



CITY OF MIDWEST CITY MEETINGS FOR MARCH 26, 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://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, 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

March 26, 2024 – 6:00 PM

Presiding members: Mayor Matt Dukes

Ward 1 Susan Eads

Ward 3 Rick Dawkins

Ward 5 Sara Bana

Ward 2 Pat Byrne

Ward 4 Sean Reed

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

 OML 25 Year Award Presentation with Mike Fina:

* City Manager, Tim Lyon

* Street Project Supervisor, Jeff Lowell


* Operator III WW, Gaylon Davis


* Fire Shift Commander, Anthony Williams

* Communication Specialist 1, Karen Denton

* Police Sgt., Ronzil Starcher

* Fire Major, Jerry Carroll

 Mayoral Proclamations: Ward 4 Council member Sean Reed; Retirees Sgt. Joe Cruz, and Mary Kuettel; National Telecommunicator Week; and Arbor Week.

 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 February 27, 2024 meeting minutes. (City Clerk - S. Hancock)

2. Discussion, consideration and possible action of approving supplemental budget adjustments to the following funds for FY 2023-2024, increase: Workers Comp Fund, expenditures/Transfers Out (00) \$600,000. Risk Fund, revenue/Transfers In (00) \$600,000. Capital Improvements Fund, revenue/Taxes (00) \$2,369,738. Park & Recreation Fund, revenue/Taxes (06) \$592,434. Reimbursed Projects Fund, revenue /Intergovernmental (06) \$35,600; expenditures/Park & Rec (06) \$35,600. Capital Improvements Fund, expenditures/Capital Improvements (57) \$4,977. Decrease: Revenue Bond Sinking Fund, revenue/Taxes (00) \$2,962,172. (Finance - T. Cromar)
3. Discussion, consideration, and possible action of approving Amendment #1 of the Central Oklahoma Governments Air Quality Small Grant to add an additional (6) months to contract. (Grants Management - T. Craft)
4. Discussion, consideration, and possible action of 1) acceptance of an Oklahoma City Community Foundation (OCCF) grant in the amount of \$35,600 for benches and trees for Midwest City parks; 2) approving and entering into an agreement with OCCF which establishes the terms and conditions of the grant; and 3) authorization of the Mayor and/or City Manager to enter into the necessary contracts/agreements to implement the grant. (Planning & Zoning - M. Summers)
5. Discussion, consideration, and possible action of approving a resolution for 1) sponsorship of a Transportation Alternatives Program application to construct Crutcho Creek Trail Phase 1, and 2) authorizing the City Manager to sign the application. (Planning & Zoning - M. Summers)
6. Discussion, consideration, and possible action of approving a programming resolution for possible inclusion in the Transportation Alternatives Program for a project to replace the existing bridge over Soldier Creek in Tom Poore Park and to construct approximately a quarter (1/4) of a mile of the Tributary 4 trail. (Planning & Zoning - M. Summers)
7. Discussion, consideration, and possible action of approving a maintenance and services contract with Oklahoma Earthbike Fellowship, Inc., for landscape improvements and maintenance of mountain bike trails at the SCIP Recreational Trail. (Public Works - R. P. Streets)
8. Discussion, consideration, and possible action of making a matter of record Permit No. WL000055240049 from the State Department of Environmental Quality for the extension of a water line to serve Centrillium Protein and the Midwest City Water Resources Recovery Facility, Midwest City, Oklahoma. (Engineering & Construction Services - B. Bundy)
9. Discussion, consideration, and possible action of amendment #2 for Professional Services with Lee Engineering, LLC in the amount of \$9,000 to provide services to acquire easements as part of the project. (Engineering & Construction Services - B. Bundy)

10. Discussion, consideration, and possible action of the acceptance of maintenance bonds from Bishop Paving, LLC in the amount of \$6,211.70 respectively. (Engineering & Construction Services - P. Menefee)
11. Discussion, consideration, and possible action of awarding the bid to and contract with Holland Backhoe Inc. in the amount of \$129,356.00 for the construction and installation of the new Reed Baseball Complex Water Line Improvements and the City Council delegating to the Mayor the authority to sign and execute the agreements necessary. (Engineering & Construction Services - P. Menefee)
12. Discussion, consideration and possible action declaring (1) Chevy S-10, unit No. 47-02-01, as surplus and disposing of by sealed bid, public auction, or other means as necessary. (City Manager - V. Sullivan)
13. Discussion, consideration, and possible action of declaring (1) Chevrolet Impala and its contents, as surplus and authorizing disposal by public auction, sealed bid or other means necessary. (Police - G. Wipfli)
14. Discussion, consideration and any possible action, declaring the Street Department list of items to be declared surplus and disposed of by sealed bid, public auction, or by other means as necessary. (Public Work - R. P. Streets)
15. Discussion, consideration, and possible action of declaring (2) filing cabinets and (2) desks as surplus and authorizing disposal by public auction, sealed bids, or other means as necessary. (Police - G. Wipfli)
16. Discussion, consideration, and possible action of declaring (3) chairs as surplus and authorizing their disposal by public auction, sealed bid or other means as necessary. (ECC - R. Rushing)
17. Discussion, consideration and possible action of declaring (150) banquet chairs, (1) rectangle table, (1) EcoH2O floor scrubber, and (1) Betco floor scrubber as surplus and authorizing disposal of by public auction, sealed bid or other means as necessary. (Parks & Recreation - J. Ryan)

D. DISCUSSION ITEMS.

1. (MP-00017) Public hearing, discussion, consideration, and possible action of approval of the Minor Plat of Douglas Development Corporation Douglas Boulevard for the property described as a tract of land being a part of the Southeast Quarter (SE/4) of Section Two (2), Township Eleven (11) North, Range Two (2) West of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma. (Planning and Zoning - M. Summers)

2. (PC-2163) Public hearing, discussion, consideration and possible action on an ordinance to redistrict from Simplified Planned Unit Development District (“SPUD”) to Simplified Planned Unit Development (“SPUD”), for the property described as McCorkle Park ADD E 35 ft of Lot 27 & all of Lots 28 & 29, addressed as 227 & 231 W. MacArthur Dr., Midwest City. (Planning and Zoning - M. Summers)
 3. (TS-455) Discussion, consideration, and possible action of approving the reduction of the SPEED LIMIT along Adair Boulevard from 35 MPH to 25 MPH from the intersection with Hudiburg Drive to Air Depot Boulevard. (Engineering & Construction Services - P. Menefee)
 4. Discussion, consideration, and possible action of awarding the bid to and entering into a contract with C4L for \$426,885 and 125 Calendar Days for the Midwest City Police Department Restroom Renovation. City Council delegates the Mayor to sign and execute the contract. (Engineering & Construction Services - B. Bundy)
- E. EXECUTIVE SESSION. This Executive Session will be held on the second floor of City Hall in the City Manager's conference room.
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 conflict of interest issues; and 2) authorizing the City Manager to take action as appropriate based on discussion. (City Manager - T. Lyon)
- F. DISCUSSION ITEMS CONTINUED.
5. Public Hearing, discussion, consideration, and possible action of an ordinance amending Midwest City Municipal Code, Chapter 43 Water, Sewer, Sewage Disposal and Stormwater Quality; Article III, Sewers and Sewage Disposal; Division 5, Other Provisions Relating to Taps and Connections; Section 43-182, Connections to sewer mains in Sections 9 and 10, Township 11 N, Range 1 W; Section 43-183, Connections to sewer mains in Sections 1, Township 11N, Range 2W; Section 43-184, Reserved; providing for repealer and severability. (Engineering & Construction Services - B. Bundy)
 6. Discussion, consideration, and possible action of approving an ordinance amending the Midwest City Municipal Code, Chapter 43, Water, Sewer, Sewage Disposal and Stormwater Quality, Article III, Sewers and Sewage Disposal, Division 8, Usage Rates and Charges; Section 43-224 Sewer User Charge; Section 43-230 Capital Improvement Charges; and providing for a repealer and severability. (Public Works - R. P. Streets)

7. Discussion, consideration, and possible action of approving an ordinance amending the Midwest City Municipal Code, Chapter 43, Water, Sewer, Sewage Disposal and Stormwater Quality, Article I, In General, Section 43-5, Temporary Water; Article II, Water, Division 3, Meters, Section 43-55, Testing Meters; Division 4, Rates and Charges; Section 43-63 Water Rates Inside City; Section 43-68, Discontinuance of Service and Fee for Reinstatement; Section 43-69, Capital Improvement Charges; Section 43-71, Water System Improvement Fee and providing for a repealer and severability. (Public Works - R. P. Streets)
 8. Discussion, consideration, and possible action of approving an ordinance amending the Midwest City Municipal Code, Chapter 43, Water, Sewer, Sewage Disposal and Stormwater Quality, Article IV, Stormwater, Division 1, Generally; Section 43-404 Stormwater Charge; Exemptions, and providing for a repealer and severability. (Public Works - R. P. Streets)
 9. Discussion, consideration and possible action regarding an ordinance amending the Midwest City Municipal Code, Chapter 43 Water, Sewer, Sewage Disposal and Stormwater Quality, Article 1, In General; Section 43-3, Definitions; Article II, Water; Division 1, Generally; Section 43-18, Installation Fees; Meter Installation, etc; Division 3, Meters; Section 43-52, Generally; Article III, Sewers and Sewage Disposal; Division 1, Generally; Section 43-107, Unlawful Discharge; Penalty; Section 43-115, Recreational Vehicles (R.V.'S) Disposal Station; Division 3, Private Sewage Disposal Systems; Section 43-138, Permit and Inspection; Section 43- 142, Additional Requirements of Health Officer; Division 4, Building Sewers and Connections Generally; Section 43-152, Multiple Use of Building Sewer; Section 43-157, Connection to Public Sewer, Tapping Regulations and Saddle Specifications; Division 6, Fats, Oils, and Grease Control Requirements for Commercial Establishments; Section 43-188, Definitions; Section 43-189, Applicability and Prohibitions; and Section 43-191, General Interceptor Requirements; Design, Size and Location; and providing for repealer and severability. (Public Works - R. P. Streets)
- G. 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.”

H. FURTHER INFORMATION.

- [1.](#) Review of the City Manager's Report for the month of February 2024. (Finance - T. Cromar)
- [2.](#) Monthly report on the City of Midwest City Employees' Health Benefits Plan by the City Manager for February 2024. (Human Resources - T. Bradley)
- [3.](#) Review of the February 6, 2024 Planning Commission Meeting Minutes. (Planning and Zoning - E. Richey)
- [4.](#) Monthly Residential and Commercial Building report for February 2024 Building Report. (Engineering & Construction Services - B. Bundy)
- [5.](#) (PC-2164) Discussion, consideration, and possible action on an ordinance amending Midwest City code, Appendix A, Zoning Regulations, Section 5, Supplemental Regulations, Sub-Section 5.12.1, Exterior Construction and Design Requirements; and providing for repealer and severability.(Planning and Zoning - M. Summers)
- [6.](#) (PC-2165) Discussion, consideration, and possible action on an ordinance amending Midwest City code, Appendix A, Zoning Regulations, Section 7, Development Review Procedures, Sub-Section 7.1.3, Public Notice Requirements for Public Hearings; and providing for repealer and severability. (Planning and Zoning - M. Summers)

I. ADJOURNMENT.



CONSENT AGENDA



Notice for the Midwest City Council meetings was filed with the City Clerk of Midwest City 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).

City of Midwest City Council Minutes

February 27, 2024

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

Mayor Matt Dukes called the meeting to order at 6:01 PM with following members present:

Ward 1 Susan Eads	Ward 2 Pat Byrne	City Manager Tim Lyon
Ward 3 Rick Dawkins	Ward 4 Sean Reed*	City Clerk Sara Hancock
Ward 5 Sara Bana	Ward 6 Rick Favors	City Attorney Don Maisch

OPENING BUSINESS. The Invocation was given by Assistant City Manager Vaughn Sullivan. The Pledge of Allegiance was led by Carl Albert High School ROTC Cadets Pitts, Hodges, and Ralls. Mayor Dukes and City Manager Lyon presented a proclamation and plaque to Retiree Chief Sid Porter. City Manager Lyon gave community-related announcements and comments.

CONSENT AGENDA. Bana made a motion to approve the consent agenda with the exceptions of pulling Items 2 and 3, seconded by Reed. Voting aye: Eads, Bryne, Dawkins, Reed, Bana, Favors, and Dukes. Nay: none. Motion Carried.

1. Discussion, consideration, and possible action to approve the January 23, 2024 meeting minutes.
4. Discussion, consideration and possible action of approving supplemental budget adjustments to the following funds for FY 2023-2024, increase: Risk Fund, revenue/Transfers In (00) \$332,804. Workers Comp Fund, expenditures/Transfers Out (00) \$332,804. Grants Fund, revenue/Intergovernmental (62) \$50,000, revenue/Transfers In (62) \$3,825; expenditures/Police (62) \$53,825. Police Impound Fees Fund, expenditures/Police (62) \$3,825. Police Capitalization Fund, expenditures/Police (62) \$60,000. Fire Capitalization Fund, expenditures/Fire (64) \$200,000.
5. Discussion, consideration, and possible action on the Medical Retirement Application made by Employee 3611 through the Oklahoma Municipal Retirement Fund (OMRF).
6. Discussion, consideration, and possible action of making a matter of record Permit No. WW000055230732 from the Oklahoma Department of Environmental Quality for the 1609B Felix Place, Well HW-1 Improvements, Midwest City, Oklahoma.
7. Discussion, consideration, and possible action of the acceptance of maintenance bond from Downey Contracting, L.L.C. in the amount of \$668,000.00 for the Midwest City Council Chambers COVID and ADA Retrofit project.
8. Discussion, consideration, and possible action of the acceptance of the maintenance bond from Mid-America Golf and Landscape, Inc. in the amount of \$888,998.00 for the Soccer Complex Rehabilitation project.

9. Discussion, consideration, and possible action of approving a project agreement generally known as State Job Number 37927(04) with the Oklahoma Department of Transportation (ODOT) to receive \$500,000 in construction federal funds for a future federal aid project to resurface Westminster Road from NE 10th St to ½ mile south and associated work.
 10. Discussion, consideration, and possible action of rejecting the bid received for the N.E. 36th Street Bridge Rehabilitation Project.
 11. Discussion, consideration, and possible action of appointing Ms. Joyce Jackson to the Midwest City Arts Council as the Ward 4 representative for a two-year term ending on February 24, 2026.
 12. 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.
 13. Discussion, consideration, and possible action of declaring numerous miscellaneous items as surplus and authorizing disposal by public auction, sealed bid or other means necessary.
 14. Discussion, consideration, and possible action of declaring (2) Chevrolet Impalas and (1) Chevrolet Caprice and their contents, as surplus and authorizing disposal by public auction, sealed bid or other means necessary.
- 2. Discussion, consideration and possible action to approve the minutes of the February 8, 2024 special meeting.**

Bana addressed the council. Reed made a motion to approve the minutes, seconded by Eads. Voting aye: Eads, Bryne, Dawkins, Reed, Favors, and Dukes. Nay: Bana. Motion Carried.

- 3. Discussion, consideration and possible action of approving supplemental budget adjustments to the following fund for FY 2023-2024, increase: Reimbursed Projects Fund, revenue/Intergovernmental(62) \$75,240; expenditures/Police (62) \$75,240; revenue/Intergovernmental (64) \$21,855; expenditures/Fire (64) \$21,855; revenue/Intergovernmental (78) \$5,000; expenditures/Recreation(78) \$5,000; revenue/Intergovernmental (10) \$15,000; expenditures/Animal Welfare (10) \$15,000; revenue/Intergovernmental (47) \$100,000; expenditures/John Conrad (47) \$100,000.**

Bana addressed the council. After Council and Staff discussion, item was tabled and brought back for vote after recessing from the Economic Development Authority.

Reed made a motion to approve the adjustments, seconded by Byrne. Voting aye: Bryne, Dawkins, Reed, Favors, and Dukes. Nay: Eads and Bana. Motion Carried.

DISCUSSION ITEM.

- 1. Discussion, consideration, and possible action of accepting and approving the financial audit of the City of Midwest City for the year ending June 30, 2023.**

Jake Winkler with Arledge & Associates addressed the council. After discussion, Eads made a motion to accept the audit, seconded by Reed. Voting aye: Eads, Bryne, Dawkins, Reed, Favors, and Dukes. Nay: Bana. Motion Carried.

2. (PC-2162) Public hearing, discussion, consideration, and possible action of an ordinance to redistrict from Single-Family Detached Residential District (“R-6”) to Simplified Planned Unit Development (“SPUD”), for the property described as a part of the Southeast Quarter (SE/4) of Section Four (4), Township Eleven (11) North, Range Two (2) West of the Indian Meridian, Oklahoma County, Oklahoma, located at 1721 Sandra Dr., Midwest City.

Applicant Arreola Silvino addressed the council. After Council discussion, Eads made a motion to deny the ordinance, seconded by Bana. Voting aye: Eads, Bryne, Dawkins, Reed, Bana, Favors, and Dukes. Nay: none. Motion Carried.

3. Discussion, consideration, and possible action of approving Amendment No. 1 and Work Order No. 22W02370 to the Master Services Agreement between the City of Midwest City, Midwest City Municipal Authority, and Garver, LLC, in the amount of \$797,200.00 to develop a citywide water master plan, complete a lead service line inventory, and evaluate security and the SCADA system at the water treatment plant.

Streets addressed the council. After Council and Staff discussion, Eads made a motion to approve the Amendment and Work Order, seconded by Byrne. Voting aye: Eads, Bryne, Dawkins, Reed, Bana, Favors, and Dukes. Nay: none. Motion Carried.

At 6:54 PM Reed made a motion to recess, seconded by Byrne. Voting aye: Eads, Bryne, Dawkins, Reed, Bana, Favors, and Dukes. Nay: none. Motion Carried.

At 7:01 PM Eads made motion to reconvene, seconded by Reeds. Voting aye: Eads, Bryne, Dawkins, Reed, Favors, and Dukes. Nay: none. Absent: Bana. Motion Carried.

**At 7:02 PM Bana returned.

NEW BUSINESS/PUBLIC DISCUSSION.

Kevin Ergenbright of 11524 Surrey Ln, Jeff Moore of 516 N Cedar Ln and Glenn Goldschlager of 1409 Evergreen Cir addressed the council.

At 7:15 PM Reed made motion to recess, seconded by Byrne. Voting aye: Eads, Bryne, Dawkins, Bana, Favors, and Dukes. Voting aye: Eads, Bryne, Dawkins, Reed, Bana, Favors, and Dukes. Nay: none. Motion Carried.

At 7:48 PM Eads made motion to reconvene, seconded by Reed. Voting aye: Eads, Bryne, Dawkins, Bana, Favors, and Dukes. Voting aye: Eads, Bryne, Dawkins, Reed, Bana, Favors, and Dukes. Nay: none. Motion Carried.

*At 7:50 PM Reed left the meeting.

At 7:50 PM Eads made a motion to enter Executive Session, seconded by Byrne. Voting aye: Eads, Bryne, Dawkins, Bana, Favors, and Dukes. Voting aye: Eads, Bryne, Dawkins, Bana, Favors, and Dukes. Nay: none. Absent: Reed. Motion Carried.

At 8:46 PM Eads made a motion to return to open session, seconded by Favors. Voting aye: Eads, Bryne, Dawkins, Bana, Favors, and Dukes. Voting nay: none. Absent: Reed. Motion Carried.

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 the Riverside Mobile Home Park case CV-2024-312; and 2) authorizing the City Manager to take action as appropriate based on discussion.**

Eads made a motion to proceed as discussed, seconded by Favors. Voting aye: Eads, Bryne, Dawkins, Bana, Favors, and Dukes. Voting nay: none. Absent: Reed. Motion Carried.

- 2. 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 requested Attorney General opinion; and 2) authorizing the City Manager to take action as appropriate based on discussion.**

No Action Needed.

ADJOURNMENT. There being no further business, Mayor Dukes adjourned the meeting at 8:46 PM.

ATTEST:

MATTHEW D DUKES II, Mayor

SARA HANCOCK, City Clerk



Finance Department
100 N. Midwest Boulevard
Midwest City, OK 73110
tcromar@midwestcity.org
Office: 405-739-1245
www.midwestcityok.org

TO: Honorable Mayor and City Council

FROM: Tiatia Cromar, Finance Director

DATE: March 26, 2024

SUBJECT: Discussion, consideration and possible action of approving supplemental budget adjustments to the following funds for FY 2023-2024, increase: Workers Comp Fund, expenditures/Transfers Out (00) \$600,000. Risk Fund, revenue/Transfers In (00) \$600,000. Capital Improvements Fund, revenue/Taxes (00) \$2,369,738. Park & Recreation Fund, revenue/Taxes (06) \$592,434. Reimbursed Projects Fund, revenue/Intergovernmental (06) \$35,600; expenditures/Park & Rec (06) \$35,600. Capital Improvements Fund, expenditures/Capital Improvements (57) \$4,977. Decrease: Revenue Bond Sinking Fund, revenue/Taxes (00) \$2,962,172.

The first two supplements are needed to budget transfer from Workers Comp Fund to Risk Fund to meet required coverages in funds. The third and fourth supplements are needed to increase budget for sales and use tax due to redirection of taxes from Revenue Bond Sinking Fund by City Ordinance 3514. The fifth supplement is needed to budget Oklahoma City Community Foundation Grant. The sixth supplement is needed to budget change order to consulting contract for traffic signal improvement project. The decrease is needed to decrease sales and use tax budget in Revenue Bond Sinking Fund due to the redirection of sales and use tax by City Ordinance 3514.

Tiatia Cromar

Tiatia Cromar
Finance Director

SUPPLEMENTS

March 26, 2024

Fund WORKERS COMP (204)		BUDGET AMENDMENT FORM Fiscal Year 2023-2024			
		Estimated Revenue		Budget Appropriations	
<u>Dept Number</u>	<u>Department Name</u>	<u>Increase</u>	<u>Decrease</u>	<u>Increase</u>	<u>Decrease</u>
0	Transfers Out			600,000	
		<u>0</u>	<u>0</u>	<u>600,000</u>	<u>0</u>
<p>Explanation: To budget transfer out to Risk Fund to meet required coverages in fund. Funding to come from fund balance.</p>					

Fund RISK (202)		BUDGET AMENDMENT FORM Fiscal Year 2023-2024			
		Estimated Revenue		Budget Appropriations	
<u>Dept Number</u>	<u>Department Name</u>	<u>Increase</u>	<u>Decrease</u>	<u>Increase</u>	<u>Decrease</u>
00	Transfers In	600,000			
		<u>600,000</u>	<u>0</u>	<u>0</u>	<u>0</u>
<p>Explanation: To budget transfer in from Wokers Comp Fund to meet required coverages in Risk Fund.</p>					

Fund CAPITAL IMPROVEMENTS (157)		BUDGET AMENDMENT FORM Fiscal Year 2023-2024			
		Estimated Revenue		Budget Appropriations	
<u>Dept Number</u>	<u>Department Name</u>	<u>Increase</u>	<u>Decrease</u>	<u>Increase</u>	<u>Decrease</u>
00	Taxes	2,369,738			
		<u>2,369,738</u>	<u>0</u>	<u>0</u>	<u>0</u>
<p>Explanation: To increase budget for sales and use tax due to redirecting of taxes from Revenue Bond Sinking Fund by City Ordinance 3514.</p>					

Fund PARK & RECREATION (123)		BUDGET AMENDMENT FORM Fiscal Year 2023-2024			
		Estimated Revenue		Budget Appropriations	
<u>Dept Number</u>	<u>Department Name</u>	<u>Increase</u>	<u>Decrease</u>	<u>Increase</u>	<u>Decrease</u>
6	Park & Recreation	592,434			
		<u>592,434</u>	<u>0</u>	<u>0</u>	<u>0</u>
<p>Explanation: To increase budget for sales and use tax due to redirecting of taxes from Revenue Bond Sinking Fund by City Ordinance 3514.</p>					

SUPPLEMENTS

March 26, 2024

Fund REIMBURSED PROJECTS (016)		BUDGET AMENDMENT FORM Fiscal Year 2023-2024			
		Estimated Revenue		Budget Appropriations	
<u>Dept Number</u>	<u>Department Name</u>	<u>Increase</u>	<u>Decrease</u>	<u>Increase</u>	<u>Decrease</u>
6	Intergovernmental	35,600			
6	Park & Rec			35,600	
		35,600	0	35,600	0
Explanation:					
To budget Oklahoma City Community Foundation Fitness and Rest Grant.					

Fund CAPITAL IMPROVEMENTS (157)		BUDGET AMENDMENT FORM Fiscal Year 2023-2024			
		Estimated Revenue		Budget Appropriations	
<u>Dept Number</u>	<u>Department Name</u>	<u>Increase</u>	<u>Decrease</u>	<u>Increase</u>	<u>Decrease</u>
57	Capital Improvements			4,977	
		0	0	4,977	0
Explanation:					
To budget change order to consulting contract related to traffic signal iprovement project. Funding to come from fund balance.					

DECREASE

Fund REVENUE BOND SINKING (340)		BUDGET AMENDMENT FORM Fiscal Year 2023-2024			
		Estimated Revenue		Budget Appropriations	
<u>Dept Number</u>	<u>Department Name</u>	<u>Increase</u>	<u>Decrease</u>	<u>Increase</u>	<u>Decrease</u>
0	Taxes		2,962,172		
		0	2,962,172	0	0
Explanation:					
To decrease sales and use tax budget due to the redirecting of sales and use tax by City Ordinance 3514 from Revenue Bond Sinking Fund to Capital Improvements and Park & Recreation Funds.					



Grants Management
100 N. Midwest Boulevard
Midwest City, OK 73110
405.739.1216

TO: Honorable Mayor and Council

FROM: Terri L. Craft, Grants Manager

DATE: March 26, 2024

SUBJECT: Discussion, consideration, and possible action of approving Amendment #1 of the Central Oklahoma Governments Air Quality Small Grant to add an additional (6) months to contract. (Grants Management - T. Craft)

This amendment will provide an additional (6) months to the (24) month contract approved on March 22, 2022 to construct an active transportation corridor on Adair Blvd. 95% of all work has been completed on this project. ADA required concrete repairs to an existing bus stop and signage placement have yet to be completed.

Staff recommends approval.



Terri L. Craft
Grants Manager

Grant #: CMAQ2022-05

AMENDMENT #1

AIR QUALITY SMALL GRANT CONTRACT

BY AND BETWEEN THE

ASSOCIATION OF CENTRAL OKLAHOMA GOVERNMENTS

AND

THE CITY OF MIDWEST CITY

The below referenced terms hereby amend the Contract Agreement #CMAQ2022-05 between the Association of Central Oklahoma Governments (hereinafter “ACOG”) and the City of Midwest City (hereinafter “Grantee”) and dated the 29th of March 2022.

Stated Contract is for funds that are intended for the reimbursement of certain costs incurred for the creation of an active transportation corridor along Adair Boulevard.

May it be known that the undersigned parties do hereby agree to make the following changes and/or additions outlined below. These changes and/or additions shall be held valid as if included in the original contract referenced above.

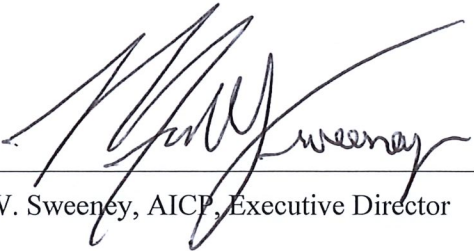
Paragraph B, Section B.1. of the original Grant Contract is hereby amended to extend the term of Part I and Part II as follows:

B. GRANT CONTRACT TERMS

B.1. ACOG shall have no obligation for costs incurred by the Grantee outside the period commencing with the Notice to Proceed date and ending 30 months after the Notice to Proceed date, hereinafter referred to as Part I of Contract Terms.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the last date written below.

ASSOCIATION OF CENTRAL OKLAHOMA GOVERNMENTS

By: 
Mark W. Sweeney, AICP, Executive Director

Date: 3/5/2024

THE CITY OF MIDWEST CITY

By: _____
Matthew D. Dukes, II, Mayor

Date: _____



Planning & Zoning Department

Matt Summers, Director of Planning & Zoning
Tami Anderson, Administrative Assistant
Emily Richey, Current Planning Manager
Petya Stefanoff, Comprehensive Planner
Cameron Veal, Associate Current Planner

To: Honorable Mayor and City Council
From: Matt Summers, Director of Planning & Zoning
Date: March 26, 2024
Subject: Discussion, consideration, and possible action of 1) acceptance of an Oklahoma City Community Foundation (OCCF) grant in the amount of \$35,600 for benches and trees for Midwest City parks; 2) approving and entering into an agreement with OCCF which establishes the terms and conditions of the grant; and 3) authorization of the Mayor and/or City Manager to enter into the necessary contracts/agreements to implement the grant.

Midwest City was selected for a grant award from Oklahoma City Community Foundation (OCCF) to install benches and plant trees in five (5) Midwest City parks/trails. The parks/trails that were part of this grant application are: Kiwanis Park, Regional Park, Bomber Run Trail, Lions Park, and Pecan Grove Park. The awarded amount for this project is \$35,600, and the project is expected to be completed within the calendar year.

Staff recommends approval.

Matt Summers, AICP
Director of Planning & Zoning



OKLAHOMA CITY
COMMUNITY FOUNDATION

1000 N. Broadway Ave.
Oklahoma City, OK 73102

405.235.5603 · occf.org

Grant Agreement

- This Grant Agreement between The City of Midwest City and the Oklahoma City Community Foundation outlines the award details, funding time frame, reporting requirements and deadlines.
 - This Grant Agreement supersedes any previous communication regarding the grant proposal.
 - **Any significant changes to the funded project or budget must be submitted in writing to your Program Manager for approval.**
 - To acknowledge this Grant Agreement and to accept the grant, **PLEASE UPLOAD A SIGNED COPY OF THIS AGREEMENT TO THE [ONLINE GRANT PORTAL](#).**
-

Grantee: The City of Midwest City

Project Description: Fitness & Rest

Amount of Grant: \$35,600.00

Grant Start/Approval Date: 02/15/2024

Grant End Date: 2/15/2025

Special Conditions of the Grant: *Please submit a site plan for each planting location along with tree species to OCCF staff for review and approval.*

Program Manager/Contact Information: Lanc Gross Lgross@occf.org or 405-606-2957

Signed Grant Agreement Due: 02/23/2024

Final Evaluation Due: 2/15/2025

All grants are made in accordance with current and applicable laws and pursuant to the Internal Revenue Code, as amended, and the regulations issued hereunder.

Grant Requirements

I. Reporting

- The Grantee is required to submit a **Final Evaluation** on or before the deadline outlined on page 1 of this agreement. The Final Evaluation must include the expenditures report outlined in the 'Accounting of Funds' section below.
- The Grantee will take part in a **Midterm Check-in** with the Program Manager. Check-ins will be conducted via a virtual meeting platform, phone call or in-person site visit. The Program Manager will determine the format of the check-in. **The Grantee will select a preferred date for their check-in at the time of the grant agreement upload unless otherwise instructed by the OCCF Program Manager.**
- The Grantee must notify the Program Manager immediately of any change in (a) Grantee's legal or tax status, (b) Grantee's executive or key staff responsible for achieving the grant objective, and (c) Grantee's ability to carry out the project as specified in the grant application.

II. Accounting of Funds

- Any expenses incurred before the grant start date or after the grant end date will not be eligible.
- Expenses can only be incurred as necessary to carry out the stated and agreed-upon objectives and activities of the funded project. If this is not possible, **the Grantee is required to notify the Program Manager as soon as possible.**
- The Final Evaluation (detailed above) must contain an accounting of the grant funds. The Grantee will be asked to include a breakdown of specific expenditures along with your report.
- The Grantee will return to the Foundation any unexpended funds or any portion of the grant that is not used for the purposes specified herein.

III. Promotion

The grantee is encouraged to promote the grant and the funded project. Promotion of funded projects can benefit the Grantee's organization, the Oklahoma City Community Foundation, and other potential grant recipients by creating awareness. The Grantee should acknowledge the Foundation as a grantmaker in media communications, public announcements, and printed or web-based promotional materials.

- A sample news release and media contact list are attached as a resource to assist in promoting the funded project.
- While OCCF encourages grantees to promote the grant, Foundation staff and Trustees cannot accept gifts, plaques, awards, etc. Please use the funds for programs and services.

Agreed to by the **Oklahoma City Community Foundation**

Signed: 

Date: 02/15/2024

Agreed to by **The City of Midwest City**

*Agreement must be reviewed with the Board of Directors and/or Executive Committee.

Print Contact Name: Tim Lyon

Contact Email: tlyon@midwestcityok.org Contact Phone: 405-739-1201

Signed: 

Date: 2-23-24

PLEASE UPLOAD A SIGNED COPY OF THIS AGREEMENT TO THE [ONLINE GRANT PORTAL](#).

Midwest City *Fitness & Rest* trees and benches program

12/12/2023

Item	Unit	Site					Total	Unit Cost	Cost	Grant	In-Kind
		#1	#2	#3	#4	#5					
6' Bench w back	EA	3	4	1	1	1	10	\$1,200.00	\$12,000.00	\$12,000.00	
6" Concrete Pads 6' x 5' under benches (ADA)	EA	3	4	1	1	1	10	\$2,000.00	\$20,000.00	\$20,000.00	
Trees	EA	3	3	1	1	1	9	\$400.00	\$3,600.00	\$3,600.00	
Drip Irrigation- Cost of Material	LS	3	3	1	1	1	9	\$648.00	\$5,832.00		\$5,832.00
Short Service and Meter- irrigation	EA	0	0	1	0	1	2	\$900.00	\$1,800.00		\$1,800.00
Labor to install bench	HR	15	20	5	5	5	50	\$60.00	\$3,000.00		\$3,000.00
Labor to install trees	HR	13.5	13.5	4.5	4.5	4.5	40.5	\$60.00	\$2,430.00		\$2,430.00
Labor to install irrigation	HR	24	24	8	8	8	72	\$60.00	\$4,320.00		\$4,320.00
Equipment Cost to install trees	HR	4.5	4.5	1.5	1.5	1.5	13.5	\$60.00	\$810.00		\$810.00

Total

\$53,792.00 **\$35,600.00** **\$18,192.00**

69%	31%
-----	-----

Site #1- Kiwanis Park	Subtotal	\$16,164.00
Site #2- Reno Swim & Slide at Regional Park	Subtotal	\$19,664.00
Site #3- Bomber Trail Phase 1	Subtotal	\$6,288.00
Site #4- Lions Park	Subtotal	\$5,388.00
Site #5- Pecan Grove Park	Subtotal	\$6,288.00
Total		\$53,792.00



Planning & Zoning Department

Matt Summers, Director of Planning & Zoning
Tami Anderson, Administrative Assistant
Emily Richey, Current Planning Manager
Petya Stefanoff, Comprehensive Planner
Cameron Veal, Associate Current Planner

To: Honorable Mayor and City Council
From: Matt Summers, Director of Planning & Zoning
Date: March 26, 2024
Subject: Discussion, consideration, and possible action of approving a resolution for 1) sponsorship of a Transportation Alternatives Program application to construct Crutcho Creek Trail Phase 1, and 2) authorizing the City Manager to sign the application.

This proposed project would construct the first phase of the Crutcho Creek Trail connecting the Bomber Trail, Quinlan Park, the YMCA, and Meadowood Neighborhood. This project would result in a multi-use trail with a length of just over one (1) mile.

The project would rehab the existing sidewalk from Bomber Trail to E. Reno Ave. and bring the trail across E. Reno Ave. at the signalized intersection by the YMCA. From there, the trail would run north along the channel to N. Glenoaks Drive. This would represent the first phase of the Crutcho Creek Trail identified in the Midwest City Trails Master Plan.

The accompanying programming resolution is required in order to have the referenced project considered for the Transportation Alternatives Program through ODOT. All projects that apply for this funding must be programmed in this manner. Programming a project does not guarantee the project will be funded since it competes with projects submitted by other entities across the state. A minimum of 20% in local match is required under this program.

- Federal Funds: \$960,000.00
- Local Match: \$240,000.00
- Estimated Total Cost: \$1,200,000.00

No City funds are obligated at this time. However, if the project is funded, the City will be obligated to fund the local match and hire a design consultant. Project selection is scheduled for the fall of 2024.

Staff recommends approval of the resolution.

Matt Summers, AICP
Director of Planning & Zoning

**RESOLUTION OF PROJECT SPONSORSHIP
FOR A
TRANSPORTATION ALTERNATIVES PROGRAM APPLICATION
AND
MAINTENANCE AGREEMENT**

A RESOLUTION DECLARING THE ELIGIBILITY OF THE CITY OF MIDWEST CITY TO SUBMIT AN APPLICATION TO THE OKLAHOMA DEPARTMENT OF TRANSPORTATION FOR USE OF TRANSPORTATION ALTERNATIVES PROGRAM FUNDS SET FORTH BY IJA FOR THE CRUTCHO CREEK TRAIL PHASE 1 PROJECT IN MIDWEST CITY AND AUTHORIZING THE CITY MANAGER TO SIGN THIS APPLICATION

WHEREAS, the City of Midwest City, Oklahoma, is submitting an application to the Oklahoma Department of Transportation for transportation alternatives program funds in the amount of \$960,0000, set forth by IJA and as outlined in ODOT's transportation alternatives program guidance & application packet for 2024; and

WHEREAS, the City of Midwest City, Oklahoma, is participating as an eligible project sponsor in the Oklahoma Department of Transportation's transportation alternatives program set forth by IJA; and

WHEREAS, federal monies are available under a transportation alternatives program set forth by IJA, administered by the state of Oklahoma, Department of Transportation, for the purpose of creating and promoting the planning and development of active transportation facilities and programs in Oklahoma; and

WHEREAS, the City of Midwest City, Oklahoma, acknowledges availability of the required local match of no less than 20%; and

WHEREAS, after appropriate public input and due consideration, the governing body of Midwest City, Oklahoma, has recommended that an application be submitted to the state of Oklahoma for the Crutcho Creek Trail Phase 1 project.

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF
MIDWEST CITY, OKLAHOMA**

SECTION 1. That the City of Midwest City, Oklahoma, does hereby authorize the City Manager to submit an application to the Oklahoma Department of Transportation for transportation alternatives program funds set forth by IJA on behalf of the citizens of Midwest City, Oklahoma.

SECTION 2. That the City of Midwest City, Oklahoma, hereby assures the Oklahoma Department of Transportation that sufficient funding for the Crutcho Creek Trail Phase 1 project is available.

SECTION 3. That the City of Midwest City, Oklahoma, hereby assures the Oklahoma Department of Transportation that sufficient funding for the operation and maintenance of the Crutcho Creek Trail Phase 1 project will be available for the life of the project.

SECTION 4. That the City of Midwest City, Oklahoma, hereby assures the Oklahoma Department of Transportation that the City of Midwest City, Oklahoma will have title or permanent easement to the Crutcho Creek Trail Phase 1 project by the time of project letting, if necessary.

SECTION 5. That the chief project sponsor of Midwest City, Oklahoma is authorized to sign the application to the Oklahoma Department of Transportation for transportation alternatives program funds set forth by IJA on behalf of the citizens of Midwest City, Oklahoma. The chief project sponsor is also authorized to submit additional information as may be required and act as the official representative of the City of Midwest City in this and subsequent related activities.

ADOPTED by the City Council of Midwest City and **SIGNED** by the Mayor this 26th day of March, 2024.

ATTEST:

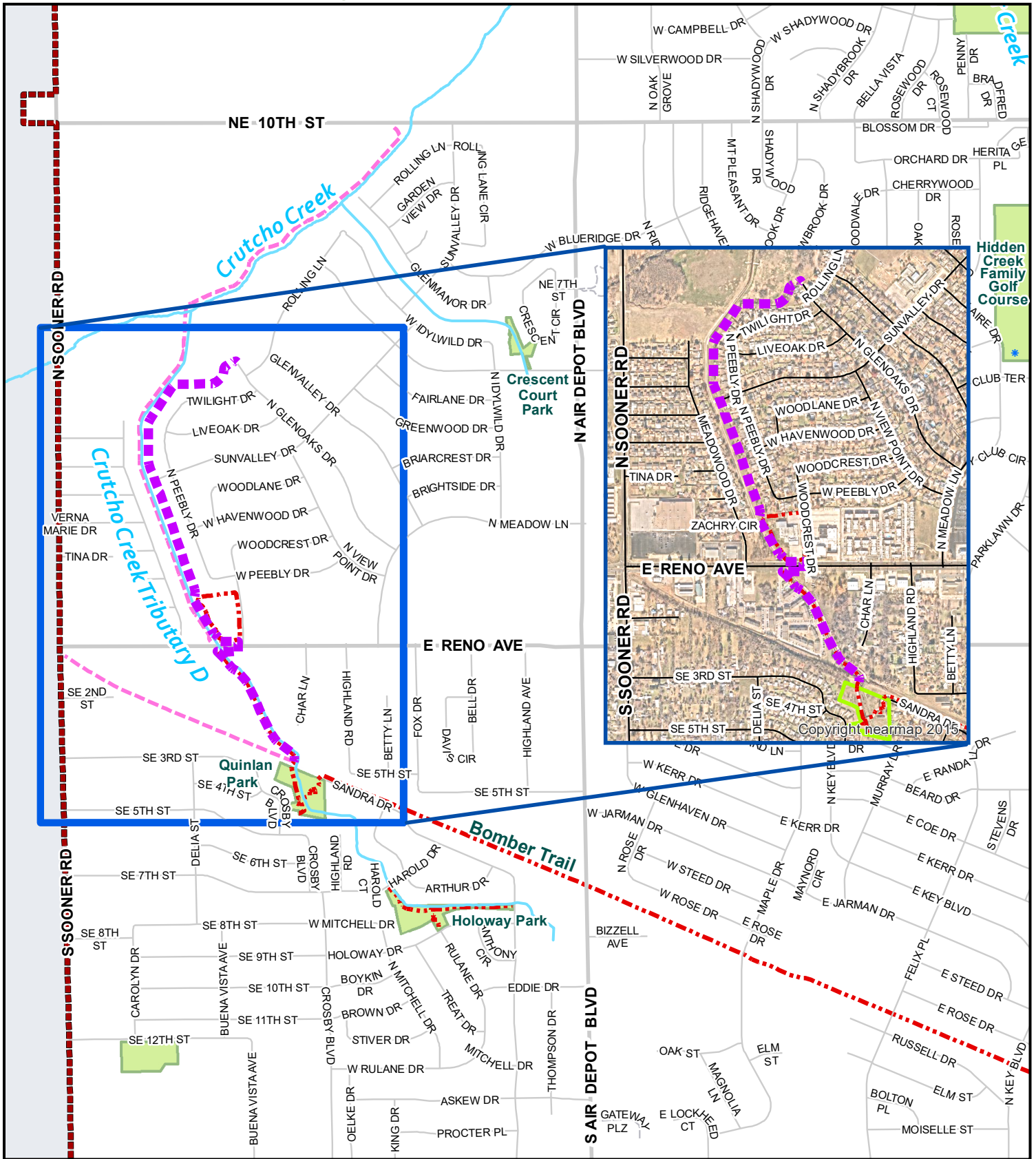
City Clerk

Mayor

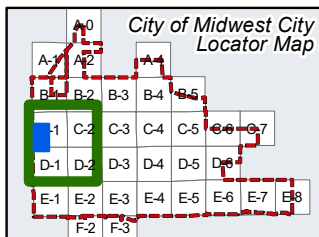
Approved as to form and legality

City Attorney

Transportation Alternatives Program - Edition 2024 Safe Routes for Non-Drivers

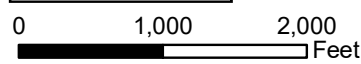


12/2023 NearMap image



Midwest City Inset of Planned Crutcho Creek Trail

- Trail Status**
- - - Existing
 - - - Proposed
 - - - Requested



GIS Division
Information Technology
(405) 739-1219

THIS MAP IS A GENERAL INFORMATION PUBLIC RESOURCE. THE CITY OF MIDWEST CITY MAKES NO WARRANTY, REPRESENTATION OR GUARANTEE AS TO THE CONTENT, ACCURACY, TIMELINESS OR COMPLETENESS OF ANY OF THE INFORMATION PROVIDED ON THIS MAP. ANY PARTY'S USE OR RELIANCE ON THIS MAP OR ANY INFORMATION ON IT IS AT THAT PARTY'S OWN RISK AND WITHOUT LIABILITY TO THE CITY OF MIDWEST CITY, ITS OFFICIALS OR ITS EMPLOYEES FOR ANY DISCREPANCIES, ERRORS OR VARIANCES THAT MAY EXIST.





Planning & Zoning Department

Matt Summers, Director of Planning & Zoning
Tami Anderson, Administrative Assistant
Emily Richey, Current Planning Manager
Petya Stefanoff, Comprehensive Planner
Cameron Veal, Associate Current Planner

To: Honorable Mayor and City Council
From: Matt Summers, Director of Planning & Zoning
Date: March 26, 2024
Subject: Discussion, consideration, and possible action of approving a resolution for 1) sponsorship of a Transportation Alternatives Program application to construct approximately a quarter (1/4) of a mile of the Tributary 4 trail, and 2) authorizing the City Manager to sign the application.

This proposed project would replace the outdated bridge in Tom Poore Park over Soldier Creek. The new bridge would be longer and wider to accommodate pedestrians, bicycles, and maintenance vehicles. The proposed project would also construct the first phase of the Tributary 4 (Trib 4) trail connecting the Soldier Creek and Pecan Grove trails in Tom Poore Park to Woodside Drive to the east.

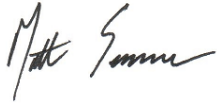
The bridge in Tom Poore Park has long been requested by citizens, Public Works, and Police to improve the functionally obsolete bridge. The existing bridge is too short and low to the creek making it susceptible to frequent flooding. Additionally, the bridge is only 4 ft. wide and expanded metal construction which is not ADA compliant. The new bridge would be designed to discourage public access but still allow for maintenance and other light vehicles. The Trib 4 trail is planned in the Midwest City Trails Master Plan, and will eventually be approximately 2.3 miles long connecting the following trails: Soldier Creek, Pecan Grove, Silver Meadows, and Silver Creek.

The accompanying programming resolution is required in order to have the referenced project considered for the Transportation Alternatives Program through ODOT. All projects that apply for this funding must be programmed in this manner. Programming a project does not guarantee the project will be funded since it competes with projects submitted by other entities across the state. A minimum of 20% in local match is required under this program.

- Federal Funds: \$1,152,000.00
- Local Match: \$288,000.00
- Estimated Total Cost: \$1,440,000.00

No City funds are obligated at this time. However, if the project is funded, the City will be obligated to fund the local match and hire a design consultant. Project selection is scheduled for the fall of 2024.

Staff recommends approval of the resolution.

A handwritten signature in black ink that reads "Matt Summers". The signature is written in a cursive style with a large initial "M" and "S".

Matt Summers, AICP
Director of Planning & Zoning

**RESOLUTION OF PROJECT SPONSORSHIP
FOR A
TRANSPORTATION ALTERNATIVES PROGRAM APPLICATION
AND
MAINTENANCE AGREEMENT**

A RESOLUTION DECLARING THE ELIGIBILITY OF THE CITY OF MIDWEST CITY TO SUBMIT AN APPLICATION TO THE OKLAHOMA DEPARTMENT OF TRANSPORTATION FOR USE OF TRANSPORTATION ALTERNATIVES PROGRAM FUNDS SET FORTH BY IJA FOR THE TOM POORE PARK BRIDGE AND TRIBUTARY 4 TRAIL PHASE 1 PROJECT IN MIDWEST CITY AND AUTHORIZING THE CITY MANAGER TO SIGN THIS APPLICATION

WHEREAS, the City of Midwest City, Oklahoma, is submitting an application to the Oklahoma Department of Transportation for transportation alternatives program funds in the amount of \$1,152,0000, set forth by IJA and as outlined in ODOT's transportation alternatives program guidance & application packet for 2024; and

WHEREAS, the City of Midwest City, Oklahoma, is participating as an eligible project sponsor in the Oklahoma Department of Transportation's transportation alternatives program set forth by IJA; and

WHEREAS, federal monies are available under a transportation alternatives program set forth by IJA, administered by the state of Oklahoma, Department of Transportation, for the purpose of creating and promoting the planning and development of active transportation facilities and programs in Oklahoma; and

WHEREAS, the City of Midwest City, Oklahoma, acknowledges availability of the required local match of no less than 20%; and

WHEREAS, after appropriate public input and due consideration, the governing body of Midwest City, Oklahoma, has recommended that an application be submitted to the state of Oklahoma for the Tom Poore Park Bridge and Tributary 4 Trail Phase 1 project.

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF
MIDWEST CITY, OKLAHOMA**

SECTION 1. That the City of Midwest City, Oklahoma, does hereby authorize the City Manager to submit an application to the Oklahoma Department of Transportation for transportation alternatives program funds set forth by IJA on behalf of the citizens of Midwest City, Oklahoma.

SECTION 2. That the City of Midwest City, Oklahoma, hereby assures the Oklahoma Department of Transportation that sufficient funding for the Tom Poore Park Bridge and Tributary 4 Trail Phase 1 project is available.

SECTION 3. That the City of Midwest City, Oklahoma, hereby assures the Oklahoma Department of Transportation that sufficient funding for the operation and maintenance of the Tom Poore Park Bridge and Tributary 4 Trail Phase 1 project will be available for the life of the project.

SECTION 4. That the City of Midwest City, Oklahoma, hereby assures the Oklahoma Department of Transportation that the City of Midwest City, Oklahoma will have title or permanent easement to the

Tom Poore Park Bridge and Tributary 4 Trail Phase 1 project by the time of project letting, if necessary.

SECTION 5. That the chief project sponsor of Midwest City, Oklahoma is authorized to sign the application to the Oklahoma Department of Transportation for transportation alternatives program funds set forth by IJA on behalf of the citizens of Midwest City, Oklahoma. The chief project sponsor is also authorized to submit additional information as may be required and act as the official representative of the City of Midwest City in this and subsequent related activities.

ADOPTED by the City Council of Midwest City and **SIGNED** by the Mayor this 26th day of March, 2024.

ATTEST:

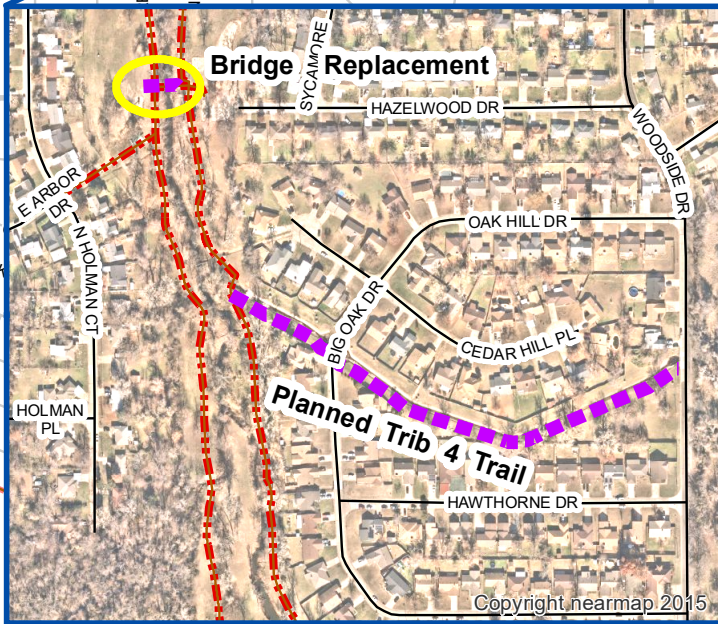
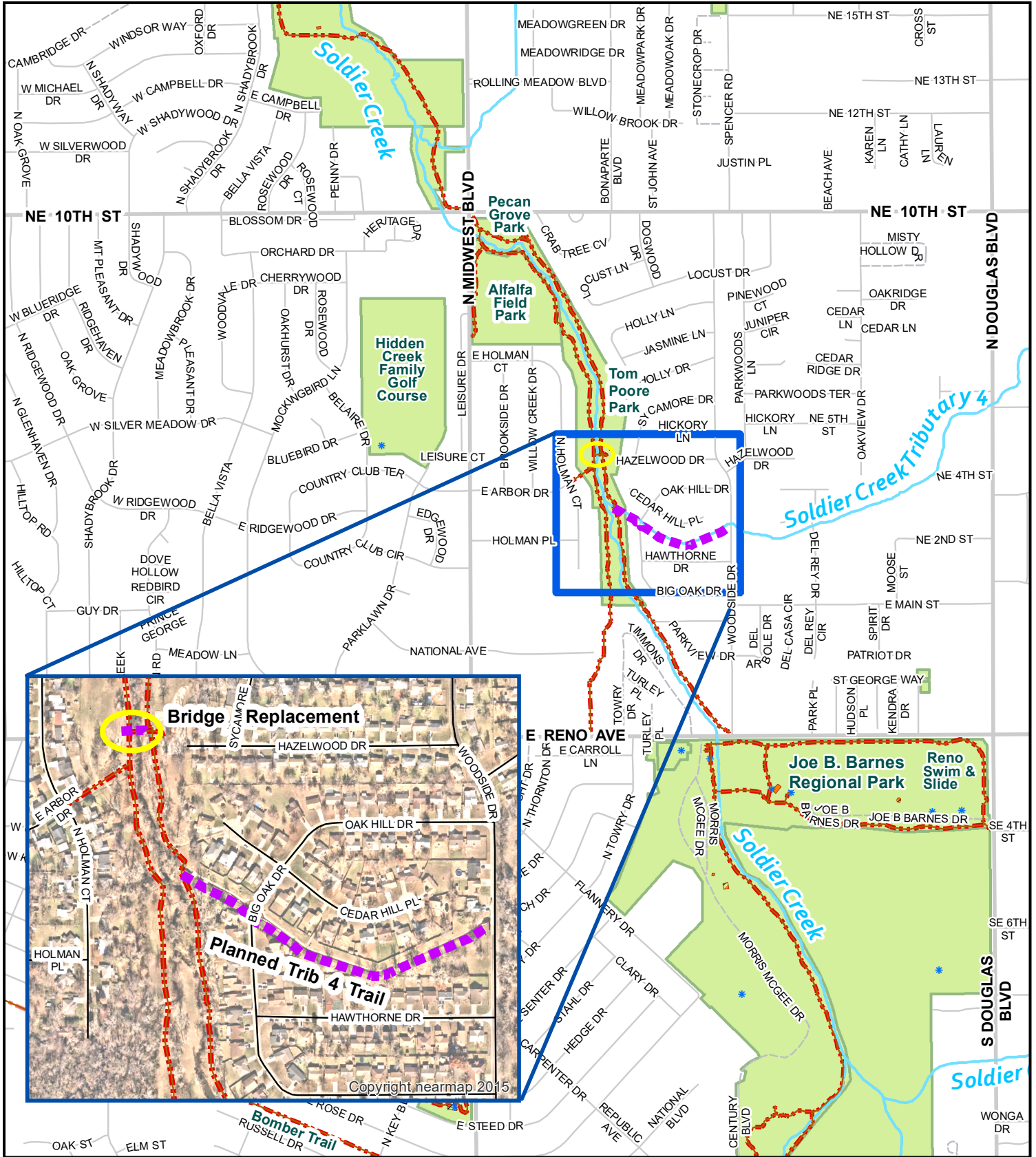
City Clerk

Mayor

Approved as to form and legality

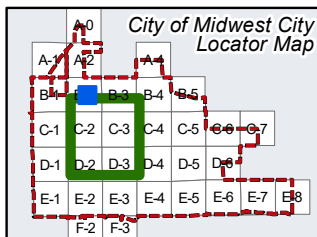
City Attorney

Transportation Alternatives Program - Edition 2024 Safe Routes for Non-Drivers



12/2023 NearMap image

Midwest City Inset of Planned Trib 4 Trail Phase 1



- Trail Status**
- - - Existing
 - - - Funded
 - - - Proposed



0 1,000 2,000 Feet

GIS Division
Information Technology
(405) 739-1219

THIS MAP IS A GENERAL INFORMATION PUBLIC RESOURCE. THE CITY OF MIDWEST CITY MAKES NO WARRANTY, REPRESENTATION OR GUARANTEE AS TO THE CONTENT, ACCURACY, TIMELINESS OR COMPLETENESS OF ANY OF THE INFORMATION PROVIDED ON THIS MAP. ANY PARTY'S USE OR RELIANCE ON THIS MAP OR ANY INFORMATION ON IT IS AT THAT PARTY'S OWN RISK AND WITHOUT LIABILITY TO THE CITY OF MIDWEST CITY, ITS OFFICIALS OR ITS EMPLOYEES FOR ANY DISCREPANCIES, ERRORS OR VARIANCES THAT MAY EXIST.





Public Works Administration

8730 S.E. 15th Street,
Midwest City, Oklahoma 73110

Public Works Director

pstreets@midwestcityok.org

(405) 739-1061

Assistant Public Works Director

cevenson@midwestcityok.org

(405) 739-1062

www.midwestcityok.org

To: Honorable Mayor and Council

From: R. Paul Streets, Public Works Director

Date: March 26, 2024

Subject: Discussion, consideration, and possible action of approving a maintenance and services contract with Oklahoma Earthbike Fellowship, Inc., for landscape improvements and maintenance of mountain bike trails at the SCIP Recreational Trail.

Oklahoma Earthbike Fellowship, Inc., and the City of Midwest City have reached an agreement through which Oklahoma Earthbike Fellowship, Inc., will provide landscape improvements and maintenance of mountain bike trails at the SCIP Recreational Trail.

The maintenance and services contract is attached.

Approval is at the discretion of the Council.

Respectfully,

R. Paul Streets
Public Works Director

Attachment

MAINTENANCE AND SERVICES CONTRACT

Public Works Department

This contract is made this 19th day of February, 2024, by and between the Oklahoma Earthbike Fellowship, Inc. (hereinafter "SPONSOR") and the City of Midwest City (hereinafter "OWNER"). The parties hereto, for and in consideration of the benefits and payments hereinafter provided, do hereby covenant and agree as follows:

I. GENERAL LANDSCAPE MAINTENANCE TERMS AND CONDITIONS

It is understood that all improvements on public property become the property of the OWNER. The OWNER and SPONSOR recognize the need and desirability of landscape improvements and maintenance of mountain bike trails at the following LOCATION: SCIP Recreational Trail (hereinafter called the "LOCATION") and are entering into this agreement to permit the SPONSOR to provide installation and maintenance of landscape improvements on publicly owned property (See Exhibit "A" for map).

SPONSOR and OWNER acknowledge and agree to the following terms and conditions:

- A. **MAINTENANCE--** SPONSOR agrees to purchase all materials and provide all labor for the maintenance of trails at the LOCATION at its sole cost and expense. It is agreed that SPONSOR will use volunteers to maintain mountain bike trails and improvements in accordance with the original construction plans and specifications approved by the OWNER. SPONSOR shall bear the responsibility to provide repair and maintenance of the mountain bike trails for one (1) year from the date hereof.

Any major reroute or modification of structures shall be submitted to the Public Works Director for approval. Any reroute or modification of structures shall require written approval from the Public Works Director prior to work being done by SPONSOR.

It is expressly agreed that there will be periodic inspection of the LOCATION by OWNER and SPONSOR to assure proper ongoing maintenance of the facilities. Any repairs identified through this inspection will be accomplished by OWNER or SPONSOR, depending upon whose responsibility it is under the terms of this contract, within a period of time agreed upon by SPONSOR and OWNER.

- B. **TEMPORARY CLOSURE--** OWNER has authority to temporarily close the LOCATION due to safety issues at any time. SPONSOR must also notify OWNER of any safety issue that will require temporary closure of LOCATION. SPONSOR may temporarily close the LOCATION due to adverse weather conditions such that the trail system would be damaged by users in accordance with the stipulations of section L of this agreement.
- C. **LAWS--** SPONSOR agrees to comply fully with all applicable Federal statutes and regulations, Oklahoma statutes, and OWNER ordinances, policies, permits and procedures.
- D. **INSURANCE--** Volunteers whose activities are limited to general trail maintenance, litter pickup, supplemental mowing, edging, and similar activities shall not be required to be insured by SPONSOR. OWNER acknowledges that SPONSOR has no employees, and

operates solely through volunteers. SPONSOR agrees that any change in that status shall be timely reported to OWNER and the procurement of any necessary Workers Compensation Insurance by SPONSOR. Further, SPONSOR agrees to maintain in force a policy of General Liability Insurance, naming OWNER as an additional insured, with limits at least as follows:

Property Damage Liability in an amount not less than Twenty-Five Thousand Dollars (\$25,000.00) for any claim or to any claimant who has more than one claim for loss of or damage to property arising out of a single accident or occurrence; and subject to the same limit for each claimant, One Million Dollars (\$1,000,000.00) for any number of claims for loss of or damage to property arising out of a single accident or occurrence.

Personal or Bodily Injury Liability in an amount not less than One Hundred Seventy-five Thousand Dollars (\$175,000.00) to any claimant for his claim for personal or bodily injuries, including accidental death, arising out of a single accident or occurrence; and subject to the same limit for each claimant, One Million Dollars (\$1,000,000.00) for any number of such claims arising out of a single accident or occurrence.

When "certificates of insurance" are submitted, they shall be on a form acceptable to OWNER.

- E. **RELEASE--** Volunteers of SPONSOR shall sign an appropriate Acknowledgement and General Release if engaged in bridge or trail maintenance, litter pickup, edging, supplemental mowing, or similar activities. SPONSOR agrees to maintain said Acknowledgment and General Release in its records for a period of two years from the date of signature, and to provide access thereto upon written request from the OWNER.

SPONSOR agrees if any work will be done at the LOCATION by volunteers who are not employees of and not under any contract of employment with SPONSOR or the OWNER, volunteers will read and sign a copy of either Exhibit "B" or Exhibit "C" (the one that is appropriate) "ACKNOWLEDGMENT AND GENERAL RELEASE". SPONSOR further agrees any person under 18 years of age will not do any work without the written authorization of his/her parent or legal guardian as provided for on the release form for minors (see attachments). Release forms are the responsibility of SPONSOR to distribute, collect and maintain.

- F. **INDEMNIFICATION--** SPONSOR shall indemnify, defend, keep, and hold harmless the OWNER, its agents, officials, and employees against all suits or claims of any kind whatsoever arising out of or by reason of this agreement, its execution and/or its performance occasioned by the negligent act of SPONSOR.
- G. **TERMINATION--** Should SPONSOR fail to fulfill any of the terms or conditions, the OWNER may give written notice to SPONSOR to use diligence to correct such condition or default within thirty (30) days after receipt of such notice. The OWNER may, after the lapse of such thirty (30) days notice and failure by SPONSOR to correct or cure such default or condition, terminate this agreement; provided that if SPONSOR has commenced to cure or correct such default or condition within such 30 day period, SPONSOR will have a reasonable time after such thirty (30) day period within which to comply with said cure or corrections.

The OWNER may, without cause and without prejudice to any other right or remedy, elect to terminate the contract. In such case, the OWNER will provide thirty (30) days from delivery of a written notice to the SPONSOR.

- H. **SIGNS--** SPONSOR shall not install any signs in the landscape improvement areas without prior written approval of the Director of the Public Works Department. A drawing or drawings showing details of the design, location, size, type of lettering, installation methods, and the materials for the sign shall be submitted for review.
- I. **ENVIRONMENTAL--** SPONSOR agrees not to permit or introduce any chemical substance or hazardous material in or about the LOCATION by SPONSOR, its agents, employees, or contractors, without prior written consent of the Public Works Department. SPONSOR or SPONSOR's contractor will provide a list to the Public Works Department for review and approval of any "chemical substances" or "hazardous materials" to be used on the subject LOCATION (fertilizer, pesticide, herbicide, or insecticide) prior to such materials being applied. SPONSOR agrees to provide or cause to be provided a Material Safety Data Sheet (MSDS) for all products, substances or materials to be applied to the LOCATION. SPONSOR agrees that all chemical substances or hazardous materials shall be applied to the LOCATION by a Certified Chemical Applicator in the State of Oklahoma. Proof of current license of the applicator shall be provided with the list of substances, the MSDS sheets, insurance certificates, and other information required of contractors as set forth in this agreement.
- J. **AGREEMENT DURATION--** This agreement shall be effective upon approval by OWNER Council and may be renewed for an additional one (1) year term, if requested in writing by SPONSOR and approved by the OWNER Council, provided however this agreement may be terminated by either party upon written notice to the other in accordance with this agreement. The OWNER may modify or cancel this program and this agreement, after the occurrence of a default by SPONSOR hereunder which has not been cured or corrected as provided herein, within 30 days provided that written notice has been sent to the SPONSOR's contact person at the address last provided in accordance with this Agreement.
- K. **OWNER MAINTENANCE--** Should SPONSOR not renew this agreement after one (1) year terms and relinquish maintenance of LOCATION, OWNER will maintain LOCATION as funds permit. In the event of a natural disaster or an act of God, any damages to the facilities will be resolved through a joint effort by SPONSOR and OWNER based on the availability of funds.
- L. **TRAILHEAD--** OWNER shall maintain the trailhead parking surface, bathroom facilities, and water source. SPONSOR agrees to notify OWNER of any vandalism.

OWNER will furnish all necessary refuse and garbage containers and will remove and dispose of all rubbish, refuse and garbage resulting from the SPONSOR's activity, provided that refuse is deposited in receptacles provided. SPONSOR shall be responsible for the refuse and garbage pickup and facility cleanup on the grounds and agrees to restore all which existed prior to SPONSOR's usage.

OWNER shall furnish SPONSOR with adequate sets of keys to the facilities. Only locks and keys supplied by OWNER shall be used. SPONSOR agrees to furnish OWNER with

a list of those people to whom SPONSOR has furnished any key(s) and to inform OWNER of any changes therein. OWNER reserves the right to enter the facilities at any time for purposes of inspection, repair or to ascertain compliance with this contract. SPONSOR shall furnish OWNER with keys to structures that contain only SPONSOR equipment. Said keys will be kept in the Public Works Division office in the Midwest OWNER Service Center Facility. Locks and keys that are lost during the term of this contract will be replaced at SPONSOR's expense.

- M. **HAZARDS--** Should any of the improvements become a hazard or safety risk, the OWNER reserves the right to remove the hazard as quickly as possible.

II. **NOTICES**

Notices or other communications to the OWNER regarding this contract shall be sent by registered or certified mail, postage prepaid, addressed to:

Public Works Director
The City of Midwest City – Public Works Administration
8730 S.E. 15th Street
Midwest City, Oklahoma 73110

Notices or other communications to SPONSOR shall be sent by registered or certified mail, postage prepaid, to:

Oklahoma Earthbike Fellowship, Inc.
President
PO Box 2320
Oklahoma City, OK 73101

And by electronic notice to:

Oef.president@gmail.com , Bubbatrailrider@yahoo.com , Rstreets@midwestcityok.org

OWNER:

City of Midwest City

SPONSOR:

Oklahoma Earthbike Fellowship, Inc.

By: _____

By:  _____

Title: _____

Title: **President, Oklahoma Earthbike Fellowship** _____

Date Signed: _____

Date Signed: **2/19/2024** _____

ATTEST:

CITY CLERK

APPROVED as to form and legality this _____ day of _____, 20____.

CITY ATTORNEY

NE 36th St.

N Midwest Blvd.

Exhibit "A" Map

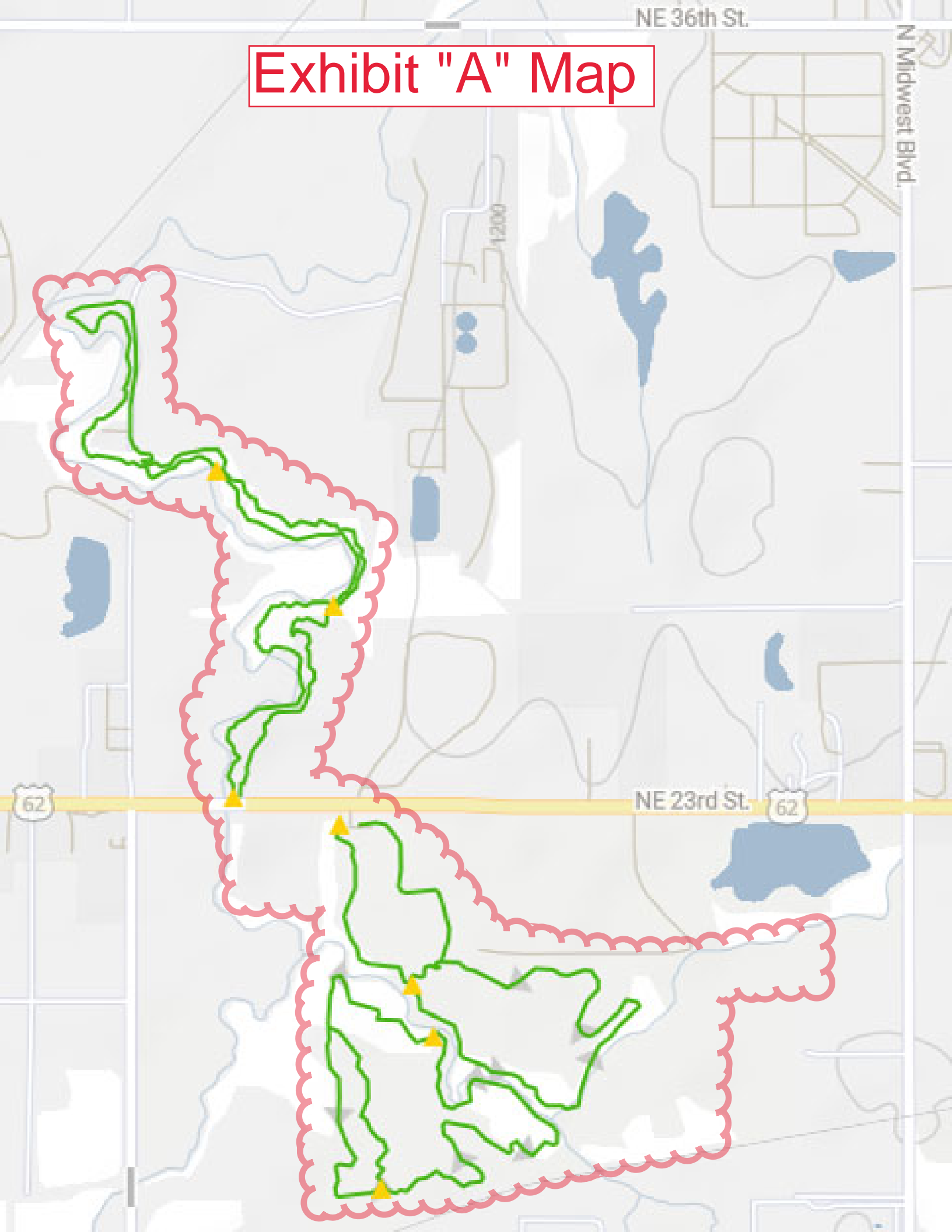


EXHIBIT "B"-- ACKNOWLEDGMENT AND GENERAL RELEASE

I acknowledge that I am a volunteer of Oklahoma Earthbike Fellowship, Inc. hereinafter referred to as "SPONSOR") and have agreed to assist in the maintenance of Mountain Bike Trails at: SCIP Recreational Trail (hereinafter referred to as "LOCATION") in Midwest City. I acknowledge that I am not an employee of and not under any employment contract with the SPONSOR or The City of Midwest City to perform work or labor at the LOCATION. I further acknowledge that I am at least 18 years of age, of sound body and mind, and have no physical or other impairments that would prevent or limit me from performing such volunteer work. I recognize that such work may involve heavy lifting and other strenuous and risky activity, the consequences of which I accept. If I am injured during such maintenance, I agree to look to my own resources and/or my own insurance to cover any medical bills or other losses that I may suffer. No worker's compensation will be available.

I hereby release SPONSOR and The City of Midwest City and their officers, agents, employees, affiliates, successors and assigns from any and all liability, claims and losses, of every kind, which I now have or ever had or which may later accrue, relating to any action or inaction taken by any of the foregoing with respect to the maintenance of the aforementioned landscape improvements and any and all activities undertaken in connection with such maintenance.

Signed this _____ day of _____, 20_____.

Print Name: _____

Signature : _____

NOTE: Copies of signed release forms shall be provided to the Midwest City Public Works Department upon request by the City of Midwest City.

EXHIBIT "C"-- ACKNOWLEDGMENT AND GENERAL RELEASE
(For children 18 years of age and under)

I acknowledge that I am a volunteer of Oklahoma Earthbike Fellowship, Inc., hereinafter referred to as "**SPONSOR**") and I am allowing my child(ren) to participate in volunteer activities regarding the project described in this agreement. I have agreed to allow my child or children to assist in the maintenance of Mountain Bike Trails at: SCIP Recreational Trail (hereinafter referred to as "LOCATION"), in Midwest City. I acknowledge that neither I nor my child(ren) are employees of, or under any employment contract with the **SPONSOR** or The City of Midwest to perform work or labor at LOCATION. I further acknowledge that I am at least 18 years of age, of sound body and mind, and that neither I nor my child(ren) have any physical or other impairments that would prevent or limit us from performing such volunteer work. I recognize that such work may involve heavy lifting and other strenuous and risky activity, the consequences of which I accept. If I or my child(ren) are injured during such maintenance, I agree to look to my own resources and/or my own insurance to cover any medical bills or other losses that I or my child(ren) may suffer. No worker's compensation will be available.

I hereby release SPONSOR and The City of Midwest City and their officers, agents, employees, affiliates, successors and assigns from any and all liability, claims and losses, of every kind, which I or my child(ren) now have or ever had or which may later accrue, relating to any action or inaction taken by any of the foregoing with respect to the maintenance of the aforementioned landscape improvements and any and all activities undertaken in connection with such maintenance.

Signed this _____ day of _____, 20_____.

Print Name (Parent or Guardian): _____

Signature (Parent or Guardian): _____

Name of Child: _____ Age: _____

Name of Child: _____ Age: _____

NOTE: Copies of signed release forms shall be provided to the Midwest City Public Works Division upon request by the City of Midwest City.



**Engineering and
Construction Services**
100 N Midwest Boulevard
Midwest City, OK 73110
Office 405.739.1220

TO : Honorable Mayor and Council

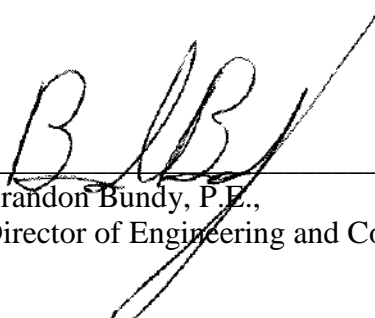
FROM : Brandon Bundy, P.E., Director

DATE : March 26, 2024

SUBJECT : Discussion, consideration, and possible action of making a matter of record Permit No. WL000055240049 from the State Department of Environmental Quality for the extension of a water line to serve Centrillum Protein and the Midwest City Water Resources Recovery Facility, Midwest City, Oklahoma.

Enclosed is Permit No. WL000055240049 for the construction of 9,380 linear feet of twelve (12) inch PVC potable water line to serve Centrillum Protein and the Midwest City Water Resource Recovery Facility. City staff is working on lining up funding for the project and will be bidding out the project soon.

Completion of this project will provide water to both the Centrillum Protein site currently under construction and the City's Water Resources Recovery Facility (WRRF) which is currently purchasing water from another utility. The result will be of great benefit to the development of Midwest City and save our utility from purchasing water from others.



Brandon Bundy, P.E.,
Director of Engineering and Construction Services

Attachment

February 29, 2024

Mr. Tim Lyon, City Manager
City of Midwest City
100 North Midwest Boulevard
Midwest City, Oklahoma 73110

Re: Permit No. WL000055240049
North Side Utilities Water Project/7420 NE 36th St
PWSID No. OK1020806

Dear Mr. Lyon:

Enclosed is Permit No. WL000055240049 for the construction of 9,380 linear feet of twelve (12) inch PVC waterline plus all the appurtenances to serve the North Side Utilities Water Project/7420 NE 36th St, Oklahoma County, Oklahoma.

The project authorized by this permit should be constructed in accordance with the plans approved by this Department on February 29, 2024. Any deviations from the approved plans and specifications affecting capacity, flow or operation of units must be approved, in writing, by the Department before changes are made.

Receipt of this permit should be noted in the minutes of the next regular meeting of the City of Midwest City, after which it should be made a matter of permanent record.

We are returning one (1) set of the approved plans to you, one (1) set to your engineer and retaining one (1) set for our files.

Respectfully,



Sabghatulla Noori
Construction Permit Section
Water Quality Division

SN/RC/md

Enclosure

c: Zachary McIntosh, Regional Manager, DEQ
OKLAHOMA CITY DEQ OFFICE
Christopher Ferguson, PE, Oklahoma City Water Utilities Trust

PERMIT No. WL000055240049

WATER LINES

PWSID No. OK1020806

PERMIT TO CONSTRUCT

February 29, 2024

Pursuant to O.S. 27A 2-6-304, the City of Midwest City is hereby granted this Tier I Permit to construct 9,380 linear feet of twelve (12) inch PVC waterline plus all the appurtenances to serve the North Side Utilities Water Project/7420 NE 36th St, located in Section 22, T-12-N, R-2-W, Oklahoma County, Oklahoma, in accordance with the plans approved February 29, 2024.

By acceptance of this permit, the permittee agrees to operate and maintain the facility in accordance with the Public Water Supply Operation rules (OAC 252:631) and to comply with the State Certification laws, Title 59, Section 1101-1116 O.S. and the rules and regulations adopted thereunder regarding the requirements for certified operators.

This permit is issued subject to the following provisions and conditions.

- 1) This water line provides adequate fire flow in accordance with the 2009 International Fire Code through the approved hydraulic analysis. The fire flow provided is 2,500 gpm.
- 2) That the recipient of the permit is responsible that the project receives supervision and inspection by competent and qualified personnel.
- 3) That construction of all phases of the project will be started within one year of the date of approval or the phases not under construction will be resubmitted for approval as a new project.
- 4) That no significant information necessary for a proper evaluation of the project has been omitted or no invalid information has been presented in applying for the permit.
- 5) That the Oklahoma Department of Environmental Quality shall be kept informed on occurrences which may affect the eventual performance of the works or that will unduly delay the progress of the project.
- 6) That wherever water and sewer lines are constructed with spacing of 10 feet or less, sanitary protection will be provided in accordance with Public Water Supply Construction Standards [OAC 252:626-19-2].
- 7) That before placing this facility into service, at least two samples of the water, taken on different days, shall be tested for bacteria to show that it is safe for drinking purposes.
- 8) That any deviations from approved plans or specifications affecting capacity, flow or operation of units must be approved by the Department before any such deviations are made in the construction of this project.

PERMIT No. WL000055240049

WATER LINES

PWSID No. OK1020806

PERMIT TO CONSTRUCT

- 9) That the recipient of the permit is responsible for the continued operation and maintenance of these facilities in accordance with rules and regulations adopted by the Environmental Quality Board, and that this Department will be notified in writing of any sale or transfer of ownership of these facilities.
- 10) The issuance of this permit does not relieve the responsible parties of any obligations or liabilities which the permittee may be under pursuant to prior enforcement action taken by the Department.
- 11) That the permittee is required to inform the developer/builder that a DEQ Storm Water Construction Permit is required for a construction site that will disturb one (1) acre or more in accordance with OPDES, 27A O.S. Section 2-6-201 *et seq.* For information or a copy of the GENERAL PERMIT (OKR10) FOR STORM WATER DISCHARGES FROM CONSTRUCTION ACTIVITIES, Notice of Intent (NOI) form, Notice of Termination (NOT) form, or guidance on preparation of a Pollution Prevention Plan, contact the Storm Water Unit of the Water Quality Division at P.O. Box 1677, Oklahoma City, OK 73101-1677 or by phone at (405) 702-8100.
- 12) That any notations or changes recorded on the official set of plans and specifications in the Oklahoma Department of Environmental Quality files shall be part of the plans as approved.
- 13) That water lines shall be located at least fifteen (15) feet from all parts of septic tanks and absorption fields, or other sewage treatment and disposal systems.
- 14) That whenever plastic pipe is approved and used for potable water, it shall bear the seal of the National Sanitation Foundation and meet the appropriate commercial standards.
- 15) That when it is impossible to obtain proper horizontal and vertical separation as stipulated in Public Water Supply Construction Standards OAC 252:626-19-2(h)(1) and OAC 252:626-19-2(h)(2), respectively, the sewer shall be designed and constructed equal to water pipe, and shall be pressure tested to the highest pressure obtainable under the most severe head conditions of the collection system prior to backfilling.

Failure to appeal the conditions of this permit in writing within 30 days from the date of issue will constitute acceptance of the permit and all conditions and provisions.



Rocky Chen, P.E., Engineering Manager, Construction Permit Section
Water Quality Division



**Engineering and
Construction Services**
100 N Midwest Boulevard
Midwest City, OK 73110
Office 405.739.1220

TO : Honorable Mayor and Council

FROM : Brandon Bundy, P.E., Director

DATE : March 26, 2024

SUBJECT : Discussion, consideration, and possible action of amendment #2 for Professional Services with Lee Engineering, LLC in the amount of \$9,000 to provide services to acquire easements as part of ODOT project JP 35927(04).

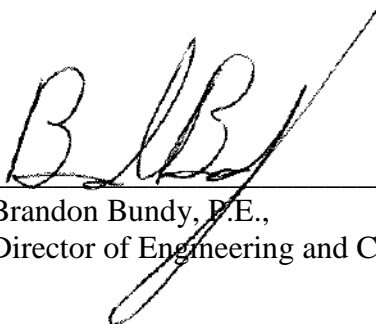
On December 13, 2022 the City approved the agreement with Lee Engineering, LLC (Lee) to develop plans for a federally funding project known as JP 35927(04) to improve six traffic signals throughout the City.

Preliminary design has indicated that to properly accommodate the required ADA improvements; we need to acquire easements. These easements will allow the reconstruction of driveways leading into the signal and result in a better overall product.

This project is federally funded and therefore any property acquisition is highly regulated and specialized. To maximize efficiency of staff time and money, Lee has engaged an experienced subconsultant to carry out this task on behalf of the City.

The original contract for this project was \$113,800. This new amendment is an additional \$9,000. The total contract amount after this amendment will be \$122,800.

This contract is funded in the budget through project #092312 (Fund 157).



Brandon Bundy, P.E.,
Director of Engineering and Construction Services

**SECOND AMENDMENT
TO LETTER AGREEMENT
FOR PROFESSIONAL SERVICES
BETWEEN LEE ENGINEERING, LLC
AND
CITY OF MIDWEST CITY**

Pursuant to Paragraph 1.b. of the Professional Services Agreement dated December 13, 2022, the following amendment is hereby agreed to between the parties:

The attached scope of work referencing acquisition services be added to the Consultant Agreement:

Lee Engineering, LLC.:



Ryan Henderson
Project Manager

Date: 3/12/2024

For City of Midwest City:

Matt Dukes, II
Mayor

Date: _____

Sara Hancock, City Clerk

Approved as to form and legality:

Donald D. Maisch, City Attorney



March 1, 2024

Brandon Bundy
Director of Engineering and Construction Services
City of Midwest City
100 N. Midwest Blvd.
Midwest City, OK 73110

Re: Proposal for Amendment No. 2 to 6 Signals – Air Depot Corridor and Soldier Creek, Midwest City, OK

Dear Mr. Bundy:

Please find the attached proposal to complete right-of-way easement documents for the proposed intersection improvements at Air Depot Blvd & Heritage Park Mall Dr and Air Depot Blvd & Jarman Dr. The intent is to produce easement documents that would obtain necessary right-of-way for temporary right-of-way needed to reconstruct driveways.

SRB has included the attached proposal to perform the work. The work is broken out into 2 tasks. SRB will perform the additional work (Tasks 1-2) for a fee of \$9,000 to be billed as a lump sum. Task 1 Legal Description and Exhibits is included in the original contract. Task 1 will be paid for under the original contract and will not be an additional cost within this amendment.

Lee Engineering will perform Task 3, which includes meetings and subconsultant coordination in regards to additional work outside of the original project scope due to right-of-way required. A breakdown of the proposed tasks and fees is below:

FEE AND SCHEDULE

The proposed fees and schedule for this contract are set forth as follows:

Task	Description	Consultant	Basis of Payment	Fee
1	Legal Description and Exhibits for (2) Parcels	SRB	Lump Sum	\$0
2	Acquisition Services for (2) Parcels	SRB	Lump Sum	\$8,000
3	Meetings/Coordination	LEE	Lump Sum	\$1,000
TOTAL				\$9,000

If you have any questions, please contact me at (405) 384-5127. We appreciate the opportunity to submit this proposal and look forward to working with you on this project.

Sincerely,

Ryan Henderson, PE, PTOE
Project Manager



**Engineering and
Construction Services**
100 N Midwest Boulevard
Midwest City, OK 73110
Office 405.739.1220

To: Honorable Mayor and Council

From: Patrick Menefee, P.E., City Engineer

Date: March 26, 2024

Subject: Discussion, consideration, and possible action of the acceptance of maintenance bonds from Bishop Paving, LLC in the amount of \$6,211.70 respectively.

The five year maintenance bonds from Bishop Paving, LLC are for the public paving improvements constructed at 200 Friendly Road serving the new R&B Acres subdivision.

Patrick Menefee, P.E.,
City Engineer
Attachment

DEVELOPMENT - PAVING, WATER MAINS, STORM AND SANITARY SEWERS

Bond #RCB0048447

MAINTENANCE BOND

KNOW ALL BY THESE PRESENTS that we, Bishop Construction, LLC, as Principal, and RLI Insurance Company as Surety, are held and firmly bound unto the City of Midwest City, Oklahoma, a municipal corporation in the state of Oklahoma, in the full and just sum of Six Thousand Two Hundred Eleven & 70/100 dollars (\$ 6,211.70), such sum being not less than ten percent (10%) of the total contract price to construct or install Curb, Gutter and Paving to Friendly Acres (the "Improvement"), for a period of Five (5) years after acceptance of the Improvement by the City Council of the City of Midwest City (the "Maintenance Period"), for the payment of which, well and truly to be made, we, and each of us, bind ourselves, our heirs, executors and assigns, jointly and severally, firmly by these presents:

The conditions of this obligation are such that the Principal has by a certain contract between the Principal and Sycamore Homes, dated the 24th day of May, 2023, agreed to construct or install the Improvement in the city of Midwest City and to maintain the Improvement against any failures due to defective materials or workmanship during the Maintenance Period.

NOW, THEREFORE, if the Principal, during the Maintenance Period, shall maintain the Improvement against any failures due to defective materials or workmanship, then this obligation shall be void; otherwise it shall remain in full force and effect.

It is further agreed that if the Principal or the Surety shall fail to maintain the Improvement against any failures due to defective materials or workmanship for the Maintenance Period, and at any time repairs shall be necessary, that the cost of making the repairs shall be determined by the City Council of the City of Midwest City, or some person or persons designated by them to ascertain the cost of making the repairs. If, upon thirty (30) days notice, the Principal or the Surety do not make the repairs or pay the amount necessary to make the repairs, the amount necessary to make the repairs shall be due upon the expiration of thirty (30) days, and suit may be instituted to obtain the amount necessary to make the repairs and shall be conclusive upon the parties as to the amount due on this bond to make the repairs, and that the cost of all repairs shall be so determined from time to time during the Maintenance Period, as the condition of the Improvement may require.

Signed, sealed and delivered this 18th day of October, 2023.

ATTEST: [Signature]
Secretary

Bishop Construction, LLC
Principal

By [Signature]

ATTEST: [Signature]
Secretary
Witness: Becky Killman

RLI Insurance Company
Surety

By [Signature]
Vicki Wilson, Attorney-in-fact

APPROVED as to form and legality this _____ day of _____, 20____.

City Attorney

ACCEPTED by the City Council of the City of Midwest City this _____ day of _____, 20____.

City Clerk

Mayor



BISHCON-01

SSCHWAF

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 10/18/2023

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER: Rich & Cartmill, Inc. 9401 Cedar Lake Avenue Oklahoma City, OK 73114
CONTACT NAME: Shelia Schwarz
PHONE (A/C, No, Ext): (405) 463-7510
E-MAIL ADDRESS: sschwarz@rcins.com
INSURER(S) AFFORDING COVERAGE: INSURER A: Continental Ins Co (NAIC # 35289), INSURER B: Valley Forge Ins Co (NAIC # 20508)

COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

Table with columns: INSR LTR, TYPE OF INSURANCE, ADDL SUBR INSD, WVD, POLICY NUMBER, POLICY EFF (MM/DD/YYYY), POLICY EXP (MM/DD/YYYY), LIMITS. Rows include Commercial General Liability, Automobile Liability, Umbrella Liab, Workers Compensation and Employers' Liability, and Rented/Leased Equip.

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
5 Year Mtc - Curb, Gutter and Paving to Friendly Acres

CERTIFICATE HOLDER CANCELLATION

CERTIFICATE HOLDER: The City of Midwest City, 100 N. Midwest Blvd, Midwest City, OK 73110
CANCELLATION: SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE: Clay Howell

**FINAL AND UNCONDITIONAL RELEASE OF LABOR, SERVICES,
EQUIPMENT AND/OR MATERIAL**

Date: 01/02/24

Bishop Construction

(Material Vendor or Equipment Supplier)

Acknowledges receipt of payment in the amount of IN FULL for labor, services, equipment and/or material furnished to the property known and described as: Friendly Acres and does hereby release Sycamore Custom Homes, P. O. Box 851293, Yukon, OK, 73085 pro tanto any mechanic's lien, stop notice, claims and/or demands for or on account of labor, services, equipment and/or materials furnished by the undersigned up to and including 02 JAN 2024 purchased by Sycamore Custom Homes for use in, or on the Friendly Acres property.

The undersigned also releases and waives all right of action against the Bonding Company or Bonding Companies on bonds furnished to the Owner, covering services, labor, materials, and/or equipment furnished by the undersigned to or for the Friendly Acres project.

Bishop Construction

(Material Vendor or Equipment Supplier of subcontractor)

Name: Jason G. Bishop

Signature: [Handwritten Signature]

Title: Managing member

Dated: 1-2-2024

Notary Public Acknowledgment

Oklahoma State of Oklahoma County of

I hereby certify that Jason Bishop (Name) appeared before me on
this 2nd day of January, 20 24, and signed this form in my presence

[Handwritten Signature]
Notary Public Signature



October 27, 2024
My Commission Expires (Date)



**Engineering and
Construction Services**
100 N Midwest Boulevard
Midwest City, OK 73110
Office 405.739.1220

To: Honorable Mayor and Council

From: Patrick Menefee, P.E., City Engineer

Date: March 26th, 2024

Subject: Discussion, consideration, and possible action of approving an award, based on the received bids, to Holland Backhoe Inc. in the amount of \$129,356.00 for the construction and installation of the new Reed Baseball Complex Water Line Improvements funded through the 172 Capital Water Improvements Fund. The City Council is hereby delegating to the Mayor the authority to sign and execute the agreements necessary for the award.

Bids were received on January 9th, 2024 for the above referenced project. Holland Backhoe, Inc. submitted the lowest and best bid meeting specifications in the amount of \$129,356.00. Attached are the bid tabulations for the six bids received for the project, plus the engineer's estimate. Also attached is the design Engineer's bid recommendation letter.

The project is funded in the budget under the description Reed Water Line in the 172 Capital Water Improvements Fund under Project Number 492403.

Patrick Menefee, P.E.,
City Engineer
Attachment

January 10, 2024

City of Midwest City
100 N Midwest Blvd
Midwest City, OK 73110

Attention: Mr. Patrick Menefee

**RE: Recommendation for Contract Award for 8" Water Line to serve
Reed Baseball Complex**

Dear Patrick:

Attached please find the Bid Tabulation for the above referenced project for bids received on January 10, 2024. We have evaluated the bids and have determined that **Holland Backhoe Inc.** is the lowest and best bid at **\$129,356.00**. Johnson & Associates recommends that the City of Midwest City Council award the construction contract to **Holland Backhoe Inc.** at the earliest possible date.

Should there be any questions or comments, please feel free to contact this office.

Respectfully Submitted,



Timothy W. Johnson, P.E.
JOHNSON & ASSOCIATES, LLC

TWJ/rw

Attachment(s)

cc: Caleb Morgan, P.E.
Project #5223-000/BE/C

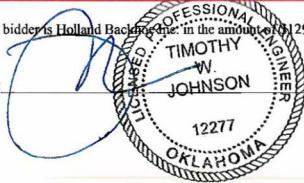
City of Midwest City
 8" Water Line to serve Reed Baseball Complex
 Bids Received January 9, 2024

Item #	Item	Qty	Unit	Holland Backhoe Inc.		D Owen Construction LLC		Civic Builder, LLC		Rocking L. Dozer & Land Management LLC		Southwest Waterworks		Downey Contracting, LLC		Cimarron Construction Company, LLC	
				Price	Total	Price	Total	Price	Total	Price	Total	Price	Total	Price	Total	Price	Total
1	8" WATER LINE (C900 PVC)	1237	LF	\$ 55.00	\$ 68,035.00	\$ 40.00	\$ 49,480.00	\$ 81.00	\$ 100,197.00	\$ 50.00	\$ 61,850.00	\$ 100.00	\$ 123,700.00	\$ 75.00	\$ 92,775.00	\$ 125.00	\$ 154,625.00
2	6" WATER LINE (C900 PVC)	6	LF	\$ 50.00	\$ 300.00	\$ 40.00	\$ 240.00	\$ 100.00	\$ 600.00	\$ 350.00	\$ 2,100.00	\$ 60.00	\$ 360.00	\$ 73.00	\$ 438.00	\$ 115.00	\$ 690.00
3	8" X 8" TEE	1	EA	\$ 900.00	\$ 900.00	\$ 1,850.00	\$ 1,850.00	\$ 804.00	\$ 804.00	\$ 2,500.00	\$ 2,500.00	\$ 1,400.00	\$ 1,400.00	\$ 1,552.00	\$ 1,552.00	\$ 1,505.00	\$ 1,505.00
4	8" X 6" TEE	2	EA	\$ 850.00	\$ 1,700.00	\$ 1,800.00	\$ 3,600.00	\$ 780.00	\$ 1,560.00	\$ 2,500.00	\$ 5,000.00	\$ 1,216.00	\$ 2,432.00	\$ 1,435.00	\$ 2,870.00	\$ 1,294.00	\$ 2,588.00
5	8" GATE VALVE & BOX	3	EA	\$ 2,150.00	\$ 6,450.00	\$ 4,500.00	\$ 13,500.00	\$ 2,200.00	\$ 6,600.00	\$ 3,000.00	\$ 9,000.00	\$ 4,000.00	\$ 12,000.00	\$ 2,490.00	\$ 7,470.00	\$ 3,415.00	\$ 10,245.00
6	6" GATE VALVE & BOX	2	EA	\$ 1,600.00	\$ 3,200.00	\$ 3,500.00	\$ 7,000.00	\$ 1,440.00	\$ 2,880.00	\$ 2,500.00	\$ 5,000.00	\$ 3,000.00	\$ 6,000.00	\$ 1,749.00	\$ 3,498.00	\$ 2,335.00	\$ 4,670.00
7	8" X 90 DEG BEND	3	EA	\$ 700.00	\$ 2,100.00	\$ 1,000.00	\$ 3,000.00	\$ 600.00	\$ 1,800.00	\$ 2,500.00	\$ 7,500.00	\$ 900.00	\$ 2,700.00	\$ 1,332.00	\$ 3,996.00	\$ 1,250.00	\$ 3,750.00
8	8" X 22 1/2 DEG BEND	1	EA	\$ 400.00	\$ 400.00	\$ 950.00	\$ 950.00	\$ 540.00	\$ 540.00	\$ 2,500.00	\$ 2,500.00	\$ 800.00	\$ 800.00	\$ 1,178.00	\$ 1,178.00	\$ 950.00	\$ 950.00
9	8" SOLID SLEEVE	2	EA	\$ 700.00	\$ 1,400.00	\$ 1,500.00	\$ 3,000.00	\$ 642.00	\$ 1,284.00	\$ 2,500.00	\$ 5,000.00	\$ 1,500.00	\$ 3,000.00	\$ 592.00	\$ 1,184.00	\$ 5,600.00	\$ 11,200.00
10	FIRE HYDRANT	2	EA	\$ 4,500.00	\$ 9,000.00	\$ 7,500.00	\$ 15,000.00	\$ 6,720.00	\$ 13,440.00	\$ 7,500.00	\$ 15,000.00	\$ 7,000.00	\$ 14,000.00	\$ 5,426.00	\$ 10,852.00	\$ 6,400.00	\$ 12,800.00
11	12" RISER (IF REQ'D)	2	EA	\$ 1,025.00	\$ 2,050.00	\$ 1,400.00	\$ 2,800.00	\$ 610.00	\$ 1,220.00	\$ 2,500.00	\$ 5,000.00	\$ 500.00	\$ 1,000.00	\$ 660.00	\$ 1,320.00	\$ 790.00	\$ 1,580.00
12	REMOVE EXIST. 8" PLUG	1	EA	\$ 2,500.00	\$ 2,500.00	\$ 800.00	\$ 800.00	\$ 360.00	\$ 360.00	\$ 1,000.00	\$ 2,500.00	\$ 2,500.00	\$ 987.00	\$ 987.00	\$ 625.00	\$ 625.00	
13	SAND BACKFILL FOR PIPE BEDDING	201	CY	\$ 21.00	\$ 4,221.00	\$ 40.00	\$ 8,040.00	\$ 81.00	\$ 16,281.00	\$ 75.00	\$ 15,075.00	\$ 10.00	\$ 2,010.00	\$ 54.00	\$ 10,854.00	\$ 90.00	\$ 18,090.00
14	DISINFECTION & TESTING	1	LS	\$ 1,000.00	\$ 1,000.00	\$ 4,000.00	\$ 4,000.00	\$ 4,320.00	\$ 4,320.00	\$ 5,000.00	\$ 5,000.00	\$ 2,500.00	\$ 2,500.00	\$ 3,500.00	\$ 3,500.00	\$ 2,800.00	\$ 2,800.00
15	TREE CLEARING	1	LS	\$ 8,500.00	\$ 8,500.00	\$ 18,000.00	\$ 18,000.00	\$ 3,600.00	\$ 3,600.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 57,300.00	\$ 57,300.00	\$ 33,000.00	\$ 33,000.00
16	SILT FENCE	1650	LF	\$ 4.00	\$ 6,600.00	\$ 3.00	\$ 4,950.00	\$ 4.80	\$ 7,920.00	\$ 10,000.00	\$ 10,000.00	\$ 0.50	\$ 825.00	\$ 2.50	\$ 4,125.00	\$ 4.00	\$ 6,600.00
17	ROCK BAG CHECK DAM	1	EA	\$ 1,000.00	\$ 1,000.00	\$ 2,000.00	\$ 2,000.00	\$ 1,000.00	\$ 1,000.00	\$ 10,000.00	\$ 10,000.00	\$ 500.00	\$ 500.00	\$ 1,000.00	\$ 1,000.00	\$ 725.00	\$ 725.00
18	CONSTRUCTION SURVEY STAKING	1	LS	\$ 2,500.00	\$ 2,500.00	\$ 3,500.00	\$ 3,500.00	\$ 1,728.00	\$ 1,728.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 18,500.00	\$ 18,500.00	\$ 5,000.00	\$ 5,000.00
19	AS-BUILT SURVEY	1	LS	\$ 2,500.00	\$ 2,500.00	\$ 3,000.00	\$ 3,000.00	\$ 1,728.00	\$ 1,728.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 3,500.00	\$ 3,500.00	\$ 2,750.00	\$ 2,750.00
20	MOBILIZATION	1	LS	\$ 5,000.00	\$ 5,000.00	\$ 10,000.00	\$ 10,000.00	\$ 13,000.00	\$ 13,000.00	\$ 10,000.00	\$ 10,000.00	\$ 13,500.00	\$ 13,500.00	\$ 22,000.00	\$ 22,000.00	\$ 19,100.00	\$ 19,100.00
					\$ 129,356.00		\$ 154,710.00		\$ 180,862.00		\$ 191,525.00		\$ 209,227.00		\$ 248,899.00		\$ 293,293.00

There was a miscalculation in this bid item, however it does not affect the outcome of the bid.

The apparent low bidder is Holland Backhoe Inc. in the amount of \$129,356.00.

Bids Verified By:



Date 1.10.2024



City Manager's Office
Vaughn Sullivan,
Assistant City Manager
vsullivan@midwestcityok.org
100 N. Midwest Blvd,
Midwest City, Oklahoma 73110
O: 405-739-1207 /Fax: 405-739-1208

Date: March 26, 2024

To: Honorable Mayor and City Council

From: Vaughn Sullivan, Assistant City Manager

Subject: Discussion, consideration and possible action declaring (1) Chevy S-10, unit No. 47-02-01, as surplus and disposing of by sealed bid, public auction, or other means as necessary.

The following John Conrad Golf Course vehicle, is no longer repairable or useful by any City department, and staff is requesting that it be declared surplus and disposed of by sealed bid, public auction, or by other means as necessary.

- 47-02-01 Chevy S-10 Serial # 1GCCS19W318251215

Action is at the discretion of the council.

Sincerely,

Vaughn K. Sullivan
Assistant City Manager



City of Midwest City Police Department

100 N. Midwest Boulevard

Midwest City, OK 73110

Office 405.739.1320

Fax 405.739.1398

Memorandum

TO: Honorable Mayor and City Council

FROM: Greg Wipfli, Chief of Police-Interim

DATE: March 26, 2024

SUBJECT: Discussion, consideration, and possible action of declaring (1) Chevrolet Impala and its contents, as surplus and authorizing disposal by public auction, sealed bid or other means necessary.

The items identified are property that the Midwest City Police Department no longer needs or uses and have been removed from service. Staff recommends that these item be declared surplus. These vehicles are not estimated to have a value or sell for \$10,000.00 or more.

Item for surplus:

060066 2008 Chevy Impala 2G1WS583681338317

Auction services are provided to the City by:

1. www.ebay.com
2. www.govdeals.com
3. www.pulicsurplus.com

Staff recommends approval.

Greg Wipfli

Greg Wipfli, Chief of Police-Interim



Public Works Administration

R. Paul Streets,
Public Works Director
pstreets@midwestcityok.org
405-739-1061
Carrie Evenson,
Assistant Public Works Director
cevenson@midwestcityok.org
405-739-1062
8730 S.E. 15th Street,
Midwest City, Oklahoma 73110

Memorandum

To: Honorable Chairman and Trustees

From: R. Paul Streets

Date: 26 March 2024

Subject: Discussion, consideration and any possible action, declaring the Street Department list of items to be declared surplus and disposed of by sealed bid, public auction, or by other means as necessary.

The following Street Department items are no longer repairable or useful by any City department, request declared surplus and disposed of by sealed bid, public auction, or by other means as necessary.

- 09-07-46 Stihl Weedeater Serial # 515259526
- 09-07-02 Stihl Weedeater Serial # 513308787
- 09-09-41 Stihl Pole Saw Serial # 254730997
- 09-07-10 Toro Mower Serial # 310094395
- 09-07-74 Hustler Z Turn Mower Serial # 526803307
- 09-07-71 Hustler Z Turn Mower Serial # 16127055
- 09-07-83 Toro 48" Mower Serial # 316000146
- 09-07-12 John Deere 48" Mower Serial # TC7H17B050092
- 09-02-20 2010 F-150 Ford Pickup VIN #1FTNF1E0AKE21284
- 09-03-19 1995 Chevy Flat Bed Truck VIN # 1GBHK34K7SE113593
- 09-03-23 1979 Chevy Bruin Truck VIN # C18CY9V171308
- 09-06-02 2010 Wacker Packer Serial # 6679234
- 09-04-18 2016 Jacobsen Mower Serial # 705436241101652

Action is at the discretion of the council members.

Respectfully submitted,

R. Paul Streets
Public Works Director



Police Department
100 N. Midwest Boulevard
Midwest City, OK 73110
Office 405.739.1320
Fax 405.739.1398

Memorandum

TO: Honorable Mayor and City Council

FROM: Greg Wipfli, Chief of Police-Interim

DATE: March 26, 2024

SUBJECT: Discussion, consideration, and possible action of declaring (2) filing cabinets and (2) desks as surplus and authorizing disposal by public auction, sealed bids, or other means as necessary.

The items identified are property that the Midwest City Police Department no longer needs/uses. We are requesting these items be declared surplus and disposal be authorized either through public auction or sealed bid.

1-tall 4 drawer filing cabinet
1-lateral 2 drawer filing cabinet
2-OLD long desks

Staff recommends approval.

Greg Wipfli

Greg Wipfli, Chief of Police-Interim



Midwest City ECC
Becky Bruce
911 Coordinator
100 N Midwest Blvd
Midwest City, OK 73110
bbruce@midwestcityok.org
Office: 405-869-8640/Fax: 405-739-1393

MEMORANDUM

TO: Honorable Mayor Honorable Mayor and City Council

FROM: Ryan Rushing, Director of Operations

DATE: March 26, 2024

SUBJECT: Discussion, consideration, and possible action of declaring (3) chairs as surplus and authorizing their disposal by public auction, sealed bid or other means as necessary.

The following chairs are defective or replaced.

Item	Manufacturer	Product Number
Black Chair	Iron Horse	IH-3100.ADCGDA.1BL1
Black Chair	Iron Horse	IH-3100.ADCGDA.1BL1
Black Chair	Iron Horse	IH-3100.ADCGDA.1BL1



Josh Ryan
Communications & Recreation Director
100 N. Midwest Blvd.
Midwest City, OK 73110
jryan@midwestcityok.org
Office: 405-739-1206
www.midwestcityok.org

TO: Honorable Mayor and Council

FROM: Josh Ryan, Communication & Recreation Director

DATE: March 26, 2024

SUBJECT: Discussion, consideration, and possible action of 1) declaring one hundred fifty banquet chairs, one rectangle table, one EcoH2O floor scrubber, and one Betco floor scrubber as obsolete, defective, or replaced; and 2) authorizing their disposal by public auction, sealed bid or other means as necessary.

These following items are defective, or replaced.

- 150 – Banquet Chairs
- 1 - 32” x 72” Rectangle Tables
- 1- EcoH2o Floor Scrubber
- 1 – Betco Floor Scrubber

Josh Ryan
Communications & Recreation Director











DISCUSSION ITEMS



To: Honorable Mayor and Council
From: Matt Summers, Director of Planning & Zoning
Date: March 26, 2024

Subject: (MP-00017) Public hearing, discussion, consideration, and possible action of approval of the Minor Plat of Douglas Development Corporation Douglas Boulevard for the property described as a tract of land being a part of the Southeast Quarter (SE/4) of Section Two (2), Township Eleven (11) North, Range Two (2) West of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma.

Executive Summary: This application is for a minor plat.

The applicant, Mr. Cy Valanejad with Douglas Development Corporation, has proposed this property be platted into four (4) lots.

There is a vacant medical office building and multi-tenant offices on the subject property.

Currently, there is a landlocked lot on the western portion of the property. The proposed plat eliminates the landlocked lot and divides it into two (2) accessible lots. Though Lot 2 would be considered a “flag lot,” staff approves the lot configuration as it eliminates the landlocked lot.

The request meets the criteria to qualify as a minor plat as outlined in Chapter 38 of the Midwest City Municipal Code.

Both state and local notification requirements were met.

At the time of this writing, staff has received several calls from surrounding property owners for clarification of the proposal. All concerns were alleviated when it was explained it is not a rezone.

Staff recommends approval of this item.

The Planning Commission unanimously recommended approval of this item.

Action is at the discretion of the Council.

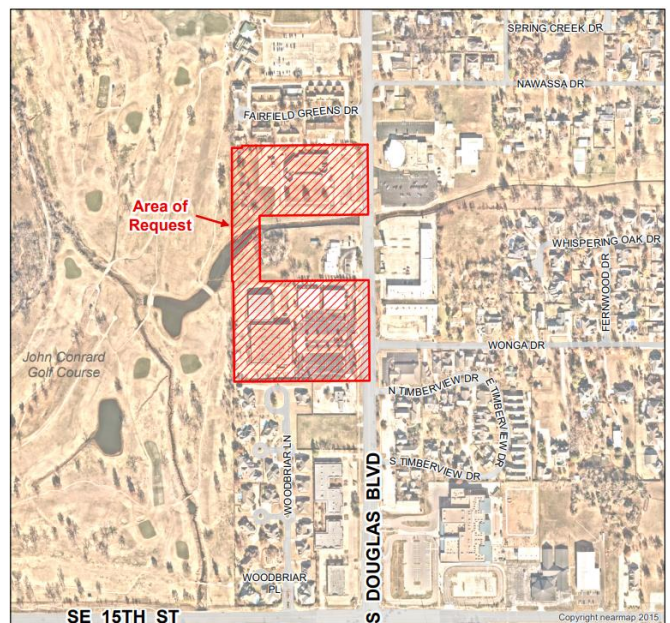
Dates of Hearing:

Planning Commission- March 5, 2024

City Council- March 26, 2024

Date of Pre-Development Meeting:

October 18, 2023



Council Ward: Ward 2, Pat Byrne

Owner: Douglas Development Corporation

Applicant: Cy Valanejad

Development Proposed by Comprehensive Plan:

Area of Request- Office/ Retail

North- Medium Density Residential

South- Low Density Residential; Office/ Retail

East- Office Retail

West- Parks/ Open Space

Zoning Districts:

Area of Request- PUD, Planned Unit Development w/ underlying R-MD, Medium Density Residential District;
C-3, Community Commercial District

North- R-HD, High-Density Residential District

South- PUD, Planned Unit Development; SPUD, Simplified Planned Unit Development

East- C-3, Community Commercial District; PUD, Planned Unit Development

West- R-6, Single-Family Detached Residential District w/ SUP for Community Recreation: General

Land Use:

Area of Request- Vacant medical office; Multi-tenant offices

North- Fairfield Greens townhomes

South- Woodlands Addition; Woodlands Office Park

East- Eastside Church of Christ; Village Oaks Plaza; Regional Square Shopping Center

West- John Conrad Golf Course

Comprehensive Plan Citation:

Office/Retail Land Use

Retail land uses areas are intended to provide for a variety of retail trade, personal, and business services and establishments. Retail establishments generally require greater visibility than do other types of non-residential land uses. Offices include professional offices for lawyers, doctors, realtors, and other professionals. Office land uses are generally appropriate in all other non-residential areas of the city. Office development should be compatible with any adjacent residential area.¹

The reconfiguration of the existing lots proposed by this plat, generally is supported by the Comprehensive Plan. It makes the proposed lots more usable as office/retail and more in compliance with local regulations.

Municipal Code Citation:

Sec. 38-20. – Minor Plat

Sec. 38.20.1. Purpose.

The purpose of a minor plat is to provide a limited means for simple land division under certain circumstances, which result in minimal lot creation.

¹ (Midwest City, Sefko Planning Group, & Freese and Nichols, Inc., 2008)

In circumstances where not new interior public or private roads are created to serve the subdivision, then a minor plat may be suitable as an instrument to subdivided one (1) lot into five (5) or fewer lots. Minor plats are intended to ensure the future growth and development of the entire city by ensuring new development does not hinder the provision of public facilities and services to neighboring and nearby properties.

Sec. 38-20.2. Applicability

An application for approval of a minor plat may be filed when all of the following circumstances apply.

Minor plat circumstances.

- (1) The proposed division results in five (5) or fewer lots;
- (2) All lots in the proposed subdivision front onto an existing public or approved private street and the construction or extension of a street or alley is not required to meet these Subdivision Ordinance requirements;
- (3) All lots meet the zoning ordinance area regulations and standards (minimum frontage, etc.); and
- (4) The plat does not require new interior public or private roads to serve the subdivision.

Sec. 38-20.3. Minor plat requirements.

Minor plat requirements.

- (1) The proposed plat shall be for the subdivision of one (1) lot into five (5) or fewer lots.
- (2) No parcel of land shall have more than one (1) minor plat approved during any five-year period.
- (3) The proposed plat shall meet all zoning ordinance requirements.
- (4) The proposed plat shall meet all Subdivision Ordinance requirements (e.g., improvement of substandard streets, per subsection 38-42.3(b)(2)), or the applicant shall pay fee in-lieu.
- (5) Private wells and private wastewater treatment facilities that meet the current city health standards shall be considered adequate when existing public water and sewer lines are not within the required area for utility extension and connection as specified in this Code, and at the discretion of the city engineer.

Sec. 38-20.4. Application requirements.

- (a) *Same as a final plat.* The requirements for the submittal of a minor plat shall be the same as the requirements for a final plat, as outlined in section 38-19, Final plat.
- (b) *Preliminary plat not needed.* As stated in subsection 38-16.6(a)(2), a preliminary plat is not required when a minor plat is submitted.
- (c) *Application preparation.* An application shall be prepared by a land surveyor, registered or an engineer, professional.

Sec. 38-20.5. Review and approval process.

- (a) *Review action and approval action—Same as final plat.* The review and approval processes for a minor plat shall be the same as the review and approval processes for a final plat per section 38-19.
- (b) *Minor plat review criteria.* The following criteria shall be used to determine whether the application for a minor plat shall be approved, approved with conditions, or denied:
 - (1) The minor plat is consistent with all zoning requirements for the property (if applicable), and all other requirements of this Subdivision Ordinance that apply to the minor plat;
 - (2) All lots to be created by the minor plat already are adequately served by improved public street access and by all required city utilities and services and by alleys, if applicable;
 - (3) The ownership, maintenance and allowed uses of all designated easements have been stated on the minor plat; and

(4) The plat does not require new interior public or private roads to serve the subdivision.

Sec. 38-20.6. Procedures for minor plat recordation following approval.

The procedures for recordation of a minor plat shall be the same as the procedures for recordation of a final plat, as outlined in section 38-19.10., Procedures for final plat recordation upon approval.

Sec. 38-20.7. Revisions to a minor plat following approval.

Revisions may only be processed and approved as an amending plat, as applicable.

Sec. 38-65.88. Lot, flag.

A lot having access to a street by means of a parcel of land having a depth greater than its frontage, and having a width less than the minimum required lot width. May also be referred to as a panhandle lot.

History:

1. The entire site had been zoned O2, General Office since September of 1984.
2. Council approved rezone to a PUD, Planned Unit Development governed by C-3, Community Commercial District and R-MD, Medium Residential District on August 23, 2011 (PC-1747).
3. The Planning Commission unanimously recommended approval of this item on March 6, 2024.

Next Steps:

If Council approves this minor plat, applicant will need to obtain required signatures and file with Oklahoma County.

Staff Comments-

Engineering Staff Comments:

Note: No engineering improvements are required with this application.

Water Supply and Distribution

There are public water mains bordering the proposed parcel, a twelve (12) inch line along the west of Douglas Boulevard and six (6) lines along the north and south sides of the site. Any new building permit will require tying to the public water system as outlined in Municipal Code 43-32.

Sanitary Sewerage Collection and Disposal

There are public sewer mains extending through the south and the east portions of the proposed parcel. Any new building permit will require extension of the sanitary sewer system and tying into the public sewer system as outlined in Municipal Code 43-109.

Streets and Sidewalks

Access to the area of request exists off of Douglas Boulevard. Public road and sidewalk improvements are not required as part of this application.

Drainage and Flood Control, Wetlands, and Sediment Control

The area of request is shown to be a Special Flood Hazard Area impacted by the 100 year floodplain on Flood Insurance Rate Map (FIRM) number 40109C0310H, dated December 18th, 2009.

A concrete lined drainage channel was constructed previous to this application to carry the full 100-year flow of the Soldier Creek Tributary 6 channel through this area. The existing floodplain maps do not reflect the impact of this improvement on the current floodplain width.

The floodplain does not encompass some of the existing structures and most of the area of request. The new narrower floodplain that is contained inside this channel has been submitted and accepted by FEMA as the correct floodplain width. This revision will be reflected on the upcoming revised floodplain maps. There is a transition area from the end of the channel into the John Conrad Golf Course that requires drainage easement to prohibit any future development in that area. That easement is reflected on the plat.

Easements and Right-of-Way

New access easements, extended utility easements, and necessary drainage easements are reflected on the minor plat.

Fire Marshal's Comments:

- The property is required to meet and maintain the requirements of Midwest City Ordinances Section 15.

Public Works' Comments:

Line Maintenance

Water and Sewer

- The location and installation requirements of water and sewer infrastructure shall conform to Midwest City Municipal Code Chapter 43.

Sanitation

- No comments.

Stormwater

- No comments.

Planning Division:

Staff met with the applicant January of 2023, October of 2023, and January of 2024.

There is a vacant medical office building and multi-tenant offices on the subject property.

Currently, there is a landlocked lot on the western portion of the property. The proposed plat eliminates the landlocked lot and divides it into two (2) accessible lots. Though Lot 2 would be considered a "flag lot," staff approves the lot configuration as it eliminates the landlocked lot.

The request meets the criteria to qualify as a minor plat as outlined in Midwest City Municipal Code.

Staff would like to note for the Planning Commission and the Applicant that the Design Statement and Master Plan that was approved as part of PC-1747, in 2011, has expired. Section 7.3.2 (B) (3) of Appendix A grants a three (3) year window for substantial development progress to be made before these elements of a PUD expire. This does not affect this application directly but should be noted for future considerations.

Staff recommends approval of this item based on the analysis and comments above.

Action is at the discretion of the Council.

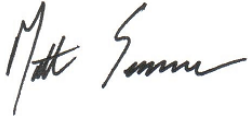
Action Required:

Approve or reject the Minor Plat of Douglas Development Corporation Douglas Boulevard for the property noted herein, subject to staff comments as found in the March 26, 2024 agenda packet and made part of the MP-00017 file.

Suggested Motion:

“To approve the Minor Plat of Douglas Development Corporation Douglas Boulevard subject to Staff Comments found in the March 26, 2024 Council agenda packet and made part of the MP-00017 file.”

Please feel free to contact the Current Planning Manager’s office at (405) 739-1223 with any questions.

A handwritten signature in black ink that reads "Matt Summers". The signature is written in a cursive, flowing style.

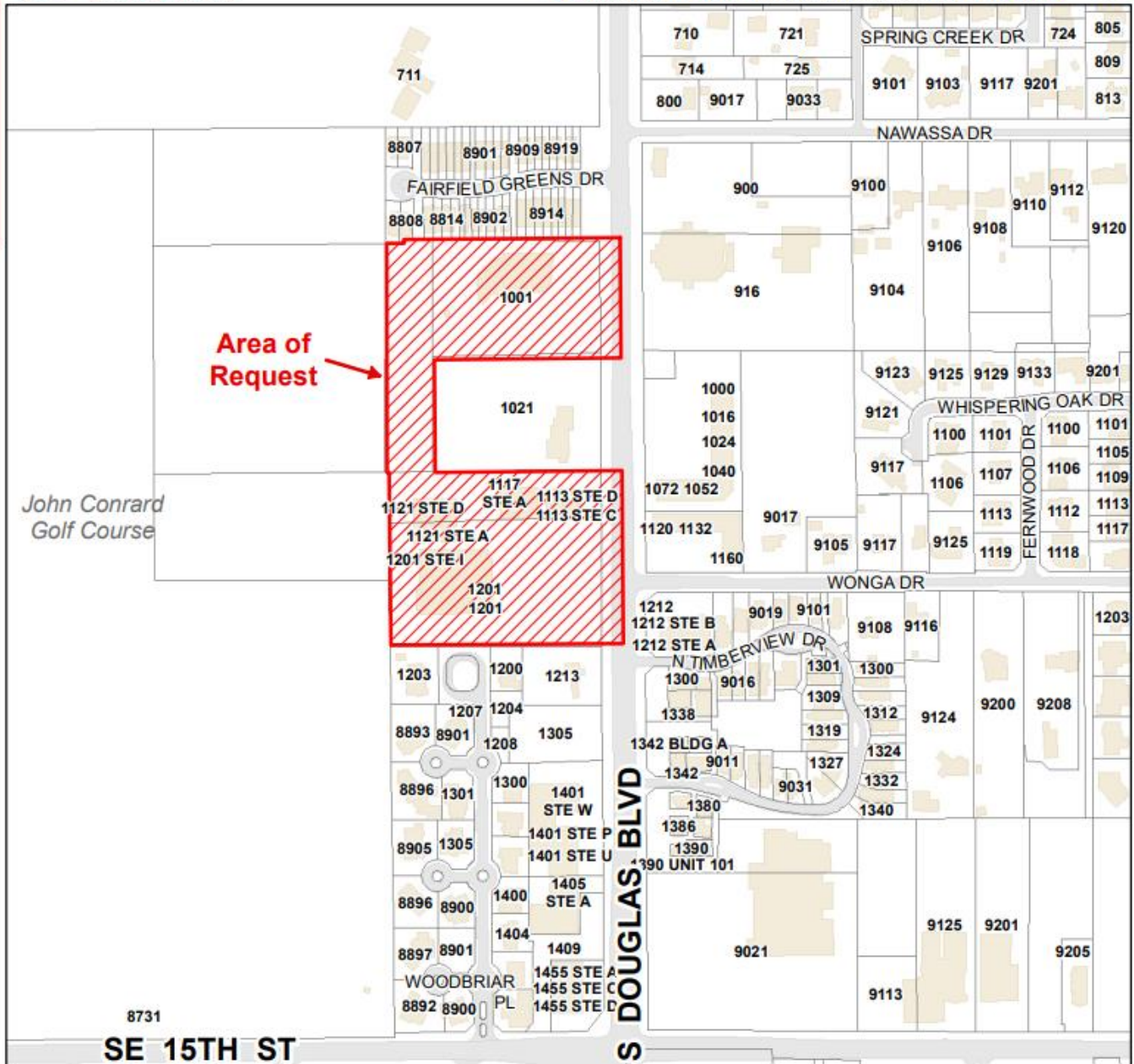
Matt Summers

Director of Planning & Zoning

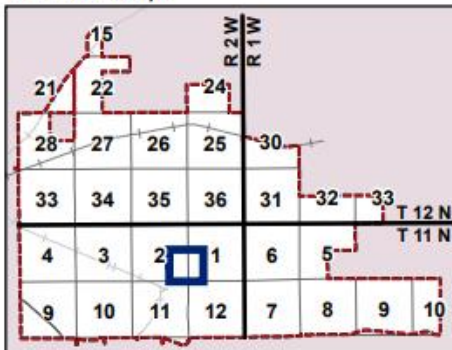
ER



Community Development / Information Technology - GIS



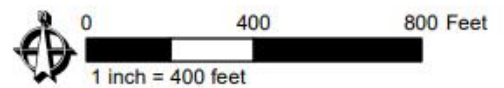
Locator Map



General Map Legend

- Area of Request
- Parcels with Addresses
- Buildings
- Edge of Pavement
- MWC City Limits
- Railroads**
- Active
- Inactive / Closed

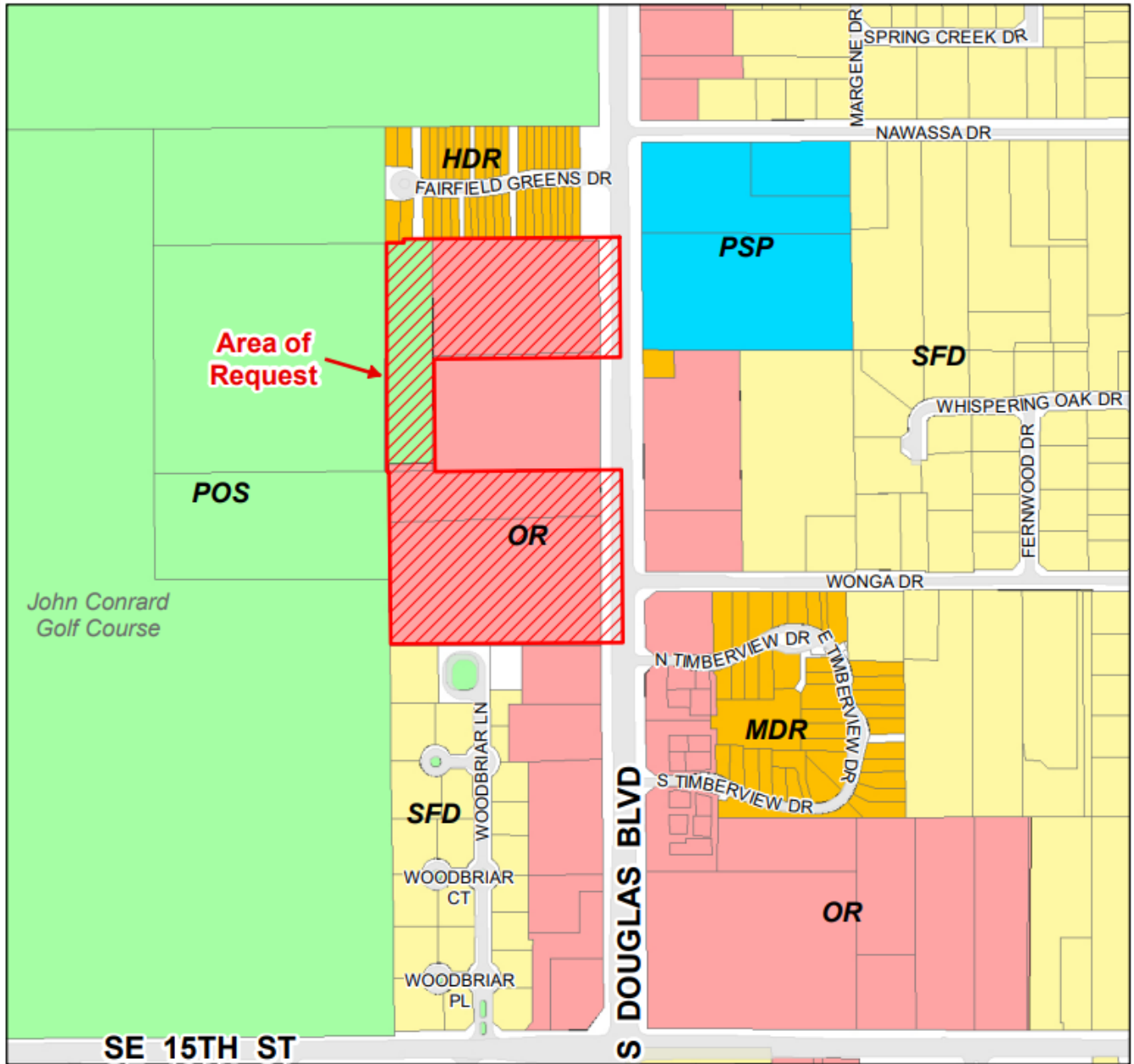
**GENERAL MAP FOR
MP-17
(SE/4, Sec 2, T11N, R2W)**



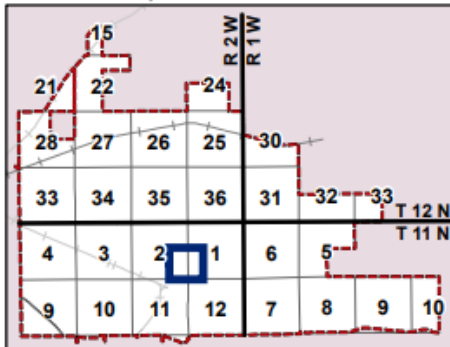
THIS MAP IS A GENERAL INFORMATION PUBLIC RESOURCE. THE CITY OF MIDWEST CITY MAKES NO WARRANTY, REPRESENTATION OR GUARANTEE AS TO THE CONTENT, ACCURACY, TIMELINESS OR COMPLETENESS OF ANY OF THE INFORMATION PROVIDED ON THIS MAP. ANY PARTY'S USE OR RELIANCE ON THIS MAP OR ANY INFORMATION ON IT IS AT THAT PARTY'S OWN RISK AND WITHOUT LIABILITY TO THE CITY OF MIDWEST CITY, ITS OFFICIALS OR ITS EMPLOYEES FOR ANY DISCREPANCIES, ERRORS OR VARIANCES THAT MAY EXIST.



Community Development / Information Technology - GIS



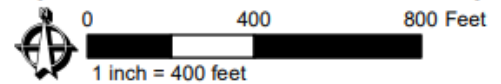
Locator Map



Future Land Use Legend

- Single-Family Detached Residential
- Medium Density Residential
- High Density Residential
- Manufactured Home
- Public/Semi-Public
- Parks/Open Space
- Office/Retail
- Commercial
- Industrial
- Town Center

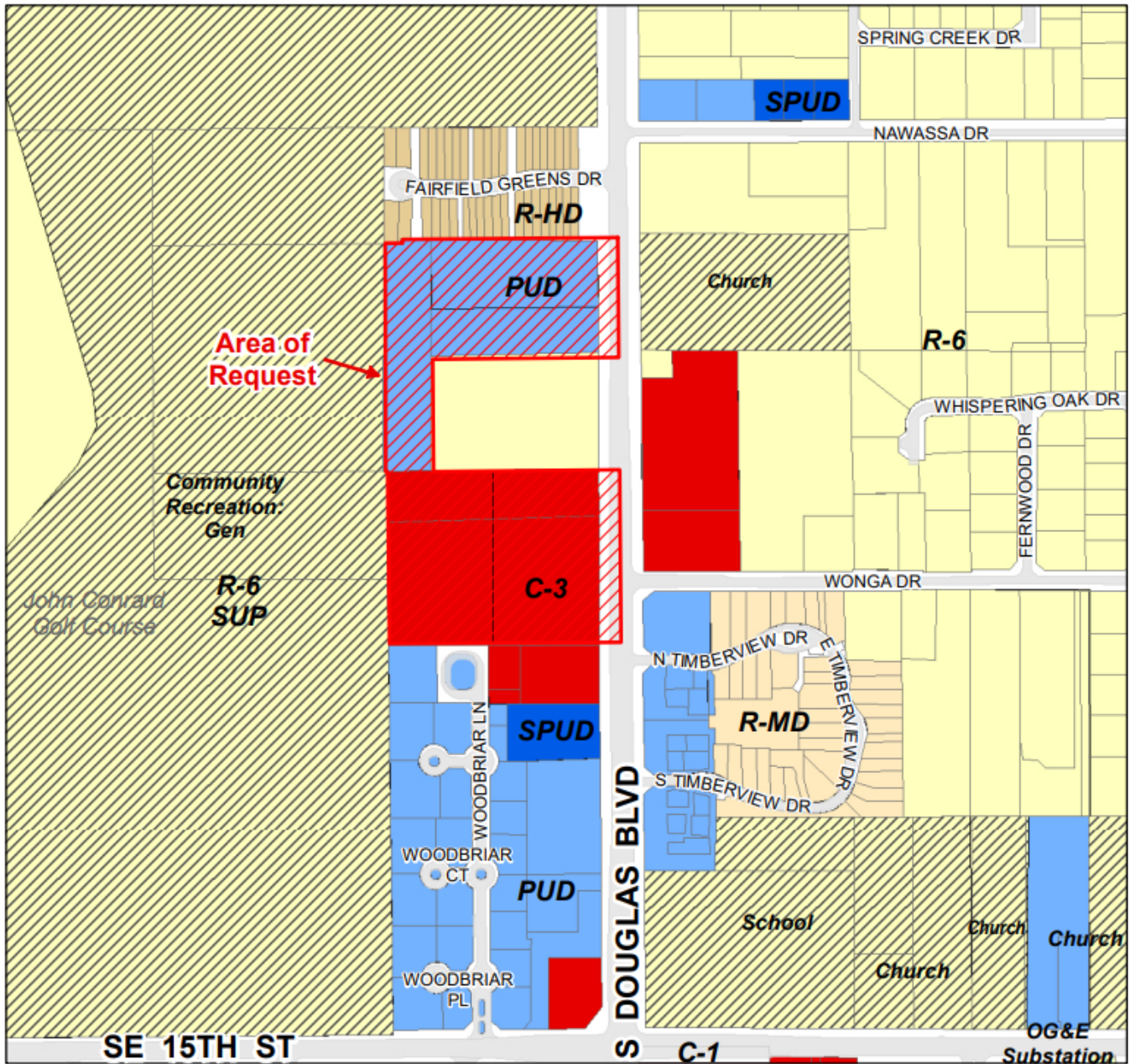
**FUTURE LAND USE
MAP FOR
MP-17
(SE/4, Sec 2, T11N, R2W)**



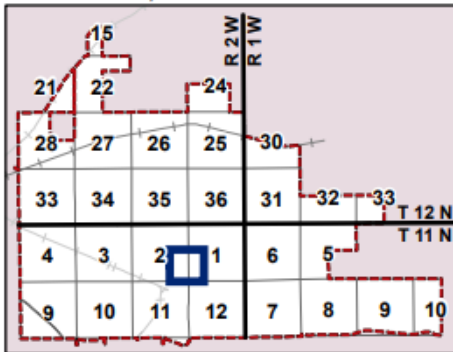
THIS MAP IS A GENERAL INFORMATION PUBLIC RESOURCE. THE CITY OF MIDWEST CITY MAKES NO WARRANTY, REPRESENTATION OR GUARANTEE AS TO THE CONTENT, ACCURACY, TIMELINESS OR COMPLETENESS OF ANY OF THE INFORMATION PROVIDED ON THIS MAP. ANY PARTY'S USE OR RELIANCE ON THIS MAP OR ANY INFORMATION ON IT IS AT THAT PARTY'S OWN RISK AND WITHOUT LIABILITY TO THE CITY OF MIDWEST CITY, ITS OFFICIALS OR ITS EMPLOYEES FOR ANY DISCREPANCIES, ERRORS OR VARIANCES THAT MAY EXIST.



Community Development / Information Technology - GIS



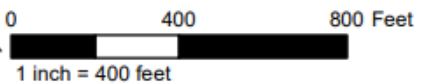
Locator Map



Current Zoning Legend

A-1	I-2 SUP	R-35
A-1 SUP	I-3	R-2F
C-1	O-1	R-MD
C-1 SUP	O-1 SUP	R-MD SUP
C-2	O-2	R-HD
C-3	O-2 SUP	R-HD SUP
C-3 SUP	R-6	R-MH-1
C-4	R-6 SUP	R-MH-2
C-4 SUP	R-8	PUD
I-1	R-10	SPUD
I-2	R-22	HOS
		HOS SUP

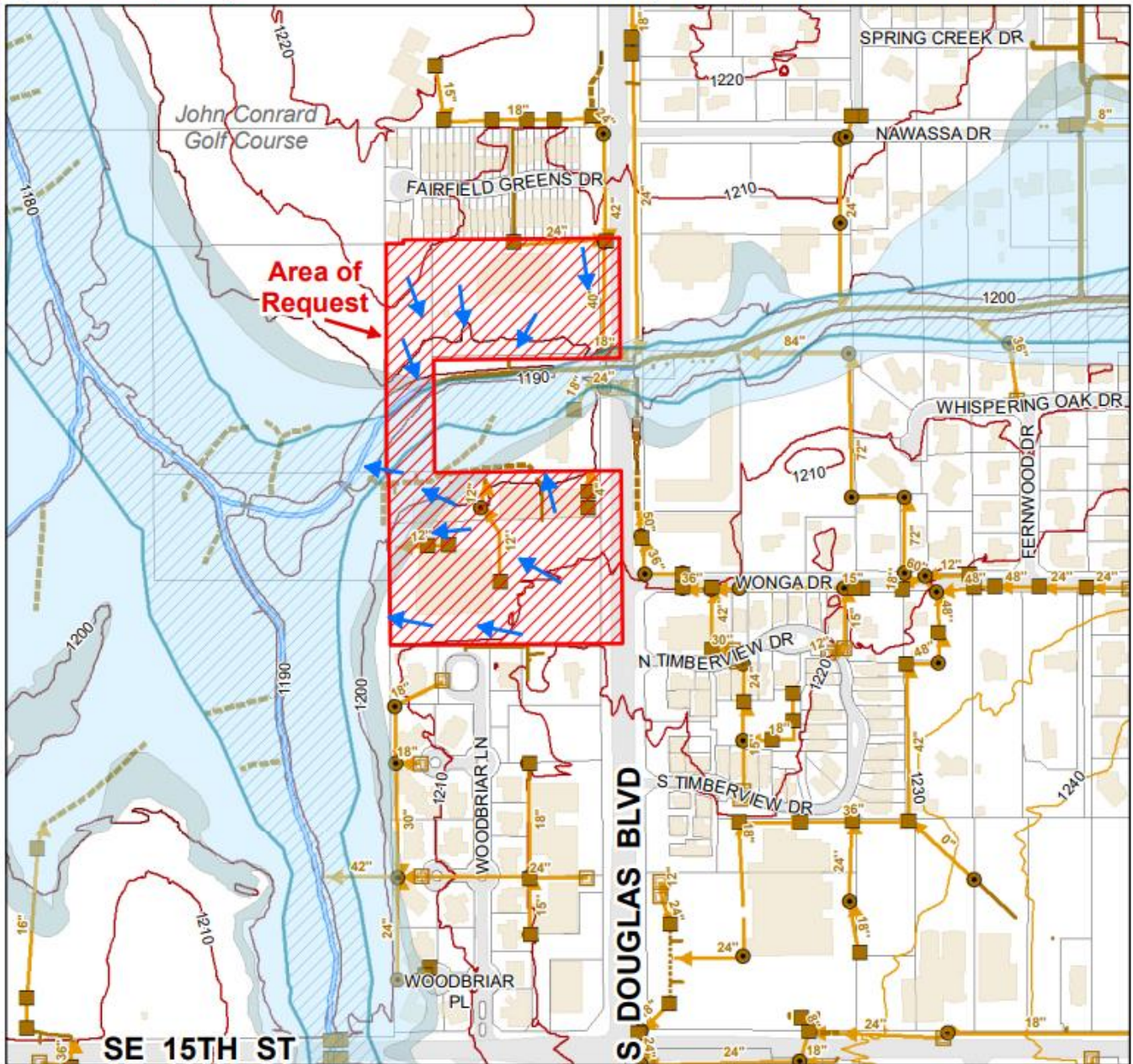
**ZONING MAP FOR
MP-17
(SE/4, Sec 2, T11N, R2W)**



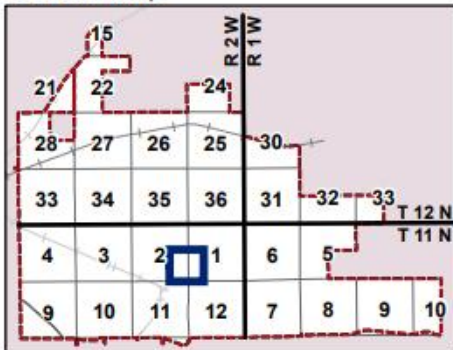
THIS MAP IS A GENERAL INFORMATION PUBLIC RESOURCE. THE CITY OF MIDWEST CITY MAKES NO WARRANTY, REPRESENTATION OR GUARANTEE AS TO THE CONTENT, ACCURACY, TIMELINESS OR COMPLETENESS OF ANY OF THE INFORMATION PROVIDED ON THIS MAP. ANY PARTY'S USE OR RELIANCE ON THIS MAP OR ANY INFORMATION ON IT IS AT THAT PARTY'S OWN RISK AND WITHOUT LIABILITY TO THE CITY OF MIDWEST CITY, ITS OFFICIALS OR ITS EMPLOYEES FOR ANY DISCREPANCIES, ERRORS OR VARIANCES THAT MAY EXIST.



Community Development / Information Technology - GIS



Locator Map

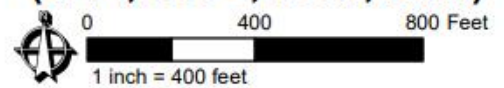


- Drainage Legend**
- Curb Inlets
 - Inlets
 - Junction Box
 - Culverts
 - Flumes
 - Developed Channels
 - Trickle Channels
 - Undeveloped Channels
 - Storm Lines
 - Creeks
- ELEVATION**
- 1166-1204 ft
 - 1204-1228 ft
 - 1228-1250 ft
 - 1250-1278 ft
 - 1278-1324 ft

2009 FEMA Floodplains

- 500-yr floodplain
- 100-yr floodplain
- 2009 FEMA Floodway

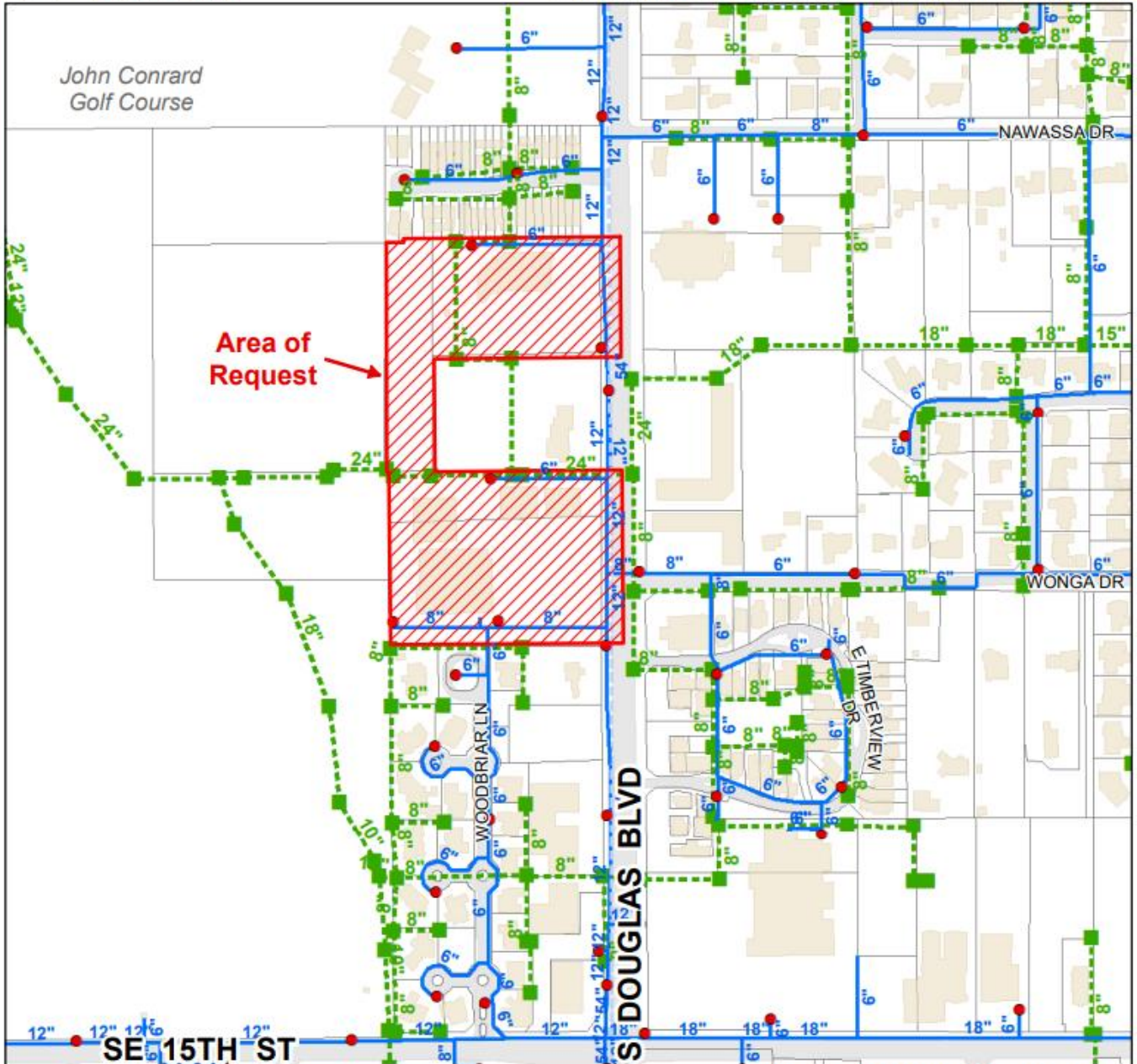
DRAINAGE LOCATION MAP FOR MP-17 (SE/4, Sec 2, T11N, R2W)



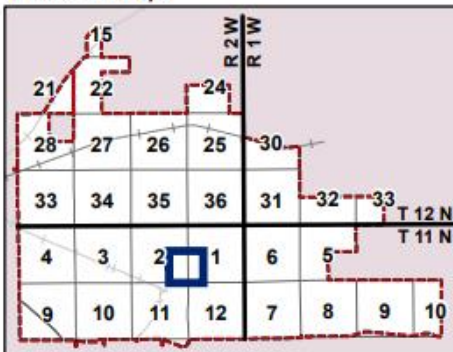
THIS MAP IS A GENERAL INFORMATION PUBLIC RESOURCE. THE CITY OF MIDWEST CITY MAKES NO WARRANTY, REPRESENTATION OR GUARANTEE AS TO THE CONTENT, ACCURACY, TIMELINESS OR COMPLETENESS OF ANY OF THE INFORMATION PROVIDED ON THIS MAP. ANY PARTY'S USE OR RELIANCE ON THIS MAP OR ANY INFORMATION ON IT IS AT THAT PARTY'S OWN RISK AND WITHOUT LIABILITY TO THE CITY OF MIDWEST CITY, ITS OFFICIALS OR ITS EMPLOYEES FOR ANY DISCREPANCIES, ERRORS OR VARIANCES THAT MAY EXIST.



Community Development / Information Technology - GIS



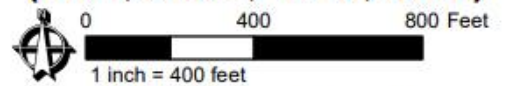
Locator Map



Water/Sewer Legend

- Fire Hydrants
- Water Lines
 - Distribution
 - Well
 - - - OKC Cross Country
 - - - Sooner Utilities
 - - - Thunderbird
 - - - Unknown
- Sewer Manholes
- - - Sewer Lines

**WATER/SEWER LINE
LOCATION MAP FOR
MP-17
(SE/4, Sec 2, T11N, R2W)**



THIS MAP IS A GENERAL INFORMATION PUBLIC RESOURCE. THE CITY OF MIDWEST CITY MAKES NO WARRANTY, REPRESENTATION OR GUARANTEE AS TO THE CONTENT, ACCURACY, TIMELINESS OR COMPLETENESS OF ANY OF THE INFORMATION PROVIDED ON THIS MAP. ANY PARTY'S USE OR RELIANCE ON THIS MAP OR ANY INFORMATION ON IT IS AT THAT PARTY'S OWN RISK AND WITHOUT LIABILITY TO THE CITY OF MIDWEST CITY, ITS OFFICIALS OR ITS EMPLOYEES FOR ANY DISCREPANCIES, ERRORS OR VARIANCES THAT MAY EXIST.

To: Honorable Mayor and Council
From: Matt Summers, Director of Planning & Zoning
Date: March 26, 2024

Subject: (PC-2163) Public hearing, discussion, consideration, and possible action on an ordinance to redistrict from Simplified Planned Unit Development District (“SPUD”) to Simplified Planned Unit Development (“SPUD”), for the property described as McCorkle Park ADD E 35 ft of Lot 27 & all of Lots 28 & 29, addressed as 227 & 231 W. MacArthur Dr., Midwest City.

Executive Summary: The Applicant, Mr. Jeff Johnson, is requesting to amend the existing Simplified Planned Unit Development (“SPUD”) with underlying C-3 zoning to include the additional uses:

- 4.4.22; Drinking Establishments: Sit-Down, Alcoholic Beverages Permitted
- 4.4.43; Participant Recreation and Entertainment: Indoor, Alcoholic Beverages Permitted.

The current SPUD allows for the use 4.4.28 (Eating Establishments: Sit-Down, Alcoholic Beverages Permitted.

If the rezone is approved, appropriate permits shall be pulled if the scope of work requires permits. Each tenant will need to apply for a Certificate of Occupancy. All applicable code requirements shall be observed.

Both state and local notification requirements were met.

At the time of this writing, staff has not received any comments regarding this case.

Staff recommends approval of this rezone.

Planning Commission recommended unanimous approval.

Action is at the discretion of the Council.

Dates of Hearing:

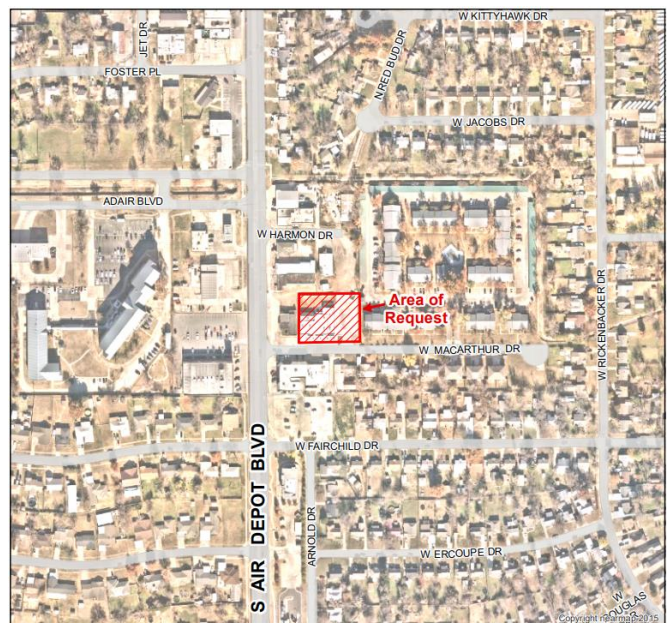
Planning Commission- March 5, 2024

City Council- March 26, 2024

Date of Pre-Development Meeting:

January 24, 2024

Council Ward: Ward 1, Susan Eads



Owner: Jeff Johnson, JLou Properties

Applicant: Jeff Johnson, JLou Properties

Proposed Use: Multi-tenant space to allow for a mix of eateries, breweries, and other commercial uses.

Size: The area of request has a frontage of approximately 185' along W. MacArthur Drive and contains an area of approximately .63 acres, more or less.

Development Proposed by Comprehensive Plan:

Area of Request- Commercial

North- Commercial

South- Commercial

East- High Density Residential

West- Commercial

Zoning Districts:

Area of Request- SPUD, Simplified Planned Unit Development

North- C-3, Community Commercial District

South- C-3, Community Commercial District

East- R-HD, High Density Residential District

West- C-3, Community Commercial District

Land Use:

Area of Request- Shell for multi-tenant

North- Barber shop and bar

South- Multi-tenant commercial buildings

East- Apartments

West- Single-family residence

Comprehensive Plan Citation:

The Future Land Use Plan designates the subject property as Commercial. This land use category is described as, “intended for a variety of commercial uses and establishments with outside storage, display and sales.”¹ The Future Land Use Map is one aspect of planning guidance within the Comprehensive Plan. The Future Land Use chapter also states about mid-block areas along arterials, “Uses in mid-block areas between arterial roadways should be limited to residential, light retail, or office uses.”² Staff assumes the site was given a Future Land Uses designation of Commercial based upon current uses of the site at the time the plan was written (2008), while the broader statement regarding mid-block areas reflects a best practice in land use planning. Since the last Comprehensive Plan update, the City has undertaken a study of the Original Mile (2011) and the McCorkle Addition (“Carburetor Alley” 2022). Results from the more recent McCorkle Addition study show this area to be redeveloped into a more retail oriented development with improved pedestrian connectivity internally and to the surrounding area. This plan reflects the sentiment of the 2008 Comprehensive Plan’s recommendation to have the mid-block areas focused more on retail and office space than on more intensive commercial uses.

The proposed use additions (4.4.22 & 4.4.43) to the existing SPUD are supported by the Comprehensive Plan and the McCorkle Addition study.

¹ (Midwest City, Sefko Planning Group, & Freese and Nichols, Inc., 2008)

² (Midwest City, Sefko Planning Group, & Freese and Nichols, Inc., 2008)

Municipal Code Citation:

2.26. – SPUD, Simplified Planned Unit Development

2.26.1. *General Provisions.* The simplified planned unit development, herein referred to as SPUD, is a special zoning district that provides an alternate approach to conventional land use controls to produce unique, creative, progressive, or quality land developments.

The SPUD may be used for particular tracts or parcels of land that are to be developed as one unit according to a master development plan map.

The SPUD is subject to special review procedures within 7.4 SPUD Application and Review (Page 179) and once approved by the City Council it becomes a special zoning classification for the property it represents.

2.26.2. *Intent and Purpose.* The intent and purpose of the simplified planned unit development provisions are to ensure:

- (A) Innovative development. Encourage innovative development and protect the health, safety and welfare of the community;
- (B) Efficient use of land. Encourage efficient use of land, facilitate economic arrangement of buildings and circulation systems;
- (C) Appropriate limitations and compatibility. Maintain appropriate limitations on the character and intensity of use, assuring compatibility with adjoining and proximate properties, and following the guidelines of the comprehensive plan.

History:

- 1. The property was designated as C-3, Community Commercial District at the time of adoption of the 1985 Zoning Map.
- 2. A Certificate of Occupancy for an automobile body repair shop was filed for and approved in 1986.
- 3. Council approved the rezone to a SPUD, Simplified Planned Unit Development in March of 2022.
- 4. Planning Commission unanimously recommended approval March 6, 2024.

Next Steps:

If Council approves this rezone, any remodel work, signs, and all other applicable changes will require the appropriate permits to be pulled. Each tenant space must abide by Municipal Code and apply for Certificate of Occupancy when ready for operation. Sewer Use Survey is required for each occupant.

Staff Comments-

There are numerous construction requirement references made in the Engineering, Fire Marshal, and Public Works portions of this report. The intent of the Municipal Code is to directly involve the applicant in continued community development activities such as extending public sewer and water and making street improvements, for examples. This is a rezoning application and the construction references are provided to make the applicant and subsequent developers of this property aware of their applicability as they relate to the future development or redevelopment of this property.

Engineering Staff Comments:

Note: No engineering improvements are required with this application.

Water Supply and Distribution

There is a public water main bordering the proposed parcel, a six (6) inch line running along the north side of MacArthur Drive. Any new building permit will require tying to the public water system as outlined in Municipal Code 43-32.

Sanitary Sewerage Collection and Disposal

There is a public sewer main bordering the proposed parcel, an eight (8) inch line running along the north side of the proposed parcel. Any new building permit will require tying into the public sewer system as outlined in Municipal Code 43-109.

Streets and Sidewalks

Access to the parcel is from MacArthur Drive. MacArthur Drive is classified as a local road in the 2008 Comprehensive Plan. Public road and sidewalk improvements are not required as part of this application.

Drainage and Flood Control, Wetlands, and Sediment Control

The area of request is shown to be in an Area of Minimal Flood Hazard on Flood Insurance Rate Map (FIRM) number 40109C0310H, dated December 18th, 2009. Public drainage and detention improvements are not required as part of this application.

Easements and Right-of-Way

No further easements or right of way would be required with this application.

Fire Marshal's Comments:

- The property is required to meet and maintain the requirements of Midwest City Ordinances Section 15.

Public Works' Comments:

Line Maintenance

Water

- Water meter(s) shall be installed in "green belt" per Midwest City Municipal Code Section 43-54.

Sewer

- Sewer waste from food service, vehicle maintenance shop, car wash, etc., shall conform with Midwest City Ordinance Chapter 43 Division 6. The installation of an interceptor, separator, and/or grit chamber shall be required.
- A City provided Sewer Use Survey will be required to be submitted by applicant to address types of wastewater produced and method(s) of wastewater disposal for any remodel permit and/or Certificate of Occupancy applied for.

Sanitation

- No comments.

Stormwater

- No comments.

Planning Division:

Staff met with the applicant January 24, 2024 for a pre-development meeting.

The applicant is proposing to amend the current SPUD to include additional uses to allow for a broader range of tenants that are supported by the Comprehensive Plan and McCorkle Addition study. Staff recommends approval of this rezone request based on the analysis and comments above.

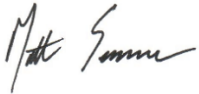
Action Required:

Approve or reject the ordinance to redistrict from Simplified Planned Unit Development (“SPUD”) with a base zoning of C-3 to amended Simplified Planned Unit Development (“SPUD”) with a base zoning of C-3 to include the additional uses: 4.4.22 (Drinking Establishments: Sit-Down, Alcoholic Beverages Permitted) and 4.4.43 (Participant Recreation and Entertainment: Indoor, Alcoholic Beverages Permitted) for the property noted herein, subject to staff comments as found in the March 26, 2024 agenda packet and made part of PC-2163 file.

Suggested Motion:

“To approve the ordinance amending the Simplified Planned Unit Development of 227 & 231 W. MacArthur Drive to include Drinking Establishments: Sit-Down, Alcoholic Beverages Permitted and Participant Recreation and Entertainment: Indoor, Alcoholic Beverages Permitted subject to Staff Comments found in the March 26, 2024 Council agenda packet and made a part of the PC-2163 file.”

Please feel free to contact the Current Planning Manager’s office at (405) 739-1223 with any questions.



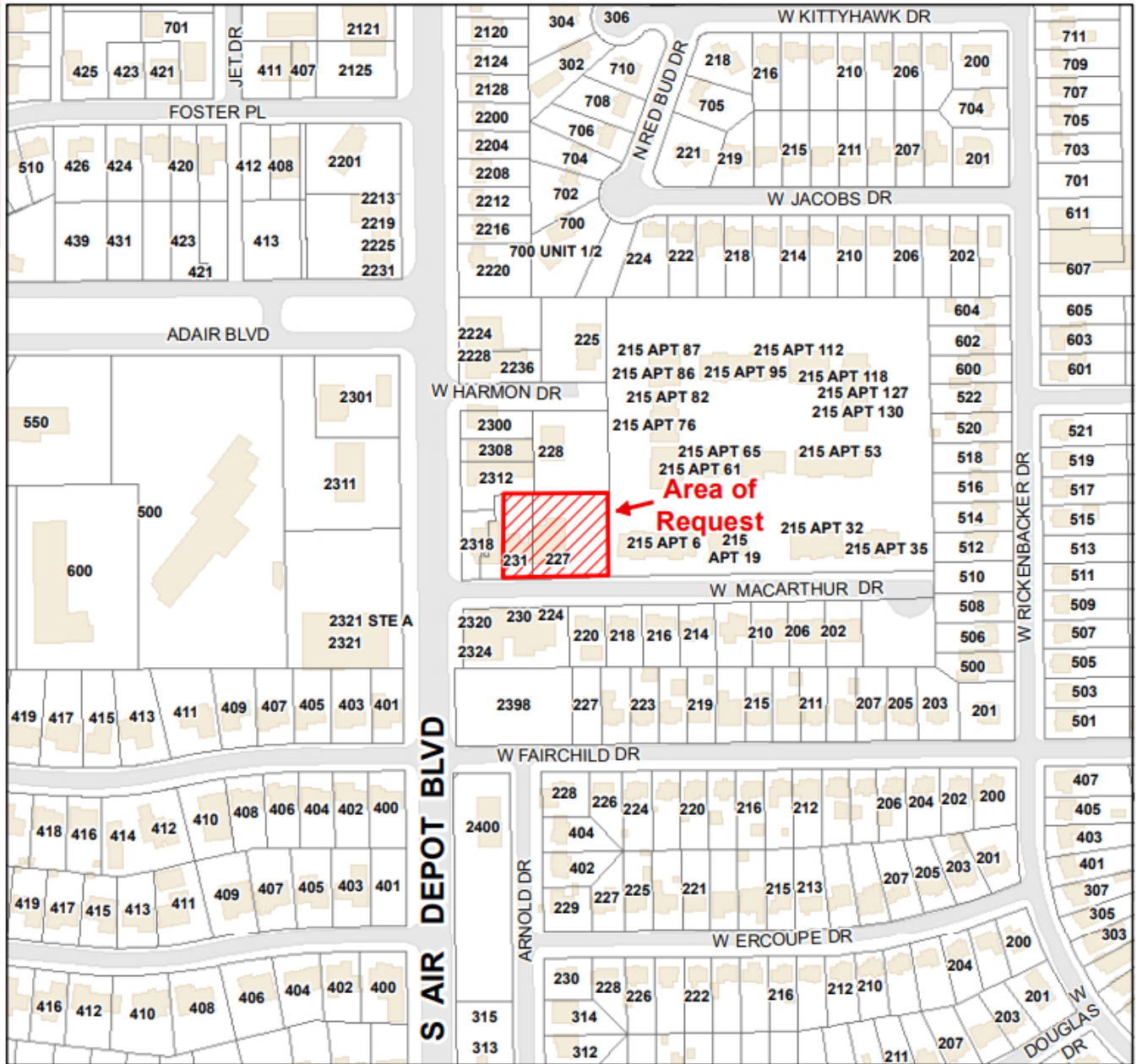
Matt Summers

Director of Planning & Zoning

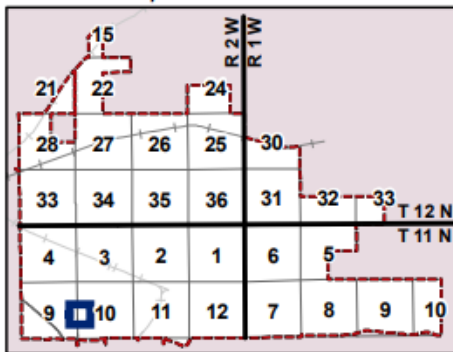
ER



Community Development / Information Technology



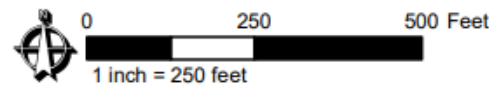
Locator Map



General Map Legend

- Area of Request
- Parcels with Addresses
- Buildings
- Edge of Pavement
- MWC City Limits
- Railroads**
- Active
- Inactive / Closed

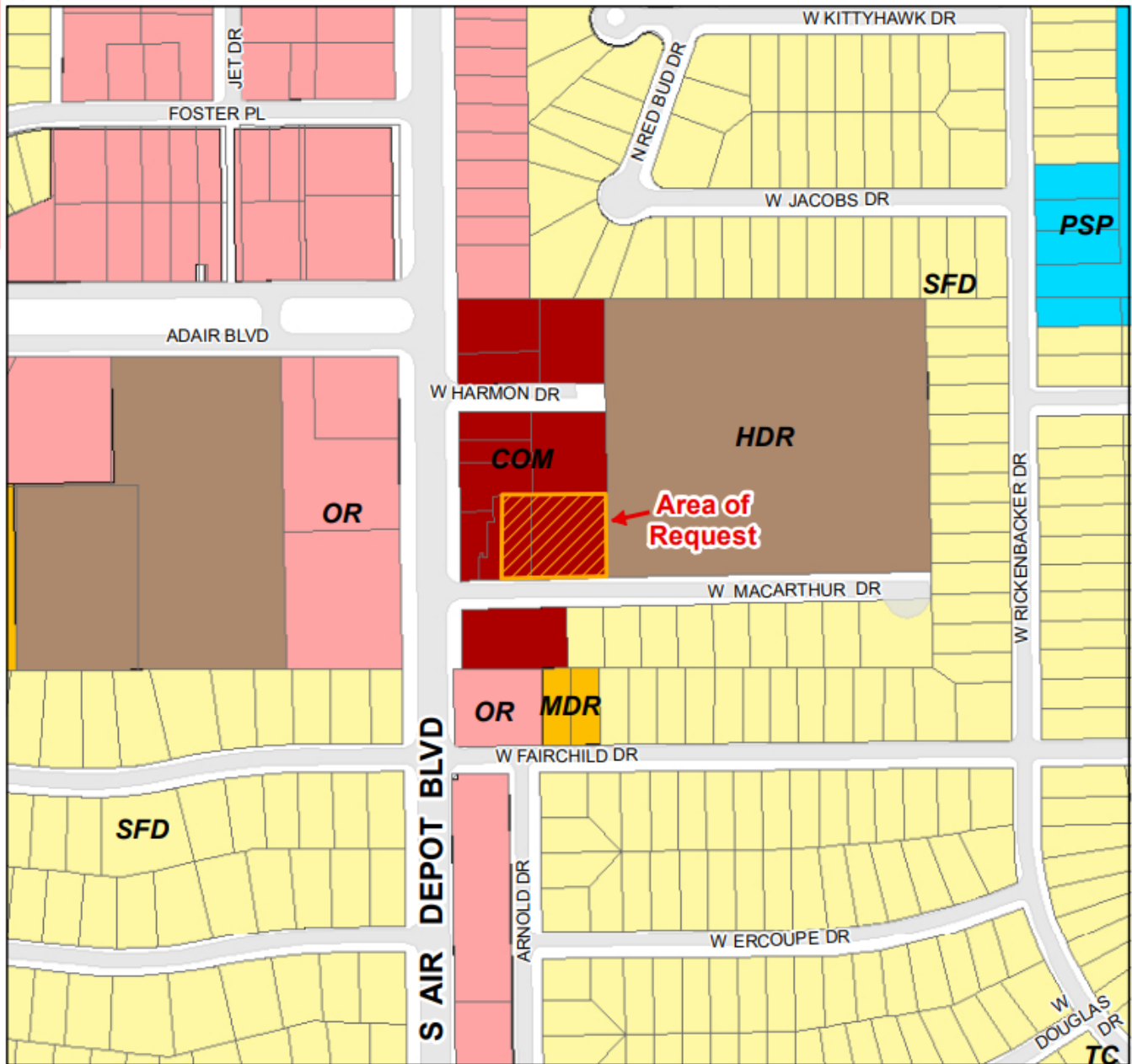
**GENERAL MAP FOR
PC-2163
(SW/4, Sec. 10, T11N, R2W)**



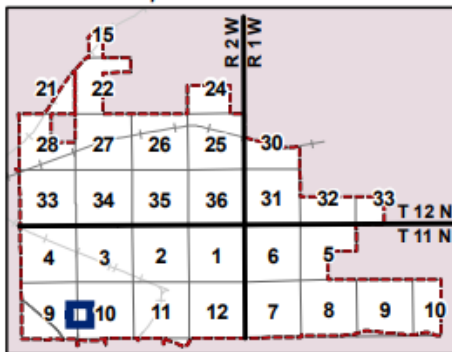
THIS MAP IS A GENERAL INFORMATION PUBLIC RESOURCE. THE CITY OF MIDWEST CITY MAKES NO WARRANTY, REPRESENTATION OR GUARANTEE AS TO THE CONTENT, ACCURACY, TIMELINESS OR COMPLETENESS OF ANY OF THE INFORMATION PROVIDED ON THIS MAP. ANY PARTY'S USE OR RELIANCE ON THIS MAP OR ANY INFORMATION ON IT IS AT THAT PARTY'S OWN RISK AND WITHOUT LIABILITY TO THE CITY OF MIDWEST CITY, ITS OFFICIALS OR ITS EMPLOYEES FOR ANY DISCREPANCIES, ERRORS OR VARIANCES THAT MAY EXIST.



Community Development / Information Technology



Locator Map

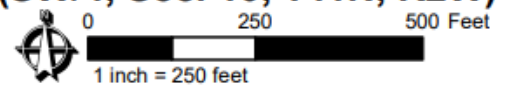


Future Land Use Legend

- Single-Family Detached Residential
- Medium Density Residential
- High Density Residential
- Manufactured Home
- Public/Semi-Public
- Parks/Open Space
- Office/Retail
- Commercial
- Industrial
- Town Center

FUTURE LAND USE

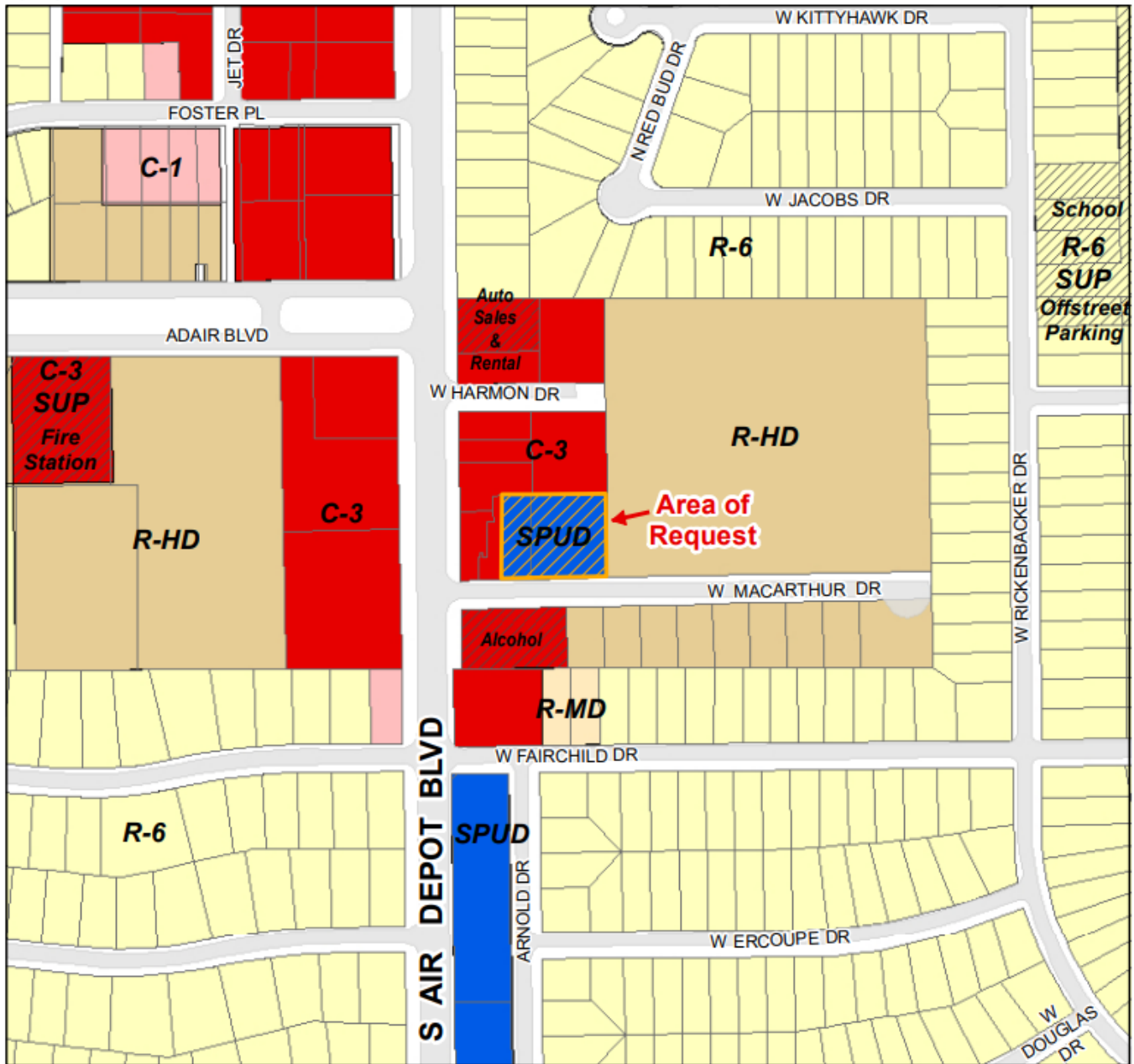
MAP FOR
PC-2163
(SW/4, Sec. 10, T11N, R2W)



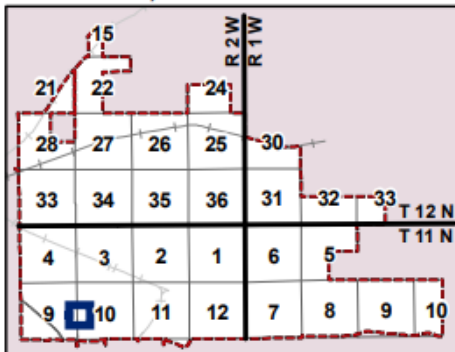
THIS MAP IS A GENERAL INFORMATION PUBLIC RESOURCE. THE CITY OF MIDWEST CITY MAKES NO WARRANTY, REPRESENTATION OR GUARANTEE AS TO THE CONTENT, ACCURACY, TIMELINESS OR COMPLETENESS OF ANY OF THE INFORMATION PROVIDED ON THIS MAP. ANY PARTY'S USE OR RELIANCE ON THIS MAP OR ANY INFORMATION ON IT IS AT THAT PARTY'S OWN RISK AND WITHOUT LIABILITY TO THE CITY OF MIDWEST CITY, ITS OFFICIALS OR ITS EMPLOYEES FOR ANY DISCREPANCIES, ERRORS OR VARIANCES THAT MAY EXIST.



Community Development / Information Technology



Locator Map

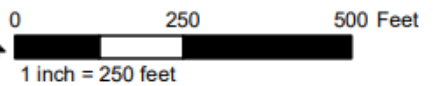


Current Zoning Legend

A-1	I-2 SUP	R-35
A-1 SUP	I-3	R-2F
C-1	O-1	R-MD
C-1 SUP	O-1 SUP	R-MD SUP
C-2	O-2	R-HD
C-3	O-2 SUP	R-HD SUP
C-3 SUP	R-6	R-MH-1
C-4	R-6 SUP	R-MH-2
C-4 SUP	R-8	PUD
I-1	R-10	SPUD
I-2	R-22	HOS
		HOS SUP

ZONING MAP FOR
PC-2163

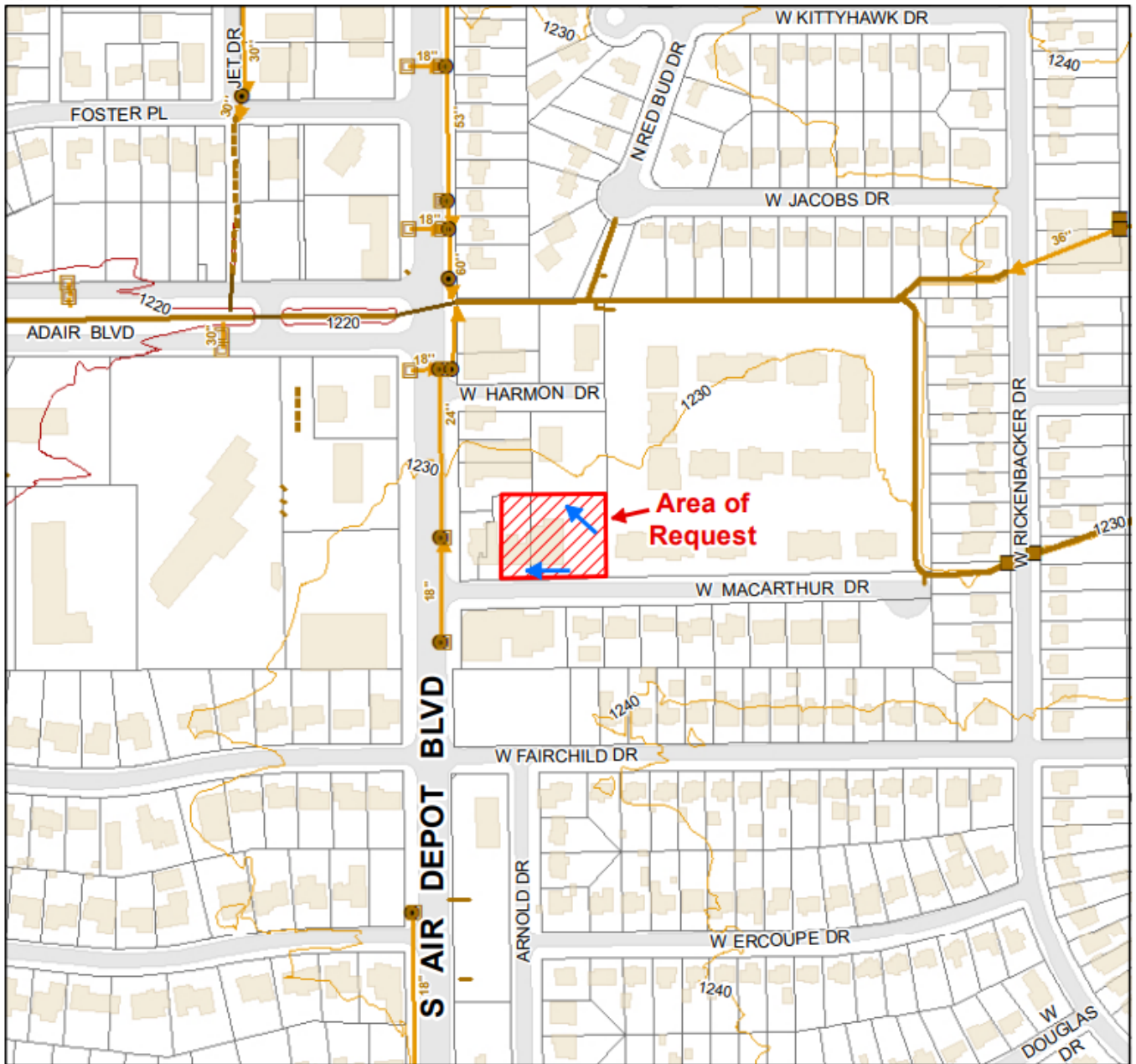
(SW/4, Sec. 10, T11N, R2W)



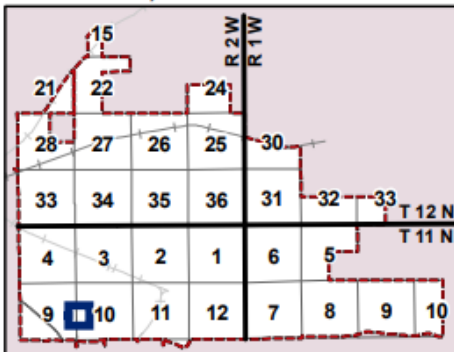
THIS MAP IS A GENERAL INFORMATION PUBLIC RESOURCE. THE CITY OF MIDWEST CITY MAKES NO WARRANTY, REPRESENTATION OR GUARANTEE AS TO THE CONTENT, ACCURACY, TIMELINESS OR COMPLETENESS OF ANY OF THE INFORMATION PROVIDED ON THIS MAP. ANY PARTY'S USE OR RELIANCE ON THIS MAP OR ANY INFORMATION ON IT IS AT THAT PARTY'S OWN RISK AND WITHOUT LIABILITY TO THE CITY OF MIDWEST CITY, ITS OFFICIALS OR ITS EMPLOYEES FOR ANY DISCREPANCIES, ERRORS OR VARIANCES THAT MAY EXIST.



Community Development / Information Technology



Locator Map



- Drainage Legend**
- Curb Inlets
 - Inlets
 - Junction Box
 - Culverts
 - Flumes
 - Developed Channels
 - Trickle Channels
 - Undeveloped Channels
 - Storm Lines
 - Creeks
- ELEVATION**
- 1166-1204 ft
 - 1204-1228 ft
 - 1228-1250 ft
 - 1250-1278 ft
 - 1278-1324 ft

2009 FEMA Floodplains

- 500-yr floodplain
- 100-yr floodplain
- 2009 FEMA Floodway
- FLOODWAY

**DRAINAGE
LOCATION MAP FOR
PC-2163
(SW/4, Sec. 10, T11N, R2W)**

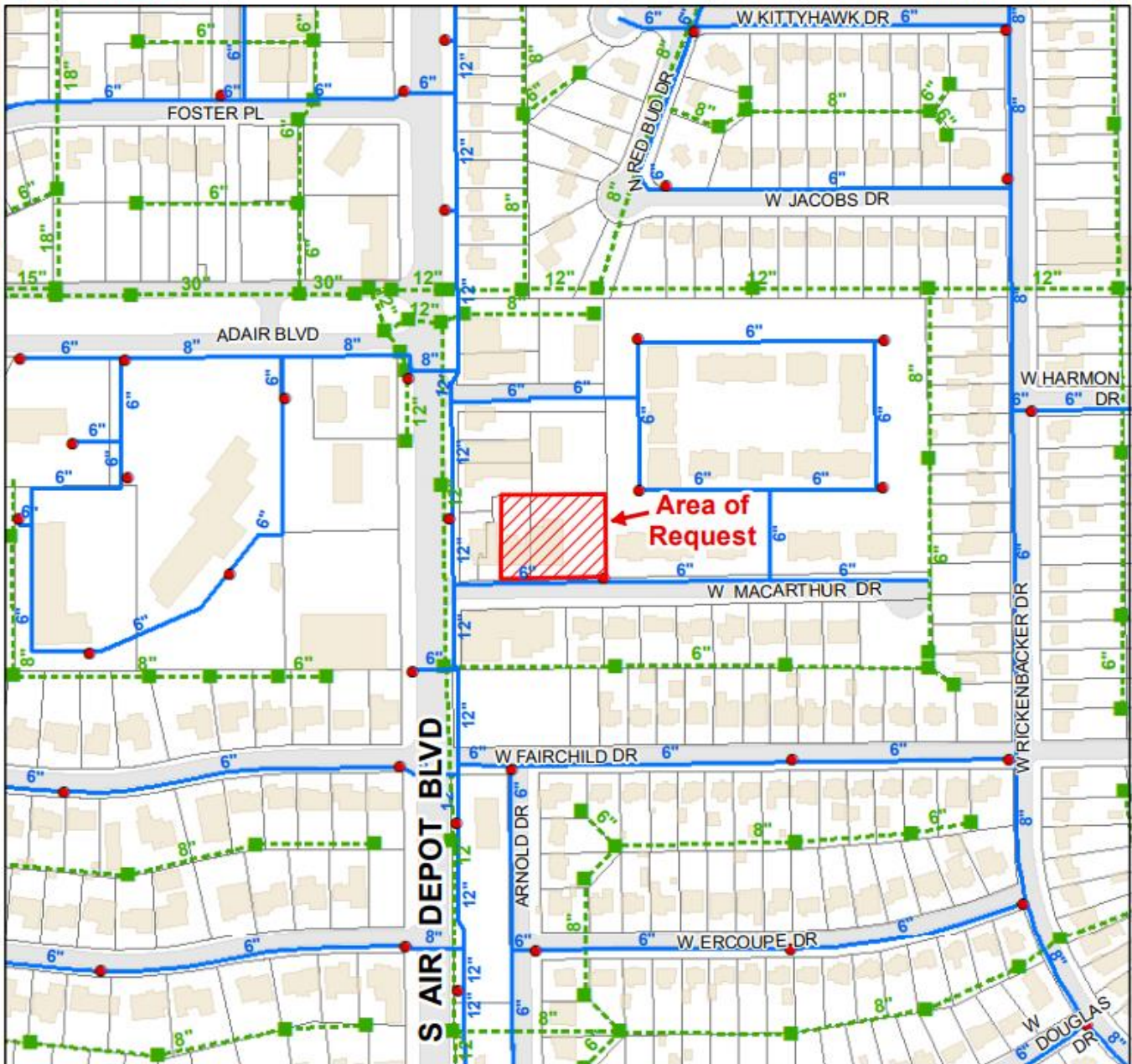
0 250 500 Feet

1 inch = 250 feet

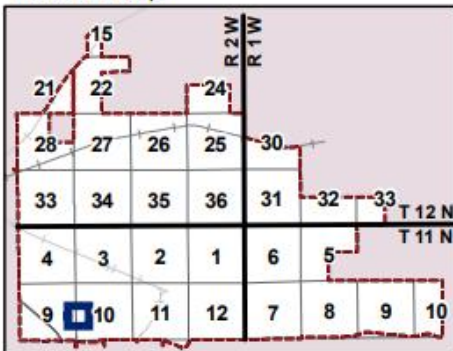
THIS MAP IS A GENERAL INFORMATION PUBLIC RESOURCE. THE CITY OF MIDWEST CITY MAKES NO WARRANTY, REPRESENTATION OR GUARANTEE AS TO THE CONTENT, ACCURACY, TIMELINESS OR COMPLETENESS OF ANY OF THE INFORMATION PROVIDED ON THIS MAP. ANY PARTY'S USE OR RELIANCE ON THIS MAP OR ANY INFORMATION ON IT IS AT THAT PARTY'S OWN RISK AND WITHOUT LIABILITY TO THE CITY OF MIDWEST CITY, ITS OFFICIALS OR ITS EMPLOYEES FOR ANY DISCREPANCIES, ERRORS OR VARIANCES THAT MAY EXIST.



Community Development / Information Technology



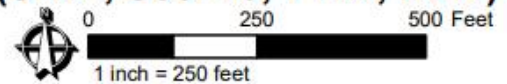
Locator Map



Water/Sewer Legend

- Fire Hydrants
- Water Lines
 - Distribution
 - Well
 - - - OKC Cross Country
 - - - Sooner Utilities
 - - - Thunderbird
 - - - Unknown
- Sewer Manholes
- - - Sewer Lines

**WATER/SEWER LINE
LOCATION MAP FOR
PC-2163
(SW/4, Sec. 10, T11N, R2W)**



THIS MAP IS A GENERAL INFORMATION PUBLIC RESOURCE. THE CITY OF MIDWEST CITY MAKES NO WARRANTY, REPRESENTATION OR GUARANTEE AS TO THE CONTENT, ACCURACY, TIMELINESS OR COMPLETENESS OF ANY OF THE INFORMATION PROVIDED ON THIS MAP. ANY PARTY'S USE OR RELIANCE ON THIS MAP OR ANY INFORMATION ON IT IS AT THAT PARTY'S OWN RISK AND WITHOUT LIABILITY TO THE CITY OF MIDWEST CITY, ITS OFFICIALS OR ITS EMPLOYEES FOR ANY DISCREPANCIES, ERRORS OR VARIANCES THAT MAY EXIST.

Main Gate Renovation Project



1 **PC-2163**

2 **ORDINANCE NO. _____**

3 **AN ORDINANCE RECLASSIFYING THE ZONING DISTRICT OF THE PROPERTY**
4 **DESCRIBED IN THIS ORDINANCE FROM SPUD, SIMPLIFIED PLANNED UNIT**
5 **DEVELOPMENT, TO SPUD, SIMPLIFIED PLANNED UNIT DEVELOPMENT, AND**
6 **DIRECTING AMENDMENT OF THE OFFICIAL ZONING DISTRICT MAP TO**
7 **REFLECT THE RECLASSIFICATION OF THE PROPERTY’S ZONING DISTRICT;**
8 **AND PROVIDING FOR REPEALER AND SEVERABILITY**

9 BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MIDWEST CITY, OKLAHOMA:

10 **ORDINANCE**

11 **SECTION 1.** That the zoning district of the following described property is hereby reclassified
12 to SPUD, Simplified Planned Unit Development, subject to the conditions contained in the
13 PC-2163 file, and that the official Zoning District Map shall be amended to reflect the
14 reclassification of the property’s zoning district as specified in this ordinance:

15 The eastern 35ft of Lot 27, all of Lots 28 & 29 of the McCorkle Park Addition, Midwest
16 City, OK, located at 227 & 231 W. MacArthur.

17 **SECTION 2.** That the SPUD master plan is adopted for the property described by the legal
18 description in Section 1. The master plan consists of both a Design Statement and a Master
19 Development Plan Map. The Design Statement is included in this ordinance as Exhibit A. The
20 Master Development Plan Map is included in this ordinance as Exhibit B. Any modifications,
21 revisions, or expirations of the SPUD master plan will be handled in accordance with Appendix
22 A of the Midwest City Municipal Code.

23 **SECTION 3. REPEALER.** All ordinances or parts of ordinances in conflict herewith are hereby
24 repealed.

25 **SECTION 4. SEVERABILITY.** If any section, sentence, clause or portion of this ordinance is
26 for any reason held to be invalid, such decision shall not affect the validity of the remaining por-
27 tions of the ordinance.

28 **PASSED AND APPROVED** by the Mayor and Council of the City of Midwest City, Oklahoma,
29 on the _____ day of _____, 2024.

30 THE CITY OF MIDWEST CITY, OKLA-
31 HOMA

32 ATTEST:

33 _____
34 MATTHEW D. DUKES II, Mayor

35 _____
36 SARA HANCOCK, City Clerk

APPROVED as to form and legality this _____ day of _____, 2024.

DONALD MAISCH, City Attorney



Exhibit A

The City of

Page 1

MIDWEST CITY

COMMUNITY DEVELOPMENT DEPARTMENT

CURRENT PLANNING DIVISION

Simplified Planned Unit Development

The following is to be used if the request is for a Simplified Planned Unit Development. If this request is not for a Simplified Planned Unit Development, do not complete the next 2 pages.

This document serves as the DESIGN STATEMENT and fulfills the requirement for the SPUD. The Special Development Regulations section of the form must be completed in its entirety. If the applicant proposes additional, more restrictive, design criteria than established in the Special Development Regulations, please elaborate under Other Development Regulations.

A. Special Development Regulations

- List of the owners and/or developers: Jeff Johnson, JLOU Properties
- Please list the adjoining land uses, both existing and proposed.
North: Commercial
South: Commercial
East: Residential Multi Family
West: Commercial
- Please list the use or uses that would be permitted on the site. 4.4.22
4.4.28
4.4.43
- This site will be developed in accordance with the Development Regulations of the C-3 zoning district.
- Please list all applicable special development regulations or modified regulations to the base zoning district: _____
- Please provide a statement of the existing and proposed streets, including right-of-way standards and street design concepts: N/A
- Please describe the physical characteristics of the following:
Sight-proof screening proposed: N/A

Landscaping proposed: N/A



Exhibit A
Page 2
The City of
MIDWEST CITY
COMMUNITY DEVELOPMENT DEPARTMENT
CURRENT PLANNING DIVISION

Signs proposed: _____

Area of open space proposed: N/A

Proposed access points: N/A

Drainage information: N/A

8. Existing or proposed building size: 6728
Maximum building height: 14'
Number of existing or proposed buildings: ONE
Building setbacks – Front: _____
Sides: _____
Rear: _____

9. Please provide a description of the proposed sequence of development.
Complete

B. Other Development Regulations

Please list any other amenities or controls included in the SPUD: _____

C. Master Plan Map (attached)

Exhibit A: _____

This site will be developed in accordance with the Master Development Plan Map as submitted to the City of Midwest City for approval in conjunction with this request.

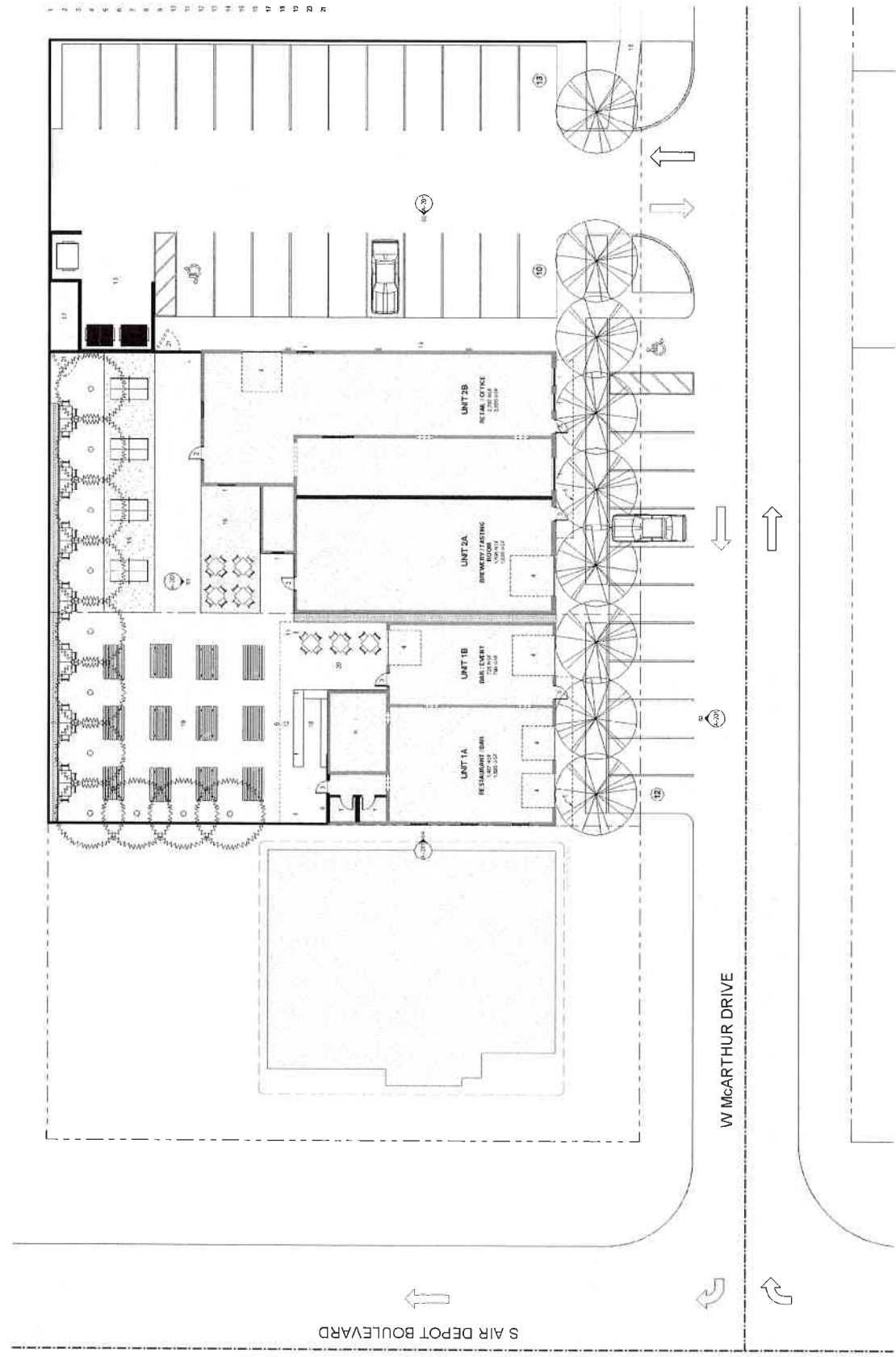
Signature _____

Date _____

Exhibit B

Page 1

- 1 TYPICAL METAL WINDOW WITH INSULATED GLASS
- 2 TYPICAL TYPICAL METAL DOOR WITH FRAME
- 3 GLAZED ENTRY DOOR
- 4 GLAZED PANEL OVERHEAD DOOR
- 5 1/2" ALUMINUM FLUTE CASING, PAINTED
- 6 FINISH CASING WITH FINISH
- 7 1/2" ALUMINUM FLUTE CASING, PAINTED
- 8 1/2" ALUMINUM FLUTE CASING, PAINTED
- 9 1/2" ALUMINUM FLUTE CASING, PAINTED
- 10 1/2" ALUMINUM FLUTE CASING, PAINTED
- 11 1/2" ALUMINUM FLUTE CASING, PAINTED
- 12 1/2" ALUMINUM FLUTE CASING, PAINTED
- 13 1/2" ALUMINUM FLUTE CASING, PAINTED
- 14 1/2" ALUMINUM FLUTE CASING, PAINTED
- 15 1/2" ALUMINUM FLUTE CASING, PAINTED
- 16 1/2" ALUMINUM FLUTE CASING, PAINTED
- 17 1/2" ALUMINUM FLUTE CASING, PAINTED
- 18 1/2" ALUMINUM FLUTE CASING, PAINTED
- 19 1/2" ALUMINUM FLUTE CASING, PAINTED
- 20 1/2" ALUMINUM FLUTE CASING, PAINTED
- 21 1/2" ALUMINUM FLUTE CASING, PAINTED
- 22 1/2" ALUMINUM FLUTE CASING, PAINTED
- 23 1/2" ALUMINUM FLUTE CASING, PAINTED
- 24 1/2" ALUMINUM FLUTE CASING, PAINTED
- 25 1/2" ALUMINUM FLUTE CASING, PAINTED
- 26 1/2" ALUMINUM FLUTE CASING, PAINTED
- 27 1/2" ALUMINUM FLUTE CASING, PAINTED
- 28 1/2" ALUMINUM FLUTE CASING, PAINTED
- 29 1/2" ALUMINUM FLUTE CASING, PAINTED
- 30 1/2" ALUMINUM FLUTE CASING, PAINTED
- 31 1/2" ALUMINUM FLUTE CASING, PAINTED
- 32 1/2" ALUMINUM FLUTE CASING, PAINTED
- 33 1/2" ALUMINUM FLUTE CASING, PAINTED
- 34 1/2" ALUMINUM FLUTE CASING, PAINTED
- 35 1/2" ALUMINUM FLUTE CASING, PAINTED
- 36 1/2" ALUMINUM FLUTE CASING, PAINTED
- 37 1/2" ALUMINUM FLUTE CASING, PAINTED
- 38 1/2" ALUMINUM FLUTE CASING, PAINTED
- 39 1/2" ALUMINUM FLUTE CASING, PAINTED
- 40 1/2" ALUMINUM FLUTE CASING, PAINTED
- 41 1/2" ALUMINUM FLUTE CASING, PAINTED
- 42 1/2" ALUMINUM FLUTE CASING, PAINTED
- 43 1/2" ALUMINUM FLUTE CASING, PAINTED
- 44 1/2" ALUMINUM FLUTE CASING, PAINTED
- 45 1/2" ALUMINUM FLUTE CASING, PAINTED
- 46 1/2" ALUMINUM FLUTE CASING, PAINTED
- 47 1/2" ALUMINUM FLUTE CASING, PAINTED
- 48 1/2" ALUMINUM FLUTE CASING, PAINTED
- 49 1/2" ALUMINUM FLUTE CASING, PAINTED
- 50 1/2" ALUMINUM FLUTE CASING, PAINTED
- 51 1/2" ALUMINUM FLUTE CASING, PAINTED
- 52 1/2" ALUMINUM FLUTE CASING, PAINTED
- 53 1/2" ALUMINUM FLUTE CASING, PAINTED
- 54 1/2" ALUMINUM FLUTE CASING, PAINTED
- 55 1/2" ALUMINUM FLUTE CASING, PAINTED
- 56 1/2" ALUMINUM FLUTE CASING, PAINTED
- 57 1/2" ALUMINUM FLUTE CASING, PAINTED
- 58 1/2" ALUMINUM FLUTE CASING, PAINTED
- 59 1/2" ALUMINUM FLUTE CASING, PAINTED
- 60 1/2" ALUMINUM FLUTE CASING, PAINTED
- 61 1/2" ALUMINUM FLUTE CASING, PAINTED
- 62 1/2" ALUMINUM FLUTE CASING, PAINTED
- 63 1/2" ALUMINUM FLUTE CASING, PAINTED
- 64 1/2" ALUMINUM FLUTE CASING, PAINTED
- 65 1/2" ALUMINUM FLUTE CASING, PAINTED
- 66 1/2" ALUMINUM FLUTE CASING, PAINTED
- 67 1/2" ALUMINUM FLUTE CASING, PAINTED
- 68 1/2" ALUMINUM FLUTE CASING, PAINTED
- 69 1/2" ALUMINUM FLUTE CASING, PAINTED
- 70 1/2" ALUMINUM FLUTE CASING, PAINTED
- 71 1/2" ALUMINUM FLUTE CASING, PAINTED
- 72 1/2" ALUMINUM FLUTE CASING, PAINTED
- 73 1/2" ALUMINUM FLUTE CASING, PAINTED
- 74 1/2" ALUMINUM FLUTE CASING, PAINTED
- 75 1/2" ALUMINUM FLUTE CASING, PAINTED
- 76 1/2" ALUMINUM FLUTE CASING, PAINTED
- 77 1/2" ALUMINUM FLUTE CASING, PAINTED
- 78 1/2" ALUMINUM FLUTE CASING, PAINTED
- 79 1/2" ALUMINUM FLUTE CASING, PAINTED
- 80 1/2" ALUMINUM FLUTE CASING, PAINTED
- 81 1/2" ALUMINUM FLUTE CASING, PAINTED
- 82 1/2" ALUMINUM FLUTE CASING, PAINTED
- 83 1/2" ALUMINUM FLUTE CASING, PAINTED
- 84 1/2" ALUMINUM FLUTE CASING, PAINTED
- 85 1/2" ALUMINUM FLUTE CASING, PAINTED
- 86 1/2" ALUMINUM FLUTE CASING, PAINTED
- 87 1/2" ALUMINUM FLUTE CASING, PAINTED
- 88 1/2" ALUMINUM FLUTE CASING, PAINTED
- 89 1/2" ALUMINUM FLUTE CASING, PAINTED
- 90 1/2" ALUMINUM FLUTE CASING, PAINTED
- 91 1/2" ALUMINUM FLUTE CASING, PAINTED
- 92 1/2" ALUMINUM FLUTE CASING, PAINTED
- 93 1/2" ALUMINUM FLUTE CASING, PAINTED
- 94 1/2" ALUMINUM FLUTE CASING, PAINTED
- 95 1/2" ALUMINUM FLUTE CASING, PAINTED
- 96 1/2" ALUMINUM FLUTE CASING, PAINTED
- 97 1/2" ALUMINUM FLUTE CASING, PAINTED
- 98 1/2" ALUMINUM FLUTE CASING, PAINTED
- 99 1/2" ALUMINUM FLUTE CASING, PAINTED
- 100 1/2" ALUMINUM FLUTE CASING, PAINTED



SITE IMPROVEMENT PLAN A-101

PROJECT NUMBER: 302
 PROJECT NAME: MARGATE DISTRICT ON THE ORIGINAL WILE
 PROJECT LOCATION: 1000 W. AIR DEPOT BOULEVARD, MARGATE, FL 32081
 DRAWN BY: BRH

THIS DRAWING IS THE PROPERTY OF SANGRETO DESIGN, LLC. THE DRAWING IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF SANGRETO DESIGN, LLC.

DESIGNER: SANGRETO DESIGN, LLC
 1000 W. AIR DEPOT BOULEVARD
 MARGATE, FL 32081
 904.881.1111
 WWW.SANGRETODESIGN.COM

CONTRACTOR: WHEEL CONSTRUCTION GROUP, LLC
 1000 W. AIR DEPOT BOULEVARD
 MARGATE, FL 32081
 904.881.1111
 WWW.WHEELCONSTRUCTION.COM

DATE: 01/20/2023

01 SITE IMPROVEMENT PLAN

01 SITE IMPROVEMENT PLAN



**Engineering and
Construction Services**
100 N Midwest Boulevard
Midwest City, OK 73110
Office 405.739.1220

TO: Honorable Mayor and Council

FROM: Patrick Menefee, P.E., City Engineer

DATE: March 26th, 2024

SUBJECT: (TS-455) Discussion, consideration, and possible action of approving the reduction of the SPEED LIMIT along Adair Boulevard from 35 MPH to 25 MPH from the intersection with Hudiburg Drive to Air Depot Boulevard.

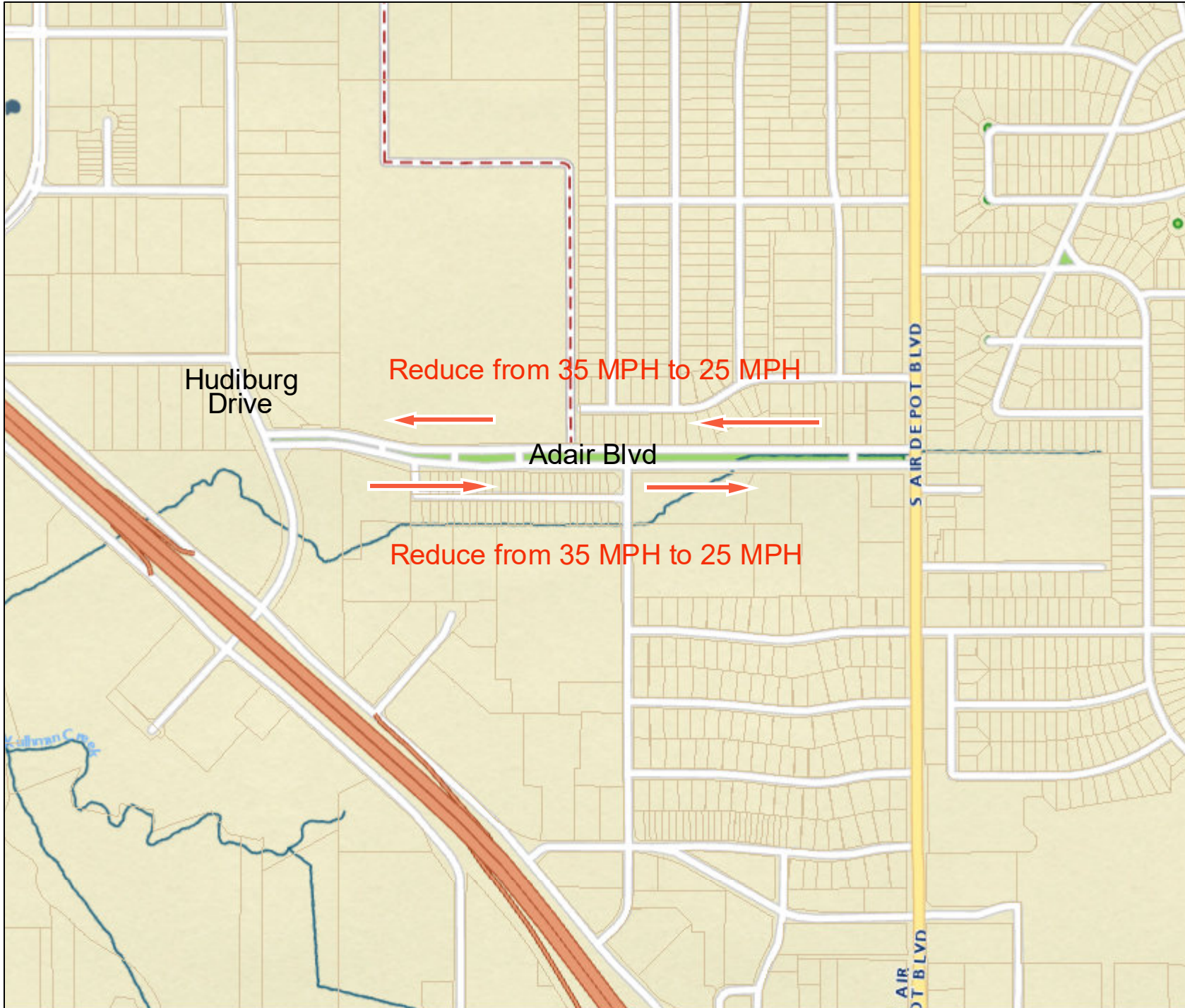
This change in Speed Limit request comes from the Midwest City Risk Assessment Department and the Midwest City Police Department. It is in response to the opening of the new bike lane along Adair Boulevard. The lower speed limit will help motorists get acclimated to new street alignment.

The Traffic and Safety Commission met on February 15th, 2024 and voted to recommend the reduction in the posted speed limit and also recommended the installation of new signs. Action is at the discretion of the City Council.



Patrick Menefee, P.E.
City Engineer







Legend

-  Parcels
-  Parcels



1 in = 752 ft
when printed actual size
on 8-1/2"x11" paper

DISCLAIMER

This map is a general information public resource. The City of Midwest City makes no warranty, representation or guarantee as to the content, accuracy, timeliness or completeness of any of the information provided on this map. Any party's use or reliance on this map, or any information on it, is at that party's own risk and without liability to the City of Midwest City, its officials or its employees for any discrepancies, errors or variances that may exist.



**Engineering and
Construction Services**
100 N Midwest Boulevard
Midwest City, OK 73110
Office 405.739.1220

TO : Honorable Mayor and Council

FROM : Brandon Bundy, P.E., Director

DATE : March 26, 2024

SUBJECT : Discussion, consideration, and possible action of awarding the bid to and entering into a contract with C4L for \$426,885 and 125 Calendar Day for the Midwest City Police Department Restroom Renovation. City Council delegates the Mayor to sign and execute the contract.

Bids were received on February 20, 2024 for the above referenced project. Staff recommends award of the bid to C4L which was the second lowest apparent bidder. Staff and Architect called references which indicated to us that C4L will do good work. The lowest apparent bidder is not qualified based on past projects with the City.

Staff recommends awarding the base bid and alternate 1 totaling \$426,885. The contractor selected the contract length of 125 Calendar Days.

All the following restroom locations will be renovated to ADA standards and similar to the previous projects completed in the last few years.

- 2nd Floor Restrooms at Police Department
- 1st Floor Restrooms at Police Department
- 1st Floor Restrooms in the NW Corner of City Hall
- The Add Alternate is to do further plumbing work in the basement of the Police Department.

Attached are the bid tabulations for the six bids received.

Once Council awards bid, staff will work with contractor to obtain proper bonds and contract signatures; hence reason for delegation for later Mayor signature.

Funding for this project is appropriated as projects #622413 (Fund 021) and #0522A2 (Fund 009).



Brandon Bundy, P.E.,
Director of Engineering and Construction Services

Attachment

CC: Greg Wipfli, interim Police Chief



505 ARCHITECTS LLC
1631 South Delaware Avenue
Tulsa, Oklahoma 74104
(918) 605-5303

Midwest City Police Department Restroom Renovation
100 North Midwest Blvd
Midwest City, Oklahoma 73110

29 February 2024

Re: Bid Tabulation Review

Dear Randall Fryar:

Bids for the above-mentioned project were received and opened publicly on 20 February 2024. Of the eleven bidders that attended the mandatory pre-bid meeting six (6) bids were received. Per the request of Midwest City, 505 Architects did a general review with C4L and Hoey Construction their understanding of the Scope of Work contained with the Bid Documents. In addition, we contacted references regarding C4L. The above contractors' bids are below the Architects Estimate.

The apparent low bidder with the acceptance of Add Alternates No. 1 is W.L. McNatt & Company with a total bid of \$349,000.00.

Please do not hesitate to contact our office with any questions.

Sincerely,


Brian Thomas, AIA, LEED AP
Principal

Attached: Midwest City Police Department Restroom Renovation Bid Tabulation



**Engineering and
Construction Services**
100 N Midwest Boulevard
Midwest City, OK 73110
Office 405.739.1220

February 29, 2024

I also reached out and spoke with C4L owner Kirk Smith from the conversation that we had, I feel that his company would be more than adequate to complete the restroom remodels in PD and City Hall. His practice is to use the same subs for every job, this helps to ensure that they are committed to his projects and reliable to help finish projects on time and within budget. He also provided me with references for projects he has done for the City of Edmond, the City of Oklahoma City, the Oklahoma Department of Corrections, and the State of Oklahoma OMES.

I was able to speak with the City of Edmond Project Manager Patrick Hatfield. He had nothing but good things to say about owner Kirk Smith and his team. He has directly managed several of the projects that they were involved with and would not hesitate to engage with them for any future needs in the city.

Spoke with Len Tauer OKC Facilities Construction Project Manager. They are using them currently on a remodel project. This is the fourth project they have done that he has been involved with, and he plans to continue using C4L in the future.

Sincerely
Randall Fryar
Chief Building Official



EXECUTIVE SESSION





City Manager
100 N. Midwest Boulevard
Midwest City, OK 73110
tlyon@midwestcityok.org
Office: 405.739.1201
www.midwestcityok.org

MEMORANDUM

TO: Honorable Mayor and City Council

FROM: Tim Lyon, City Manager

DATE: March 26, 2024

SUBJECT: 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 conflict of interest issues; and 2) authorizing the City Manager to take action as appropriate based on discussion.

Appropriate information will be dispersed during executive session.



Tim L. Lyon, City Manager



DISCUSSION ITEMS
CONTINUED





**Engineering and
Construction Services**
100 N Midwest Boulevard
Midwest City, OK 73110
Office 405.739.1220

TO : Honorable Mayor and Council

FROM : Brandon Bundy, P.E., Director

DATE : March 26, 2024

SUBJECT : Public Hearing, discussion, consideration, and possible action of an ordinance amending Midwest City Municipal Code, Chapter 43 Water, Sewer, Sewage Disposal and Stormwater Quality; Article III, Sewers and Sewage Disposal; Division 5, Other Provisions Relating to Taps and Connections; Section 43-182, Connections to sewer mains in Sections 9 and 10, Township 11 N, Range 1 W; Section 43-183, Connections to sewer mains in Sections 1, Township 11N, Range 2W; Section 43-184, Reserved; providing for repealer and severability.

The ordinance presented is to help fund the necessary capital improvements needed to increase capacity of our sanitary sewer system on the east side in reference to the moratorium passed by City Council on August 22, 2023 by resolution.

As part of the proposed ordinance; Sections 43-182 and 43-183 of the municipal ordinance are being repealed and placed into reserve, thereby eliminating two sewer connection fees within the areas identified in the Ordinance.

The City Council entered into an agreement with Freese and Nichols (FNI) to first study the capacity of the system and later a secondary effort to determine a funding mechanism to pay for those improvements.

City Council was presented with the options during a Special Council meeting on February 8, 2024 at which time City Council instructed staff to pursue the suggested solution of utilizing a series of revenue bonds. The payments for those bonds will be paid for by a 10% increase in sewer rates across the entire City AND a Development Fee to any new connections within the affected area (moratorium area).

Pursuant to Title 62 of the Oklahoma Statutes (O.S.), Section 895, municipalities are given the authority to, by ordinance, resolution or regulation, adopt Development Fees, which is defined in 62 O.S. Sec. 895 (A) (1) as meaning: “any payment of money imposed, in whole or in part, as a condition of approval of any building permit, plat approval, or zoning change, to the extent the fee is to pay for public infrastructure systems that are attributable to new development or to expand or modify existing development.”

This is the second of the two required public hearings. The Midwest City Planning Commission had a special meeting on Monday, March 11, 2024. At that meeting, I presented background

information on the east side sewer study and presented this same ordinance and how it would be applied. There was general discussion among the Planning Commissioners. Two citizens spoke in opposition to the ordinance.

The following motion was made and approved unanimously by all six planning commissioners.

“I'd like to make a motion that we approve the ordinance, or approve recommendation to the City Council of the ordinance with the caveat of we're not satisfied with the percentages and we'd like them to reevaluate these percentages.”

Attached is supporting information that has been posted on our website.

www.midwestcityok.org/community-development/page/development-fee

- Notice
- Development Fee Justification
- Development Fee – Draft Ordinance Updated 3.6.2024
- Component Capital Improvement Plan



Brandon Bundy, P.E.,
Director of Engineering and Construction Services

Attachment

1 tying onto the above described line or any extension thereof. This fee shall be in addition to all
 2 other fees or charges. The fee established by this section shall remain in effect until revenues
 3 from this fee equal the twenty thousand dollar (\$20,000) construction and right of way costs
 4 associated with the above described line. The revenues from this fee shall be placed in the sewer
 5 improvement/construction account in order to reimburse that account.

6
 7 **Section 3.** That the Midwest City Municipal Code, Chapter 43, Water, Sewer, Sewage Disposal
 8 and Stormwater Quality, Article III, Sewers and Sewage Disposal, Division 5, Other Provisions
 9 Related to Taps and Connections, Section 43-184, Reserved; is hereby taken out of reserve and
 10 amended to read as follows:

11
 12 **43-184. – Reserved. Establishment of a development fee for new connections to sewer mains**
 13 **in portions of Sections 30, 31, 32, 33, Township 12 North, Range 1 West, and Sections 5, 6, 7,**
 14 **8, 9 and 10, Township 11 North, Range 1 West, all in Oklahoma County, Oklahoma.**

15
 16 A. Development Fee is hereby established for all building permits for:

- 17
 18 1. new construction; or
 19 2. remodeling or additions which results in the addition of a water meter or an increase
 20 to the size of an existing water meter. For an increase to the size of an existing water meter, the
 21 Development Fee charged shall be the difference of Development Units between the existing
 22 water meter size and new water meter size;

23
 24 that will connect to public sewer in the areas identified in Figure 43-184.1 below, in the amount
 25 of six thousand three hundred and twenty-five dollars (\$6,325.00) per Development Unit. A
 26 Development Unit is calculated based on size of water meter, as follows:

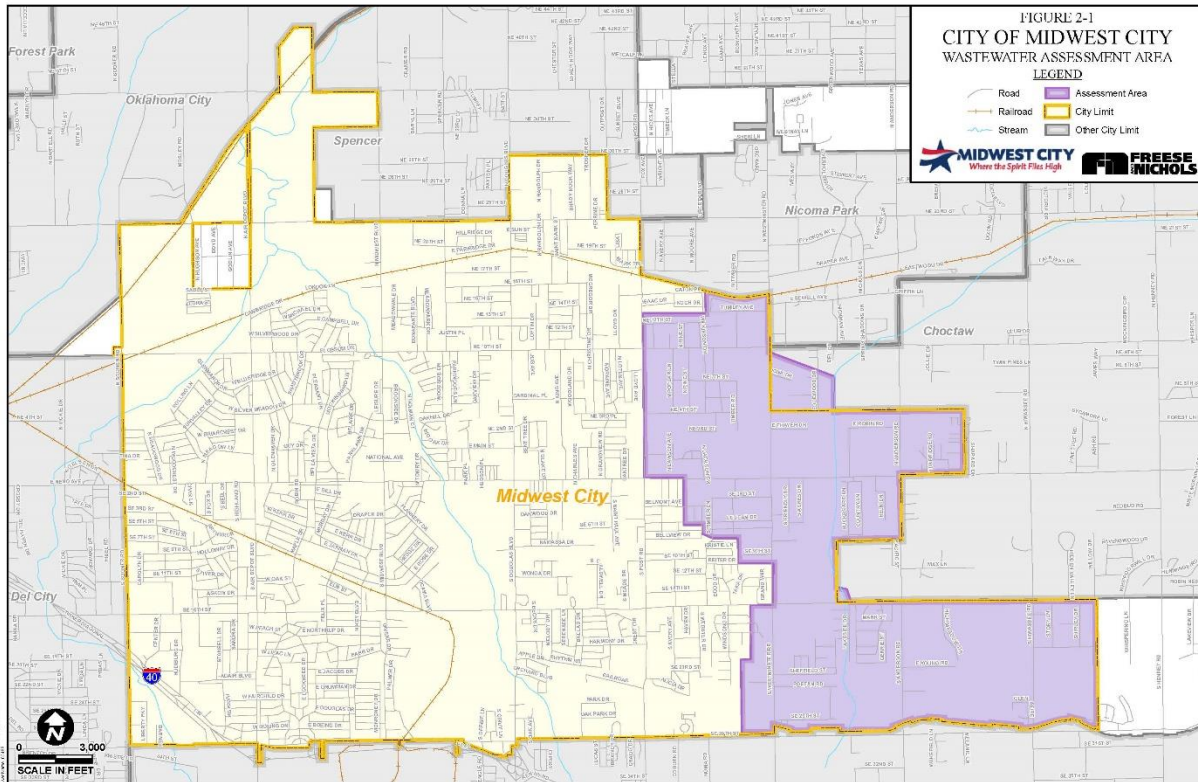
27

<u>DEVELOPMENT FEE SCHEDULE</u>			
<u>Typical Land Use</u>	<u>Meter Size</u>	<u>Flow Rate (Gallons Per Minute)</u>	<u>Development Units</u>
<u>Single Family Residential</u>	<u>5/8" x 3/4"</u>	<u>15</u>	<u>1.0</u>
<u>Multi-family residential, commercial, industrial, office, agricultural, retail</u>	<u>1"</u>	<u>40</u>	<u>2.7</u>
	<u>1 1/2"</u>	<u>50</u>	<u>3.3</u>
	<u>2"</u>	<u>100</u>	<u>6.7</u>
	<u>3"</u>	<u>350</u>	<u>23.3</u>
	<u>4"</u>	<u>600</u>	<u>40.0</u>
	<u>6"</u>	<u>800</u>	<u>53.3</u>

	<u>8"</u>	<u>2,000</u>	<u>133.3</u>
	<u>10"</u>	<u>3,000</u>	<u>200.0</u>
	<u>12"</u>	<u>4,000</u>	<u>266.7</u>

1
2

Figure 43-184.1



3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20

B. The Development Fee shall be charged on each building permit issued as described above in the area listed in Figure 43-184.1, except for any connection to the City’s public sewer system where water is provided through the use of a private water well. The Development Fee for any connection to the City’s public sewer system where water is provided through a private water well shall be charged when the plumbing permit is issued in the area listed in Figure 43-184.1.

1. For single family residential uses, within the exception above, the Development Fee shall be one Development Unit.

2. For any other use, other than single family residential, for the exception listed above, an Oklahoma licensed architect or engineer shall provide to the City the sewer use calculations which will determine the Development Unit. The City shall review and approve the calculations.

C. The revenues from this fee shall be placed in the Sewer Development Fee account.

D. The Development Fee shall automatically terminate once payment for the construction of the expansion of the sewer system in the affected area is completed.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

Section 4. REPEALER. All other ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 5. SEVERABILITY. If any section, sentence, clause, or portion of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining provisions of the ordinance.

Ordinance Amendments PASSED AND APPROVED by the Mayor and the Council of the City of Midwest City, Oklahoma, this _____ day of _____, 2024.

THE CITY OF MIDWEST CITY, OKLAHOMA

MATTHEW D. DUKES, II, Mayor

ATTEST:

SARA HANCOCK, City Clerk

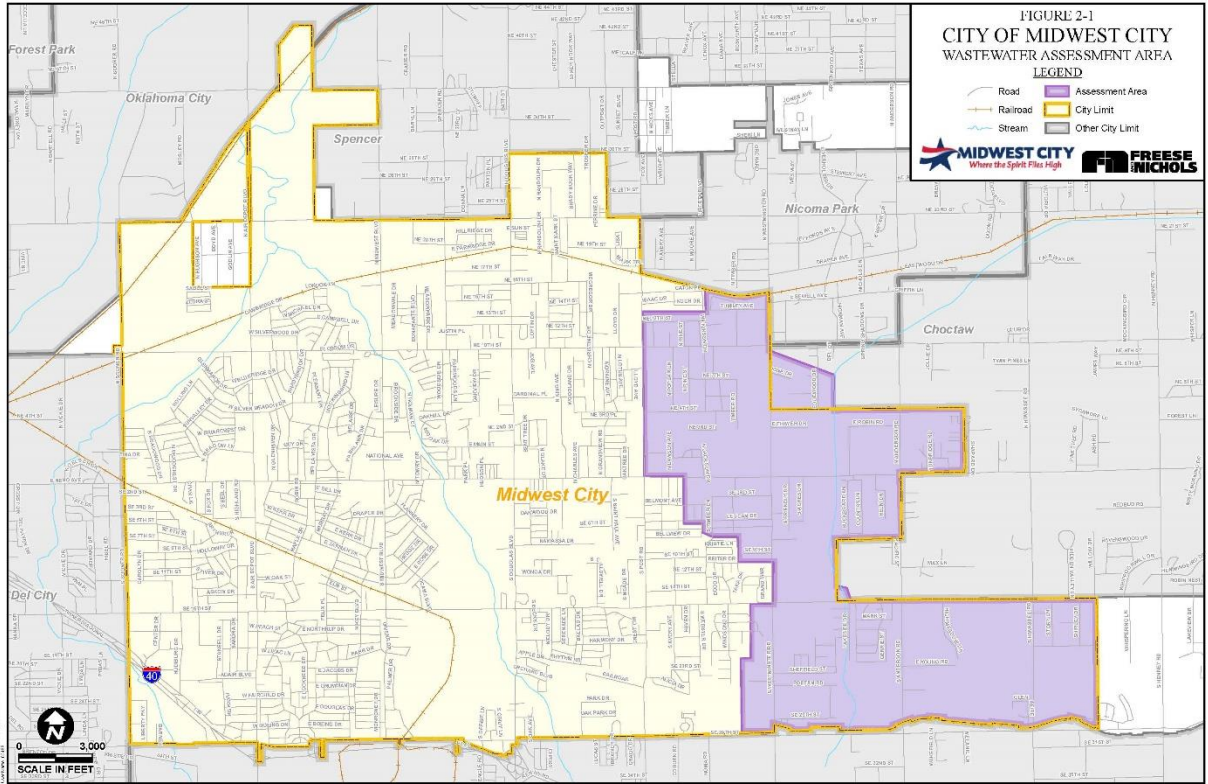
Approved as to form and legality this _____ day of _____, 2024.

DONALD D. MAISCH, City Attorney

1 that will connect to public sewer in the areas identified in Figure 43-184.1 below, in the amount
 2 of six thousand three hundred and twenty-five dollars (\$6,325.00) per Development Unit. A
 3 Development Unit is calculated based on size of water meter, as follows:
 4

DEVELOPMENT FEE SCHEDULE			
Typical Land Use	Meter Size	Flow Rate (Gallons Per Minute)	Development Units
Single Family Residential	5/8" x 3/4"	15	1.0
Multi-family residential, commercial, industrial, office, agricultural, retail	1"	40	2.7
	1 1/2"	50	3.3
	2"	100	6.7
	3"	350	23.3
	4"	600	40.0
	6"	800	53.3
	8"	2,000	133.3
	10"	3,000	200.0
	12"	4,000	266.7

5
 6
 Figure 43-184.1



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22

B. The Development Fee shall be charged on each building permit issued as described above in the area listed in Figure 43-184.1, except for any connection to the City’s public sewer system where water is provided through the use of a private water well. The Development Fee for any connection to the City’s public sewer system where water is provided through a private water well shall be charged when the plumbing permit is issued in the area listed in Figure 43-184.1.

1. For single family residential uses, within the exception above, the Development Fee shall be one Development Unit.

2. For any other use, other than single family residential, for the exception listed above, an Oklahoma licensed architect or engineer shall provide to the City the sewer use calculations which will determine the Development Unit. The City shall review and approve the calculations.

C. The revenues from this fee shall be placed in the Sewer Development Fee account.

D. The Development Fee shall automatically terminate once payment for the construction of the expansion of the sewer system in the affected area is completed.

Section 4. REPEALER. All other ordinances or parts of ordinances in conflict herewith are hereby repealed.

1 **Section 5. SEVERABILITY.** If any section, sentence, clause, or portion of this ordinance is for
2 any reason held to be invalid, such decision shall not affect the validity of the remaining provisions
3 of the ordinance.

4
5 Ordinance Amendments PASSED AND APPROVED by the Mayor and the Council of the City
6 of Midwest City, Oklahoma, this _____ day of _____, 2024.

7
8 **THE CITY OF MIDWEST CITY, OKLAHOMA**

9
10
11 _____
12 MATTHEW D. DUKES, II, Mayor

13
14 ATTEST:

15
16
17 _____
18 SARA HANCOCK, City Clerk

19
20 Approved as to form and legality this _____ day of _____, 2024.

21
22
23 _____
24 DONALD D. MAISCH, City Attorney

City of Midwest City Oklahoma
Notice of Public Hearing Concerning Development Fee

Notice is hereby given to all property owners within the City of Midwest City that a PUBLIC HEARING will be held before the Planning Commission of Midwest City, Oklahoma, on **March 11, 2024, at or after 5:00 p.m.** in the City Council Chambers, located at 100 N. Midwest Blvd., to consider a recommendation for the adoption of a Development Fee on all new building permits in portions of Sections 30, 31, 32, 33, Township 12 North, Range 1 West; and Sections 5, 6, 7, 8, 9 and 10, Township 11 North, Range 1 West, all in Oklahoma County Oklahoma.

Notice is hereby given to all property owners within the City of Midwest City that a PUBLIC HEARING will be held before the City Council of Midwest City, Oklahoma, on **March 26, 2024, at or after 6:00 p.m.** in the City Council Chambers located at 100 N. Midwest Blvd., to consider adopting an ordinance to establish a Development Fee in Chapter 43 of the City Ordinances for the City of Midwest City for all new building permits in portions of Sections 30, 31, 32, 33, Township 12 North, Range 1 West; and Sections 5, 6, 7, 8, 9 and 10, Township 11 North, Range 1 West, all in Oklahoma County Oklahoma.

The development fee is listed in the draft ordinance on the City of Midwest City's Webpage. The development fee language and all documents associated with the Development Fee can be found on the Midwest City's Website at: <https://www.midwestcityok.org/community-development/page/development-fee>

The development fee will only affect new construction in the impacted areas. Any member of the public may attend either or both public meetings above and speak on the proposed development fee.

If additional information is desired or if you have any questions concerning this matter, please contact Brandon Bundy (405)739-1220 Director, Engineering and Construction Services Department.

DEVELOPMENT FEE JUSTIFICATION

Pursuant to Title 62 of the Oklahoma Statutes (O.S.), Section 895, municipalities are given the authority to, by ordinance, resolution or regulation adopt Development Fees, which is defined in 62 O.S. Sec. 895 (A) (1) as meaning: “any payment of money imposed, in whole or in part, as a condition of approval of any building permit, plat approval, or zoning change, to the extent the fee is to pay for public infrastructure systems that are attributable to new development or to expand or modify existing development.” Pursuant to 62 O.S. Sec. 895 (B) and (C) the following information is required to be ascertained by the municipality to be able to adopt a Development Fee:

1. 62 O.S. Sec. 895 (B)(1): Development fees shall not exceed a clear, ascertainable, and reasonably determined proportionate share of the cost of capital improvement to the public infrastructure system attributable to the expansion or increase in functional service capacity generated, or to be generated by, the development being charged the fee. There shall be a clearly established functional nexus between the purpose and amount of the development fee being charged and the development against which the fee is charged. In determining the development fee, the municipality shall make a documented effort to quantify the projected impact from development and determine that the proposed development fee is reasonably and roughly proportional to the nature and extent of the impact of development.

Response: The City of Midwest City commissioned an engineering evaluation of various lift stations and sewer lines on the East side of the Midwest City to determine capacity. The reason for the requested study was due to the anticipated equivalent construction of between 2,900 to 4,000 new homes in the affected service area. The study found that 3 lift stations and certain sewer lines were near or at capacity. The addition of the anticipated construction would make the lift stations and certain sewer lines beyond capacity. The estimated cost to remedy the over capacity of the lift stations and sewer lines was determined to be approximately \$62,037,464.00. The engineering study recommended a Development Fee of \$6,325.00 that would be added to each building permit that was issued in the affected area. According to the engineering study and based on projected development over the next twenty-five (25) years, the Development Fee would cover 30% of the estimated costs to remedy the over capacity of the lift stations and sewer lines. The additional 70% would be covered by sewer rate increases approved by the City Council for the City of Midwest City.

2. 62 O.S. Sec. 895 (B)(2): Development fees cannot be adopted or used to fund repairs, maintenance, restorations, refurbishments, alterations, improvements, or fixes to existing public infrastructure systems in any way that does not result in an increase or expansion in the functional service capacity of the system which is available to serve new or expanded existing growth and development in the applicable service area.

Response: The Development Fee would be used to fund sewer system improvements that would increase or expand the capacity of the sewer system, including: lift station upgrades; enlargement of sewer piping, necessary to meet growth capacity demands for the anticipated construction of between 2,900 to 4,000 new homes in the affected service area.

3. 62 O.S. Sec. 895 (B)(3): The development fees shall be based on actual system improvement costs or reliable, ascertainable and reasonable projected estimates of the costs. Any estimates of costs shall be based upon factual and historically realized costs for similar system capital improvements.

Response: As stated above the Development Fee is based on the projected cost to expand the wastewater system in the affected service area to meet growth capacity demands as determined by the previously referenced engineering report. As previously stated, it is anticipated that the Development Fee will only cover 30% of the projected costs of the project to meet the portion of costs related to growth, with the other 70% to be covered by an increase in the sewer rates for all residents in Midwest City to meet the portion of costs related to existing capacity demands.

4. 62 O.S. Sec. 895 (B)(4): Development fees may only be imposed to recover or fund the costs of public infrastructure system capital improvements, including, but not limited to, the cost of real property interest acquisitions, rights-of-ways, capital improvements, design, construction, inspection, and capital improvement construction administration, related to one or more public infrastructure systems.

Response: The Development Fee will only be used to cover those costs anticipated to expand the capacity of the sewer system so that the sewer system can safely and properly handle the additional wastewater flow from the anticipated construction of the equivalent of 2,900 to 4,000 new homes in the affected service area.

A municipal development fee ordinance, resolution, or regulation shall provide for the following:

5. 62 O.S. Sec. 895 (C)(1): A schedule of development fees specifying the development fee for various land uses per unit of development, the purpose for the development fee, and termination of the development fee when the applicable public infrastructure system has been fully funded and the expanded or modified development has no additional impact on the public infrastructure system.

Response: See the proposed Development Fee Ordinance.

6. 62 O.S. Sec. 895 (C)(2): A component capital improvement plan that:
 - a. lists public infrastructure system capital projects or facility expansions that are necessitated by development of various land uses in designated areas,
 - b. provides reasonable notice to developers of specific public infrastructure system impacts from development of various land uses within the area of the development, and

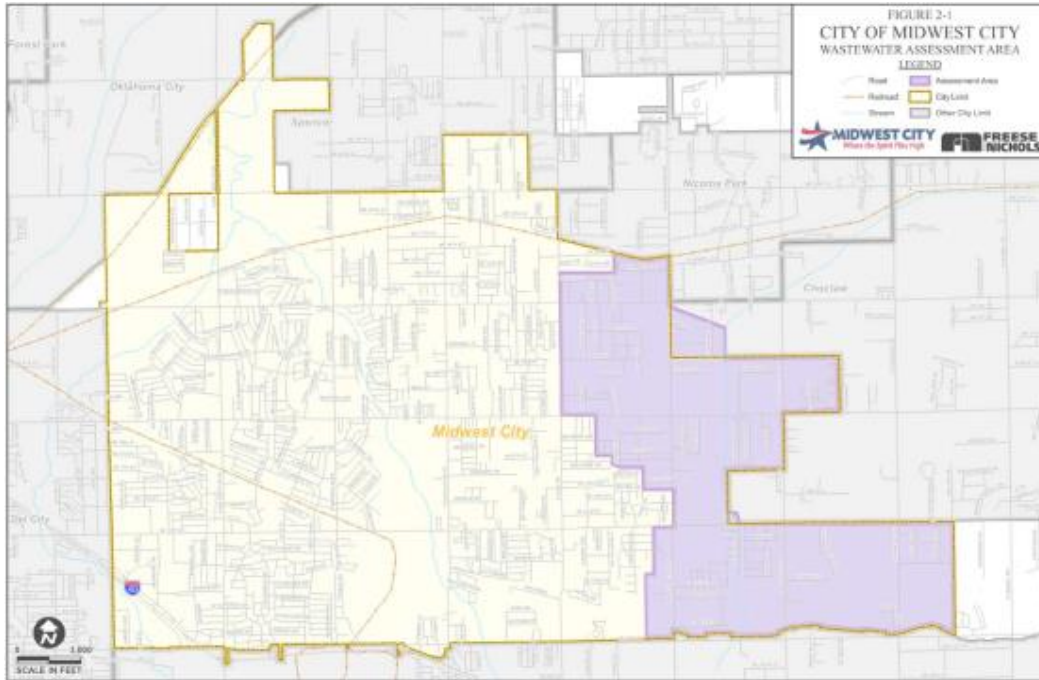
c. delineates the property locations that are clearly served by the public infrastructure system that will be funded through the development fee.

In the alternative, a municipality may establish one or more service areas for the collection of development fees. As used in this section, "service area" means a geographic area defined by a municipality in which a defined public infrastructure system provides service to developments within that service area. Service areas shall be carefully drawn so as to include only property locations that are clearly served by the cost of capital improvements that increase or expand the functional service capacity of the public infrastructure system that will be funded through the development fee that is associated with the service area. The determinations regarding the establishment of one or more service areas will be a matter of legislative determination and discretion. Different public infrastructure systems may have different and separately defined service areas unique to each system's coverage. The development fees within a particular service area may be different as applied to different types of land uses.

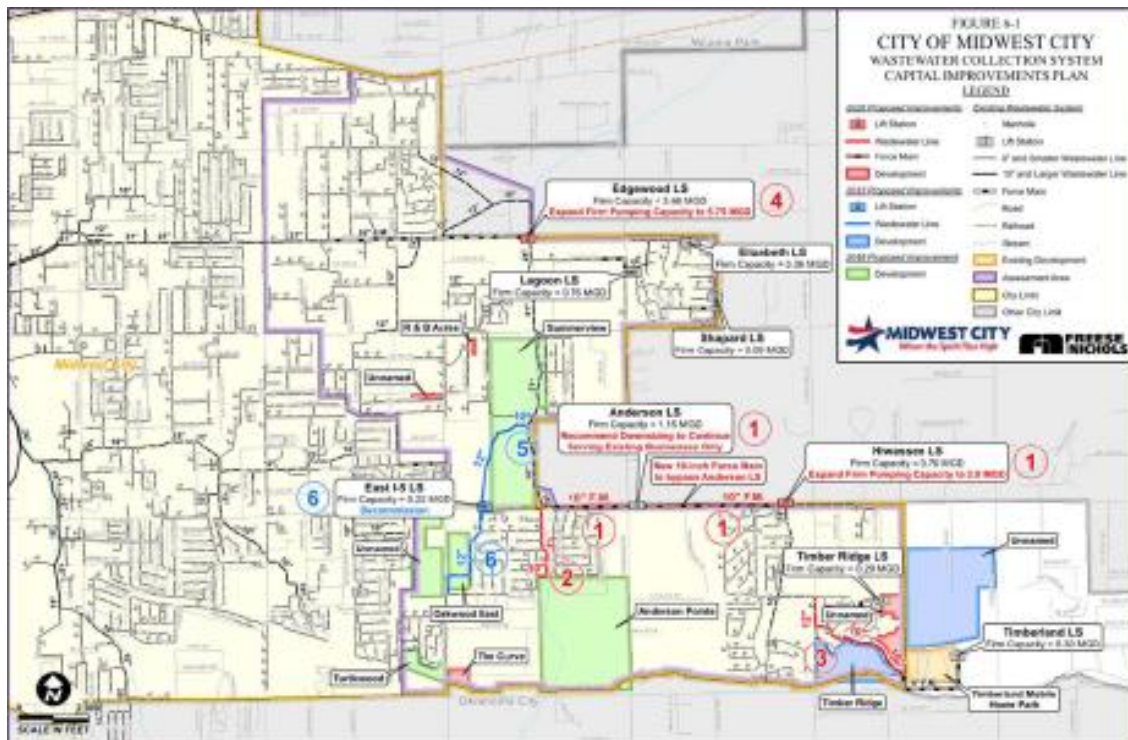
Response: A Component Capital Improvement Plan has been developed as a part of the engineering report. The public infrastructure capital projects are identified for the Eastside affected service area. The sewer system impact from development in the affected service area has been in the engineering report to be \$6,325 per single dwelling unit equivalent. The affected service area boundary is delineated in the engineering report as the Eastside service area but includes extra-territorial property that discharges into the Eastside sewer service area.

COMPONENT CAPITAL IMPROVEMENT PLAN

AREA SHADED IN PURPLE IS THE AFFECTED AREA FOR THE SEWER ISSUES IN MIDWEST CITY



LOCATIONS OF SEWER LINES AND LIFT STATIONS IN THE AFFECTED AREA



The Land Uses for the affected area are: Residential, Commercial, Planned Use Development, Agricultural, Office and Industrial.

CURRENT INFRASTRUCTURE TO BE EXPANDED AND/OR INSTALLED AS NEW

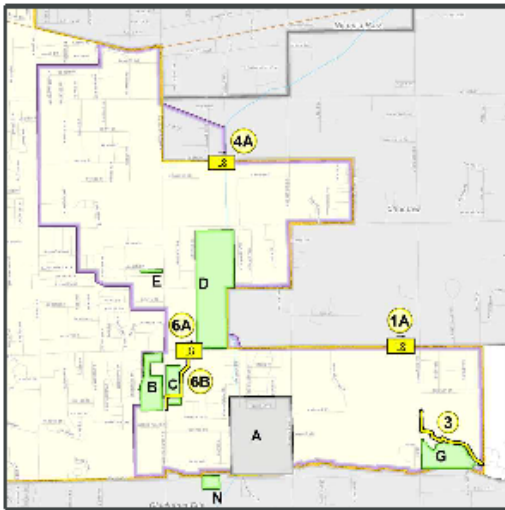
Phase 1 Refinements

July 2023 Original Report

Refinements

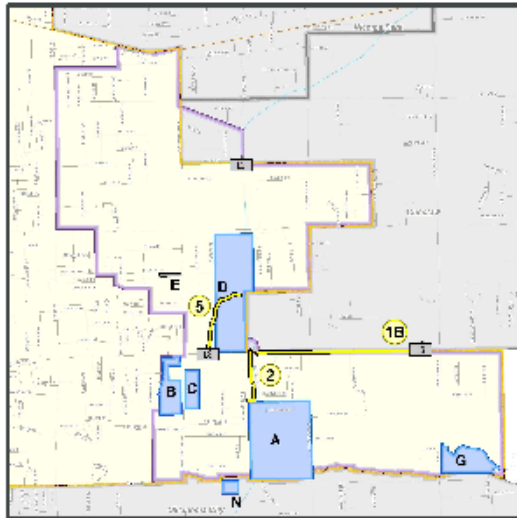
Timeline	Cost (2024 \$)	Projects	Timeline	Cost (2024 \$)	Projects
Short-Term	\$23.8M	1 Hhwassee Lift Station & Force Main 2 Lakeside Dr. Sewer Line 3 Timber Ridge Sewer Line 4 Edgewood Lift Station	Already Funded	–	1A Hhwassee Lift Station Interim Improvements 4A Edgewood Lift Station Interim Improvements 6A East 1-5 Lift Station Operational Optimizations
Long-Term	\$5.0M	5 East 1-5 Bypass Sewer Line 6 East 1-5 Lift Station and Sewer Line	Immediate (2024)	\$5.1M	3 Timber Ridge Sewer Line 6B East 1-5 Sewer Line
Total	\$28.8M		Short-Term (2025-2033)	\$12.1M	1B Hhwassee Lift Station & Force Main 2 Lakeside Dr. Sewer Line 5 East 1-5 Bypass Sewer Line
			Long-Term (2034 and later)	\$11.6M	4B Edgewood Lift Station Rebuild 6C East 1-5 Lift Station
			Total	\$28.8M	

Phase I Refinements – 2024 Actions



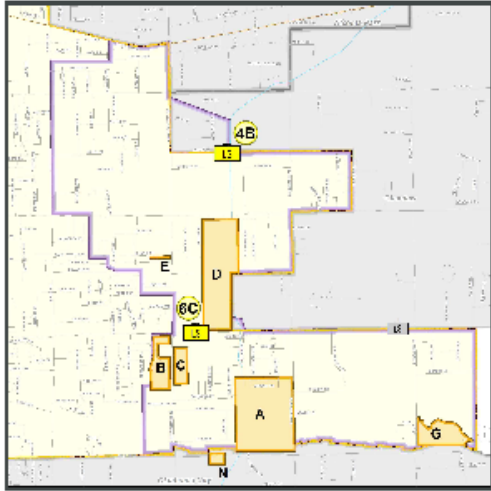
Timeline	Cost (2024 \$)	Projects
Already Funded	–	1A Hwassee Lift Station Interim Improvements 4A Edgewood Lift Station Interim Improvements 6A East 1-5 Lift Station Operational Optimizations
Immediate (2024)	\$5.1M	3 Timber Ridge Sewer Line 6B East 1-5 Sewer Line
Short-Term (2025-2033)	\$12.1M	1B Hwassee Lift Station & Force Main 2 Lakeside Dr. Sewer Line 5 East 1-5 Bypass Sewer Line
Long-Term (2034 and later)	\$11.6M	4B Edgewood Lift Station Rebuild 6C East 1-5 Lift Station
Total	\$28.8M	

Phase I Refinements – 2025-2033



Timeline	Cost (2024 \$)	Projects
Already Funded	—	1A Hiwassee Lift Station Interim Improvements 4A Edgewood Lift Station Interim Improvements 6A East 1-5 Lift Station Operational Optimizations
Immediate (2024)	\$5.1M	8 Timber Ridge Sewer Line 6B East 1-5 Sewer Line
Short-Term (2025-2033)	\$12.1M	1B Hiwassee Lift Station & Force Main 2 Lakeside Dr. Sewer Line 5 East 1-5 Bypass Sewer Line
Long-Term (2034 and later)	\$11.6M	4B Edgewood Lift Station Rebuild 6C East 1-5 Lift Station
Total	\$28.8M	

Phase I Refinements – 2034 and Later



Timeline	Cost (2024 \$)	Projects
Already Funded	–	1A. Hiwassee Lift Station Interim Improvements 4A. Edgewood Lift Station Interim Improvements 6A. East 1-5 Lift Station Operational Optimizations
Immediate (2024)	\$5.1M	8. Timber Ridge Sewer Line 6B. East 1-5 Sewer Line
Short-Term (2025-2033)	\$12.1M	1B. Hiwassee Lift Station & Force Main 2. Lakeside Dr. Sewer Line 5. East 1-5 Bypass Sewer Line
Long-Term (2034 and later)	\$11.6M	4B. Edgewood Lift Station Rebuild 6C. East 1-5 Lift Station
Total	\$28.8M	



Public Works Administration
R. Paul Streets, Director
rstreets@midwestcityok.org
Carrie J. Evenson, Assistant Director
cevenson@midwestcityok.org
8730 S.E. 15th Street,
Midwest City, Oklahoma 73110
O: 405-739-1060 /Fax: 405-739-1090

MEMORANDUM

TO: Honorable Mayor and Council

FROM: R. Paul Streets, Public Works Director

DATE: March 26, 2024

SUBJECT: Discussion, consideration, and possible action of approving an ordinance amending the Midwest City Municipal Code, Chapter 43, Water, Sewer, Sewage Disposal and Stormwater Quality, Article III, Sewers and Sewage Disposal, Division 8, Usage Rates and Charges; Section 43-224 Sewer User Charge; Section 43-230 Capital Improvement Charges; and providing for a repealer and severability.

In 2022, the City of Midwest City commissioned an engineering evaluation of various lift stations and sewer lines on the East side of the Midwest City to determine capacity. The reason for the requested study was due to the anticipated equivalent construction of between 2,900 to 4,000 new homes in the affected service area. The study found that 3 lift stations and certain sewer lines were near or at capacity. The addition of the anticipated new sewer connections would cause the lift stations and certain sewer lines to operate beyond capacity. The estimated cost to make the improvements needed to increase the capacity of the lift stations and sewer lines was determined to be approximately \$62,037,464.00. The engineering study recommended a two-fold source of funding: the establishment of a Development Fee to be added to each building permit issued in the affected area and a 10% increase to the sewer user charge and the capital improvement charges citywide. According to the engineering study and based on projected development over the next twenty-five (25) years, the Development Fee would cover 30% of the estimated costs to increase the capacity of the lift stations and sewer lines in this area while the sewer rate increase will cover the remaining 70% of the estimated costs of these infrastructure improvements and fund additional infrastructure improvements citywide.

Action is at the discretion of the Council.

Respectfully,

R. Paul Streets
Public Works Director

Attachment

1 March, as the water is measured by a water meter or meters of a type approved by the
2 city, or as the wastewater contribution is otherwise currently established.

3 (4) The estimated monthly wastewater contribution from a user shall prevail for a twelve-
4 month period, until a new estimated monthly wastewater contribution is obtained.

5 (5) Beginning May 1, 2024, Ffor industrial and commercial users, the minimum monthly
6 wastewater contribution shall be ~~nine dollars and twenty-six cents (\$9.26*)~~; ~~twenty-one~~
7 dollars and twelve cents (\$21.12). For users discharging more than two thousand
8 (2,000) gallons of wastewater per month to the sanitary sewer system, each additional
9 one thousand (1,000) gallons, or portion thereof, shall be charged as shown in
10 subsection 43-224(a)(2) above times the actual water used.

11 ~~Beginning September 1, 2020~~ \$15.20*

12 ~~Beginning May 1, 2021~~ \$16.20*

13 ~~Beginning May 1, 2022~~ \$17.20*

14 ~~Beginning May 1, 2023~~ \$18.20*

15 ~~Beginning May 1, 2024~~ \$19.20*

16 *—Beginning May 1, 2025, the rates will be adjusted annually by the average monthly
17 increase in the Consumer Price Index as set out in section 43-227.

18 (6) In the event a lot, parcel of land, premises, or facility discharging sewage, industrial
19 waste, water or other liquids, either directly or indirectly into the city's sewer system,
20 or which ultimately enters the sewerage system, is supplied, either in whole or in part,
21 with water from wells or any source other than the city's utilities department, then such
22 wells or other source of supply shall be registered with the city's utilities department
23 on or before June 10, 1986, and if the water from said wells or other supply isn't
24 measured by a water meter, the owner or occupant shall, or the city may at the city's
25 option and at the city's cost, install and maintain a meter on said supplies in such a
26 location and in such a manner as is satisfactory to the city's utilities department. These
27 meters shall serve as a basis for the establishment of the sewer user charge and shall be
28 read monthly or bi-monthly by the city. If, in the opinion of the city, the installation of
29 a meter would be impractical, residential water consumption will be determined by the
30 number in the family for the sewer charge for that household, per the table in
31 subsection 43-224(a)(10). The number of residents of the household will be certified
32 annually. Failure to certify will result in billing at the maximum rate for the next fiscal
33 year. Multifamily dwellings and mobile home parks will be determined by the total
34 number of occupants divided by the number of units or occupied pad to find the
35 average occupancy. This figure will be rounded to the nearest whole number. The
36 sewer rate per unit will be based on the table in subsection 43-224(a)(10). The number
37 of residents of the household will be certified annually. Failure to certify will result in
38 billing at the maximum rate for the next fiscal year. A commercial business which has
39 no means of measuring water consumption will be placed in a class of like businesses
40 whose water consumption was averaged to determine a rate class. Each rate class was
41 determined by a random selection with their water consumption averaged and rounded
42 off to the nearest whole number and multiplied by the present sewer rate per one
43 thousand (1,000) gallons usage. Class rates are as follows:

Class	Monthly Rate	Consumption (000's)	Avg. (in 000's)
-a.	\$594.57	Over 125	189
b.	\$200.19	51—125	63
e.	\$ 49.95	11—50	15
d.	\$ 34.30	Minimum	10

1

2

Beginning September 1, 2020:

Class	Monthly Rate	Consumption (000's)	Avg. (in 000's)
-a.	\$606.77	Over 125	189
b.	\$212.39	51—125	63
e.	\$ 62.15	11—50	15
d.	\$ 46.50	Minimum	10

3

4

Beginning May 1, 2021:

Class	Monthly Rate	Consumption (000's)	Avg. (in 000's)
-a.	\$607.77	Over 125	189
b.	\$213.39	51—125	63
e.	\$ 63.15	11—50	15
d.	\$ 47.50	Minimum	10

5

6

Beginning May 1, 2022:

Class	Monthly Rate	Consumption (000's)	Avg. (in 000's)
-a.	\$608.77	Over 125	189
b.	\$214.39	51—125	63
e.	\$ 64.15	11—50	15
d.	\$ 48.50	Minimum	10

7

8

Beginning May 1, 2023:

Class	Monthly Rate	Consumption (000's)	Avg. (in 000's)
-a.	\$609.77	Over 125	189
b.	\$215.39	51—125	63
e.	\$ 65.15	11—50	15
d.	\$ 49.50	Minimum	10

9

10

Beginning May 1, 2024:

Class	Monthly Rate	Consumption (000's)	Avg. (in 000's)
a.	\$610.77 <u>\$671.85</u>	Over 125	189
b.	\$216.39 <u>\$238.03</u>	51—125	63
c.	\$ 66.15 <u>\$72.77</u>	11—50	15
d.	\$ 50.50 <u>\$55.55</u>	Minimum	10

Beginning May 1, 2025, the rates will be adjusted annually by the average monthly increase in the Consumer Price Index as set out in section 43-227.

Any other type of sewer user who does not fall within the definitions above will be billed in the same manner as a commercial business.

- (7) Multifamily complexes that contain three (3) or more units, including apartments, shall be charged ~~seven dollars and seventy-six cents (\$7.76)*~~ eighteen dollars and ninety-two cents (\$18.92) per unit per month, plus ~~three dollars and thirteen cents (\$3.13)~~ three dollars and forty-five cents (\$3.45) per one thousand (1,000) gallons based on actual usage each month unless the use of outside water or product water can be determined by the superintendent, whether such unit is occupied or vacant.

~~Beginning September 1, 2020~~ \$13.20* per unit per month
~~Beginning May 1, 2021~~ \$14.20* per unit per month
~~Beginning May 1, 2022~~ \$15.20* per unit per month
~~Beginning May 1, 2023~~ \$16.20* per unit per month
~~Beginning May 1, 2024~~ \$17.20* per unit per month

*Beginning May 1, 2025, the rates will be adjusted annually by the average monthly increase in the Consumer Price Index as set out in section 43-227.

- (8) Mobile home parks shall be charged ~~seven dollars and seventy-six cents (\$7.76)*~~ eighteen dollars and ninety-two cents (\$18.92) per pad per month, plus ~~three dollars and thirteen cents (\$3.13)~~ three dollars and forty-five cents (\$3.45) per one thousand (1,000) gallons based on actual usage each month unless the use of outside water or product water can be determined by the superintendent, based upon the highest number of pads occupied for the month.

~~Beginning September 1, 2020~~ \$13.20* per pad per month
~~Beginning May 1, 2021~~ \$14.20* per pad per month
~~Beginning May 1, 2022~~ \$15.20* per pad per month
~~Beginning May 1, 2023~~ \$16.20* per pad per month
~~Beginning May 1, 2024~~ \$17.20* per pad per month

*Beginning May 1, 2025, the rates will be adjusted annually by the average monthly increase in the Consumer Price Index as set out in section 43-227.

- (9) Users who reside in two-family residential units with one (1) meter shall be charged ~~fifteen dollars and fifty-two cents (\$15.52)*~~ thirty-seven dollars and eighty-four cents (\$37.84) per month, plus ~~three dollars and thirteen cents (\$3.13)~~ three dollars and forty-five cents (\$3.45) per one thousand (1,000) gallons based on water consumption

1 on average billed during December, January, February and March or, in the case of
 2 separate water meters for each user, ~~seven dollars and seventy-six cents (\$7.76)**~~
 3 eighteen dollars and ninety-two cents (\$18.92) per month, plus ~~three dollars and~~
 4 ~~thirteen cents (\$3.13)~~ three dollars and forty-five cents (\$3.45) per one thousand
 5 (1,000) gallons based on water consumption on average billed during December,
 6 January, February and March.

7 ~~Users who reside in two-family residential units with one (1) meter shall be charged:~~

Beginning September 1, 2020	\$26.40*
Beginning May 1, 2021	\$28.40*
Beginning May 1, 2022	\$30.40*
Beginning May 1, 2023	\$32.40*
Beginning May 1, 2024	\$34.40

~~* Beginning May 1, 2025, the rates will be adjusted annually by the average monthly increase in the Consumer Price Index as set out in section 43-227.~~

8
 9 ~~Units with one (1) meter shall be charged:~~

Beginning September 1, 2020	\$13.20**
Beginning May 1, 2021	\$14.20**
Beginning May 1, 2022	\$15.20**
Beginning May 1, 2023	\$16.20**
Beginning May 1, 2024	\$17.20**

~~** Beginning May 1, 2025, the rates will be adjusted annually by the average monthly increase in the Consumer Price Index as set out in section 43-227.~~

10
 11 (10) For new residential users, there shall be a minimum sewer rate established based on the
 12 number of people in the family as per the following table:

Number of People	Minimum Gallons	Amount
1	2,000	\$ 7.76
2	4,000	\$14.02
3	6,000	\$20.28
4	8,000	\$26.54
5 or more	10,000	\$32.80

13
 14 ~~Beginning September 1, 2020, the rates will change as follows:~~

Number of People	Minimum Gallons	Amount
1	2,000	\$13.20
2	4,000	\$19.46
3	6,000	\$25.72
4	8,000	\$31.98
5 or more	10,000	\$38.24

1

2

Beginning May 1, 2021, the rates will change as follows:

Number of People	Minimum Gallons	Amount
1	2,000	\$14.20
2	4,000	\$20.46
3	6,000	\$26.72
4	8,000	\$32.98
5 or more	10,000	\$39.24

3

4

Beginning May 1, 2022, the rates will change as follows:

Number of People	Minimum Gallons	Amount
1	2,000	\$15.20
2	4,000	\$21.46
3	8,000	\$27.72
4	10,000	\$33.98
5 or more	10,000	\$40.24

5

6

Beginning May 1, 2023, the rates will change as follows:

Number of People	Minimum Gallons	Amount
1	2,000	\$16.20

2	4,000	\$22.46
3	6,000	\$28.72
4	8,000	\$34.98
5 or more	10,000	\$41.24

1
2

Beginning May 1, 2024, the rates will change as follows:

Number of People	Minimum Gallons	Amount
1	2,000	\$17.20 <u>\$18.92</u>
2	4,000	\$23.46 <u>\$25.81</u>
3	6,000	\$29.72 <u>\$32.69</u>
4	8,000	\$35.98 <u>\$39.58</u>
5 or more	10,000	\$42.24 <u>\$46.46</u>

3
4
5

Beginning May 1, 2025, the rates will be adjusted annually by the average monthly increase in the Consumer Price Index as set out in section 43-227.

6
7
8
9
10
11
12

- (b) For nonresidential users of the city's sewerage system, the following conditions apply:
- (1) *Sewer user charge.* All users of the city's sanitary sewer system having connections serving property beyond the city boundaries shall be charged according to the same rates on water used per month, as set forth in the city ordinances.
 - (2) *City not obligated to provide nonresident service.* The city does not obligate itself to furnish sanitary sewer service to any person whomsoever, but will furnish such service as is reasonable within its financial ability to do so.

13
14
15
16
17
18
19
20
21

(c) Any household whose gross income for its family size is below the amount determined annually by the HUD income guidelines for very low income households, for any tax year, may bring proof of its gross income to the city clerk to receive a credit against its charges for sewer user charge each calendar year. This credit will be calculated as one dollar fifty cents (\$1.50) per month toward the minimum charge, plus an additional credit of fifty cents (\$.50) per thousand (1,000) gallons above the two thousand-gallon minimum, for each month the household had an account with the city during the tax year shown. Residents requesting this credit must show photo identification to prove ownership of the account and proof of gross income by April 15th of each year.

22
23

1 **SECTION 3.** That the Midwest City Municipal Code, Chapter 43, Water, Sewer, Sewage Disposal
2 and Stormwater Quality, Article III, Sewers and Sewage Disposal, Division 8, Usage Rates and
3 Charges, Section 43-230, Capital Improvement Charges, is hereby amended to read as follows:

4 **Sec. 43-23. Capital improvement charges.**

5 There shall be established a capital improvement fund for the express purpose of funding
6 improvements to the sanitary sewer system of the City of Midwest City.

- 7 (1) Revenues for this fund shall be deposited in a nontransferable interest bearing account.
8 Funds from other sources may be deposited in this account but, once deposited in this
9 account, can only be expended in the same manner and under the same regulations that
10 govern this account.
- 11 (2) Expenditures may be made from this account for physical capital improvements
12 including, but not limited to, items such as new or upgraded sanitary sewer treatment
13 facilities, new lift stations and the replacement of existing lift stations, new sanitary
14 sewer lines and replacement of old sanitary sewer lines, and engineering studies, site
15 preparation, buildings, structures, furniture, equipment, software and other and/or
16 services necessary or appropriate to effect the improvements to the sewer system.
- 17 (3) Expenditures from this account can also be made for general operation, maintenance,
18 supplies, operational salaries, or any item or structure that has an expected useful life
19 of less than twenty (20) years.
- 20 (4) There is hereby added a ~~fifty-cent (\$0.50)~~ fifty-five cent (\$0.55) fee per one thousand
21 (1,000) gallons of sewage charged to each customer to fund this account.
- 22 (5) Expenditures from this account in any amount, in excess of one hundred thousand
23 dollars (\$100,000.00) must be approved by a majority vote of the city council. Any
24 expenditure from this account that is one hundred thousand dollars (\$100,000.00) or
25 less shall be approved by the city manager.
- 26 (6) In addition to the fee established in paragraph four (4) above, there is hereby added
27 ~~ninety-cent (\$0.90)~~ ninety-nine cent (\$0.99) fee per one thousand (1,000) gallons of
28 sewage billed to each customer to fund this account.

30 **Section 4. REPEALER.** All ordinances or parts of ordinances in conflict herewith are hereby
31 repealed.
32

33 **Section 5. SEVERABILITY.** If any section, sentence, clause, or portion of this ordinance is for
34 any reason held to be invalid, such decision shall not affect the validity of the remaining
35 provisions of the ordinance.
36

37 PASSED AND APPROVED by the Mayor and the Council of the City of Midwest City,
38 Oklahoma, this _____ day of _____, 2024.
39
40

41 THE CITY OF MIDWEST CITY, OKLAHOMA

42 ATTEST:
43

1
2
3
4
5
6
7
8
9
10
11
12

MATTHEW D. DUKES, II, Mayor

SARA HANCOCK, City Clerk

Approved as to form and legality this _____ day of _____, 2024.

DON MAISCH, City Attorney

1 thereof, shall be charged as shown in subsection 43-224(a)(2) above times the actual
2 water used.

3 Beginning May 1, 2025, the rates will be adjusted annually by the average monthly
4 increase in the Consumer Price Index as set out in section 43-227.

- 5 (6) In the event a lot, parcel of land, premises, or facility discharging sewage, industrial
6 waste, water or other liquids, either directly or indirectly into the city's sewer system,
7 or which ultimately enters the sewerage system, is supplied, either in whole or in part,
8 with water from wells or any source other than the city's utilities department, then such
9 wells or other source of supply shall be registered with the city's utilities department
10 on or before June 10, 1986, and if the water from said wells or other supply isn't
11 measured by a water meter, the owner or occupant shall, or the city may at the city's
12 option and at the city's cost, install and maintain a meter on said supplies in such a
13 location and in such a manner as is satisfactory to the city's utilities department. These
14 meters shall serve as a basis for the establishment of the sewer user charge and shall be
15 read monthly or bi-monthly by the city. If, in the opinion of the city, the installation of
16 a meter would be impractical, residential water consumption will be determined by the
17 number in the family for the sewer charge for that household, per the table in
18 subsection 43-224(a)(10). The number of residents of the household will be certified
19 annually. Failure to certify will result in billing at the maximum rate for the next fiscal
20 year. Multifamily dwellings and mobile home parks will be determined by the total
21 number of occupants divided by the number of units or occupied pad to find the
22 average occupancy. This figure will be rounded to the nearest whole number. The
23 sewer rate per unit will be based on the table in subsection 43-224(a)(10). The number
24 of residents of the household will be certified annually. Failure to certify will result in
25 billing at the maximum rate for the next fiscal year. A commercial business which has
26 no means of measuring water consumption will be placed in a class of like businesses
27 whose water consumption was averaged to determine a rate class. Each rate class was
28 determined by a random selection with their water consumption averaged and rounded
29 off to the nearest whole number and multiplied by the present sewer rate per one
30 thousand (1,000) gallons usage. Class rates are as follows:

31 Beginning May 1, 2024:

Class	Monthly Rate	Consumption (000's)	Avg. (in 000's)
a.	\$671.85	Over 125	189
b.	\$238.03	51—125	63
c.	\$72.77	11—50	15
d.	\$55.55	Minimum	10

32
33 Beginning May 1, 2025, the rates will be adjusted annually by the average monthly
34 increase in the Consumer Price Index as set out in section 43-227.

35 Any other type of sewer user who does not fall within the definitions above will be
36 billed in the same manner as a commercial business.

1 (7) Multifamily complexes that contain three (3) or more units, including apartments, shall
2 be charged eighteen dollars and ninety-two cents (\$18.92) unit per month, plus three
3 dollars and forty-five cents (\$3.45) per one thousand (1,000) gallons based on actual
4 usage each month unless the use of outside water or product water can be determined
5 by the superintendent, whether such unit is occupied or vacant.

Beginning May 1, 2025, the rates will be adjusted annually by the average monthly
increase in the Consumer Price Index as set out in section 43-227.

6
7 (8) Mobile home parks shall be charged eighteen dollars and ninety-two cents (\$18.92) per
8 pad per month, plus three dollars and forty-five cents (\$3.45) per one thousand (1,000)
9 gallons based on actual usage each month unless the use of outside water or product
10 water can be determined by the superintendent, based upon the highest number of pads
11 occupied for the month.

Beginning May 1, 2025, the rates will be adjusted annually by the average monthly
increase in the Consumer Price Index as set out in section 43-227.

12
13 (9) Users who reside in two-family residential units with one (1) meter shall be charged
14 thirty-seven dollars and eighty-four cents (\$37.84) per month, plus three dollars and
15 forty-five cents (\$3.45) per one thousand (1,000) gallons based on water consumption
16 on average billed during December, January, February and March or, in the case of
17 separate water meters for each user, eighteen dollars and ninety-two cents (\$18.92) per
18 month, plus three dollars and forty-five cents (\$3.45) per one thousand (1,000) gallons
19 based on water consumption on average billed during December, January, February
20 and March.

Beginning May 1, 2025, the rates will be adjusted annually by the average monthly
increase in the Consumer Price Index as set out in section 43-227.

21
22 (10) For new residential users, there shall be a minimum sewer rate established based on the
23 number of people in the family as per the following table:

24 Beginning May 1, 2024, the rates will change as follows:

Number of People	Minimum Gallons	Amount
1	2,000	\$18.92
2	4,000	\$25.81
3	6,000	\$32.69
4	8,000	\$39.58
5 or more	10,000	\$46.46

1 Beginning May 1, 2025, the rates will be adjusted annually by the average monthly
2 increase in the Consumer Price Index as set out in section 43-227.

- 3 (b) For nonresidential users of the city's sewerage system, the following conditions apply:
- 4 (1) *Sewer user charge.* All users of the city's sanitary sewer system having connections
5 serving property beyond the city boundaries shall be charged according to the same
6 rates on water used per month, as set forth in the city ordinances.
- 7 (2) *City not obligated to provide nonresident service.* The city does not obligate itself to
8 furnish sanitary sewer service to any person whomsoever, but will furnish such service
9 as is reasonable within its financial ability to do so.
- 10 (c) Any household whose gross income for its family size is below the amount determined
11 annually by the HUD income guidelines for very low income households, for any tax year,
12 may bring proof of its gross income to the city clerk to receive a credit against its charges
13 for sewer user charge each calendar year. This credit will be calculated as one dollar fifty
14 cents (\$1.50) per month toward the minimum charge, plus an additional credit of fifty cents
15 (\$.50) per thousand (1,000) gallons above the two thousand-gallon minimum, for each
16 month the household had an account with the city during the tax year shown. Residents
17 requesting this credit must show photo identification to prove ownership of the account and
18 proof of gross income by April 15th of each year.

19
20 **SECTION 2.** That the Midwest City Municipal Code, Chapter 43, Water, Sewer, Sewage Disposal
21 and Stormwater Quality, Article III, Sewers and Sewage Disposal, Division 8, Usage Rates and
22 Charges, Section 43-230, Capital Improvement Charges, is hereby amended to read as follows:

23 **Sec. 43-230. Capital improvement charges.**

24 There shall be established a capital improvement fund for the express purpose of funding
25 improvements to the sanitary sewer system of the City of Midwest City.

- 26 (1) Revenues for this fund shall be deposited in a nontransferable interest bearing account.
27 Funds from other sources may be deposited in this account but, once deposited in this
28 account, can only be expended in the same manner and under the same regulations that
29 govern this account.
- 30 (2) Expenditures may be made from this account for physical capital improvements
31 including, but not limited to, items such as new or upgraded sanitary sewer treatment
32 facilities, new lift stations and the replacement of existing lift stations, new sanitary
33 sewer lines and replacement of old sanitary sewer lines, and engineering studies, site
34 preparation, buildings, structures, furniture, equipment, software and other and/or
35 services necessary or appropriate to effect the improvements to the sewer system.
- 36 (3) Expenditures from this account can also be made for general operation, maintenance,
37 supplies, operational salaries, or any item or structure that has an expected useful life
38 of less than twenty (20) years.
- 39 (4) There is hereby added a fifty-five cent (\$0.55) fee per one thousand (1,000) gallons of
40 sewage charged to each customer to fund this account.

1 (5) Expenditures from this account in any amount, in excess of one hundred thousand
2 dollars (\$100,000.00) must be approved by a majority vote of the city council. Any
3 expenditure from this account that is one hundred thousand dollars (\$100,000.00) or
4 less shall be approved by the city manager.

5 (6) In addition to the fee established in paragraph four (4) above, there is hereby added a
6 ninety-nine cent (\$0.99) fee per one thousand (1,000) gallons of sewage billed to each
7 customer to fund this account.

8
9 **Section 3. REPEALER.** All ordinances or parts of ordinances in conflict herewith are hereby
10 repealed.
11

12 **Section 4. SEVERABILITY.** If any section, sentence, clause, or portion of this ordinance is for
13 any reason held to be invalid, such decision shall not affect the validity of the remaining
14 provisions of the ordinance.
15

16
17 PASSED AND APPROVED by the Mayor and the Council of the City of Midwest City,
18 Oklahoma, this _____ day of _____, 2024.
19

20
21
22 THE CITY OF MIDWEST CITY, OKLAHOMA

23 ATTEST:
24
25

26
27 _____
28 MATTHEW D. DUKES, II, Mayor

29
30 _____
31 SARA HANCOCK, City Clerk

32 Approved as to form and legality this _____ day of _____, 2024.
33
34

35
36 _____
DON MAISCH, City Attorney

FEE/RATE JUSTIFICATION

ORDINANCES FOR THE CITY OF MIDWEST CITY

CHAPTER 43, WATER, SEWER, SEWAGE DISPOSAL AND STORMWATER QUALITY

SEWER (WASTEWATER) RATES

The City of Midwest City is proposing to amend the rate schedule governing sewer rates in Sections 43-224 and 43-230. This fee/rate justification is being produced to meet the requirements set forth by the Oklahoma Supreme Court in the case of *Red Slipper Club v. City of Oklahoma City*, 599 P.2d 406, 1979 OK 118.

Each of these regulatory activities are labor-intensive and the costs associated with them are not easy to avoid or minimize. Based upon the premise that the regulated community should bear all or substantially all of the costs routinely or regularly incurred by the City, the current fee structure for these entities is not adequate to recoup the City's expenses. The rate changes proposed for Chapter 43 will permit the City to offset the costs that provide proper handling and disposal of wastewater present in the City of Midwest City. The increased revenue will assist this program to meet the budget demands for the operation and maintenance of the program and reduce the public health risk. Fifty percent (50%) of the revenue received will go to maintenance of the sewer system across the entire city, while the other fifty percent (50%) will go to increasing capacity in the area identified in the sewer moratorium passed by the City in 2023.

Maintaining the current level and quality of oversight will help ensure the community receives a safe and clean environment. The proposed rate change will enable the City to accomplish this important responsibility without creating an undue burden. The changes are necessary to cover increasing costs for these programs, to allow flexibility to better track reporting and streamline processes. The revised rate structure allows greater flexibility to identify types of businesses which will assist in the identification of hazards based on specific establishment types.

COST IMPACT RESPONSE: Those classes of persons affected are the residents and businesses of the City of Midwest City.

The City has received comments from interested parties based on the Development Fee discussion that a Development Fee should not be adopted and that the sewer fees should be increased. The Planning Commission in recommending the Development Fee also requested the City Council to review and reexamine the split between the amount of the Development Fee and the amount of these sewer fees.

BENEFITS: The benefits to the general public derive from continued proper collection and treatment of wastewater are improved public health. The revised fee structure simplifies the calculation for the customer, reduces error and administrative resources for education and support.

PROPOSED FEE CHANGES: The last adjustment to these license fees occurred in 2020. The proposed fee changes from the last set of changes in 2020 are in the Ordinance documents.

ALTERNATIVES CONSIDERED: The City and its consultants reviewed multiple different approaches to funding the wastewater issues. Based on that renewal process, the rate structure that is proposed was done based on the recommendations of the City's consultants, Freese and Nichols.

MEMORANDUM

TO: Honorable Mayor and Council

FROM: R. Paul Streets, Public Works Director

DATE: March 26, 2024

SUBJECT: Discussion, consideration, and possible action of approving an ordinance amending the Midwest City Municipal Code, Chapter 43, Water, Sewer, Sewage Disposal and Stormwater Quality, Article I, In General, Section 43-5, Temporary Water; Article II, Water, Division 3, Meters, Section 43-55, Testing Meters; Division 4, Rates and Charges; Section 43-63 Water Rates Inside City; Section 43-68, Discontinuance of Service and Fee for Reinstatement; Section 43-69, Capital Improvement Charges; Section 43-71, Water System Improvement Fee and providing for a repealer and severability.

Public Works recently completed a review of funding sources and needs for Water Operations and Maintenance (191), Capital Improvement (172), and Water System Improvement (178). Both rates and associated fees were evaluated in order to determine if these revenue sources will continue to meet current and projected needs of the City and its water treatment and distribution system.

Based on this review, it was determined that all three funds and several fee assessments need to be increased to cover the cost of operating and maintaining the water system. Additional revenue also needs to be generated in order to provide the funding necessary for recapitalization of the Automated Meter Infrastructure (AMI) system, which was installed beginning in 2014. These rate increases will allow Public Works to invest in water line replacement to reduce the number of water breaks that occur annually and conduct needed maintenance to the water treatment plant and well system. The proposed increases will also allow Public Works to begin replacing 1 ½" and larger meters in 2029 and 1" and smaller meters in 2034, which is the estimated end of the meters' useful life, and provide needed funding to update the supportive infrastructure and software for the AMI system.

The AMI installation process began in November 2014 with commercial customers. These customers typically have meters that are 1 ½" or larger. Meters of this size have a 10 year battery guarantee and an expected life of 15 years, which means these meters will need to be replaced beginning in 2029. Residential customers' meters began to be replaced with the new automated meters in early 2015. These customers typically have either 5/8 x 3/4" or 1" meters. Meters of this size have a 20 year life expectancy and a 20-year prorated warranty, which means these meters will need to be replaced beginning in 2034. The original project was \$5.6 million and was funded by water rates. It is estimated that the City will need approximately \$13.1

million in order to replace the automated meters as they reach the end of their useful life. In order to have the funds available to replace these meters, Public Works is proposing to increase the base rate by an amount sufficient to insure that the City has the necessary capital funding in place by 2029 to begin the replacement process (see Table 1).

Table 1: Proposed Addition to the Base Rate for AMI Recapitalization Fund

Meter Size	Total Customers	Minimum Monthly Fee
5/8 x 3/4	20105	\$ 4.27
1"	642	\$ 3.74
1 1/2"	238	\$ 11.81
2"	343	\$ 17.16
3"	32	\$ 23.27
4"	20	\$ 38.88
6"	7	\$ 63.99
8"	2	\$ 89.37

Annual Meter Recapitalization \$ 1,186,491

The proposed rate increases are based on a 5-year projection of operation and maintenance costs, 20-year vehicle and equipment recapitalization, 15- to 20-year AMI system recapitalization, and capital improvement investments in waterlines, wells, water treatment units, and other water system infrastructure that have been historically underfunded.

Currently, funding for Water Operations and Maintenance relies heavily on revenue generated by consumption through a variable fee based on the volume of water used per customer. This leads to inadequate funding in years where consumption is lower than projected. More stable funding can be established by adjusting the rates to rely more heavily on the base rate, which is a fixed monthly service fee that helps to pay the basic costs of water treatment and distribution. The rate changes proposed in this memo will gradually increase the base rate, Capital Improvement charge, and the Water System Improvement fee over the next 5 years so that a larger percentage of the funding for Water Operations and Maintenance comes from the base rate and additional funding is available for capital improvements. Table 2 below shows how an average residential monthly water bill will be affected by the proposed rate changes, assuming the customer uses 6,000 gallons of water per month.

**Table 2: Average Residential Monthly Water Bill
(assuming 6,000 gallons consumption)**

Effective Date:	Current	Proposed 5/1/2024	Proposed 5/1/2025	Proposed 5/1/2026	Proposed 5/1/2027	Proposed 5/1/2028
Base Rate	\$9.94	\$15.87	\$18.19	\$21.29	\$22.83	\$24.38
Cost per 1,000 gal	\$18.40	\$21.20	\$25.20	\$28.20	\$30.20	\$32.20
Total:	\$28.34	\$37.07	\$43.39	\$49.49	\$53.03	\$56.58

69%, or ~13,900, customers will pay less than \$56.58 per month by 2028

33%, of ~6,700, customers will pay \$24.38, the minimum monthly rate, by **2028**

Table 3 below compares the cost of an average residential customer’s water bill in Midwest City with that of similar customers in several cities across Oklahoma.

**Table 3: Cost Comparison with Neighboring Cities
Example Monthly Residential Water Bill
(assuming 6,000 gallons consumption)**

	Midwest City	Del City	Moore	Choctaw	Broken Arrow	Lawton	Yukon	Stillwater	Bixby	Owasso	Edmond	Midwest City
Effective Date:	Current	July 2020	Current	July 2022	October 2023	July 2022	October 2020	July 2022	October 2018	October 2022	November 2023	May 2028
Base Rate	\$9.94	\$10.14	\$9.50	\$15.00	\$10.34	\$23.00	\$14.45	\$7.23	\$15.35	\$13.08	\$16.85	\$24.38
Cost per 1,000 gal	\$18.40	\$20.55	\$26.40	\$25.00	\$34.44	\$18.60	\$16.20	\$43.73	\$36.30	\$39.20	\$41.75	\$32.20
Other Charges						\$8.05	\$20.00					
Total:	\$28.34	\$30.69	\$35.90	\$40.00	\$44.78	\$49.65	\$50.65	\$50.96	\$51.65	\$52.28	\$58.60	\$56.58

Table 4 below outlines the proposed base rate changes by meter size over the next 5 years. Typically, base rates increase as meter size increases because larger meters are more expensive to install and maintain. As the smallest and most frequently installed meter, the 5/8” meter has been established as the base meter. In order to determine how to equitably increase base rates as meter sizes increase, the maximum amount of water per minute each meter size can supply to a customer was compared to the maximum amount of water per minute that the base meter can supply. For example, the 2” meter provides 571% more water per minute than the base meter; therefore, the base rate for the 2” meter was calculated to be 571% greater than the base meter.

Table 4: Proposed Base Rate Changes by Meter Size (0-2,000 gallons, All Users)

Meter Size	Total # of Customers	Current 1/1/2024	Proposed 5/1/2024	Proposed 5/1/2025	Proposed 5/1/2026	Proposed 5/1/2027	Proposed 5/1/2028
5/8”	20105	\$9.94	\$15.87	\$18.19	\$21.29	\$22.83	\$24.38
1”	642	\$11.36	\$21.96	\$25.62	\$30.48	\$32.91	\$35.34
1 ½”	238	\$13.52	\$78.09	\$91.37	\$109.05	\$117.89	\$126.73
2”	343	\$17.48	\$100.01	\$116.61	\$138.71	\$149.76	\$160.81
3”	32	\$22.03	\$238.70	\$281.86	\$339.32	\$368.05	\$396.78
4”	20	\$26.57	\$453.16	\$536.15	\$646.66	\$701.91	\$757.16
6”	7	\$48.16	\$892.56	\$1,058.54	\$1,279.56	\$1,390.06	\$1,500.57
8”	2	N/A	\$1,249.37	\$1,481.74	\$1,791.16	\$1,945.87	\$2,100.58

Note: 8” meter customers are Midwest City accounts, and 6” meter customers include Midwest City (x3), Parker Development, Village Oaks MHP, Tinker Air Force Base, St. Anthony’s Hospital.

Table 5 compares the proposed base rate changes by meter size to other cities across Oklahoma whose base rates also differ based on meter size. Important to note is that not all municipalities charge different base rates for larger meters. Table 4 includes only those cities from Table 2 that use a similar rate system as that used by the City.

**Table 5: Cost Comparison with Neighboring Cities
Base Rate by Meter Size**

Meter Size:	Midwest City			Edmond	Owasso	Broken Arrow	Stillwater	Del City
	Current	May 2024	May 2028	November 2023	October 2022	October 2023	July 2022	July 2020
5/8"	\$9.94	\$15.87	\$24.38	\$16.85	\$13.08	\$10.34	\$7.23	\$10.14
1"	\$11.36	\$21.96	\$35.34	\$42.12	\$13.99	\$11.42	\$14.64	\$16.45
1 1/2"	\$13.52	\$78.09	\$126.73	\$84.26	\$16.03	\$15.30	\$29.86	N/A
2"	\$17.48	\$100.01	\$160.81	\$168.53	\$17.05	\$21.94	\$44.30	\$27.81
3"	\$22.03	\$238.70	\$396.78	\$379.17	\$32.35	\$50.17	\$86.17	\$36.98
4"	\$26.57	\$453.16	\$757.16	\$842.63	\$37.45	\$82.40	\$136.57	\$46.10
6"	\$48.16	\$892.56	\$1,500.57	\$1,685.25	\$52.75	\$96.64	\$264.78	\$90.29
8"	N/A	\$1,249.37	\$2,100.58	\$3,370.50	\$76.50	\$136.28	N/A	N/A

Historically, investment in capital improvements to the water treatment and distribution system has been underfunded in Midwest City and nationwide. As pipes age, they can become more susceptible to leaks and breaks. In order to provide safe and reliable service for the long-term, the current infrastructure must be repaired, replaced, and upgraded. This requires a significant investment in capital improvements. Public Works is proposing a series of increases to the Capital Improvement charge and the Water System Improvement fee over the next 5 years as outlined in Table 6 below in order to begin that investment.

Table 6: Proposed Changes to the Cost per Thousand Rate

Cost per Thousand (over 2,000 gal min)	Current Cost	Proposed 2024	Proposed 2025	Proposed 2026	Proposed 2027	Proposed 2028
Residential (191)	\$3.68	\$3.80	\$3.80	\$3.80	\$3.80	\$3.80
Commercial (191)	\$3.80	\$3.80	\$3.80	\$3.80	\$3.80	\$3.80
Capital Improvement Charge (172)	\$0.35	\$0.50	\$1.00	\$1.50	\$1.75	\$2.00
Water System Improvement Fee (178)	\$0.57	\$1.00	\$1.50	\$1.75	\$2.00	\$2.25
Total Residential Cost per 1,000	\$4.60	\$5.30	\$6.30	\$7.05	\$7.55	\$8.05
Total Commercial Cost per 1,000	\$4.72	\$5.30	\$6.30	\$7.05	\$7.55	\$8.05

Additionally, the following fee assessments were updated to reflect the actual cost to perform each activity, where applicable, and are submitted for consideration. As an example, the Redec fee is a fee charged to landlords who want access to water temporarily to clean, paint, or remodel a structure that does not currently have an active water account. When this is requested, a Public Works employee must turn on water service to the address for a consecutive 30-day period then turn off water service to that address at the end of that time period or when notified by the customer. The proposed fee increases are based on the actual cost of labor and equipment required to do this.

Table 6: Proposed Fee Assessment Updates

Fee Type	Current Cost	Proposed Cost
Water Disconnection Fee	\$25.00	\$30.00
Redec (includes \$25 application fee)	\$38.26	\$81.00
Meter Pull and Test		
5/8 x 3/4" & 1"	\$15.00	\$100.00
1 1/2" & 2"	\$20.00	\$100.00
3" & 4"	\$30.00	\$250.00
6" & 8"	\$30.00	\$450.00
Flush Meter Monthly Rental	\$30.00	\$60.00
Flush Meter Deposit	\$400.00	\$600.00
Meter Tampering Fee	\$100.00	\$200.00
Estimated Annual Revenue Generated:	\$203,000	\$537,000

This item was reviewed and recommended for approval by the Ordinance Review Committee.

Action is at the discretion of the City Council.

Respectfully,



R. Paul Streets
Public Works Director

Attachment

1 the test and the deposit required as hereinafter prescribed shall be returned. On the other hand,
2 where no such error is found, the person who has required the test shall pay the charge for such
3 test. Before making a test of any meter the person requesting such test shall at the time of filing
4 his request with the superintendent, make a deposit with the city clerk in the amount charged for
5 such test subject to the conditions herein stated, which charges are fixed as follows:

- 6 (1) For testing five-eighths-inch, ~~or three-fourths-inch, one-inch, one-half-inch, or two-~~
7 inch meters, fifteen dollars (\$15.00) one hundred dollars (\$100.00).
8 (2) For testing ~~one inch or one half inch~~ three-inch or four-inch meters, ~~twenty dollars~~
9 (\$20.00) two hundred-fifty dollars (\$250.00).
10 (3) For testing any meters ~~two (2)~~ six (6) inches or larger, ~~thirty dollars (\$30.00) four~~
11 hundred-fifty dollars (\$450.00).

12
13 **SECTION 3.** That the Midwest City Municipal Code, Chapter 43, Water, Sewer, Sewage
14 Disposal and Stormwater Quality, Article II, Water, Division 4, Generally, Section 43-63, Water
15 Rates Inside City, is hereby amended to read as follows:

16 **Sec. 43-63. Water rates inside city.**

17 (a) The water rates for users of water inside the corporate limits of the city shall be as follows:

18 ~~(1) Single family residential:~~

19 a. ~~Beginning May 1, 2020, first two thousand (2,000) gallons used (minimum charge~~
20 ~~based on meter size):~~

21 ~~5/8 inch \$8.75~~

22 ~~1 inch \$10.00~~

23 ~~1 1/2 inch \$11.90~~

24 b. ~~Beginning May 1, 2020, charge per additional 1,000 gallons used shall be \$3.24.~~

25 ~~(2) Multiple family residential (more than three units, including apartments):~~

26 a. ~~Beginning May 1, 2020, first 2,000 gallons used (minimum charge whether vacant or~~
27 ~~occupied) shall be \$8.50.~~

28 b. ~~Beginning May 1, 2020, charge per additional 1,000 gallons used shall be \$3.24.~~

29 ~~(3) Mobile home parks:~~

30 a. ~~Beginning May 1, 2020, first 2,000 gallons used (minimum charge whether vacant or~~
31 ~~occupied) shall be \$9.00.~~

32 b. ~~Beginning May 1, 2020, charge per additional 1,000 gallons used shall be \$3.24.~~

33 ~~(4) Commercial:~~

34 a. ~~Beginning May 1, 2020, first 2,000 gallons used (minimum charge based on meter~~
35 ~~size):~~

36 ~~5/8 inch \$9.25~~

- 1 ~~1 inch~~ \$10.50
- 2 ~~1 ½ inch~~ \$12.40
- 3 ~~2 inch~~ \$15.40
- 4 ~~3 inch~~ \$19.40
- 5 ~~4 inch~~ \$23.40
- 6 ~~6 inch~~ \$42.40

7 ~~b. Beginning May 1, 2020, charge per additional 1,000 gallons used shall be \$3.34.~~

8 (1) Base Rate (minimum charge based on meter size for the first two thousand (2,000)
 9 gallons used) for All Users:

<u>Meter Size</u>	<u>Beginning May 1, 2024</u>	<u>Beginning May 1, 2025</u>	<u>Beginning May 1, 2026</u>	<u>Beginning May 1, 2027</u>	<u>Beginning May 1, 2028</u>
<u>5/8"</u>	<u>\$15.87</u>	<u>\$18.19</u>	<u>\$21.29</u>	<u>\$22.83</u>	<u>\$24.38</u>
<u>1"</u>	<u>\$21.96</u>	<u>\$25.62</u>	<u>\$30.48</u>	<u>\$32.91</u>	<u>\$35.34</u>
<u>1 ½"</u>	<u>\$78.09</u>	<u>\$91.37</u>	<u>\$109.05</u>	<u>\$117.89</u>	<u>\$126.73</u>
<u>2"</u>	<u>\$100.01</u>	<u>\$116.61</u>	<u>\$138.71</u>	<u>\$149.76</u>	<u>\$160.81</u>
<u>3"</u>	<u>\$238.70</u>	<u>\$281.86</u>	<u>\$339.32</u>	<u>\$368.05</u>	<u>\$396.78</u>
<u>4"</u>	<u>\$453.16</u>	<u>\$536.15</u>	<u>\$646.66</u>	<u>\$701.91</u>	<u>\$757.16</u>
<u>6"</u>	<u>\$892.56</u>	<u>\$1,058.54</u>	<u>\$1,279.56</u>	<u>\$1,390.06</u>	<u>\$1,500.57</u>
<u>8"</u>	<u>\$1,249.37</u>	<u>\$1,481.74</u>	<u>\$1,791.16</u>	<u>\$1,945.87</u>	<u>\$2,100.58</u>

10
 11 (2) Beginning May 1, 2024, charge per additional 1,000 gallons used for all users shall be
 12 \$3.80.

13 ~~Beginning October 1, 2024~~ Beginning May 1, 2029, and May 1st each subsequent year thereafter, the rates
 14 will be adjusted annually by the average monthly increase in the Consumer Price Index as set out
 15 in section 43-70.

16 (b) Any household whose gross income for its family size is below the amount determined
 17 annually by the HUD income guidelines for very low income households, for any tax year,
 18 may bring proof of its gross income to the city clerk to receive a credit against its charges
 19 for water each calendar year. This credit will be calculated as one dollar fifty cents (\$1.50)
 20 per month toward the minimum charge, plus an additional credit of fifty cents (\$.50) per
 21 thousand (1,000) gallons above the two thousand-gallon minimum, for each month the
 22 household had an account with the city during the tax year shown. Residents requesting this

1 credit must show photo identification to prove ownership of the account and proof of gross
2 income by April 15th of each year.

3
4 **SECTION 4.** That the Midwest City Municipal Code, Chapter 43, Water, Sewer, Sewage
5 Disposal and Stormwater Quality, Article II, Water, Division 4, Generally, Section 43-68,
6 Discontinuance of Service and Fee for Reinstatement, is hereby amended to read as follows:

7 **Sec. 43-68. Discontinuance of service and fee for reinstatement.**

- 8 (a) In the event any account is not paid in full by the close of business on the twenty-fifth day
9 following the billing date, an administrative cut-off processing fee of ~~twenty-five dollars~~
10 ~~(\$25.00)~~ thirty dollars (\$30.00) shall immediately be charged to the account or to any other
11 account that customer may have with the city regardless of whether the water service is, in
12 fact, discontinued due to nonpayment. Immediately upon nonpayment, water service to such
13 account or customer shall be eligible to be discontinued. Discontinued water service to any
14 such account or customer shall not be reinstated or resumed until all sums due the city,
15 including indebtedness to the city of all kinds together with the administrative cut-off
16 processing fee of ~~twenty-five dollars (\$25.00)~~ thirty dollars (\$30.00), shall have been paid
17 in full. If payment in full is received before the water service has been discontinued, the
18 service can continue uninterrupted; however, the administrative cut-off processing fee of
19 ~~twenty-five dollars (\$25.00)~~ thirty dollars (\$30.00) will still apply and must still be paid. A
20 fee of ~~twenty-five dollars (\$25.00)~~ thirty dollars (\$30.00) will be charged when water
21 service is discontinued at the voluntary request of a customer.
- 22 (b) When an account has been charged an administrative cut-off processing fee of ~~twenty-five~~
23 ~~dollars (\$25.00)~~ thirty dollars (\$30.00), as specified in subsection (a) above, more than four
24 (4) times in a twelve-month period, an additional security deposit of fifty dollars (\$50.00)
25 must be paid prior to water service being reinstated.

26
27 **SECTION 5.** That the Midwest City Municipal Code, Chapter 43, Water, Sewer, Sewage
28 Disposal and Stormwater Quality, Article II, Water, Division 4, Generally, Section 43-69,
29 Capital Improvement Charges, is hereby amended to read as follows:

30 **Sec. 43-69. Capital improvement charges.**

31 There shall be established a capital improvement fund for the express purpose of funding
32 improvements to the water system of the City of Midwest City.

- 33 (1) Revenues for this fund shall be deposited in a nontransferable interest bearing account.
34 Funds from other sources may be deposited in this account but, once deposited in this
35 account, can only be expended in the same manner and under the same regulations that
36 govern this account.
- 37 (2) Expenditures may be made from this account for physical capital improvements
38 including, but not limited to, items such as new wells, additional water treatment
39 facilities, new water lines and replacement of old water lines, and engineering studies
40 and services necessary or appropriate to effect the improvements to the water system.

- 1 (3) Expenditures from this account can also be made for general operation, maintenance,
 2 supplies, operational salaries, or any item or structure that has an expected useful life
 3 of less than twenty (20) years. ~~These funds may not be used to fund bonds or any~~
 4 ~~indebtedness of any sort.~~
- 5 (4) There is hereby added a thirty-five cent (\$0.35) fee to each one thousand (1,000)
 6 gallons of water above the minimum sold to each customer to fund this account.
 7 Beginning on May 1, 2024, this fee shall increase according to the following schedule:

<u>Effective Date</u>	<u>Fee per additional 1, 000 gallons</u>
<u>May 1, 2024</u>	<u>\$0.50</u>
<u>May 1, 2025</u>	<u>\$1.00</u>
<u>May 1, 2026</u>	<u>\$1.50</u>
<u>May 1, 2027</u>	<u>\$1.75</u>
<u>May 1, 2028</u>	<u>\$2.00</u>

- 8
- 9 (5) Expenditures from this account in any amount, ~~must be approved by a majority vote of~~
 10 ~~the city council.~~ in excess of one hundred thousand dollars (\$100,000.00) must be
 11 approved by a majority vote of the city council. Any expenditure from this account that
 12 is one hundred thousand dollars (\$100,000.00) or less shall be approved by the city
 13 manager.
- 14 (6) ~~For those persons tying into public water in the following described area, there is~~
 15 ~~hereby established a one hundred dollar (\$100.00) water line assessment fee which~~
 16 ~~must be paid at the time a building permit is issued or at the time of tying into the~~
 17 ~~water main, whichever first occurs. An additional fee of twenty five cents (\$0.25) shall~~
 18 ~~be assessed for each one thousand (1,000) gallons of water above the minimum sold to~~
 19 ~~each customer required to pay the one hundred dollar (\$100.00) water line assessment~~
 20 ~~fee. These fees shall be in addition to all other current fees or charges. These fees~~
 21 ~~established by this subsection shall remain in effect until revenues from these fees~~
 22 ~~equal construction and right of way costs associated with the water distribution system~~
 23 ~~installed to serve the referenced area of the city. The revenues from these fees shall be~~
 24 ~~placed in the capital water improvement fund established for the express purpose of~~
 25 ~~funding improvements to the water system as set forth in this section.~~

26 *Assessment area.* ~~An assessment area located in the east half (E/2) of section 8, T11N,~~
 27 ~~R1W, section 9, T11N, R1W and the west half (W/2) of section 10, T11N, R1W of the~~
 28 ~~I.M. Midwest City, Oklahoma County, Oklahoma more particularly described as~~
 29 ~~follows:~~

30 ~~Beginning at a point on the north line of section 8, said point being at the~~
 31 ~~intersection of said north line and the east line of Oakwood East, a subdivision;~~
 32 ~~THENCE continuing east along said north line to the northeast corner (NE/C) of said~~
 33 ~~section 8, also being the northwest corner (NW/C) of section 9; thence continuing east~~
 34 ~~along the north line of said section 9 to the northeast corner (NE/C) of said section 9,~~
 35 ~~also being the northwest corner (NW/C) of section 10; thence continuing east along the~~

1 north line of said section 10 to the northeast corner (NE/C) of the west half (W/2) of
2 said section 10; thence south along the east line of said west half (W/2) of said section
3 10 to the southeast corner (SE/C) of said west half (W/2) of said section 10; thence
4 west along the south line of said section 10 to a point on the south railroad right of
5 way; thence continuing westerly along said railroad right of way to a point on the west
6 line of said section 10, also being the east line of section 9; thence continuing westerly
7 along said south railroad right of way line to a point on the west line of said section 9,
8 also being the east line of section 8; thence continuing westerly along said south
9 railroad right of way to a point on the west line of the east half (E/2) of section 8;
10 thence north along the west line of said east half (E/2) to the southeast corner (SE/C) of
11 Oakwood East Village, also being the southeast corner (SE/C) of lot 1, block 14 of said
12 addition; thence continuing north along the west line of said east half (E/2) of said
13 section 8 to the southwest corner (SW/C) of lot 3, block 13 of Oakwood East Village;
14 thence east along the south line of Oakwood East Village, Oakwood East section 2 and
15 Oakwood East to the southeast corner (SE/C) of Oakwood East, also being the
16 southwest corner of lot 22, block 5 of Oakwood East; thence north along the east line
17 of Oakwood East to the point or place of beginning.

18 (7) ~~For those persons tying onto public water in the following described area, there is~~
19 ~~hereby established a one hundred dollar (\$100.00) water line assessment fee which~~
20 ~~must be paid at the time a building permit is issued or at the time of tying onto the~~
21 ~~water main, whichever first occurs. An additional fee of twenty five cents (\$0.25) shall~~
22 ~~be assessed for each one thousand (1,000) gallons of water above the minimum sold to~~
23 ~~each customer required to pay the one hundred dollar (\$100.00) water line assessment~~
24 ~~fee. These fees shall be in addition to all other current fees or charges. These fees~~
25 ~~established by this subsection shall remain in effect until revenues from these fees~~
26 ~~equal construction and right of way costs associated with the water distribution system~~
27 ~~installed to serve the referenced area of the city. The revenues from these fees shall be~~
28 ~~placed in the capital water improvement fund established for the express purpose of~~
29 ~~funding improvements to the water system as set forth in this section.~~

30 *Assessment area.* An assessment area located in the NE/4 of Section 31, Township 12
31 North, Range 1 West of the I.M., Midwest City, Oklahoma County, Oklahoma, more
32 particularly described as follows:

33 The east 80 acres of the northeast quarter (NE/4) of section 31, T12N, R1W, also
34 being described as beginning at the NE/C of the NE/4 of section 31, T12N, R1W;
35 thence south along the east section line of said section 31, a distance of 2,640' to a
36 point being the SE/C of the NE/4 of said section 31; thence west along the south line of
37 the NE/4 of said section 31, a distance of 1,320'; thence north along the west line of the
38 E/2 of the NE/4 of section 31, a distance of 2,640' to the north line of said section 31;
39 thence east along the north line of said section 31 to the NE/C of the NE/4, being the
40 point or place of beginning.

41
42 **SECTION 6.** That the Midwest City Municipal Code, Chapter 43, Water, Sewers, Sewage
43 Disposal and Stormwater Quality, Article II, Water, Division 4, Generally, Section 43-71, Water
44 System Improvement Fee, is hereby amended to read as follows:

1 **Sec. 43-71. Water system improvement fee.**

2 There is hereby established a water system improvement fee which shall be deposited in the
3 water capital improvement fund. Expenditures may be made from this fund only for physical
4 capital improvements to the city's water system including, but not limited to, new wells,
5 additional water treatment facilities, new water lines and replacement of old water lines, and
6 engineering studies and services necessary or appropriate to effect the improvements to the water
7 system, or to repay or secure indebtedness incurred to effect improvements to the water system.

- 8 (1) The water system improvement fee shall be an additional fifty-seven cents (\$0.57)
9 which shall be added to each one thousand (1,000) gallons of water sold above the
10 minimum two thousand (2,000) gallons for each utilities account each month.
11 Beginning on May 1, 2024, this fee shall increase according to the following schedule:

<u>Effective Date</u>	<u>Fee per additional 1, 000 gallons</u>
<u>May 1, 2024</u>	<u>\$1.00</u>
<u>May 1, 2025</u>	<u>\$1.50</u>
<u>May 1, 2026</u>	<u>\$1.75</u>
<u>May 1, 2027</u>	<u>\$2.00</u>
<u>May 1, 2028</u>	<u>\$2.25</u>

- 12 (2) Expenditures from this fund cannot be made for general operations, maintenance,
13 supplies, operational salaries, or any item or structure that has an expected useful life
14 of less than twenty (20) years.
- 15 (3) Expenditures from this account in any amount, ~~must be approved by a majority vote of~~
16 ~~the city council.~~ in excess of one hundred thousand dollars (\$100,000.00) must be
17 approved by a majority vote of the city council. Any expenditure from this account
18 that is one hundred thousand dollars (\$100,000.00) or less shall be approved by the
19 city manager.

20
21 **Section 7. REPEALER.** All ordinances or parts of ordinances in conflict herewith are hereby
22 repealed.
23

24 **Section 8. SEVERABILITY.** If any section, sentence, clause, or portion of this ordinance is for
25 any reason held to be invalid, such decision shall not affect the validity of the remaining
26 provisions of the ordinance.
27

28 PASSED AND APPROVED by the Mayor and the Council of the City of Midwest City,
29 Oklahoma, this _____ day of _____, 2024.
30
31
32

THE CITY OF MIDWEST CITY, OKLAHOMA

ATTEST:

MATTHEW D. DUKES, II, Mayor

SARA HANCOCK, City Clerk

Approved as to form and legality this ____ day of _____, 2024.

DON MAISCH, City Attorney

1 his request with the superintendent, make a deposit with the city clerk in the amount charged for
2 such test subject to the conditions herein stated, which charges are fixed as follows:

- 3 (1) For testing five-eighths-inch, three-fourths-inch, one-inch, one-half-inch, or two-inch
4 meters, one hundred dollars (\$100.00).
- 5 (2) For testing three-inch or four-inch meters, two hundred-fifty dollars (\$250.00).
- 6 (3) For testing any meters six (6) inches or larger, four hundred-fifty dollars (\$450.00).

7
8 **SECTION 3.** That the Midwest City Municipal Code, Chapter 43, Water, Sewer, Sewage Disposal
9 and Stormwater Quality, Article II, Water, Division 4, Generally, Section 43-63, Water Rates
10 Inside City, is hereby amended to read as follows:

11 **Sec. 43-63. Water rates inside city.**

12 (a) The water rates for users of water inside the corporate limits of the city shall be as follows:

- 13 (1) Base Rate (minimum charge based on meter size for the first two thousand (2,000)
14 gallons used) for All Users:

Meter Size	Beginning May 1, 2024	Beginning May 1, 2025	Beginning May 1, 2026	Beginning May 1, 2027	Beginning May 1, 2028
5/8"	\$15.87	\$18.19	\$21.29	\$22.83	\$24.38
1"	\$21.96	\$25.62	\$30.48	\$32.91	\$35.34
1 1/2"	\$78.09	\$91.37	\$109.05	\$117.89	\$126.73
2"	\$100.01	\$116.61	\$138.71	\$149.76	\$160.81
3"	\$238.70	\$281.86	\$339.32	\$368.05	\$396.78
4"	\$453.16	\$536.15	\$646.66	\$701.91	\$757.16
6"	\$892.56	\$1,058.54	\$1,279.56	\$1,390.06	\$1,500.57
8"	\$1,249.37	\$1,481.74	\$1,791.16	\$1,945.87	\$2,100.58

- 15
16 (2) Beginning May 1, 2024, charge per additional 1,000 gallons used for all users shall be
17 \$3.80.

18 Beginning May 1, 2029, and May 1st each subsequent year thereafter, the rates will be adjusted
19 annually by the average monthly increase in the Consumer Price Index as set out in section 43-
20 70.

- 21 (b) Any household whose gross income for its family size is below the amount determined
22 annually by the HUD income guidelines for very low income households, for any tax year,
23 may bring proof of its gross income to the city clerk to receive a credit against its charges
24 for water each calendar year. This credit will be calculated as one dollar fifty cents (\$1.50)
25 per month toward the minimum charge, plus an additional credit of fifty cents (\$.50) per

1 thousand (1,000) gallons above the two thousand-gallon minimum, for each month the
2 household had an account with the city during the tax year shown. Residents requesting this
3 credit must show photo identification to prove ownership of the account and proof of gross
4 income by April 15th of each year.

5
6 **SECTION 4.** That the Midwest City Municipal Code, Chapter 43, Water, Sewer, Sewage Disposal
7 and Stormwater Quality, Article II, Water, Division 4, Generally, Section 43-68, Discontinuance
8 of Service and Fee for Reinstatement, is hereby amended to read as follows:

9 **Sec. 43-68. Discontinuance of service and fee for reinstatement.**

10 (a) In the event any account is not paid in full by the close of business on the twenty-fifth day
11 following the billing date, an administrative cut-off processing fee of thirty dollars (\$30.00)
12 shall immediately be charged to the account or to any other account that customer may have
13 with the city regardless of whether the water service is, in fact, discontinued due to
14 nonpayment. Immediately upon nonpayment, water service to such account or customer
15 shall be eligible to be discontinued. Discontinued water service to any such account or
16 customer shall not be reinstated or resumed until all sums due the city, including
17 indebtedness to the city of all kinds together with the administrative cut-off processing fee
18 of thirty dollars (\$30.00), shall have been paid in full. If payment in full is received before
19 the water service has been discontinued, the service can continue uninterrupted; however,
20 the administrative cut-off processing fee of thirty dollars (\$30.00) will still apply and must
21 still be paid. A fee of thirty dollars (\$30.00) will be charged when water service is
22 discontinued at the voluntary request of a customer.

23 (b) When an account has been charged an administrative cut-off processing fee of thirty dollars
24 (\$30.00), as specified in subsection (a) above, more than four (4) times in a twelve-month
25 period, an additional security deposit of fifty dollars (\$50.00) must be paid prior to water
26 service being reinstated.

27
28 **SECTION 5.** That the Midwest City Municipal Code, Chapter 43, Water, Sewer, Sewage Disposal
29 and Stormwater Quality, Article II, Water, Division 4, Generally, Section 43-69, Capital
30 Improvement Charges, is hereby amended to read as follows:

31 **Sec. 43-69. Capital improvement charges.**

32 There shall be established a capital improvement fund for the express purpose of funding
33 improvements to the water system of the City of Midwest City.

34 (1) Revenues for this fund shall be deposited in a nontransferable interest bearing account.
35 Funds from other sources may be deposited in this account but, once deposited in this
36 account, can only be expended in the same manner and under the same regulations that
37 govern this account.

38 (2) Expenditures may be made from this account for physical capital improvements
39 including, but not limited to, items such as new wells, additional water treatment
40 facilities, new water lines and replacement of old water lines, and engineering studies
41 and services necessary or appropriate to effect the improvements to the water system.

- 1 (3) Expenditures from this account can also be made for general operation, maintenance,
 2 supplies, operational salaries, or any item or structure that has an expected useful life
 3 of less than twenty (20) years.
- 4 (4) There is hereby added a thirty-five cent (\$0.35) fee to each one thousand (1,000)
 5 gallons of water above the minimum sold to each customer to fund this account.
 6 Beginning on May 1, 2024, this fee shall increase according to the following schedule:

Effective Date	Fee per additional 1, 000 gallons
May 1, 2024	\$0.50
May 1, 2025	\$1.00
May 1, 2026	\$1.50
May 1, 2027	\$1.75
May 1, 2028	\$2.00

- 7
- 8 (5) Expenditures from this account in any amount, in excess of one hundred thousand
 9 dollars (\$100,000.00) must be approved by a majority vote of the city council. Any
 10 expenditure from this account that is one hundred thousand dollars (\$100,000.00) or
 11 less shall be approved by the city manager.

12

13 **SECTION 6.** That the Midwest City Municipal Code, Chapter 43, Water, Sewers, Sewage
 14 Disposal and Stormwater Quality, Article II, Water, Division 4, Generally, Section 43-71, Water
 15 System Improvement Fee, is hereby amended to read as follows:

16 **Sec. 43-71. Water system improvement fee.**

17 There is hereby established a water system improvement fee which shall be deposited in the
 18 water capital improvement fund. Expenditures may be made from this fund only for physical
 19 capital improvements to the city's water system including, but not limited to, new wells,
 20 additional water treatment facilities, new water lines and replacement of old water lines, and
 21 engineering studies and services necessary or appropriate to effect the improvements to the water
 22 system, or to repay or secure indebtedness incurred to effect improvements to the water system.

- 23 (1) The water system improvement fee shall be an additional fifty-seven cents (\$0.57)
 24 which shall be added to each one thousand (1,000) gallons of water sold above the
 25 minimum two thousand (2,000) gallons for each utilities account each month.
 26 Beginning on May 1, 2024, this fee shall increase according to the following schedule:

Effective Date	Fee per additional 1, 000 gallons
May 1, 2024	\$1.00
May 1, 2025	\$1.50
May 1, 2026	\$1.75

May 1, 2027	\$2.00
May 1, 2028	\$2.25

(2) Expenditures from this fund cannot be made for general operations, maintenance, supplies, operational salaries, or any item or structure that has an expected useful life of less than twenty (20) years.

(3) Expenditures from this account in any amount, in excess of one hundred thousand dollars (\$100,000.00) must be approved by a majority vote of the city council. Any expenditure from this account that is one hundred thousand dollars (\$100,000.00) or less shall be approved by the city manager.

Section 7. REPEALER. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 8. SEVERABILITY. If any section, sentence, clause, or portion of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining provisions of the ordinance.

PASSED AND APPROVED by the Mayor and the Council of the City of Midwest City, Oklahoma, this _____ day of _____, 2024.

THE CITY OF MIDWEST CITY, OKLAHOMA

ATTEST:

MATTHEW D. DUKES, II, Mayor

SARA HANCOCK, City Clerk

Approved as to form and legality this _____ day of _____, 2024.

DON MAISCH, City Attorney

FEE/RATE JUSTIFICATION

ORDINANCES FOR THE CITY OF MIDWEST CITY

CHAPTER 43, WATER, SEWER, SEWAGE DISPOSAL AND STORMWATER QUALITY

WATER RATES

The City of Midwest City is proposing to amend the rate schedule governing water rates in Sections 43-5, 43-55, 43-63, 43-68, 43-69 and 43-71. This fee/rate justification is being produced to meet the requirements set forth by the Oklahoma Supreme Court in the case of *Red Slipper Club v. City of Oklahoma City*, 599 P.2d 406, 1979 OK 118.

Each of these regulatory activities are labor-intensive and the costs associated with them are not easy to avoid or minimize. Based upon the premise that the regulated community should bear all or substantially all of the costs routinely or regularly incurred by the City, the current fee structure for these entities is not adequate to recoup the City's expenses. The rate changes proposed for Chapter 43 will permit the City to offset the costs that provide proper handling and treatment of drinking water for the residents of the City of Midwest City. The increased revenue will assist this program to meet the budget demands for the operation and maintenance of the program and reduce the public health risk.

Maintaining the current level and quality of oversight will help ensure the community receives a safe and clean environment. The proposed rate change will enable the City to accomplish this important responsibility without creating an undue burden. The changes are necessary to cover increasing costs for these programs, to allow flexibility to better track reporting and streamline processes. The revised rate structure allows greater flexibility to identify types of businesses which will assist in the identification of hazards based on specific establishment types. Currently, the drinking water program is underfunded and it is believed that these increases will bring the program back in line with current costs.

COST IMPACT RESPONSE: Those classes of persons affected are the residents and businesses of the City of Midwest City.

BENEFITS: The benefits to the general public derive from continued proper treatment of potable water are improved public health. The revised fee structure simplifies the calculation for the customer, reduces error and administrative resources for education and support.

PROPOSED FEE CHANGES: The last adjustment to these license fees occurred in 2020. The proposed fee changes from the last set of changes in 2020 are in the Ordinance documents.

ALTERNATIVES CONSIDERED: The City reviewed multiple different approaches to funding the drinking water issues. These rate increases are believed to solve the issue that the program is underfunded.



Public Works Administration
R. Paul Streets, Director
rstreets@midwestcityok.org
Carrie J. Evenson, Assistant Director
cevenson@midwestcityok.org
 8730 S.E. 15th Street,
 Midwest City, Oklahoma 73110
 O: 405-739-1060 /Fax: 405-739-1090

MEMORANDUM

TO: Honorable Mayor and Council

FROM: R. Paul Streets, Public Works Director

DATE: March 26, 2024

SUBJECT: Discussion, consideration, and possible action of approving an ordinance amending the Midwest City Municipal Code, Chapter 43, Water, Sewer, Sewage Disposal and Stormwater Quality, Article IV, Stormwater, Division 1, Generally; Section 43-404 Stormwater Charge; Exemptions, and providing for a repealer and severability.

The Stormwater Quality Division (SWQ) of Public Works is currently funded by a stormwater charge based on the size of the water meter serving the facility and has not been adjusted since 2008. The current minimum charge is \$2.42 for a 5/8” water meter. However, using water meter size to assess stormwater fees is problematic because the amount of potable water used by a customer is not a direct indication of the amount of stormwater runoff or pollution that a customer’s property generates and must be managed by the City of Midwest City’s (City) storm sewer system. A better assessment method for stormwater fees is impervious surface area because it is directly proportional to the amount of runoff generated and discharged from a customer’s property. The City currently has access to impervious surface data citywide using Nearmap, which is an aerial technology company that provides municipalities and businesses with high-quality aerial imagery that is updated multiple times per year.

The only other city using water meter size as the assessment method for their stormwater utility fee in Oklahoma is Oklahoma City. Table 1 below compares Midwest City’s stormwater utility fee to that of Oklahoma City.

Table 1: Fee Comparison between Oklahoma City and Midwest City

Meter Size	Midwest City	Oklahoma City
3/4" or less	\$2.42	\$5.69
1"	\$4.17	\$6.48
1.5"	\$5.87	\$20.43
2"	\$7.86	\$27.73
3"	\$10.81	\$52.60
4"	\$14.20	\$86.19
6"	\$20.86	\$167.21
8"	N/A	\$277.49
10"	N/A	\$423.56
16" and larger	N/A	\$658.92
Apartment (per unit)	\$1.20	
Mobile Home Parks (per occupied pad)	\$2.42	

A variety of assessment methods are used by other cities in Oklahoma for their stormwater fees. One of the more common methods, especially in the Tulsa metro area, uses an Equivalent Service Unit (ESU) or Equivalent Residential Unit (ERU). Edmond, Stillwater, Broken Arrow, and Tulsa all use an ESU-based method to calculate their stormwater utility fees. With this method, an ESU is calculated by determining the average impervious surface area for a typical single-family residential property. In Edmond, the ESU was calculated as 4,860 sq ft. In Broken Arrow, the ESU is 2,600 sq ft. Each single-family residential property is then typically billed a flat rate based on a single ESU. For non-residential properties, each property's impervious surface area is calculated using aerial imaging and divided by the impervious surface area of a single ESU to determine the number of ESUs it is to be billed. Table 2 gives an example of how this fee is calculated for a Wal-Mart in Edmond, Broken Arrow, and Tulsa in comparison to Midwest City's current fee.

Table 2: ESU Calculation and Fee Comparison

Benchmark City	Stormwater Fee	Total ESU	Billed Amount
Midwest City	2" Water Meter = \$7.86	N/A	\$7.86
Edmond	1 ESU = 4,680 sq ft = \$3.00	171	\$513.00
Broken Arrow	1 ESU = 2,600 sq ft = \$8.89	308	\$2,738.12
Tulsa	1 ESU = 2,650 sq ft = \$10.63	302	\$3,210.26

Based on these comparisons, Midwest City's current non-residential stormwater fee is significantly less than Edmond, Stillwater, Broken Arrow, or Oklahoma City.

Given this information, Public Works is proposing to change the stormwater rate structure to more fairly account for the impact of large non-residential properties on our stormwater quality and infrastructure by transitioning to an ESU assessment method. To do this, Public Works worked with Freese and Nichols, Inc., to determine the average impervious surface area for a typical single-family residential property in Midwest City. This was determined to be 2,860 sq ft and will be equal to one (1) ESU. One (1) ESU is recommended to be set at \$2.42, the current fee for customers with 5/8" meters which consists primarily of residential customers. Doing this will mean that residential customer rates will not increase.

Non-residential customers, apartment complexes, and manufactured home parks that are not individually metered will be assessed a stormwater fee based on the number of ESUs each property has. To calculate this, the impervious surface area of each non-residential lot, tract, or parcel within the corporate city limits of the City has been measured to calculate the number of ESUs, and the number of ESUs will be multiplied by \$2.42. Table 3 below provides an example of how this fee is calculated for the Wal-Mart above and compares to Edmond, Broken Arrow and Tulsa.

Table 3: Proposed ESU Calculation and Fee Comparison

Benchmark City	Stormwater Fee	Total ESU	Billed Amount
Midwest City	1 ESU = 2,860 sq ft = \$2.42	280	\$677.60
Edmond	1 ESU = 4,680 sq ft = \$3.00	171	\$513.00
Broken Arrow	1 ESU = 2,600 sq ft = \$8.89	308	\$2,738.12
Tulsa	1 ESU = 2,650 sq ft = \$10.63	302	\$3,210.26

This item was reviewed and recommended for approval by the Ordinance Review Committee.

Action is at the discretion of the Council.

Respectfully,



R. Paul Streets Public
Works Director

Attachment

1 determine the Equivalent Service Units to be assigned to such lots, tracts, or parcels;
2 and the service charge shall be two dollars and forty-two cents (\$2.42) for each
3 Equivalent Service Unit or portion thereof.

4 Mobile home parks or manufactured home parks shall be billed as stated above unless
5 each pad has its own water meter, in which case each account shall be billed a
6 minimum of one (1) ESU or two dollars and forty-two cents (\$2.42) per month per
7 account.

8 (3) There are no caps on the monthly service charge rate.

9 (4) The stormwater rates shall be reviewed at least annually and shall be adjusted
10 accordingly. Beginning May 1, 2025, and each subsequent year thereafter, the
11 stormwater charge rates will be adjusted annually by the average monthly increase in
12 the Consumer Price Index, U.S. City Average for all Urban Consumers, Water Sewer
13 Trash Collection, Not Seasonally Adjusted. (Published by the United States Bureau of
14 Labor Statistics, Consumer Price Index) (the "CPI") during the twelve (12) most
15 recently published months. In the event U.S. Department of Labor, Bureau of Labor
16 Statistics ceases to publish this particular CPI, an equally authoritative measure of
17 change in purchasing power of the U.S. dollar may be substituted as approved by the
18 city manager. The annual CPI adjustment will be implemented by May 1st of each
19 year.

20 ~~(c) The stormwater charge for multifamily complexes that contain three (3) or more units,~~
21 ~~including apartments, shall be one dollar and twenty cents (\$1.20) per month per unit~~
22 ~~whether vacant or occupied.~~

23 ~~(d) Mobile home parks or manufactured home parks shall be billed as stated in subsection (a)~~
24 ~~above unless each pad has its own water meter, in which case each account shall be billed a~~
25 ~~minimum of one (1) ESU or two dollars and forty two cents (\$2.42) per month per account.~~

26 ~~(e)~~(c) The stormwater charge shall not be imposed on the following types of property:

27 (1) City, state and federal roads, bridges, highways, streets and rights-of-way;

28 (2) City parks, city buildings, city facilities and open spaces owned or operated by the city;
29 or

30 (3) Undeveloped parcels of land.

31 ~~(f)~~(d) All proceeds from the stormwater charge shall be deposited into the fund.

32 ~~(g)~~(e) The provision for collection provided herein, shall be in addition to any other rights or
33 remedies that the city may have under the laws of the State of Oklahoma.

34 (f) Any person who considers the charges applicable to his/her parcel to be inaccurate or
35 erroneous may request review thereof by the Public Works Director or designee.

36
37 **Section 2. REPEALER.** All ordinances or parts of ordinances in conflict herewith are hereby
38 repealed.
39

1 **Section 3. SEVERABILITY.** If any section, sentence, clause, or portion of this ordinance is for
2 any reason held to be invalid, such decision shall not affect the validity of the remaining
3 provisions of the ordinance.
4

5
6 PASSED AND APPROVED by the Mayor and the Council of the City of Midwest City,
7 Oklahoma, this _____ day of _____, 2024.
8

9
10 THE CITY OF MIDWEST CITY, OKLAHOMA

11 ATTEST:
12

13
14 _____
15 MATTHEW D. DUKES, II, Mayor
16

17 _____
18 SARA HANCOCK, City Clerk

19 Approved as to form and legality this _____ day of _____, 2024.
20

21
22 _____
23 DON MAISCH, City Attorney
24
25

1 (4) The stormwater rates shall be reviewed at least annually and shall be adjusted
2 accordingly. Beginning May 1, 2025, and each subsequent year thereafter, the
3 stormwater charge rates will be adjusted annually by the average monthly increase in
4 the Consumer Price Index, U.S. City Average for all Urban Consumers, Water Sewer
5 Trash Collection, Not Seasonally Adjusted. (Published by the United States Bureau of
6 Labor Statistics, Consumer Price Index) (the "CPI") during the twelve (12) most
7 recently published months. In the event U.S. Department of Labor, Bureau of Labor
8 Statistics ceases to publish this particular CPI, an equally authoritative measure of
9 change in purchasing power of the U.S. dollar may be substituted as approved by the
10 city manager. The annual CPI adjustment will be implemented by May 1st of each
11 year.

12 (c) The stormwater charge shall not be imposed on the following types of property:

- 13 (1) City, state and federal roads, bridges, highways, streets and rights-of-way;
14 (2) City parks, city buildings, city facilities and open spaces owned or operated by the city;
15 or
16 (3) Undeveloped parcels of land.

17 (d) All proceeds from the stormwater charge shall be deposited into the fund.

18 (e) The provision for collection provided herein, shall be in addition to any other rights or
19 remedies that the city may have under the laws of the State of Oklahoma.

20 (f) Any person who considers the charges applicable to his/her parcel to be inaccurate or
21 erroneous may request review thereof by the Public Works Director or designee.
22

23 **Section 2. REPEALER.** All ordinances or parts of ordinances in conflict herewith are hereby
24 repealed.
25

26 **Section 3. SEVERABILITY.** If any section, sentence, clause, or portion of this ordinance is for
27 any reason held to be invalid, such decision shall not affect the validity of the remaining
28 provisions of the ordinance.
29

30
31 PASSED AND APPROVED by the Mayor and the Council of the City of Midwest City,
32 Oklahoma, this _____ day of _____, 2024.
33

34
35 THE CITY OF MIDWEST CITY, OKLAHOMA

36 ATTEST:
37

38
39
40 _____
41 MATTHEW D. DUKES, II, Mayor

42
43 _____
44 SARA HANCOCK, City Clerk
45

1 Approved as to form and legality this _____ day of _____, 2024.

2

3

4

5 _____
DON MAISCH, City Attorney

6

7

FEE/RATE JUSTIFICATION

ORDINANCES FOR THE CITY OF MIDWEST CITY

CHAPTER 43, WATER, SEWER, SEWAGE DISPOSAL AND STORMWATER QUALITY

STORMWATER RATES

The City of Midwest City is proposing to amend the rate schedule governing stormwater rates in Section 43-404. This fee/rate justification is being produced to meet the requirements set forth by the Oklahoma Supreme Court in the case of *Red Slipper Club v. City of Oklahoma City*, 599 P.2d 406, 1979 OK 118.

Stormwater activities are labor-intensive and the costs associated with them are not easy to avoid or minimize. Based upon the premise that the regulated community should bear all or substantially all of the costs routinely or regularly incurred by the City, the current fee structure for these entities is not adequate to recoup the City's expenses. The rate changes proposed for Chapter 43 will permit the City to offset the costs that provide proper handling and treatment of drinking water for the residents of the City of Midwest City. The increased revenue will assist this program to meet the budget demands for the operation and maintenance of the program and reduce the public health risk. The City is proposing changing how stormwater rates are calculated. The process will move away from stormwater rates being based on size of water meter and to a calculation based on Equivalent Service Unit. This unit will look at impervious surface material at a specific site.

Maintaining the current level and quality of oversight will help ensure the community receives a safe and clean environment. The proposed rate change will enable the City to accomplish this important responsibility without creating an undue burden. The changes are necessary to cover increasing costs for this program, to allow flexibility to better track reporting and streamline processes. The revised rate structure allows greater flexibility to identify types of businesses which will assist in the identification of hazards based on specific establishment types.

COST IMPACT RESPONSE: The proposed change in the way stormwater rates are calculated will not cause a rate increase for individual homeowner residents in the City of Midwest City. The proposed changes may cause an increase in stormwater rates for businesses in the City of Midwest City.

BENEFITS: The benefits to the general public derive from continued proper handling of stormwater is improved public health. The revised fee structure simplifies the calculation for the customer, reduces error and administrative resources for education and support.

PROPOSED FEE CHANGES: The proposed change in the way stormwater rates are calculated will not cause a rate increase for individual homeowners in the City of Midwest City. The proposed changes may cause an increase in stormwater rates for businesses in the City of Midwest City.

ALTERNATIVES CONSIDERED: The City reviewed multiple different approaches to the rate structure for stormwater rates. These rate changes are based on how certain other cities in Oklahoma calculate stormwater rates.



www.midwestcityok.org

Street,

Public Works Administration

R. Paul Streets, Director

rstreets@midwestcityok.org

Carrie J. Evenson, Assistant Director

cevenson@midwestcityok.org

8730 S.E. 15th

Midwest City, Oklahoma 73110

O: 405-739-1060 /Fax: 405-739-1090

MEMO

TO: Honorable Mayor and Council
FROM: R. Paul Streets, Public Works Director
DATE: March 26, 2024

SUBJECT: Discussion, consideration and possible action regarding an ordinance amending the Midwest City Municipal Code, Chapter 43 Water, Sewer, Sewage Disposal and Stormwater Quality, Article 1, In General; Section 43-3, Definitions; Article II, Water; Division 1, Generally; Section 43-18, Installation Fees; Meter Installation, etc; Division 3, Meters; Section 43-52, Generally; Article III, Sewers and Sewage Disposal; Division 1, Generally; Section 43-107, Unlawful Discharge; Penalty; Section 43-115, Recreational Vehicles (R.V.'S) Disposal Station; Division 3, Private Sewage Disposal Systems; Section 43-138, Permit and Inspection; Section 43-142, Additional Requirements of Health Officer; Division 4, Building Sewers and Connections Generally; Section 43-152, Multiple Use of Building Sewer; Section 43-157, Connection to Public Sewer, Tapping Regulations and Saddle Specifications; Division 6, Fats, Oils, and Grease Control Requirements for Commercial Establishments; Section 43-188, Definitions; Section 43-189, Applicability and Prohibitions; and Section 43-191, General Interceptor Requirements; Design, Size and Location; and providing for repealer and severability.

Midwest City Ordinance Chapter 43 defines the Water, Sewer, Sewage Disposal and Stormwater Quality minimum standards. A routine review of these standards identified several sections in need of updating and modification. Below is the justification for each of the recommended modifications by ordinance section.

1. Section 43-3. - Definitions

This proposed change adds the term “commercial dwelling unit” to the Definitions section of Chapter 43 in order to provide a term of reference for a suite, office, unit, or other division of a commercial or industrial building out of which individual tenants or businesses operate, which must be defined for the changes being proposed in Sections 43-18 and 43-152.

2. Section 43-18. - Installation Fees; Meter Installation, etc.

This proposed change will require individual water meters for each suite, office, unit, or other division of a commercial or industrial building out of which individual tenants or businesses operate. The requirement of individual water meters for individual commercial dwelling units is a multi-departmental recommendation. Customer Service, Community Development, Engineering and Construction Services, and Public Works have discussed and agree on the need for individual meters for permitting, enforcement of ordinances, and environmental protection. One example in which Public Works benefits from having individual water meters for commercial dwelling units occurs when a user is discharging wastewater that is noncompliant with the current local limits or causes an upset at the Water Resources Recovery Facility (WRRF). The water meter for the particular commercial dwelling unit causing the issue can be turned off without interrupting surrounding businesses/tenants.

3. Section 43-52. - Generally

This proposed change will add “or inspected” to the ordinance to reflect current meter installation procedures.

4. Section 43-107. - Generally

Sewer Surveys have traditionally been required as part of the Certificate of Occupancy regulations. With recent recommended changes from other departments, the Sewer Survey will be removed as a required item. This change provides an ordinance-based requirement to submit Sewer Surveys with penalties for noncompliance.

5. Section 43-115. - Recreational Vehicles (R.V.'S) Disposal Station

This proposed change corrects a typographical error by changing “transit” to “transient” and specifies that transient RV waste can only be disposed of at an approved disposal station.

6. Section 43-138. - Permit and Inspection

This proposed change modifies ordinance language to be consistent with changes being proposed to Section 9-372 and reflects regulation of on-site sewage treatment systems by the Oklahoma Department of Environmental Quality.

7. Section 43-142. - Additional Requirements of Health Officer

This change removes reference to a process that is no longer practiced and reserves this section.

8. Section 43-152. - Multiple Use of Building Sewer

This proposed change is similar to the change proposed for Section 43-18 and will require individual sanitary sewer service lines from individual commercial dwelling units. This change allows Public Works to sample a specific commercial dwelling unit in order to identify the potential source of noncompliant discharges that may adversely impact the safety of City staff and/or upset the treatment processes at the WRRF.

9. Section 43-157. - Connection to Public Sewer, Tapping Regulations and Saddle Specifications

This proposed change clarifies the types of sewer tapping saddles allowed in the City of Midwest City and the approved location of the saddle connection to the sewer line in order to eliminate lateral backflow into the private infrastructure when the sewer line is operating at normal flow levels.

10. Section 43-188. - Definitions

This change adds “interceptor” to the definition of “grease interceptor” to allow its use as an abbreviation in other parts of this Chapter.

11. Section 43-189. - Applicability and Prohibitions

This proposed change removes the term “grease trap” and bans the use of garbage disposals in commercial establishments. The International Plumbing Code does not allow waste from garbage disposals to flow into grease interceptors, which would mean that grease laden waste from garbage disposals could enter directly in to the sanitary sewer system.

12. Section 43-191. - General Interceptor Requirements; Design, Size and Location

This proposed change establishes size requirements for sample ports on in-ground interceptors.

Action is at the discretion of the City Council.

Respectfully,



R. Paul Streets
Public Works Director

Attachments

1 establishments, animal clinics or hospitals, automobile service stations, new or used
2 automobile dealerships, automobile car washes, automobile and vehicular repair shops,
3 banking establishments, beauty and barber shops, bowling alleys, bus terminals and
4 repair shops, camera shops, dental offices or clinics, day care centers, department
5 stores, drug stores, funeral homes, furniture stores, gift shops, grocery stores, hardware
6 stores, hotels, jewelry stores, laboratories, laundries and dry cleaning establishments,
7 liquor stores, medical offices and clinics, motels, movie theaters, office buildings, paint
8 stores or shops, parking lots, produce markets, professional offices, radio stations,
9 repair establishments, retail stores, restaurants and similar establishments serving
10 prepared food and beverages, rooming houses, shopping centers, stationary stores,
11 television stations and production facilities, and theaters.

12 ~~(5)~~ Commercial dwelling unit means any suite, office, unit, or part of a commercial or
13 industrial building or structure with its own front door that provides complete,
14 independent facilities for a tenant or building owner, eg. Individual businesses with
15 separate front entrances in a strip mall or industrial park.

16 ~~(5)~~ *Community waters* means any and all rivers, streams, creeks, branches, lakes,
17 reservoirs, ponds, drainage systems, springs, wetlands, wells and other bodies of
18 surface or subsurface water, natural or artificial, lying within or forming a part of the
19 boundaries of the city or the waters into which the sample of stormwater runoff
20 resulting from the combination of individual samples taken at selected intervals based
21 on an increment of either flow or time stormwater system outfalls flow.

22 ~~(6)~~ *Confidential information* means a document or information regarding or describing a
23 process, product or information that has been determined by the manager to be
24 confidential or has been declared by a court of competent jurisdiction to be exempt
25 from disclosure to third parties under the Oklahoma Open Records Act and any
26 amendment or supplement thereto.

27 ~~(7)~~ *Construction activity* means clearing, grading, mining and excavation activities except
28 operations that result in disturbance of less than one (1) acre of total land area and that
29 are not part of a larger common plan of development or sale.

30 ~~(8)~~ *Construction stormwater discharge permit* means a permit issued by the city that
31 establishes controls to the maximum extent practicable to effectively prohibit non-
32 stormwater discharged from a construction site to enter the municipal storm sewer
33 system and, where necessary, contains applicable water quality-based controls.

34 ~~(9)~~ *Cosmetic cleaning* means any system, machine or substance used to remove
35 undesirable substances from any surface or facade creating free foreign matter.

36 ~~(10)~~ *Days* means calendar days.

37 ~~(11)~~ *Department* means the Department of Public Works of the City of Midwest City.

38 ~~(12)~~ *DEQ* means the Oklahoma Department of Environmental Quality.

39 ~~(13)~~ *Director* means the director of the department of public works of the City of Midwest
40 City or the person succeeding to his duties and functions by whatever name known, or
41 his/her duly authorized deputy, agent or designated representative.

- 1 ~~(14)~~ *Discharge* means to cause or allow to throw, drain, release, dump, spill, empty, emit or
2 pour any pollutants or harmful quantity of any substance into the municipal storm
3 sewer system or into the waters of the United States.
- 4 ~~(15)~~ *Discharger* means any person who causes, allows, permits or is otherwise responsible
5 for a discharge including, without limitation, any operator of a construction site or
6 industrial facility; the owner/operator of any commercial, residential or agricultural
7 property; or the owner/operator or transporter of any source of discharge.
- 8 ~~(16)~~ *Domestic sewage* means human excrement, gray water (from home clothes washing,
9 bathing, showers, dish washing or food preparation), other wastewater from household
10 drains and waterborne waste normally discharged from the sanitary conveniences of
11 dwellings (including apartments and hotels), office buildings, factories or commercial
12 properties and institutions that is free from industrial waste.
- 13 ~~(17)~~ *Environmental Protection Agency or EPA* means the U.S. Environmental Protection
14 Agency or, where appropriate, the term may also be used as a designation for the
15 Regional Water Management Division Director or other duly authorized official of said
16 agency.
- 17 ~~(18)~~ *Erosion and sediment control plan* means a written plan, including drawings or other
18 graphic representations, for the control of soil erosion and sedimentation resulting from
19 a land disturbing activity.
- 20 ~~(19)~~ *Fund* means the stormwater management fund.
- 21 ~~(20)~~ *Garbage* means putrescible animal and vegetable waste materials from the handling,
22 preparation, cooking or consumption of food, including waste materials from markets,
23 storage facilities and the handling and sale of produce and other food products; ashes,
24 street cleanings, dead animals, abandoned automobiles and other solid waste other than
25 industrial waste.
- 26 ~~(21)~~ *General OPDES permit* means a general OPDES permit for stormwater discharges
27 associated with construction activity issued by the DEQ.
- 28 ~~(22)~~ *Harmful quantity* means the amount of any substance that will cause pollution of
29 waters of the state, or that will cause lethal or sub-lethal adverse effects on
30 representative, sensitive fathead minnows Pimephales Promelas, bacteria
31 Photobacterium Phosphoreum or daphnids Ceriodaphnia Dubia belonging to the city
32 upon their exposure to samples of any discharge into the municipal storm sewer
33 system, community waters or waters of the state.
- 34 ~~(23)~~ *Hazardous substance* means any substance listed in Table 302.4 of 40 CFR Part 302
35 and any amendment or addition thereto.
- 36 ~~(24)~~ *Hazardous waste* means any substance identified or listed as a hazardous waste by the
37 EPA pursuant to 40 CFR Part 261.
- 38 ~~(25)~~ *Illicit discharge* means any intentional discharge to the municipal storm sewer system
39 that is not composed entirely of stormwater, except discharges pursuant to any NPDES
40 permit, or discharges resulting from fire fighting activities.
- 41 ~~(26)~~ *Impervious surface* means any hard-surfaced area that prevents or retards the entry of
42 water into the soil in the manner and to the extent that such water entered the soil under

1 natural conditions, causing water to run off the surface in greater quantities or at an
2 increased rate of flow than was present under natural conditions such as, but not
3 limited to, roof tops, asphalt or concrete sidewalks, paving, driveways, parking lots,
4 walkways, patio areas, storage areas, and gravel, bituminous substances or other
5 surfaces which similarly affect the natural infiltration or runoff patterns of real
6 property in its natural state.

7 ~~(27)~~ *Industrial means* a business engaged in industrial production or service, that is a
8 business characterized by manufacturing or productive enterprise or a related service
9 business. This term shall include, by way of example but not of limitation, the
10 following: apparel and fabric finishers, blast furnace, blueprint and related shops,
11 boiler works, cold storage plants, contractors' plants and storage facilities, foundries,
12 furniture and household good manufacturing, forge plants, greenhouses, junk yards,
13 manufacturing plants, metal fabricating shops, ore reduction facilities, planning mills,
14 rock crushers, rolling mills, saw mills, smelting operations, stockyards, stone mills or
15 quarries, textile production, utility transmission or storage facilities, warehousing and
16 wholesaling facilities.

17 ~~(28)~~ *Industrial activity* means any activity that is directly related to manufacturing,
18 processing or raw materials storage areas at an industrial facility. The term includes,
19 but is not limited to, industrial plant yards; immediate access roads and rail lines used
20 or traveled by carriers of raw materials, manufactured products, waste material or by-
21 products used or created by the industrial facility sites where material handling
22 activities are performed, refuse sites; sites used for the applications or disposal of
23 process wastewaters; sites used for the storage and maintenance of material handling
24 equipment; sites used for residual treatment, storage or disposal; shipping and
25 receiving areas; manufacturing buildings; storage areas (including tank farms) for raw
26 materials, and immediate and finished products.

27 ~~(29)~~ *Industrial facility* means a premises whose function is classified in the latest edition of
28 the Standard Industrial Classification Manual (United States Office of Management
29 and Budget).

30 ~~(30)~~ *Industrial stormwater discharge permit* means a permit, issued by the city, regulating
31 regular discharges from facilities which may control any conveyance that is used for
32 collecting and conveying stormwater and that is directly related to material storage
33 areas at an industrial plant.

34 ~~(31)~~ *Industrial waste means* any waterborne liquid or solid substance that results from any
35 process of industrial, manufacturing, mining, production, trade or business activities.

36 ~~(32)~~ *Institutional* means an established organization, especially of a charitable or public
37 character. This term shall include, by way of example but not of limitation, the
38 following: churches, community buildings, colleges, day care facilities, dormitories,
39 drug or alcohol rehabilitation facilities, fire halls, fraternal organizations, golf courses
40 and driving ranges, government buildings, hospitals, libraries, kindergartens or
41 preschools, nursing homes, mortuaries, schools, social agencies, synagogues, parks and
42 playgrounds.

43 ~~(33)~~ *Land disturbing activity* means any land change that may result in soil erosion from
44 water and/or wind, and the movement of sediments into community waters or onto

1 lands and roadways within the community including, but not limited to, clearing,
2 dredging, grading, excavating, transporting, stockpiling, mining and filling of land.

3 ~~(34)~~ *Manager* means the person designated by the city to supervise the operation of the
4 stormwater quality management division and the stormwater management system, and
5 who is charged with certain duties and responsibilities by this article [article IV of this
6 chapter], or his duly authorized representative.

7 ~~(35)~~ *Material handling* activities means the storage, loading and unloading, transportation
8 or conveyance of any raw material, immediate product, finished product, by-product or
9 waste product.

10 ~~(36)~~ *Monitoring* shall mean the performance of stormwater flow measurements, stormwater
11 sampling, sample analysis and like procedures necessary to determine compliance with
12 the applicable permit.

13 ~~(37)~~ *Motor vehicle fluid* means any vehicle crankcase oil, antifreeze, transmission fluid,
14 brake fluid, differential lubricant, gasoline, diesel fuel, gasoline/alcohol blend and any
15 other fluid used in, or from within, a motor vehicle.

16 ~~(38)~~ *Multifamily residential* means an apartment building or other residential structure built
17 for three (3) or more family units, mobile home parks with three (3) or more units or
18 lots under common ownership, and condominiums of three (3) or more units.

19 ~~(39)~~ *Municipal separate storm sewer system or MS4* means the system of conveyances
20 (including roads with drainage systems, municipal streets, catch basins, curbs, gutters,
21 ditches, manmade channels or storm drains) owned or regulated by the city and
22 designed or used for collecting or conveying stormwater, and which is not used for
23 collecting or conveying sewage.

24 ~~(40)~~ *National Pollutant Discharge Elimination System (NPDES) permit* means a permit,
25 and any addition or amendment thereto, issued to the city by EPA (or by the state
26 under authority delegated pursuant to 33 USC § 1342 (b)) that authorizes the discharge
27 of pollutants to the waters of the United States.

28 ~~(41)~~ *Notice of intent or NOI* means a written notice by a discharger or potential discharger
29 to the superintendent that the person wishes his discharge to be authorized under a
30 general permit authorized by state law or regulation.

31 ~~(42)~~ *Notice of termination or NOT* means a written notice by a discharger to the
32 superintendent that the permitted project has seventy (70) percent revegetation of all
33 bare areas and all soil disturbing activities are concluded, allowing the termination of
34 the permit issued under this section, or the discharger is no longer the operator of the
35 facility and another has assumed the responsibility and obtained an NOI.

36 ~~(43)~~ *Oil* means any kind of oil in any form including, but not limited to, petroleum, fuel oil,
37 crude oil or any fraction thereof that is liquid at standard conditions of temperature and
38 pressure, sludge, oil refuse and oil mixed with waste.

39 ~~(44)~~ *OPDES* means Oklahoma Pollution Discharge Elimination System Act, 27 O.S. § 2-
40 201 et seq., and any amendment or addition thereto.

41 ~~(45)~~ *Owner/operator* means the person, firm, organization or any other entity, or its
42 representative, that either individually or together meet the following (2) two criteria;

- 1 a. It has operational control over the site specifications (including the ability to make
2 modifications in the specifications);
- 3 b. It has the day-to-day operational control of those activities at the site necessary to
4 ensure compliance with plan requirements and permit conditions (e.g., is authorized to
5 direct (workers at the site to carry out activities identified in the plan).
- 6 ~~(46)~~ *Permit* means a license to conduct an activity, which is regulated by the Clean Water
7 Act or this article [article IV of this chapter].
- 8 ~~(47)~~ *Person* means any individual, partnership, co-partnership, firm, company, corporation,
9 association, joint stock company, trust, estate, governmental entity or any other legal
10 entity, or a legal representative, agent or assign. The masculine gender shall include the
11 feminine and the singular shall include the plural where indicated by the context. This
12 definition includes all federal, state or local governments.
- 13 ~~(48)~~ *Pollutant* means any dredge spoil, solid waste, incinerator residue, oil, grease, sewage,
14 garbage, sewage sludge, munitions, medical waste, chemical waste, industrial waste,
15 biological materials, radioactive materials, heat, wrecked or discarded equipment, rock,
16 sand, cellar dirt, agricultural and industrial waste, and characteristics of the wastewater
17 (i.e., pH, temperature, total suspended solids, turbidity, color, biochemical oxygen
18 demand, chemical oxygen demand, toxicity, odor).
- 19 ~~(49)~~ *Pollution prevention plan* means a written site specific plan to eliminate or reduce and
20 control the pollution of stormwater through designed facilities, sedimentation ponds,
21 natural or constructed wetlands, and best management practices.
- 22 ~~(50)~~ *POTW* means publicly owned treatment works.
- 23 ~~(51)~~ *Premises* means any plot or tract of ground, regardless of size or plat, owned by a
24 person, or used by a person and any contiguous plots.
- 25 ~~(52)~~ *Release* means any spilling, leaking, pumping, pouring, emitting, emptying,
26 discharging, injecting, escaping, leaching, dumping or disposing into the municipal
27 storm sewer system, community waters, waters of the state or waters of the United
28 States.
- 29 ~~(53)~~ *Rubbish* means nonputrescible solid waste, excluding ashes, that consists of:
- 30 a. Combustible waste materials, including paper, rags, cartons, wood, excelsior,
31 furniture, rubber, plastics, yard trimmings, leaves and similar materials; and
- 32 b. Noncombustible waste materials, including glass, crockery, tin cans, aluminum cans,
33 metal furniture and any other materials that do not burn at ordinary incinerator
34 temperatures (1,600° F to 1,800° F).
- 35 ~~(54)~~ *Sanitary sewer* means the system of pipes, conduits and other conveyances that carry
36 industrial waste and domestic sewage from residential dwellings, commercial
37 buildings, industrial and manufacturing facilities and institutions, whether treated or
38 untreated, to a sewage treatment plant or POTW (and to which stormwater, surface
39 water and groundwater are not intentionally admitted).
- 40 ~~(55)~~ *Service station* means any retail establishment engaged in the business of selling fuel
41 for motor vehicles that is dispensed from stationary storage tanks.

- 1 ~~(56)~~ *Sewage* means industrial and/or domestic waste.
- 2 ~~(57)~~ *SIC code* means Standard Industrial Classification Code of Executive Office of the
3 President of the United States, Office of Management and Budget.
- 4 ~~(58)~~ *Significant spills* means, but is not limited to, releases of oil or hazardous substances
5 in excess of reportable quantities under the Clean Water Act or the Comprehensive
6 Environmental Response, Compensation and Liability Act, and any amendment or
7 addition thereto.
- 8 ~~(59)~~ *Solid waste* means any garbage, rubbish and refuse, and sludge from a waste treatment
9 plant, water supply treatment plant or air pollution control facility, and other discarded
10 material, including solid, liquid, semi-solid or contained gaseous material resulting
11 from or incidental to industrial, municipal, commercial, mining and agricultural
12 operations, and from community, recreational or institutional activities.
- 13 ~~(60)~~ *Spills* means any release that, in the opinion of the superintendent, negatively impacts
14 the quality of water within or discharges from the city's municipal storm sewer system
15 or causes damaging or deleterious effects to the city's municipal storm sewer system
16 including all of its structures or appurtenances, and/or waters to the storm sewers.
- 17 ~~(61)~~ *State* means the State of Oklahoma.
- 18 ~~(62)~~ *Stormwater* means any precipitation runoff, surface runoff and drainage related to
19 rain, storm events or snow melt.
- 20 ~~(63)~~ *Stormwater charge* means the fees levied within the boundaries of the city for the use
21 of the stormwater drainage system.
- 22 ~~(64)~~ *Stormwater drainage system* means any facility, structure, improvement, development,
23 equipment, property or interest therein, or other structural or nonstructural element
24 made, constructed, used or acquired for the purpose of collecting, containing, storing,
25 conveying and controlling stormwater wherever located including, but not limited to,
26 storm sewers, curbs, street drains, conduits, natural and manmade channels, pipes,
27 culverts and detention ponds whether public or private.
- 28 ~~(65)~~ *Stormwater management* means the collection, conveyance, storage, treatment and
29 disposal of stormwater runoff in a manner to meet the objectives of this article [article
30 IV of this chapter] and its terms including, but not limited to, measures that control the
31 increased volume and rate of stormwater runoff and water quality impacts caused by
32 manmade changes to the land.
- 33 ~~(66)~~ *Stormwater management plan* means the set of drawings and other documents that
34 comprise all of the information and specifications for the programs, drainage systems,
35 structures, best management practices, concepts and techniques for the control of
36 stormwater and which is incorporated as part of the NPDES permit for the city, and as
37 part of this article [article IV of this chapter].
- 38 ~~(67)~~ *Stormwater management program or program* means the overall strategy and
39 framework for the stormwater management activities of the city.
- 40 ~~(68)~~ *Stormwater runoff* means that portion of any precipitation that is drained into the
41 stormwater drainage system.

- 1 ~~(69)~~ *Superintendent* means the City of Midwest City's Utilities Superintendent or his/her
2 designated representative.
- 3 ~~(70)~~ *Toxic pollutant* means any pollutant or combination of pollutants listed as toxic in 40
4 CFR Part 401 promulgated by the EPA under the provisions of 33 U.S.C. § 1317 and
5 any amendment or addition thereto.
- 6 ~~(71)~~ *Uncontaminated* means not containing a harmful quantity of any substance.
- 7 ~~(72)~~ *Used oil* means any oil that has been refined from crude oil or a synthetic oil that, as a
8 result of use, storage or handling, has become unsuitable for its original purpose
9 because of impurities or the loss of original properties, but may be suitable for further
10 use and is recyclable in compliance with state and federal law.
- 11 ~~(73)~~ *User* means any source of direct or indirect discharge to the municipal storm sewer
12 system; the occupant or the owner/operator of any real estate; and the owner/operator
13 of any impervious surface or improvement and/or other person or entity benefiting
14 from the stormwater drainage system.
- 15 ~~(74)~~ *Utilities* means a television, electric, gas, water, sanitary and storm sewer, cable TV or
16 other company or legal or government entity that provides service to the public.
- 17 ~~(75)~~ *Variance* means the modification of the minimum stormwater management
18 requirements contained in this article [article IV of this chapter] and the stormwater
19 management plan for specific circumstances where strict adherence to the requirements
20 would result in unnecessary hardship and not fulfill the intent of this article [article IV
21 of this chapter].
- 22 ~~(76)~~ *Wastewater* means any water or other liquid, other than uncontaminated stormwater,
23 discharged from a facility.
- 24 ~~(77)~~ *Waters of the state* means any groundwater, percolating or otherwise, lakes, bays,
25 ponds, impounding reservoirs, springs, rivers, streams, creeks, estuaries, marshes,
26 inlets and canals, inside the territorial limits of the state, and all other bodies of surface
27 water, natural or artificial, navigable or nonnavigable, and including the beds and
28 banks of all watercourses and bodies of surface water, that are wholly or partially
29 inside or bordering the state or inside the jurisdiction of the state.
- 30 ~~(78)~~ *Waters of the United States* means all waters that are currently used, were used in the
31 past or may be susceptible to use in the future in interstate or foreign commerce
32 including all waters that are subject to the ebb and flow of the tide; all interstate waters,
33 including interstate wetlands; all other waters the use, degradation or destruction of
34 which would affect interstate or foreign commerce; all impoundments of waters
35 otherwise defined as waters of the United States under this definition; all tributaries of
36 waters identified in this definition; all wetlands adjacent to waters identified in this
37 definition and any waters within the federal definition of "Waters of the United States"
38 at 40 CFR § 122.2; but not including any wastewater treatment systems, treatment
39 ponds or lagoons designed to meet the requirements of the Clean Water Act.
- 40 ~~(79)~~ *Water quality* means those characteristics of stormwater runoff that relate to the
41 physical, chemical, biological or radiological integrity of water.

1 ~~(80)~~ *Wetland* means an area that is inundated or saturated by surface or groundwater at a
2 frequency and duration sufficient to support, and that under normal circumstances does
3 support, a prevalence of vegetation typically adapted for life in saturated soil
4 conditions. Wetlands generally include swamps, marshes, bogs and similar areas.

5 (b) The following abbreviations shall have the designated meanings:

6 (1) CFR shall stand for Code of Federal Regulations.

7 (2) USC shall stand for United States Code.
8

9 **SECTION 2.** That the Midwest City Municipal Code, Chapter 43, Water, Sewers, Sewage
10 Disposal and Stormwater Quality, Article II, Water, Division 1, Generally, Section 43-18,
11 Installation fees; meter installation, etc. is hereby amended to read as follows:
12

13 **Sec. 43-18. Installation fees; meter installation, etc.**

14 (a) The fees for installation of water service and meter shall be as determined on a schedule
15 of fees provided by the public works director or designee prior to July 1st of each
16 calendar year or, as the cost of materials and labor increase or decrease, the schedule
17 shall be revised to reflect the increases or decreases in cost as necessary, after approval
18 by the council. Fees for connection to the water system and installation or purchase of a
19 water meter shall be paid at the time the building permit is issued. All meters shall be
20 furnished and installed by the city.

21 (b) If a service line has been connected to the city water main to service a particular lot and
22 there are subsequent lot splits and the installed service line does not meet the
23 requirements of the new lot boundary or greenbelt requirement, the owner of the lot or
24 lots shall be responsible for providing proper service line connections to the designated
25 lot or lots.

26 (c) In general, the required meter shall be the same size as the service lines. The meter shall
27 not exceed the size of the service line (i.e., one and one-half (1½) inch meter on a one-
28 inch service line).

29 (d) In all cases where meters, meter boxes, transmitters, antennae, or related equipment are
30 lost, damaged or broken by carelessness or negligence of the property owner, or anyone
31 working for or under the general supervision of the property owner, they shall be
32 replaced or repaired by or under the direction of the environmental services director and
33 the cost will be levied to the property owner. During construction, the builder shall be
34 charged with the care and protection of the meter and related equipment, water lines and
35 meter boxes. If the meter or related equipment, water lines, or meter boxes are broken or
36 damaged, it shall be prima facie negligence of the builder. The items shall be replaced or
37 repaired by or under the direction of the environmental service director and the cost will
38 be levied to the builder. The city shall be responsible only for the proper functioning and
39 registry of the water meter.

40 (e) All commercial dwelling units will be required to be connected to a dedicated water meter
41 providing water solely to said facility. Water meter(s) shall be installed to serve each
42 commercial dwelling unit in a manner as to not disrupt or interfere with any other tenants'

1 water supply. Water supply to commercial dwelling units shall remain separate. Tenants
2 that occupy more than one commercial dwelling unit shall maintain separate water accounts
3 and plumbing to ensure the continued separation of each commercial dwelling unit's
4 utilities.

5 Existing structures and/or those that have new construction/remodel plans approved prior to
6 the effective date of March 28, 2024, that allow multiple commercial dwelling units to
7 operate through a master water meter shall be required to install individual water meters to
8 each commercial dwelling unit when a remodel exceeds fifty (50%) of the definition of a
9 Level 3 alteration as defined in the City's International Building Code as adopted by
10 reference in Chapter 9, for said commercial dwelling unit as calculated cumulatively over
11 the life of the commercial dwelling unit and/or includes modifications to the commercial
12 dwelling unit's plumbing. Water supply to all commercial dwelling units shall remain
13 separate. Tenants that occupy more than one commercial dwelling unit shall maintain
14 separate water accounts and plumbing to ensure the continued separation of each
15 commercial dwelling unit's utilities.

16 (f) All multi-family residential properties will be required to install individual water meters to
17 each multi-story building for apartment complexes or to each dwelling unit for multi-family
18 residential structures with three (3) or more dwelling units.

19 Existing multi-family residential structures and/or those that have new construction/remodel
20 plans approved prior to the effective date of March 28, 2024, that allow multiple residential
21 dwelling units to operate through a master water meter shall be required to install individual
22 water meters to each multi-story building, and/or to each single story multi-family building
23 containing more than three (3) dwelling units, and/or to each dwelling unit for single story
24 multi-family buildings containing three (3) or less dwelling units when a remodel exceeds
25 fifty (50%) of the assessed value for the multi-story building and/or dwelling unit as
26 calculated cumulatively over the life of the dwelling unit and/or includes modifications to
27 the dwelling unit's plumbing.

28
29 **SECTION 3.** That the Midwest City Municipal Code, Chapter 43, Water, Sewers, Sewage
30 Disposal and Stormwater Quality, Article II, Water, Division 3, Meters, Section 43-52, Generally
31 is hereby amended to read as follows:

32 **Sec. 43-52. Generally.**

33 (a) All meters installed or inspected by the city shall be and remain the property of the city and
34 will not be removed unless the use of the water on the premises is to be entirely stopped or
35 the service connections discontinued. In all cases where meters, transmitters, antennae or
36 any related equipment are lost, damaged or broken by carelessness or negligence of the
37 owner or occupant of the premises, or anyone working for or under the general supervision
38 of the property owner or occupant, they shall be replaced or repaired by or under the
39 direction of the environmental services director and the cost levied against the owner or
40 occupant. The owner or occupant shall be charged with the care and protection of the meter
41 and related equipment, water lines and meter boxes. If the meter or related equipment, water
42 lines or meter boxes are broken or damaged, it shall be prima facie negligence of the

1 property owner or occupant; and the city shall be responsible only for the proper
2 functioning and registry of the water meter.

- 3 (b) It shall be an offense for any property owner or occupant, to obstruct or allow the
4 obstruction, in any manner, of access to the property's meter for inspection or repair by the
5 city. "Obstruct" or "obstruction" as used herein shall include, but shall not be limited to,
6 parking automobiles, trailers, boats or other vehicles over meters, planting shrubs over or
7 allowing shrubbery to cover meters, or placing any trash or debris over or allowing any
8 trash or debris to cover the meter, in such a manner that prevents access to the meter for
9 inspection or repair by the city.

10
11
12 **SECTION 4.** That the Midwest City Municipal Code, Chapter 43, Water, Sewers, Sewage
13 Disposal and Stormwater Quality, Article III, Sewers and Sewage Disposal, Division 1, Generally,
14 Section 43-107, Unlawful discharges; penalty is hereby amended to read as follows:
15

16 **Sec. 43-107. Unlawful discharges; penalty.**

17 It shall be unlawful to dispose of any substance in any amount in or near a sanitary or storm
18 sewer access point or to any natural outlet within the city. All new or changes of ownership of
19 non-residential sewer users shall be required to accurately complete a Sewer Survey prior to the
20 first sanitary sewer discharge to the POTW. All current users shall accurately complete a Sewer
21 Survey by December 31, 2026.

22
23 Any person convicted of violating this section shall be punished by a fine of not more
24 than two hundred dollars (\$200.00), plus court costs, or by imprisonment for not more than
25 thirty (30) days or by both such fine and imprisonment. Each day that any violation of this
26 section occurs or continues shall constitute a separate offense and shall be punishable as a
27 separate violation.

28
29 **SECTION 5.** That the Midwest City Municipal Code, Chapter 43, Water, Sewers, Sewage
30 Disposal and Stormwater Quality, Article III, Sewers and Sewage Disposal, Division 1, Generally,
31 Section 43-115, Recreational vehicles (R.V.'s) disposal station is hereby amended to read as
32 follows:
33

34 **Sec. 43-115. Recreational vehicles (R.V.'s) disposal station.**

- 35 (a) Only establishments that sell, perform maintenance or rejuvenate recreational vehicles shall
36 be authorized to install or operate a disposal station within the city limits of Midwest City.
37 Owner/operators of disposal stations shall allow both Midwest City residents who own
38 R.V.'s and ~~transit~~ transient recreational vehicle owners to utilize their facility. This service
39 may be provided at no charge to the customer, or if there is a charge the city shall receive
40 fifty (50) percent of said charge for utilizing the city's sewer facilities. Disposal sites for the
41 general public shall be made available only during normal business hours.

- 1 (b) Only recreational vehicles shall be authorized to utilize disposal stations and shall be limited
2 to a maximum of one hundred (100) gallons waste per recreational vehicle. No septic tanks,
3 grease traps or port-o-pots shall be authorized to utilize any disposal site within Midwest
4 City.
- 5 (c) Owner/operators shall display signs stating the following information: Hours of operation;
6 for recreational vehicle use only; no commercial dumping; and users shall clean site after
7 each use.
- 8 (d) Disposal sites shall be installed and maintained in accordance with Chapter 9~~the BOCA~~
9 ~~plumbing code~~. The pad shall be constructed in such a manner that drainage from roofs or
10 water runoffs shall not enter the disposal opening. Such opening shall be watertight when
11 not in use and be fitted with a foot operated flush valve. Potable water shall be made
12 available through a frost free plug for cleaning of the disposal station after use.
- 13 (e) Disposal station shall be subject to inspection by Midwest City ~~city's~~ plumbing inspector
14 and/or ~~industrial waste monitor~~ Line Maintenance official.
- 15 (f) Transient R.V. waste shall only be disposed of at an approved disposal station.

16
17 43, DIVISION 3. – PRIVATE SEWAGE DISPOSAL SYSTEMS

18 Footnotes:

19 ---(6)---

20 Cross reference – ~~Septic tanks, § 9-299.9-372~~ On-Site Sewage Treatment System

21 **SECTION 6.** That the Midwest City Municipal Code, Chapter 43, Water, Sewers, Sewage
22 Disposal and Stormwater Quality, Article III, Sewers and Sewage Disposal, Division 3, Private
23 Sewage Disposal Systems, Section 43-138, Permit and inspection is hereby amended to read as
24 follows:
25

26 **Sec. 43-138. Permit and inspection.**

27 Before commencement of construction of ~~a private sewage disposal system~~ an on-site
28 sewage treatment system, the owner shall first submit a registration request to the Chief Building
29 Official according to Sec. 9-372 On-Site Sewage Treatment System and pay the associated fees.
30 obtain a written permit signed by the building inspector. The application for such permit shall be
31 made on a form furnished by the city, which the applicant shall supplement by any plans,
32 specifications and other information as are deemed necessary by the building inspector. The
33 permit application shall be accompanied by a fee of fifteen dollars (\$15.00). A permit for a
34 private sewage disposal system shall not become effective until the installation is completed to
35 the satisfaction of the health officer. He shall be allowed to inspect the work at any stage of
36 construction and, in any event, the applicant for the permit shall notify the health officer when
37 the work is ready for final inspection, and before any underground portions are covered. The
38 inspection shall be made within twenty four (24) hours of the receipt of notice by the health
39 officer.

1 **SECTION 7.** That the Midwest City Municipal Code, Chapter 43, Water, Sewers, Sewage
2 Disposal and Stormwater Quality, Article III, Sewers and Sewage Disposal, Division 3, Private
3 Sewage Disposal Systems, Section 43-142, Additional requirements of health officer is hereby
4 repealed and placed into Reserve:
5

6 **Sec. 43-142. Additional requirements of health officer. Reserved**

7 ~~No statement contained in this division shall be construed to interfere with any additional~~
8 ~~requirements that may be imposed by the health officer.~~
9

10 **SECTION 8.** That the Midwest City Municipal Code, Chapter 43, Water, Sewers, Sewage
11 Disposal and Stormwater Quality, Article III, Sewers and Sewage Disposal, Division 4, Building
12 Sewers and Connections Generally, Section 43-152, Multiple use of building sewer is hereby
13 amended to read as follows:
14

15 **Sec. 43-152. Multiple use of building sewer.**

16 (a) A separate and independent building sewer shall be provided for every building; except
17 where one building stands at the rear of another on an interior lot and no private sewer is
18 available or can be constructed to the rear building through an adjoining alley, court, yard
19 or driveway, the building sewer from the front building may be extended to the rear
20 building and the whole considered as one building sewer.

21 (b) All new commercial dwelling units shall be required to be connected to the sanitary
22 sewer system via a dedicated sewer service line exiting the unit. All service lines shall
23 comply with Chapter 9 of the City Code. Additionally, a sample port as described in 43-
24 191 shall be installed before any manifold or combination of service lines prior to
25 connection to the POTW.

26 Existing structures and/or those that have new construction/remodel plans approved prior
27 to effective date of March 28, 2024, that allow multiple commercial dwelling units to
28 operate through a single sewer service shall be required to install individual sewer
29 services exiting the structure from each commercial dwelling unit when a remodel
30 exceeds fifty (50%) of the definition of a Level 3 alteration as defined in the City's
31 International Building Code as adopted by reference in Chapter 9, f or the commercial
32 dwelling unit as calculated cumulatively over the life of the commercial dwelling unit
33 and/or includes modifications to the commercial dwelling unit's plumbing. Sewer
34 services to all commercial dwelling units shall remain separate to a point beyond a
35 sample port (as described in 43-191), directional cleanout(s), and backflow prevention
36 device. Tenants that occupy more than one commercial dwelling unit shall maintain the
37 individual sewer service plumbing to ensure the continued separation of each commercial
38 dwelling unit's utilities.

1 (c) New and/or remodeled facilities that operate an in-ground grease interceptor shall install
2 samples ports as required in 43-191.

3
4 **SECTION 9.** That the Midwest City Municipal Code, Chapter 43, Water, Sewers, Sewage
5 Disposal and Stormwater Quality, Article III, Sewers and Sewage Disposal, Division 4, Building
6 Sewers and Connections Generally, Section 43-157, Connection to public sewer, tapping
7 regulations and saddle specifications is hereby amended to read as follows:
8

9 **Sec. 43-157. Connection to public sewer, tapping regulations and saddle specifications.**

10 (a) Whenever no wye or tee presently exists on a main sewer line and a building and/or
11 house is to be constructed, a special fitting called a saddle is to be utilized to make the
12 connection. The spigot's end shall be specifically shaped to fit snugly against a hole
13 cut into the mainline. These saddles shall be sealed with epoxy cement and/or secured
14 to the line with stainless steel bands.

15 (b) Whenever a saddle is required on a new or existing main, it is to be installed by the
16 contractor only when continuous supervision is provided by the utilities department.
17 The saddle selected to be used shall fit the contour of the inside of the mainline and
18 shall be specifically designed to fit the particular type and size of the line. It shall be
19 installed in accordance with the manufacturer's instructions. The saddle connection
20 shall be capable of withstanding any conditions such as stress and/or strain
21 encountered in normal construction or maintenance. The connection shall be water-
22 and gas-tight.

23 (c) When the opening for the saddle is cut into the sewer line, care must be taken to
24 prevent the cracking or breaking of the mainline. If the main is cracked or broken,
25 that length of pipe shall be removed and a new wye or tee fitting installed in its place.

26 (d) The contractor may make the cut into the main for the installation of the saddle only
27 if he possesses the proper equipment to make the tap; otherwise, the city work crew
28 shall make the tap and install the saddle.

29 (e) The opening shall be fully dressed to fit the saddle by gentle trimming with small
30 dressing tools. All pipe chips, etc., must be removed from the bottom of the dry
31 mainline. If the saddle is being installed on a line already in use, some means must be
32 provided to prevent the chips, etc., from entering the sewer line.

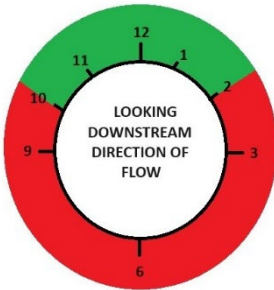
33 (f) The Only tapping saddles approved by the Line Maintenance official shall be allowed.
34 Insert tee and flexible tapping saddle shall not be allowed. shall be as manufactured by
35 the following or an approved equal:

36 ~~MULTI FITTING LIMITED; gasket is a solvent weld; PLUMBING RESEARCH~~
37 ~~AND DEVELOPMENT COMPANY, Fast-Fit; CARLON Vylon "Z" gasket or solvent~~

1 ~~weld; G.P.K. PRODUCTS, INC., type PSM/PSP BOCA 74-31 and FOWLER SEWER~~
2 ~~TAP, INC., "Quick Way". Any deviation from the prescribed procedures and/or materials~~
3 ~~must be approved by the utilities superintendent prior to installation.~~

4 (g) The saddle, wye, tee, or other lateral connections (including the seal between the
5 lateral connection and the POTW main) shall remain private infrastructure and the
6 responsibility of the property owner to maintain.

7 (h) All lateral connections shall be located between the 10 o'clock and 2 o'clock position
8 on the POTW main.



9 _____

10
11
12 **SECTION 10.** That the Midwest City Municipal Code, Chapter 43, Water, Sewers, Sewage
13 Disposal and Stormwater Quality, Article III, Sewers and Sewage Disposal, Division 6, Fats, Oils
14 and Grease Control Requirements for Commercial Establishments, Section 43-188, Definitions is
15 hereby amended to read as follows:
16

17 **Sec. 43-188. Definitions.**

18 Unless otherwise stated in the context of this article, the following terms and abbreviations will
19 have the ascribed meanings:

20 *Approved haulers list* means a list of all waste haulers approved by the city to operate within
21 the public owned treatment works' (POTW's) collection area or city limits.

22 *Bypass* means any overflow of any amount from a private or POTW collection system.

23 *Chronic violator* means a person or facility with a pattern of neglect or disregard that results in
24 the same or similar repeated violations during a floating twenty-four-month period.

25 *Decanting* means the practice of returning wastewater back into the grease interceptor,
26 oil/water separator, grinder device, grit trap, or any part of the sanitary sewer after it is
27 removed.

28 *Domestic user* means a user of the sanitary sewer system that an individual(s) occupies as a
29 residential premises and is not categorized as a facility.

1 *Facility* means a commercial business that generates and discharges FOG (fats, oils, and
2 greases), waste oil, grit, other petroleum waste, wipes, or any debris larger than one-half (½)
3 inch into the city's POTW, i.e. restaurants, automobile service, hotels, apartment complex,
4 nursing homes, assisted living centers, etc.

5 *FOG* means fats, oils, and greases in any amount.

6 *Generator* means any person(s) or facility who owns or operates a grease interceptor, oil/water
7 separator, or whose act or process produces a FOG waste, wipes or debris larger than one-half
8 (½) inch, and discharges into the POTW.

9 *Grease interceptor or interceptor*, means any device, no matter the capacity, that is designed
10 to use differences in specific gravities to separate and retain light density liquids, waterborne
11 fats, oils and greases or designed to collect settleable solids, generated by and from food
12 preparation activities, prior to the wastewater entering the POTW.

13 *Grinder* means a mechanical device used to shred solid substances to pieces less than one-half
14 (½) inch in any dimension.

15 *New facility* means a newly constructed facility and/or the remodeling and/or expansion of an
16 existing facility.

17 *Nondomestic user* means any user other than domestic users.

18 *Notice to comply* means a document issued to the responsible party that either requests
19 additional information needed to determine compliance with their permit and/or this Code, or
20 serves as a notice to correct a minor violation of their permit and/or this Code.

21 *Notice of violation* means a document issued to the responsible party when they have violated
22 their permit and/or this Code.

23 *Oil/water separator* means any device that separates the sand, oil and other types of grit from
24 the wastewater before it enters the POTW.

25 *Public owned treatment works ("POTW")* means a treatment works, as defined by Section 212
26 of the Act (33 U.S.C. § 1292), which is owned by the city. This definition includes any devices
27 or systems used in the collection, storage, treatment, recycling, and reclamation of sewage or
28 industrial wastes of a liquid nature and any conveyances, which convey wastewater to the
29 treatment plant.

30 *Public works director* means the director of public works or designee.

31 *Reclamation system* means a series of tanks or basins and filters that renders water reusable.

32 *Responsible party* means a person(s) or corporation who controls, manages, and or directs a
33 facility.

1 *Transporter* means any hauler that removes the contents and cleans any grease trap/interceptor
2 or oil/water separator.

3 *Twenty-five (25) percent rule* means when the floating grease and bottom sludge combine to
4 displace at least one-quarter (¼) of the tanks total liquid depth, or the liquid depth of any single
5 chamber of the interceptor.

6
7 **SECTION 11.** That the Midwest City Municipal Code, Chapter 43, Water, Sewers, Sewage
8 Disposal and Stormwater Quality, Article III, Sewers and Sewage Disposal, Division 6, Fats, Oils
9 and Grease Control Requirements for Commercial Establishments, Section 43-189, Applicability
10 and prohibitions is hereby amended to read as follows:
11

12 **Sec. 43-189. Applicability and prohibitions.**

13 This article shall apply to all nondomestic users of the POTW.

14 (1) Grease traps, ~~grease~~ interceptors, oil/water separators, grit traps, and/or grinder devices
15 shall not be required for domestic users.

16 (2) Facilities generating FOG as a result of food manufacturing, processing, preparation or
17 service shall install, use and maintain appropriate grease interceptors. These facilities
18 include, but are not limited to, restaurants, food manufacturers, food processors,
19 hospitals, hotels, motels, prisons, nursing homes, churches, day cares and any other
20 facility preparing, serving or otherwise making any foodstuff available for
21 consumption.

22 (3) Facilities generating and/or collecting automotive/petroleum oil, grease, sand, grit and
23 other types of waste as a result of automotive servicing and repair shall install, use and
24 maintain an oil/water separator and/or grit trap. These facilities include, but are not
25 limited to, car washes, automotive repair shops, tractor/trailer repair shops, car
26 dealerships and any other facility that maintains, repairs or washes any type of
27 motorized vehicles.

28 (4) No user may intentionally or unintentionally allow the direct or indirect discharge of
29 any petroleum oil, non-biodegradable cutting oil, mineral oil, gasoline, kerosene, FOG,
30 wipes, any debris larger than one-half (½) inch, or any other chemicals into the POTW.
31 Nor shall it be allowed to violate any technically based local limits (TBLLs) as
32 established in section 43-274, local limits.

33 (5) Garbage disposals shall not be permitted in commercial or industrial establishments.
34

35 **SECTION 12.** That the Midwest City Municipal Code, Chapter 43, Water, Sewers, Sewage
36 Disposal and Stormwater Quality, Article III, Sewers and Sewage Disposal, Division 6, Fats, Oils
37 and Grease Control Requirements for Commercial Establishments, Section 43-191, General
38 interceptor requirements; design, size and location is hereby amended to read as follows:
39

1 **Sec. 43-191. General grease interceptor requirements; design, size and location.**

- 2 (a) All new or remodeling facilities that produce FOG shall complete an EPA grease
3 interceptor sizing sheet, or equivalent determination method, and provide the information
4 used to complete the sizing determination method to Midwest City Line Maintenance. A
5 minimum of one thousand (1,000) gallons or engineer approved equivalent in-ground
6 grease interceptor shall be required. A minimum one thousand five hundred (1,500)
7 gallon interceptor shall be required for all shell structures that may accommodate FOG
8 contributors. If an existing facility has a smaller grease interceptor in use, the facility
9 shall submit to a complete facility and process review. The findings of this review will
10 include all required actions that may include, but not limited to, the installation of
11 additional or higher capacity interceptor(s). All grease interceptors installed will conform
12 to this Code and the current International Plumbing Code adopted by the city.
- 13 (b) All new or remodeled facilities that generate and discharge waste oil, grit and other
14 petroleum waste will be required to install grit traps with a minimum five hundred (500)
15 gallon capacity and oil/water separators of one thousand (1,000) gallon capacity or larger
16 in accordance with this Code. If an existing facility has a smaller oil/water separator or
17 grit trap in use it shall submit to a complete facility and process review. The findings of
18 this review will include all required actions that may include, but are not limited to, the
19 installation of an additional or larger trap(s), and/or separators. All grit traps and oil/water
20 separators installed will conform to this Code and the current International Plumbing
21 Code adopted by the city.
- 22 (c) All in-ground grease interceptors that exceed a fifty (50) gallon per minute designed flow
23 rating or any chain series of interceptor shall be installed with two (2) single directional
24 clean-outs facing away from the interceptor, one (1) before the interceptor and one (1) after
25 the backwater valve, within the clean-out requirements of the current International
26 Plumbing Code adopted in Chapter 9. Additionally, a sample port with an opening of twelve
27 (12) inches or larger shall be installed after the point of no further treatment but before the
28 backwater valves. For further backwater valve requirements, see Chapter 9, buildings and
29 building regulations, article VI, plumbing.
- 30 (d) All in ground interceptors shall be installed with two (2) single directional clean-outs facing
31 away from the interceptor, one (1) before the interceptor and one (1) after the backwater
32 valve, within the clean-out requirements of the current International Plumbing Code.
33 Additionally, a sample port with an opening of twelve (12) inches or larger shall be installed
34 after the point of no further treatment but before the backwater valves. For further
35 backwater valve requirements, see chapter 9, buildings and building regulations, article VI,
36 plumbing.
- 37 (e) All in ground interceptors, oil/water separators, grit traps, clean-outs, backwater valve and
38 sampling ports shall have all required lids above grade. The final elevation of the lids and
39 the surrounding area will ensure that all rain and runoff is directed away from the lids,
40 additional influent and inflow prevention measures may be required. Interceptors, lids,

1 boxes, vaults, clean out access or other related components that are installed in an improved
2 surface shall be traffic rated at a minimum of H-20.

3 (f) All grease interceptors, oil/water separators, grit traps, and grinder pumps shall be inspected
4 and approved by Midwest City Line Maintenance before being placed into service.

5 (g) A variance request to this Code can be submitted to the pretreatment coordinator on the
6 variance request form. The request will be assessed on a case by case basis, approval or
7 denial of the request will be returned to the applicant in writing and will be considered final.
8 The variance is non-transferrable and may be revoked as needed.

9
10 **Section 13. REPEALER.** All ordinances or parts of ordinances in conflict herewith are hereby
11 repealed.
12

13 **Section 14. SEVERABILITY.** If any section, sentence, clause, or portion of this ordinance is for
14 any reason held to be invalid, such decision shall not affect the validity of the remaining
15 provisions of the ordinance.
16

17 PASSED AND APPROVED by the Mayor and the Council of the City of Midwest City,
18 Oklahoma, this _____ day of _____, 2024.

19
20
21 THE CITY OF MIDWEST CITY, OKLAHOMA

22 ATTEST:
23
24
25

26 _____
27 MATTHEW D. DUKES, II, Mayor

28 _____
29 SARA HANCOCK, City Clerk

30 Approved as to form and legality this _____ day of _____, 2024.
31
32
33

34 _____
35 DON MAISCH, City Attorney
36

1 establishments, animal clinics or hospitals, automobile service stations, new or used
2 automobile dealerships, automobile car washes, automobile and vehicular repair shops,
3 banking establishments, beauty and barber shops, bowling alleys, bus terminals and
4 repair shops, camera shops, dental offices or clinics, day care centers, department
5 stores, drug stores, funeral homes, furniture stores, gift shops, grocery stores, hardware
6 stores, hotels, jewelry stores, laboratories, laundries and dry cleaning establishments,
7 liquor stores, medical offices and clinics, motels, movie theaters, office buildings, paint
8 stores or shops, parking lots, produce markets, professional offices, radio stations,
9 repair establishments, retail stores, restaurants and similar establishments serving
10 prepared food and beverages, rooming houses, shopping centers, stationary stores,
11 television stations and production facilities, and theaters.

12 Commercial dwelling unit means any suite, office, unit, or part of a commercial or
13 industrial building or structure with its own front door that provides complete,
14 independent facilities for a tenant or building owner, eg. Individual businesses with
15 separate front entrances in a strip mall or industrial park.

16 *Community waters* means any and all rivers, streams, creeks, branches, lakes, reservoirs,
17 ponds, drainage systems, springs, wetlands, wells and other bodies of surface or
18 subsurface water, natural or artificial, lying within or forming a part of the boundaries
19 of the city or the waters into which the sample of stormwater runoff resulting from the
20 combination of individual samples taken at selected intervals based on an increment of
21 either flow or time stormwater system outfalls flow.

22 *Confidential information* means a document or information regarding or describing a
23 process, product or information that has been determined by the manager to be
24 confidential or has been declared by a court of competent jurisdiction to be exempt
25 from disclosure to third parties under the Oklahoma Open Records Act and any
26 amendment or supplement thereto.

27 *Construction activity* means clearing, grading, mining and excavation activities except
28 operations that result in disturbance of less than one (1) acre of total land area and that
29 are not part of a larger common plan of development or sale.

30 *Construction stormwater discharge permit* means a permit issued by the city that
31 establishes controls to the maximum extent practicable to effectively prohibit non-
32 stormwater discharged from a construction site to enter the municipal storm sewer
33 system and, where necessary, contains applicable water quality-based controls.

34 *Cosmetic cleaning* means any system, machine or substance used to remove undesirable
35 substances from any surface or facade creating free foreign matter.

36 *Days* means calendar days.

37 *Department* means the Department of Public Works of the City of Midwest City.

38 *DEQ* means the Oklahoma Department of Environmental Quality.

39 *Director* means the director of the department of public works of the City of Midwest
40 City or the person succeeding to his duties and functions by whatever name known, or
41 his/her duly authorized deputy, agent or designated representative.

1 *Discharge* means to cause or allow to throw, drain, release, dump, spill, empty, emit or
2 pour any pollutants or harmful quantity of any substance into the municipal storm
3 sewer system or into the waters of the United States.

4 *Discharger* means any person who causes, allows, permits or is otherwise responsible for
5 a discharge including, without limitation, any operator of a construction site or
6 industrial facility; the owner/operator of any commercial, residential or agricultural
7 property; or the owner/operator or transporter of any source of discharge.

8 *Domestic sewage* means human excrement, gray water (from home clothes washing,
9 bathing, showers, dish washing or food preparation), other wastewater from household
10 drains and waterborne waste normally discharged from the sanitary conveniences of
11 dwellings (including apartments and hotels), office buildings, factories or commercial
12 properties and institutions that is free from industrial waste.

13 *Environmental Protection Agency or EPA* means the U.S. Environmental Protection
14 Agency or, where appropriate, the term may also be used as a designation for the
15 Regional Water Management Division Director or other duly authorized official of said
16 agency.

17 *Erosion and sediment control plan* means a written plan, including drawings or other
18 graphic representations, for the control of soil erosion and sedimentation resulting from
19 a land disturbing activity.

20 *Fund* means the stormwater management fund.

21 *Garbage* means putrescible animal and vegetable waste materials from the handling,
22 preparation, cooking or consumption of food, including waste materials from markets,
23 storage facilities and the handling and sale of produce and other food products; ashes,
24 street cleanings, dead animals, abandoned automobiles and other solid waste other than
25 industrial waste.

26 *General OPDES permit* means a general OPDES permit for stormwater discharges
27 associated with construction activity issued by the DEQ.

28 *Harmful quantity* means the amount of any substance that will cause pollution of waters
29 of the state, or that will cause lethal or sub-lethal adverse effects on representative,
30 sensitive fathead minnows *Pimephales Promelas*, bacteria *Photobacterium*
31 *Phosphoreum* or daphnids *Ceriodaphnia Dubia* belonging to the city upon their
32 exposure to samples of any discharge into the municipal storm sewer system,
33 community waters or waters of the state.

34 *Hazardous substance* means any substance listed in Table 302.4 of 40 CFR Part 302 and
35 any amendment or addition thereto.

36 *Hazardous waste* means any substance identified or listed as a hazardous waste by the
37 EPA pursuant to 40 CFR Part 261.

38 *Illicit discharge* means any intentional discharge to the municipal storm sewer system
39 that is not composed entirely of stormwater, except discharges pursuant to any NPDES
40 permit, or discharges resulting from fire fighting activities.

41 *Impervious surface* means any hard-surfaced area that prevents or retards the entry of
42 water into the soil in the manner and to the extent that such water entered the soil under

1 natural conditions, causing water to run off the surface in greater quantities or at an
2 increased rate of flow than was present under natural conditions such as, but not limited
3 to, roof tops, asphalt or concrete sidewalks, paving, driveways, parking lots, walkways,
4 patio areas, storage areas, and gravel, bituminous substances or other surfaces which
5 similarly affect the natural infiltration or runoff patterns of real property in its natural
6 state.

7 *Industrial means* a business engaged in industrial production or service, that is a business
8 characterized by manufacturing or productive enterprise or a related service business.
9 This term shall include, by way of example but not of limitation, the following: apparel
10 and fabric finishers, blast furnace, blueprint and related shops, boiler works, cold
11 storage plants, contractors' plants and storage facilities, foundries, furniture and
12 household good manufacturing, forge plants, greenhouses, junk yards, manufacturing
13 plants, metal fabricating shops, ore reduction facilities, planning mills, rock crushers,
14 rolling mills, saw mills, smelting operations, stockyards, stone mills or quarries, textile
15 production, utility transmission or storage facilities, warehousing and wholesaling
16 facilities.

17 *Industrial activity means* any activity that is directly related to manufacturing, processing
18 or raw materials storage areas at an industrial facility. The term includes, but is not
19 limited to, industrial plant yards; immediate access roads and rail lines used or traveled
20 by carriers of raw materials, manufactured products, waste material or by-products used
21 or created by the industrial facility sites where material handling activities are
22 performed, refuse sites; sites used for the applications or disposal of process
23 wastewaters; sites used for the storage and maintenance of material handling
24 equipment; sites used for residual treatment, storage or disposal; shipping and receiving
25 areas; manufacturing buildings; storage areas (including tank farms) for raw materials,
26 and immediate and finished products.

27 *Industrial facility means* a premises whose function is classified in the latest edition of
28 the Standard Industrial Classification Manual (United States Office of Management and
29 Budget).

30 *Industrial stormwater discharge permit means* a permit, issued by the city, regulating
31 regular discharges from facilities which may control any conveyance that is used for
32 collecting and conveying stormwater and that is directly related to material storage
33 areas at an industrial plant.

34 *Industrial waste means* any waterborne liquid or solid substance that results from any
35 process of industrial, manufacturing, mining, production, trade or business activities.

36 *Institutional means* an established organization, especially of a charitable or public
37 character. This term shall include, by way of example but not of limitation, the
38 following: churches, community buildings, colleges, day care facilities, dormitories,
39 drug or alcohol rehabilitation facilities, fire halls, fraternal organizations, golf courses
40 and driving ranges, government buildings, hospitals, libraries, kindergartens or
41 preschools, nursing homes, mortuaries, schools, social agencies, synagogues, parks and
42 playgrounds.

43 *Land disturbing activity means* any land change that may result in soil erosion from water
44 and/or wind, and the movement of sediments into community waters or onto lands and

1 roadway within the community including, but not limited to, clearing, dredging,
2 grading, excavating, transporting, stockpiling, mining and filling of land.

3 *Manager* means the person designated by the city to supervise the operation of the
4 stormwater quality management division and the stormwater management system, and
5 who is charged with certain duties and responsibilities by this article [article IV of this
6 chapter], or his duly authorized representative.

7 *Material handling* activities means the storage, loading and unloading, transportation or
8 conveyance of any raw material, immediate product, finished product, by-product or
9 waste product.

10 *Monitoring* shall mean the performance of stormwater flow measurements, stormwater
11 sampling, sample analysis and like procedures necessary to determine compliance with
12 the applicable permit.

13 *Motor vehicle fluid* means any vehicle crankcase oil, antifreeze, transmission fluid, brake
14 fluid, differential lubricant, gasoline, diesel fuel, gasoline/alcohol blend and any other
15 fluid used in, or from within, a motor vehicle.

16 *Multifamily residential* means an apartment building or other residential structure built
17 for three (3) or more family units, mobile home parks with three (3) or more units or
18 lots under common ownership, and condominiums of three (3) or more units.

19 *Municipal separate storm sewer system or MS4* means the system of conveyances
20 (including roads with drainage systems, municipal streets, catch basins, curbs, gutters,
21 ditches, manmade channels or storm drains) owned or regulated by the city and
22 designed or used for collecting or conveying stormwater, and which is not used for
23 collecting or conveying sewage.

24 *National Pollutant Discharge Elimination System (NPDES) permit* means a permit, and
25 any addition or amendment thereto, issued to the city by EPA (or by the state under
26 authority delegated pursuant to 33 USC § 1342 (b)) that authorizes the discharge of
27 pollutants to the waters of the United States.

28 *Notice of intent or NOI* means a written notice by a discharger or potential discharger to
29 the superintendent that the person wishes his discharge to be authorized under a general
30 permit authorized by state law or regulation.

31 *Notice of termination or NOT* means a written notice by a discharger to the
32 superintendent that the permitted project has seventy (70) percent revegetation of all
33 bare areas and all soil disturbing activities are concluded, allowing the termination of
34 the permit issued under this section, or the discharger is no longer the operator of the
35 facility and another has assumed the responsibility and obtained an NOI.

36 *Oil* means any kind of oil in any form including, but not limited to, petroleum, fuel oil,
37 crude oil or any fraction thereof that is liquid at standard conditions of temperature and
38 pressure, sludge, oil refuse and oil mixed with waste.

39 *OPDES* means Oklahoma Pollution Discharge Elimination System Act, 27 O.S. § 2-201
40 et seq., and any amendment or addition thereto.

41 *Owner/operator* means the person, firm, organization or any other entity, or its
42 representative, that either individually or together meet the following (2) two criteria;

- 1 a. It has operational control over the site specifications (including the ability to make
2 modifications in the specifications);
- 3 b. It has the day-to-day operational control of those activities at the site necessary to
4 ensure compliance with plan requirements and permit conditions (e.g., is authorized to
5 direct (workers at the site to carry out activities identified in the plan).

6 *Permit* means a license to conduct an activity, which is regulated by the Clean Water Act
7 or this article [article IV of this chapter].

8 *Person* means any individual, partnership, co-partnership, firm, company, corporation,
9 association, joint stock company, trust, estate, governmental entity or any other legal
10 entity, or a legal representative, agent or assign. The masculine gender shall include the
11 feminine and the singular shall include the plural where indicated by the context. This
12 definition includes all federal, state or local governments.

13 *Pollutant* means any dredge spoil, solid waste, incinerator residue, oil, grease, sewage,
14 garbage, sewage sludge, munitions, medical waste, chemical waste, industrial waste,
15 biological materials, radioactive materials, heat, wrecked or discarded equipment, rock,
16 sand, cellar dirt, agricultural and industrial waste, and characteristics of the wastewater
17 (i.e., pH, temperature, total suspended solids, turbidity, color, biochemical oxygen
18 demand, chemical oxygen demand, toxicity, odor).

19 *Pollution prevention plan* means a written site specific plan to eliminate or reduce and
20 control the pollution of stormwater through designed facilities, sedimentation ponds,
21 natural or constructed wetlands, and best management practices.

22 *POTW* means publicly owned treatment works.

23 *Premises* means any plot or tract of ground, regardless of size or plat, owned by a person,
24 or used by a person and any contiguous plots.

25 *Release* means any spilling, leaking, pumping, pouring, emitting, emptying, discharging,
26 injecting, escaping, leaching, dumping or disposing into the municipal storm sewer
27 system, community waters, waters of the state or waters of the United States.

28 *Rubbish* means nonputrescible solid waste, excluding ashes, that consists of:

- 29 a. Combustible waste materials, including paper, rags, cartons, wood, excelsior, furniture,
30 rubber, plastics, yard trimmings, leaves and similar materials; and
- 31 b. Noncombustible waste materials, including glass, crockery, tin cans, aluminum cans,
32 metal furniture and any other materials that do not burn at ordinary incinerator
33 temperatures (1,600° F to 1,800° F).

34 *Sanitary sewer* means the system of pipes, conduits and other conveyances that carry
35 industrial waste and domestic sewage from residential dwellings, commercial buildings,
36 industrial and manufacturing facilities and institutions, whether treated or untreated, to
37 a sewage treatment plant or POTW (and to which stormwater, surface water and
38 groundwater are not intentionally admitted).

39 *Service station* means any retail establishment engaged in the business of selling fuel for
40 motor vehicles that is dispensed from stationary storage tanks.

41 *Sewage* means industrial and/or domestic waste.

1 *SIC code* means Standard Industrial Classification Code of Executive Office of the
2 President of the United States, Office of Management and Budget.

3 *Significant spills* means, but is not limited to, releases of oil or hazardous substances in
4 excess of reportable quantities under the Clean Water Act or the Comprehensive
5 Environmental Response, Compensation and Liability Act, and any amendment or
6 addition thereto.

7 *Solid waste* means any garbage, rubbish and refuse, and sludge from a waste treatment
8 plant, water supply treatment plant or air pollution control facility, and other discarded
9 material, including solid, liquid, semi-solid or contained gaseous material resulting
10 from or incidental to industrial, municipal, commercial, mining and agricultural
11 operations, and from community, recreational or institutional activities.

12 *Spills* means any release that, in the opinion of the superintendent, negatively impacts the
13 quality of water within or discharges from the city's municipal storm sewer system or
14 causes damaging or deleterious effects to the city's municipal storm sewer system
15 including all of its structures or appurtenances, and/or waters to the storm sewers.

16 *State* means the State of Oklahoma.

17 *Stormwater* means any precipitation runoff, surface runoff and drainage related to rain,
18 storm events or snow melt.

19 *Stormwater charge* means the fees levied within the boundaries of the city for the use of
20 the stormwater drainage system.

21 *Stormwater drainage system* means any facility, structure, improvement, development,
22 equipment, property or interest therein, or other structural or nonstructural element
23 made, constructed, used or acquired for the purpose of collecting, containing, storing,
24 conveying and controlling stormwater wherever located including, but not limited to,
25 storm sewers, curbs, street drains, conduits, natural and manmade channels, pipes,
26 culverts and detention ponds whether public or private.

27 *Stormwater management* means the collection, conveyance, storage, treatment and
28 disposal of stormwater runoff in a manner to meet the objectives of this article [article
29 IV of this chapter] and its terms including, but not limited to, measures that control the
30 increased volume and rate of stormwater runoff and water quality impacts caused by
31 manmade changes to the land.

32 *Stormwater management plan* means the set of drawings and other documents that
33 comprise all of the information and specifications for the programs, drainage systems,
34 structures, best management practices, concepts and techniques for the control of
35 stormwater and which is incorporated as part of the NPDES permit for the city, and as
36 part of this article [article IV of this chapter].

37 *Stormwater management program or program* means the overall strategy and framework
38 for the stormwater management activities of the city.

39 *Stormwater runoff* means that portion of any precipitation that is drained into the
40 stormwater drainage system.

41 *Superintendent* means the City of Midwest City's Utilities Superintendent or his/her
42 designated representative.

1 *Toxic pollutant* means any pollutant or combination of pollutants listed as toxic in 40
2 CFR Part 401 promulgated by the EPA under the provisions of 33 U.S.C. § 1317 and
3 any amendment or addition thereto.

4 *Uncontaminated* means not containing a harmful quantity of any substance.

5 *Used oil* means any oil that has been refined from crude oil or a synthetic oil that, as a
6 result of use, storage or handling, has become unsuitable for its original purpose
7 because of impurities or the loss of original properties, but may be suitable for further
8 use and is recyclable in compliance with state and federal law.

9 *User* means any source of direct or indirect discharge to the municipal storm sewer
10 system; the occupant or the owner/operator of any real estate; and the owner/operator of
11 any impervious surface or improvement and/or other person or entity benefiting from
12 the stormwater drainage system.

13 *Utilities* means a television, electric, gas, water, sanitary and storm sewer, cable TV or
14 other company or legal or government entity that provides service to the public.

15 *Variance* means the modification of the minimum stormwater management requirements
16 contained in this article [article IV of this chapter] and the stormwater management
17 plan for specific circumstances where strict adherence to the requirements would result
18 in unnecessary hardship and not fulfill the intent of this article [article IV of this
19 chapter].

20 *Wastewater* means any water or other liquid, other than uncontaminated stormwater,
21 discharged from a facility.

22 *Waters of the state* means any groundwater, percolating or otherwise, lakes, bays, ponds,
23 impounding reservoirs, springs, rivers, streams, creeks, estuaries, marshes, inlets and
24 canals, inside the territorial limits of the state, and all other bodies of surface water,
25 natural or artificial, navigable or nonnavigable, and including the beds and banks of all
26 watercourses and bodies of surface water, that are wholly or partially inside or
27 bordering the state or inside the jurisdiction of the state.

28 *Waters of the United States* means all waters that are currently used, were used in the past
29 or may be susceptible to use in the future in interstate or foreign commerce including
30 all waters that are subject to the ebb and flow of the tide; all interstate waters, including
31 interstate wetlands; all other waters the use, degradation or destruction of which would
32 affect interstate or foreign commerce; all impoundments of waters otherwise defined as
33 waters of the United States under this definition; all tributaries of waters identified in
34 this definition; all wetlands adjacent to waters identified in this definition and any
35 waters within the federal definition of "Waters of the United States" at 40 CFR § 122.2;
36 but not including any wastewater treatment systems, treatment ponds or lagoons
37 designed to meet the requirements of the Clean Water Act.

38 *Water quality* means those characteristics of stormwater runoff that relate to the physical,
39 chemical, biological or radiological integrity of water.

40 *Wetland* means an area that is inundated or saturated by surface or groundwater at a
41 frequency and duration sufficient to support, and that under normal circumstances does

1 support, a prevalence of vegetation typically adapted for life in saturated soil
2 conditions. Wetlands generally include swamps, marshes, bogs and similar areas.

3 (b) The following abbreviations shall have the designated meanings:

4 (1) CFR shall stand for Code of Federal Regulations.

5 (2) USC shall stand for United States Code.
6

7 **SECTION 2.** That the Midwest City Municipal Code, Chapter 43, Water, Sewers, Sewage
8 Disposal and Stormwater Quality, Article II, Water, Division 1, Generally, Section 43-18,
9 Installation fees; meter installation, etc. is hereby amended to read as follows:
10

11 **Sec. 43-18. Installation fees; meter installation, etc.**

12 (a) The fees for installation of water service and meter shall be as determined on a schedule
13 of fees provided by the public works director or designee prior to July 1st of each
14 calendar year or, as the cost of materials and labor increase or decrease, the schedule
15 shall be revised to reflect the increases or decreases in cost as necessary, after approval
16 by the council. Fees for connection to the water system and installation or purchase of a
17 water meter shall be paid at the time the building permit is issued. All meters shall be
18 furnished and installed by the city.

19 (b) If a service line has been connected to the city water main to service a particular lot and
20 there are subsequent lot splits and the installed service line does not meet the
21 requirements of the new lot boundary or greenbelt requirement, the owner of the lot or
22 lots shall be responsible for providing proper service line connections to the designated
23 lot or lots.

24 (c) In general, the required meter shall be the same size as the service lines. The meter shall
25 not exceed the size of the service line (i.e., one and one-half (1½) inch meter on a one-
26 inch service line).

27 (d) In all cases where meters, meter boxes, transmitters, antennae, or related equipment are
28 lost, damaged or broken by carelessness or negligence of the property owner, or anyone
29 working for or under the general supervision of the property owner, they shall be
30 replaced or repaired by or under the direction of the environmental services director and
31 the cost will be levied to the property owner. During construction, the builder shall be
32 charged with the care and protection of the meter and related equipment, water lines and
33 meter boxes. If the meter or related equipment, water lines, or meter boxes are broken or
34 damaged, it shall be prima facie negligence of the builder. The items shall be replaced or
35 repaired by or under the direction of the environmental service director and the cost will
36 be levied to the builder. The city shall be responsible only for the proper functioning and
37 registry of the water meter.

38 (e) All commercial dwelling units will be required to be connected to a dedicated water
39 meter providing water solely to said facility. Water meter(s) shall be installed to serve
40 each commercial dwelling unit in a manner as to not disrupt or interfere with any other
41 tenants' water supply. Water supply to commercial dwelling units shall remain separate.
42 Tenants that occupy more than one commercial dwelling unit shall maintain separate

1 water accounts and plumbing to ensure the continued separation of each commercial
2 dwelling unit's utilities.

3 Existing structures and/or those that have new construction/remodel plans approved prior
4 to the effective date of March 28, 2024, that allow multiple commercial dwelling units to
5 operate through a master water meter shall be required to install individual water meters
6 to each commercial dwelling unit when a remodel exceeds fifty (50%) of the definition of
7 a Level 3 alteration as defined in the City's International Building Code as adopted by
8 reference in Chapter 9, for said commercial dwelling unit as calculated cumulatively over
9 the life of the commercial dwelling unit and/or includes modifications to the commercial
10 dwelling unit's plumbing. Water supply to all commercial dwelling units shall remain
11 separate. Tenants that occupy more than one commercial dwelling unit shall maintain
12 separate water accounts and plumbing to ensure the continued separation of each
13 commercial dwelling unit's utilities.

- 14 (f) All multi-family residential properties will be required to install individual water meters
15 to each multi-story building for apartment complexes or to each dwelling unit for multi-
16 family residential structures with three (3) or more dwelling units.

17 Existing multi-family residential structures and/or those that have new
18 construction/remodel plans approved prior to the effective date of March 28, 2024, that
19 allow multiple residential dwelling units to operate through a master water meter shall be
20 required to install individual water meters to each multi-story building, and/or to each
21 single story multi-family building containing more than three (3) dwelling units, and/or to
22 each dwelling unit for single story multi-family buildings containing three (3) or less
23 dwelling units when a remodel exceeds fifty (50%) of the assessed value for the multi-
24 story building and/or dwelling unit as calculated cumulatively over the life of the
25 dwelling unit and/or includes modifications to the dwelling unit's plumbing.

26
27 **SECTION 3.** That the Midwest City Municipal Code, Chapter 43, Water, Sewers, Sewage
28 Disposal and Stormwater Quality, Article II, Water, Division 3, Meters, Section 43-52, Generally
29 is hereby amended to read as follows:

30 **Sec. 43-52. Generally.**

- 31 (a) All meters installed or inspected by the city shall be and remain the property of the city and
32 will not be removed unless the use of the water on the premises is to be entirely stopped or
33 the service connections discontinued. In all cases where meters, transmitters, antennae or
34 any related equipment are lost, damaged or broken by carelessness or negligence of the
35 owner or occupant of the premises, or anyone working for or under the general supervision
36 of the property owner or occupant, they shall be replaced or repaired by or under the
37 direction of the environmental services director and the cost levied against the owner or
38 occupant. The owner or occupant shall be charged with the care and protection of the meter
39 and related equipment, water lines and meter boxes. If the meter or related equipment, water
40 lines or meter boxes are broken or damaged, it shall be prima facie negligence of the
41 property owner or occupant; and the city shall be responsible only for the proper
42 functioning and registry of the water meter.

1 (b) It shall be an offense for any property owner or occupant, to obstruct or allow the
2 obstruction, in any manner, of access to the property's meter for inspection or repair by the
3 city. "Obstruct" or "obstruction" as used herein shall include, but shall not be limited to,
4 parking automobiles, trailers, boats or other vehicles over meters, planting shrubs over or
5 allowing shrubbery to cover meters, or placing any trash or debris over or allowing any
6 trash or debris to cover the meter, in such a manner that prevents access to the meter for
7 inspection or repair by the city.
8
9

10 **SECTION 4.** That the Midwest City Municipal Code, Chapter 43, Water, Sewers, Sewage
11 Disposal and Stormwater Quality, Article III, Sewers and Sewage Disposal, Division 1, Generally,
12 Section 43-107, Unlawful discharges; penalty is hereby amended to read as follows:
13

14 **Sec. 43-107. Unlawful discharges; penalty.**

15 It shall be unlawful to dispose of any substance in any amount in or near a sanitary or storm
16 sewer access point or to any natural outlet within the city. All new or changes of ownership of
17 non-residential sewer users shall be required to accurately complete a Sewer Survey prior to the
18 first sanitary sewer discharge to the POTW. All current users shall accurately complete a Sewer
19 Survey by December 31, 2026.

20 Any person convicted of violating this section shall be punished by a fine of not more
21 than two hundred dollars (\$200.00), plus court costs, or by imprisonment for not more than
22 thirty (30) days or by both such fine and imprisonment. Each day that any violation of this
23 section occurs or continues shall constitute a separate offense and shall be punishable as a
24 separate violation.
25

26 **SECTION 5.** That the Midwest City Municipal Code, Chapter 43, Water, Sewers, Sewage
27 Disposal and Stormwater Quality, Article III, Sewers and Sewage Disposal, Division 1, Generally,
28 Section 43-115, Recreational vehicles (R.V.'s) disposal station is hereby amended to read as
29 follows:
30

31 **Sec. 43-115. Recreational vehicles (R.V.'s) disposal station.**

- 32 (a) Only establishments that sell, perform maintenance or rejuvenate recreational vehicles shall
33 be authorized to install or operate a disposal station within the city limits of Midwest City.
34 Owner/operators of disposal stations shall allow both Midwest City residents who own
35 R.V.'s and transient recreational vehicle owners to utilize their facility. This service may be
36 provided at no charge to the customer, or if there is a charge the city shall receive fifty (50)
37 percent of said charge for utilizing the city's sewer facilities. Disposal sites for the general
38 public shall be made available only during normal business hours.
- 39 (b) Only recreational vehicles shall be authorized to utilize disposal stations and shall be limited
40 to a maximum of one hundred (100) gallons waste per recreational vehicle. No septic tanks,
41 grease traps or port-o-pots shall be authorized to utilize any disposal site within Midwest
42 City.

- 1 (c) Owner/operators shall display signs stating the following information: Hours of operation;
2 for recreational vehicle use only; no commercial dumping; and users shall clean site after
3 each use.
- 4 (d) Disposal sites shall be installed and maintained in accordance with Chapter 9. The pad shall
5 be constructed in such a manner that drainage from roofs or water runoffs shall not enter the
6 disposal opening. Such opening shall be watertight when not in use and be fitted with a foot
7 operated flush valve. Potable water shall be made available through a frost free plug for
8 cleaning of the disposal station after use.
- 9 (e) Disposal station shall be subject to inspection by Midwest City plumbing inspector and/or
10 Line Maintenance official.
- 11 (f) Transient R.V. waste shall only be disposed of at an approved disposal station.
12

13 43, DIVISION 3. – PRIVATE SEWAGE DISPOSAL SYSTEMS

14 Footnotes:

15 ---(6)---

16 Cross reference –9-372 On-Site Sewage Treatment System

17 **SECTION 6.** That the Midwest City Municipal Code, Chapter 43, Water, Sewers, Sewage
18 Disposal and Stormwater Quality, Article III, Sewers and Sewage Disposal, Division 3, Private
19 Sewage Disposal Systems, Section 43-138, Permit and inspection is hereby amended to read as
20 follows:
21

22 **Sec. 43-138. Permit and inspection.**

23 Before commencement of construction of an on-site sewage treatment system, the owner
24 shall first submit a registration request to the Chief Building Official according to Sec. 9-372 On-
25 Site Sewage Treatment System and pay the associated fees.
26

27 **SECTION 7.** That the Midwest City Municipal Code, Chapter 43, Water, Sewers, Sewage
28 Disposal and Stormwater Quality, Article III, Sewers and Sewage Disposal, Division 3, Private
29 Sewage Disposal Systems, Section 43-142, Additional requirements of health officer is hereby
30 repealed and placed into Reserve:
31

32 **Sec. 43-142. Reserved**

33
34 **SECTION 8.** That the Midwest City Municipal Code, Chapter 43, Water, Sewers, Sewage
35 Disposal and Stormwater Quality, Article III, Sewers and Sewage Disposal, Division 4, Building
36 Sewers and Connections Generally, Section 43-152, Multiple use of building sewer is hereby
37 amended to read as follows:

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37

Sec. 43-152. Multiple use of building sewer.

- (a) A separate and independent building sewer shall be provided for every building; except where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer.
- (b) All new commercial dwelling units shall be required to be connected to the sanitary sewer system via a dedicated sewer service line exiting the unit. All service lines shall comply with Chapter 9 of the City Code. Additionally, a sample port as described in 43-191 shall be installed before any manifold or combination of service lines prior to connection to the POTW.

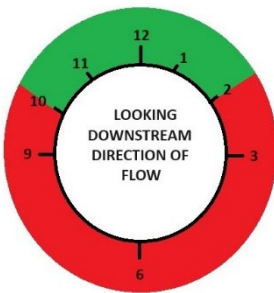
Existing structures and/or those that have new construction/remodel plans approved prior to effective date of March 28, 2024, that allow multiple commercial dwelling units to operate through a single sewer service shall be required to install individual sewer services exiting the structure from each commercial dwelling unit when a remodel exceeds fifty (50%) of the definition of a Level 3 alteration as defined in the City’s International Building Code as adopted by reference in Chapter 9,f or the commercial dwelling unit as calculated cumulatively over the life of the commercial dwelling unit and/or includes modifications to the commercial dwelling unit’s plumbing. Sewer services to all commercial dwelling units shall remain separate to a point beyond a sample port (as described in 43-191), directional cleanout(s), and backflow prevention device. Tenants that occupy more than one commercial dwelling unit shall maintain the individual sewer service plumbing to ensure the continued separation of each commercial dwelling unit’s utilities.
- (c) New and/or remodeled facilities that operate an in-ground grease interceptor shall install samples ports as required in 43-191.

SECTION 9. That the Midwest City Municipal Code, Chapter 43, Water, Sewers, Sewage Disposal and Stormwater Quality, Article III, Sewers and Sewage Disposal, Division 4, Building Sewers and Connections Generally, Section 43-157, Connection to public sewer, tapping regulations and saddle specifications is hereby amended to read as follows:

Sec. 43-157. Connection to public sewer, tapping regulations and saddle specifications.

- (a) Whenever no wye or tee presently exists on a main sewer line and a building and/or house is to be constructed, a special fitting called a saddle is to be utilized to make the connection. The spigot's end shall be specifically shaped to fit snugly against a hole

- 1 cut into the mainline. These saddles shall be sealed with epoxy cement and/or secured
2 to the line with stainless steel bands.
- 3 (b) Whenever a saddle is required on a new or existing main, it is to be installed by the
4 contractor only when continuous supervision is provided by the utilities department.
5 The saddle selected to be used shall fit the contour of the inside of the mainline and
6 shall be specifically designed to fit the particular type and size of the line. It shall be
7 installed in accordance with the manufacturer's instructions. The saddle connection
8 shall be capable of withstanding any conditions such as stress and/or strain
9 encountered in normal construction or maintenance. The connection shall be water-
10 and gas-tight.
- 11 (c) When the opening for the saddle is cut into the sewer line, care must be taken to
12 prevent the cracking or breaking of the mainline. If the main is cracked or broken,
13 that length of pipe shall be removed and a new wye or tee fitting installed in its place.
- 14 (d) The contractor may make the cut into the main for the installation of the saddle only
15 if he possesses the proper equipment to make the tap; otherwise, the city work crew
16 shall make the tap and install the saddle.
- 17 (e) The opening shall be fully dressed to fit the saddle by gentle trimming with small
18 dressing tools. All pipe chips, etc., must be removed from the bottom of the dry
19 mainline. If the saddle is being installed on a line already in use, some means must be
20 provided to prevent the chips, etc., from entering the sewer line.
- 21 (f) Only tapping saddles approved by the Line Maintenance official shall be allowed.
22 Insert tee and flexible tapping saddle shall not be allowed.
- 23 (g) The saddle, wye, tee, or other lateral connections (including the seal between the
24 lateral connection and the POTW main) shall remain private infrastructure and the
25 responsibility of the property owner to maintain.
- 26 (h) All lateral connections shall be located between the 10 o'clock and 2 o'clock position
27 on the POTW main.



28
29
30

1 **SECTION 10.** That the Midwest City Municipal Code, Chapter 43, Water, Sewers, Sewage
2 Disposal and Stormwater Quality, Article III, Sewers and Sewage Disposal, Division 6, Fats, Oils
3 and Grease Control Requirements for Commercial Establishments, Section 43-188, Definitions is
4 hereby amended to read as follows:
5

6 **Sec. 43-188. Definitions.**

7 Unless otherwise stated in the context of this article, the following terms and abbreviations will
8 have the ascribed meanings:

9 *Approved haulers list* means a list of all waste haulers approved by the city to operate within
10 the public owned treatment works' (POTW's) collection area or city limits.

11 *Bypass* means any overflow of any amount from a private or POTW collection system.

12 *Chronic violator* means a person or facility with a pattern of neglect or disregard that results in
13 the same or similar repeated violations during a floating twenty-four-month period.

14 *Decanting* means the practice of returning wastewater back into the grease interceptor,
15 oil/water separator, grinder device, grit trap, or any part of the sanitary sewer after it is
16 removed.

17 *Domestic user* means a user of the sanitary sewer system that an individual(s) occupies as a
18 residential premises and is not categorized as a facility.

19 *Facility* means a commercial business that generates and discharges FOG (fats, oils, and
20 greases), waste oil, grit, other petroleum waste, wipes, or any debris larger than one-half (½)
21 inch into the city's POTW, i.e. restaurants, automobile service, hotels, apartment complex,
22 nursing homes, assisted living centers, etc.

23 *FOG* means fats, oils, and greases in any amount.

24 *Generator* means any person(s) or facility who owns or operates a grease interceptor, oil/water
25 separator, or whose act or process produces a FOG waste, wipes or debris larger than one-half
26 (½) inch, and discharges into the POTW.

27 *Grease interceptor or interceptor*, means any device, no matter the capacity, that is designed to
28 use differences in specific gravities to separate and retain light density liquids, waterborne fats,
29 oils and greases or designed to collect settleable solids, generated by and from food preparation
30 activities, prior to the wastewater entering the POTW.

31 *Grinder* means a mechanical device used to shred solid substances to pieces less than one-half
32 (½) inch in any dimension.

33 *New facility* means a newly constructed facility and/or the remodeling and/or expansion of an
34 existing facility.

1 *Nondomestic user* means any user other than domestic users.

2 *Notice to comply* means a document issued to the responsible party that either requests
3 additional information needed to determine compliance with their permit and/or this Code, or
4 serves as a notice to correct a minor violation of their permit and/or this Code.

5 *Notice of violation* means a document issued to the responsible party when they have violated
6 their permit and/or this Code.

7 *Oil/water separator* means any device that separates the sand, oil and other types of grit from
8 the wastewater before it enters the POTW.

9 *Public owned treatment works ("POTW")* means a treatment works, as defined by Section 212
10 of the Act (33 U.S.C. § 1292), which is owned by the city. This definition includes any devices
11 or systems used in the collection, storage, treatment, recycling, and reclamation of sewage or
12 industrial wastes of a liquid nature and any conveyances, which convey wastewater to the
13 treatment plant.

14 *Public works director* means the director of public works or designee.

15 *Reclamation system* means a series of tanks or basins and filters that renders water reusable.

16 *Responsible party* means a person(s) or corporation who controls, manages, and or directs a
17 facility.

18 *Transporter* means any hauler that removes the contents and cleans any grease trap/interceptor
19 or oil/water separator.

20 *Twenty-five (25) percent rule* means when the floating grease and bottom sludge combine to
21 displace at least one-quarter ($\frac{1}{4}$) of the tanks total liquid depth, or the liquid depth of any single
22 chamber of the interceptor.

23

24 **SECTION 11.** That the Midwest City Municipal Code, Chapter 43, Water, Sewers, Sewage
25 Disposal and Stormwater Quality, Article III, Sewers and Sewage Disposal, Division 6, Fats, Oils
26 and Grease Control Requirements for Commercial Establishments, Section 43-189, Applicability
27 and prohibitions is hereby amended to read as follows:
28

29 **Sec. 43-189. Applicability and prohibitions.**

30 This article shall apply to all nondomestic users of the POTW.

31 (1) Grease interceptors, oil/water separators, grit traps, and/or grinder devices shall not be
32 required for domestic users.

33 (2) Facilities generating FOG as a result of food manufacturing, processing, preparation or
34 service shall install, use and maintain appropriate grease interceptors. These facilities
35 include, but are not limited to, restaurants, food manufacturers, food processors,

1 hospitals, hotels, motels, prisons, nursing homes, churches, day cares and any other
2 facility preparing, serving or otherwise making any foodstuff available for
3 consumption.

4 (3) Facilities generating and/or collecting automotive/petroleum oil, grease, sand, grit and
5 other types of waste as a result of automotive servicing and repair shall install, use and
6 maintain an oil/water separator and/or grit trap. These facilities include, but are not
7 limited to, car washes, automotive repair shops, tractor/trailer repair shops, car
8 dealerships and any other facility that maintains, repairs or washes any type of
9 motorized vehicles.

10 (4) No user may intentionally or unintentionally allow the direct or indirect discharge of
11 any petroleum oil, non-biodegradable cutting oil, mineral oil, gasoline, kerosene, FOG,
12 wipes, any debris larger than one-half (½) inch, or any other chemicals into the POTW.
13 Nor shall it be allowed to violate any technically based local limits (TBLLs) as
14 established in section 43-274, local limits.

15 (5) Garbage disposals shall not be permitted in commercial or industrial establishments.

16
17 **SECTION 12.** That the Midwest City Municipal Code, Chapter 43, Water, Sewers, Sewage
18 Disposal and Stormwater Quality, Article III, Sewers and Sewage Disposal, Division 6, Fats, Oils
19 and Grease Control Requirements for Commercial Establishments, Section 43-191, General
20 interceptor requirements; design, size and location is hereby amended to read as follows:
21

22 **Sec. 43-191. General grease interceptor requirements; design, size and location.**

23 (a) All new or remodeling facilities that produce FOG shall complete an EPA grease
24 interceptor sizing sheet, or equivalent determination method, and provide the information
25 used to complete the sizing determination method to Midwest City Line Maintenance. A
26 minimum of one thousand (1,000) gallons or engineer approved equivalent in-ground
27 grease interceptor shall be required. A minimum one thousand five hundred (1,500)
28 gallon interceptor shall be required for all shell structures that may accommodate FOG
29 contributors. If an existing facility has a smaller grease interceptor in use, the facility
30 shall submit to a complete facility and process review. The findings of this review will
31 include all required actions that may include, but not limited to, the installation of
32 additional or higher capacity interceptor(s). All grease interceptors installed will conform
33 to this Code and the current International Plumbing Code adopted by the city.

34 (b) All new or remodeled facilities that generate and discharge waste oil, grit and other
35 petroleum waste will be required to install grit traps with a minimum five hundred (500)
36 gallon capacity and oil/water separators of one thousand (1,000) gallon capacity or larger
37 in accordance with this Code. If an existing facility has a smaller oil/water separator or
38 grit trap in use it shall submit to a complete facility and process review. The findings of
39 this review will include all required actions that may include, but are not limited to, the
40 installation of an additional or larger trap(s), and/or separators. All grit traps and oil/water

1 separators installed will conform to this Code and the current International Plumbing
2 Code adopted by the city.

- 3 (c) All in-ground grease interceptors that exceed a fifty (50) gallon per minute designed flow
4 rating or any chain series of interceptor shall be installed with two (2) single directional
5 clean-outs facing away from the interceptor, one (1) before the interceptor and one (1) after
6 the backwater valve, within the clean-out requirements of the current International
7 Plumbing Code adopted in Chapter 9. Additionally, a sample port with an opening of twelve
8 (12) inches or larger shall be installed after the point of no further treatment but before the
9 backwater valves. For further backwater valve requirements, see Chapter 9, buildings and
10 building regulations, article VI, plumbing.
- 11 (d) All in ground interceptors shall be installed with two (2) single directional clean-outs facing
12 away from the interceptor, one (1) before the interceptor and one (1) after the backwater
13 valve, within the clean-out requirements of the current International Plumbing Code.
14 Additionally, a sample port with an opening of twelve (12) inches or larger shall be installed
15 after the point of no further treatment but before the backwater valves. For further
16 backwater valve requirements, see chapter 9, buildings and building regulations, article VI,
17 plumbing.
- 18 (e) All in ground interceptors, oil/water separators, grit traps, clean-outs, backwater valve and
19 sampling ports shall have all required lids above grade. The final elevation of the lids and
20 the surrounding area will ensure that all rain and runoff is directed away from the lids,
21 additional influent and inflow prevention measures may be required. Interceptors, lids,
22 boxes, vaults, clean out access or other related components that are installed in an improved
23 surface shall be traffic rated at a minimum of H-20.
- 24 (f) All grease interceptors, oil/water separators, grit traps, and grinder pumps shall be inspected
25 and approved by Midwest City Line Maintenance before being placed into service.
- 26 (g) A variance request to this Code can be submitted to the pretreatment coordinator on the
27 variance request form. The request will be assessed on a case by case basis, approval or
28 denial of the request will be returned to the applicant in writing and will be considered final.
29 The variance is non-transferrable and may be revoked as needed.

30
31 **Section 13. REPEALER.** All ordinances or parts of ordinances in conflict herewith are hereby
32 repealed.
33

34 **Section 14. SEVERABILITY.** If any section, sentence, clause, or portion of this ordinance is for
35 any reason held to be invalid, such decision shall not affect the validity of the remaining
36 provisions of the ordinance.
37

38 PASSED AND APPROVED by the Mayor and the Council of the City of Midwest City,
39 Oklahoma, this _____ day of _____, 2024.
40
41
42
43
44

THE CITY OF MIDWEST CITY, OKLAHOMA

ATTEST:

MATTHEW D. DUKES, II, Mayor

SARA HANCOCK, City Clerk

Approved as to form and legality this ____ day of _____, 2024.

DON MAISCH, City Attorney



NEW BUSINESS/
PUBLIC DISCUSSION





FURTHER INFORMATION





Finance Department
100 N. Midwest Boulevard
Midwest City, OK 73110
tcromar@midwestcityok.org
Office: 405-739-1245
www.midwestcityok.org

TO: Honorable Mayor and City Council
FROM: Tiatia Cromar, Finance Director/ City Treasurer
DATE: March 26, 2024
SUBJECT: Review of the City Manager's Report for the month of February 2024.

The funds in February that experienced a significant change in fund balance from the January report are as follows:

2018 Election G.O. Bond (270) decreased because of the payments for:	
Capital Outlay	<\$315,379>
G.O. Debt Services (350) decreased due to the payments for:	
Series 2022 Bond	<\$437,000>
Economic Dev Authority (353) decreased because of the payments for:	
36 th Street Utility Improvements	<\$398,946>
MWC Hospital Authority (425) activities for February:	
Compounded Principal (9010) - unrealized gain on investment	\$3,271,557
Discretionary (9050) - unrealized gain on investment	\$1,600,906
In Lieu of / ROR/ Misc – capital outlay	<\$438,637>

Tiatia Cromar

Tiatia Cromar
Finance Director/ City Treasurer

City of Midwest City
Financial Summary by Fund
for Period Ending February, 2024
(Unaudited)

Fund Number	Fund Description	Assets	Liabilities	6/30/2023 Fund Balance	Revenues	Expenditures	Gain or (Loss)	Fund Balance
9	GENERAL GOVERNMENT SALES TAX	10,275,015	(34,020)	7,097,989	4,853,897	(1,710,892)	3,143,006	10,240,995
10	GENERAL	14,601,085	(155,862)	15,529,517	31,477,474	(32,561,769)	(1,084,295)	14,445,222
13	STREET AND ALLEY FUND	1,841,104	-	1,905,998	439,021	(503,914)	(64,893)	1,841,104
14	TECHNOLOGY FUND	712,044	-	724,414	215,356	(227,726)	(12,370)	712,044
15	STREET LIGHT FEE	996,641	-	1,171,042	422,824	(597,224)	(174,401)	996,641
16	REIMBURSED PROJECTS	822,407	(2,600)	1,838,556	278,932	(1,297,681)	(1,018,749)	819,807
20	MWC POLICE DEPARTMENT	15,069,648	(4,092)	13,184,653	13,665,939	(11,785,036)	1,880,903	15,065,556
21	POLICE CAPITALIZATION	2,056,886	-	1,514,448	1,239,348	(696,911)	542,438	2,056,886
25	JUVENILE FUND	99,495	-	95,468	45,210	(41,184)	4,026	99,495
30	POLICE STATE SEIZURES	111,306	-	109,437	6,748	(4,879)	1,869	111,306
31	SPECIAL POLICE PROJECTS	84,261	-	81,429	7,141	(4,309)	2,832	84,261
34	POLICE LAB FEE FUND	13,231	-	18,545	560	(5,874)	(5,314)	13,231
35	EMPLOYEE ACTIVITY FUND	11,327	(122)	17,569	11,572	(17,936)	(6,364)	11,205
36	JAIL	211,633	-	181,401	62,694	(32,463)	30,232	211,633
37	POLICE IMPOUND FEE	120,985	-	104,051	25,814	(8,881)	16,934	120,985
40	MWC FIRE DEPARTMENT	10,240,632	(4)	8,860,897	10,552,185	(9,172,454)	1,379,731	10,240,628
41	FIRE CAPITALIZATION	2,730,998	-	2,266,633	526,027	(61,661)	464,366	2,730,998
45	MWC WELCOME CENTER	556,830	-	475,662	142,027	(60,859)	81,167	556,830
46	CONV / VISITORS BUREAU	673,378	-	576,761	259,384	(162,767)	96,617	673,378
60	CAPITAL DRAINAGE IMP	456,199	-	444,840	327,847	(316,488)	11,359	456,199
61	STORM WATER QUALITY	1,608,573	-	1,489,045	564,963	(445,434)	119,529	1,608,573
65	STREET TAX FUND	2,352,733	-	2,397,811	452,593	(497,671)	(45,078)	2,352,733
70	EMERGENCY OPER FUND	1,541,374	-	1,376,402	622,780	(457,808)	164,972	1,541,374
75	PUBLIC WORKS ADMIN	1,138,558	-	1,052,349	906,242	(820,032)	86,210	1,138,558
80	INTERSERVICE FUND	575,072	(1,132)	632,994	2,299,787	(2,358,840)	(59,054)	573,941
81	SURPLUS PROPERTY	729,440	(570,829)	127,706	56,160	(25,255)	30,906	158,611
115	ACTIVITY FUND	523,601	(3,692)	478,528	191,896	(150,516)	41,381	519,909
123	PARK & RECREATION	1,858,935	(12,764)	2,585,167	825,953	(1,564,948)	(738,995)	1,846,171
141	COMM. DEV. BLOCK GRANT	6,575	(546)	6,029	428,624	(428,624)	-	6,029
142	GRANTS/HOUSING ACTIVITIES	187,102	(9,381)	175,016	53,481	(50,776)	2,705	177,721
143	GRANT FUNDS	45,498	14,502	60,000	665,697	(665,697)	-	60,000
157	CAPITAL IMPROVEMENTS	4,459,767	-	3,422,471	2,269,875	(1,232,579)	1,037,296	4,459,767
172	CAP. WATER IMP-WALKER	2,697,626	(2,520)	3,517,645	381,962	(1,204,501)	(822,539)	2,695,106

City of Midwest City
Financial Summary by Fund
for Period Ending February, 2024

(Unaudited)

Fund Number	Fund Description	Assets	Liabilities	6/30/2023 Fund Balance	Revenues	Expenditures	Gain or (Loss)	Fund Balance
178	CONST LOAN PAYMENT REV	5,113,386	(13,701)	4,618,759	611,039	(130,113)	480,926	5,099,685
184	SEWER BACKUP FUND	76,265	-	78,271	1,994	(4,000)	(2,006)	76,265
186	SEWER CONSTRUCTION	2,696,831	(2,750)	8,051,367	1,239,693	(6,596,980)	(5,357,287)	2,694,081
187	UTILITY SERVICES	1,026,111	(924)	845,050	922,569	(742,431)	180,138	1,025,188
188	CAP. SEWER IMP.-STROTH	2,190,207	-	1,783,408	569,067	(162,267)	406,799	2,190,207
189	UTILITIES CAPITAL OUTLAY	2,990,572	(116,058)	2,649,282	337,204	(111,972)	225,232	2,874,514
190	MWC SANITATION DEPARTMENT	6,950,498	-	6,092,220	5,991,620	(5,133,343)	858,277	6,950,498
191	MWC WATER DEPARTMENT	5,235,916	-	4,750,723	5,460,915	(4,975,722)	485,193	5,235,916
192	MWC SEWER DEPARTMENT	6,358,924	(168)	5,573,077	5,866,805	(5,081,126)	785,679	6,358,756
193	MWC UTILITIES AUTHORITY	1,329,037	-	1,035,593	293,967	(523)	293,444	1,329,037
194	DOWNTOWN REDEVELOPMENT	522,635	-	470,038	47,831	4,766	52,597	522,635
195	HOTEL/CONFERENCE CENTER	267,531	(1,112,591)	(772,157)	2,251,881	(2,324,784)	(72,903)	(845,060)
196	HOTEL 4% FF&E	797,902	-	721,137	112,989	(36,223)	76,765	797,902
197	JOHN CONRAD REGIONAL GOLF	1,134,589	(206,395)	657,214	1,177,083	(906,103)	270,980	928,194
201	URBAN RENEWAL AUTHORITY	136,854	-	98,591	38,263	-	38,263	136,854
202	RISK MANAGEMENT	281,434	(37)	881,634	829,060	(1,429,297)	(600,237)	281,397
204	WORKERS COMP	4,318,463	-	4,211,806	683,898	(577,241)	106,656	4,318,463
220	ANIMALS BEST FRIEND	82,620	(2,000)	73,232	53,011	(45,622)	7,389	80,620
225	HOTEL MOTEL FUND	-	-	-	433,599	(433,599)	-	-
230	CUSTOMER DEPOSITS	1,516,801	(1,516,801)	-	39,151	(39,151)	-	-
235	MUNICIPAL COURT	76,539	(76,539)	-	2,295	(2,295)	-	-
240	L & H BENEFITS	2,309,857	(74,710)	2,570,990	6,777,466	(7,113,309)	(335,843)	2,235,147
250	CAPITAL IMP REV BOND	8,954,456	(37,329,628)	(36,365,089)	15,725,937	(7,736,020)	7,989,917	(28,375,172)
269	2002 G.O. STREET BOND	60,018	-	191,585	2,398	(133,964)	(131,567)	60,018
270	2018 ELECTION G.O. BOND	6,014,303	-	8,421,966	277,312	(2,684,976)	(2,407,664)	6,014,303
271	2018 G.O. BONDS PROPRIETARY	425,222	(121,172)	314,522	10,850	(21,321)	(10,471)	304,051
272	2022 ISSUE G.O. BOND	1,101,146	(35,000)	2,513,068	35,038	(1,481,960)	(1,446,922)	1,066,146
310	DISASTER RELIEF	8,006,003	(196,589)	7,293,918	738,915	(223,420)	515,495	7,809,413
340	REVENUE BOND SINKING FUND	-	-	-	3,342,951	(3,342,951)	-	-
350	G. O. DEBT SERVICES	5,198,955	(14,576)	2,981,462	3,451,213	(1,248,295)	2,202,918	5,184,380
352	SOONER ROSE TIF	1,512,833	-	1,099,602	783,498	(370,266)	413,231	1,512,833
353	ECONOMIC DEV AUTHORITY	59,430,167	(49,718,797)	9,418,940	1,223,782	(931,353)	292,430	9,711,370
354	NORTHSIDE TIF	273,150	(267,076)	-	6,074	-	6,074	6,074
425-9010	MWC HOSP AUTH-COMP PRINCIPAL	119,030,784	(18,825)	111,301,846	10,335,449	(2,625,336)	7,710,113	119,011,958
425-9050	MWC HOSP AUTH-DISCRETIONARY	27,656,071	(8,304)	22,013,675	6,323,806	(689,713)	5,634,093	27,647,768
425-9060	MWC HOSP IN LIEU OF/ROR/MISC	11,068,096	(22,530)	10,858,612	1,020,131	(833,175)	186,956	11,045,568
425-9080	MWC HOSP AUTH GRANTS	659,662	-	93,916	565,743	3	565,746	659,662
	TOTAL	374,213,795	(91,638,231)	258,048,728	151,864,508	(127,337,671)	24,526,838	282,575,566



Human Resources
100 N. Midwest Boulevard
Midwest City, OK 73110
office 405.739.1235

Memorandum

TO: Honorable Mayor and Council

FROM: Troy Bradley, Human Resources Director

DATE: March 26, 2024

RE: Monthly report on the City of Midwest City Employees' Health Benefits Plan by the City Manager.

This item is placed on the agenda at the request of the Council. Attached to this memo is information regarding the current financial condition of the City Employees' Health Benefits Plan for the month of February 2024, which is the eighth (8) period of FY 2023/2024.

Troy Bradley, Human Resources Director

FISCAL YEAR 2023-2024	Jul-23	Aug-23	Sep-23	Oct-23	Nov-23	Dec-23	Jan-24	Feb-24	Mar-24	Apr-24	May-24	Jun-24
PLAN INCOME												
Projected Budgeted (MTD)	908,962	908,962	908,962	908,962	908,962	908,962	908,962	908,962	908,962	908,962	908,962	908,962
Actual (MTD)	842,448	830,192	859,381	837,643	1,121,966	605,683	925,894	819,806				
Projected Budgeted (YTD)	908,962	1,817,924	2,726,886	3,635,848	4,544,810	5,453,772	6,362,734	7,271,696	8,180,658	9,089,620	9,998,582	10,907,544
Actual (YTD)	842,448	1,672,640	2,532,021	3,369,664	4,491,630	5,097,313	6,023,207	6,843,013				
PLAN CLAIMS/ADMIN COSTS	Jul-23	Aug-23	Sep-23	Oct-23	Nov-23	Dec-23	Jan-24	Feb-24	Mar-24	Apr-24	May-24	Jun-24
Projected Budgeted (MTD)	1,006,148	804,918	804,918	1,006,148	804,918	804,918	1,006,148	804,918	804,918	1,006,148	804,918	804,918
Actual (MTD)	955,777	772,922	874,065	858,857	1,012,243	778,430	1,122,190	803,629				
Projected Budgeted (YTD)	1,006,148	1,811,066	2,615,984	3,622,132	4,427,050	5,231,968	6,238,116	7,043,034	7,847,952	8,854,100	9,659,018	10,463,936
Actual (YTD)	955,777	1,728,699	2,602,764	3,461,621	4,473,864	5,252,294	6,374,484	7,178,113				
EXCESS INCOME vs. EXPENDITURES	Jul-23	Aug-23	Sep-23	Oct-23	Nov-23	Dec-23	Jan-24	Feb-24	Mar-24	Apr-24	May-24	Jun-24
Projected Budgeted (MTD)	-97,186	104,044	104,044	-97,186	104,044	104,044	-97,186	104,044	104,044	-97,186	104,044	104,044
Actual (MTD)	-113,329	57,270	-14,684	-21,214	109,723	-172,747	-196,296	16,177	0	0	0	0
Projected Budgeted (YTD)	-97,186	6,858	110,902	13,716	117,760	221,804	124,618	228,662	332,706	235,520	339,564	443,608
Actual (YTD)	-113,329	-56,059	-70,743	-91,957	17,766	-154,981	-351,277	-335,100				
FISCAL YEAR 2022-2023	Jul-22	Aug-22	Sep-22	Oct-22	Nov-22	Dec-22	Jan-23	Feb-23	Mar-23	Apr-23	May-23	Jun-23
PLAN INCOME												
Projected Budgeted (MTD)	821,885	821,885	821,885	821,885	821,885	821,885	821,885	821,885	821,885	821,885	821,885	821,885
Actual (MTD)	790,434	884,482	800,157	807,616	807,917	792,497	798,910	798,616	800,050	821,430	804,100	841,808
Projected Budgeted (YTD)	821,885	1,643,770	2,465,655	3,287,540	4,109,425	4,931,310	5,753,195	6,575,080	7,396,965	8,218,850	9,040,735	9,862,620
Actual (YTD)	790,434	1,674,916	2,475,073	3,282,689	4,090,606	4,883,103	5,682,013	6,480,629	7,280,679	8,102,109	8,906,209	9,748,017
PLAN CLAIMS/ADMIN COSTS	Jul-22	Aug-22	Sep-22	Oct-22	Nov-22	Dec-22	Jan-23	Feb-23	Mar-23	Apr-23	May-23	Jun-23
Projected Budgeted (MTD)	744,605	930,756	744,605	930,756	744,605	744,605	930,756	744,605	744,605	744,605	930,756	744,605
Actual (MTD)	801,455	1,114,999	734,533	861,832	864,708	665,891	774,525	842,342	777,097	696,459	884,587	757,408
Projected Budgeted (YTD)	744,605	1,675,361	2,419,966	3,350,722	4,095,327	4,839,932	5,770,688	6,515,293	7,259,898	8,004,503	8,935,259	9,679,864
Actual (YTD)	801,455	1,916,454	2,650,987	3,512,819	4,377,527	5,043,418	5,817,943	6,660,285	7,437,382	8,133,841	9,018,428	9,775,836
EXCESS INCOME vs. EXPENDITURES	Jul-22	Aug-22	Sep-22	Oct-22	Nov-22	Dec-22	Jan-23	Feb-23	Mar-23	Apr-23	May-23	Jun-23
Projected Budgeted (MTD)	77,280	-108,871	77,280	-108,871	77,280	77,280	-108,871	77,280	77,280	77,280	-108,871	77,280
Actual (MTD)	-11,021	-230,517	65,624	-54,216	-56,791	126,606	24,385	-43,726	22,953	124,971	-80,487	84,400
Projected Budgeted (YTD)	77,280	-31,591	45,689	-63,182	14,098	91,378	-17,493	59,787	137,067	214,347	105,476	182,756
Actual (YTD)	-11,021	-241,538	-175,914	-230,130	-286,921	-160,315	-135,930	-179,656	-156,703	-31,732	-112,219	-27,819

Feb 8/FY 2024: \$2,230,141
 Feb 8/FY 2023: \$2,413,405
 Feb 8/FY 2022: \$2,068,151
 Feb 8/FY 2021: \$1,068,714

** HAD FIVE MONDAYS WITH REPORTED MEDICAL CLAIMS PAID**

MINUTES OF MIDWEST CITY PLANNING COMMISSION MEETING

February 6, 2024 - 5:00 p.m.

This regular meeting of the Midwest City Planning Commission was held in the City Council Chambers, 100 North Midwest Boulevard, Midwest City, Oklahoma County, Oklahoma, on February 6, 2024 at 5:00 p.m., with the following members present:

Commissioners present: Russell Smith
 Jess Huskey
 Jim Smith
 Dee Collins
 Dean Hinton
 Rick Rice

Commissioner absent:

Staff present: Matthew Summers, Planning and Zoning Director
 Emily Richey, Current Planning Manager
 Tami Anderson, Administrative Assistant
 Patrick Menefee, City Engineer

A. CALL TO ORDER

The meeting was called to order by Chairperson R. Smith at 5:00 p.m.

B. MINUTES

1. A motion was made by Jeff Huskey seconded by Dee Collins, to approve the minutes of January 2nd, 2024, Planning Commission meeting as presented. Voting aye: R. Smith, Huskey, Collins, J. Smith, Hinton, and R. Rice.
Nay: none. Motion carried.

C. NEW MATTERS

1. (PC-2160) Public hearing, discussion, consideration, and possible action for a Special Use Permit (SUP) to allow *Eating Establishments: Sit-Down, Alcoholic Beverages Permitted* in the (C-3) Community Commercial District for the property described as a part of the Northeast Quarter (NE/4) of Section Twenty-Five (25), Township Twelve (12) North, Range Two (2) West of the Indian Meridian, Oklahoma County, Oklahoma, located at 9820 NE 23rd St., Midwest City.

There was general discussion amongst the Commission.

A motion was made by Jess Huskey, seconded by Dee Collins to table this item until the Applicant is present.

Voting: aye R. Smith, Huskey, Collins, J. Smith, Hinton, and R. Rice.

Nay: None.

2. (PC-2162) Public hearing, discussion, consideration, and possible action of an ordinance to redistrict from Single-Family Detached Residential District ("R-6") to Simplified Planned Unit Development ("SPUD"), for the property described as a part of the Southeast Quarter (SE/4) of Section Four (4), Township Eleven (11) North, Range Two (2) West of the Indian Meridian, Oklahoma County, Oklahoma, located at 1721 Sandra Dr., Midwest City.

There was general discussion amongst the Commission.

This land was a right-of-way vacated by the City. It was sold to the current owner by Oklahoma County in 2020.

There were 4 calls of concern from notified property owners that came into the City regarding this application.

The applicant's realtor, (Carmen - 5515 N. 50th St. - OKC) was present and addressed the council.

Lester - 1717 Sandra Dr. - Stated he is against this application and had taken care of the land prior to the sale of it.

A motion was made by Dee Collins, seconded by Rick Rice to recommend Denial of this item.
Voting aye R. Smith, Huskey, Collins, J. Smith, Hinton, and R. Rice.
Nay: None. Motion Carried.

3. (MP-00017) Public hearing, discussion, consideration, and possible action to consider Approval of the Minor Plat of Douglas Development Corporation Douglas Boulevard described as a tract of land being a part of the Southeast Quarter (SE/4) of Section Two (2), Township Eleven (11) North, Range Two (2) West of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma.

There was general discussion amongst the Commission.

A motion was made by Dee Collins, seconded by Rick Rice to Table this item.
Voting aye R. Smith, Huskey, Collins, J. Smith, Hinton, and R. Rice.
Nay: None. Motion Carried.

D. COMMISSION DISCUSSION:

E. PUBLIC DISCUSSION:

Jim Smith will continue on the Planning Committee for another term.

APA Conference is coming up in April 2024 - we will be sending out the information to see who would like to attend.

F. FURTHER INFORMATION:

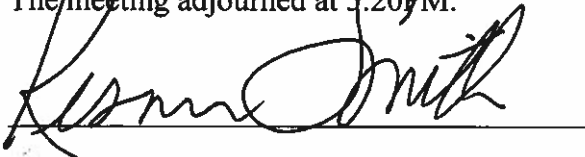
G. ADJOURNMENT:

A motion to adjourn was made by Dee Collins, Seconded by Rick Rice

Voting aye: R. Smith, Huskey, Collins, J. Smith, Hinton, and R. Rice.

Nay: None. Motion Carried.

The meeting adjourned at 5:20PM.

A handwritten signature in black ink, appearing to read "Russell Smith", written over a horizontal line.

Chairman Russell Smith

(ta)



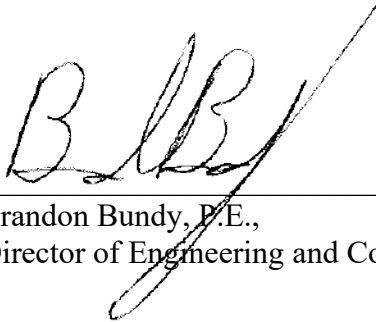
**Engineering and
Construction Services**
100 N Midwest Boulevard
Midwest City, OK 73110
Office 405.739.1220

TO : Honorable Mayor and Council

FROM : Brandon Bundy, P.E., Director

DATE : March 26, 2024

SUBJECT : Monthly Residential and Commercial Building report for February 2024



Brandon Bundy, P.E.,
Director of Engineering and Construction Services



100 N Midwest Boulevard - Midwest City, OK 73110

Building Permits Summary - Issued 2/1/2024 to 2/29/2024

Building - Commercial & Industrial

<u>Count</u>	<u>Permit Type</u>	<u>Value</u>
2	Cell Tower Modification Bldg Permit	\$75,000.00
1	Com Addition Bldg Permit	\$42,000.00
1	Com Driveway Permit	
2	Com Fence Permit	\$34,375.00
10	Com General Electrical Permit	
6	Com General Mechanical Permit	\$0.00
11	Com General Plumbing Permit	
5	Com New Const Electrical Permit	
3	Com New Const Mechanical Permit	
3	Com New Const Plumbing Permit	
7	Com Remodel Bldg Permit	\$614,460.00
16	Com Roofing Permit	
4	Com Sign Permit	\$76,000.00
Total Value of Building - Commercial & Industrial:		841,835.00

Building - Residential

<u>Count</u>	<u>Permit Type</u>	<u>Value</u>
5	Res Accessory Bldg Permit	\$53,660.00
4	Res Driveway Permit	\$0.00
4	Res Duplex New Const Bldg Permit	\$440,000.00
4	Res Fence Permit	\$9,300.00
34	Res General Electrical Permit	
12	Res General Mechanical Permit	
61	Res General Plumbing Permit	
5	Res New Const Electrical Permit	
1	Res New Const Mechanical Permit	
13	Res New Const Plumbing Permit	
18	Res Roofing Permit	\$205,998.00
2	Res Single-Fam New Const Bldg Permit	\$300,000.00
12	Res Single-Fam Remodel Building Permit	\$331,462.20
1	Res Storm Shelter Permit	\$2,450.00
1	Res Swimming Pool / Hot Tub Permit	\$60,000.00
Total Value of Building - Residential:		1,402,870.20

Grand Total: \$2,244,705.20



100 N Midwest Boulevard - Midwest City, OK 73110

Building Permits by Type - Issued 2/1/2024 to 2/29/2024

Building - Commercial & Industrial

Cell Tower Modification Bldg Permit

<u>Issued</u>	<u>Location</u>	<u>Applicant</u>	<u>Case #</u>	<u>Value</u>
2/12/24	1290 S AIR DEPOT BLVD, 73110	Sterling Massey	B-23-0752	\$25,000.00
2/21/24	1391 S MIDWEST BLVD, 73110	Kristin Ostrom	B-23-3484	\$50,000.00
				\$75,000.00

Com Addition Bldg Permit

<u>Issued</u>	<u>Location</u>	<u>Applicant</u>	<u>Case #</u>	<u>Value</u>
2/29/24	301 N DOUGLAS BLVD, 73130	Doug Urie	B-24-0469	\$42,000.00
				\$42,000.00

Com Driveway Permit

<u>Issued</u>	<u>Location</u>	<u>Applicant</u>	<u>Case #</u>	<u>Value</u>
2/20/24	1109 S AIR DEPOT BLVD, 73110	CAFRA CONCRETE CONSTRUCTION INC	B-24-0477	

Com Fence Permit

<u>Issued</u>	<u>Location</u>	<u>Applicant</u>	<u>Case #</u>	<u>Value</u>
2/14/24	8730 SE 15TH ST, 73110	ADVANCED INSTALL	B-24-0071	\$16,750.00
2/29/24	9555 SE 15TH ST, 73130	Jimmy Cox	B-24-0379	\$17,625.00
				\$34,375.00

Com General Plumbing Permit

<u>Issued</u>	<u>Location</u>	<u>Applicant</u>	<u>Case #</u>	<u>Value</u>
2/29/24	316 N POST RD, 73130	Les Chateaux LLC	B-24-0578	

Com Remodel Bldg Permit

<u>Issued</u>	<u>Location</u>	<u>Applicant</u>	<u>Case #</u>	<u>Value</u>
2/6/24	5825 SE 15TH ST, OK, 73110	Kevin Harrison	B-23-2997	\$200,000.00
2/15/24	313 N MIDWEST BLVD, OK, 73110	Tahir Nasir	B-24-0209	\$40,000.00
2/15/24	227 W MACARTHUR DR, MWC, OK, 73110	Joseph Brooks	B-24-0182	\$100,000.00
2/16/24	1403 GATEWAY PLZ, MWC, OK, 73110	Karen Quartuccio	B-23-3193	\$30,000.00
2/19/24	7179 SE 29TH ST, B MWC, OK, 73110	Banu Duruer	B-23-2303	\$175,000.00
2/28/24	1312 N MIDWEST BLVD, 73110	Eric J Sides	B-24-0088	\$49,460.00
2/29/24	6920 E RENO AVE, 73110	Robert Kershaw	B-24-0322	\$20,000.00
				\$614,460.00

Com Roofing Permit

<u>Issued</u>	<u>Location</u>	<u>Applicant</u>	<u>Case #</u>	<u>Value</u>
2/5/24	7420 NE 36TH ST, BLDG 888 73141	STANDARD ROOFING CO INC	B-24-0303	
2/28/24	8032 E RENO AVE, 73110	G & G ROOFING	B-24-0535	

2/28/24	8032 E RENO AVE, 73110	G & G ROOFING LLC	B-24-0546
2/28/24	8032 E RENO AVE, 73110	G AND G ROOFING LLC	B-24-0547
2/28/24	8032 E RENO AVE, 73110	G AND G ROOFING LLC	B-24-0548
2/28/24	8032 E RENO AVE, 73110	G AND G ROOFING LLC	B-24-0549
2/28/24	8032 E RENO AVE, 73110	G AND G ROOFING LLC	B-24-0550
2/28/24	8032 E RENO AVE, 73110	G AND G ROOFING LLC	B-24-0551
2/28/24	8032 E RENO AVE, 73110	G AND G ROOFING LLC	B-24-0552
2/28/24	8032 E RENO AVE, 73110	G AND G ROOFING LLC	B-24-0553
2/28/24	8032 E RENO AVE, 73110	G AND G ROOFING LLC	B-24-0554
2/28/24	8032 E RENO AVE, 73110	G AND G ROOFING LLC	B-24-0555
2/28/24	8032 E RENO AVE, 73110	G AND G ROOFING LLC	B-24-0556
2/28/24	8032 E RENO AVE, 73110	G AND G ROOFING LLC	B-24-0557
2/28/24	8032 E RENO AVE, 73110	G AND G ROOFING LLC	B-24-0558
2/28/24	8032 E RENO AVE, 73110	G AND G ROOFING LLC	B-24-0559

Com Sign Permit

<u>Issued</u>	<u>Location</u>	<u>Applicant</u>	<u>Case #</u>	<u>Value</u>
2/1/24	5925 SE 15TH ST, MIDWEST CITY, OK, 0	Jace Larsen	B-24-0083	\$8,000.00
2/1/24	2600 S DOUGLAS BLVD, OK, 73130	Metro Sign	B-24-0126	\$60,000.00
2/15/24	204 N AIR DEPOT BLVD, 73110	SILSBY MEDIA	B-24-0151	\$6,500.00
2/21/24	2000 SPENCER RD, 73141	Sam Warden	B-24-0335	\$1,500.00
				\$76,000.00

Building - Residential

Res Accessory Bldg Permit

<u>Issued</u>	<u>Location</u>	<u>Applicant</u>	<u>Case #</u>	<u>Value</u>
2/1/24	2408 CATTAIL CT, 73130	Bruce Gordon	B-24-0111	\$2,000.00
2/2/24	1409 MOORE AVE, 73130	Richard Timothy Buchanan	B-24-0229	\$7,000.00
2/8/24	2103 AVERY AVE, MWC, OK, 73130	Scott Russell	B-24-0248	\$10,000.00
2/20/24	9401 RHYTHM RD, 73130	WALLAR, JEFF	B-24-0415	\$30,000.00
2/20/24	2411 CATTAIL CIR, 73130	Dana Hatch	B-24-0367	\$4,660.00
				\$53,660.00

Res Driveway Permit

<u>Issued</u>	<u>Location</u>	<u>Applicant</u>	<u>Case #</u>	<u>Value</u>
2/7/24	1201 WOODLANE DR, 73110	URIAS PAVING LLC	B-24-0330	
2/20/24	3800 ROSEWOOD CT, 73110	AARON MCREE CONSTRUCTION LLC	B-24-0464	\$0.00
2/26/24	10110 LEXI CT, 73130	Miguel Mendez	B-24-0513	\$0.00
2/29/24	10456 CATTAIL TER, 73130	MARRUFO CONCRETE	B-24-0577	\$0.00
				\$0.00

Res Duplex New Const Bldg Permit

<u>Issued</u>	<u>Location</u>	<u>Applicant</u>	<u>Case #</u>	<u>Value</u>
2/12/24	9077 NE 13TH ST, UNIT 9, 73130	Adam Stephens	B-24-0270	\$110,000.00
2/12/24	9077 NE 13TH ST, UNIT 10, 73130	Adam Stephens	B-24-0276	\$110,000.00
2/12/24	9077 NE 13TH ST, UNIT 11, 73130	Adam Stephens	B-24-0271	\$110,000.00
2/12/24	9077 NE 13TH ST, UNIT 12, 73130	Adam Stephens	B-24-0277	\$110,000.00
				\$440,000.00

Res Fence Permit

<u>Issued</u>	<u>Location</u>	<u>Applicant</u>	<u>Case #</u>	<u>Value</u>
2/8/24	2408 CATTAIL CT, 73130	Bruce Gordon	B-24-0288	\$2,600.00
2/14/24	8400 NE 20TH ST, 73141	Dale Fortenberry	B-24-0325	\$0.00
2/28/24	9023 Nawassa Dr, 73130	Curtis Hines Superior Fence Construction	B-24-0349	\$6,100.00
2/29/24	10468 Turtle Back Dr	Oscar Gasca	B-24-0315	\$600.00

\$9,300.00**Res Roofing Permit**

<u>Issued</u>	<u>Location</u>	<u>Applicant</u>	<u>Case #</u>	<u>Value</u>
2/1/24	613 BRIGHTSIDE DR, 73110	MHM CONSTRUCTION INC	B-24-0281	\$10,400.00
2/5/24	10628 STRAWBERRY HILL, 73130	PARKER BROTHERS CONSTRUCTION & ROOFING INC	B-24-0295	\$27,000.00
2/5/24	8607 NE 5TH ST, 73110	PARKER BROTHERS CONSTRUCTION & ROOFING INC	B-24-0296	\$8,000.00
2/6/24	1913 N MITCHELL DR, 73110	MHM CONSTRUCTION INC	B-24-0323	\$7,000.00
2/6/24	3513 OAK GROVE, 73110	NOTABLE ROOFING LLC	B-24-0328	\$22,000.00
2/8/24	204 W ERCOUCPE DR, 73110	ALTRU ROOFING & CONSTRUCTION LLC	B-24-0341	\$5,000.00
2/8/24	206 W ERCOUCPE DR, 73110	ALTRU ROOFING & CONSTRUCTION LLC	B-24-0342	\$5,000.00
2/8/24	804 N RED BUD DR, 73110	ALTRU ROOFING & CONSTRUCTION LLC	B-24-0343	\$5,000.00
2/12/24	3116 N IDYLWILD DR, 73110	PARKER BROTHERS CONSTRUCTION & ROOFING INC	B-24-0357	\$18,000.00
2/12/24	252 E KERR DR, 73110	PATRIOT ROOFING	B-24-0381	\$15,681.00
2/13/24	708 E CARROLL LN, 73110	PARKER BROTHERS CONSTRUCTION & ROOFING INC	B-24-0394	\$15,000.00
2/15/24	704 BRIARCREST DR, 73110	MHM CONSTRUCTION INC	B-24-0433	\$10,900.00
2/19/24	10215 ST PATRICK DR, 73130	SH VAUGHN CONSTRUCTION COMPANY INC	B-24-0456	\$14,000.00
2/20/24	613 W IDYLWILD DR, 73110	PARKER BROTHERS CONSTRUCTION & ROOFING INC	B-24-0465	
2/20/24	9696 OAKTREE TER, 73130	PARKER BROTHERS CONSTRUCTION & ROOFING INC	B-24-0468	\$21,000.00
2/20/24	1304 LOCUST DR, 73110	SUPERIOR EXTERIOR INSURANCE RESTORATION LLC	B-24-0474	
2/26/24	232 E RANDALL DR, 73110	MHM CONSTRUCTION INC	B-24-0525	\$12,217.00
2/29/24	2009 PEARSON DR, 73110	DDS CONSTRUCTION	B-24-0574	\$9,800.00

\$205,998.00**Res Single-Fam New Const Bldg Permit**

<u>Issued</u>	<u>Location</u>	<u>Applicant</u>	<u>Case #</u>	<u>Value</u>
2/7/24	10305 ST PATRICK DR, MWC, OK, 73130	Robert Smith	B-23-1945	\$150,000.00
2/7/24	10305 1/2 ST PATRICK DR, MWC, OK, 73130	Robert Smith	B-23-1946	\$150,000.00

\$300,000.00**Res Single-Fam Remodel Building Permit**

<u>Issued</u>	<u>Location</u>	<u>Applicant</u>	<u>Case #</u>	<u>Value</u>
2/6/24	305 RUSSELL DR, MWC, OK, 73110	Ivaylo Velikov	B-24-0261	\$25,000.00
2/8/24	424 DAVIS CIR, MWC, OK, 73110	LEEPER, KEVIN SCOTT	B-24-0307	\$38,000.00
2/12/24	1938 MIDRIDGE DR, MWC, OK, 73141	Wilburn White SUNTRIA	B-24-0137	\$21,997.20
2/14/24	2120 SAINT MARK, MWC, OK, 73141	John Harrell ANOVA HOME LLC	B-24-0215	\$44,103.00
2/15/24	1612 OAKWOOD EAST BLVD, 73130	Ricky Gehret, ION DEVELOPER LLC	B-24-0360	\$28,268.00

2/15/24	2407 CATTAIL CIR, MIDWEST CITY, OK, 73130	Brahk Hadick	B-24-0352	\$17,871.00
2/19/24	1621 KUDU, MWC, OK, 73110	Richard Hasty	B-24-0326	
2/19/24	1621 KUDU, MWC, OK, 73110	Richard Hasty	B-24-0326	
2/21/24	804 N RED BUD DR, 73110	Noah Brown	B-24-0384	\$8,000.00
2/21/24	2101 SAINT LUKE, MWC, OK, 73141	John Harrell ANOVA HOME LLC	B-24-0410	\$36,797.00
2/28/24	330 PINE HURST DR, MWC, OK, 73130	John Harrell ANOVA HOME LLC	B-24-0443	\$39,741.00
2/29/24	601 CROSBY BLVD, 73110	Cori Baiseri	B-24-0397	\$50,477.00
2/29/24	916 ASKEW DR, 73110	Cori Baiseri	B-24-0398	\$21,208.00

\$331,462.20

Res Storm Shelter Permit

<u>Issued</u>	<u>Location</u>	<u>Applicant</u>	<u>Case #</u>	<u>Value</u>
2/15/24	10505 CATTAIL TER, 73130	Jennifer Ennis -Home Creations	B-24-0301	\$2,450.00

\$2,450.00

Res Swimming Pool / Hot Tub Permit

<u>Issued</u>	<u>Location</u>	<u>Applicant</u>	<u>Case #</u>	<u>Value</u>
2/13/24	208 MAGNOLIA RIDGE, 73130	Jeffery Moore	B-24-0148	\$60,000.00

\$60,000.00

Grand Total: \$2,244,705.20



100 N Midwest Boulevard - Midwest City, OK 73110

Inspections Summary - Inspected 2/1/2024 to 2/29/2024

<u>Inspection Description</u>	<u>Count</u>
Accessory Bldg Inspection	1
Building/Electrical General Inspection	5
Buildings - CO Inspection & Sign Off	8
Buildings - CO Reinspection & Sign Off	4
Com Building Final Inspection	1
Com Building Final Reinspection	1
Com Duct Smoke Detector Test/Inspection (Building)	1
Com Duct Smoke Detector Test/Inspection (Fire Marshal)	1
Com Electrical Final Inspection	7
Com Electrical Final Reinspection	1
Com Electrical Ground Inspection	1
Com Electrical Rough-in Inspection	7
Com Electrical Service Inspection	4
Com Footing & Building Setback Inspection	2
Com Framing Inspection	3
Com Framing Reinspection	1
Com Grease Trap Final Inspection	2
Com Grease Trap Rough Inspection (Line Maintenance)	1
Com Mechanical Final Inspection	1
Com Mechanical Rough-in Inspection	4
Com Plumbing Final Inspection	4
Com Plumbing Ground Inspection	8
Com Plumbing Ground Reinspection	1
Com Plumbing Rough-in Inspection	4
Com Plumbing Rough-in Reinspection	1
Com Sewer Service Inspection	1
Com Temporary Electrical Pole Inspection	1
Com Water Service Line Inspection	5
Commercial Meter Tap Inspection	2
County Health - CO Inspection & Sign Off	1
Electrical Generator Inspection	7
Electrical Generator Reinspection	1
Fire - CO Inspection & Sign Off	7
Fire Marshal General Inspection	1
General Inspection	4
Hot Water Tank Inspection	16
Hot Water Tank Reinspection	1
Hydro Test Below (Fire)	1
Mechanical Change Out Inspection	4
Planning - CO Inspection & Sign Off	10
Planning - CO Reinspection & Sign Off	3
Plumbing/Mechanical General Inspection	6
Pre-Con Site Inspection/Meeting	7
Res Building Final Inspection	9
Res Building Final Reinspection	2

Res Carport Inspection	1
Res Drainage1 Inspection	2
Res Drainage2 Inspection	2
Res Drainage3 Inspection	4
Res Drainage4 Inspection	4
Res Drainage5 Inspection	2
Res Driveway Inspection	3
Res Electrical Final Inspection	8
Res Electrical Final Reinspection	8
Res Electrical Pool Bonding Inspection	1
Res Electrical Rough-in Inspection	7
Res Electrical Rough-in Reinspection	5
Res Electrical Service Inspection	16
Res Electrical Service Reinspection	9
Res Fence Inspection	1
Res Footing & Building Setback Inspection	13
Res Footing & Building Setback Reinspection	4
Res Framing Inspection	5
Res Framing Reinspection	1
Res Gas Meter Inspection	4
Res Gas Meter Reinspection	1
Res Gas Piping Inspection	17
Res Gas Piping Reinspection	3
Res Insulation Inspection	1
Res Mechanical Final Inspection	5
Res Mechanical Rough-in Inspection	5
Res Mechanical Rough-in Reinspection	4
Res Plumbing Final Inspection	13
Res Plumbing Final Reinspection	1
Res Plumbing Ground Inspection	12
Res Plumbing Rough-in Inspection	13
Res Roofing Inspection	10
Res Sewer Service Inspection	22
Res Storm Shelter Inspection	1
Res Temporary Electrical Pole Inspection	1
Res Termite Inspection	1
Res Water Service Line Inspection	16
Res Water Service Line Reinspection	2
Residential Meter Tap Inspection	4
Sign Inspection	16
Stormwater Site Inspection (Commercial)	1
Utilities - CO Inspection & Sign Off	8
Utilities - CO Reinspection & Sign Off	1
<hr/>	
Total Number of Inspections:	421



Planning & Zoning Department

Matt Summers, Director of Planning and Zoning
Emily Richey, Current Planning Manager
Petya Stefanoff, Comprehensive Planner
Cameron Veal, Associate Current Planner
Tami Anderson, Administrative Assistant

To: Honorable Mayor and Council
From: Matt Summers, Director of Planning & Zoning
Date: March 26, 2024
Subject: (PC-2164) Discussion, consideration, and possible action on an ordinance amending Midwest City code, Appendix A, Zoning Regulations, Section 5, Supplemental Regulations, Sub-Section 5.12.1, Exterior Construction and Design Requirements; and providing for repealer and severability.

Honorable Mayor and Council,

Public hearing notice was advertised for this case for the March 26, 2024 City Council meeting; however, it has been postponed to the April 23, 2024 meeting.

Suggested action: Take no action.

Respectfully,

Matt Summers
Director of Planning & Zoning



Planning & Zoning Department

Matt Summers, Director of Planning and Zoning
Emily Richey, Current Planning Manager
Petya Stefanoff, Comprehensive Planner
Cameron Veal, Associate Current Planner
Tami Anderson, Administrative Assistant

To: Honorable Mayor and Council
From: Matt Summers, Director of Planning & Zoning
Date: March 26, 2024
Subject: (PC-2165) Discussion, consideration, and possible action on an ordinance amending Midwest City code, Appendix A, Zoning Regulations, Section 7, Development Review Procedures, Sub-Section 7.1.3, Public Notice Requirements for Public Hearings; and providing for repealer and severability.

Honorable Mayor and Council,

Public hearing notice was advertised for this case for the March 26, 2024 City Council meeting; however, it has been postponed to the April 23, 2024 meeting.

Suggested action: Take no action.

Respectfully,

Matt Summers
Director of Planning & Zoning



MUNICIPAL AUTHORITY AGENDA

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

March 26, 2024 – 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 Rick Dawkins	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 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 February 27, 2024 meeting minutes. (Secretary - S. Hancock)
2. Discussion, consideration and possible action of approving supplemental budget adjustments to the following funds for FY 2023-2024, increase: Sewer Construction Fund, expenditures/Sewer Construction (46) \$5,878,888. Capital Improvements Revenue Bond Fund, revenue/Transfers In (00) \$5,878,888. Water Fund, expenditures /Water (42) \$197,200. Wastewater Fund, expenditures/Wastewater (43) \$100,000.
(Finance - T. Cromar)
3. Discussion, consideration, and possible action of awarding the bid to and contract with Holland Backhoe Inc. in the amount of \$129,356.00 for the construction and installation of the new Reed Baseball Complex Water Line Improvements and the Trustees delegating to the Chairman the authority to sign and execute the agreements necessary. (Engineering & Construction Services - P. Menefee)

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 February 29, 2024. (City Manager - R. Rushing)

E. ADJOURNMENT.



CONSENT AGENDA



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.midwestcityokorg).

Midwest City Municipal Authority Minutes

February 27, 2024

This meeting was held in Midwest City Council Chambers at City Hall, 100 N. Midwest Boulevard, Midwest City, County of Oklahoma, State of Oklahoma.

Chairman Matt Dukes called the meeting to order at 7:15 PM with the following members present:

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

CONSENT AGENDA. Favors made a motion to approve the consent agenda, seconded by Bana. Voting aye: Eads, Byrne, Dawkins, Reed, Bana, Favors and Dukes. Nay: none. Motion carried.

1. Discussion, consideration and possible action to approve the January 23, 2024 meeting minutes.
2. Discussion, consideration and possible action to approve the minutes of the February 8, 2024 special meeting.
3. Discussion, consideration and possible action declaring Public Works Savin/Ricoh MP C4503 copier, serial number 40903342 as surplus and disposing by sealed bid, public auction, or by other means as necessary.

DISCUSSION ITEM.

1. **Discussion, consideration, and possible action of approving Amendment No. 1 and Work Order No. 22W02370 to the Master Services Agreement between the City of Midwest City, Midwest City Municipal Authority, and Garver, LLC, in the amount of \$797,200.00 to develop a citywide water master plan, complete a lead service line inventory, and evaluate security and the SCADA system at the water treatment plant.**

Eads made a motion to approve the Amendment and Work Order, seconded by Reed. Voting aye: Eads, Byrne, Dawkins, Reed, Bana, Favors and Dukes. Nay: none. Motion carried.

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

ADJOURNMENT.

There being no further business, Chairman Dukes adjourned the meeting at 7:16 PM.

ATTEST:

MATTHEW D DUKES II, Chairman

SARA HANCOCK, Secretary



Finance Department

100 N. Midwest Boulevard
Midwest City, OK 73110
tcromar@midwestcity.org
Office: 405-739-1245
www.midwestcityok.org

TO: Honorable Chairman and Trustees
Midwest City Municipal Authority

FROM: Tiatia Cromar, Finance Director

DATE: March 26, 2024

SUBJECT: Discussion, consideration and possible action of approving supplemental budget adjustments to the following funds for FY 2023-2024, increase: Sewer Construction Fund, expenditures/Sewer Construction (46) \$5,878,888. Capital Improvements Revenue Bond Fund, revenue/Transfers In (00) \$5,878,888. Water Fund, expenditures/Water (42) \$197,200. Wastewater Fund, expenditures/Wastewater (43) \$100,000.

The first two supplements are needed to budget transfer from Sewer Construction Fund to Capital Improvement Revenue Bond Fund for payoff of 2020 revenue bond note. The third supplement is needed to budget matching expense for Water Master Plan. The fourth supplement is needed to budget matching expense for Wastewater Master Plan.

Tiatia Cromar

Tiatia Cromar
Finance Director

SUPPLEMENTS

March 26, 2024

Fund SEWER CONSTRUCTION (186)		BUDGET AMENDMENT FORM Fiscal Year 2023-2024			
		Estimated Revenue		Budget Appropriations	
<u>Dept Number</u>	<u>Department Name</u>	<u>Increase</u>	<u>Decrease</u>	<u>Increase</u>	<u>Decrease</u>
46	Sewer Construction			5,878,888	
		<u>0</u>	<u>0</u>	<u>5,878,888</u>	<u>0</u>

Explanation:
To budget transfer to Capital Improvement Revenue Bond Fund for payoff of 2020 Revenue Bond note. Funding to come from fund balance.

Fund CAPITAL IMPROVEMENT REVENUE BOND (250)		BUDGET AMENDMENT FORM Fiscal Year 2023-2024			
		Estimated Revenue		Budget Appropriations	
<u>Dept Number</u>	<u>Department Name</u>	<u>Increase</u>	<u>Decrease</u>	<u>Increase</u>	<u>Decrease</u>
0	Transfers In	5,878,888			
		<u>5,878,888</u>	<u>0</u>	<u>0</u>	<u>0</u>

Explanation:
To budget transfer in from Sewer Construction Fund for payoff of 2020 Revenue Bond note.

Fund WATER (191)		BUDGET AMENDMENT FORM Fiscal Year 2023-2024			
		Estimated Revenue		Budget Appropriations	
<u>Dept Number</u>	<u>Department Name</u>	<u>Increase</u>	<u>Decrease</u>	<u>Increase</u>	<u>Decrease</u>
42	Water			197,200	
		<u>0</u>	<u>0</u>	<u>197,200</u>	<u>0</u>

Explanation:
To budget matching expense for Water Master Plan. Funding to come from fund balance.

SUPPLEMENTS

March 26, 2024

Fund WASTEWATER (192)		BUDGET AMENDMENT FORM Fiscal Year 2023-2024			
		Estimated Revenue		Budget Appropriations	
<u>Dept Number</u>	<u>Department Name</u>	<u>Increase</u>	<u>Decrease</u>	<u>Increase</u>	<u>Decrease</u>
43	Wastewater			100,000	
		<u>0</u>	<u>0</u>	<u>100,000</u>	<u>0</u>

Explanation:
To budget matching expense for Wastewater Master Plan. Funding to come from fund balance.



**Engineering and
Construction Services**
100 N Midwest Boulevard
Midwest City, OK 73110
Office 405.739.1220

To: Honorable Chairman and Trustees

From: Patrick Menefee, P.E., City Engineer

Date: March 26th, 2024

Subject: Discussion, consideration, and possible action of approving an award, based on the received bids, to Holland Backhoe Inc. in the amount of \$129,356.00 for the construction and installation of the new Reed Baseball Complex Water Line Improvements funded through the 172 Capital Water Improvements Fund. The Trustees are hereby delegating to the Chairman the authority to sign and execute the agreements necessary for the award.

Bids were received on January 9th, 2024 for the above referenced project. Holland Backhoe, Inc. submitted the lowest and best bid meeting specifications in the amount of \$129,356.00. Attached are the bid tabulations for the six bids received for the project, plus the engineer's estimate. Also attached is the design Engineer's bid recommendation letter.

The project is funded in the budget under the description Reed Water Line in the 172 Capital Water Improvements Fund under Project Number 492403.

Patrick Menefee, P.E.,
City Engineer
Attachment

January 10, 2024

City of Midwest City
100 N Midwest Blvd
Midwest City, OK 73110

Attention: Mr. Patrick Menefee

**RE: Recommendation for Contract Award for 8" Water Line to serve
Reed Baseball Complex**

Dear Patrick:

Attached please find the Bid Tabulation for the above referenced project for bids received on January 10, 2024. We have evaluated the bids and have determined that **Holland Backhoe Inc.** is the lowest and best bid at **\$129,356.00**. Johnson & Associates recommends that the City of Midwest City Municipal Authority award the construction contract to **Holland Backhoe Inc.** at the earliest possible date.

Should there be any questions or comments, please feel free to contact this office.

Respectfully Submitted,



Timothy W. Johnson, P.E.
JOHNSON & ASSOCIATES, LLC

TWJ/rw

Attachment(s)

cc: Caleb Morgan, P.E.
Project #5223-000/BE/C

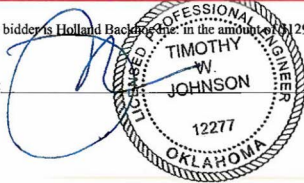
City of Midwest City
 8" Water Line to serve Reed Baseball Complex
 Bids Received January 9, 2024

Item #	Item	Qty	Unit	Holland Backhoe Inc.		D Owen Construction LLC		Civic Builder, LLC		Rocking L. Dozer & Land Management LLC		Southwest Waterworks		Downey Contracting, LLC		Cimarron Construction Company, LLC	
				Price	Total	Price	Total	Price	Total	Price	Total	Price	Total	Price	Total	Price	Total
1	8" WATER LINE (C900 PVC)	1237	LF	\$ 55.00	\$ 68,035.00	\$ 40.00	\$ 49,480.00	\$ 81.00	\$ 100,197.00	\$ 50.00	\$ 61,850.00	\$ 100.00	\$ 123,700.00	\$ 75.00	\$ 92,775.00	\$ 125.00	\$ 154,625.00
2	6" WATER LINE (C900 PVC)	6	LF	\$ 50.00	\$ 300.00	\$ 40.00	\$ 240.00	\$ 100.00	\$ 600.00	\$ 350.00	\$ 2,100.00	\$ 60.00	\$ 360.00	\$ 73.00	\$ 438.00	\$ 115.00	\$ 690.00
3	8" X 8" TEE	1	EA	\$ 900.00	\$ 900.00	\$ 1,850.00	\$ 1,850.00	\$ 804.00	\$ 804.00	\$ 2,500.00	\$ 2,500.00	\$ 1,400.00	\$ 1,400.00	\$ 1,552.00	\$ 1,552.00	\$ 1,505.00	\$ 1,505.00
4	8" X 6" TEE	2	EA	\$ 850.00	\$ 1,700.00	\$ 1,800.00	\$ 3,600.00	\$ 780.00	\$ 1,560.00	\$ 2,500.00	\$ 5,000.00	\$ 1,216.00	\$ 2,432.00	\$ 1,435.00	\$ 2,870.00	\$ 1,294.00	\$ 2,588.00
5	8" GATE VALVE & BOX	3	EA	\$ 2,150.00	\$ 6,450.00	\$ 4,500.00	\$ 13,500.00	\$ 2,200.00	\$ 6,600.00	\$ 3,000.00	\$ 9,000.00	\$ 4,000.00	\$ 12,000.00	\$ 2,490.00	\$ 7,470.00	\$ 3,415.00	\$ 10,245.00
6	6" GATE VALVE & BOX	2	EA	\$ 1,600.00	\$ 3,200.00	\$ 3,500.00	\$ 7,000.00	\$ 1,440.00	\$ 2,880.00	\$ 2,500.00	\$ 5,000.00	\$ 3,000.00	\$ 6,000.00	\$ 1,749.00	\$ 3,498.00	\$ 2,335.00	\$ 4,670.00
7	8" X 90 DEG BEND	3	EA	\$ 700.00	\$ 2,100.00	\$ 1,000.00	\$ 3,000.00	\$ 600.00	\$ 1,800.00	\$ 2,500.00	\$ 7,500.00	\$ 900.00	\$ 2,700.00	\$ 1,332.00	\$ 3,996.00	\$ 1,250.00	\$ 3,750.00
8	8" X 22 1/2 DEG BEND	1	EA	\$ 400.00	\$ 400.00	\$ 950.00	\$ 950.00	\$ 540.00	\$ 540.00	\$ 2,500.00	\$ 2,500.00	\$ 800.00	\$ 800.00	\$ 1,178.00	\$ 1,178.00	\$ 950.00	\$ 950.00
9	8" SOLID SLEEVE	2	EA	\$ 700.00	\$ 1,400.00	\$ 1,500.00	\$ 3,000.00	\$ 642.00	\$ 1,284.00	\$ 2,500.00	\$ 5,000.00	\$ 1,500.00	\$ 3,000.00	\$ 592.00	\$ 1,184.00	\$ 5,600.00	\$ 11,200.00
10	FIRE HYDRANT	2	EA	\$ 4,500.00	\$ 9,000.00	\$ 7,500.00	\$ 15,000.00	\$ 6,720.00	\$ 13,440.00	\$ 7,500.00	\$ 15,000.00	\$ 7,000.00	\$ 14,000.00	\$ 5,426.00	\$ 10,852.00	\$ 6,400.00	\$ 12,800.00
11	12" RISER (IF REQ'D)	2	EA	\$ 1,025.00	\$ 2,050.00	\$ 1,400.00	\$ 2,800.00	\$ 610.00	\$ 1,220.00	\$ 2,500.00	\$ 5,000.00	\$ 500.00	\$ 1,000.00	\$ 660.00	\$ 1,320.00	\$ 790.00	\$ 1,580.00
12	REMOVE EXIST. 8" PLUG	1	EA	\$ 2,500.00	\$ 2,500.00	\$ 800.00	\$ 800.00	\$ 360.00	\$ 360.00	\$ 1,000.00	\$ 2,500.00	\$ 2,500.00	\$ 987.00	\$ 987.00	\$ 625.00	\$ 625.00	
13	SAND BACKFILL FOR PIPE BEDDING	201	CY	\$ 21.00	\$ 4,221.00	\$ 40.00	\$ 8,040.00	\$ 81.00	\$ 16,281.00	\$ 75.00	\$ 15,075.00	\$ 10.00	\$ 2,010.00	\$ 54.00	\$ 10,854.00	\$ 90.00	\$ 18,090.00
14	DISINFECTION & TESTING	1	LS	\$ 1,000.00	\$ 1,000.00	\$ 4,000.00	\$ 4,000.00	\$ 4,320.00	\$ 4,320.00	\$ 5,000.00	\$ 5,000.00	\$ 2,500.00	\$ 2,500.00	\$ 3,500.00	\$ 3,500.00	\$ 2,800.00	\$ 2,800.00
15	TREE CLEARING	1	LS	\$ 8,500.00	\$ 8,500.00	\$ 18,000.00	\$ 18,000.00	\$ 3,600.00	\$ 3,600.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 57,300.00	\$ 57,300.00	\$ 33,000.00	\$ 33,000.00
16	SILT FENCE	1650	LF	\$ 4.00	\$ 6,600.00	\$ 3.00	\$ 4,950.00	\$ 4.80	\$ 7,920.00	\$ 10,000.00	\$ 10,000.00	\$ 0.50	\$ 825.00	\$ 2.50	\$ 4,125.00	\$ 4.00	\$ 6,600.00
17	ROCK BAG CHECK DAM	1	EA	\$ 1,000.00	\$ 1,000.00	\$ 2,000.00	\$ 2,000.00	\$ 1,000.00	\$ 1,000.00	\$ 10,000.00	\$ 10,000.00	\$ 500.00	\$ 500.00	\$ 1,000.00	\$ 1,000.00	\$ 725.00	\$ 725.00
18	CONSTRUCTION SURVEY STAKING	1	LS	\$ 2,500.00	\$ 2,500.00	\$ 3,500.00	\$ 3,500.00	\$ 1,728.00	\$ 1,728.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 18,500.00	\$ 18,500.00	\$ 5,000.00	\$ 5,000.00
19	AS-BUILT SURVEY	1	LS	\$ 2,500.00	\$ 2,500.00	\$ 3,000.00	\$ 3,000.00	\$ 1,728.00	\$ 1,728.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 3,500.00	\$ 3,500.00	\$ 2,750.00	\$ 2,750.00
20	MOBILIZATION	1	LS	\$ 5,000.00	\$ 5,000.00	\$ 10,000.00	\$ 10,000.00	\$ 13,000.00	\$ 13,000.00	\$ 10,000.00	\$ 10,000.00	\$ 13,500.00	\$ 13,500.00	\$ 22,000.00	\$ 22,000.00	\$ 19,100.00	\$ 19,100.00
					\$ 129,356.00		\$ 154,710.00		\$ 180,862.00		\$ 191,525.00		\$ 209,227.00		\$ 248,899.00		\$ 293,293.00

There was a miscalculation in this bid item, however it does not affect the outcome of the bid.

The apparent low bidder is Holland Backhoe Inc. in the amount of \$129,356.00.

Bids Verified By:



Date 1.10.2024



NEW BUSINESS/
PUBLIC DISCUSSION





FURTHER INFORMATION





City Manager's Office
100 N. Midwest Boulevard
Midwest City, OK 73110
Office 405.739.1205

MEMORANDUM

TO: Honorable Chairman and Trustees
Midwest City Municipal Authority

FROM: Ryan Rushing, Director of Operations

DATE: March 26, 2024

SUBJECT: Review of the monthly report on the current condition of the Delta Hotel at the Reed Center for the period ending February 29, 2024.

This item is on the agenda at the request of the Authority. Attached to this memorandum is information concerning the status of the Delta Hotel at the Reed Center.

Any time you have a question concerning the conference center and hotel, please feel free to contact me at 739-1205.

Fiscal Year 2023-2024		Jul-23	Aug-23	Sep-23	Oct-23	Nov-23	Dec-23	Jan-24	Feb-24	Mar-24	Apr-24	May-24	Jun-24
Revenue													
Budgeted (MTD)		410,419	431,525	510,625	586,974	483,480	297,582	315,574	362,587	-	-	-	-
Actual (MTD)		261,357	375,874	255,855	431,851	292,696	136,238	132,604	365,406	-	-	-	-
Budgeted (YTD)		410,419	841,944	1,352,569	1,939,543	2,423,023	2,720,605	3,036,179	3,398,766	3,398,766	3,398,766	3,398,766	3,398,766
Actual (YTD)		261,357	637,231	893,086	1,324,937	1,617,633	1,753,871	1,886,475	2,251,881	2,251,881	2,251,881	2,251,881	2,251,881

Expenses													
Budgeted (MTD)		354,409	378,100	400,332	454,283	383,871	331,720	306,328	341,951	-	-	-	-
Actual (MTD)		277,604	280,264	280,443	337,716	261,601	267,805	284,413	334,937	-	-	-	-
Budgeted (YTD)		354,409	732,509	1,132,841	1,587,124	1,970,995	2,302,715	2,609,043	2,950,994	2,950,994	2,950,994	2,950,994	2,950,994
Actual (YTD)		277,604	557,867	838,311	1,176,027	1,437,628	1,705,433	1,989,846	2,324,784	2,324,784	2,324,784	2,324,784	2,324,784

Revenue vs. Expenses													
Budgeted (MTD)		56,010	53,425	110,293	132,691	99,609	(34,138)	9,246	20,636	-	-	-	-
Actual (MTD)		(16,246)	95,610	(24,589)	94,134	31,095	(131,567)	(151,809)	30,469	-	-	-	-
Budgeted (YTD)		56,010	109,435	219,728	352,419	452,028	417,890	427,136	447,772	447,772	447,772	447,772	447,772
Actual (YTD)		(16,246)	79,364	54,775	148,910	180,005	48,438	(103,372)	(72,903)	(72,903)	(72,903)	(72,903)	(72,903)

Key Indicators													
Hotel Room Revenue		174,426	203,842	165,813	207,754	145,251	90,198	94,661	176,917	-	-	-	-
Food and Banquet Revenue		58,116	178,433	70,265	189,490	123,397	39,096	32,013	165,017	-	-	-	-

Fiscal Year 2022-2023		Jul-22	Aug-22	Sep-22	Oct-22	Nov-22	Dec-22	Jan-23	Feb-23	Mar-23	Apr-23	May-23	Jun-23
Revenue													
Budgeted (MTD)		314,473	456,558	454,823	690,957	482,754	280,122	284,994	361,496	700,674	397,999	522,958	407,196
Actual (MTD)		215,862	327,994	338,232	298,613	329,258	325,935	257,919	248,620	421,561	279,614	294,119	319,969
Budgeted (YTD)		314,473	771,031	1,225,854	1,916,811	2,399,565	2,679,687	2,964,681	3,326,177	4,026,851	4,424,850	4,947,808	5,355,004
Actual (YTD)		215,862	543,856	882,088	1,180,701	1,509,959	1,835,895	2,093,814	2,342,434	2,763,995	3,043,609	3,337,728	3,657,697

Expenses													
Budgeted (MTD)		317,640	357,848	352,577	429,679	372,335	303,854	297,787	314,509	436,038	355,615	389,108	355,713
Actual (MTD)		270,452	278,272	251,566	289,094	328,384	406,392	357,547	292,897	367,683	326,506	340,376	327,528
Budgeted (YTD)		317,640	675,488	1,028,065	1,457,744	1,830,079	2,133,933	2,431,720	2,746,229	3,182,267	3,537,882	3,926,990	4,282,703
Actual (YTD)		270,452	548,724	800,290	1,089,384	1,417,768	1,824,160	2,181,707	2,474,604	2,842,287	3,168,793	3,509,169	3,836,697

Revenue vs. Expenses													
Budgeted (MTD)		(3,167)	98,710	102,246	261,278	110,419	(23,732)	(12,793)	46,987	264,636	42,384	133,850	51,483
Actual (MTD)		(54,590)	49,722	86,665	9,519	875	(80,457)	(99,628)	(44,277)	53,878	(46,892)	(46,257)	(7,559)
Budgeted (YTD)		(3,167)	95,543	197,789	459,067	569,486	545,754	532,961	579,948	844,584	886,968	1,020,818	1,072,301
Actual (YTD)		(54,590)	(4,868)	81,798	91,317	92,192	11,735	(87,893)	(132,170)	(78,292)	(125,184)	(171,441)	(179,001)

Key Indicators													
Hotel Room Revenue		134,971	160,951	204,314	221,621	181,770	108,375	80,338	136,796	203,240	202,116	217,628	259,119
Food and Banquet Revenue		72,710	138,792	117,519	78,055	96,521	173,540	179,053	99,902	172,321	71,135	51,356	52,897



MEMORIAL HOSPITAL AUTHORITY AGENDA

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

March 26, 2024 – 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 Rick Dawkins	Trustee Rick Favors	Authority Attorney Don Maisch

A. CALL TO ORDER.

B. DISCUSSION ITEMS.

1. Discussion, consideration, and possible action to approve the February 27, 2024 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 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.



DISCUSSION ITEMS



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.midwestcityokorg).

Midwest City Memorial Hospital Authority Minutes

February 27, 2024

This meeting was held in Midwest City Council Chambers at City Hall, 100 N. Midwest Boulevard, Midwest City, County of Oklahoma, State of Oklahoma.

Chairman Matt Dukes* called the meeting to order at 7:16 PM with the following members present:

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

DISCUSSION ITEMS.

1. Discussion, consideration, and possible action to approve the January 23, 2024 meeting minutes.

Reed made a motion to approve the minutes, seconded by Bana. Voting aye: Eads, Byrne, Dawkins, Reed, Bana, Favors, and Dukes. Nay: none. Motion carried.

2. Discussion, consideration, and possible action of entering into a contract with Midwest Wrecking for \$138,840 per the Request for Proposals for Asbestos Abatement and Demolition of 2828 Parklawn Dr. (the “RFP”); and to authorize the Chairman to sign and execute any documents necessary as required.

Reed made a motion to approve the contract, seconded by Eads. Voting aye: Eads, Byrne, Dawkins, Reed, Bana, Favors, and Dukes. Nay: none. Motion carried.

*Mayor left meeting at 7:17 PM

3. Discussion, consideration, and possible action of approving the funding recommendations of the Memorial Hospital Authority Board of Grantors for the FY 2023-2024 Community Improvement Grant Program in an amount not to exceed the budgeted amount of \$531,029.

Pam Barton-Stover of 3502 Oakhurst and Christine Allen-Price addressed the council. After Staff and Council discussion, Reed made a motion to approve the funding as recommended, seconded by Dawkins. Voting aye: Byrne, Dawkins, Reed, and Favors. Nay: Eads and Bana. Recused: Dukes. Motion Carried.

*Mayor returned to meeting at 7:44 PM

4. Discussion, consideration and possible 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 was no further business, Chairman Dukes adjourned the meeting at 7:46 PM.

ATTEST:

MATTHEW D DUKES II, Chairman

SARA HANCOCK, Secretary



Memorial Hospital Authority

General Manager/Administrator, Tim Lyon
100 North Midwest Boulevard
Midwest City, Oklahoma 73110
Office (405) 739-1201
tlyon@midwestcityok.org
www.midwestcityok.org

MEMORANDUM

To: Honorable Chairman and Trustees

From: Tiatia Cromar, Finance Director

Date: March 26, 2024

Subject: Discussion, consideration, and possible action to reallocate assets, change fund managers or make changes in the Statement of Investment Policy, Guidelines and Objectives.

This item is on each agenda in the event that the Hospital Authority's investments need to be reallocated, an investment fund manager needs to be changed, or changes need to be made to the Statement of Investment Policy on short notice.

Tiatia Cromar
Finance Director



NEW BUSINESS/
PUBLIC DISCUSSION

