

Notice of regular Midwest City Council meetings was filed for the calendar year with the City Clerk of Midwest City and copies of the agenda for this meeting were posted at City Hall and on the City's website, accessible to the public for at least 24 hours in advance of the meeting.

MINUTES OF THE REGULAR MIDWEST CITY COUNCIL MEETING

September 8, 2015 – 7:00 p.m.

This meeting was held in the Midwest City Council Chambers, 100 N. Midwest Boulevard, Midwest City, County of Oklahoma, and State of Oklahoma with the following members present: Mayor Jay Dee Collins; Councilmembers: Daniel McClure Jr., James L. Ray, Christine Allen, and Jeff Moore; and City Clerk Rhonda Atkins. Absent: Richard R. Rice and Rick Dawkins. Mayor Collins called the meeting to order at 7:03 p.m.

Opening Business. The meeting opened with the invocation by Community Services Director Vaughn Sullivan, followed by the Pledge of Allegiance led by Councilmember Ray. There were no community-related announcements.

Consent Agenda. Motion was made by McClure, seconded by Ray, to approve the items on the Consent Agenda, as submitted.

1. Discussion and consideration of approving the minutes of the staff briefing and regular meetings of August 25, 2015, as submitted.
2. Discussion and consideration of directing that the 2014-15 annual report for Increment District Number 1, City of Midwest City, Oklahoma be filed in the city clerk's office and be submitted to the chief executive officer of each taxing entity that levies ad valorem taxes on property in the Increment District, and directing that the annual report be published in a newspaper of general circulation in the City.
3. Discussion and consideration of approving and entering into a Sponsorship/Marketing Consulting Agreement with STAAR Solutions in the amount of \$3,000 plus sponsorship sales commissions to effectively assist the City of Midwest City in achieving its goals and initiatives for the 2016 Made in Oklahoma Wine, Beer and Food Festival.
4. Discussion and consideration of approving and entering into a Memorandum of Understanding with the Oklahoma Office of Homeland Security for a Federal FY 2015 Homeland Security Grant Program grant for local funding for the Oklahoma Interoperable Communications Program in the amount of \$377,562.00 and assigning those grant funds to the State of Oklahoma to purchase and install interoperable communications equipment; purchase and install software upgrades for existing 800 MHz equipment; and fund planning and operational oversight costs for the statewide interoperable communications systems (800 MHz trunked and conventional), including but not limited to the salary and benefits of Oklahoma Office of Homeland Security and/or Oklahoma Department of Public Safety communication planners; and authorizing the mayor and/or city manager to enter into and execute any agreements and/or other documents on behalf of the City that are necessary or appropriate to effect the purposes and objectives of the grant.

Consent Agenda continued.

5. Discussion and consideration of accepting Grants of Permanent Easements from David Stanley Dodge Realty, LLC across property located at 2716 and 2720 South Midwest Boulevard for the construction and maintenance of the trail system located within the corporate limits of the City of Midwest City in the Southwest Quarter of Section Eleven (11), Township Eleven (11) North, Range Two (2) West of the Indian Meridian, Oklahoma County, Oklahoma.
6. Discussion and consideration of accepting a Grant of Permanent Easement from the Independent School District Number 52, of Oklahoma County, Oklahoma, aka Mid- Del Public Schools, aka Board of Education of Midwest City, across property located at 213 Maple Drive for the construction and maintenance of the trail system located within the corporate limits of the City of Midwest City, located in the Southwest Quarter of Section Three (3), Township Eleven (11) North, Range Two (2) West of the Indian Meridian, Oklahoma County, Oklahoma.
7. Discussion and consideration of accepting a grant of Permanent Easement from Parklawn Office Park across a certain tract of land located at 2801 Parklawn Drive within the corporate city limits of the City of Midwest City in Lot One (1), Block One (1), Parklawn Addition to the Southeast Quarter (SE/4) of Section Thirty Four (34) T12N R2W of the Indian Meridian, Oklahoma County, Oklahoma.
8. Discussion and consideration of passing and approving a Resolution #2015-20 declaring the necessity of acquiring and owning fee simple title to certain real property described as Lots One (1), Two (2) and Three (3) in Block Four (4) of the Amended Plat of North Oaks Addition No.2 (100, 102 and 108 North Oaks Avenue) to Midwest City, located in the Southeast Quarter of Section 35, T12N, R2W of the I.M., Midwest City, Oklahoma County, Oklahoma; authorizing, instructing and directing the city manager to acquire fee simple title to such real properties by purchase and settlement of damages with the landowners; authorizing, instructing and directing further that the city attorney initiate the necessary legal proceedings to condemn such real properties if they cannot be purchased and damages settled by agreement with the land owners.
9. Discussion and consideration of passing and approving Resolution #2015-21 declaring the necessity of acquiring and owning fee simple title to certain real property located in the 1400 block of South Midwest Boulevard described as being located in the Southeast Quarter (SE/4) of Section Three (3) Township Eleven (11) North, Range Two (2) West of the Indian Meridian in Midwest City, Oklahoma County, Oklahoma beginning at a point 569.93 feet (572.1 feet- deed) North 00° 33' 07" West (North- Deed) of the Southeast Corner (SE/COR) of said Section Three (3) said point being Fifty (50) feet at right angles from the centerline of the Oklahoma City-Ada-Atoka Railway's main track; thence North 67° 05' 00" West (Northwesterly- Deed) Fifty (50) feet from and parallel to said center-line of the main track a distance of 851.80 feet to a point; thence North 00° 33' 07" West (North- Deed) 27.30 feet to a point, said point being Twenty- Five (25) feet at right angles from the centerline of said railroad track; thence South 67° 05' 00" East (South-easterly- Deed) Twenty-Five (25) feet from and parallel to the centerline of said railroad track a distance of 851.80 feet; thence South 00°33'07" East (South - Deed) 27.30 feet to the point of beginning; authorizing, instructing and directing the city manager to acquire fee simple title to such real properties

Consent Agenda continued.

for development of the Midwest City Trails Master Plan and Implementation Study of 2009 by purchase and settlement of damages with the landowners; authorizing, instructing and directing further that the city attorney initiate the necessary legal proceedings to condemn such real properties if they cannot be purchased and damages settled by agreement with the landowners.

10. Discussion and consideration of entering into a contract in the total amount of \$1,200 with Joe Spain for appraisal services of three parcels of residential property located in the 100 Block of North Oaks Avenue described as Lot One (1), Lot Two (2) and Lot Three (3) of Block Four (4) of the Amended Plat of North Oaks No. 2 located within the corporate limits of the City of Midwest City, in the Southeast (SE/4) Quarter of Section Thirty Five (35), Township Twelve (12) North, Range Two (2) West, of the Indian Meridian, Oklahoma County, Oklahoma.
11. Discussion and consideration of entering into a contract in the amount of \$1,500 with Lane Wheeler for appraisal services for a parcel or strip of land located in the 1400 block of South Midwest Blvd. located within the corporate limits of the City of Midwest City in the Southeast (SE) Quarter of Section Three (3), Township Eleven (11) North, Range Two (2) West, of the Indian Meridian, Oklahoma County, Oklahoma.
12. Discussion and consideration of the reappointment of Ward 2 appointee Tammy Pote, Ward 4 appointee John Black, and Ward 6 appointee Elaine Winterink to the Citizens' Advisory Committee on Housing and Community Development for an additional four- year term.
13. Discussion and consideration of declaring as surplus the items of found property and seized non-drug evidence on the attached list, and authorizing their disposal through sealed bid or public auction, or destruction in the case of items posing a threat to the general safety of the general public.
14. Discussion and consideration of 1) declaring the various obsolete items of city property on the attached list surplus; and 2) authorizing their disposal by public auction or sealed bid.

Voting aye: McClure, Ray, Allen, Moore, and Mayor Collins. Nay: none. Absent: Rice and Dawkins. Motion carried.

Discussion Items.

1. **Public hearing with discussion and consideration of a resolution declaring the structure located at 2200 N. Rose Dr. a public nuisance as defined in subsection 27-3 (18) of the Municipal Code and setting dates to demolish and remove the structure from the site.** Matthew Meredith, owner of the property, and his daughter, Melissa, 2100 N. Rose, addressed the Council with comments about the property. Motion was made by McClure, seconded by Ray, to table this item until the October 13, 2015 Council meeting. Voting aye: McClure, Ray, Allen, Moore, and Mayor Collins. Nay: none. Absent: Rice and Dawkins. Motion carried.

Discussion Items continued.

2. **Public hearing with discussion and consideration of an appeal filed by Randy L. Goodman for S&M Properties, LLC of the notice and orders issued to correct the violations of exterior paint and roofs and drainage for the property located at 515 East Curtis Drive.** Motion was made by McClure, seconded by Moore, to table this item until the September 22, 2015 Council meeting as requested by letter by Mr. Goodman. Voting aye: McClure, Ray, Allen, Moore, and Mayor Collins. Nay: none. Absent: Rice and Dawkins. Motion carried.
3. **Public hearing with discussion and consideration of an appeal filed by Randy L. Goodman for S&M Properties, LLC reference the property located at 1709 Thompson Drive of the notice and order to correct listed violation of exterior paint.** Motion was made by McClure, seconded by Moore, to table this item until the September 22, 2015 Council meeting as requested by letter by Mr. Goodman. Voting aye: McClure, Ray, Allen, Moore, and Mayor Collins. Nay: none. Absent: Rice and Dawkins. Motion carried.
4. **Public hearing with discussion and consideration of a resolution declaring the structure located at 1119 Stansell Drive a public nuisance as defined in subsection 27-3 (18) of the Municipal Code and setting dates to demolish and remove the structure from the site.** Brian Nix, 4920 N. Meridian, Oklahoma City, owner of the property, and Brandon Burns, 1201 N. Stansell Dr., and Brenda Anderson, 1200 N. Stansell, addressed the Council. Motion was made by McClure, seconded by Moore, to approve Resolution #2015-22 as submitted declaring the property a nuisance. Voting aye: McClure, Ray, Moore, and Mayor Collins. Nay: Allen. Absent: Rice and Dawkins. Motion carried.
5. **Discussion and consideration of approving and passing an ordinance amending Chapter 38, Subdivision Regulations, of the Midwest City Code by amending Article VI, Subdivision Standards, Section 38-54, Retaining wall construction and easements, Subsection 54.3, Construction, Subsection 38-54.4, Retaining walls required based on the city engineer and grading plans, and Figure 49: Retaining Wall Diagram; establishing an effective date; and providing for repealer and severability. (This item was continued at the June 23, 2015 meeting and at the July 14, 2015 meeting.)** Motion was made by Moore, seconded by McClure, to approve and pass Ordinance #3246, as submitted. Voting aye: McClure, Ray, Allen, Moore, and Mayor Collins. Nay: none. Absent: Rice and Dawkins. Motion carried.
6. **(PC-1845) Discussion and consideration of approving and passing an ordinance amending Appendix A, Zoning Regulations, of the Midwest City Code by amending Section 5, Supplemental Regulations, Section 5.2.4, Sight-Proof Screening Requirements; and providing for repealer and severability; and establishing an effective date.** Motion was made by McClure, seconded by Ray, to approve and pass Ordinance #3244, as submitted. Voting aye: McClure, Ray, Allen, Moore, and Mayor Collins. Nay: none. Absent: Rice and Dawkins. Motion carried.
7. **(PC-1846) Discussion and consideration of approving and passing an ordinance amending Appendix A, Zoning Regulations, of the Midwest City Code; by amending Section 5, Supplemental Regulations, Section 5.3-2(E), Specific Parking Requirements, by amending table 5.3-2 Specific Parking Requirements pertaining to the parking**

Discussion Items continued.

standards for the use units 4.4.23 Eating Establishments: Drive-In, 4.4.24 Eating Establishments: Fast Foods and 4.4.25 Eating Establishments: Fast Foods, Low-Point Beer Permitted, and providing for repealer and severability. Motion was made by McClure, seconded by Moore, to approve and pass Ordinance #3245, as submitted. Voting aye: McClure, Ray, Allen, Moore, and Mayor Collins. Nay: none. Absent: Rice and Dawkins. Motion carried.

8. **Discussion and consideration of establishing the Original Mile Reinvestment Committee, establishing the terms of the committee members and appointing members to serve on the committee.** Motion was made by McClure, seconded by Moore, to establish the Original Mile Reinvestment Committee with a total of seven members serving three-year terms initially staggered and appointing Mayor Collins, and Councilmembers McClure and Dawkins to serve on the committee. Voting aye: McClure, Ray, Allen, Moore, and Mayor Collins. Nay: none. Absent: Rice and Dawkins. Motion carried.

Executive Session.

1. **Discussion and consideration of (1) entering into executive session, as allowed under 25 O.S., § 307(B)(4), to discuss Donald Mariano v. City of Midwest City, Case No. WC2013-06336H, and (2) in open session, authorizing the city manager to take action as appropriate based on the discussion in executive session.**
2. **Discussion and consideration of 1) entering into executive session as allowed under 25 O.S. § 307 (B) (2) to discuss negotiations concerning employees and representatives of employee groups; and 2) in open session, authorizing the city manager to take action as appropriate based on the discussion in executive session.**

Motion was made by Allen, seconded by McClure, to go into executive session. Voting aye: McClure, Ray, Allen, Moore, and Mayor Collins. Nay: none. Absent: Rice and Dawkins. Motion carried. The Council went into executive session at 7:56 p.m. At the conclusion of the executive session, Mayor Collins reconvened the meeting in open session at 8:22 p.m. Motion was made by Moore, seconded by Ray, to authorize the city manager to proceed as discussed in executive session item in the Mariano case. Voting aye: Ray, Allen, Moore, and Mayor Collins. Abstain: McClure. Nay: none. Absent: Rice and Dawkins. Motion carried. No action was taken on executive session item two regarding labor negotiations.

Mayor Collins called for a recess at 8:40 p.m. Motion was made by McClure, seconded by Moore, to recess the meeting. Voting aye: McClure, Ray, Allen, Moore, and Mayor Collins. Nay: none. Absent: Rice and Dawkins. Motion carried.

Mayor Collins reconvened in the meeting at 8:43.

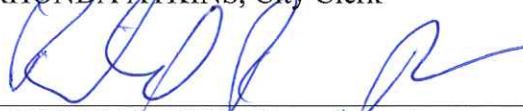
New Business/Public Discussion. Ralph Ashley, 8900 Woodbriar, and Mary Campbell, 416 Pinehurst Dr., addressed the Council about public safety.

Adjournment.

There being no further business, motion was made by Ray, seconded by Allen, to adjourn. Voting aye: McClure, Ray, Allen, Moore, and Mayor Collins. Nay: none. Absent: Rice and Dawkins. Motion carried. The meeting adjourned at 8:56 p.m.

ATTEST:



RHONDA ATKINS, City Clerk


RICHARD R. RICE, Councilmember


JAMES L. RAY, Councilmember


JEFF MOORE, Councilmember


JAY DEE COLLINS, Mayor


DANIEL MCCLURE JR., Councilmember


RICK DAWKINS, Councilmember


CHRISTINE C. PRICE ALLEN, Councilmember