



CITY OF MIDWEST CITY MEETINGS

FOR FEBRUARY 28, 2023

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: Send request via email to tanderson@midwestcityok.org or call 405-739-1220 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 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.

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.

Pursuant to Midwest City Resolution 2022-50, the following rules of conduct and engagement are in effect for all meetings of the MWC elected and/or appointed officials:

1. Only residents of the City, and/or identifiable business doing business in or with the City, or where it is required by statute during public hearings may speak during a public meeting, unless by majority vote of the City Council, non-residents may be permitted to comment on agenda items that impact them. To verify this new requirement, speakers must state their name and City residential/business address or provide/present proof of residential/business address to the City Clerk before addressing the elected officials.
2. There will be a 4 (four) minute time restriction on each speaker, which can be extended by a vote of the City Council, only if it benefits and/or clarifies the discussion at hand. The City Clerk, or designee, will be the timekeeper and will notify the chair when time has expired.
3. The Mayor/Chair reserves the right to remove individuals from the audience if they become disorderly. If the Mayor/Chair asks a disruptive individual to leave and the individual refuses to leave, the meeting will be recessed and appropriate law enforcement action will be taken.
4. Agenda items requesting action of the elected officials shall include:
 1. Presentation by City Staff and/or their invited guest speaker;
 2. If a public hearing is required, questions and discussion by and between the elected officials, City Staff, and the public;
 3. Questions and discussion by and between the elected officials and City Staff, invited guest speaker, and/or public during a public hearing; and
 4. Motion and second by the elected officials.
 5. If a motion is to be amended, the one who made the motion may agree and restate the motion with the amendment; however, if the maker of the motion does not agree to the amendment, the motion may be voted on as it stands.
 6. Final discussion and possible action/amended motion by the elected officials.



CITY OF MIDWEST CITY COUNCIL AGENDA

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

February 28, 2023 – 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
- 🌀 Mayoral Proclamation: 2023 Arbor Week
- 🌀 OML 25 Years of Service Award Presentation: Bob Napier, WRRF; Robert Bettes, Stormwater; Shawn Lockhart, Fire; Terry Tilley, Police; Matthew Myers, Police; Kenneth Ericson, Police; Kyle Crusoe, Police; Gary Bachman, Municipal Court
- 🌀 Community-related announcements and comments

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(s) will be removed and heard in regular order.

1. Discussion, consideration, and possible action of approving the January 24, 2023 meeting minutes. (City Clerk - S. Hancock)
2. Discussion, consideration, and possible action to approve the February 11, 2023 meeting minutes. (City Clerk - S. Hancock)
3. Discussion, consideration and possible action of approving supplemental budget adjustments to the following funds for FY 2022-2023, increase: Grants/Housing Activities Fund, revenues/Intergovernmental (37) \$200,000; expenditures/Housing (37) \$200,000. Risk Management Fund, expenditures/Risk Insurance (29) \$523,512. Workers Comp Fund, expenditures/Risk Insurance (29) \$1,189,294. Park & Recreation Fund, revenues/Charges for Services (20) \$25,000; expenditures/ Communications (20) \$25,000. Capital Improvements Fund, expenditures/Capital Improvements (57) \$6,040. Grants Fund, revenue/Intergovernmental (41) \$59,531; expenditures/Sanitation (41) \$59,531. Reimbursed Projects Fund, expenditures/ General Gov't (14) \$36,000. 2018 Election G.O. Bond Fund, expenditures/29th Street (92) \$25,500. (Finance - T. Cromar)

4. Discussion, consideration, and possible action of nominating City Manager, Tim Lyon, to continue serving on the Oklahoma Municipal Assurance Group Board of Trustees. (Risk Management - L. Smithson)
5. Discussion, consideration, and possible action of change order #04 amending the contract with Downey Contracting, LLC to construct the Midwest City Council Chambers COVID and ADA retrofit reducing it by \$931.78 with 3 additional days for Council Chamber and 35 additional days for the Basement Bathroom. (Engineering & Construction Services - B. Bundy)
6. Discussion, consideration, and possible action of the acceptance of maintenance bond from Shiloh Enterprises, Inc. in the amount of \$5,198,000.00 for the WP Bill Atkinson Park project. (Engineering & Construction Services - B. Bundy)
7. Discussion, consideration, and possible action of the acceptance of maintenance bonds from H&H Plumbing and Utilities, Inc. in the amount of \$2,878.85 respectively. (Engineering & Construction Services - P. Menefee)
8. Discussion, consideration, and possible action of approving Change Order No. 4 with Shiloh Enterprises, Inc. for land grading, storm pipe, sewer, and other items at the site of the Police and Fire Training Facility which increases the contract sum by \$44,436.05. (Fire - B. Norton)
9. Discussion, consideration, and possible action of approving Task Order 1 with Guernsey for delays in completion of the contract for the fire department headquarters renovation which increases the contract sum by \$9,100 for a new contract total of \$64,464.00. (Fire - B. Norton)
10. Discussion, consideration, and possible action of approving a resolution requested by the Oklahoma Department of Commerce (ODOC) of their sub-recipients utilizing Community Development Block Grant Coronavirus (CDBG-CV2) funding for job training activities. (Grants Management - T. Craft)
11. Discussion, consideration, and possible action of declaring the items of found property, bicycles, and seized non-drug evidence on the attached lists, as surplus and authorizing their disposal through sealed bid, public auction, or other means as necessary. (Police - S. Porter)
12. Discussion, consideration, and possible action to approve declaring an air compressor and air dryer, as surplus and authorizing disposal by public auction, sealed bid or other means as necessary. (City Clerk - S. Hancock)
13. Discussion, consideration, and possible action of 1) declaring various obsolete computer equipment and other miscellaneous items of city property on the attached surplus list; and 2) authorizing their disposal by public auction, sealed bid or other means as necessary. (Information Technology - A. Stephenson)

D. DISCUSSION ITEMS.

1. (PC-2134) Public hearing with discussion, consideration, and possible action of approval of the proposed Preliminary Plat of the 29th Street Apartments for the property described as part of the Southwest Quarter (SW/4) of Section Twelve (12), Township Eleven (11) North, Range Two (2) West of the Indian Meridian, Midwest City, Oklahoma County, Oklahoma, located at 9309 SE 29th Street. (Community Development - B. Harless)
2. Discussion, consideration and possible action of accepting and approving the single audit of the City of Midwest City for the year ending June 30, 2022 (Finance - T. Cromar)
3. Discussion, consideration, and possible action of awarding a bid and entering into an agreement for the Midwest City Forward 2018 G.O. bond asphalt street paving projects with Silver Star Construction, for a total amount of \$3,750,000. City Council delegates the Mayor to sign and execute the contract. (Engineering & Construction Services - P. Menefee)
4. Discussion, consideration and possible action including any amendments, of an update to a resolution declaring the structure(s) located at **1401 MOORE AVE** a dilapidated building(s) as defined in MCO 9-2 and abatement accordingly to the Municipal Code. (Neighborhood Services - M. Stroh)
5. Discussion, consideration, and possible action of entering into a franchise agreement with Bluepeak for a period of 10 years with a renewal option of an additional one (1) ten-year term. (City Attorney - D. Maisch).

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 SESSIONS.

1. Discussion, consideration, and possible action to 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 of 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 regarding Opioid litigation and PFAS potential litigation; and 2) authorizing the City Manager to take action as appropriate based on discussion. (City Manager - T. Lyon)
2. Request by Sara Bana, Ward 5 Councilmember, for discussion, consideration, possible action to 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 of 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 concerning investigation conducted by outside counsel regarding the September 17, 2022 and the December 13, 2022 Midwest City Council meetings; and 2) authorizing the City Manager to take action as appropriate based on discussion. (City Manager on behalf of Ward 5 Sara Bana)

G. FURTHER INFORMATION.

1. Review of the City Manager's Report for the month of January 2023. (Finance - T. Cromar)
2. Review of the Amnesty Program for outstanding Municipal Warrants issued by the City of Midwest City, that are two (2) years old or more, program to start on March 1, 2023 and end on April 30, 2023.
3. Review of the December 6, 2022 Planning Commission Meeting Minutes. (Community Development - B. Harless)
4. Review of the Monthly Residential and Commercial Building report for January 2022 Building Report. (Engineering & Construction Services - B. Bundy)

H. ADJOURNMENT.



MUNICIPAL AUTHORITY AGENDA

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

February 28, 2023 – 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 approving the January 24, 2023 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, revenues /Transfers In (00) \$4,417; expenditures/John Conrad Golf (47) \$4,417. FF&E Reserve Fund, revenues/Transfers In (40) \$937,268. Capital Improvements Revenue Bond Fund, expenditures/Transfers Out (00) \$937,268. Sanitation Fund, expenditures/ Sanitation (41) \$17,490. Sanitation Fund, revenues/Transfers In (00) \$59,531. Sewer Construction Fund, expenditures/Sewer Construction (46) \$228,000. (Finance - T. Cromar)
3. Discussion, consideration, and possible action of declaring the following equipment from Water Resource Recovery Facility (1) 1998 Dodge Caravan VIN # 2B4GP2535WR794871 as surplus and authorizing disposal by sealed bid, public auction, or by other means as necessary. (Public Works - R. Paul Streets)

C. DISCUSSION ITEM.

1. Discussion, consideration, and possible action of approving a sole source contract with Entex Technologies in the amount of \$227,563.00 to purchase the materials necessary to conduct a pilot study of the WavTex™ at the Water Resource Recovery Facility. (Public Works - R. Paul Streets)

- D. 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.**
- 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 January 31, 2023.
(Director of Operations - R. Rushing)
- F. ADJOURNMENT.



MEMORIAL HOSPITAL AUTHORITY AGENDA

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

February 28, 2023 – 6:02 PM

Presiding members: Chairman 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. DISCUSSION ITEMS.

1. Discussion, consideration, and possible action of approving the January 24, 2023 meeting minutes. (Secretary - S. Hancock)
2. Discussion, consideration, and possible action of the proposed assignment of the Fiduciary Capital Advisors, Inc. (FCA) Investment Management Consulting Services Agreement from FCA to Segal Advisors, Inc., d/b/a Segal Marco Advisors. (Finance - T. Cromar and City Attorney - D. Maisch)
3. 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)
4. Discussion, consideration, and possible action of approving eleven of the thirteen funding recommendations of the Board of Grantors to the eligible FY 2022-2023 grant applicants not to exceed \$451,233 of the \$557,333 budgeted funds. (General Manager - Tim Lyon)
5. Discussion, consideration, and possible action of approving two of the thirteen funding recommendations of the Board of Grantors to the eligible FY 2022-2023 grant applicants not to exceed \$106,100 of the \$557,333 budgeted funds. (General Manager - Tim Lyon)

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. ADJOURNMENT.



MIDWEST CITY SPECIAL UTILITIES AUTHORITY AGENDA
City Hall - Midwest City Council Chambers, 100 N. Midwest Boulevard

February 28, 2023 – 6:03 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 January 24, 2023 meeting minutes. (Secretary - S. Hancock)
2. Discussion, consideration and possible action to approve, a resolution of the Midwest City Utilities Authority declaring Lots 2A, 2B, 2C, 2D, 2E, 3A, 3B, 3C, 3D, 3E, 3F and 3G of Soldier Creek Industrial Park, an addition to the City of Midwest City, Oklahoma County, Oklahoma (a/k/a +/- 11.73 acres) surplus, and amending and/or approving that certain “Agreement for the Purchase and Sale of Real Estate”, by and Between the Midwest City Utilities Authority and American Glass, Inc. (the “Real Estate Agreement”); Authorizing and directing execution and delivery of the Real Estate Agreement; and containing other provisions relating thereto. (Economic Development – R. Coleman)
3. Discussion, consideration and possible action to authorize American Glass, Inc. to seek zoning amendment(s), subdivision approval and/or building permit(s) approval for Lots 2A, 2B, 2C, 2D, 2E, 3A, 3B, 3C, 3D, 3E, 3F, 3G of Soldier Creek Industrial Park, an Addition to the City of Midwest City, Oklahoma County, Oklahoma on behalf of the Midwest City Utilities Authority. (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.