

Notice for the Midwest City Council meetings was filed for the calendar year with the City Clerk of Midwest City. Public notice of this agenda was accessible at least 24 hours before this meeting at City Hall and on the Midwest City website (www.midwestcityok.org).

Midwest City Council Minutes

July 26, 2022

This meeting was held in the Midwest City Court Room at City Hall, 100 N Midwest Blvd, Midwest City, County of Oklahoma, State of Oklahoma.

Vice Mayor Pat Byrne called the meeting to order at 6:00 PM with following members present:

Ward 1 Susan Eads	Ward 5 Sara Bana	City Manager Tim Lyon
Ward 2 Pat Byrne	Ward 6 Rick Favors	City Clerk Sara Hancock
		City Attorney Don Maisch

Absent: Mayor Matthew Dukes, Ward 3 Megan Bain, and Ward 4 Sean Reed

OPENING BUSINESS. The Invocation was led by Assistant City Manager Vaughn Sullivan. Pledge of Allegiance was led by Vice Mayor Pat Byrne. Staff and Council made community-related announcements and comments. City Manager Lyon presented Mayoral Proclamations for: Retirees Brian Phillips and Maciek Hoyetski and the Lakes Appreciation Month.

CONSENT AGENDA. Eads made motion to approve consent agenda with the exception to pull items #8, 10, 16 and 17, seconded by Bana. Voting Aye: Eads, Byrne, Bana, and Favors. Nay: none. Absent: Bain, Reed and Dukes. Motion Carried.

1. Discussion and consideration for adoption, including any possible amendments, of the June 28, 2022 meeting minutes.
2. Discussion and consideration for adoption, including any possible amendment, of the City Manager's Report for the month of June 2022.
3. Discussion and consideration for adoption, including any possible amendment of supplemental budget adjustments to the following funds for FY 2022-2023, increase: Grants Fund, revenue/Intergovernmental (88) \$1,229,182; expenditures/Transfers Out (88) \$1,229,182. Disaster Relief Fund, revenue/Transfers In (88) \$1,229,182. Dedicated Tax 2012 Fund, expenditures/Economic (87) \$13,980. Grants Fund, revenue/Intergovernmental (21) \$11,000; expenditures/Emergency Operations (21) \$11,000.
4. Discussion and consideration for adoption, including any possible amendment of supplemental budget adjustments to the following funds for FY 2021-2022, increase: Street Light Fee Fund, expenditures/General Government (14) \$47,000. Grant Fund, revenues/Intergovernmental (88) \$27,037; expenditures/Transfers Out (88) \$27,037. Disaster Relief Fund, revenues/Transfers In (88) \$27,037. 29th & Douglas Property Fund, expenditures/Transfers Out (17) \$3,065.

5. Discussion and consideration of passing and approving, including any possible amendment of Resolution 2022-17 for the City of Midwest City, Oklahoma to release unappropriated fund balances at the close of day June 30, 2022 to be made available for fiscal year 2022-2023; and amending the budgets for fiscal year 2022-2023 to include the released appropriations from the fiscal year 2021-2022 budgets as supplemental appropriations; and, effective July 1, 2022, renewing encumbrance commitments cancelled at the close of day June 30, 2022.
6. Discussion and consideration of adopting, including any possible amendment, 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.
7. Discussion and consideration, including any possible amendments, of accepting the Urban Renewal Authority's Fiscal Year 2021-2022 Annual Report.
9. Discussion and consideration, including any possible amendment of awarding a contract for construction management to Lippert Brothers Construction, Inc. (LBI), associated with phase II additions to the Multi-Athletic Complex (MAC) in the amount of 6% of actual construction costs for construction management services and a flat fee of \$5,000.00 for pre-construction services.
11. Discussion and consideration of adoption, including any possible amendment of, a contract for FY 22-23 in the amount of \$203,980 with Central Oklahoma Transportation and Parking Authority (COTPA) for the provision of EMBARK Route 15 bus service in Midwest City.
12. Discussion and consideration, including any amendment thereto, of accepting a State and Local Assistance Performance Grant from and entering into an Agreement for the Sub-Grant of the Emergency Management Performance Grant American Rescue Plan Act (EMPG-ARPA) with the State of Oklahoma Department of Emergency Management and Homeland Security (OEMHS) in the amount of \$1,000 effective February 8, 2022 for the acquisition of a pallet of water designated for emergency use.
13. Discussion and consideration, including any amendment thereto, of accepting a State and Local Assistance Performance Grant from and entering into an Agreement for the Sub-Grant of Emergency Management Performance Grant American Rescue Plan Act (EMPG-ARPA) with the State of Oklahoma Department of Emergency Management and Homeland Security (OEMHS) in the amount of \$10,000 effective February 8, 2022 for the acquisition of a generator.
14. Discussion and consideration for adoption, including any possible amendment of change order #7 amending the contract with Shiloh Enterprises, Inc. to construct the WP Bill Atkinson Park in an increase of \$2,459.47 and add 6 days of time.
15. Discussion and consideration for adoption, including any possible amendment of change order #01 amending the contract with Downey Contracting, LLC to construct the Midwest City Council Chambers COVID and ADA retrofit in an increase of \$3,500 and with no time added.
18. Discussion and consideration, including any possible amendment of declaring various items of City property as surplus property and authorizing their disposal through sealed bid, public auction, or by other means as necessary.

8. **Discussion and consideration, including any possible amendment, of awarding the bid and entering into a Property Lease Agreement for Turn-key Concession Operations at Kiwanis Park with Tasty Snow in the amount of \$850.00 per month from March to October.** Sullivan addressed the Council. After Staff and Council discussion, Bana made a motion approve the lease agreement, seconded Eads. Voting Aye: Eads, Byrne, Bana, and Favors. Nay: none. Absent: Bain, Reed and Dukes. Motion Carried.

10. **Discussion and consideration for adoption, including any possible amendment, of a Memorandum of Understanding for 2022-23 in the amount of \$75,000 with the Boys and Girls Clubs of Oklahoma County Inc. for the operation of a club site at Country Estates Elementary School, located at 1609 Felix Place in Midwest City.** T. Craft address the Council. After Staff and Council discussion, Bana made a motion to approve the memorandum, seconded by Favors. Voting Aye: Eads, Byrne, Bana, and Favors. Nay: none. Absent: Duke, Bain, Reed. Motion Carried.

16. **Discussion and consideration of adoption, including any possible amendment, of renewing the utility bill production agreement with DataProse, LLC contract, with modifications for Fiscal Year 22-23.** S. Hancock addressed Council. After Staff and Council discussion, Eads made a motion to approve renewal, seconded by Bana. Voting Aye: Eads, Byrne, Bana, and Favors. Nay: none. Absent: Bain, Reed and Dukes. Motion Carried.

17. **Discussion and consideration, including any amendment, of reappointing Dave Herbert and Russell Smith to the Midwest City Urban Renewal Authority for an additional three-year term to end on July 22, 2025.** R/ Coleman address the Council. After Staff and Council discussion, Favors made a motion to approve, seconded by Bana. Voting Aye: Eads, Byrne, Bana, and Favors. Nay: none. Absent: Bain, Reed and Dukes. Motion Carried.

DISCUSSION ITEMS.

1. **Public Hearing, discussion, consideration and to provide information and answer questions, pursuant to Title 62, Section 859 of the Oklahoma Statutes regarding the establishment of "Increment District Number Three, City of Midwest City, Oklahoma" in consideration of MTG Property Holdings, LLC and Centrillium Proteins, LLC request for development financing assistance in constructing a ± 55,000 square foot food processing plan near 7210 NE 36th Street; and in consideration of Global Turbine Systems request for economic development finance assistance to develop a maintenance, repair and jet turbine overhaul facility near 7450 NE 23rd Street. (Presentation By Dan McMahan, Representing the City of Midwest City)** R. Coleman and D. McMahan presented information. Glen Pontious of 3304 W. Idylwild addressed the Council. Discussion was had. No Action Taken.

2. **Discussion and consideration for entering into and approving, including any possible amendment for Professional Services with Plummer Associates, Inc. in the amount of \$299,365 to provide survey and design services for a future utility extension to serve Centrillium Proteins and the Water Resource Recovery Facility.** Bundy addressed the council. After Staff and Council had discussion, Bana made a motion to approve the amendment, seconded by Favors. Voting Aye: Eads, Byrne, Bana, and Favors. Nay: none. Absent: Bain, Reed and Dukes. Motion Carried.

3. **Discussion and consideration for entering into and approving, including any possible amendment for Professional Services with Freese and Nichols, Inc. in the amount of \$296,000 to provide services for the Eastside Sanitary Sewer Study.** Bundy addressed council. Eads made motion to approve the amendment, seconded by Favors. Voting Aye: Eads, Byrne, Bana, and Favors. Nay: none. Absent: Bain, Reed and Dukes. Motion Carried.
4. **Public hearing, presentation and discussion of proposed amendments to Chapter 14, Elections; Section 14-1, Wards created; boundaries of the City Ordinances for the City of Midwest City that create and define the ward boundaries for the six wards in Midwest City.** D. Maisch and Marcus Hayes of 4416 Bonaparte Blvd. addressed the Council. After Staff and Council discussion was had. No Action was needed.

At 7:27 PM Eads made a motion to recess, seconded by Favors. Voting Aye: Eads, Byrne, Bana, and Favors. Nay: none. Absent: Bain, Reed and Dukes. Motion Carried.

At 7:43 PM Eads made motion to reconvene, seconded by Favors. Voting Aye: Eads, Byrne, Bana, and Favors. Nay: none. Absent: Bain, Reed and Dukes. Motion Carried.

EXECUTIVE SESSION.

1. **Discussion and consideration of 1) entering into executive session, as allowed under Title 25 Section 307 (B)(4) to discuss confidential communications between a public body and its attorney concerning a pending investigation, claim, or action if the public body with the advice of its attorney, determines that disclosure will seriously impair the ability of the public body to process the claim or conduct a pending investigation, litigation, or proceeding in the public interest; and 2) authorizing the City Manager to take action as appropriate based on discussion.**

At 7:43 PM Eads made a motion to enter into Executive Session, seconded by Favors. Voting Aye: Eads, Byrne, Bana, and Favors. Nay: none. Absent: Bain, Reed and Dukes. Motion Carried.

At 8:22 PM Eads made motion to return to open session, seconded by Favors. Voting Aye: Eads, Byrne, Bana, and Favors. Nay: none. Absent: Bain, Reed and Dukes. Motion Carried.

DISCUSSION ITEMS CONTINUED.

5. **Discussion and consideration for approval, a resolution approving the proposed settlement agreement with the following opioid distributors: Cardinal Health, McKesson Corporation and AmerisourceBergen Corporation.** Eads made a motion to approve Resolution 2022-19, seconded by Favors. Voting Aye: Eads, Byrne, Bana, and Favors. Nay: none. Absent: Duke, Bain, Reed. Motion Carried.
6. **Discussion and consideration for approval, including any possible amendment of a resolution approving the proposed settlement agreement with Johnson and Johnson concerning opioid litigation.** Eads made a motion to approve Resolution 2022-20, seconded by Favors. Voting Aye: Eads, Byrne, Bana, and Favors. Nay: none. Absent: Bain, Reed and Dukes. Motion Carried.


7. Discussion and consideration for approval, a resolution approving the proposed sharing agreement with Mallinckrodt concerning opioid litigation. Eads made a motion to approve Resolution 2022-21, seconded by Bana. Voting Aye: Eads, Byrne, Bana, and Favors. Nay: none. Absent: Bain, Reed and Dukes. Motion Carried.

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

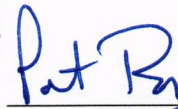
ADJOURNMENT.

There being no further business, Vice Mayor Byrne adjourned the meeting at 8:25 PM.

ATTEST:


SARA HANCOCK, City Clerk




PAT BYRNE, Vice Mayor
Acting Mayor

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.midwestcityok.org).

Midwest City Municipal Authority Minutes

July 26, 2022

This meeting was held in the Midwest City Court Room at City Hall, 100 N Midwest Blvd, Midwest City, County of Oklahoma, State of Oklahoma.

Vice Chairman Pat Byrne called the meeting to order at 7:27 PM with the following members present:

Trustee Susan Eads	Trustee Sara Bana	General Manager Tim Lyon
Trustee Pat Byrne	Trustee Rick Favors	Secretary Sara Hancock
		City Attorney Don Maisch

Absent: Chairman Matthew Dukes, Trustee Sean Reed and Trustee Megan Bain

CONSENT AGENDA. Eads made a motion to approve the consent agenda, seconded by Favors. Voting Aye: Eads, Byrne, Bana, and Favors. Nay: none. Absent: Bain, Reed and Dukes. Motion Carried.

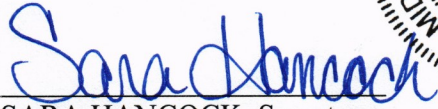
1. Discussion and consideration for adoption, including any possible amendments, of the June 28, 2022 meeting.
2. Discussion and consideration for adoption, including any possible amendment of supplemental budget adjustments to the following funds for FY 2022-2023, increase: Capital Water Improvement Fund, expenditures/Capital Water Improvement (49) \$4,144.
3. Discussion and consideration of passing and approving, including any possible amendment of Resolution MA2022-02 for the Midwest City Municipal Authority, a public trust, to release unappropriated fund balances at the close of day June 30, 2022 to be made available for fiscal year 2022-2023; and amending the budget for fiscal year 2022-2023 to include the released appropriations from the fiscal year 2021-2022 budgets as supplemental appropriations; and, effective July 1, 2022, renewing encumbrance commitments canceled at the close of day June 30, 2022.
4. Discussion and consideration, including any possible amendment, of awarding the bid and entering into a Property Lease Agreement for Turn-key Concession Operations at Joe B. Barnes Regional Park with Tasty Snow in the amount of \$1,000.00 per month from March to October.
5. Discussion and consideration, including any possible amendment, of accepting the report on the current financial condition of the Sheraton Midwest City Hotel at the Reed Center for the period ending June 30, 2022.
6. Discussion and consideration, including any amendment, of approving the Sheraton New Build License Agreement amending the Marriott Franchise Agreement.

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

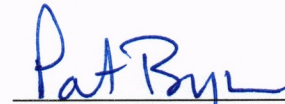
ADJOURNMENT.

There being no further business, Vice Chairman Byrne adjourned the meeting at 7:28 PM.

ATTEST:


SARA HANCOCK, Secretary




PAT BYRNE, Vice Chairman
Acting Mayor

Notice for the Midwest City Memorial Hospital Authority meetings was filed for the calendar year with the City Clerk of Midwest City. Public notice of this agenda was accessible at least 24 hours before this meeting at City Hall and on the Midwest City website (www.midwestcityokorg).

Midwest City Memorial Hospital Authority Minutes

July 26, 2022

This meeting was held in the Midwest City Court Room at City Hall, 100 N Midwest Blvd, Midwest City, County of Oklahoma, State of Oklahoma.

Vice Chairman Pat Byrne called the meeting to order at 7:28 PM with the following members present:

Trustee Susan Eads	Trustee Sara Bana	General Manager Tim Lyon
Trustee Pat Byrne	Trustee Rick Favors	Secretary Sara Hancock
		Attorney Don Maisch

Absent: Chairman Matthew Dukes, Trustee Sean Reed and Trustee Megan Bain

CONSENT AGENDA. Eads made a motion to approve the consent agenda, seconded by Favors. Voting Aye: Eads, Byrne, Bana, and Favors. Nay: none. Absent: Bain, Reed and Dukes. Motion Carried.

1. Discussion and consideration for adoption, including any possible amendments, of the June 28, 2022 meeting minutes.
2. Discussion and consideration for adoption, including any possible amendment of supplemental budget adjustments to the following fund for FY 2021-2022, increase: MWC Hospital Authority Fund, revenues/Transfers In (90) \$3,065.
3. Discussion and consideration for adoption, including any possible amendment of Resolution HA2022-02 for the Midwest City Memorial Hospital Authority, a public trust, to release unappropriated fund balance at the close of day June 30, 2022 to be made available for fiscal year 2022-2023; and amending the budget for fiscal year 2022-2023 to include the released appropriations from the fiscal year 2021-2022 budget as supplemental appropriations; and, effective July 1, 2022, renewing encumbrance commitments canceled at the close of day June 30, 2022.
4. Discussion and consideration, including any possible amendments, of reviewing and accepting 1) the FY 2021-22 Year-End Report of the Trust Board of Grantors; and 2) the FY 2022-23 Community Improvement Grant Program documents and schedule.

DISCUSSION ITEM.

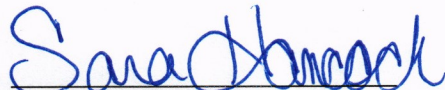
1. **Discussion and consideration of adoption, including any possible amendment, of action to reallocate assets, change fund managers or make changes in the Statement of Investment Policy, Guidelines and Objectives.** No Action Needed

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

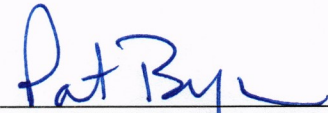
ADJOURNMENT.

There being no further business, Vice Chairman Byrne adjourned the meeting at 7:29 PM.

ATTEST:


SARA HANCOCK, Secretary




PAT BYRNE, Vice Chairman
Acting Mayor

Notice for the Midwest City Economic Development Authority special meeting was filed with the City Clerk of Midwest City at least 48 hours prior to the meeting. Public notice of this agenda was accessible at least 24 hours before this meeting at City Hall and on the Midwest City website (www.midwestcityokorg).

**Midwest City Economic Development Authority Minutes
Special Meeting**

July 26, 2022

This meeting was held in the Midwest City Court Room at City Hall, 100 N Midwest Blvd, Midwest City, County of Oklahoma, State of Oklahoma.

Vice Chairman Pat Byrne called the meeting to order at 7:37 PM with the following members present:

Trustee Susan Eads	Trustee Sara Bana	General Manager Tim Lyon
Trustee Pat Byrne	Trustee Rick Favors	Secretary Sara Hancock
		City Attorney Don Maisch

Absent: Chairman Matthew Dukes, Trustee Sean Reed and Trustee Megan Bain

CONSENT AGENDA. Eads made a motion to approve the consent agenda, seconded by Bana. Voting Aye: Eads, Byrne, Bana, and Favors. Nay: none. Absent: Bain, Reed and Dukes. Motion Carried.

1. Discussion and consideration for adoption, including any possible amendments, of the June 14, 2022 meeting minutes.
2. Discussion and consideration of passing and approving, including any possible amendment of a Resolution EDA2022-03 for the Midwest City Economic Development Authority, a public trust, to release unappropriated fund balances at the close of day June 30, 2022 to be made available for fiscal year 2022-2023; and amending the budget for fiscal year 2022-2023 to include the released appropriations from the fiscal year 2021-2022 budgets as supplemental appropriations; and, effective July 1, 2022, renewing encumbrance commitments canceled at the close of day June 30, 2022.

DISCUSSION ITEM.

1. **Discussion, consideration and possible action to amend and/or approve a resolution of the Midwest City Economic Development Authority approving that certain “Economic Development Assistance Agreement,” by and between the Midwest City Economic Development Authority, Centrillum Proteins, LLC, and MTG Property Holdings, LLC (the “Development Assistance Agreement”); authorizing and directing the execution and delivery of the Development Assistance Agreement; and containing other provisions relating thereto.**

R. Coleman addressed the Trustees. Bana made a motion to approve Resolution EDA2022-04, seconded by Eads. Voting Aye: Eads, Byrne, Bana, and Favors. Nay: none. Absent: Bain, Reed and Dukes. Motion Carried.

PUBLIC DISCUSSION. There was no public discussion.

ADJOURNMENT.

There being no further business, Vice Chairman Byrne adjourned the meeting at 7:43 PM.

ATTEST:



Sara Hancock
SARA HANCOCK, Secretary

Pat Byrne
PAT BYRNE, Vice Chairman
Acting Mayor