



CITY OF MIDWEST CITY
MEETINGS OF THE ELECTED OFFICIALS FOR
DECEMBER 13, 2022

All Council/Authority/Commission meetings of the City of Midwest City (MWC) elected officials will be held in the Council Chamber located at 100 N. Midwest Blvd., Midwest City, OK 73110, Oklahoma County, Oklahoma, unless notified otherwise.

Regularly scheduled meetings of the elected officials of MWC will be streamed live and recorded on the MWC YouTube channel: [Bit.ly/CityofMidwestCity](https://bit.ly/CityofMidwestCity) with the recorded videos available there within 48 hours.

Special Assistance for a Meeting: Call 405-739-1220 or send request via email to tanderson@midwestcityok.org or no less than 24 hours prior to the start of a meeting. If special assistance is needed during a meeting, call 739-1388.

Please note that the elected officials will informally gather at or after 5:00 PM in the City Manager's Conference room for dinner for evening meetings; however, no business will be discussed or acted upon. Meals including drinks will only be provided to the City Council and staff. Doors to the Council Chamber will be open to the public fifteen minutes prior to the start of a meeting.

New Information: For the purposes of all meetings of the MWC elected and/or appointed officials, the term "possible action" shall mean possible adoption, rejection, amendments, and/or postponements.

MWC continues to take steps to follow federal, state and local guidelines regarding social distancing and crowd size. Thank you for helping us keep our community safe.



CITY COUNCIL AGENDA

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

December 13, 2022 – 6:00 PM

Presiding members: Mayor Matthew Dukes

Ward 1 Susan Eads

Ward 2 Pat Byrne

Ward 3 Megan Bain

Ward 4 Sean Reed

Ward 5 Sara Bana

Ward 6 Rick Favors

City Staff:

City Manager Tim Lyon

City Clerk Sara Hancock

City Attorney Don Maisch

A. CALL TO ORDER.

B. OPENING BUSINESS.

-  Invocation by Assistant City Manager Vaughn Sullivan
-  Pledge of Allegiance by Carl Albert High School ROTC Cadets
-  Community-related announcements

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 Council member requests to discuss an item(s) or if unanimous consent is not received, then the item or items will be removed and heard in regular order.

1. Discussion, consideration, and possible action of the November 8, 2022 meeting minutes. (City Clerk - S. Hancock)
2. Discussion, consideration, and possible action of approving a resolution nominating Mayor Matthew D. Dukes II as a Board member for the District 8 seat on the Oklahoma Municipal League Board of Directors. (City Manager - T. Lyon)
3. Discussion, consideration, and possible action of Change Order #1 to the contract with H.W. Lochner Inc. in an increase of \$10,780 for the purposes of developing construction plans for the SE 29th Street bridges over Crutcho and Kuhlman Creeks. (Eng. & Const. Services - B. Bundy)
4. Discussion, consideration, and possible action of awarding the bid to and entering into a contract with Shawnee Mission Tree Service, Inc. dba Arbor Masters, in the amount of \$51,354 to selectively clear the future expansion of Mid-America Park. City Council delegates the Mayor to sign and execute the contract. (Eng. & Const. Services - B. Bundy)
5. Discussion, consideration, and possible action of approving change order #03 amending the contract with Downey Contracting, LLC to construct the Midwest City Council Chambers COVID and ADA retrofit at no cost change with 49 additional days for Council Chamber and 16 additional days for the Court Bathroom. (Eng. & Const. Services - B. Bundy)
6. Discussion, consideration, and possible action of Change Order #11 amending the contract with Shiloh Enterprises, Inc. to construct the WP Bill Atkinson Park at no additional cost and add 35 days of time. (Eng. & Const. Services - B. Bundy)

7. Discussion, consideration, and possible action of accepting the amendment to make a matter of record Permit No. SL000055220759 from the State Department of Environmental Quality for the 10601 S.E. 15th Street Sewer Line Extension, Midwest City, Oklahoma. (Eng. & Const. Services - P. Menefee)
8. Discussion, consideration, and possible action of accepting the amendment to make a matter of record Permit No. WL000055220780 from the State Department of Environmental Quality for the Police and Fire Training Facility Water Line Extension, Midwest City, Oklahoma. (Eng. & Const. Services - P. Menefee)
9. Discussion, consideration, and possible action of accepting the amendment to make a matter of record Permit No. SL000055220682 from the State Department of Environmental Quality for the Midwest City (MAC) Sports Complex Sewer Line Extension, in Oklahoma City, Oklahoma. (Eng. & Const. Services - P. Menefee)
10. Discussion, consideration, and possible action of making a matter of record Permit No. SL000055220760 from the State Department of Environmental Quality for the Main Gate (227 W. MacArthur Dr.) Sewer Line Extension, Midwest City, Oklahoma. (Eng. & Const. Services - P. Menefee)
11. Discussion, consideration, and possible action of the acceptance of maintenance bonds from First Water Contracting, LLC in the amount of \$27,612.04 and \$9,549.80 respectively. (Eng. & Const. Services - P. Menefee)
12. Discussion, consideration, and possible action of appointing Ms. Erin Hurst for Ward 2 to replace, Mrs. Suzi Byrne who resigned as the Ward 2 Midwest City Tree Board representative. (Public Works - R. P. Streets)
13. Discussion, consideration, and possible action of reappointing Jess Huskey, Frank Young and Charles McDade to the Board of Adjustment for additional three-year terms. (Community Development - B. Harless)
14. Discussion, consideration, and possible action of reappointing Max Wilson and Rick Lewis both to a three year term for the City of Midwest City ADA Transition Plan Committee. (Eng. & Const. Services - B. Bundy)
15. Discussion, consideration, and possible action of appointing Jesse Stemper to a three year term for the City of Midwest City Builder Advisory Board. (Eng. & Const. Services - B. Bundy)
16. Discussion, consideration, and possible action of appointing Terry Hoss and Brandon Pitts (2) to initial two year terms; and reappointing Tye Moore and Mike Gregory (2) to three year terms for the City of Midwest City Electrical Board. (Eng. & Const. Services - B. Bundy)

17. Discussion, consideration, and possible action of appointing both David Wallar and Scott Wiggy (2) and reappointing Gary Perkins (1) to three year terms for the City of Midwest City Plumbing, Gas, and Mechanical Board. (Eng. & Const. Services - B. Bundy)
18. Discussion, consideration, and possible action of declaring (2) 2014 Chevrolet Caprices, (2) 2012 Chevrolet Impalas, (1) 2010 Chevrolet Impala, (1) 2008 Dodge Pickup, and (1) 2019 BMW Motorcycle and their contents, as surplus and authorizing disposal by public auction, sealed bid or other means necessary. (Police - S. Porter)
19. Discussion, consideration, and possible action of declaring (1) Ice Machine and (1) Chair as surplus property and authorizing their disposal through sealed bid, public auction, or by other means as necessary. (Eng. & Const. Services - B. Bundy)

D. DISCUSSION ITEMS.

1. Discussion, consideration, and possible action of a Professional Services Agreement with Lee Engineering, LLC. in the amount of \$113,800 to provide survey and design services for a future federal aid project to upgrade and improve 6 signals, known as JP 35927(04). (Eng. & Const. Services - B. Bundy)
2. Discussion, consideration and possible action of a public hearing of approving the annual Tree Board Landscape Master Plan as required in Article II, Section 42-36 of the Midwest City Code of Ordinances. (Public Works - R. P. Streets)
3. Review of a quarterly update on the progress of the execution of the General Obligation Bond (G.O. Bond) projects. (City Manager - V. Sullivan)
4. Discussion, consideration, and possible action of adopting a resolution, designating a site for the temporary City Council Chambers at the Court Room at City Hall, with the Midwest City Community Center designated as a backup and to temporarily move the meetings of the City Council, Boards, Commissions, Trusts or Authorities to the temporary City Council Chambers for the month of January of 2023. (City Attorney - D. Maisch)
5. Discussion, consideration, and possible action of a resolution establishing the City of Midwest City elected officials' meeting practices. (City Manager - T. Lyon)

E. NEW BUSINESS/PUBLIC DISCUSSION.

In accordance with State Statute Title 25 Section 311. Public bodies - Notice. A-9, the purpose of the "New Business" section is for action to be taken at any Council/Authority/Commission meeting for any matter not known about or which could not have been reasonably foreseen 24 hours prior to the public meeting. The purpose of the "Public Discussion" section of the Agenda is for members of the public to speak to the 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. EXECUTIVE SESSION.

1. Discussion, consideration, and possible action of 1) entering into executive session, to discuss case CJ-19-2857 Bailey v. Midwest City, 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. (City Manager - T. Lyon)

G. DISCUSSION ITEM.

1. Discussion, consideration, and possible action of the proposed settlement in case number CJ-19-2857. (City Attorney - D. Maish)

H. FURTHER INFORMATION.

1. Review of the City Manager's Report for the month of October 2022. (Finance - T. Cromar)
2. Monthly report on the City of Midwest City Employees' Health Benefits Plan by the City Manager. (Human Resources - T. Bradley)
3. Monthly Residential and Commercial Building report for October 2022. (Eng. & Const. Services - B. Bundy)
4. Review Tree Board Minutes for July 12, 2022. (Public Works - R. P. Streets)
5. Review of the 5th consecutive failed report produced by the Oklahoma State Department of Health regarding deficiencies, repeat deficiencies, and corrective plan on November 8, 2022, pursuant to their unannounced inspection on October 12, 2022 of the Oklahoma County Detention Center. (City Manager - T. Lyon for Sara Bana)

I. ADJOURNMENT.



MUNICIPAL AUTHORITY AGENDA

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

December 13, 2022 – 6:01 PM

Presiding members: Chairman Matthew Dukes	City Staff:	
Trustee Susan Eads	Trustee Sean Reed	General Manager Tim Lyon
Trustee Pat Byrne	Trustee Sara Bana	Secretary Sara Hancock
Trustee Megan Bain	Trustee Rick Favors	Authority Attorney Don Maisch

A. CALL TO ORDER.

B. CONSENT AGENDA. These items are placed on the Consent Agenda so the Trustees, by unanimous consent, can approve routine agenda items by one motion. If any Trustee requests to discuss an item(s) or if unanimous consent is not received, then the item or items will be removed and heard in regular order.

1. Discussion, consideration, and possible action of the November 8, 2022 meeting minutes. (Secretary - S. Hancock)
2. Discussion, consideration, and possible action of approving supplemental budget adjustments to the following funds for FY 2022-2023, increase: Golf Fund, expenditures/John Conrad Golf (47) \$35,000. FF&E Reserve Fund, expenditures /Hotel/Conf. Center (40) \$50,000. (Finance - T. Cromar)

C. NEW BUSINESS/PUBLIC DISCUSSION.

In accordance with State Statute Title 25 Section 311. Public bodies - Notice. A-9, the purpose of the "New Business" section is for action to be taken at any Council/Authority/Commission meeting for any matter not known about or which could not have been reasonably foreseen 24 hours prior to the public meeting. 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, consideration, and possible action of 1) entering into executive session, to discuss matters pertaining to the Midwest City Water Resource Recovery Facility, 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 General Manager/Administrator to take action as appropriate based on discussion. (General Manager - T. Lyon)

E. FURTHER INFORMATION.

1. Review of the monthly report on the current financial condition of the Sheraton Midwest City Hotel at the Reed Center for the period ending October 31, 2022. (Director of Operations - R. Rushing)

F. ADJOURNMENT.



MEMORIAL HOSPITAL AUTHORITY AGENDA

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

December 13, 2022 – 6:02 PM

Presiding members: Chairman Matthew Dukes	City Staff:	
Trustee Susan Eads	Trustee Sean Reed	General Manager Tim Lyon
Trustee Pat Byrne	Trustee Sara Bana	Secretary Sara Hancock
Trustee Megan Bain	Trustee Rick Favors	Authority Attorney Don Maisch

A. CALL TO ORDER.

B. DISCUSSION ITEMS.

1. Discussion, consideration, and possible action of the November 8, 2022 meeting minutes. (Secretary - S. Hancock)
2. Discussion, consideration, and possible action to reallocate assets, change fund managers or make changes in the Statement of Investment Policy, Guidelines and Objectives. (Finance - T. Cromar)

C. NEW BUSINESS/PUBLIC DISCUSSION. In accordance with State Statue Title 25 Section 311. Public bodies - Notice. A-9, the purpose of the "New Business" section is for action to be taken at any Council/Authority/Commission meeting for any matter not known about or which could not have been reasonably foreseen 24 hours prior to the public meeting. 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, consideration, and possible action of
 - 1) entering into executive session, as allowed under 25 O.S. § 307(B)(3), to discuss the purchase or appraisal of the real property located within the City near 8800 - 8832 SE 29th ST (a/k/a +/- 13.28 acres located in the NE/4, NE/4, Sec. 14, T11N, R02W, I.M., Oklahoma County, OK); and
 - 2) to discuss the purchase or appraisal of the real property located within the City near 301 N Midwest BL (a/k/a +/- 1.73 acres located in the NE/4, SE/4, SE/4, Sec. 34, T12N, R02W, I.M., Oklahoma County, OK); and
 - 3) in open session, authorizing the General Manager/Administrator to take action on both as appropriate based on the discussion in executive session.
(General Manager - T. Lyon)

E. ADJOURNMENT.



SPECIAL ECONOMIC DEVELOPMENT COMMISSION AGENDA

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

December 13, 2022 – 6:03 PM

Presiding members: Chairman Matthew Dukes

Commissioner Susan Eads

Commissioner Pat Byrne

Commissioner Megan Bain

Commissioner Sean Reed

Commissioner Sara Bana

Commissioner Rick Favors

City Staff:

City Manager Tim Lyon

City Clerk Sara Hancock

City Attorney Don Maisch

A. **CALL TO ORDER.**

B. **DISCUSSION ITEM.**

1. Discussion, consideration, and possible action of approving the July 26, 2022 special meeting minutes. (Secretary - S. Hancock)

C. **PUBLIC DISCUSSION.**

The purpose of the "Public Discussion" section of the Agenda is for members of the public to speak to the Commissioners on any Subject not scheduled on the Regular Agenda. The Commissioners 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 Commissioners will not engage in any discussion on the matter until that matter has been placed on an agenda for discussion. **THOSE ADDRESSING THE COMMISSIONERS ARE REQUESTED TO STATE THEIR NAME AND ADDRESS PRIOR TO SPEAKING TO THE COMMISSIONERS.**

D. **FURTHER INFORMATION.**

1. Review of the Communications, Marketing Quarterly Activity Reports for the 3rd and 4th quarter periods ending December 31, 2022, as well as the CVB Quarterly Activity Report for the 3rd quarter period ending September 30, 2022. (Communications, Marketing and CVB - J. Ryan)
2. Review of the Activity Report of the Midwest City Chamber of Commerce's Quarterly Activities for the periods ending September 30, 2022 and December 31, 2022. (City Manager - T. Lyon)

E. **ADJOURNMENT.**



MIDWEST CITY SPECIAL UTILITIES AUTHORITY AGENDA

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

December 13, 2022 – 6:04 PM

Presiding members: Mayor Matthew Dukes

Trustee Susan Eads

Trustee Pat Byrne

Trustee Megan Bain

Trustee Sean Reed

Trustee Sara Bana

Trustee Rick Favors

City Staff:

General Manager Tim Lyon

Secretary Sara Hancock

Authority Attorney Don Maisch

A. **CALL TO ORDER.**

B. **CONSENT AGENDA.** These items are placed on the Consent Agenda so the Trustees, by unanimous consent, can approve routine agenda items by one motion. If any Trustee requests to discuss an item(s) or if unanimous consent is not received, then the item or items will be removed and heard in regular order.

1. Discussion, consideration, and possible action of approving the August 23, 2022 meeting minutes. (Secretary - S. Hancock)
2. Discussion, consideration, and possible action of a Letter of Intent with Hard Luck Automotive Services, Inc. for the development of an automobile repair facility on Lot 4 in the Soldier Creek Industrial Park. (Economic Development - R. Coleman)
3. Discussion, consideration and possible action of an extension to the Exclusive Listing Agreement with Skybridge Real Estate, L.L.C. for professional real estate services for the Soldier Creek Industrial Park, 7450 NE 23rd ST. (Economic Development - R. Coleman)

C. **PUBLIC DISCUSSION.**

The purpose of the "Public Discussion" section of the agenda is for members of the public to speak to the Authority on any subject not scheduled on the regular agenda. The Authority shall make no decision or take any action, except to direct the City Manager to take action, or to schedule the matter for discussion at a later date. Pursuant to the Oklahoma Open Meeting Act, the Authority will not engage in any discussion on the matter until that matter has been placed on an agenda for discussion. **THOSE ADDRESSING THE AUTHORITY ARE REQUESTED TO STATE THEIR NAME AND ADDRESS PRIOR TO SPEAKING TO THE AUTHORITY.**

D. **ADJOURNMENT.**