

Notice of regular Midwest City Council meetings was filed for the calendar year with the Midwest City Clerk and 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 THE MIDWEST CITY COUNCIL MEETING

April 22, 2008 - 7:15 p.m.

This regular meeting of the Midwest City Council was held in the Council Chambers, City of Midwest City, County of Oklahoma, State of Oklahoma, on April 22, 2008 at 7:15 p.m., with the following members present:

Russell Smith	Mayor
Turner Mann	Councilmember
Ruth Cain	Councilmember
James L. Ray	Councilmember
Michael A. Pung	Councilmember
Richard R. Rice	Councilmember
 Rhonda Atkins	 Deputy City Clerk

Absent: Jerry R. Maynard Councilmember

Mayor Smith called the meeting to order.

Mayor Smith announced the following:

1. KOCO Eyewitness News 5 will be conducting a Weather Forum on Monday, April 28, 2008 at 6:30 p.m. at the Reed Conference Center in Midwest City.
2. Midwest City Elks Lodge No. 1890 will be hosting its annual pancake breakfast on Saturday, May 3, 2008 from 7:00 a.m. - 12:00 noon at the Elks Lodge, 8635 S.E. 15th Street, Midwest City.

Hiawatha Bouldin, representative of Eagle Ridge Institute, and Tammy Morgan, Oklahoma County Health Department representative and Central Oklahoma Turning Point Tobacco Prevention Coalition, gave a presentation regarding "Youth Access to Tobacco Prevention."

Motion was made by Cain, seconded by Ray, to approve the minutes of the staff briefing and of the regular meeting of April 8, 2008, as submitted. Voting aye: Mann, Cain, Ray, Pung, Rice and Mayor Smith. Nay: none. Absent: Maynard. Motion carried.

Consent Agenda. Motion was made by Ray, seconded by Cain, to approve the items on the Consent Agenda:

1. Discussion and consideration of supplemental budget adjustments to the following funds for Fiscal Year 2007-08: Increase Fire Capitalization fund, revenue/Transfers In (00) \$6,000; expenses/Fire (64) \$6,000; Police Capitalization fund, revenue/Transfer In (00) \$8,500; expenses/Police (62) \$8,500; Capital Outlay fund, revenue/Transfers In (00) \$5,439; expenses/Golf (47) \$5,439; expenses/Park & Recreation (06) \$12,406.
2. Discussion and consideration of the City Manager's Report for the month of March, 2008.
3. Discussion and consideration of approving and entering into a contract with Sheila's Catering for Concessions at Reno Swim and Slide for thirty-five percent (35%) of gross profits.
4. Discussion and consideration of renewing the agreement with Patrick Steelman for the snow cone concession at Joe B. Barnes Regional Park for Fiscal Year 2008-09. Rent is \$300 monthly + \$70 monthly for electric.
5. Discussion and consideration of approving and entering into a contract with David Massey for Snowcone Concessions at Kiwanis Park. Rent \$430 monthly + \$70 monthly for electric.
6. Discussion and consideration of awarding a bid for one (1) new 2008, 6,400 lb. GVW, C1500 pickup truck to Hudiburg Chevrolet, with options 1, 3, 4, 5 and 6, for a total price of \$26,120.
7. Discussion and consideration of awarding a bid for one (1) new 2008, 11,400 lb. GVW, model C3500 Chevrolet cab and chassis to Hudiburg Chevrolet for a total price, with options 5, 8, 9, 10 and 11 for a total price of \$25,545.
8. Discussion and consideration of the formation of the Trails Advisory Committee.
9. Discussion and consideration of the appointment of Mr. Rick Rice, Mr. Turner Mann, Mrs. Hazel Craddock and Mr. Floyd Wicker to the Trails Advisory Committee.

10. Discussion and consideration of accepting maintenance bonds from J.L. Walker Construction, Inc. in the amounts of \$5,192.00, \$2,321.00, and \$6,622.00; Wade Construction, Inc. in the amount of \$550.00 and M&M Ditching, Inc. in the amounts of \$3,236.00 and \$1,100.60.
11. Discussion and consideration of the acceptance of and making a matter of record Permit No. SL000055080224 from the State Department of Environmental Quality to serve Sundance Addition, Section 1, Oklahoma County, Oklahoma.

Voting aye: Mann, Cain, Ray, Pung, Rice and Mayor Smith. Nay: none. Absent: Maynard. Motion carried.

(D-1) (CA-57) The Council considered appeal to the Sign Ordinance regarding exceeding the height limits for free-standing signs. Daryush Valanejad, 221 Windover Cove, president and applicant, Douglas Development Corporation, appeared and spoke before the Council regarding this item. There was much discussion among the Council regarding this item. Motion was made by Ray, seconded by Cain, to deny this item. Voting aye: Mann, Cain, Ray, Pung, Rice and Mayor Smith. Nay: none. Absent: Maynard. Motion carried.

(D-2) (PC-1669) Public hearing was held with discussion and consideration of approval of an ordinance to redistrict from R-1-D, Single Family Detached Residential to a Planned Unit Development (PUD) to be governed by the R-3 Medium District, for the use of a Group Care Facility, for the property described as a part of the NE/4 of Section 7, T11N, R1W, located in the 1700 block of S. Westminster Drive. Micah Woodard, applicant and executive director, Mid-Del Youth and Family Center, Inc., 10524 Foxhorn Circle; Community Development Director Billy Harless; Mayor Smith; and City Manager Guy Henson briefed the Council on this item. The following persons appeared and spoke before the Council during the public hearing: Mary Lawrence, 1800 Deerwood Trail; and Carl Lippe, 1809 Goldenrod Lane; had questions; Brenda and Roy Holland, 10505 Foxhorn Circle; George Poplin, 1700 Songbird Lane; and Shirley Ward, 10628 Meadowlark Lane, spoke in opposition to this item; and Lois Edwards, 1209 Tear Drive; and JoAnn Johnson, 10601 Strawberry Hill, spoke in favor of this item. There was much discussion among the Council regarding this item. Motion was made by Cain, seconded by Pung, to adopt Ordinance No. 3052, as proposed. Voting aye: Mann, Cain, Ray, Pung, Rice and Mayor Smith. Nay: none. Absent: Maynard. Motion carried.

(D-3) Public hearing was held with discussion and consideration of an ordinance to close, for public use, a 21 foot wide fire lane easement located on the E-Z convenience store property on the southeast corner of Reno Avenue and Douglas Boulevard. No one appeared before the Council during the public hearing. Motion was made by Ray, seconded by Pung, to adopt Ordinance No. 3053, as proposed. Voting aye: Mann, Cain, Ray, Pung, Rice and Mayor Smith. Nay: none. Absent: Maynard. Motion carried.

(D-4) Public hearing was held with discussion and consideration of 1) approval of the FY 2008 Action Plan for the use of Community Development Block Grant (CDBG) Program and HOME Investment Partnership Act (HOME) Program funds; and 2) authorization of the Mayor to submit the approved and/or modified 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. No one appeared before the Council during the public hearing. Motion was made by Mann, seconded by Ray, to approve the FY 2008 Action Plan and authorize the mayor and city manager to enter into the necessary contracts to implement the program. Voting aye: Mann, Cain, Ray, Pung, Rice and Mayor Smith. Nay: none. Absent: Maynard. Motion carried.

(D-5) The Council considered approval of recommendations for use of funds from 2009 Local Government Challenge Grant of the Oklahoma Arts Council. Motion was made by Cain, seconded by Pung, to approve the award of this grant to Mid-Del Art Guild in the amount of \$4,500.00; to Midwest Choral Society in the amount of \$4,500.00; and to Studio Mid-Del in the amount of \$1,000.00. Voting aye: Mann, Cain, Ray, Pung, Rice and Mayor Smith. Nay: none. Absent: Maynard. Motion carried.

Hazel Craddock, 209 W. Coe Drive, appeared before the Council during the New Business/Public Discussion portion of the agenda asking staff to check into getting more storm sirens for Midwest City.

(Executive Session Item 1) Discussion and consideration of 1) entering into executive session as allowed under 25 O.S. Supp. 2003, § 307 (B)(4) to discuss Stuckey, et al v. City of Midwest City, Oklahoma County District Court Case No. CJ-2007-10997; and 2)

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in open session, authorizing a course of action to be taken by the city manager.

Motion was made by Mann, seconded by Cain, to enter into Executive Session. Voting aye: Mann, Cain, Ray, Pung, Rice and Mayor Smith. Nay: none. Absent: Maynard. Motion carried.

The Council entered into Executive Session.


Upon returning from Executive Session, Mayor Smith reconvened the meeting in Open Session.


Motion was made by Cain, seconded by Ray, to authorize the city manager to proceed as discussed in executive session. Voting aye: Mann, Cain, Ray, Pung, Rice and Mayor Smith. Nay: none. Absent: Maynard. Motion carried.


There being no further business, motion was made by Ray, seconded by Pung, to adjourn. Voting aye: Mann, Cain, Ray, Pung, Rice and Mayor Smith. Nay: none. Absent: Maynard. Motion carried.

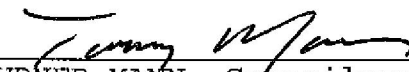
The meeting adjourned at 8:42 p.m.

ATTEST:

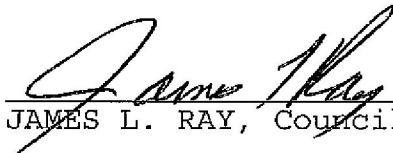

RHONDA ATKINS, Deputy City Clerk


RUSSELL SMITH, Mayor

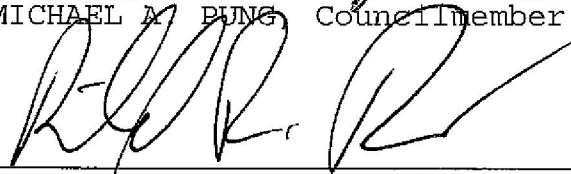

JERRY R. MAYNARD, Councilmember


TURNER MANN, Councilmember


RUTH CAIN, Councilmember


JAMES L. RAY, Councilmember


MICHAEL A. PUNG, Councilmember


RICHARD R. RICE, Councilmember



STEVEN A. THOMPSON
Executive Director

OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY

BRAD HENRY
Governor

*Matter of Record
C-11 4/22/08 mtg*

March 24, 2008

Mr. J. Guy Henson, City Manager
City of Midwest City
100 N. Midwest Blvd.
Midwest City, Oklahoma 73110

Re: Permit No. SL000055080224
Sundance Addition Section 1
Facility No. S-20541

Dear Mr. Henson:

Enclosed is Permit No. SL000055080224 for the construction of 2,994 L.F. of 8-inch sewer lines to serve the Sundance Addition Section 1, Oklahoma County, Oklahoma.

The project authorized by this permit should be constructed in accordance with the plans approved by this Department on March 24, 2008. Any deviations from the approved plans and specifications affecting capacity, flow or operation of units must be approved, in writing, by the Department before changes are made.

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

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

Very truly yours,

Duke Newin, P.E.
Construction Permit Section
Water Quality Division

DN/RC/ab

Enclosure

c: Bruce Vande Lune, Regional Manager, DEQ
Oklahoma City DEQ Office
Christopher D. Anderson, P.E., SMC Inc.
Gene Doussett, Planning & Management Division, OWRB

C-11-2





STEVEN A. THOMPSON
Executive Director

OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY

BRAD HENRY
Governor

Permit No SL000055080224

SEWER LINES

S-20541

PERMIT TO CONSTRUCT

March 24, 2008

Pursuant to O.S. 27A 2-6-401, the City of Midwest City is hereby granted this Tier I Permit to construct 2,994 L.F. of 8-inch sewer lines to serve the Sundance Addition Section 1, located in the NW/4, NE/4, Section 9, T-11-N, R-1-W, I.M., Oklahoma County, Oklahoma, in accordance with the plans approved on March 24, 2008.

By acceptance of this permit, the permittee agrees to operate and maintain the facility in accordance with Discharge – OPDES (NPDES) rules OAC 252:605 and to comply with the State Certification laws, Title 59, Section 1101-1116 O.S. and the rules and regulations adopted thereunder regarding the requirements for certified operators.

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

- 1) That the recipient of the permit is responsible that the project receives supervision and inspection by competent and qualified personnel.
- 2) That construction of all phases of the project will be started within one year of the date of approval or the phases not under construction will be resubmitted for approval as a new project.
- 3) That no significant information necessary for a proper evaluation of the project has been omitted or no invalid information has been presented in applying for the permit.
- 4) That wherever water and sewer lines are constructed with spacing of 10 feet or less, sanitary protection will be provided in accordance with OAC 252:656-5-4(c)(3) of the Standards for Water Pollution Control Construction Standards.
- 5) That tests will be conducted as necessary to insure that the construction of the sewer lines will prevent excessive infiltration and that the leakage will not exceed 10 gallons per inch of pipe diameter per mile per day.
- 6) That the Oklahoma Department of Environmental Quality shall be kept informed of occurrences which may affect the eventual performance of the works or that will unduly delay the progress of the project.

0-11-3





STEVEN A. THOMPSON
Executive Director

OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY

BRAD HENRY
Governor

Permit No SL000055080224

SEWER LINES

S-20541

PERMIT TO CONSTRUCT

- 7) That the permittee will take steps to assure that the connection of house services to the sewers is done in such a manner that the functioning of the sewers will not be impaired and that earth and ground water will be excluded from the sewers when the connection is completed.
- 8) That any deviations from approved plans or specifications affecting capacity, flow or operation of units must be approved by the Department before any such deviations are made in the construction of this project.
- 9) That the recipient of the permit is responsible for the continued operation and maintenance of these facilities in accordance with rules and regulations adopted by the Environmental Quality Board, and that this Department will be notified in writing of any sale or transfer of ownership of these facilities.
- 10) The issuance of this permit does not relieve the responsible parties of any obligations or liabilities which the permittee may be under pursuant to prior enforcement action taken by the Department.
- 11) That the permittee is required to inform the developer/builder that a DEQ Storm Water Construction Permit is required for a construction site that will disturb one (1) acre or more in accordance with OPDES, 27A O.S. 2-6-201 *et. seq.* For information or a copy of the GENERAL PERMIT (GP-005) FOR STORM WATER DISCHARGES FROM CONSTRUCTION ACTIVITIES, Notice of Intent (NOI) form, Notice of Termination (NOT) form, or guidance on preparation of a Pollution Prevention Plan, contact the Storm Water Unit of the Water Quality Division at P.O. Box 1677, Oklahoma City, OK 73101-1677 or by phone at (405) 702-8100.
- 12) That any notations or changes recorded on the official set of plans and specifications in the Oklahoma Department of Environmental Quality files shall be part of the plans as approved.
- 13) That all manholes shall be constructed in accordance with Water Pollution Control Construction Standards (OAC 252:656-5-3), as adopted by the Oklahoma Department of Environmental Quality.





STEVEN A. THOMPSON
Executive Director

OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY

BRAD HENRY
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SEWER LINES

S-20541

PERMIT TO CONSTRUCT

- 14) That when it is impossible to obtain proper horizontal and vertical separation as stipulated in Water Pollution Control Construction Standards OAC 252:656-5-4(c)(1) and OAC 252:656-5-4(c)(2), respectively, the sewer shall be designed and constructed equal to water pipe, and shall be pressure tested to the highest pressure obtainable under the most severe head conditions of the collection system prior to backfilling in accordance with Water Pollution Construction Standard OAC 252:656-5-4(c)(3).
- 15) That any notations or changes recorded on the official set of plans and specifications in the Oklahoma Department of Environmental Quality files shall be part of the plans as approved.

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

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

DN



Attach to 5/13/08 min.

Surplus Equipment

(2) Pennwalt Wallace & Tierman Chlorine Feeder-Model C-802-V-Serial # AJI5887
Pennwalt Wallace & Tierman Chlorine Feeder- Model C-800-V-Serial # AJI5982
Pennwalt Wallace & Tierman Chlorine Analyzer- Model U23117-Serial # AJ13068
Fluoride Feeder
Gibbs Hydrostatic Drive- G-10-15-250-BCS, SJ98-045,9504, PVWHII
Epson LQ-1070 Plus Printer-Model P631B-Serial # IJ81167224
Epson LQ-1070 Plus Printer-Model P631B-Serial # IJ811167229
Werner 16 Foot Extension Ladder
Louisville 12 Foot Step Ladder
(8) 8 Foot Shop Lights
(8) MEC-0-Matic Pulsafeeder Pump Model SR125- Serial #'s 0104300920, 960113663
9908301224, 0103300246, 0305300894, 9908301225,
(3) Scott Air Pack SCBA's 2216 PSI
(3) Scott 2216 PSI Air Tanks
(2) 2216 PSI Survive Air SCBA's
Survive Air 2216 PSI Tank
(6) Survive Air 4500 PSI Tanks
Franklin Electric 1 1/2 HP Submersible Pump, Single Phase 250 Volt
Woods Model BB5 – Box Blade
40 Ton Hydraulic Press Serial # 025453
Orion Portable PH Meter Model 230A Serial # 003154
HF Scientific Portable Turbidimeter
Oakton Conductivity Meter Serial # WD3560720
Orion PH Meter Model SA520 Serial # QU322A
Milton Roy Spectrophotometer Serial # 3616047005
Franklin Electric 60 HP 480 Volt 3 Phase Submersible Pump Serial # 20-0016
Pull Type Sewer Camera – 6”
Pull Type Sewer Camera – 8” & 10”
(2) 8’ Folding Chairs
(65) Folding Chairs
Onan Generator B810551669
Homelite Chain Saw Super II 16”
(36) Paper Towel Dispensers
Honda Engine 3HP Gasoline (2) Serial #'s GC02-2654675 – GC02-2977340
Signature Refrigerator Model MRT18BSCW4 BA81415592
Refrigerator Montgomery Ward 16 CU FT.
Kenmore 19 CU FT. Model 2539639010
Incubator Precision Model 815
Brush Hog 5 Ft. Ford Series 954 Model 22BM0215 Serial WM-27047
Cable Wench System – Sewer Camera (2)
Halliburton Assembly 283-90495
Halliburton Assembly 283-9045
1 Large Spool of Coax Cable (200-300) Feet
1 Small Spool of Coax Cable (100) Feet

(7) 3 Inch Homelite Trash Pumps Serial #'s
Model 1201P3-1-C – Serial # HL 1300060
Model 195443207 – Serial # 139-0188041410
Model 120TP3-1C
Model 195432001320 -- Serial # 1803251
Model 1654432-4047-01- Serial # 90101210
Nothing Visibal on 2 Pumps

Deskjet 660c Printer Serial # US5CT1C1C18H
Calculator – Texas Instrument T1-504511
Calculator – Auroa PR190A
Drill – Black & Decker 1338 – Serial # 2222
Grinder small yellow
Grinder – Black & Decker Fire Storm/FS6500AG

(7) 3 Inch Homelite Trash Pumps Serial #'s
Model 1201P3-1-C – Serial # HL 1300060
Model 195443207 – Serial # 139-0188041410
Model 120TP3-1C
Model 195432001320 – Serial # 1803251
Model 1654432-4047-01- Serial # 90101210
Nothing Visibal on 2 Pumps

Deskjet 660c Printer Serial # US5CT1C1C18H
Calculator – Texas Instrument T1-504511
Calculator – Auroa PR190A
Drill – Black & Decker 1338 – Serial # 2222
Grinder small yellow
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B-2-3