



# CITY OF MIDWEST CITY MEETINGS FOR May 28, 2024

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 will be streamed live and recorded on the MWC YouTube channel: [Bit.ly/CityofMidwestCity](https://www.youtube.com/channel/UC8UW0DQFvYtTzXGKwZlR6g) with the recorded videos available there within 48 hours.

Special Assistance for a Meeting: Send request via email to [tanderson@midwestcityok.org](mailto: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, postponements, and/or recommendation to the City Council and/or Authorities.

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

May 28, 2024 – 6:00 PM

Presiding members: Mayor Matthew Dukes

Ward 1 Susan Eads

Ward 3 Rita Maxwell

Ward 5 Sara Bana

Ward 2 Pat Byrne

Ward 4 Marc Thompson

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 Council Member Susan Eads
- Mayoral Proclamations: Cannon Deeter Proclamation
- Community-related announcements and comments

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

1. Discussion, consideration, and possible action to approve the April 23, 2024 special meeting minutes. (City Clerk - S. Hancock)
2. Discussion, consideration, and possible action to approve the April 23, 2024 meeting minutes. (City Clerk - S. Hancock)
3. Discussion, consideration, and possible action approving the combined minutes of the May 2, 2024 special meeting. (City Clerk - S. Hancock)
4. Discussion, consideration and possible action of approving supplemental budget adjustments to the following funds for FY 2023-2024, increase: Park & Recreation Fund, expenditures/Pool (19) \$3,000. Capital Improvements Fund, expenditures/Capital Improvements (57) \$145,000. Grants/Housing Activities Fund, revenue/Miscellaneous (37) \$15,000; expenditures/Housing (37) \$15,000. (Finance - T. Cromar)
5. Discussion, consideration, and possible action regarding the health premiums for the fiscal year 2024-2025 in amounts necessary to cover the projected expenditures and for the Employee Health Plan to be actuarially sound, and the adoption of the Employee Life and Health Committee recommendations for the Health Plan. (Human Resources - T. Bradley)

6. Discussion, consideration, and possible action of approving Change Order Number 5 to the contract agreement with Downey Contracting L.L.C. for the Construction of One 1.75 MG ground (at grade) water storage and a new booster pump station located in the vicinity of Felix Place north of S.E. 15th Street in the amount of \$99,500.00. (Engineering & Construction Services - P. Menefee)
7. Discussion, consideration, and possible action of making a matter of record Permit No. WL000055231120 from the State Department of Environmental Quality for the N.E. 23rd Street waterline extension from Spencer Road to Douglas Boulevard, Midwest City, Oklahoma. (Engineering & Construction Services - P. Menefee)
8. Discussion, consideration, and possible action of approving Change Order #05 with the Oklahoma Department of Transportation for STP-255D(479)AG, State Job Number 33124(04), Reno Avenue resurfacing project for \$0.00. (Engineering & Construction Services - B. Bundy)
9. Discussion, consideration, and possible action of the City Council to approve and execute the Amended and Restated Hospital Sublease and Lease Agreement between the Midwest City Memorial Hospital Authority and SSM Health Care of Oklahoma, authorizing the Mayor and City Clerk to sign the Agreement evidencing such approval, and authorizing the Mayor and City Clerk to sign all other necessary documents prudent and necessary to close this transaction for the renovations to the Midwest City Hospital. (D. Maisch – City Attorney).
10. Discussion, consideration, and possible action of accepting four (4) grants of Permanent Easement and three (3) grants of Temporary Easement from various grantors, across certain parcels of land located within the corporate boundaries of Midwest City in Section 9, Township 11 North, Range 2 West of the Indian Meridian, Oklahoma County, Oklahoma. (Engineering & Construction Services - P. Menefee)
11. Discussion, consideration, and possible action of approving and executing the Settlement Agreement and Final Order concerning Riverside Mobile Home Park, case filed in the District Court for Oklahoma County, Case Number CV-2024-312. (D. Maisch – City Attorney).
12. Discussion, consideration, and possible action of appointing Ted Nugent to the Urban Renewal Authority to fill the unexpired term of Jack Fry to end July 31, 2026. (City Manager - T. Lyon)
13. Discussion, consideration and possible action for consideration of appointing a qualified elector residing in Oklahoma County, to represent the City of Midwest City on the Board of Directors of the Central Oklahoma Master Conservancy District (COMCD) for a four-year term and submitting the name to the Cleveland County district judge, who will appoint them to membership on the Board of Directors of the COMCD for a four-year term ending on May 28, 2028. (City Manager - T. Lyon)

14. Discussion, consideration, and possible action of appointing Brittany Hussian (Ward 4) to the Midwest City Park & Recreation Board to fill Council member Marc Thompson's seat, which he had to vacate upon his election to the Council, for the unexpired term ending on April 22, 2025, and for an addition full three-year term to end on May 23, 2028. (Parks & Recreation – J. Ryan)
15. Discussion, consideration, and possible action 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. (PD - Interim Chief Wipfli)
16. Discussion, consideration and possible action of declaring as surplus eighty-four (84) firearms of various calibers as surplus and authorizing their disposal by trade-in towards future purchases with GT Distributors-Austin, Texas for a trade-in amount of \$10,500.00. (G. Wipfli - Interim Police Chief).
17. Discussion, consideration, and possible action declaring (3) chairs as surplus and authorizing their disposal through sealed bid, public auction, or by other means as necessary. (Engineering & Construction Services or B. Bundy)
18. Discussion, consideration, and possible action of 1) declaring various computer equipment and other miscellaneous items of City property as obsolete, defective, or replaced; and 2) authorizing their disposal by public auction, sealed bid or other means as necessary. (Information Technology - A. Stephenson)

D. DISCUSSION ITEMS.

1. Discussion, consideration, and possible action of awarding the bid to and entering into a contract with Central Bridge Company for \$452,511.00 and 120 Calendar Days for the N.E. 36th Street Bridge Rehabilitation Project. City Council delegates the Mayor to sign and execute the contract. (Engineering & Construction Services - P. Menefee)
2. Discussion, consideration, and possible action of 1) approval of and entering into a project agreement with the State of Oklahoma, by and through the Oklahoma Tourism and Recreation Department to receive \$254,000 in grant funds for the construction of Phase III of the SCIP Recreational Trail and agreeing to provide \$70,000 in local matching funds; 2) authorization of the Mayor, City Manager, and/or his designee to enter into the necessary contracts and documents to implement all aspects of the grant. (Grants Management - T. Craft)
3. Discussion, consideration, and possible action of awarding the bid to and entering into a contract with Innovative Mechanical for \$374,000 and 180 Calendar Days for replacement of various HVAC equipment at City Hall. City Council delegates the Mayor to sign and execute the contract. (Engineering & Construction Services - B. Bundy)

4. (PC-2175) Public hearing, discussion, consideration, and possible action of a resolution amending the comprehensive plan from Medium Density Residential Land Use to Office/Retail Land Use and; an ordinance to redistrict from Single-Family Detached Residential District (“R-6”) to General Office District (“O-2”) for the property described as a part of the Northwest Quarter (NW/4) of Section One (1), Township Eleven (11) North, Range Two (2) West of the Indian Meridian, Oklahoma County, Oklahoma, located at 9220 E. Reno Ave., Midwest City.(Planning & Zoning- M. Summers)
  5. (PC-2176) Public hearing, discussion, consideration, and possible action for a Special Use Permit (SUP) to allow “Low Impact Institutional: Neighborhood Related” in the (R-6) Single-Family Detached Residential District for the property described as a part of the Northwest Quarter (NW/4) of Section Twenty-Six (26), Township Twelve (12) North, Range Two (2) West of the Indian Meridian, Oklahoma County, Oklahoma, located at 8100 NE 23rd St.) Planning & Zoning- M. Summers)
- 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 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 review of litigated settlements and 2) authorizing the City Manager to take action as appropriate based on discussion. (City Manager - T. Lyon)
- G. FURTHER INFORMATION.
1. Monthly report on the City of Midwest City Employees' Health Benefits Plan by the City Manager for April 2024. (Human Resources - T. Bradley)
  2. Review of the April 2, 2024 Planning Commission Meeting Minutes. (Planning & Zoning - E. Richey)
  3. Review of the City Manager's Report for the month of April 2024. (Finance - T. Cromar)

4. Monthly Residential and Commercial Building report for April 2024 Building Report (Engineering & Construction Services—B.Bundy)
5. Code Enforcement report for first quarter of 2024 (Neighborhood Services - M. Stroh)
6. (PC-2168) Public hearing, discussion, consideration, and possible action approving an ordinance to redistrict from Community Commercial District (“C-3”) to Planned Unit Development (“PUD”) with C-3 as a base zoning district, for the property described as Lot Three (3), Blocks Five (5), Six (6), Seven (7) and Eight (8) in Heritage Park Mall, A Re-Subdivision of Blocks 3, 4 and 5 of Miracle Mile Addition, An Addition to Midwest City, Oklahoma County, Oklahoma, As Shown By the Recorded Plat Thereof. (Planning and Zoning- M. Summers)
7. (PC-2172) Public hearing, discussion, consideration, and possible action approving a Resolution amending the Comprehensive Plan from Single-Family Detached Land Use to Medium Density Land Use and; an Ordinance to redistrict from Single-Family Detached Residential District (“R-6”) to Medium Density Residential Land use (“R-MD”), for the property described as a part of the Northwest Quarter (NW/4) of Section One (1), Township Eleven (11) North, Range Two (2) West of the Indian Meridian, Oklahoma County, Oklahoma, located at 500 Davidson Rd., Midwest City. (Planning and Zoning- M. Summers)
8. (PC-2174) Public hearing, discussion, consideration, and possible action of approval of the Preliminary Plat of Dentistry by Design for the property described as a part of the North Half (N/2) of the Southwest Quarter (SW/4) of Section Twelve (12), Township Eleven (11) North, Range Two (2) West of the Indian Meridian also addressed as 2500 S. Douglas Blvd., Midwest City, OK 73130. (E. Richey- Planning & Zoning)

H. ADJOURNMENT.



## **MUNICIPAL AUTHORITY AGENDA**

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

May 28, 2024 – 6:01 PM

Presiding members: Chairman Matthew Dukes	City Staff:
Trustee Susan Eads	General Manager Tim Lyon
Trustee Pat Byrne	Secretary Sara Hancock
Trustee Rita Maxwell	Authority Attorney Don Maisch
Trustee Marc Thompson	
Trustee Sara Bana	
Trustee Rick Favors	

### **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 there is not a unanimous consent, then the item(s) will be removed and heard in regular order.

1. Discussion, consideration, and possible action to approve the April 23, 2024 meeting minutes. (Secretary - S. Hancock)
2. Discussion, consideration and possible action of approving supplemental budget adjustments to the following fund for FY 2023-2024, increase: Capital Sewer Improvements Fund, expenditures/Sewer Improvements (44) \$27,510. (Finance - T. Cromar)
3. Discussion, consideration and possible action of declaring a 2005 Chevrolet 3500 Truck VIN #1GBJC34U85E293266 as surplus and authorizing its disposal by sealed bid, public auction, or by other means as necessary. (Public Works - R. Paul Streets)
4. Discussion, consideration and possible action of declaring a 2005 Chevy Colorado VIN #1GBDS14E898126178 as surplus and authorizing its disposal by sealed bid, public auction, or by other means as necessary. (Public Works - R. Paul Streets)

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. FURTHER INFORMATION.**

1. Review of the monthly report on the current financial condition of the Delta Hotel at the Reed Center for the period ending April 30, 2024. (Director of Operations - R. Rushing)

### **E. ADJOURNMENT.**



## **MEMORIAL HOSPITAL AUTHORITY AGENDA**

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

May 28, 2024 – 6:02 PM

Presiding members: Chairman Matthew Dukes

Trustee Susan Eads

Trustee Pat Byrne

Trustee Rita Maxwell

Trustee Marc Thompson

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 there is not a unanimous consent, then the item(s) will be removed and heard in regular order.

1. Discussion, consideration, and possible action to approve the April 23, 2024 meeting minutes. (Secretary - S. Hancock)
2. Discussion, consideration, and possible action of the Midwest City Memorial Hospital Authority to approve and execute the Amended and Restated Hospital Sublease and Lease Agreement between the Midwest City Memorial Hospital Authority and SSM Health Care of Oklahoma, authorizing the Chair and Secretary to sign the Agreement evidencing such approval, and authorizing the Chair and Secretary to sign all other necessary documents prudent and necessary to close this transaction for the renovations to the Midwest City Hospital. (D. Maisch – City Attorney).
3. Discussion, consideration, and possible action of approving a request for a six-month extension to the FY 2022-23 Mid-Del Technology Summer Classes grant project. (Administrator - T. Lyon)
4. Discussion, consideration, and possible action of appointing Bill Croak as one of the MWC Chamber of Commerce's representatives on the Midwest City Memorial Hospital Authority Trust Board of Grantors for a four-year term ending on May 23, 2028. (City Manager - T. Lyon)

### **C. DISCUSSION ITEMS.**

1. Discussion, consideration, and possible action of appointing Megan Bain as the Ward 5 representative on the Midwest City Memorial Hospital Authority Trust Board of Grantors for a four-year term ending on May 23, 2028. (City Manager - T. Lyon)



2. Discussion, consideration, and possible action of re-appointing Amber Moody as the Mayor representative on the Midwest City Memorial Hospital Authority Trust Board of Grantors for a second four-year term ending on May 23, 2028. (City Manager - T. Lyon)
  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)
- 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. ADJOURNMENT.



## **SPECIAL ECONOMIC DEVELOPMENT AUTHORITY AGENDA**

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

May 28, 2024 – 6:03 PM

Presiding members: Chairman Matthew Dukes	City Staff:
Trustee Susan Eads	General Manager Tim Lyon
Trustee Pat Byrne	Secretary Sara Hancock
Trustee Rita Maxwell	Authority Attorney Don Maisch
Trustee Marc Thompson	
Trustee Sara Bana	
Trustee Rick Favors	

- 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 to approve the February 27, 2024 meeting minutes. (City Clerk - S. Hancock)
  2. Discussion, consideration and possible action of approving the management representation letter to Grant Thornton LLP and accepting the draft final report for Sooner Town Center, LLC for calendar years ending December 31, 2023 and 2022. (Finance - T. Cromar)
- 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.**