

BOARD OF CITY COMMISSIONERS PROCEEDINGS
JULY 19, 2021 AT 6:00 P.M.

The Board of City Commissioners of the City of Shawnee, County of Pottawatomie, State of Oklahoma, met in Regular Session in the Commission Chambers at City Hall, 16 West 9th Street, Shawnee, Oklahoma on, Monday, July 19, 2021 at 6:00 p.m., pursuant to notice duly posted as prescribed by law at 11:34 a.m. on July 16, 2021. Mayor Bolt presided and Mr. Jake Flood called the meeting to order. Upon roll call, the following members were in attendance.

Ed Bolt
Mayor

Daniel Matthews
Commissioner Ward 1

Bob Weaver
Commissioner Ward 2

Travis Flood
Commissioner Ward 3

Darren Rutherford
Commissioner Ward 4-Vice Mayor

Mark Sehorn
Commissioner Ward 5

Ben Salter
Commissioner Ward 6

ABSENT: None

INVOCATION

Pastor Ben Hill
Frontline Church

FLAG SALUTE

AGENDA ITEM NO. 1:

Citizens Participation
(A three-minute limit per person)
(A twelve-minute limit per topic)

Mr. Lonnie Cox addressed the location of the kayak dock on Shawnee Twin Lake No. 2.

Mr. Rob Morris spoke regarding the kayak dock, Planning Commission member terms, the Vice Mayor appointment, the Shawnee Arts & Culture Commission, and the Shawnee Lake Advisory Committee.

Mr. Wolf Gugler expressed his support of the Shawnee Lake Advisory Committee and Commissioner Weaver.

Ms. Teresa Roe addressed the Shawnee Lake Advisory Committee.

Mr. Jackson Winn and Mr. Noah DeMoss expressed their support for the White Fox Scooter Service Agreement.

Mr. John Bobb-Semple, Blue Zones Project Community Program Manager, explained an Adopt-a-Park program by the Blue Zones Project to help improve local parks.

Mr. Darrin Lofton spoke regarding a proposal he submitted to the Airport Advisory Board on behalf of his business, KSNL Areo, LLC.

Ms. Teresa Burnett thanked Commissioner Weaver.

Ms. Antwonette Smith addressed Agenda Item No. 13 regarding an appeal of an Administrative Order regarding 801 South Beard Street.

Ms. Amy Camarata addressed the Shawnee Lake Advisory Committee.

AGENDA ITEM NO. 2:

Consider approval of Consent Agenda:

- a. Minutes from the June 14, 2021 Special Call meeting, June 21, 2021 regular meeting and the June 29, 2021 Special Call meeting.
- b. Acknowledge the following reports and minutes:
 - License Payment Report for June 2021
 - Project Payment Report for June 2021
 - Planning Commission Minutes from the April 7, 2021 regular meeting
 - Traffic Commission Minutes from the April 27, 2021 regular meeting

c. Mayor's Appointments:

Planning Commission

Walter "Jay" Lester, Jr. 1st Full Term Expires: June 1, 2024
Reappointment

Tom Rowell 2nd Full Term Expires: June 1, 2024
Reappointment

Craig Walker 1st Full Term Expires June 1, 2024
Reappointment

Pioneer Library System Board

Melanne Greenwood 1st Full Term Expires: June 30, 2024
Reappointment

- d. Acknowledge the resignation of Tim Burg from the Zoning Board of Adjustments.
- e. Acceptance of a 2020 Ford F350 Brush Pumper for the Fire Department funded by the Pottawatomie County Sales Tax.
- f. Approval of renewal of the agreement for Fiscal Year 2021-2022 with the City of McLoud Public Works Authority for lease of a mower, city property, for maintenance of Wes Watkins Reservoir.
- g. Lake Lease Transfer:

TRANSFER:

Lot 4 Seck Tract, 33712 Post Office Neck
From: Tod and Lori Harrison
To: Richard and Melissa Fair

A motion was made by Commissioner Matthews, seconded by Vice Mayor Rutherford, to approve Consent Agenda Item Nos. 2 (a-g). Motion carried 7-0.

AYE: Matthews, Rutherford, Sehorn, Salter, Weaver, Flood, Bolt
NAY: None

AGENDA ITEM NO. 3:

Presentation by Animal Control to present the Pet of the Week.

Animal Control Officer Spoon and Officer Miller introduced Sissy, a one-year-old female canine. Sissy is available for adoption. The adoption fee is \$5.00 plus a \$5.00 tag fee.

Officer Spoon advised that the Animal Shelter currently has twenty-two dogs, five cats, and a pig.

AGENDA ITEM NO. 4:

Introduction of Shawnee 2020 student/teacher delegation for exchange trip to Nikaho, Japan.

Adult Delegate

Alicia Whiteman - 2020 Chairman

Student Delegates

Addison Brown - Grove School

Avery Ford - Grove School

Boston Busler - Grove School

Carson Atwood - Grove School

Emelia Bronson - Grove School

Emerson Thomas - Shawnee Middle School

Eva Grass - Shawnee Middle School

Evan Babbie - Shawnee Middle School

Isabella Johnson - Shawnee Middle School

Logan Matlock - North Rock Creek

Mikah Teape - Shawnee Middle School

Rachael Yu - Grove School

Sister Cities Chairman Alicia Whiteman introduced the Shawnee Sister Cities Delegates.

AGENDA ITEM NO. 5:

Presentation of Purple Heart City Plaque by Mitch Reed, Purple Heart Legislative Ambassador.

Master Chief Larry Van Schuyver presented the City of Shawnee with a Purple Heart City Plaque.

AGENDA ITEM NO. 6:

Commission Appointment of Vice Mayor
(per Article III, Section 6 of the City
Charter.)

A motion was made by Commissioner Matthews, seconded by Commissioner Flood, to appoint Commissioner Rutherford as Vice Mayor. Motion carried 6-0-1.

AYE: Matthews, Flood, Bolt, Sehorn, Salter, Weaver

NAY: None

ABSTAIN: Rutherford

AGENDA ITEM NO. 7:

Discussion and consideration to allow staff
to submit an application for an Emergency
Solution Grant from the Oklahoma
Department of Commerce.

Homeless Service Coordinator Lauren Craig explained the Emergency Solution Grant provided by the Oklahoma Department of Commerce. Ms. Craig noted the City of Shawnee's requirements and explained the Community Market of Pottawatomie County would be a collaborative applicant for the Grant. The application is due on July 30, 2021 and the award notification is expected to be announced on approximately August 23, 2021.

Commissioner Matthews explained he wished to abstain due to the collaboration with the Community Market of Pottawatomie County, of which he is the Executive Director.

A motion was made by Commissioner Flood, seconded by Commissioner Sehorn, to approve staff to submit an application for an Emergency Solution Grant from the Oklahoma Department of Commerce. Motion carried 6-0-1.

AYE: Flood, Sehorn, Salter, Weaver, Bolt, Rutherford

NAY: None

ABSTAIN: Matthews

AGENDA ITEM NO. 8:

Discussion and consideration of a contract
with Eric Benson to serve as Interim City
Manager.

City Manager Chance Allison explained the City Commission directed Staff to enter negotiations with Mr. Eric Benson to be Interim City Manager during a Special Called meeting on June 29, 2021. The presented contract is for a term of July 19, 2021 to October 31, 2021.

A motion was made by Commissioner Sehorn, seconded by Commissioner Matthews, to approve a contract with Mr. Eric Benson to serve as Interim City Manager. Motion carried 7-0.

AYE: Sehorn, Matthews, Weaver, Flood, Bolt, Rutherford, Salter

NAY: None

AGENDA ITEM NO. 9:

Discussion and consideration of a contract with Holloway, Updike and Bellen, Inc. (HUB) for engineering services for Cammack and Georgia Gravity Relief Lines.

City Engineer Seth Barkhimer gave a staff report. He explained this project would eliminate the existing lift stations. Staff recommends approval of this contract.

A motion was made by Commissioner Flood, seconded by Vice Mayor Rutherford, to approve a contract with Holloway, Updike and Bellen, Inc. (HUB) for engineering services for Cammack and Georgia Gravity Relief Lines. Motion carried 7-0.

AYE: Flood, Rutherford, Sehorn, Salter, Matthews, Weaver, Bolt

NAY: None

AGENDA ITEM NO.10:

Discussion and consideration of a Services Agreement with White Fox Scooters, Inc.

Mr. Sidd Saxena, Owner of White Fox Scooters, Inc., explained Oklahoma Baptist University currently utilizes their services. This agreement would allow them to expand their coverage in Shawnee. White Fox Scooters, Inc. covers all maintenance and liability of the scooters and there is no cost to the City of Shawnee. Mr. Saxena explained the docking and boundary systems of the scooters. City Manager, Chance Allison, stated Staff recommends approval of this agreement.

A motion was made by Commissioner Weaver, seconded by Commissioner Matthews, to approve a Services Agreement with White Fox Scooters, Inc. Motion carried 7-0.

AYE: Weaver, Matthews, Flood, Bolt, Rutherford, Sehorn, Salter
NAY: None

AGENDA ITEM NO. 11: Discussion and possible action to appoint a Shawnee Lake Advisory Committee to assist in the revisions to the lake ordinances.

The Commissioners discussed the formation a Shawnee Lake Advisory Committee.

Commissioner Weaver asked to call former Commissioner Frank Simms to the podium to explain the duties of the previous Shawnee Lake Advisory Committee formed during his tenure in 2010.

Former Commissioner Simms explained the 2010 Shawnee Lake Advisory Committee was tasked with reviewing specific ordinances, land owned by the Oklahoma Commissioner of the Land Office, and lease agreement rates that related to the Shawnee Twin Lakes.

A motion was made by Commissioner Weaver to form a Shawnee Lake Advisory Committee and within three months return to the City Commission to submit a report by the October 18, 2021 City Commission meeting.

Commissioner Weaver withdrew his previous motion.

A motion was made by Commissioner Weaver, seconded by Commissioner Flood, to defer this item to a future City Commission meeting. Motion carried 7-0.

AYE: Weaver, Flood, Bolt, Rutherford, Sehorn, Salter, Matthews
NAY: None

AGENDA ITEM NO. 12: Discussion and consideration of a variance request for minimum separation between a proposed driveway and the Harrison and Independence Street intersection.

City Engineer Seth Barkhimer explained the variance. He noted since Harrison Street is State Highway 18, this variance must also be approved by the Oklahoma Department of Transportation (ODOT). He advised that ODOT Division III has reviewed and tentatively approved the proposed variance. The Traffic Commission and Staff recommend approval of this item.

A motion was made by Commissioner Flood, seconded by Commissioner Matthews, to accept Staff recommendations of a variance request for minimum separation between a proposed driveway and the Harrison and Independence Street intersection. Motion carried 7-0.

AYE: Flood, Matthews, Weaver, Bolt, Rutherford, Sehorn, Salter
NAY: None

AGENDA ITEM NO. 13:

Discussion and consideration of AWM Real Estate, LLC's appeal of an Administrative Order regarding the demolition of the structure located at 801 South Beard Street.

City Attorney Joe Vorndran stated that the applicant had spoken during Citizens Participation. He advised that it has come to Staff's attention the property in question may be in probate. Staff recommends allowing a 30-day extension and to defer the item to the second City Commission meeting in August.

A motion was made by Commissioner Weaver, seconded by Commissioner Sehorn, to defer this item to a future City Commission meeting. Motion carried 7-0.

AYE: Weaver, Sehorn, Salter, Matthews, Flood, Bolt, Rutherford
NAY: None

AGENDA ITEM NO. 14:

Public hearing and consideration of an ordinance to rezone property located at 33001 Lake Road, containing approximately 4-acres, from A-1 (Rural Agricultural District) to A-1 (Rural Agricultural District) with a CUP (Conditional Use Permit) for the purpose of a wedding venue with the sale and consumption of alcoholic beverage on the premises. Case No. CUP01-21, Applicant: Greta Madson. (*Enterprises, LLC*). (*Public hearing rescheduled from June 21, 2021 to July 19, 2021.*)

City Planner Rachel Clyne gave a staff report. She advised that the Planning Commission and Staff recommend approval.

Mayor Bolt declared a public hearing in session to consider an ordinance to rezone property located at 33001 Lake Road, containing approximately 4-acres, from A-1 (Rural Agricultural District) to A-1 (Rural Agricultural District) with a CUP (Conditional Use Permit) for the purpose of a wedding venue with the sale and consumption of alcoholic beverage on the premises. Ms. Greta Madson

appeared in favor of said rezoning. No one appeared against said rezoning. The public hearing was closed.

A motion was made by Commissioner Flood, seconded by Commissioner Weaver, to approve the ordinance rezoning property located at 33001 Lake Road, containing approximately 4-acres, from A-1 (Rural Agricultural District) to A-1 (Rural Agricultural District) with a CUP (Conditional Use Permit).

Ordinance No. 2722NS was introduced.

AN ORDINANCE CONCERNING THE ZONING CLASSIFICATION OF THE FOLLOWING DESCRIBED PROPERTY LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY OF SHAWNEE, POTTAWATOMIE COUNTY, OKLAHOMA, TO-WIT: PT W1/2 NW SECTION 23 – TOWNSHIP 10NORTH – RANGE 2 EAST CITY OF SHAWNEE, POTTAWATOMIE COUNTY, OKLAHOMA A/K/A LOT 1A, MOSLER TRACT GENERAL LOCATION KNOWN AS 33001 LAKE ROAD, FROM ZONING CLASSIFICATION A-1 (RURAL AGRICULTURAL DISTRICT) TO A-1 (RURAL AGRICULTURAL DISTRICT) WITH A CUP (CONDITIONAL USE PERMIT) AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SHAWNEE ACCORDINGLY.

Motion carried 7-0.

AYE: Flood, Weaver, Bolt, Rutherford, Sehorn, Salter, Matthews

NAY: None

Ordinance No. 2722NS was adopted by the City Commission.

AGENDA ITEM NO. 15:

Public hearing and consideration of an ordinance to rezone property located at 15515 Perry Road, containing approximately 1.5-acres, from A-1 (Rural Agricultural District) to A-1 (Rural Agricultural District) with a CUP (Conditional Use Permit) for the purpose of a garage/cottage guest house (ADU (Accessory Dwelling Unit)). Case No. CUP02-21, Applicant: Edward and Sandra Moore. (*Public hearing rescheduled from June 21, 2021 to July 19, 2021.*)

City Planner Rachel Clyne gave a staff report. She advised that the Planning Commission and Staff recommend approval.

Mayor Bolt declared a public hearing in session to consider an ordinance to rezone property located at 15515 Perry Road, containing approximately 1.5-acres,

from A-1 (Rural Agricultural District) to A-1 (Rural Agricultural District) with a CUP (Conditional Use Permit) for the purpose of a garage/cottage guest house (ADU (Accessory Dwelling Unit)). Mr. Edward Moore appeared in favor of said rezoning. No one appeared against said rezoning. The public hearing was closed.

A motion was made by Commissioner Matthews, seconded by Commissioner Weaver, to approve the ordinance rezoning property located at 15515 Perry Road, containing approximately 1.5-acres, from A-1 (Rural Agricultural District) to A-1 (Rural Agricultural District) with a CUP (Conditional Use Permit).

Ordinance No. 2723NS was introduced.

AN ORDINANCE CONCERNING THE ZONING CLASSIFICATION OF THE FOLLOWING DESCRIBED PROPERTY LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY OF SHAWNEE, POTTAWATOMIE COUNTY, OKLAHOMA, TO-WIT: PT SECTION 15 – TOWNSHIP 10NORTH – RANGE 2EAST CITY OF SHAWNEE, POTTAWATOMIE COUNTY, OKLAHOMA, A/K/A LOT 3, ROEWE TRACT, GENERAL LOCATION KNOWN AS 15515 PERRY ROAD, FROM ZONING CLASSIFICATION A-1 (RURAL AGRICULTURAL DISTRICT) TO A-1 (RURAL AGRICULTURAL DISTRICT) WITH A CUP (CONDITIONAL USE PERMIT) AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SHAWNEE ACCORDINGLY.

Motion carried 7-0.

AYE: Matthews, Weaver, Flood, Bolt, Rutherford, Sehorn, Salter

NAY: None

Ordinance No. 2723NS was adopted by the City Commission.

AGENDA ITEM NO. 16:

Public hearing and consideration of an ordinance to rezone property located at 3715 North Kickapoo Avenue, containing approximately 2.5-acres, from C-2 (Suburban Office Commercial District) and R-1 (Single Family Residential District) to C-3 (Highway Commercial District). Case No. RZ06-21, Applicant: Kim Wheeler on behalf of HIA Legacy, LLC. *(Public hearing rescheduled from June 21, 2021 to July 19, 2021.)*

City Planner Rachel Clyne gave a staff report. She advised that the Planning Commission and Staff recommend approval.

Mayor Bolt declared a public hearing in session to consider an ordinance to rezone property located at 3715 North Kickapoo Avenue, containing approximately 2.5-acres, from C-2 (Suburban Office Commercial District) and R-1 (Single Family Residential District) to C-3 (Highway Commercial District). No one appeared in favor or against said rezoning. The public hearing was closed.

A motion was made by Commissioner Weaver, seconded by Commissioner Flood, to approve the ordinance rezoning property located at 3715 North Kickapoo Avenue, containing approximately 2.5-acres, from C-2 (Suburban Office Commercial District) and R-1 (Single Family Residential District) to C-3 (Highway Commercial District).

Ordinance No. 2724NS was introduced.

AN ORDINANCE CONCERNING THE ZONING CLASSIFICATION OF THE FOLLOWING DESCRIBED PROPERTY LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY OF SHAWNEE, POTTAWATOMIE COUNTY, OKLAHOMA, TO-WIT: A TRACT OF LAND DESCRIBED AS BEGINNING AT A POINT 30 FEET SOUTH OF THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER (NW/4 SW/4) OF SECTION SIX (6), TOWNSHIP TEN (10) NORTH, RANGE FOUR (4) EAST OF THE INDIAN MERIDIAN, THENCE EAST 660 FEET; THENCE SOUTH 164 FEET; THENCE WEST 660 FEET; THENCE NORTH 165 FEET TO THE POINT OF BEGINNING, CITY OF SHAWNEE, POTTAWATOMIE COUNTY, OKLAHOMA, FROM ZONING CLASSIFICATION C-2 (SUBURBAN OFFICE DISTRICT) AND R-1 (SINGLE FAMILY RESIDENTIAL DISTRICT) TO C-3 (HIGHWAY COMMERCIAL DISTRICT) AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SHAWNEE ACCORDINGLY.

Motion carried 7-0.

AYE: Weaver, Flood, Bolt, Rutherford, Sehorn, Salter, Matthews

NAY: None

Ordinance No. 2724NS was adopted by the City Commission.

AGENDA ITEM NO. 17:

Consideration of year-end budget amendments for Fiscal Year 2020 – 2021 for the following accounts:

- a. Fund 001 General Fund – Clean-up of Fiscal Year 2020-2021 budget.
- b. Fund 105 Spay/Neuter Fund – Clean-up of Fiscal Year 2020-2021 budget.

- c. Fund 106 Hotel/Motel Surcharge Fund – Clean-up of Fiscal Year 2020-2021 budget.
- d. Fund 107 Police Sales Tax Fund – Clean-up of Fiscal Year 2020-2021 budget.
- e. Fund 108 Fire Sales Tax Fund – Clean-up of Fiscal Year 2020-2021 budget.
- f. Fund 301 Capital Improvement Fund – Clean-up of Fiscal Year 2020-2021 budget.
- g. Fund 302 Street Improvement Fund – Clean-up of Fiscal Year 2020-2021 budget.
- h. Fund 303 2018 Capital Improvement Fund – Clean-up of Fiscal Year 2020-2021 budget.
- i. Fund 350 Aquatic Center Fund – Clean-up of Fiscal Year 2020-2021 budget.
- j. Fund 701 Library Fund – Clean-up of Fiscal Year 2020-2021 budget.

Assistant Finance Director Jacob Bussell explained these amendments were a result of the end-of-year budget monitoring process.

A motion was made by Commissioner Matthews, seconded by Commissioner Sehorn, to approve the budget amendments listed in Agenda Item Nos. 17 (a-j). Motion carried 7-0.

AYE: Matthews, Sehorn, Salter, Weaver, Flood, Bolt, Rutherford

NAY: None

AGENDA ITEM NO. 18:

Consideration of the following budget amendment for Fiscal Year 2021 – 2022:

- a. Fund 001 General Fund – To adjust revenue for Scribner's error and training budgets for Police Department, and budgeting for the LEPC grant.
- b. Fund 3001 Capital Improvement Fund – To provide for wildland gear.

Assistant Finance Director Jacob Bussell stated these amendments were clean-up items for the Fiscal Year 2021-2022 budget.

A motion was made by Commissioner Weaver, seconded by Commissioner Matthews, to approve the budget amendments listed in Agenda Item Nos. 18 (a-b). Motion carried 7-0.

AYE: Weaver, Matthews, Flood, Bolt, Rutherford, Sehorn, Salter
NAY: None

AGENDA ITEM NO. 19: Acknowledge monthly Sales Tax and Budget Reports.

Assistant Finance Director Jacob Bussell reported sales tax is up \$286,430.00, or 15.66%, over the projected budget year-to-date. He stated that use tax collections are up approximately \$82,964.00, or 44.69%, over the projected budget year-to-date.

AGENDA ITEM NO. 20: Administrative Report

a. Edward Byrnes Memorial Grant – Police Chief Mason Wilson

Police Chief Mason Wilson announced that the Shawnee Police Department and the Pottawatomie County Sheriff's Office are partnering to obtain funding from the Department of Justice 2021 Edward Byrne's Memorial Grant. The grant is for Twenty-Eight Thousand Two Hundred Seventy-Two Dollars (\$28,272.00) and will be divided equally between the agencies. Chief Wilson advised that the Shawnee Police Department will receive Fourteen Thousand One Hundred Thirty-Six Dollars (\$14,136.00) and these funds will be used to purchase more body worn cameras.

AGENDA ITEM NO. 21: New Business (Any matter not known or which could not have been reasonably foreseen prior to the posting of the agenda.)

There was no New Business.

AGENDA ITEM NO. 22:

Commissioners Comments

The Commissioners expressed their appreciation for City Manager Chance Allison for his tenure with the City of Shawnee. They also welcomed Interim City Manager Eric Benson.

Commissioner Salter thanked Mr. Tim Burg for his dedication to the City of Shawnee. He also thanked all the staff and volunteers that assisted with the International Finals Youth Rodeo (IFYR).

Commissioner Sehorn commented on the IFYR. He also addressed the Lake Advisory Committee and stated he wanted to be sure decisions regarding the Shawnee Twin Lakes were done correctly.

Commissioner Flood stated he appreciated everyone for speaking during Citizen Participation.

Commissioner Weaver expressed his appreciation for the Shawnee Lake Advisory Committee discussion.

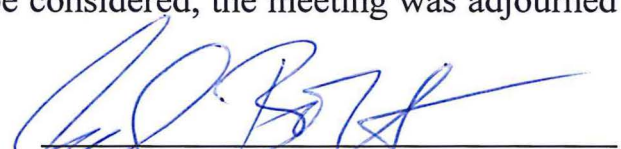
Commissioner Matthews thanked Mr. Tim Burg for all he has done for the Community. He stated the Purple Heart ceremony was moving and meaningful. He thanked Ms. Lauren Craig for her work with on the Emergency Solution Grant.

Mayor Bolt stated there was a lot of good news on the budget report. He stated the IFYR was well attended. He commented on the Main Street events of the past weekend.

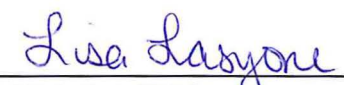
AGENDA ITEM NO. 23:

Adjournment

There being no further business to be considered, the meeting was adjourned by power of the Chair. (8:41 p.m.)


ED BOLT, MAYOR

ATTEST:


LISA LASYONE, CMC, CITY CLERK

