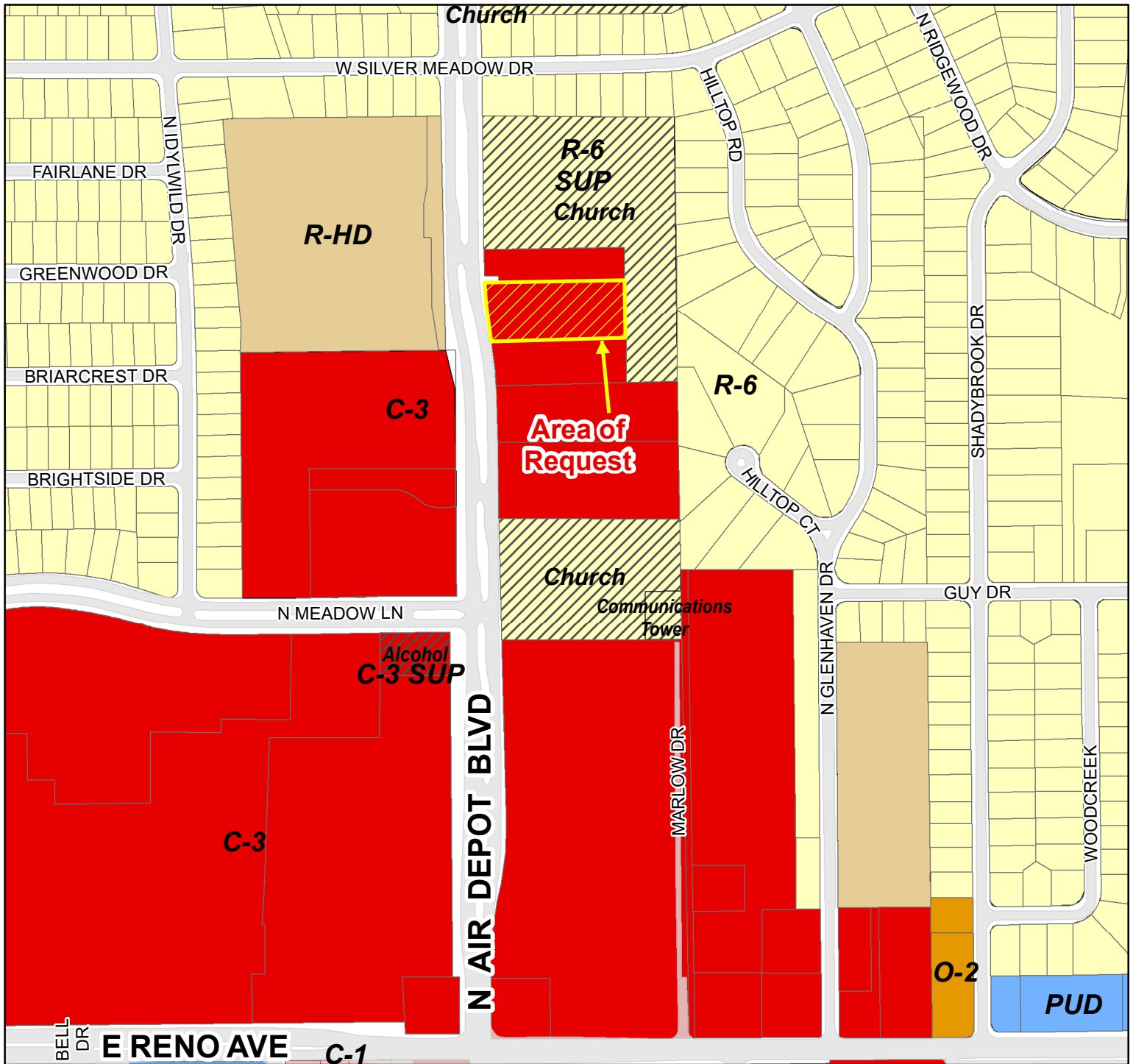
Locator Map



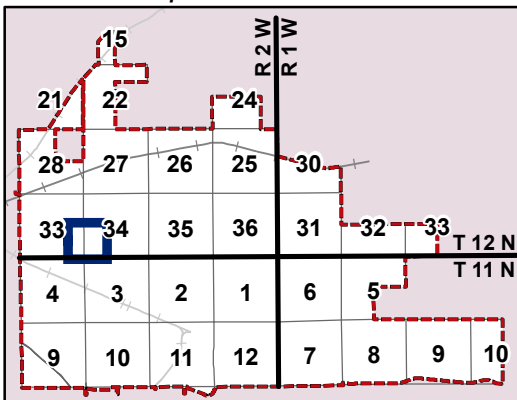
**3/2020 NEARMAP AERIAL VIEW FOR
PC-2062
(SW/4, Sec. 34, T12N, R2W)**



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.



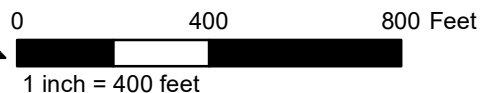
Locator Map



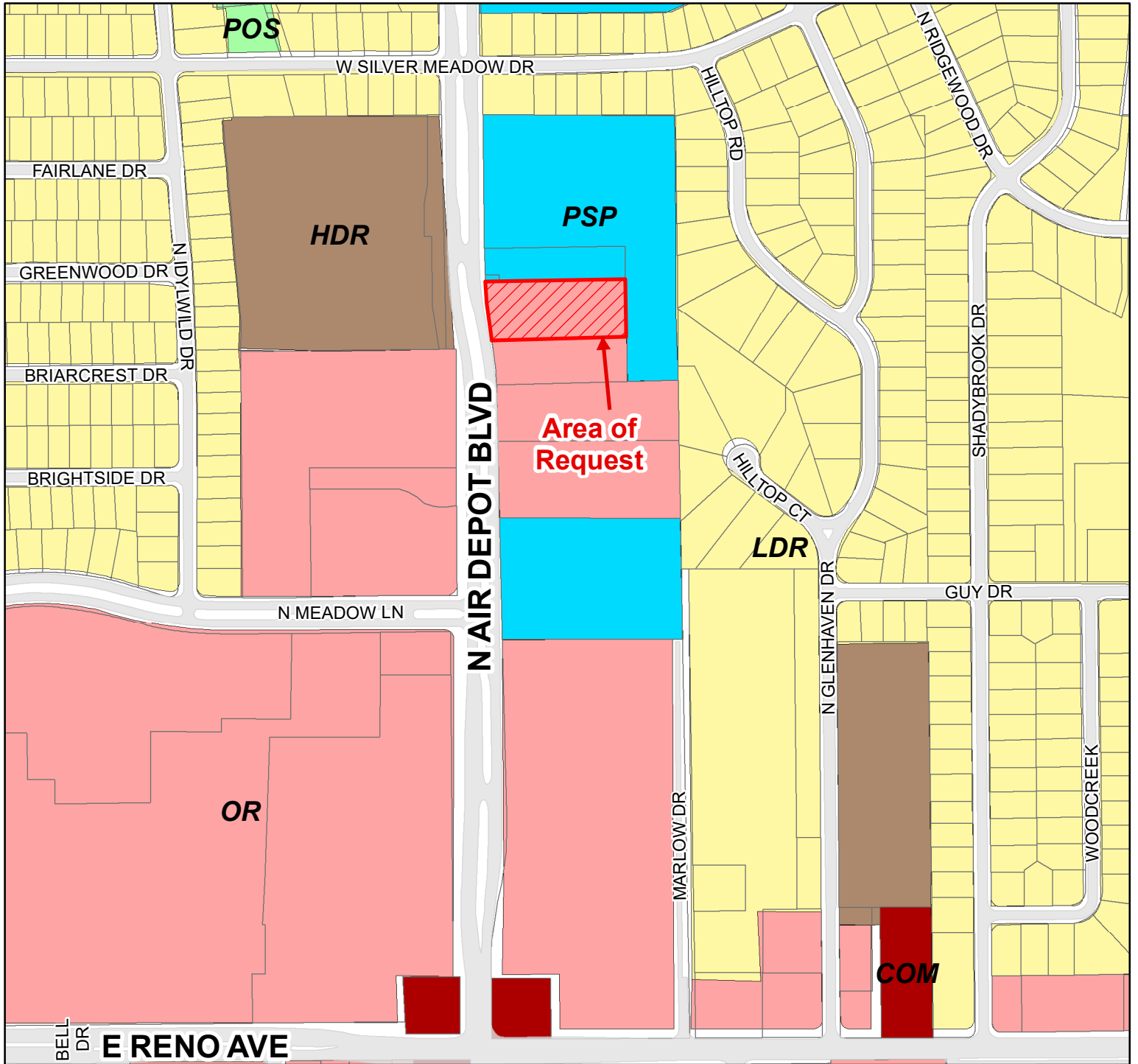
Current Zoning Legend

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

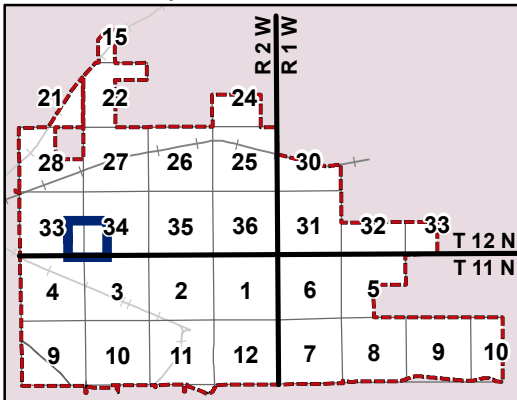
**ZONING MAP FOR
PC-2062
(SW/4, Sec. 34, T12N, R2W)**



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-2062**

(SW/4, Sec. 34, T12N, R2W)



0 400 800 Feet



1 inch = 400 feet

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.

RESOLUTION NO. 2021-_____

A RESOLUTION AMENDING THE COMPREHENSIVE PLAN MAP CLASSIFICATION FROM OR, OFFICE RETAIL TO COMM, COMMERCIAL FOR THE PROPERTY DESCRIBED IN THIS RESOLUTION WITHIN THE CITY OF MIDWEST CITY, OKLAHOMA.

WHEREAS, the Comprehensive Plan Map of Midwest City, Oklahoma shows the following described property identified as OR, Office Retail:

A part of the SW/4 of Section 34, T-12-N, R-2-W, of the Indian Meridian, Oklahoma County, Oklahoma, being more particularly described as follows:

Beginning 467.27 feet South of the Northwest corner of the Southwest Quarter (SW/4);
Thence East a distance of 435 feet;
Thence South a distance of 165 feet;
Thence West a distance of 435 feet to the West line of said Quarter Section;
Thence North a distance of 165 feet to the Point of Beginning.

WHEREAS, it is the desire of the Midwest City Council to amend the classification of the referenced property to Commercial;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MIDWEST CITY, OKLAHOMA:

That the classification of above described property located in Midwest City, Oklahoma is hereby changed to Commercial on the Comprehensive Plan Map.

PASSED AND APPROVED by the Mayor and Council of the City of Midwest City, Oklahoma, this _____ day of _____, 2021.

CITY OF MIDWEST CITY, OKLAHOMA

MATTHEW D. DUKES II, Mayor

ATTEST:

SARA HANCOCK, City Clerk

APPROVED as to form and legality this _____ day of _____, 2021.

HEATHER POOLE, City Attorney

1 **PC-2062**

2 **ORDINANCE NO. _____**

3 **AN ORDINANCE RECLASSIFYING THE ZONING DISTRICT OF THE PROPERTY**
4 **DESCRIBED IN THIS ORDINANCE TO C-4 GENERAL COMMERCIAL, AND DI-**
5 **RECTING AMENDMENT OF THE OFFICIAL ZONING DISTRICT MAP TO RE-**
6 **FLECT THE RECLASSIFICATION OF THE PROPERTY’S ZONING DISTRICT; AND**
7 **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 C-4, General Commercial, subject to the conditions contained in the PC-2062 file, and that the
12 official Zoning District Map shall be amended to reflect the reclassification of the property’s
13 zoning district as specified in this ordinance:

14 A part of the SW/4 of Section 34, T-12-N, R-2-W, of the Indian Meridian, Oklahoma
15 County, Oklahoma, being more particularly described as follows:

16 Beginning 467.27 feet South of the Northwest corner of the Southwest Quarter (SW/4);
17 Thence East a distance of 435 feet;
18 Thence South a distance of 165 feet;
19 Thence West a distance of 435 feet to the West line of said Quarter Section;
20 Thence North a distance of 165 feet to the Point of Beginning.

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

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

26 PASSED AND APPROVED by the Mayor and Council of the City of Midwest City, Oklahoma,
27 on the _____ day of _____, 2021.

28 THE CITY OF MIDWEST CITY, OKLA-
29 HOMA

30 _____
31 MATTHEW D. DUKES II, Mayor

32 ATTEST:

33 _____
34 SARA HANCOCK, City Clerk

35 APPROVED as to form and legality this _____ day of _____, 2021.

36 _____
HEATHER POOLE, City Attorney



The City of
MIDWEST CITY
COMMUNITY DEVELOPMENT DEPARTMENT

Billy Harless, Community Development Director

ENGINEERING DIVISION
Brandon Bundy, City Engineer
CURRENT PLANNING DIVISION
Kellie Gilles, Current Planning 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: January 12, 2021

Subject: (PC-2063) Public hearing with discussion and consideration of an ordinance to redistrict from R-HD, High Density Residential to R-MH-2, Manufactured Home Park, for the property described as a part the SW/4 of Section 7, T11N, R1W, and addressed as 10301 S.E. 29th Street.

Executive Summary: This is a request to rezone the property from R-HD, Residential High Density to R-MH-2, Manufactured Home Park. The area of request currently serves as the Parkway Manufactured Home Community. The lot has been operating as a legal nonconforming use. The owner met with staff and stated that he would like to expand the manufactured home park to allow for an additional 18 lots. In order to expand the existing non-conforming use, the zoning for the entire parcel must come into compliance. Therefore, the applicant is requesting to rezone the parcel for expansion. The proposed expansion includes 3.02 acres and will be served connecting the drive on two existing streets within the community. Due to concerns from the neighbors to the north of this parcel, the applicant agreed to amend the legal description of this request to exclude the former railroad right-of-way along the northern part of this parcel. The area to be excluded is between 140-200 feet and is shown on the attached exhibit. This will serve as a buffer between the mobile home community and single family homes. Action is at the discretion of the City Council.

Dates of Hearing: Planning Commission – December 1, 2020
City Council – January 12, 2021

Council Ward: Ward 6, Rick Favors

Applicant: Mark W. Zitzow

Proposed Use: Manufactured Home Park

Size:

The area of request has a frontage of approximately 880' along S.E. 29th St. and contains an area of approximately 28.20 acres, more or less.



Development Proposed by Comprehensive Plan:

- Area of Request – MH, Manufactured Home
- North – LDR, Low Density Residential
- East – COM, Commercial, and LDR, Low Density Residential
- South – Oklahoma City boundary
- West – O/R, Office Retail, and LDR, Low Density Residential

Zoning Districts:

- Area of Request – R-HD, Residential High Density
- North – R- HD followed by R-6, Single Family Residential
- East – R-6, Single Family Residential
- West – R-HD, High Density Residential
- South – Oklahoma City Boundary

Land Use:

- Area of Request – Manufactured Home Park
- North – 200’ vegetative buffer followed by single family residences
- East and West – single family homes
- South – Oklahoma City Boundary

Municipal Code Citation:

2.12. R-MH-2, Manufactured Home Park District

2.12.1 General Description

This district permits locations for manufactured home parks which, while providing a residential environment, are not generally compatible with normal single-family and two-family residential developments.

These parks are under single ownership and provide leased or rented manufactured home spaces.

This district should provide for an orderly arrangement of home sites in manufactured home parks that have been located and designed in a manner that will promote and protect the health, safety, and general welfare of the residents.

5.8. Nonconforming Buildings, Structures, and Uses of Land

5.8.2 (C) Expansions prohibited. During the five-year notice time period, the nonconforming use shall not be expanded or moved in whole or in part to any other portion of the lot or parcel on which it is located.

Comprehensive Code Citation:

Manufactured Home Land Use

There are several existing areas within Midwest City that are characterized by uses such as manufactured homes, which provide affordable housing for citizens in the City. The types of residential uses that can be found within this classification are manufactured homes, single-family detached dwelling units and duplexes. On the Future Land Use Plan Map, the areas that have been designated are consistent with areas wherein manufactured homes are currently located.

History:

1. The property was denied to be rezoned from R-1, Single Family Residential to, R-4, Medium Density Residential in July of 1984 (PC-754).
2. A request to rezone the property to a PUD, Planned Unit Development governed by R-4, Medium Density Residential in September of 1984 (PC-777) was withdrawn.
3. This area was zoned R-HD, Residential High Density with the adoption of the 1985 and 2010 Zoning Ordinances.
4. The Planning Commission recommended approval of this item December 1, 2020 with the amended legal description excluding the former railroad right-of-way along the northern portion of the parcel from this request.

Staff Comments:

Engineer's report:

Note: No engineering improvements are required with this application.

Water Supply and Distribution

An eighteen (18) inch public water main is located along the south side of S.E. 29th Street. Any new building permit or new trailer site will require tie into the public water system as outlined in Municipal Code 43-32. The existing park may already be tied into public water via a master meter and distributed after.

Sanitary Sewerage Collection and Disposal

Two separate eight (8) inch public sanitary sewers are located along the north and east sides of the property. Any new building permit or new trailer site will require tie into the public water system as outlined in Municipal Code 43-109. Extension of the public sewer system will require plans submitted by an Oklahoma licensed engineer to be designed to city standard. Plans will be reviewed by both the City and Oklahoma Department of Environmental Quality before being constructed and inspected. Alternatively, since this property is one lot, a private sewer service can be built to extend to the northwest. The sewer system on the north east corner is served by a lift station and further study would be required by the developer prior to allowing to tie into that particular main.

Streets and Sidewalks

Access to the area of request exists off S.E. 29th Street which is classified as a Primary Arterial in the 2008 Comprehensive Plan.

Sidewalk improvements will not be considered as long as the property remains minimally developed. **Drainage and Flood Control, Wetlands, and Sediment Control**

The area of request is shown to be in an “Area of Minimal Flood Hazard” meaning no floodplain on two Flood Insurance Rate maps (FIRM) which bisect the property.

- The northern section of the property is on map number 40109C0330H, dated December 18th, 2009.
- The southern section of the property is on map number 40109C0340H, 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 property is required to meet and maintain the requirements of Midwest City Ordinances Section 15.
- Fire hydrants and fire mains are required to be installed in accordance with Midwest City Ordinance Section 15 and the International Fire Code through the proposed new addition of the site.
- Hydrant placement will be reviewed, coordinated and approved through line maintenance and the Fire Marshal’s office.
- If the park expands to the north of the exiting streets water supply and hydrants will be required

Plan Review Comments:

The applicant has met with staff and would like to expand the manufactured home park East on the lot. The parcel is currently zoned R-HD, High Density Residential and the use of a manufactured home community is not allowed by right in the R-HD district. The use of a manufactured home park is considered to be a legal nonconforming use. This application is a request to rezone the parcel to R-MH-2, Manufactured Home Park to allow the existing use to expand eastward on the property for an additional 18 manufactured home lots, comprising 3.2 acres of the entire lot.

The expansion of the use will include a drive that connects two existing streets. The additional lots must provide a minimum of 2 parking spaces per dwelling unit. The additional street and parking must be of a permanent paved hard surface. All homes will be required to meet the landscaping, setback, parking, and building codes in place at the time of permitting.

As mentioned above, at the Planning Commission meeting, the applicant agreed to exclude the former railroad right-of-way along the north 140-200' of the lot from the request to preserve the existing berm and vegetation and serve as a buffer between the mobile home community and the existing single family homes to the north.

Action is at the discretion of the City Council.

Action Required:

Approve or reject the ordinance to redistrict to R-MH-2, Manufactured Home Park for the property as noted herein, subject to staff's comments as found in the January 12, 2021 agenda packet and made a part of PC-2063 file.



Billy Harless,
Community Development Director

SS:kg



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 - 2063

Date: 18 November 2020

PC-2063 is a request to rezone the parcel at 10301 SE 29th Street from R-HD, High Density Residential to R-MH-2, Manufactured Home Park District. Parkway Mobile Home Community is located at this site and the zoning is currently non-conforming for a mobile home park. The owners are wanting to expand/add additional spaces and in order to expand, the zoning must come into conformance.

- The property is required to meet and maintain the requirements of Midwest City Ordinances Section 15.
- Fire hydrants and fire mains are required to be installed in accordance with Midwest City Ordinance Section 15 and the International Fire Code through the proposed new addition of the site.
- Hydrant placement will be reviewed, coordinated and approved through line maintenance and the Fire Marshal's office.
- If the park expands to the north of the exiting streets water supply and hydrants will be required.

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.

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: November 12th, 2020

Subject: Engineering staff comments for pc-2063 application

ENGINEERING STAFF CODE CITATIONS AND COMMENTS - PC-2063:

Note: No engineering improvements are required with this application.

Water Supply and Distribution

An eighteen (18) inch public water main is located along the south side of S.E. 29th Street. Any new building permit or new trailer site will require tie into the public water system as outlined in Municipal Code 43-32. The existing park may already be tied into public water via a master meter and distributed after.

Sanitary Sewerage Collection and Disposal

Two separate eight (8) inch public sanitary sewers are located along the north and east sides of the property. Any new building permit or new trailer site will require tie into the public water system as outlined in Municipal Code 43-109. Extension of the public sewer system will require plans submitted by an Oklahoma licensed engineer to be designed to city standard. Plans will be reviewed by both the City and Oklahoma Department of Environmental Quality before being constructed and inspected. Alternatively, since this property is one lot, a private sewer service can be built to extend to the northwest. The sewer system on the north east corner is served by a lift station and further study would be required by the developer prior to allowing to tie into that particular main.

Streets and Sidewalks

Access to the area of request exists off S.E. 29th Street which is classified as a Primary Arterial in the 2008 Comprehensive Plan.

Sidewalk improvements will not be considered as long as the property remains minimally developed.

Drainage and Flood Control, Wetlands, and Sediment Control

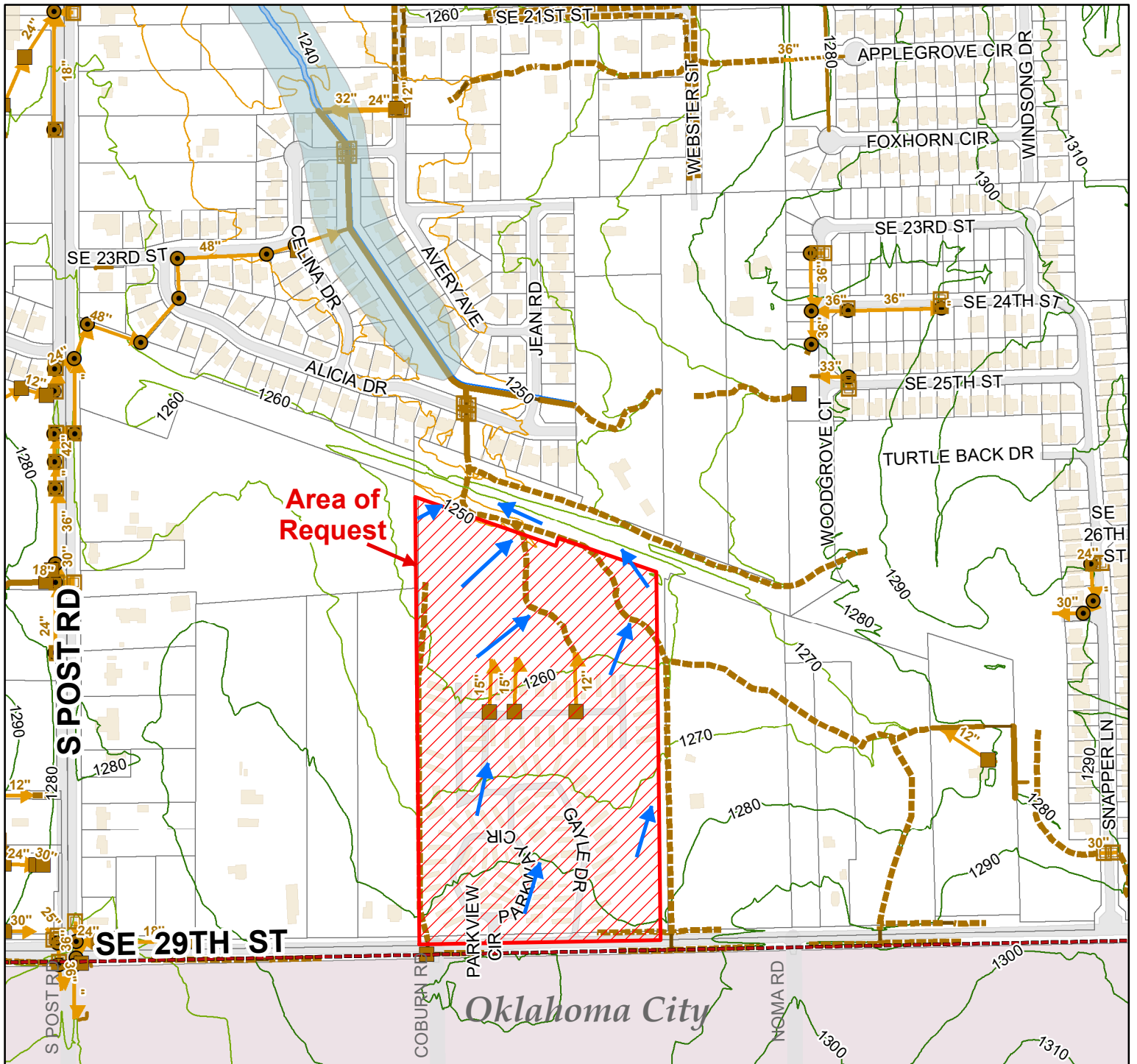
The area of request is shown to be in an “Area of Minimal Flood Hazard” meaning no floodplain on two Flood Insurance Rate maps (FIRM) which bisect the property.

- The northern section of the property is on map number 40109C0330H, dated December 18th, 2009.
- The southern section of the property is on map number 40109C0340H, dated December 18th, 2009.

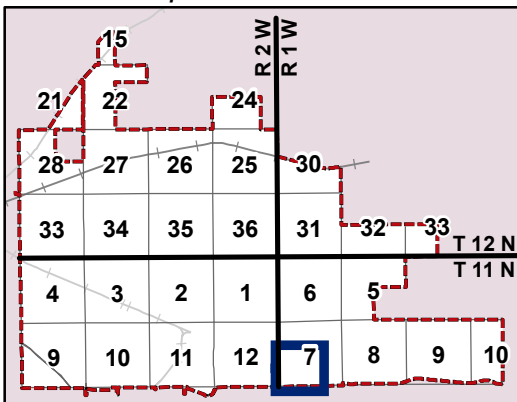
Drainage and detention improvements are not required with this application.

Easements and Right-of-Way

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



Locator Map



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

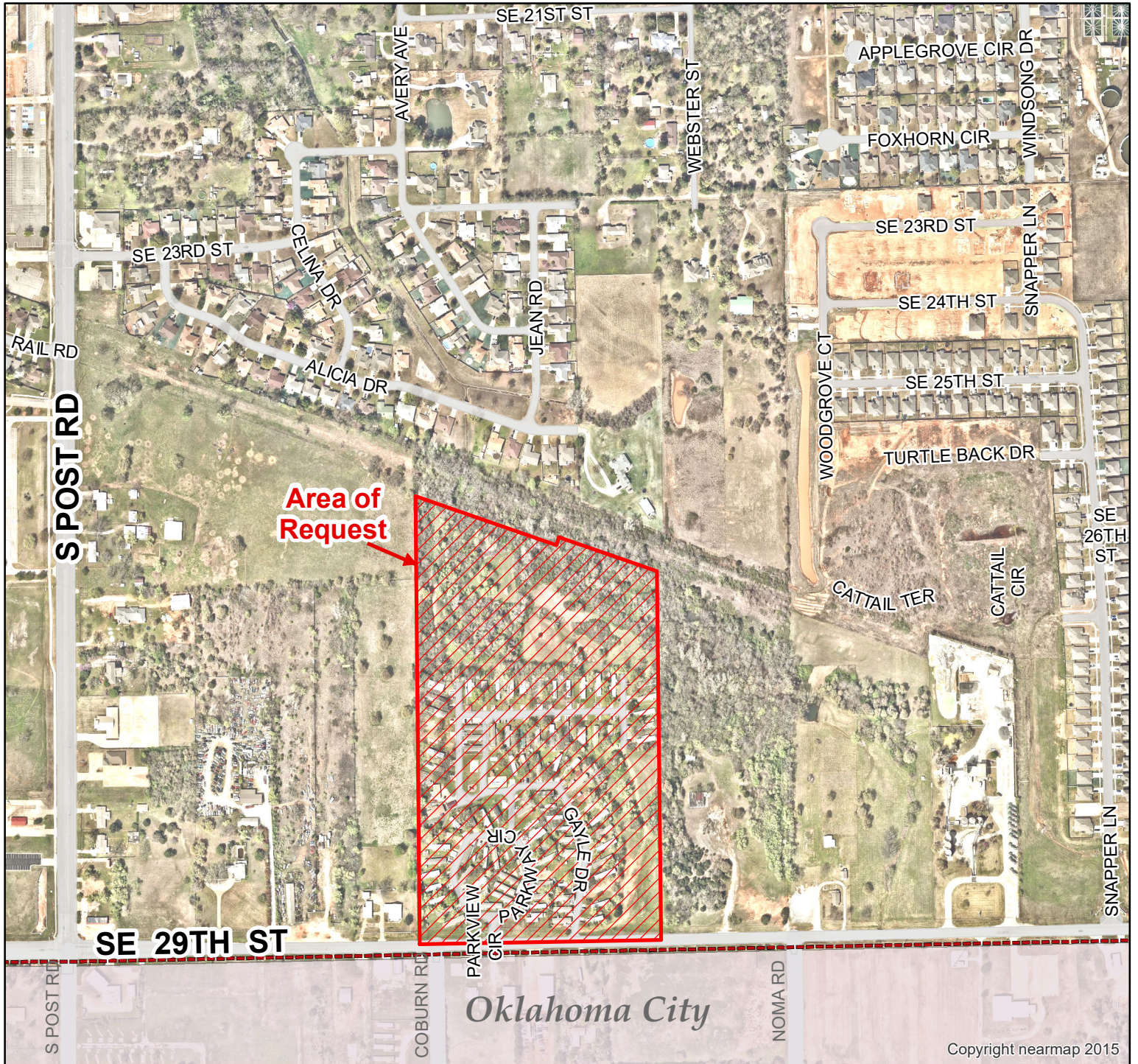
- 2009 FEMA Floodplains**
- 500-yr floodplain
 - 100-yr floodplain
 - 2009 FEMA Floodway
 - FLOODWAY

DRAINAGE LOCATION MAP FOR PC-2063 (SW/4, Sec. 7, T11N, R1W)

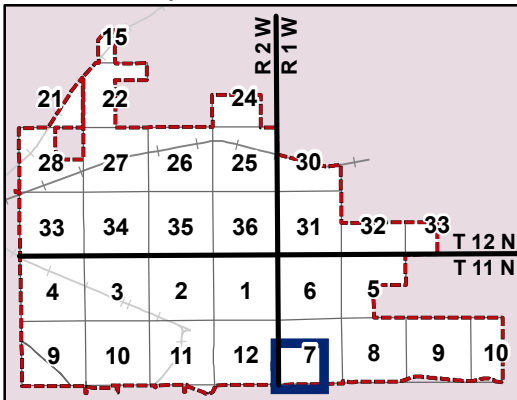
0 500 1,000 Feet

1 inch = 500 feet

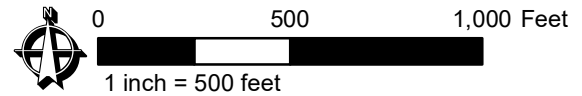
THIS MAP IS A GENERAL INFORMATION PUBLIC RESOURCE. THE CITY OF MIDWEST CITY MAKES NO WARRANTY, REPRESENTATION OR GUARANTEE AS TO THE CONTENT, ACCURACY, TIMELINESS OR COMPLETENESS OF ANY OF THE INFORMATION PROVIDED ON THIS MAP. ANY PARTY'S USE OR RELIANCE ON THIS MAP OR ANY INFORMATION ON IT IS AT THAT 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.



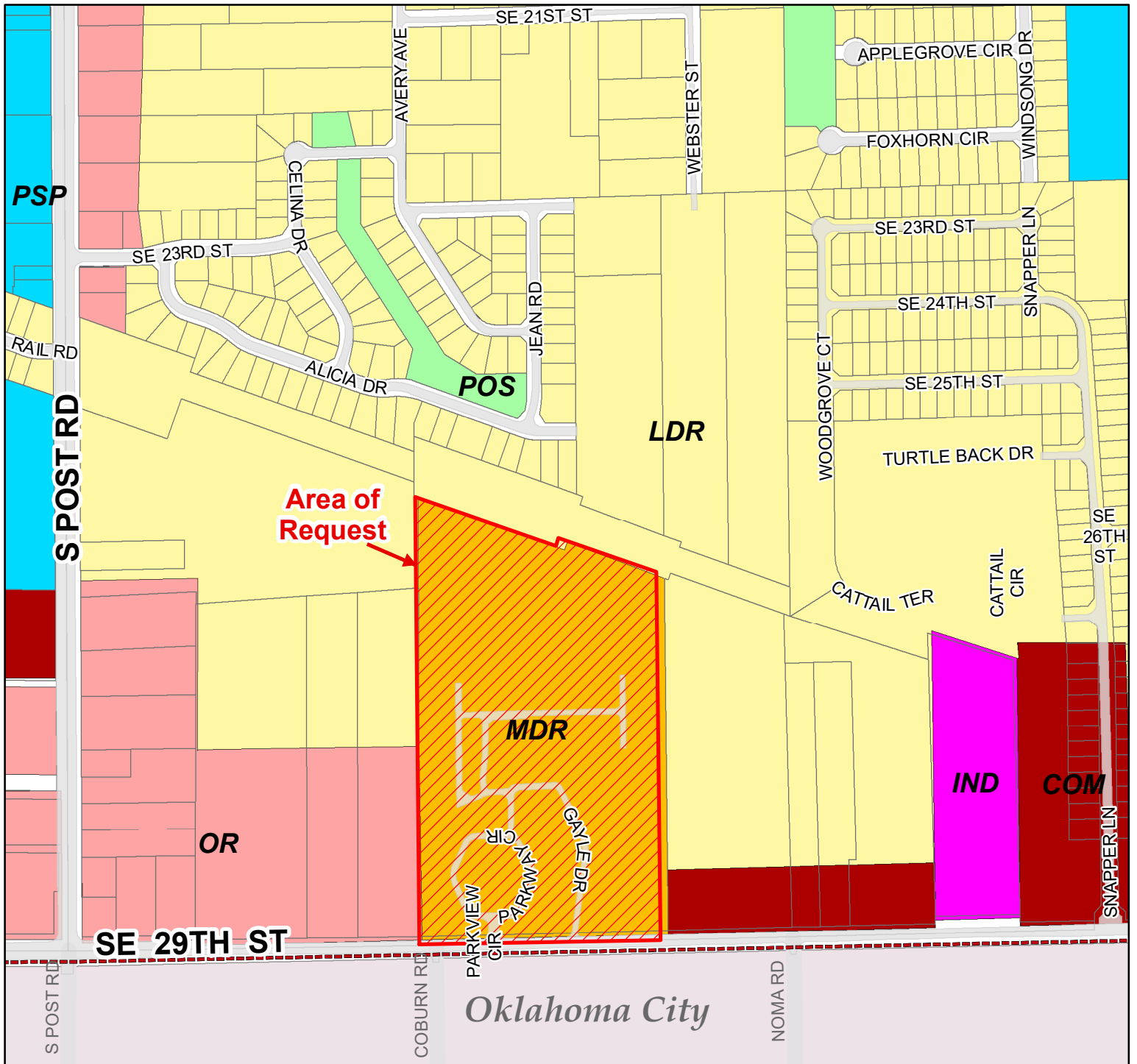
Locator Map



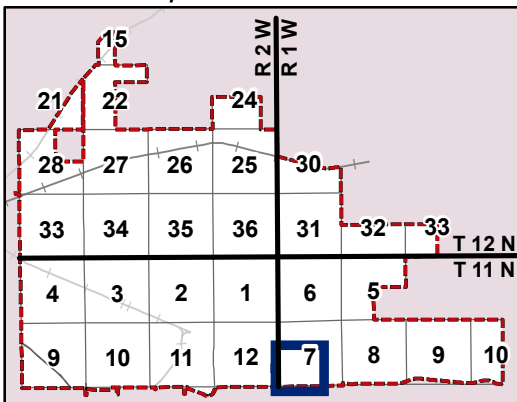
**3/2020 NEARMAP AERIAL VIEW FOR
PC-2063
(SW/4, Sec. 7, T11N, R1W)**



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

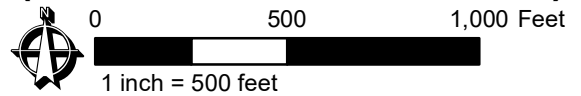


Future Land Use Legend

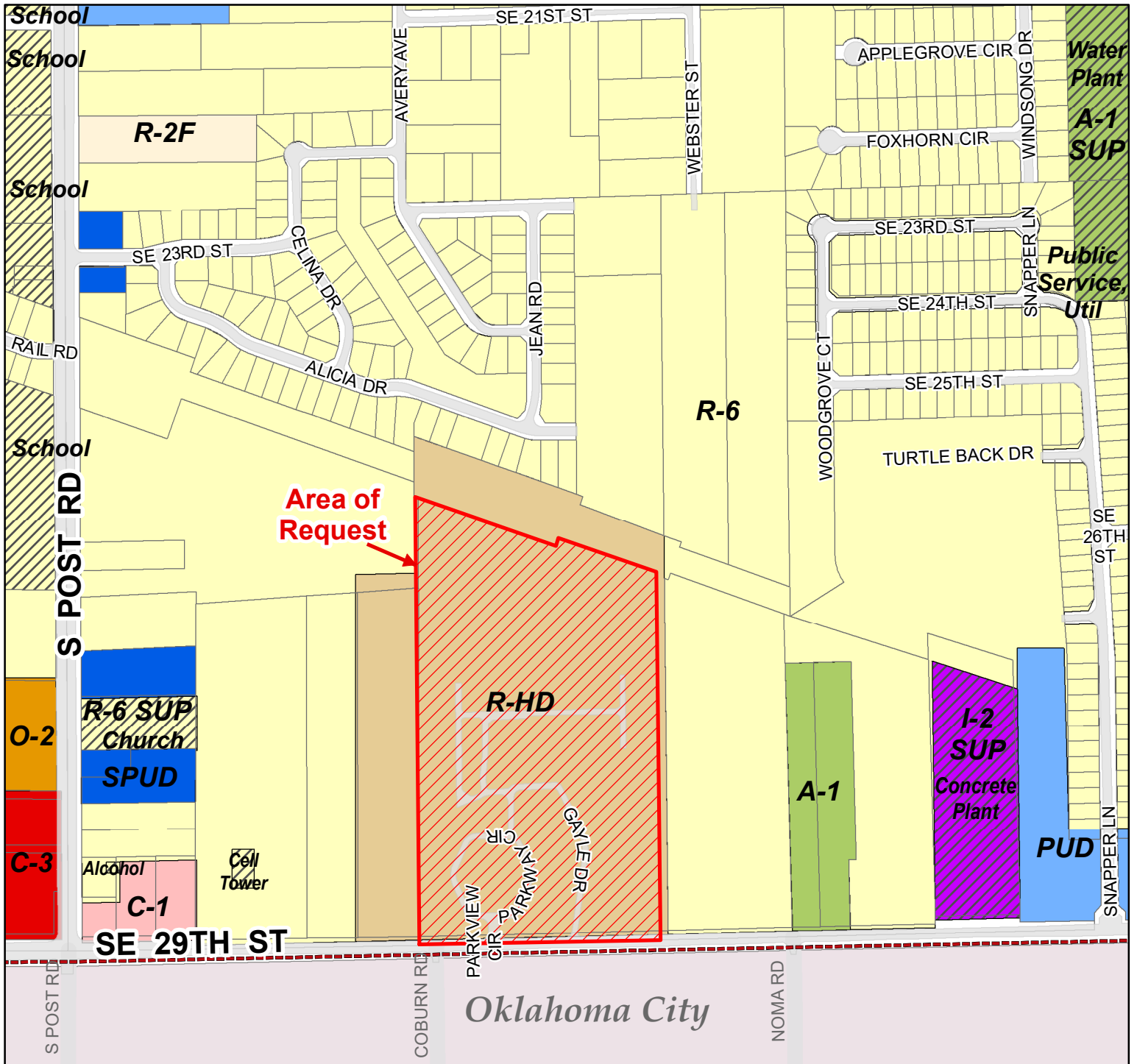
- Single-Family Detached Residential
- Medium Density Residential
- High Density Residential
- Manufactured Home
- Public/Semi-Public
- Parks/Open Space
- Office/Retail
- Commercial
- Industrial
- Town Center

**FUTURE LAND USE
MAP FOR
PC-2063**

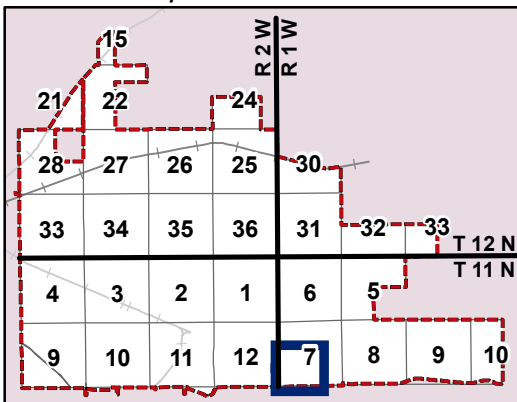
(SW/4, Sec. 7, T11N, R1W)



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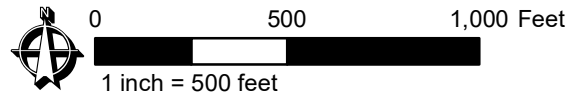
Locator Map



Current Zoning Legend

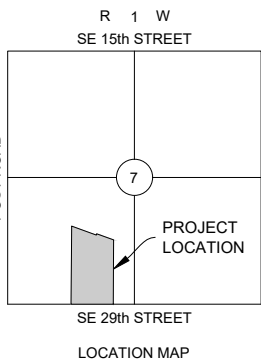
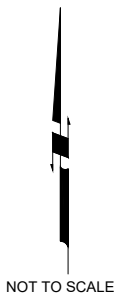
A-1	I-2 SUP	R-35
A-1 SUP	I-3	R-2F
C-1	O-1	R-MD
C-1 SUP	O-1 SUP	R-MD SUP
C-2	O-2	R-HD
C-2 SUP	O-2 SUP	R-HD SUP
C-3	R-6	R-MH-1
C-3 SUP	R-6 SUP	R-MH-2
C-4	R-8	PUD
C-4 SUP	R-10	SPUD
I-1	R-22	HOS
I-2		HOS SUP

ZONING MAP FOR PC-2063 (SW/4, Sec. 7, T11N, R1W)



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Line Table		
Line #	Direction	Length
L1	N19°14'00"E	30.00'



ACAD FILE: S:\Civil 3D proj\4681\4681 - Zoning EX.dwg, 12/2/2020 12:17 PM, Nate Halkin
 XREFS LOADED:

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Proj. No.: 4681
 Date: 12-02-20
 Scale: N.T.S.

PARKWAY MANUFACTURED HOME COMMUNITY
 MIDWEST CITY, OKLAHOMA COUNTY, OKLAHOMA
REZONING EXHIBIT



Johnson & Associates, Inc.
 1 E. Sheridan Ave., Suite 200
 Oklahoma City, OK 73104
 (405) 235-8075 FAX (405) 235-8078 www.jaokc.com
 Certificate of Authorization #1484 Exp. Date: 06-30-2021
 • ENGINEERS • SURVEYORS • PLANNERS •

1 **PC-2063**

2 **ORDINANCE NO. _____**

3 **AN ORDINANCE RECLASSIFYING THE ZONING DISTRICT OF THE PROPERTY**
4 **DESCRIBED IN THIS ORDINANCE TO R-MH-2, MANUFACTURED HOME PARK,**
5 **AND DIRECTING AMENDMENT OF THE OFFICIAL ZONING DISTRICT MAP TO**
6 **REFLECT THE RECLASSIFICATION OF THE PROPERTY'S ZONING DISTRICT;**
7 **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 R-MH-2, Manufactured Home Park, subject to the conditions contained in the PC-2063 file,
12 and that the official Zoning District Map shall be amended to reflect the reclassification of the
13 property's zoning district as specified in this ordinance:

14 SEE ATTACHED LEGAL DESCRIPTION

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

17 SECTION 3. SEVERABILITY. If any section, sentence, clause or portion of this ordinance is
18 for any reason held to be invalid, such decision shall not affect the validity of the remaining
19 portions of the ordinance.

20 PASSED AND APPROVED by the Mayor and Council of the City of Midwest City, Oklahoma,
21 on the _____ day of _____, 2021.

22 THE CITY OF MIDWEST CITY,
23 OKLAHOMA

24 _____
25 MATTHEW D. DUKES II, Mayor

26 ATTEST:

27 _____
28 SARA HANCOCK, City Clerk

29 APPROVED as to form and legality this _____ day of _____, 2021.

HEATHER POOLE, City Attorney

LEGAL DESCRIPTION

Parkway Manufactured Home Community Rezone Boundary

December 2, 2020

A tract of land being a part of the Southwest Quarter (SW/4) of Section Seven (7), Township Eleven (11) North, Range One (1) West of the Indian Meridian, Midwest City, Oklahoma County, Oklahoma, and being all part of that parcel of land described in the General Warranty Deed recorded in Book 11721, Page 837 (Stonetown deed), LESS & EXCEPT that portion thereof which is known to be former Railroad (RR) land, said tract being more particularly described as follows:

COMMENCING at the Southeast (SE) Corner of said SW/4;

THENCE, along and with the South line of said SW/4, the following two calls:

1. South 89°04'26" West, a distance of 427.45 feet to the Southeast (SE) corner of said Stonetown deed, said point being the POINT OF BEGINNING;
2. continuing South 89°04'26" West, along and with the South line of said Stonetown deed, a distance of 854.90 feet to the Southwest (SW) corner of said Stonetown deed;

THENCE North 00°32'10" West, along and with the West line of said Stonetown deed, a distance of 1,583.42 feet to a point on the South line of said former RR land;

THENCE, along and with the South line of said former RR land, the following three calls:

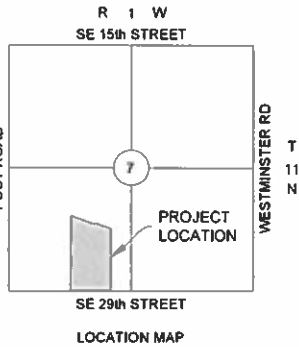
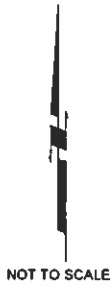
1. South 70°46'00" East, a distance of 527.66 feet;
2. North 19°14'00" East, a distance of 30.00 feet;
3. South 70°46'00" East, a distance of 365.62 feet to a point on the East line of said Stonetown deed;

THENCE South 00°43'00" East, along and with said East line, a distance of 1,303.70 feet to the POINT OF BEGINNING.

Containing 1,228,401 square feet or 28.2002 acres, more or less.

Basis of Bearing: The South line of the SW/4 of Section 7, Township 11 North, Range 1 West having a bearing of South 89°04'26" West, according to the recorded deed thereof

Line Table		
Line #	Direction	Length
L1	N19°14'00"E	30.00'



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Proj. No.:	4681
Date:	12-02-20
Scale:	N.T.S.

**PARKWAY MANUFACTURED
HOME COMMUNITY**
MIDWEST CITY, OKLAHOMA COUNTY, OKLAHOMA
REZONING EXHIBIT

Johnson & Associates, Inc.
1 E. Sheridan Ave., Suite 200
Oklahoma City, OK 73104
(405) 235-9075 Fax (405) 235-8076 www.jaohc.com
Certificate of Authorization #1484 Exp. Date 06-30-2021
• ENGINEERS • SURVEYORS • PLANNERS •



Parkway Manufactured Home Community Expansion

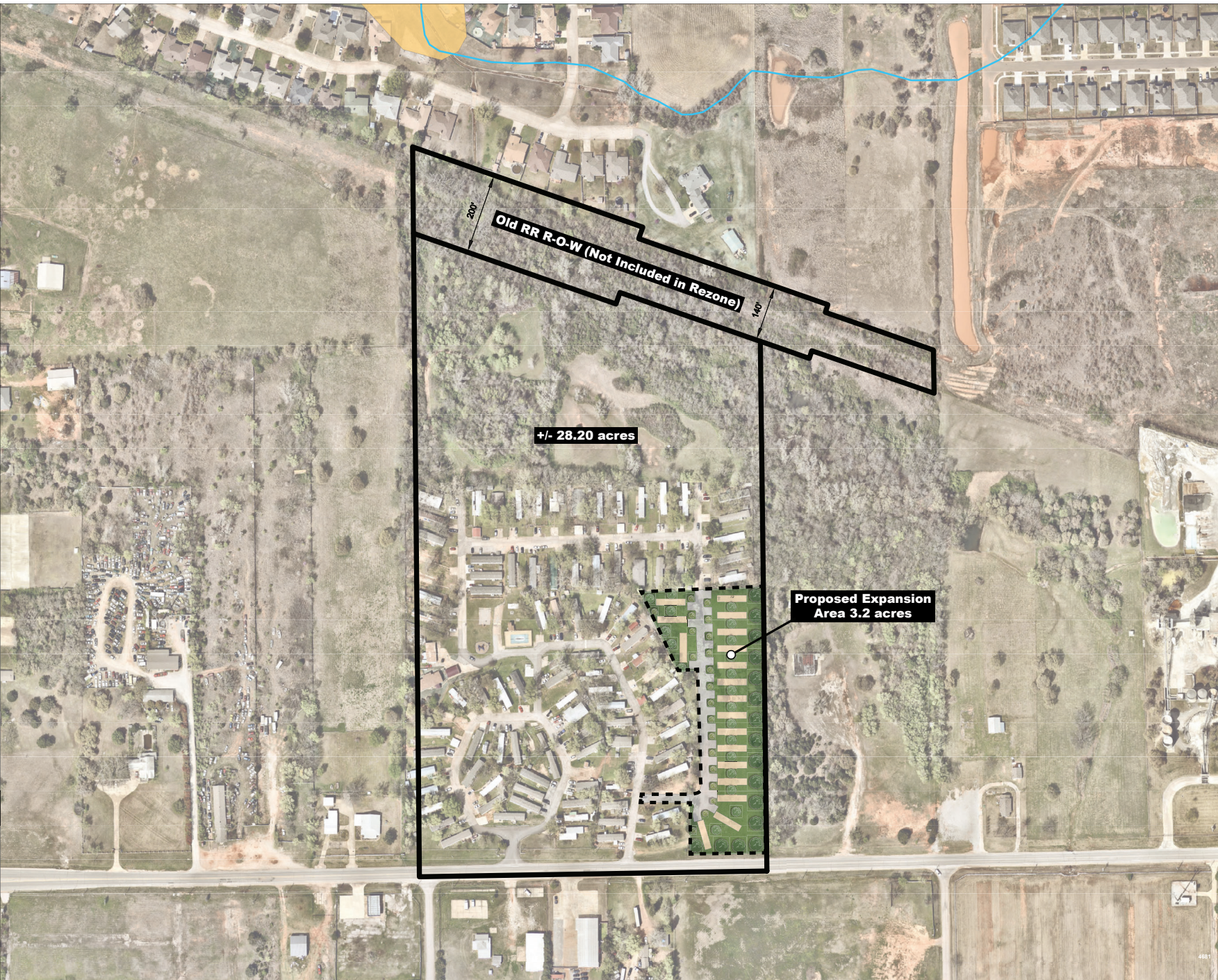
Conceptual Site Plan



Johnson & Associates, Inc.
1 E. Sheridan Ave., Suite 200
Oklahoma City, OK 73104
(405) 235-8875 FAX (405) 235-8875

ENGINEERS SURVEYORS PLANNERS

10/28/20
Conceptual site plan showing feasible option permitted under proposed rezoning



Parkway Manufactured Home Community

Rezone Boundary Exhibit



Johnson & Associates, Inc.
1 E. Sheridan Ave., Suite 200
Oklahoma City, OK 73104
(405) 235-8075 FAX (405) 235-8076

ENGINEERS SURVEYORS PLANNERS

12/3/20

Conceptual site plan showing feasible option permitted under proposed rezoning

4881



The City of
MIDWEST CITY
 COMMUNITY DEVELOPMENT DEPARTMENT

Billy Harless, Community Development Director

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

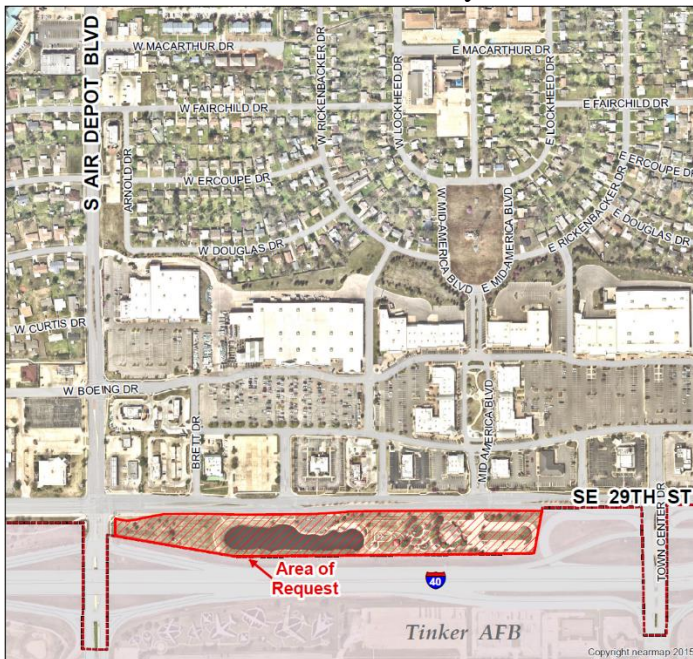
To: Honorable Mayor and City Council

From: Billy Harless, Community Development Director

Date: January 12, 2021

Subject: (PC – 2064) Public hearing with discussion and consideration of approval of an ordinance redistricting from Planned Unit Development (PUD) to Amended PUD, for the property described as a part of the NW/4 of Section 15, T-11-N, R-2-W, located at 7200 S.E. 29th Street.

Executive Summary: This is a request to amend the existing PUD to allow an additional monument sign as well as an interactive plaza featuring a selfie station. This property is owned by the City of Midwest City, however, the State recently took over operation of the Oklahoma Visitor’s Center. Staff was approached in October about adding an additional monument sign as well as a plaza in Bicentennial Park. The original PUD and staff report was specific in the signage that was to be allowed on the area of request and did not allow for any additional signage. No changes are requested with regard to use. Action is at the discretion of the City Council.



Dates of Hearing: Planning Commission – December 1, 2020
 City Council – January 12, 2021

Owner : City of Midwest City

Applicant: Jim Beach, Wallace Engineering

Proposed Use: The existing uses of a park, water feature, Welcome Center and public service sign will remain. This is a request to allow an additional monument sign and a selfie station.

Size:

The area of request has a frontage along SE 29th Street of approximately 1947 ft and a varying depth, containing an area of approximately 8 acres.

Development Proposed by Comprehensive Plan:

Area of Request – Park / Open Space
North – Town Center
South – Tinker Air Force Base
East – I-40 right-of-way
West – I-40 right-of-way

Zoning Districts:

Area of Request – PUD, governed by the C-3, Community Commercial District
North – PUD
South – Tinker Air Force Base
East and West – I-40 right-of-way

Land Use:

Area of Request – park, water feature, welcome center
North – commercial development
South – Tinker Air Force Base
East and West – I-40 right-of-way

Comprehensive Plan Citation:

Commercial Land Uses

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 pawn shops. Commercial uses often locate 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 the outside storage areas and these areas tend to lessen the visual quality of major thoroughfares.

Municipal Code Citation:

2.25 PUD, Planned Unit Development

2.25.1 General Provisions

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

The PUD may be used for particular tracts or parcels of land that are under common ownership and are to be developed as one unit according to a master development plan.

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

2.25.2 Intent and Purpose

The intent and purpose of the PUD provisions are as follows:
(A) Innovative land development

Encourage innovative land development while maintaining appropriate limitations on the character and intensity of use, assuring compatibility with adjoining and proximate properties, and following the guidelines of the comprehensive plan.

(B) Flexibility within developments

Permit flexibility within the development to maximize the unique physical features of the particular site.

(C) Efficient use of land

Encourage efficient use of land, facilitate economic arrangements of buildings and circulation

systems, and encourage diversified living environments and land uses.

(D) Function, design and diversity

Achieve a continuity of function and design within the development and encourage diversified living environments and land uses.

(E) Modifications to development requirements

Provide a vehicle for negotiating modifications in standard development requirements in order to both encourage innovative development and protect the health, safety and welfare of the community.

History:

1. This property was zoned residentially with the adoption of the 1985 Zoning Map.
2. A PUD, Planned Unit Development, was approved for the area of request in August 2016. (PC-1880)
3. The Planning Commission Recommended approval of this item December 1, 2020.

Staff Comments:

Engineer's Report:

Note: This application is amending the PUD at 7200 S.E. 29th Street.

Water Supply and Distribution

The subject property is served by a six (6) inch public water main is located on the south side of S.E. 29th Street. Water line improvements are not required as outlined in Municipal Code 43-32.

Sanitary Sewer Collection and Disposal

The subject property already operates a local lift station which is then served by an eight (8) inch public sewer main running to the west. Sewer line improvements are not required as outlined in Municipal Code 43-109.

Streets and Sidewalks

Access to the area of request is available via a signalized drive directly across from Mid-America Boulevard on S.E. 29th Street which is classified as a Primary Arterial in the 2008 Comprehensive Plan.

Drainage and Flood Control, Wetlands, and Sediment Control

None of the area of request is affected by flood zone AE (the 100-year floodplain) as shown on the effective Flood Insurance Rate map (FIRM) number 40109C0320H, dated December 18th, 2009.

Easements and Right-of-Way

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

Fire Marshall's Report:

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

Planning Comments:

The site is already developed with a welcome center, park, an air force jet fighter plane exhibit, a water feature/detention area and a public service sign on the far western portion of the site. The State has recently taken over operations of the Visitor's Center and is making this application to request an additional monument sign on the site. The applicant also plans to add a plaza with a selfie station and a dog park. These are allowable uses under the current PUD.

No additional changes to the allowable uses are requested.

Renderings of the monument, selfie station and plaza are included within this report.

Action is at the discretion of the City Council.

Action Required: Approve or reject the ordinance to amend the PUD for the property as noted herein, subject to the staff comments as found in the January 12, 2021 agenda packet and made a part of PC- 2064 file.



Billy Harless, AICP
Community Development Director
KG



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 - 2064

Date: 18 November 2020

PC-2064 is a request to amend the PUD for the Welcome Center. The amendment is to allow an additional monument sign and a selfie station.

- 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.

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: November 10th, 2020

Subject: Engineering staff comments for pc-2064 application to amend a PUD.

ENGINEERING STAFF CODE CITATIONS AND COMMENTS - PC-2064:

Note: This application is amending the PUD at 7200 S.E. 29th Street.

Water Supply and Distribution

The subject property is served by a six (6) inch public water main is located on the south side of S.E. 29th Street. Water line improvements are not required as outlined in Municipal Code 43-32.

Sanitary Sewerage Collection and Disposal

The subject property already operates a local lift station which is then served by an eight (8) inch public sewer main running to the west. Sewer line improvements are not required as outlined in Municipal Code 43-109.

Streets and Sidewalks

Access to the area of request is available via a signalized drive directly across from Mid-America Boulevard on S.E. 29th Street which is classified as a Primary Arterial in the 2008 Comprehensive Plan.

Drainage and Flood Control, Wetlands, and Sediment Control

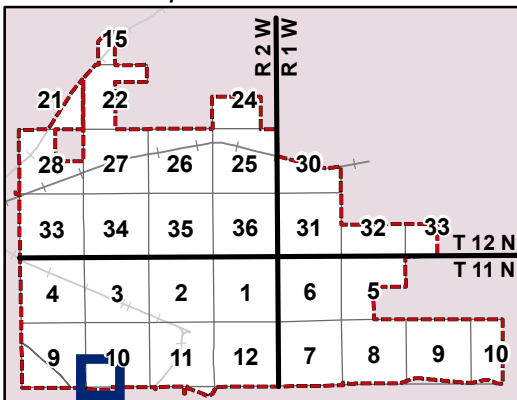
None of the area of request is affected by flood zone AE (the 100-year floodplain) as shown on the effective Flood Insurance Rate map (FIRM) number 40109C0320H, dated December 18th, 2009.

Easements and Right-of-Way

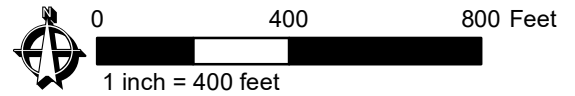
No additional rights-of-way and/or easements are required with this application.



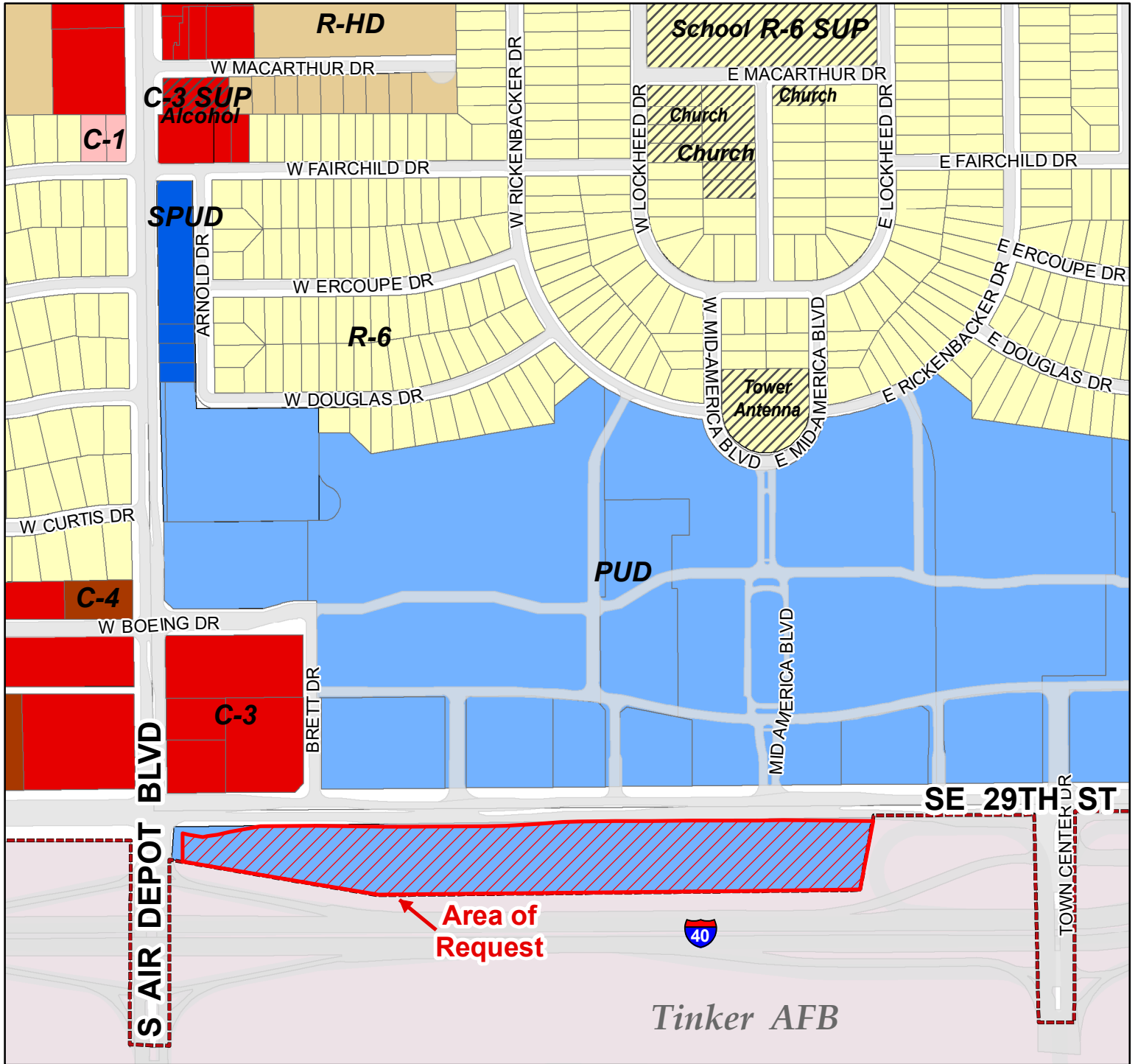
Locator Map



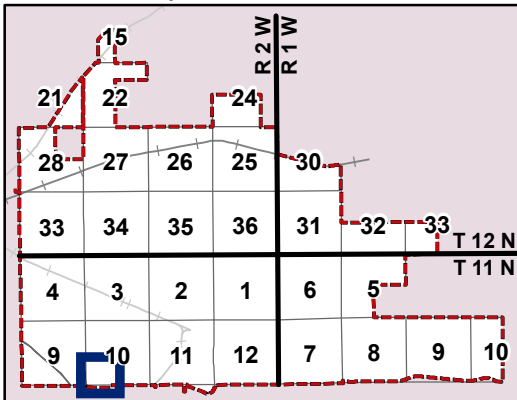
**3/2020 NEARMAP AERIAL VIEW FOR
PC-2064
(NW/4, Sec. 15, T11N, R2W)**



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-2064**

(NW/4, Sec. 15, T11N, R2W)



0 400 800 Feet

1 inch = 400 feet

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.

PUD No. PC-1880

Design Statement of the Planned Unit Development titled

Bicentennial Park PUD

Midwest City, Oklahoma

July 29, 2016

Owner:

City of Midwest City

100 N. Midwest Blvd.

Midwest City, OK

General Location:

This property is located south of Lot 3C and Outparcels 5, 6, 7 and 8 of the Town Center Plaza development. It is bound on the south by Interstate 40 and on the east and west by Interstate 40 right-of-way.

The property is primarily already developed. There are no residential uses abutting or near the site. Traffic will be routed from and onto the major arterial street of SE 29th Street.

PUD Concept:

This site encompasses an area of approximately 8 acres, more or less. See the Master Development Plan Map for a site layout.

The site is currently developed with the Midwest City Welcome Center, a playground, detention pond/water feature and a decommissioned air force jet fighter plane. Parking for the existing uses is already available. The only additional use proposed through this PUD is that of one public service, informational sign.

Site and Surrounding Areas:

To the north of the site is the Town Center Plaza, a large commercial shopping and dining center. To the south, east and west is Interstate 40 and Interstate 40 right-of-way.

The Midwest City Welcome Center that is located on the site was built in 1998. The playground was built around the same time. The detention pond/water feature was developed in 2005 to accommodate drainage from the neighboring Town Center development.

Governing Zoning Districts:

The development as proposed will be governed by the C-3, Community Commercial District as with the Midwest City Zoning Ordinance along with the Planned Unit Development requirements found in this PUD Design Statement. The permitted uses with this PUD from the Community Commercial district shall be as listed below.

Special Development Regulations:

The following uses will be the only uses permitted within the area of this PUD;

Community Recreation: Restricted

Cultural Exhibits

Administrative and Professional Offices

Convenience Sales and Personal Services

Personal Services: Restricted

There are currently two monument signs for the Midwest City Welcome Center on either side of the entrance drive. These two signs will remain. In 2013, the Midwest City Chamber of Commerce was awarded grant money for a public service, informational sign to be located near Interstate 40 displaying information regarding upcoming activities, promotions and events produced by the City of Midwest City and/or the Midwest City Chamber of Commerce. This sign would be considered a public service sign according to the Midwest City Zoning Ordinance. This PUD would allow for one sign to be placed on the lot as indicated on the Master Development Plan Map. The maximum height of the proposed sign would be 20'0". There is a low point on the site and that is where the sign is proposed to be located. The height shall be 20' from the elevation of the adjacent roadway. The maximum surface area would not exceed 180 square feet per side. The surface area of the sign incorporates a digital sign face on either side. Video and still images are proposed on both digital faces. A rendering of the proposed sign is included in this PUD. Decorative poles similar to styles used in Town Center Plaza are incorporated in the design of the sign. In the case of a conflict with the Midwest City Sign Ordinance regarding pole covers, a variance allowing poles as shown on the rendering is requested. No commercial advertising will be displayed on this public service sign.

Special events such as food truck sales, cruise-ins, festivals and bike nights that are allowed in the C-3 district shall also be allowed on this site.

Access to the site is existing via two curb cuts onto SE 29th Street. No new access points are requested in this PUD.

Physical Characteristics:

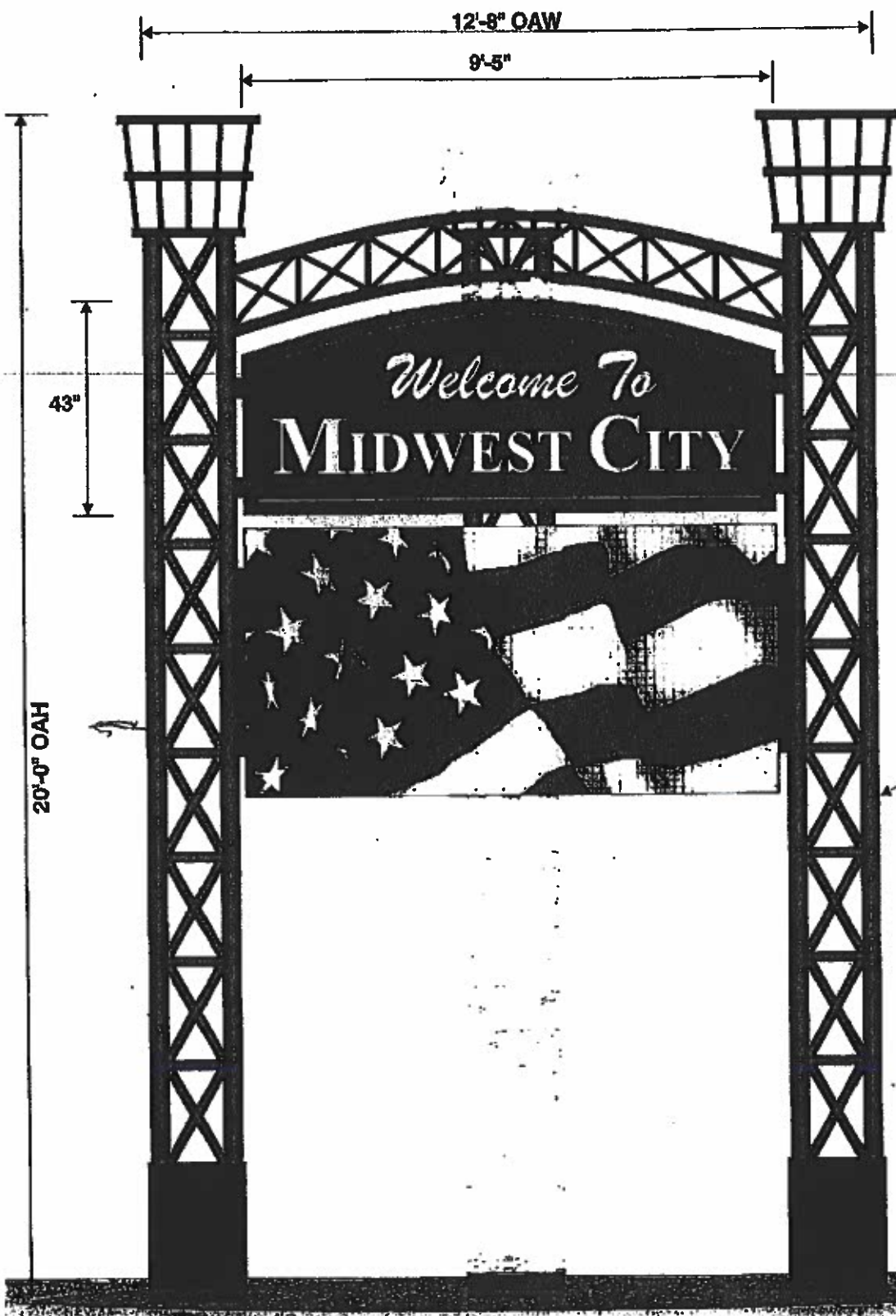
According to the US Web Soil Survey, the site is identified as urban land. Trees are sparse throughout the site. No trees will be removed during the installation of the proposed informational sign. There are no flood plains impacting this site. Drainage for the site is provided by the Town Center Development regional detention pond.

Sequence of Development:

The only new development on the site will be the installation of the non-accessory sign. The current uses are fully developed. No other development is proposed on this site.

q'

fabricate and install a D/F pylon sign - rout-out copy, plex backing - internally illuminated - painted finish pylon with two sides having signage - custom fabricated poles...



We made this sign 20' over all height because that is the limit in Midwest City.

The price for manufacturing and installing this sign is.....\$83,105.00. This sign incorporates two digital sign faces. The digital sign is made by WatchFire, the leader in electronic signs for the sign industry. The size is 4'-5" x 9'-0-3". This will be a 19mm RGB, full color, with a 64 x 144 matrix. The ID portion of the sign will be rout out show thru, aluminum face backed with white plex.

watchfire 19mm
RGB full color
64X144 matrix
4'-5"h X 9'-3"w

40.8%

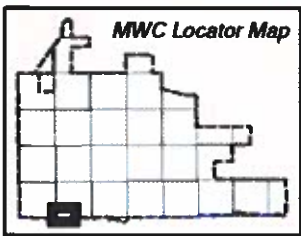
19" OAW pole system - square tubing cross members with round steel poles.

CLIENT City of Midwest City
SALESMAN Bill SCALE 3/8" = 1'
DESIGNER AJ APPROVAL

401 North Ann Arbor
Oklahoma City, OK.
73127



Master Development Plan Map for Proposed Welcome Sign



Legend

- City Projects
 - Parks
 - MWC City Limits
 - * Proposed Sign Location
- 0
400 Ft

Design Statement
Amendment to PUD Number PC-1880

Bicentennial Park PUD
Midwest City, Oklahoma
November 2, 2020

Purpose

This application proposes to amend PUD No. PC-1880, Centennial Park PUD. The site is the location of an Oklahoma Visitor's Center which, along with a number of others along highways across the state, is being enhanced to create a welcoming "front door" experience for visitors to Oklahoma that reinforces the state's rebranding efforts and is representative of a top 10 state.

A new Welcome Sign will greet travelers, inviting them to visit the Welcome Center and discover what our great state has to offer. Once they have arrived, visitors are offered a unique opportunity to "capture" their experience with selfies and video to share with the world.

Proposed Enhancements

The original PUD, approved in August-September 2016, is attached for reference. Nothing in this proposed amendment changes the approved PUD except the addition of a **welcome sign** and an interactive **plaza**. There are also improvements to the interior of the visitor's center building but no exterior changes are proposed at this time.

The Plaza will tell a story unique to the Welcome Center's geographic region. The plaza will have themed graphic elements that serve as a colorful and exciting backdrop for visitors to capture images. Visitors will be provided with an opportunity to learn additional information about Oklahoma and share with their friends and family. Please see attached illustrations and site plan.

The Welcome Sign will mark the visitor's beginning experience to each Welcome Center. The construction of the Welcome Sign will be cast-in-place concrete with raised signage elements and will be illuminated at night. Please see attached illustrations and site plan.

Further detail about the area zoning, adjacent land uses, location, and illustrations of the now-existing elements can be found in the attached original PUD.

Owner:

City of Midwest City
100 N. Midwest Blvd.
Midwest City, Oklahoma

Wallace Engineering
Structural Consultants, Inc.
123 North Martin Luther King Jr. Boulevard
Tulsa, Oklahoma 74103
918.584.5858, 800.364.5858
www.wallacesc.com





SELSER SCHAEFER ARCHITECTS
© 2020

SCALE: 1/4" = 1'-0"
0 2 4 8

ELEVATION

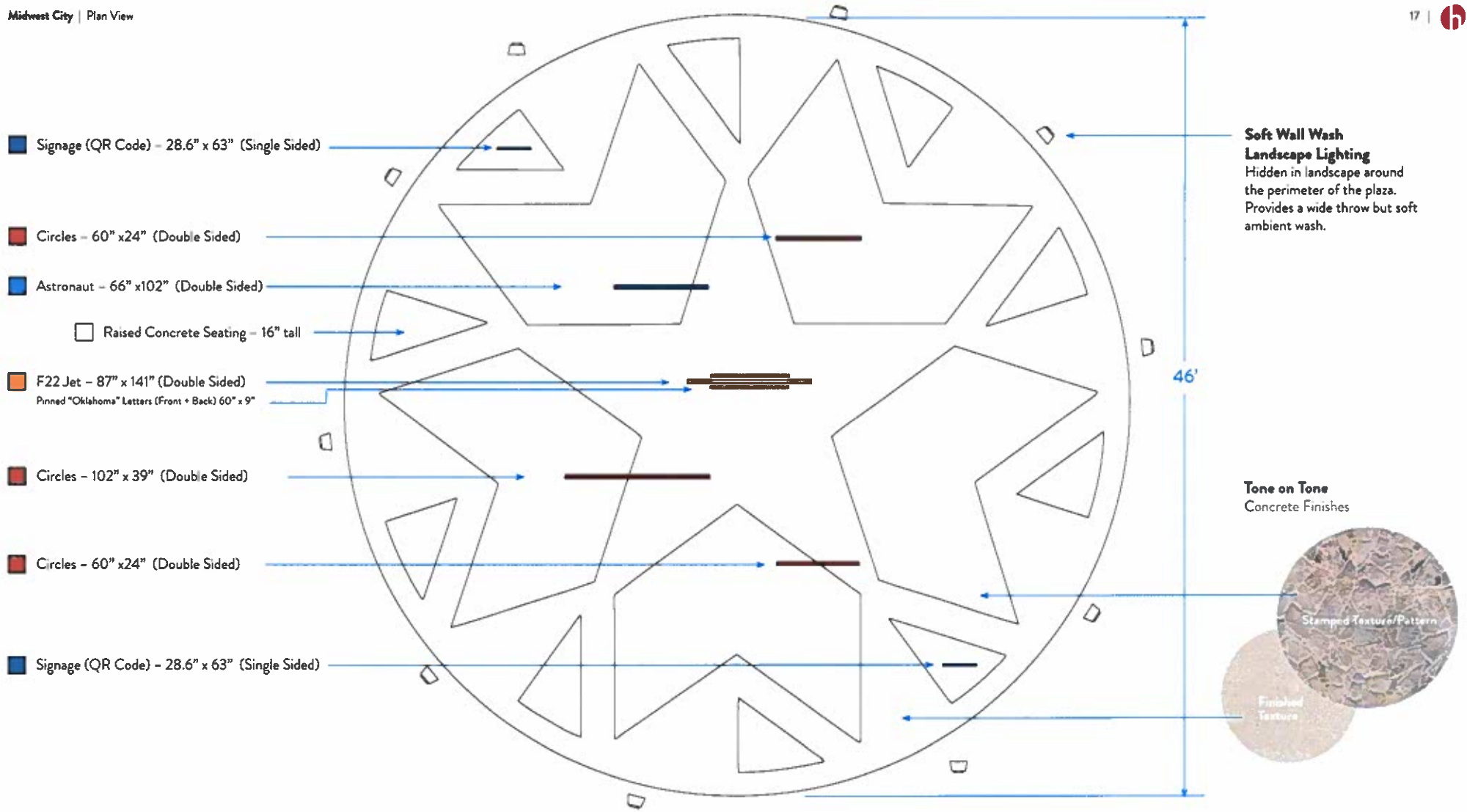
OMES VISITOR CENTER
ENTRY SIGNAGE

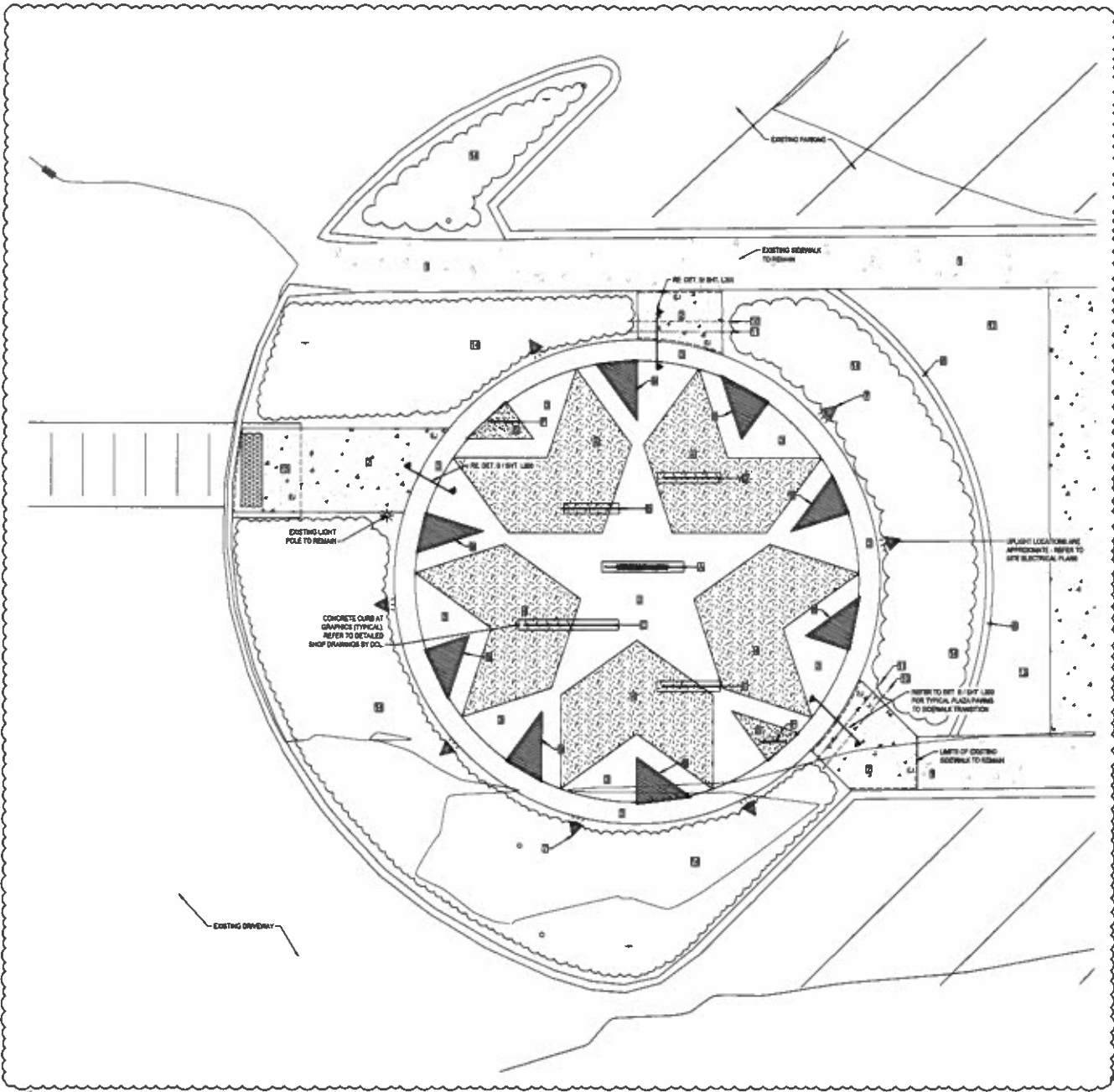
August 21, 2020


OKLAHOMA
The Great Plains State
**Clear Eyes.
Blue Skies.**
The OK State is a beautiful
land of endless possibilities.
From the heart of the
Midwest, we have a rich
heritage of culture and
tradition. Our state is
a place of opportunity
and growth. We are
proud to be a part of
the Oklahoma family.
Experience it all in
the heart of the state.
Visit us today at
www.ok.gov


Imagine that.







- HARDSCAPE LEGEND**
- EXISTING SIDEWALK (TO REMAIN)
 - NEW CONCRETE SIDEWALK (SEE CIVIL DETAILS - SHT. C000)
 - PLAIN CONCRETE - PLAZA (SEE STRUCTURAL SHEET 0002)
 - TEXTURED / COLORED CONCRETE - PLAZA (SEE DET. A1 SHT. L300 AND STRUCTURAL SHEET 0002)
 - COLORED CONCRETE - PLAZA (SEE DET. A1 SHT. L300)
 - 6 INCH WIDE CONCRETE BED EDGING (SEE DET. C011, L300)
 - ACCIDENT LIGHT AT PLAZA (SEE SITE ELECTRICAL PLANS - ADD ALTERNATE NO. 7)
 - 18 INCH HT. PLAZA BENCH - TYPE 6 (SEE DET. C1 SHT. L300 AND STRUCTURAL SHT. 0002)
 - 16 INCH HT. PLAZA BENCH - TYPE 8 (SEE DET. C2 SHT. L300 AND STRUCTURAL SHT. 0002)
 - 8 INCH 40-PPVC IRRIGATION BLENNE (4")
 - ELECTRICAL BLENNE
 - BERBERCHA LAWN
 - EXISTING TREE TO REMAIN
 - LANDSCAPE PLANTING BED (SEE LANDSCAPE PLANS)
 - CURB RAMP (SEE CIVIL DETAILS - SHT. C000)

- ENVIRONMENTAL GRAPHICS LEGEND**
- 722 SET - 4" x 14" (DOUBLE SIDED)
PAVED "OKLAHOMA" LETTERS (FONT - BOLD) 8" x 9"
 - ASTRONAUT - 18" x 12" (DOUBLE SIDED)
 - CIRCLES - 10" x 3" (DOUBLE SIDED)
 - CIRCLES - 6" x 3" (DOUBLE SIDED)
 - CIRCLES - 4" x 3" (DOUBLE SIDED)
 - SIGNAGE (SEE CODE) - 24" x 8" (DOUBLE SIDED)

ENVIRONMENTAL GRAPHICS NOTES:
REFER TO ENVIRONMENTAL GRAPHICS SHOP DRAWINGS FOR EXACT ELEMENT DIMENSIONS. REFER ALSO TO STRUCTURAL DRAWINGS FOR ELEMENT FOOTINGS AND FINISH THICKNESS.

- HARDSCAPE NOTES**
- CALL 811 PRIOR TO EXCAVATION/CONSTRUCTION. CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE CAUSED TO UTILITIES WHICH MAY OCCUR DUE TO HIS ACTION OR LACK THEREOF ON THE PROJECT SITE DURING CONSTRUCTION. CONTRACTOR SHALL SEEK THE ASSISTANCE OF LOCAL UTILITIES AND THE OWNER IN LOCATING THE UTILITIES PRIOR TO RESPONDING DIGGING / TRENCHING OPERATIONS IN ANY AREA.
 - REFER TO SHEET L102 FOR PLAZA LAYOUT AND OVERLAPPING PLAN.
 - REFER TO CIVIL PLANS FOR PLAZA AREA AND SITE GRADING.
 - REFER TO SHT. L300 FOR PAVING DETAILS AND NOTES.

OKLAHOMA TOURISM & RECREATION
 MIDWEST CITY
 VINTON CENTER
 PLAZA SITE PLAN
 10/14/18
 PL. 1
 15.000

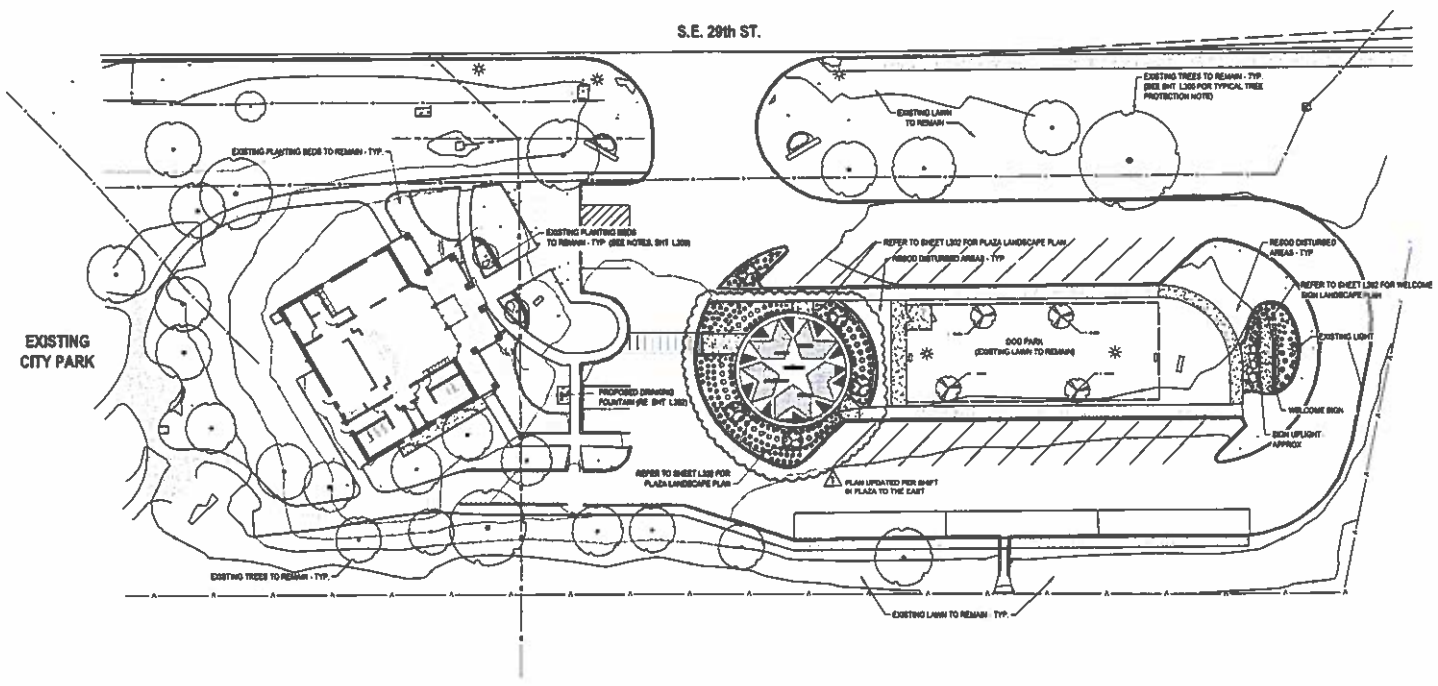
SELSER SCHAEFER ARCHITECTS

OKLAHOMA
 Tourism & Recreation

OK VINTON CENTER
 MIDWEST CITY
 1000 W. 7th S
 MIDWEST CITY, OKLAHOMA 73101
 PERMIT NO.
 15.000
 PROJECT NO.
 19148
 DATE
 10/14/18
 PL. 1
 15.000
 PLAZA SITE PLAN

SCALE: 1/4" = 1'-0"

GENERAL NOTES
 FOR ALL DISTURBED SITE AREAS, BERMUDA SOO (SOLID SOO) SHALL BE REQUIRED FOR REVEGETATION.



I-40



SELSER SCHAEFER ARCHITECTS



OKLAHOMA
 Tourism & Recreation



OK VISITOR CENTER
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L301



Google

1 **PC-2064**

2 **ORDINANCE NO. _____**

3 **AN ORDINANCE RECLASSIFYING THE ZONING DISTRICT OF THE PROPERTY**
4 **DESCRIBED IN THIS ORDINANCE TO AMENDED PUD, PLANNED UNIT**
5 **DEVELOPMENT, AND DIRECTING AMENDMENT OF THE OFFICIAL ZONING**
6 **DISTRICT MAP TO REFLECT THE RECLASSIFICATION OF THE PROPERTY'S**
7 **ZONING 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 Amended PUD, Planned Unit Development, subject to the conditions contained in the PC-
12 2064 file, and that the official Zoning District Map shall be amended to reflect the
13 reclassification of the property's zoning district as specified in this ordinance for the property
14 described as:

15 A part of the NW/4 of Section 15, T-11-N, R-2-W, located at 7200 SE 29th Street.

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

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

21 PASSED AND APPROVED by the Mayor and Council of the City of Midwest City, Oklahoma,
22 on the _____ day of _____, 2021.

23 THE CITY OF MIDWEST CITY,
24 OKLAHOMA

25 _____
26 MATTHEW D. DUKES II, Mayor

27 ATTEST:

28 _____
29 SARA HANCOCK, City Clerk

APPROVED as to form and legality this _____ day of _____, 2021.

HEATHER POOLE, City Attorney



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
Kellie 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

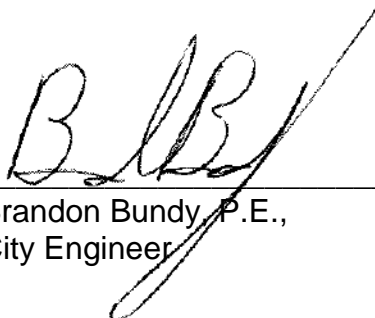
FROM : Brandon Bundy, P.E., City Engineer

DATE : December 8th, 2020

SUBJECT : Discussion of the conceptual design of Mid-America Park, a 2018
General Obligation Bond project.

The city has retained RL Shears to design Mid-America Park, a 2018 General Obligation Bond project. At this point RL Shears has completed the conceptual design for the park and is submitting the drawings for Council viewing. On November 16th, the design was approved by the Park Board with recommendation to move forward with construction drawings. Expectation is to have construction drawings completed late summer of 2021 with construction in late 2021 or early 2022.

No action is needed by Council.



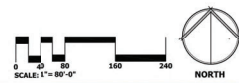
Brandon Bundy, P.E.,
City Engineer

Attachment



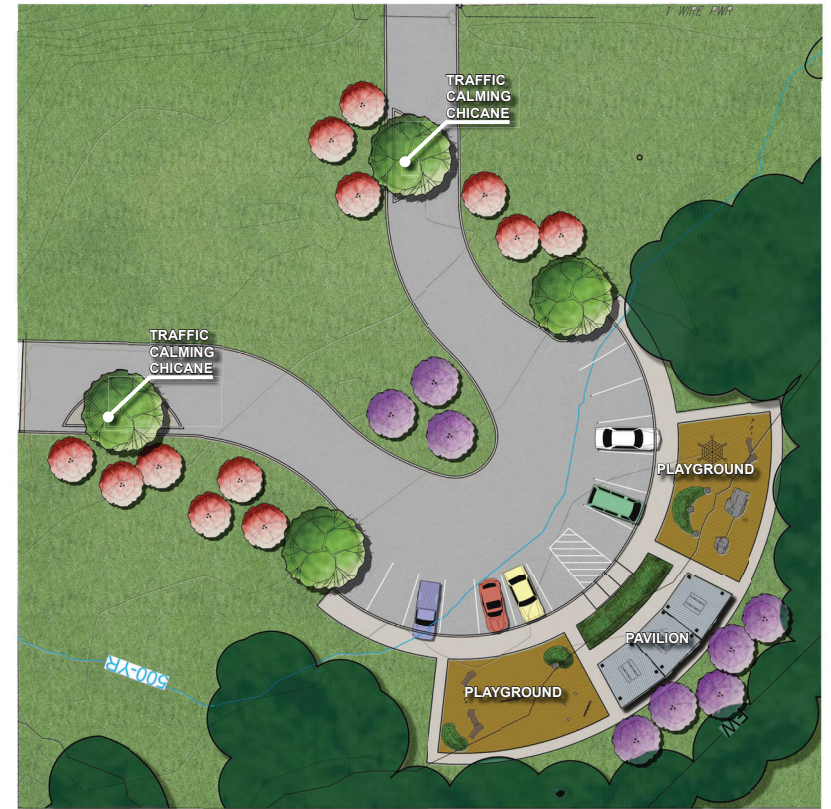
LEGEND

- A** COMMUNITY PARK PAVILION & RESTROOMS
- B** INCLUSIVE PLAYGROUND
- C** SPLASH PAD
- D** DISC GOLF PUTTING GREEN
- E** DISC GOLF PRACTICE TEES
- F** COMMUNITY GARDEN
- G** SPORTS COURTS
- H** BRIDGE
- I** SOLDIER CREEK OVERLOOK
- J** POLLINATOR MEADOWS
- K** NATURE PARK PAVILION & PLAYGROUNDS
- L** DISC GOLF TEE #1





COMMUNITY PARK CONCEPT



NATURE PARK CONCEPT











Public Works Administration

R. Paul Streets, Director
pstreets@midwestcityok.org

405-739-1061

Patrick Menefee, Public Works City Engineer
pmenefee@midwestcityok.org

405-739-1062

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

To: Honorable Mayor and Council

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

Date: January 12, 2021

Subject: Discussion and consideration of rejecting the bids received from Cimarron Construction and Jim Cooley Construction for the construction and installation of the new I-40 and Hudiburg Drive Guard Rails and Safety Wall Improvements.

The accompanying bids are for the construction and installation of the new I-40 and Hudiburg Drive Guard Rails and Safety Wall Improvements. The two bid totals and the engineer's estimate are attached. The bids exceed the Capital Outlay budget dedicated to the project. The improvement's construction is funded through the (013) Street and Alley Capital Outlay.

Rejection of the bids is at the discretion of the City Council.

Patrick Menefee, P.E.,

City Engineer

Attachment



ENGINEERING | SURVEYING | PLANNING

SMITH ROBERTS BALDISCHWILER, LLC

January 4th, 2021

Honorable Mayor and City Council
City of Midwest City
100 North Midwest Boulevard
Midwest City, Oklahoma 73110

RE: Bid Tab Calculation
Hudiburg Drive Safety Wall &
Guardrail Improvements

Dear Mayor and City Council:

Enclosed is the bid tabulation and all of the original bid forms for the bids received on **December 29th, 2021** for the above referenced project. Following are the apparent bid results.

Engineer's Estimate	\$173,145.50
CONTRACTOR	BASE BID
Cimarron Construction Company	\$193,391.00
Jim Cooley Construction, LLC	\$269,785.00

Upon review of the bid documents, no discrepancies were found with the bid from Cimarron Construction Company. However, Jim Cooley Construction's bid did have two errors which are listed below:

- 1) Jim Cooley Construction, LLC, Bid was incorrectly listed, TOTAL is \$269,785.00 (incorrectly written \$264,785.00)
- 2) Jim Cooley Construction, LLC, did not properly fill out "Unit Price" column with the Unit and Totals not matching Bid Proposal. (Unit Prices on Bid Tab were added for proper extensions and comparisons.

Based on these bid results, the lowest responsible bidder, **Cimarron Construction Company**.

LOW BID AMOUNT \$193,391.00

Please place this item on the next available council agenda for consideration. Should you have any questions or comments, please contact our office.

Sincerely,

Smith Roberts Baldischwiler, LLC

Craig H. Wallace,
Vice-President

Cc: File #116002A

Date: 12/29/20		SUMMARY OF PAY ITEMS				Engineering Estimate (Original)		Jim Cooley Construction, LLC.		Cimarron Construction Company	
ITEM NO.	SPEC. NO.	ITEM	UNIT	ESTIMATED QUANTITY	AS-BUILT	UNIT BID	AMOUNT	UNIT BID	AMOUNT	UNIT BID	AMOUNT
1	230	SOLID SLAB SODDING	LS	1		\$ 5,500.00	\$ 5,500.00	\$ 3,800.00	\$ 3,800.00	\$ 3,394.00	\$ 3,394.00
2	303(A)	AGGREGATE BASE TYPE A	CY	40		\$ 80.00	\$ 3,200.00	\$ 820.00	\$ 32,800.00	\$ 170.00	\$ 6,800.00
3	414(A)	PORTLAND CEMENT CONCRETE PAVEMENT (8")	SY	66		\$ 145.00	\$ 9,570.00	\$ 346.00	\$ 22,836.00	\$ 136.00	\$ 8,976.00
4	504(E)	CONCRETE PARAPET WALL	LF	114		\$ 225.00	\$ 25,650.00	\$ 327.00	\$ 37,278.00	\$ 415.00	\$ 47,310.00
5	504(E)	CONCRETE RAIL (TR4)	LF	10		\$ 200.00	\$ 2,000.00	\$ 1,450.00	\$ 14,500.00	\$ 434.00	\$ 4,340.00
6	623	GUARDRAIL	LF	302		\$ 22.50	\$ 6,795.00	\$ 114.00	\$ 34,428.00	\$ 74.00	\$ 22,348.00
7	609(B)	2'-8" COMBINED CURB & GUTTER (6" MOUNTABLE)	LF	146		\$ 45.00	\$ 6,570.00	\$ 86.00	\$ 12,556.00	\$ 88.00	\$ 12,848.00
8	609(B)	2'-8" COMBINED CURB & GUTTER (6" BARRIER)	LF	318		\$ 45.00	\$ 14,310.00	\$ 86.00	\$ 27,348.00	\$ 78.00	\$ 24,804.00
9	610(A)	4" CONCRETE SIDEWALK	SY	52		\$ 1,000.00	\$ 52,000.00	\$ 120.00	\$ 6,240.00	\$ 91.00	\$ 4,732.00
10	642(A)	CONSTRUCTION STAKING	LS	1		\$ 2,500.00	\$ 2,500.00	\$ 9,640.00	\$ 9,640.00	\$ 3,200.00	\$ 3,200.00
11	642(A)	CONSTRUCTION SIGNING AND TRAFFIC CONTROL	LS	1		\$ 5,000.00	\$ 5,000.00	\$ 19,629.00	\$ 19,629.00	\$ 15,985.00	\$ 15,985.00
12	641	MOBILIZATION	LS	1		\$ 10,000.00	\$ 10,000.00	\$ 12,300.00	\$ 12,300.00	\$ 7,700.00	\$ 7,700.00
13	SPEC.	COLOR AUDIO/VIDEO RECORDING, PRE & POST CONSTRUCTION (RECORDED DIGITALLY ON DVD)	LS	1		\$ 5,000.00	\$ 5,000.00	\$ 1,800.00	\$ 1,800.00	\$ 1,000.00	\$ 1,000.00
14	805(A)	RELOCATE STRUCTURE (PULL BOX)	EA	1		\$ 400.00	\$ 400.00	\$ 8,710.00	\$ 8,710.00	\$ 500.00	\$ 500.00
15	805(A)	REMOVE GUARDRAIL	LF	408		\$ 12.50	\$ 5,100.00	\$ 19.17	\$ 7,820.00	2 \$ 24.00	\$ 9,792.00
16	805(A)	REMOVE CONCRETE SIGN BASE	EA	7		\$ 150.00	\$ 1,050.00	\$ 442.86	\$ 3,100.00	2 \$ 530.00	\$ 3,710.00
17	805(A)	REMOVE CURB AND GUTTER	LF	464		\$ 15.00	\$ 6,960.00	\$ 18.97	\$ 8,800.00	2 \$ 33.00	\$ 15,312.00
18	805(A)	ADJUST EXISTING STRUCTURE (PULL BOX)	EA	2		\$ 650.00	\$ 1,300.00	\$ 3,100.00	\$ 6,200.00	2 \$ 320.00	\$ 640.00
SubTotal						\$ 157,405.00	\$ 269,785.00	\$ 269,785.00	\$ 193,391.00	\$ 193,391.00	\$ 193,391.00
Cont. 10%						\$ 15,740.50					
TOTAL						\$ 173,145.50	\$ 269,785.00	1	\$ 193,391.00	1	\$ 193,391.00

***BID NOTES:**

- 1) Jim Cooley Construction, LLC, Bid was incorrectly listed, TOTAL is \$269,785.00 (incorrectly written \$264,785.00)
- 2) Jim Cooley Construction, LLC, Did not properly fill out "Unit Price" column with the Unit and Totals not matching Bid Proposal. (Unit Prices on Tab were added for proper extensions and comparisons.

Apparent Low Bid is Cimarron Construction Company

Bid Notes 1 & 2



Information Technology
100 N. Midwest Boulevard
Midwest City, OK 73110
Office 405.739.1374
Fax 405.869.8602

MEMORANDUM

TO: Honorable Mayor and City Council

FROM: Allen Stephenson, Information Technology Director

DATE: January 12, 2021

SUBJECT: Discussion and consideration of 1) approving an additional \$120,000.00 from the 2018 Moving Midwest City Forward G.O. Bond project, to be used in conjunction with \$170,000.00 from Police funds, to purchase P25 Communications Equipment in an amount not to exceed \$290,000.00 from the Oklahoma State Wide Contract #SW1053T through Stolz Telecom LLC, and 2) a resolution for the City Council of the City of Midwest City relating to the expenditure of \$290,000.00 for the purchase of P25 Communications Equipment under the Oklahoma State Wide Contract #SW1053T through Stolz Telecom, LLC. as a part of the 2018 Moving Midwest Forward G.O. Bond.

As you may recall, the City of Midwest City Police department recently moved all communications to the Midwest City MOSAIC radio system to provide for more reliable radio communications system. In an effort to overcome coverage issues and secure communications, Midwest City IT staff has worked with the Police department and Stolz Telecom, LLC. to identify P25 communications equipment for a primary radio system that will be located within our city limits and used in conjunction with the existing P25 site located in Oklahoma City. This project supports our overall communications plan and extends coverage while adding security and redundancy to our communications system.

RESOLUTION NO. 2021-_____

A RESOLUTION FOR THE CITY COUNCIL OF THE CITY OF MIDWEST CITY RELATING TO THE EXPENDITURE OF \$284,736.17 FOR THE PURCHASE OF P25 COMMUNICATIONS EQUIPMENT UNDER THE OKLAHOMA STATE WIDE CONTRACT #SW1053T FOR 2020-2021 WITH STOLZ TELECOM LLC AS THE AUTHORIZED DEALER INDICATING THE OFFICIAL ACTION OF THE CITY COUNCIL FOR EXPENDITURE BY THE ISSUANCE OF TAX EXEMPT GENERAL OBLIGATION BONDS OF THE CITY OF MIDWEST CITY, PREVIOUSLY AUTHORIZED AT AN ELECTION HELD FOR THAT PURPOSE ON AUGUST 28, 2018 AUTHORIZING THE PURCHASE.

WHEREAS, it is necessary that the City of Midwest City purchase p25 communications equipment; and

WHEREAS, State of Oklahoma, after providing ample opportunity for competitive bidding as required by the City of Midwest City's Purchasing and Bid Regulations, awarded a contract for p25 communications equipment to Stolz Telecom LLC as the authorized dealer for fiscal year 2020-2021; and

WHEREAS, Stolz Telecom LLC is a reputable and stable company that can provide reliable equipment needed by the City of Midwest City; and

WHEREAS, Stolz Telecom LLC has indicated a willingness to charge the City of Midwest City the same or a lower price for p25 communications equipment it purchases as is charged to the Oklahoma State Wide Contract # SW1053T for said equipment;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Midwest City:

1. That it accepts and adopts Oklahoma State Wide Contract for public safety p25 communications equipment under the same terms and conditions;
2. That the City of Midwest City hereby awards the purchase of p25 communications equipment to Stolz Telecom LLC in the amount of \$284,736.17; and
3. The City Council of the City of Midwest City hereby declares its official intent to procure this expenditure by the issuance of tax exempt general obligation bonds of the City, previously authorized at an election held for that purpose on August 28, 2018.
4. That, it being immediately necessary for the preservation of the peace, health and safety of the City of Midwest City and its inhabitants, this resolution shall take effect and be in full force from and after its passage as provided by law.

PASSED and APPROVED by the City of Midwest City this 12th day of January, 2021.

CITY OF MIDWEST CITY, OKLAHOMA

MATTHEW D. DUKES II, Mayor

ATTEST:

SARA HANCOCK, City Clerk

APPROVED as to form and legality this _____ day of _____, 2018.

HEATHER POOLE, City Attorney



Stolz Telecom

Estimate

EST-001645

Bill To
Midwest City Information Technology Department
100 N Midwest Blvd
Midwest City, Oklahoma 73110

Estimate Date : August 20, 2020
Expiration Date : April 05, 2021
Salesperson : James McKay

Ship To
Scott Walsh
100 N Midwest Blvd
Midwest City, Oklahoma 73110

Contract : SW1053T
Delivery Preference : Field Service

#	Item & Description	Qty	Rate	Amount
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MIDWEST CITY - TAIT 1 SINGLE SITE P25 700 MHZ SYSTEM -

1	OMACS Package 1 - Five Channel P25 Trunked Site Constituents.. 1) TB9435S-100H - 5 2) T01-01103-NAAA - 5 3) T01-01121-NBAA - 5 4) TBA30A1-1100 - 5 5) 219-01561-00 - 5 6) TBAS050 - 5 7) TBAS056 - 5 8) T01-00024-BAAA - 1 9) TNAS510 - 2 10) TNAS512 - 2 11) TNAS516 - 5 12) T01-00024-AAAA - 1 13) 950-00005-09 - 1 pcs 14) 950-00005-21 - 1 pcs 15) 950-00001-19 - 50 ft 16) 950-00001-43 - 4 pcs 17) 950-00058-06 - 1 pcs 18) 950-00005-03 - 1 pcs 19) 950-10015-67 - 4 pcs	1.00	141,838.01	141,838.01
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6TH P25 PHASE 1 CHANNEL

2	TNAS516 License P25 Trunked - 16Key Transceiver Resource	1.00	2,742.00	2,742.00
3	TB9435S-100H CHASSIS, TB9400, SINGLE, 100W	1.00	1,278.00	1,278.00
4	TBA30A1-1100 TB8000/9000 Power Management Unit ACDC12 aux12	1.00	1,223.25	1,223.25

#	Item & Description	Qty	Rate	Amount
5	219-01561-00 Cable cord 2m USA IEC blk	1.00	13.00	13.00
6	T01-01121-NBAA TB94 Linear PA 762-870 MHz 100 Watts	1.00	1,838.00	1,838.00
7	T01-01103-NAAA TB9400 P25 Reciter 762-870MHz	1.00	2,272.00	2,272.00
8	TBAS050 SFE Key - P25 Common Air Interface (CAI) (TB91/94)	1.00	6,450.00	6,450.00
9	TBAS056 SFE Key - P25 Trunking Operation (TB91/94)	1.00	5,386.00	5,386.00

ANTENNA NETWORK -

10	OMACS Site Equipment for 5-8 RF Channels Constituents.. 1) DBLDB810E-PS - 2 2) RFS716M-LCF12-D01 - 4 3) RFS716F-LCF158-D01K - 2 4) RFSNM-LCF12-D01 - 7 pcs 5) RFSNF-LCF12-D01 - 1 pcs 6) AND24312A - 4 7) AND43094 - 2 8) INF37NRPSG - 6 9) ANDCSG158-12B2U - 6 10) ANDSG12-12B2U - 3 pcs 11) AND294572 - 1 12) AND221213 - 4 pcs 13) ANDUGBKIT-0210 - 2 14) AND48939A-4 - 2 15) AND252151-4 - 1 16) POLTSX-DFM-BF - 1 17) POLDGXZ+15NFNF-A - 1 18) POLIS-50NX-C2-MA - 1 pcs 19) WLDCBRX141.5191KB - 2 20) RFSNM-LCF158-D01K - 1 21) RFS716M-LCF158-D01K - 1 22) RFS716F-LCF12-D01 - 1 23) RFS716MR-LCF12-D01 - 1 24) RFSNMR-LCF12-D01 - 16 25) EZ-400-BM-RA-X - 8 pcs 26) EZ-400-BM-X - 8 pcs 27) R/FRFB1130 - 8 28) R/FRFB1150 - 1 29) RFB-1110-C1 - 18 pcs 30) 83242 0011000 - 15 pcs 31) TIMLMR-400/1 - 40 32) MISRS1215-20 - 4 pcs 33) BUDSA-1749-BT - 1 pcs 34) 9PXM12S20K - 1 pcs 35) 9PXM RK - 1 pcs 36) 9RK - 1 pcs 37) CP02261 - 1 pcs 38) CP01242 - 1 pcs	1.00	58,048.23	58,048.23
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#	Item & Description	Qty	Rate	Amount
	39) CP00930 - 1 pcs 40) CP00732 - 1 pcs 41) MX64-HW - 1 pcs 42) LIC-MX64-ENT-5YR - 1 pcs 43) US-24-250W - 2 pcs			
11	BUDRR-1369-BT Open Relay Rack 77" x 19", Black Finish	2.00	512.76	1,025.52
12	RFSLCF158-50JA-A7 1-5/8" CELLFLEX Low-Loss Foam Coax Cable	610.00	10.97	6,691.70
13	RFSLCF12-50J-P7 1/2" CELLFLEX Low Loss Foam Coaxial Cable	405.00	2.56	1,036.80
14	ANDSSH-158 Stackable Snap-In Hanger Kit for 1-5/8" HELIAX Cable, 10/Pkg	20.00	28.88	577.60
15	ANDSSH-12 Stackable Snap-In Hanger Kit for 1/2" HELIAX Cable, 10/Pkg	10.00	23.06	230.60
SERVICES				
16	ST CM Consumable Materials	1.00	1,000.00	1,000.00
17	FCF Frequency Coordination Fee - 700 MHz P25 Licensing	1.00	860.00	860.00
18	ST ENG Engineering Services	1.00	8,000.00	8,000.00
19	ST ETL Electronics Technician Labor - Staging and Deployment	1.00	21,600.00	21,600.00
20	ST EL External Labor - Tower Crew Antenna and Feed line Installation	1.00	7,500.00	7,500.00
21	OMACSIP1-SAPY OMACS Package 1 - Tait Service Advantage Per Year/Site	1.00	15,125.46	15,125.46
			Sub Total	284,736.17
			Total	\$284,736.17

Terms & Conditions

ORDERING – Stolz Telecom reserves the right to accept or reject any order, in our sole discretion. Order acceptance is expressly limited by and to the terms and conditions stated herein, which supersede any terms and conditions set forth in any document you provided to us. The minimum order value is \$50.00 and orders may be either shipped complete or shipped allowing for backorder merchandise, at our option. Orders may also be picked-up at our facilities or be staged for delivery / pick-up at a future date by advance arrangement.

PRICING – Prices are subject to change, without advance notice, and are exclusive of any applicable sales or other taxes, freight, handling and insurance charges. Freight quotations are provided as estimates only – actual freight charges are determined at the time of shipping

and may differ from the amount originally quoted.

PAYMENT TERMS - We accept Visa and MasterCard credit cards at the point of sale. For information on establishing an open account with us, please contact our Credit Department at 877.457.2262. For amounts due on account, Check is accepted.

TAXES - If applicable, sales tax will be added to your invoice unless an acceptable resale tax exemption certificate is provided.

DELIVERY - We will make reasonable efforts to meet delivery and performance dates, but we are not liable for delays due to causes beyond our control. We will endeavor to ship all orders for in-stock merchandise placed before 2:00 PM each day. Orders requiring cable processing, component assembly or specialized packaging may require extra processing time. Will Call pick-up service is also available by advance arrangement.

SHIPMENT & RISK OF LOSS - Domestic U.S. orders are tendered to carrier with freight prepaid and billed to you, unless otherwise specified at time of quotation. We will prepay and bill to you all shipping, handling and insurance charges on all domestic orders, unless otherwise specified at the time of the order. We reserve the right to choose the freight carrier unless otherwise specified by you, the customer. International orders are tendered as EXW Origin (Incoterms 2010) and will be shipped via Collect or 3rd-party freight terms via your preferred carrier or shipped to your freight forwarder with any freight charges prearranged by you. Export packaging is available at an additional charge. You will be responsible for all insurance, customs, and duty charges. For domestic and international orders, title and risk of loss shall pass to you upon delivery to carrier, risk of loss or damage from point of shipment shall fall upon you and it is your responsibility to file all claims with the carrier.

DAMAGES IN TRANSIT/CLAIMS - All shipments must be thoroughly inspected for visible damage and completeness by the recipient before accepting delivery from the carrier. If any damage is found or a shortage determined, the delivery bill-of-lading should be A) noted as such prior to acceptance or B) the shipment may be partially or completely refused. If no exceptions are noted at the time of receipt, the delivery will be deemed as "accepted in good condition" by you, releasing the carrier and us from further liability or recourse. Any claims for concealed damage or material shortages must be promptly reported to us within 24 hours of the receipt.

CUSTOM PRODUCTS & ASSEMBLIES - We require an engineering and purchasing approval sign-off for special orders and custom products, including non-stock cable assemblies. All such items are considered non-cancelable, non-returnable and non-refundable, unless defective. Any such defective items will be repaired or replaced only, at our option.

WARRANTIES - All warranty items shall be repaired, replaced or credited in accordance with the manufacturer's warranty policy. Any warranty, expressed or implied, is set forth and limited by and to the manufacturer's written warranty policy on the products that we sell. STOLZ TELECOM MAKES NO WARRANTY RESPECTING THE MERCHANTABILITY OF THE PRODUCTS IT SELLS OR THE SUITABILITY OR FITNESS OF A PRODUCT FOR ANY PARTICULAR PURPOSE OR USE.

SPECIFICATIONS - All product specifications represented are derived from the manufacturer. Changes in specification and / or design by the manufacturer may occur at any time, without advance notice.

CHANGES / CANCELLATIONS - Orders may not be cancelled or modified, either in whole or in part, without our written consent, and may then be subject to payment of a reasonable charge for costs incurred in cancelling or modifying the order.

RETURN POLICY - Before any merchandise may be returned, a Return Goods Authorization (RGA) number must be obtained. An RGA may be requested by calling 877.457.2262 or by e-mailing Orders@StolzTele.com. All inquiries will be evaluated and a determination will be made to approve, or deny, the request within 3 business days. If approved, an RGA number and set of return instructions will be provided by our Customer Service Department. All requests to return merchandise must be made within 30 days from the date of purchase and RGA's are valid for 30 days only. It is your responsibility to coordinate return logistics and you will be responsible for any associated shipping charges. All returned items will be thoroughly inspected to validate its condition. In-store credit will be issued for items that are returned complete & unused, in the original manufacturers' packaging, in like-new condition. Any returned goods received by us in unsatisfactory condition will be returned to you. Authorized returns are subject to a restocking fee of no less than 15%. Special orders, cut-to-length cable and made-to-order jumper assemblies are non-returnable.

DEFECTIVE MERCHANDISE POLICY - An RGA may also be obtained, per above, to facilitate the servicing of an item that is inoperable due to a possible manufacturing concern. When requesting service for a warranty-related matter, a detailed report of the defective issue must be included. An RGA number and set of return instructions will be provided by our Customer Service Department. Reportedly defective items will be returned to and evaluated by the Original Equipment Manufacturer (OEM). Upon their verification of a warrantable defect, such item(s) will be repaired, replaced or credited as determined by the OEM's warranty policy.

LIMITATION OF LIABILITY - In no event shall we be liable to you, under any cause of action or claim of any nature whatsoever, regardless of whether characterized as tort, negligence, contract, warranty, or otherwise, (A) for any loss of profits or other economic loss, including, but not limited to, such losses as: (i) wages paid to Buyer's employees or other manual labor costs, (ii) lost revenue, (iii) lost use of equipment, (iv) purchase, lease, or other acquisition of replacement or temporary equipment, facilities or services, (v) cost of capital or (vi) costs or losses relating to downtime, or (B) any other indirect, special, consequential, punitive, exemplary or other similar damages arising out of any claim relating to Buyer's purchases of goods or services gives rise to Stolz Telecom's liability to Buyer.

AMENDMENTS - You agree to be bound by these Terms and Conditions in effect at the time of purchase. You also agree that we may change any of the Terms and Conditions upon 15 days written notice to you and that such changed Terms and Conditions will apply to any subsequent transactions with us. Additionally, you agree that in the event that any portion of these Terms and Conditions are found to be unenforceable, the remainder will remain in full force and effect.

GOVERNING LAW – These Terms and Conditions shall be governed by and construed in accordance with laws of the State of Oklahoma for agreements to be performed entirely within the State of Oklahoma, and the State of Texas for agreements to be performed entirely within the State of Texas without regard to choice of law provisions.

GENERAL – You acknowledge that you have read these Terms and Conditions, understand them and agree to be bound by such Terms and Conditions. All typographical errors are subject to correction.



NEW BUSINESS/
PUBLIC DISCUSSION





FURTHER INFORMATION



Notice of regular Midwest City Planning Commission meetings in 2020 was filed for the calendar year with the Midwest City Clerk prior to December 15, 2019 and copies of the agenda for this meeting were posted at City Hall at least 24 hours in advance of the meeting.

MINUTES OF MIDWEST CITY PLANNING COMMISSION MEETING

December 1, 2020 - 7:00 p.m.

This regular meeting of the Midwest City Planning Commission was held in the Council Chambers, 100 North Midwest Boulevard, Midwest City, Oklahoma County, Oklahoma, on December 1, 2020 at 7:00 p.m., with the following members present:

Commissioners present: Russell Smith
 Jess Huskey
 Dee Collins
 Jim Campbell
 Rick Dawkins
 Jim Smith

Commissioner absent: Dean Hinton

Staff present: Billy Harless, Community Development Director
 Kellie Gilles, Current Planning Manager
 Brandon Bundy, City Engineer
 Sarah Steward, Associate Current Planner

A. CALL TO ORDER

The meeting was called to order by Chairperson R. Smith at 7:00 p.m.

B. MINUTES

1. A motion was made by Huskey, seconded by Dawkins, to approve the minutes of the November 3, 2020 Planning Commission meeting as presented. Voting aye: Huskey, R. Smith, Collins, Campbell, J. Smith and Dawkins. Nay: none. Motion carried.

C. NEW MATTERS

1. (PC-2059) 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 subject to staff comments, for the properties described as Lots 1 and 2 of Block A of the Marydale Acres Addition, addressed as 1101 and 1107 N. Post Rd.

Staff presented a brief description of the request. The applicant, Arnold Sefcik of 13714 Neutron Rd. Farmers Branch, TX, was present. There was general discussion. A motion was made by Dawkins, seconded by Collins to recommend approval of this item subject to staff comments. Voting aye: Huskey, Collins, Campbell, R. Smith, J. Smith and Dawkins. Nay: none. Motion carried.

2. (PC-2062) Public hearing with discussion and consideration of an ordinance to redistrict from C-3, Community Commercial, to C-4, General Commercial, and a resolution to amend the Comprehensive Plan from OR, Office/Retail to COMM, Commercial, for the property described as a part the SW/4 of Section 34, T12N, R2W, and addressed as 422 N. Air Depot Blvd.

Staff presented a brief overview of this item. The applicant, Coli Alsalafi of 3128 Del View Dr., Del City, OK, was present. There was general discussion about the item. R. Smith and Dawkins were concerned about the existing code violations. A motion was made by Dawkins, seconded by Huskey, to recommend denial of this item. Voting aye: Collins, R. Smith, Huskey, J. Smith, Campbell and Dawkins. Voting nay: none. Motion carried.

3. (PC-2063) Public hearing with discussion and consideration of an ordinance to redistrict from R-HD, High Density Residential, to R-MH-2, Manufactured Home Park, for the property described as a part the SW/4 of Section 7, T11N, R1W, and addressed as 10301 S.E. 29th Street.

Staff presented a brief overview of this item. The applicant, Mark Zitzow of Johnson and Associates, 1 E. Sheridan, OKC, OK, was present. There was general discussion. The applicant stated that they wish to amend the application to reduce the area of the lot in the application. The applicant stated that they wanted to amend the application to have the R-MH-2 zoning begin approximately 140' south of the north property line, where the old railroad right-of-way ended to preserve the existing drainage channel and to serve as a buffer between the mobile home park and the existing neighborhood to the north. William Tomlinson of 10328 Alicia Dr. and Nellie Abrams of 10304 Alicia Dr. addressed the commission. A motion was made by Campbell, seconded by Huskey, to recommend approval of this item subject to staff comments and with the amended legal description. Voting aye: Campbell, J. Smith, R. Smith, Collins, Huskey and Dawkins. Nay: none. Motion carried.

4. (PC-2064) Public hearing with discussion and consideration of approval of an ordinance redistricting from Planned Unit Development (PUD) to Amended PUD, for the property described as a part of the NW/4 of Section 15, T-11-N, R-2-W, located at 7200 SE 29th Street

Staff presented a brief overview of this item. The applicant, Alec Bass of Wallace Engineering, 410 N. Walnut, OKC, OK, was present. There was general discussion. A motion was made by Huskey, seconded by Campbell to recommend approval of this item subject to staff comments. Voting aye: R. Smith, Collins, Campbell, J. Smith, Huskey and Dawkins. Nay: none. Motion carried.

D. COMMISSION DISCUSSION: General Discussion.

E. PUBLIC DISCUSSION: None.

F. FURTHER INFORMATION: None.

G. ADJOURNMENT

Collins made a motion to adjourn the meeting, seconded by Huskey. Voting aye: R. Smith, Collins, Campbell, J. Smith, Huskey and Dawkins. Nay: none. Motion carried.

The meeting ended at 7:40 p.m.

(KG)

MINUTES OF MIDWEST CITY BOARD OF ADJUSTMENT MEETING
December 1, 2020 -- 6:00 P.M.

This meeting of the Midwest City Board of Adjustment was held in the City Council Chambers, 100 North Midwest Boulevard, Midwest City, Oklahoma County, Oklahoma, on December 1, 2020, with the following members present:

Present: Jess Huskey
 Cy Valanejad
 Frank Young
 Charles McDade

Absent: Tammy Cook

Staff present: Kellie Gilles, Planning Manager
 Sarah Steward, Associate Current Planner

The meeting was called to order by Huskey at 6:00 P.M.

A. MINUTES:

McDade noted that under item B1, he was listed as voting twice. This error was corrected on those minutes.

A motion was made by Young, seconded by Valanejad, to approve the minutes of the meeting of November 5, 2019 as presented. Voting aye: Young, McDade, Valanejad and Huskey. Nay: none. Motion carried.

B. NEW MATTERS:

1. **(BA-404) Discussion and consideration of an application for a variance to Section 3.3, Area Regulations and Standards for Mixed Use and Nonresidential Districts, required minimum front setback and Section 5.8.5, Nonconforming Buildings and Structures that have Conforming Uses, for the property described as a part of the NW/4 of Section 3, T11N, R2W, addressed as 720 S. Air Depot.**

Staff made a brief presentation regarding this item. The applicant, Fred Quinn of 9012 N. Timberview, Midwest City, was present. There was general discussion about the application. The Board members addressed the following criteria for the variance as listed in Section 7.7.2 of the Zoning Ordinance:

1. The application of the ordinance to the particular piece of property would create an unnecessary hardship. Is there a motion to make a finding of such an unnecessary hardship? Young made a motion that the application of the ordinance creates an unnecessary hardship. McDade seconded the motion. Voting aye: McDade, Young, Valanejad and Huskey. Voting nay: None.

2. Such conditions are peculiar to the particular piece of property. Is there a motion to make a finding of such peculiar condition? A motion was made by Young of such peculiar conditions. McDade seconded the motion. Voting aye: Young, Valanejad, Huskey and McDade. Voting nay: None.
3. Relief, if granted, would not cause substantial detriment to the public good, or impair the purposes and intent of the ordinance or the comprehensive plan. Is there a motion to make such a finding? A motion was made by McDade, seconded by Young, to make such a finding of no substantial detriment. Voting aye: Young, Huskey, Valanejad and McDade. Voting nay: None.
4. The variance, if granted, would be the minimum necessary to alleviate the unnecessary hardship. Is there a motion to make such a finding? A motion was made by McDade, seconded by Young. Voting aye: Huskey, Young, Valanejad and McDade. Voting nay: None.

A motion was made by Young, seconded by Valanejad, approve the variance to allow the expansion of a non-conforming building, including the 30” masonry wall. Voting aye: Young, Valanejad, Huskey and McDade. Voting nay: None. Motion carried.

2. **(BA-405) Discussion and consideration of an application for a variance to the terms, standards and criteria to the Airport Zoning Ordinance for office use in the APZ I for the property described as a part of the SW/4 of Section 2, T11N, R2W, addressed as 8709 SE 15th Street. NOTE: If this request is approved, an application to rezone the property from R-6, Single Family Detached Residential to O-2, General Office must be heard by the Planning Commission and approved by the City Council before any office use is allowed on this property.**

Staff made a brief presentation regarding this item. The applicant, Dave Ballew of 700 Timber Ridge Rd., Midwest City, was present. There was general discussion regarding the application. The applicant stated that he would observe the density maximum of 25 persons per acre. The applicant questioned the measurement of the APZ boundaries and if the area of request should be in APZ I or APZ II. A motion was made by McDade, seconded by Young continue the item to a later date to allow staff to research the APZ boundaries. Voting aye: Young, Valanejad, Huskey and McDade. Voting nay: None. Motion carried.

C. **BOARD DISCUSSION:** None

D. **PUBLIC DISCUSSION:** None.

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

The meeting adjourned at 6:42 P.M.

JESS HUSKEY, Chairman

KG

Copies of the agenda for this meeting were posted at City Hall, accessible to the public for at least 24 hours in advance of the meeting.

MINUTES OF MIDWEST CITY PARK LAND REVIEW COMMITTEE SPECIAL MEETING

December 9, 2020 - 4:00 p.m.

This meeting of the Midwest City Park Land Review Committee was held in the Council Chambers, Midwest City, Oklahoma County, Oklahoma, on December 9, 2020 at 4:00 p.m., with the following members present:

Present:	Carolyn Burkes Jess Huskey Casey Hurt Charlie Hartley Suzi Byrne
Absent:	None
Staff present:	Kellie Gilles, Planning Manager Sarah Steward, Associate Current Planner

A. CALL TO ORDER:

The meeting was called to order by Chairperson Burkes at 4:00 p.m.

B. MINUTES:

1. A motion was made by Hurt, seconded by Byrne to approve the minutes of the October 21, 2020 meeting. Voting Aye: Huskey, Burkes, Hurt, Hartley, and Byrne. Nay: None. Motion carried.

C. NEW MATTERS:

1. (PC –2070) Discussion and consideration of Section 38-51, Parks and Open Space Dedication, for the proposed Primrose Hill Preliminary Plat located in the SW/4 of Section 31, T-12-N, R-1-W, addressed as 316 N. Post Road.

Staff presented a brief overview of this request. The representative, Mark Grubbs, was present. There was general discussion about the item. Grubbs stated that the proposed frontage of the park land and detention area would be revised to meet the 35' requirement. A motion was made by Huskey, seconded by Hartley, to recommend approval to pay a fee in lieu of park land dedication

in conjunction with the Preliminary Plat of Primrose Hill as referenced in PC-2070. Voting aye: Burkes, Huskey, Hurt, Hartley, and Byrne. Nay: None. Motion passed.

2. Discuss date for January meeting.

Staff stated there would be need of a Park Land Review Committee meeting in January. Committee members agreed to meet on January 13, 2021 at 4:00 p.m. in the Midwest City Council Chambers

C. COMMITTEE DISCUSSION:

1. Chairperson Burkes requested further information about the Park Land fund and how the funds could be used.
2. Byrne updated the committee on the Tree Board stating that they are looking for new and innovative ideas to increase the number and variety of trees in Midwest City. The Tree Board is looking at all parks and hoping for cooperation with businesses and civic groups.

E. Adjournment: A motion was made by Huskey, seconded by Chairperson Burkes to adjourn the meeting. Voting aye: Huskey, Hurt, Hartley, Burkes, and Byrne. Nay: None. Motion passed.

The meeting adjourned at 4:19 p.m.

SS:kg



The City of

MIDWEST CITY

COMMUNITY DEVELOPMENT DEPARTMENT

To: Honorable Mayor and Council

From: Billy Harless, Community Development Director

Date: Tue, Jan 12, 2021

Subject: Monthly Residential and Commercial Building report for NOV 2020

Due to the Oct storms roof permits have increased. We also fielded many electrical inquires while staying on track with inspections.

Billy Harless, AICP
Community Development Director

BH:ad

Midwest City Building Report
BUILDING REPORT NOVEMBER 2020

4	INDIVIDUAL RESIDENCES	\$	796,000.00
	DUPLEXES		
	APARTMENTS REMODEL/NEW		
	CONDOMINIUMS/TOWNHOUSE/APARTMENTS (STUDENT HOUSING)		
	PRIVATE GARAGES		
1	RESIDENTIAL REPAIR & EXPANSION	\$	9,820.00
5	FENCES	\$	8,838.00
1	SWIMMING POOLS/HOT TUBS	\$	74,000.00
2	CARPORTS	\$	7,930.00
1	PATIO COVER	\$	50,000.00
	PERSONAL STORAGE UNIT		
7	ACCESSORY BLDG.	\$	106,350.00
1	STORM SHELTER	\$	3,100.00
	DEMOLITION		
19	DRIVE WAY		
	HOUSE RELOCATE (MOVE IN) / HOUSE MOVING (OUT)		
1	RETAINING WALL	\$	9,820.00
27	ROOF	\$	229,299.00
	TOTAL VALUE OF RESIDENTIAL		<u>\$1,295,157.00</u>
	<u>INDUSTRIAL AND COMMERCIAL:</u>		
	NEW BUSINESS STRUCTURES		
3	BUSINESS STRUCTURES REPAIRED/ EXPANDED	\$	515,000.00
	ACCESSORY BLDG.		
1	SMALL WIRELESS FACILITIES OR TOWERS	\$	15,000.00
10	SIGNS	\$	115,085.00
	DEMOLITION		
	TENANT FINISH		
	POOLS		
	CANOPY/COVERED PARKING/PATIO COVER		
	FENCE		
	TENTS / SEASONAL BUILDINGS / REVOCABLE		
	DRIVE WAY/ PARKING LOT		
	RETAINING WALL		
	ROOF		
	TOTAL VALUE OF INDUSTRIAL/ COMMERCIAL BUILDINGS		<u>\$645,085.00</u>
	<u>PUBLIC AND SEMI PUBLIC</u>		
	NEW SCHOOL STRUCTURES		
	SCHOOL STRUCTURE REPAIR/ EXPANDED		
	SCHOOL STRUCTURE MOVED IN		
	SIGNS		
	CITY MONUMENT SIGN		
	NEW CHURCH		
	NEW CHURCHES (REMODEL EXISTING SPACE)		
	ACCESSORY BLDG.		
	HOTEL NEW OR REMODEL		
	CHURCH REPAIR/ EXPANDED		
	NEW HOSPITAL STRUCTURE		
	HOSPITAL STRUCTURE REPAIR / EXPANDED		
	CITY PROPERTY REPAIR		
	CITY PROPERTY NEW		
	DEMOLITIONS		
	DRIVE WAY PARKING LOT		
	ROOF		
	TOTAL VALUE OF PUBLIC AND SEMI-PUBLIC BUILDINGS		<u>\$0.00</u>
	GRAND TOTAL VALUE OF BUILDING PERMITS ISSUED		<u>\$1,940,242.00</u>

NEW SINGLE RESIDENTIAL BUILDING PERMITS

Nov-2020

ADDRESS	BUILDER/CONTRACTOR	PERMIT #		VALUE
12503 FOREST TER	DK HOMES	20	1657	\$250,000.00
2411 CEDAR ELM PL	IDEAL HOMES	20	1849	\$172,000.00
2509 POST OAK RD	IDEAL HOMES	20	1848	\$155,000.00
2513 POST OAK RD	IDEAL HOMES	20	1991	\$219,000.00

NEW DUPLEX RESIDENTIAL BUILDING PERMITS

ADDRESS BUILDER/CONTRACTOR PERMIT # VALUE

DEMOLITION or MOVE

ADDRESS CONTRACTOR PERMIT # VALUE

REPLACE EXISTING ROOF

ADDRESS	CONTRACTOR	PERMIT #		VALUE
10014 ISAAC DR	PARKER BROTHERS (ESCROW)	20	1947	\$6,100.00
112 CHEVY CHASE	ORANGE ELEPHANT ROOFING	20	2107	\$13,000.00
11700 MARK ST	PARKER BROTHERS (ESCROW)	20	2077	\$9,200.00
12432 ELIZABETH DR	J & M ROOFING & SUPPLY CO	20	1964	\$0.00
129 OAKTREE DR	MARVIN CONSTRUCTION & ROOFING	20	2040	\$13,000.00
1314 ST MATTHEWS DR	ORANGE ELEPHANT ROOFING	20	2101	\$11,000.00
133 OAKTREE DR	YELLOW FOOTPRINTS ROOFING	20	2092	\$8,000.00
1600 WALTZ WAY	J & M ROOFING & SUPPLY CO	20	2016	\$20,400.00
1912 SANDRA DR	ORANGE ELEPHANT ROOFING	20	2115	\$9,173.00
1912 SANDRA DR	TARR ROBERT K	20	2115	\$9,173.00
207 ATKINSON DR	ESPINOZA BROTHERS REMODELING I	20	1960	\$7,000.00
2200 HAROLD CT	CANTRELL EXTERIORS FINISHES	20	2078	\$5,500.00
2309 SPUR DR	PARKER BROTHERS (ESCROW)	20	2063	\$9,000.00
3105 DEL REY DR	PARKER BROTHERS (ESCROW)	20	2132	\$0.00
3428 GLENVALLEY DR	ORANGE ELEPHANT ROOFING	20	2056	\$7,768.00
3512 WOODVALE DR	ORANGE ELEPHANT ROOFING	20	2108	\$13,485.00
3513 WOODVALE DR	BASS ROOFING	20	2124	\$11,500.00
3700 SUNVALLEY DR	SH VAUGHN CONSTRUCTION	20	1989	\$6,000.00
3709 BELLA VISTA	ORANGE ELEPHANT ROOFING	20	2084	\$12,900.00
3712 RIDGEWOOD DR	TRIPLE DIAMOND CONSTR	20	2017	\$19,000.00
443 N TIMBER RD		20	1975	\$0.00
5825 SE 3RD ST	TRIANGLE DJ CONTRACTORS	20	2069	\$13,700.00
902 BORUM PL	BASS ROOFING	20	2123	\$6,500.00
908 E ROSE DR	WILLIAMS CONSTRUCTION	20	2047	\$3,500.00
910 E ROSE DR	WILLIAMS CONSTRUCTION	20	2048	\$3,500.00
928 BROWN DR	HICKS ROOFING & CONSTR	20	1963	\$4,900.00
939 CEDAR HILL PL	SH VAUGHN CONSTRUCTION	20	2068	\$6,000.00

BUSINESS CERTIFICATE OF OCCUPANCY/CHANGE OF OWNERSHIP

Nov-2020

ADDRESS	NAME OF BUSINESS	APPLICANT	PERMIT #	
1100 S AIR DEPOT BLVD 2	STRANGE EARTH STUDIO	CHELSEA BOEN EILEENS BEAT	20	1934
1342 S DOUGLAS BLVD A	HEART AND VASCULAR SPECIALIST, OK FOOT AND ANKLE	RASARAM / MORRIS / CARRO	20	1775
1342 S DOUGLAS BLVD B	TIMBERVIEW FAMILY DENTISTRY	DR JULIE STORM	20	1776
1342 S DOUGLAS BLVD D	QUINN AND ASSOCIATES	FRED QUINN	20	2039
1403 GATEWAY PLZ	HUGE SALE FOR MISSIONS	MELITA GATEWAY	20	2113
1906 S AIR DEPOT BLVD	MASTER PEACE COUNSELING	CYNTHIA BENCH	20	2043
205 S AIR DEPOT BLVD	KONVICT VENTURES	WONNY LEE	20	1981
2820 GLOBAL PARKWAY	SHERMCO SYSTEM INTEGRATION	JASON GREER	20	1485
422 N AIR DEPOT BLVD F	AVOCADO TIRE SHOP	LUIS GARCIA	20	2038
5801 TINKER DIAG	STUDIO 6	NAVIT PATEL	20	2095
6425 E RENO AVE	GLENN E BREEDING CO	LEE ANN ATKINS	20	1993
7460 E RENO AVE	BOMBER NUTRITION	KARI SONNIER	20	1978
7901 NE 10TH ST B202	PHYLLIS NUNOO-WILLIAMS-MSW	PHYLLIS NUNOO	20	1982
9001 NE 23RD ST	McDonalds	REW III / ROBERT WAGNER	20	2074

INDUSTRIAL & COMMERCIAL BUILDINGS NEW

Nov-2020

ADDRESS DESCRIPTION EST. COST CONTRACTOR OR OWNER PERMIT #

REPAIR/ REMODEL/ADD ON

ADDRESS DESCRIPTION EST. COST CONTRACTOR OR OWNER PERMIT #

ADDRESS	DESCRIPTION	EST. COST	CONTRACTOR OR OWNER	PERMIT #
1709 SPENCER RD	CELL TOWER REMODEL	\$15,000.00	AMERICAN TOWER	20 2051
224 S SOONER RD	adding walls for a marijuana cultivation	\$15,000.00		20 1917
6620 E RENO AVE	REMODEL	\$150,000.00	W & B PROPERTIES	20 1805
829 S AIR DEPOT BLVD	REMODEL FOR DENTAL OFFICE	\$350,000.00	PCC HOMES	20 1747

TENANT FINISH OR WHITE BOX

ADDRESS DESCRIPTION EST. COST CONTRACTOR OR OWNER PERMIT #

DEMOLITION

ADDRESS VALUE

REPLACE EXISTING ROOF

ADDRESS VALUE CONTRACTOR PERMIT #

PUBLIC & SEMI PUBLIC BUILDINGS

Nov-2020

NEW

NEW	ADDRESS	DESCRIPTION	CONTRACTOR OR OWNER	EST. COST	PERMIT #
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SEMI PUBLI BUILDING

REMODEL/ADD ON

REPAIR/ REMODEL	ADDRESS	DESCRIPTION	CONTRACTOR OR OWNER	EST. COST	PERMIT #
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REPLACE EXISTING ROOF

ADDRESS	DESCRIPTION	VALUE	CONTRACTOR	PERMIT #
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LOCATION / DESCRIPTION OF APPLICATION

NAME OF APPLICANT OR OWNE PC# or BA#

<p>Rezone from R-6, Single Family Detached Residential to R-2F, Two Family Attached Residential and a resolution to amend the Comprehensive Plan from LDR, Low Density Residential to MDR, Medium Density Residential for the property addressed as 2200 Saint Luke. This item was continued from October.</p>	<p>ROSHAN KALRA</p>	<p>PC-2053</p>
<p>Redistrict from SPUD, Simplified Planned Unit Development governed by the I-1, Light Industrial district to Amended SPUD, for the property described as a part of the SE/4 of Section 29, T-12-N, R-2-W, located at 1101 N. Sooner Road.</p>	<p>ANUJ SHRESTAJ</p>	<p>PC-2058</p>
<p>Redistrict from C-3, Community Commercial to SPUD, Simplified Planned Unit Development, governed by the C-3, Community Commercial subject to staff comments, for the properties described as Lots 1 and 2 of Block A of the Marydale Acres Addition, addressed as 1101 and 1107 N. Post Rd</p>	<p>ARNOLD SEFRIK</p>	<p>PC-2059</p>
<p>Redistrict from PUD, Planned Unit Development, governed by the I-2, Moderate Industrial district, to Amended PUD, Planned Unit Development, governed by the I-2, Moderate Industrial district subject to staff comments, for the properties described as Lots 1, 4, 8, 9, 10 and 11 of the Global Business Centre Addition. The lots are addressed as 2700, 2710, 2800, 2830, 2800 and 2841 Global Parkway.</p>	<p>DONALD NEVARD</p>	<p>PC-2060</p>
<p>Preliminary Plat of StatusOne described as a part of the SW/4 of Section 12, T11N, R2W, addressed as 2500 S. Douglas Boulevard.</p>	<p>CHRIS WEBSTER</p>	<p>PC-2061</p>

STORM WATER QUALITY PERMITS

Nov-2020

DATE	LOCATION / DESCRIPTION	NAME OF CONTRACTOR OR OWNER	PERMIT #
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LAND DISTURBANCE PERMIT

DATE	LOCATION / DESCRIPTION	NAME OF CONTRACTOR OR OWNER	PERMIT #
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TOTAL RESIDENTIAL PERMITS 2018

<u>MONTH</u>	<u>NO</u>	<u>ESTIMATED COST</u>
JANUARY	7	\$ 1,477,000.00
FEBRUARY	5	\$ 652,000.00
MARCH	23	\$3,441,025.00
APRIL	26	\$ 1,909,858.00
MAY	32	\$ 3,858,300.00
JUNE	30	\$ 4,186,100.00
JULY	7	\$ 709,400.00
AUGUST	12	\$ 1,847,800.00
SEPTEMBER	16	\$ 2,785,440.00
OCTOBER	8	\$ 1,018,500.00
NOVEMBER	10	\$ 1,200,000.00
DECEMBER	19	\$ 3,328,100.00
TOTAL	195	\$ 26,413,523.00

14 RESD \$1,851,250.00
 11- 6 PLEX W/ Common \$58,608.00

TOTAL RESIDENTIAL PERMITS 2019

<u>MONTH</u>	<u>NO</u>	<u>ESTIMATED COST</u>
JANUARY	2	\$ 235,000.00
FEBRUARY	11	\$ 1,911,500.00
MARCH	16	\$ 2,472,200.00
APRIL	22	\$ 3,225,000.00
MAY	12	\$ 1,678,500.00
JUNE	25	\$ 3,070,400.00
JULY	13	\$ 1,838,200.00
AUGUST	12	\$ 2,189,900.00
SEPTEMBER	7	\$ 1,236,857.00
OCTOBER	15	\$ 1,809,000.00
NOVEMBER	4	\$ 490,500.00
DECEMBER	12	\$ 1,831,500.00
TOTAL	151	\$ 21,988,557.00

11 Single Family Homes \$1,678,500.00
 1 RSC Student Housing \$4,247,440.00

TOTAL RESIDENTIAL PERMITS 2020

<u>MONTH</u>	<u>NO</u>	<u>ESTIMATED COST</u>
JANUARY	12	\$ 1,684,000.00
FEBRUARY	7	\$ 3,268,500.00
MARCH	15	\$ 2,158,000.00
APRIL	12	\$ 2,339,000.00
MAY	9	\$ 1,296,750.00
JUNE	15	\$ 2,361,482.00
JULY	16	\$ 2,399,938.00
AUGUST	8	\$ 1,092,967.00
SEPTEMBER	5	\$ 1,077,720.00
OCTOBER	5	\$ 958,500.00
NOVEMBER	4	\$ 796,000.00

TOTAL COMMERCIAL PERMIT-2018 NEW/ADD ON/TF

MONTH	NO	ESTIMATED COST
JANUARY	3	\$ 4,210,600.00
FEBRUARY	3	\$ 21,170,300.00
MARCH	1	\$ 35,000.00
APRIL	2	\$ 115,000.00
MAY	1	\$ 475,000.00
JUNE	0	\$ -
JULY	2	\$ 2,500,000.00
AUGUST	1	\$ 1,699,000.00
SEPTEMBER	6	\$ 4,075,000.00
OCTOBER	0	
OCTOBER	5	\$ 18,775,000.00 comm school
NOVEMBER	3	\$ 682,500.00 COMM
NOVEMBER		\$ 11,615,772.00 SCHOOL
DECEMBER	0	
DECEMBER	0	
TOTAL	27	\$ 65,353,172.00

TOTAL COMMERCIAL PERMIT-2018 REMODEL/REPAIR

MONTH	NO	ESTIMATED COST
JANUARY	1	\$ 180,000.00
FEBRUARY	3	\$ 230,000.00
MARCH	7	\$ 422,200.00
APRIL	3	\$ 618,391.00
MAY	2	\$ 49,615.00
JUNE	5	\$ 196,500.00
JULY	5	\$ 1,042,452.00
AUGUST	5	\$ 267,000.00
SEPTEMBER	4	\$ 151,200.00
OCTOBER	6	\$ 481,000.00 comm
OCTOBER	2	\$ 820,000.00 school
NOVEMBER	4	\$ 123,382.00 COMM
NOVEMBER	3	\$ 746,455.00 SCHOOL
DECEMBER	2	\$ 6,800.00 COMM
DECEMBER	1	\$ 40,000.00 SCHOOL
TOTAL	53	\$ 5,374,995.00

TOTAL COMMERCIAL PERMIT-2019 NEW/ADD ON/TF

MONTH	NO	ESTIMATED COST
JANUARY	6	\$ 2,505,000.00 Comm
JANUARY	1	\$ 1,540,000.00 Church
FEBRUARY	2	\$ 3,025,000.00
FEBRUARY	0	
MARCH	4	\$ 1,863,500.00
APRIL	0	
MAY	0	
JUNE	2	\$ 115,000.00
JULY	2	\$ 467,000.00
AUGUST	2	\$ 1,540,000.00 add/new 3 IF 2 were rptd on shell
AUGUST	3	\$ 20,000.00
SEPTEMBER	1	\$ 500,000.00
OCTOBER	3	\$ 635,000.00
NOVEMBER	0	
DECEMBER	1	\$ 2,400,000.00 Animal Services
TOTAL	27	\$ 14,610,500.00

TOTAL COMMERCIAL PERMIT-2019 REMODEL/REPAIR

MONTH	NO	ESTIMATED COST
JANUARY	4	\$292,000.00 Comm
JANUARY	1	\$3,000,000.00 School
FEBRUARY	8	\$22,365.00
FEBRUARY	1	\$45,000.00 SCHOOL
MARCH	3	\$6,300.00
APRIL	6	\$359,383.00
MAY	6	\$755,500.00
JUNE	4	\$1,025,000.00
JULY	4	\$563,150.00
AUGUST	2	\$163,000.00
AUGUST	1	\$4,700,000.00 School
SEPTEMBER	3	\$59,000.00
OCTOBER	5	\$1,049,900.00
NOVEMBER	3	\$16,050.00
DECEMBER	5	\$84,100.00
TOTAL	56	\$12,140,748.00

TOTAL COMMERCIAL PERMIT-2020 NEW/ADD ON/TF

MONTH	NO	ESTIMATED COST
JANUARY	2	\$ 2,425,000.00
FEBRUARY	0	-
MARCH	1	\$ 250,000.00
APRIL	0	
MAY	0	
JUNE	2	\$ 2,540,000.00
JUNE	-	
JULY	1	\$ 175,000.00
AUGUST	0	
SEPTEMBER	0	
OCTOBER	1	\$ 600,000.00
NOVEMBER	0	

TOTAL COMMERCIAL PERMIT-2020 REMODEL/REPAIR

MONTH	NO	ESTIMATED COST
JANUARY	10	\$439,000.00
FEBRUARY	6	\$2,576,671.00
MARCH	4	\$1,111,406.00
APRIL	3	\$118,000.00
MAY	4	\$778,500.00
JUNE	4	\$684,500.00
JUNE	1	\$131,000.00 LIBRARY
JULY	2	\$810,000.00
AUGUST	2	\$23,000.00
SEPTEMBER	10	\$646,021.00
OCTOBER	9	\$1,850,880.00
NOVEMBER	4	\$530,000.00

Nov-2020

BUILDING INSPECTIONS	CURRENT MONTH	YEAR TO DATE
NUMBER OF BUILDING FINAL INSPECTIONS:	16	249
NUMBER OF BUILDING C/O INSPECTIONS RESIDENTIAL:	8	119
NUMBER OF BUILDING C/O INSPECTIONS COMMERCIAL:	14	191
NUMBER OF MISC BUILDING INSPECTIONS:	0	44
NUMBER OF ENGINEERING SITE INSPECTIONS:	3	105
NUMBER OF STORM SHELTER INSPECTIONS:	0	60
NUMBER OF CITATIONS ISSUED:		
NUMBER OF NOTICE AND ORDERS ISSUED:		
NUMBER OF WARNINGS ISSUED:		
NUMBER OF POSTING/PLACARD:		7
NUMBER OF PENALTIES:	19	277
TOTAL NUMBER OF INSPECTIONS: all inspectors	598	6,523



MUNICIPAL AUTHORITY

AGENDA



CITY OF MIDWEST CITY MUNICIPAL AUTHORITY AGENDA

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

January 12, 2021 – 6:31 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 December 8, 2020 meeting, as submitted. (City Clerk - S. Hancock)
 2. Discussion and consideration of supplemental budget adjustments to the following funds for FY 2020-2021, increase: Sanitation Fund, revenue/Transfer In (00) \$55,400. (Finance - J. Siemens)
 3. 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 November 30, 2020 (City Manager - T. Lyon)
 4. Discussion and consideration of awarding a bid to Jackson Mechanical Services, Inc. in the amount of \$299,052.00 for the complete boiler and burner replacement including all labor, material, and control systems to meet OSHA standards, located at the Water Resources Recover Facility (WRRF), 7420 NE 36th St., Midwest City, Oklahoma. (PWA - P. 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

December 08, 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 8:26 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 motion to approve the consent agenda, as submitted, and seconded by Byrne. 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 November 10, 2020 meeting, as submitted.
2. Discussion and consideration of supplemental budget adjustments to the following funds for FY 2020-2021, increase: Utilities Capital Outlay Fund, expenses/Utility Services (50) \$25,000.
3. 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 October 30, 2020.

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

ADJOURNMENT.

There being no further business, Chairman Dukes adjourned the meeting at 8:26 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: Judy Siemens, City Treasurer

DATE: January 12, 2021

SUBJECT: Discussion and consideration of supplemental budget adjustments to the following funds for FY 2020-2021, increase: Sanitation Fund, revenue/Transfer In (00) \$55,400.

This supplement is needed to increase budget for the transfer in of funds from Grant Fund (143) for ACOG grant related to the purchase of the automated side-loader with CNG which was purchased in fiscal year 2019-2020.

Judy Siemens

Judy Siemens
City Treasurer

SUPPLEMENTS
January 12, 2021

Fund SANITATION (190)		BUDGET AMENDMENT FORM Fiscal Year 2020-2021			
<u>Dept Number</u>	<u>Department Name</u>	<u>Estimated Revenue</u>		<u>Budget Appropriations</u>	
		<u>Increase</u>	<u>Decrease</u>	<u>Increase</u>	<u>Decrease</u>
00	Transfer In	55,400			
		<u>55,400</u>	<u>0</u>	<u>0</u>	<u>0</u>

Explanation:
 To budget the transfer in of funds from Grant Fund (143) for ACOG grant related to the purchase of the automated side-loader with CNG which was purchased in fiscal year 2019-2020.



THE CITY OF
MIDWEST CITY

MEMORANDUM

TO: Honorable Chairman and Trustees
Midwest City Municipal Authority

FROM: Tim Lyon, City Manager

DATE: January 12, 2021

RE: 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 November 30, 2020.

This item is on the agenda at the request of the Authority. Attached to this memorandum is information concerning the status of the Sheraton Midwest City Hotel at the Reed Center.

Any time you have a question concerning the conference center and hotel, please feel free to contact me at 739-1201.

Tim L. Lyon

Tim Lyon
City Manager

Attachment (1)

SHERATON MIDWEST CITY HOTEL AT THE REED CENTER

Fiscal Year 2020-2021	Jul-20	Aug-20	Sep-20	Oct-20	Nov-20	Dec-20	Jan-21	Feb-21	Mar-21	Apr-21	May-21	Jun-21
Revenue												
Budgeted (MTD)	343,261	453,583	525,877	507,546	455,087							
Actual (MTD)	209,220	96,171	166,050	141,030	196,284							
Budgeted (YTD)	343,261	796,844	1,322,721	1,830,267	2,285,354							
Actual (YTD)	209,220	305,391	471,441	612,471	808,756							
Expenses												
Budgeted (MTD)	402,630	455,299	469,746	481,160	435,035							
Actual (MTD)	206,494	166,450	189,154	173,890	187,703							
Budgeted (YTD)	402,630	857,929	1,327,675	1,808,835	2,243,910							
Actual (YTD)	206,494	372,944	562,098	735,987	923,690							
Revenue vs. Expenses												
Budgeted (MTD)	(59,369)	(1,716)	56,131	26,386	20,912							
Actual (MTD)	2,726	(68,563)	(23,104)	(32,859)	8,582							
Budgeted (YTD)	(59,369)	(61,085)	(4,954)	21,432	41,444							
Actual (YTD)	2,726	(67,553)	(90,657)	(123,516)	(114,935)							

Key Indicators	Jul-20	Aug-20	Sep-20	Oct-20	Nov-20	Dec-20	Jan-21	Feb-21	Mar-21	Apr-21	May-21	Jun-21
Hotel Room Revenue	168,157	71,699	112,527	109,674	152,555							
Food and Banquet Revenue	35,006	17,406	42,681	26,967	42,673							

Fiscal Year 2019-2020	Jul-19	Aug-19	Sep-19	Oct-19	Nov-19	Dec-19	Jan-20	Feb-20	Mar-20	Apr-20	May-20	Jun-20
Revenue												
Budgeted (MTD)	372,710	481,117	410,780	576,778	455,277	300,346	214,831	385,403	579,251	504,981	450,566	500,520
Actual (MTD)	299,162	477,929	466,117	476,300	456,684	291,649	223,347	367,534	351,603	23,119	85,751	163,728
Budgeted (YTD)	372,710	853,827	1,264,677	1,841,348	2,296,625	2,596,971	2,811,802	3,197,205	3,776,456	4,281,437	4,732,003	5,232,523
Actual (YTD)	299,162	777,091	1,243,207	1,719,507	2,176,191	2,467,840	2,691,187	3,058,721	3,410,324	3,433,443	3,519,194	3,682,922
Expenses												
Budgeted (MTD)	389,068	464,352	422,790	486,888	449,400	360,787	341,646	383,600	513,820	454,826	426,083	459,919
Actual (MTD)	386,683	443,824	431,992	432,531	395,742	366,076	320,630	361,002	320,485	112,894	115,303	168,448
Budgeted (YTD)	389,068	853,420	1,276,210	1,786,169	2,235,569	2,596,356	2,938,002	3,321,602	3,835,422	4,290,248	4,716,331	5,176,250
Actual (YTD)	386,683	830,507	1,262,499	1,714,217	2,109,959	2,476,035	2,796,665	3,157,667	3,478,152	3,591,046	3,706,350	3,874,797
Revenue vs. Expenses												
Budgeted (MTD)	(16,358)	16,765	(12,040)	66,812	5,877	(60,441)	(126,815)	1,803	65,431	50,155	24,483	40,601
Actual (MTD)	(87,521)	34,105	34,125	24,582	60,941	(74,426)	(97,283)	6,532	31,118	(89,775)	(29,552)	(4,719)
Budgeted (YTD)	(16,358)	407	(11,633)	55,179	61,056	615	(126,200)	(124,397)	(58,966)	(8,811)	15,672	56,273
Actual (YTD)	(87,521)	(53,416)	(19,291)	5,290	66,232	(8,195)	(105,478)	(98,946)	(67,828)	(157,603)	(187,155)	(191,875)



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: 12 January 2021

Subject: Discussion and consideration of awarding a bid to Jackson Mechanical Services, Inc. in the amount of \$299,052.00 for the complete boiler and burner replacement including all labor, material, and control systems to meet OSHA standards, located at the Water Resources Recover Facility (WRRF), 7420 NE 36th St., Midwest City, Oklahoma.

On Tuesday, 8 December 2020 at 2:00 p.m. the Midwest City Municipal Authority opened bids for the complete boiler and burner replacement, including all labor, materials and the applicable control system required to meet OSHA standards for a project located at 7420 NE 36th St., Midwest City, Oklahoma. Only one bid was received which was submitted by Jackson Mechanical Service Inc., in the amount of \$352,308.00 with an equivalent option of \$299,052.00. The \$352,308 cost includes a Weishaupt burner vs. the \$299,052.00 cost includes a Powerflame burner, which is an equivalent item. As such, we recommend awarding the complete boiler and burner replacement bid to Jackson Mechanical Service, Inc.

Funds for this project are allocated and available in the WRRF Capital Outlay Account.

Action is at the discretion of the Chairman and Trustees.

Respectfully,

R. Paul Streets
Public Works Director

Attached: Bid Tabulation Sheet

BOILER BID TAB

Bidder

Total Net Price

Jackson Boiler & Tank
Attn. Jim Nance
2600 N. Oklahoma Ave.
PO Box 18824
Oklahoma City, OK 73154
Phone: 405-525-3788
Email: jimnance@jacksonmechanicalokc.com

\$ 352,308.00 Weishaupt Burner Option
\$ 299,052.00 Powerflame Burner Option

Federal Corp
Attn. Fred Ringold
120 E. Main St.
Oklahoma City, OK 73104
Phone: 405-239-7301
Email: Fringold@federalservicesllc.com

\$ No Bid

Walker Process Equipment
Attn. Lane Sheldon
840 N Russell Ave
Aurora, IL 60506
Phone: 630-892-7921 Ex 5210
Email: Lsheldon@walker-process.com

\$ No Bid



NEW BUSINESS/
PUBLIC DISCUSSION





HOSPITAL AUTHORITY
AGENDA



CITY OF MIDWEST CITY MEMORIAL HOSPITAL AUTHORITY AGENDA

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

January 12, 2021 – 6:32 PM

- A. CALL TO ORDER.
- B. DISCUSSION ITEMS.
 - 1. Discussion and consideration to approve the minutes of the December 8, 2020 meeting, as submitted. (City Clerk - S. Hancock)
 - 2. Discussion and consideration of action to reallocate assets, change fund managers or make changes in the Statement of Investment Policy, Guidelines and Objectives. (Finance - J. Siemens)
- 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. EXECUTIVE SESSION.
 - 1. Discussion and consideration of 1) entering into executive session, as allowed under 25 O.S. § 307(C)(11), to confer on matters pertaining to economic development, including the transfer of property, financing or the creation of a proposal to entice a business to remain or to locate within the City, and 2) in open session, authorizing the general manager/administrator to take action as appropriate based on the discussion in executive session. (City Manager - T. Lyon)
- E. ADJOURNMENT.



DISCUSSION ITEMS



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

December 08, 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 8:26 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.

DISCUSSION ITEMS.

- 1. Discussion and consideration to approve the minutes of the November 10, 2020 meeting, as submitted.** Reed made a motion to approve the minutes, as submitted, seconded by Byrne. Voting aye: Eads, Byrne, Bowen, Reed, Allen, Favors and Chairman Dukes. Nay: none. Motion Carried.
- 2. Discussion and consideration of approving a Resolution authorizing and approving a Joint Resolution with the Midwest City Chamber of Commerce, Trustor of the Authority, amending the Trust Indenture of the Authority to allow for grants to be awarded for the use of technology which may have an expected useful life of less than twenty (20) years. This item was on the August 25, 2020 City Council Agenda.** Byrne made a motion to approve Resolution HA2020-03, as submitted, seconded by Bowen. Voting aye: Eads, Byrne, Bowen, Reed, Allen, Favors and Chairman Dukes. Nay: none. Motion Carried.
- 3. Discussion and consideration of declaring Lots 8 – 10, Block 1, Re-Plat of Atkinson Heights Addition (a/k/a 2500 S Air Depot BL) surplus; and to enter into a real estate agreement with Savory Swig Stores, LLC, Lehi, UT to sell the property for \$125,000 less Closing costs.** Coleman address the Council; Byrne made a motion to enter into the amended agreement, including pg. 21 signature block to read as “Savory Swig Store”, seconded by Allen. Voting aye: Eads, Byrne, Bowen, Reed, Allen, Favors and Chairman Dukes. Nay: none. Motion Carried.
- 4. 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 public discussion.

EXECUTIVE SESSION.

- 1. Discussion and consideration of 1) entering into executive session, as allowed under 25 O.S. § 307(C)(11), to confer on matters pertaining to economic development, including the transfer of property, financing or the creation of a proposal to entice a business to remain or to locate**

within the City, and 2) in open session, authorizing the general manager/administrator to take action as appropriate based on the discussion in executive session.

At 8:32 PM Allen made a motion to enter into Executive Session, seconded by Reed. Voting aye: Eads, Byrne, Bowen, Reed, Allen, Favors and Chairman Dukes. Nay: none.

At 9:11 PM Reed made a motion to return to Open Session, seconded by Allen. Voting aye: Eads, Byrne, Bowen, Reed, Allen, Favors and Chairman Dukes. Nay: none.

No Action was needed.

ADJOURNMENT

There being no further business, Chairman Dukes adjourned the meeting at 9:11 PM.

ATTEST:

MATTHEW D. DUKES II, Chairman

SARA HANCOCK, Secretary



Midwest City Memorial Hospital Authority
100 North Midwest Boulevard
Midwest City, Oklahoma 73110
Office (405) 739-1201
www.midwestcityok.org

MEMORANDUM

To: Honorable Chairman and Trustees

From: Judy Siemens, Interim Finance Director

Date: January 12, 2021

Subject: Discussion and consideration of action to reallocate assets, change fund managers or make changes in the Statement of Investment Policy, Guidelines and Objectives.

Jim Garrels, President, Fiduciary Capital Advisors, asked staff to put this item on each agenda in the event the Hospital Authority's investments need to be reallocated, an investment fund manager needs to be changed or changes need to be made to the Statement of Investment Policy on short notice.

Action is at the discretion of the Authority.

Judy Siemens
Interim Finance Director



NEW BUSINESS/
PUBLIC DISCUSSION





EXECUTIVE SESSION





City Manager

100 N. Midwest Boulevard
Midwest City, OK 73110
tlyon@midwestcityok.org
Office: 405.739.1201
www.midwestcityok.org

MEMORANDUM

TO: Honorable Chairman and Trustees

FROM: Tim Lyon, City Manager

DATE: January 12, 2021

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

Appropriate information will be dispersed during the meeting. Action is at the Council's discretion.

Tim Lyon, City Manager