

BOARD OF CITY COMMISSIONERS PROCEEDINGS
JULY 18, 2022 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 18, 2022 at 6:00 p.m., pursuant to notice duly posted as prescribed by law at 4:00 p.m. on July 14, 2022. Mayor Bolt presided and called the meeting to order. Upon roll call, the following members were in attendance.

Ed Bolt
Mayor

Daniel Matthews
Commissioner Ward 1

Cami Engles
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

Commissioner Travis Flood

FLAG SALUTE

AGENDA ITEM NO. 1:

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

Mr. Rob Morris and Mr. Rick Young spoke during Citizens Participation.

AGENDA ITEM NO. 2:

Consider approval of Consent Agenda:

- a. Acknowledge staff will proceed in the instant meeting with the opening and consideration of bids as set forth in Agenda Item No. 12(b).
- b. Consider approval of minutes from the July 5, 2022 regular meeting.
- c. Acknowledge the following minutes and reports:
 - Planning Commission Minutes from the June 1, 2022 regular meeting
 - License Payment Report for June 2022
 - Project Payment Report for June 2022

- d. Acceptance of the public improvements for Wildwood Addition and place maintenance bonds into effect.
- e. Approve renewal of the following agreements for Fiscal Year 2022-2023:
 - 1) Agreement with South Central Industries, Inc. for Right-of-way Maintenance Services.
 - 2) Agreement with Shawnee Shotgun Club for use of City Property known as Shawnee Twin Lakes Trap Range.

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

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

NAY: None

AGENDA ITEM NO. 3:

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

Animal Control Officers Brandi Spoon and Wendy Cole introduced Vanilla Float, a three (3) month old canine. The Animal Shelter currently has thirty-six (36) dogs, six (6) cats, and one (1) rooster.

AGENDA ITEM NO. 4:

Presentation by the United States Small Business Administration to present information on federal disaster loans.

Ms. Andrea Weckmueller-Behringer, City Manager, introduced Ms. Barbara Nitis, with the United States Small Business Administration Office of Disaster Assistance. Ms. Nitis provided an overview of available assistance, which consisted of Business Physical Disaster Loans, Economic Injury Disaster Loans, and Home Disasters Loans.

AGENDA ITEM NO. 5:

Consideration of a Funding Agreement between the Oklahoma Development Finance Authority and the City of Shawnee for the City of Shawnee P3 Infrastructure Project.

Mr. Jacob Foos, Assistant City Manager, explained the City of Shawnee was given positive determination on a Seven Hundred and Fifty-Thousand Dollar (\$750,000.00) grant for use on the Main Street Bridge Project.

A motion was made by Commissioner Engles, seconded by Commissioner Flood, to approve a Funding Agreement between the Oklahoma Development Finance Authority and the City of Shawnee for the City of Shawnee P3 Infrastructure Project. Motion carried 7-0.

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

AGENDA ITEM NO. 6:

Consideration of a Professional Service Agreement with Halff Associates Inc. for the development of the Shawnee Twin Lakes Master Plan.

Mr. Rian Harkins, Community Development Director, stated that the Shawnee Twin Lakes Advisory Committee recommended that a master plan be developed regarding the Shawnee Twin Lakes area. Mr. Harkins advised that the proposed Professional Services Agreement is a follow-up item to that recommendation. The proposed scope of work is expected to be completed within a nine (9) month timeframe.

A motion was made by Commissioner Sehorn, seconded by Vice Mayor Rutherford, to approve a Professional Service Agreement with Halff Associates Inc. for the development of the Shawnee Twin Lakes Master Plan. Motion carried 7-0.

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

AGENDA ITEM NO. 7:

Public hearing and consideration of an ordinance to rezone property located at 502 North Beard Avenue from C-2 (Limited Office District) to R-2 (Medium Density Residential District). Case No. RZ08-22, Applicants: Rucker and Lugo.

Mr. Rian Harkins, Community Development Director, provided a staff report and explained Staff and the Planning Commission recommend approval.

Mayor Bolt declared a public hearing in session to consider an ordinance to rezone property located at 502 North Beard Avenue from C-2 (Limited Office District) to R-2 (Medium Density Residential District). Mr. Tyler Rucker and Mr. Jose Lugo appeared in favor of said rezoning. No one spoke against said rezoning. The public hearing was closed.

A motion was made by Commissioner Matthews, seconded by Commissioner Engles, to approve an ordinance to rezone property located at 502 North Beard Avenue from C-2 (Limited Office District) to R-2 (Medium Density Residential District).

Ordinance No. 2765NS 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; LOT EIGHT (8), BLOCK FIVE (5), WOODLAND PARK ADDITION, TO THE CITY OF SHAWNEE, POTTAWATOMIE COUNTY, OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF; FROM ZONING CLASSIFICATION C-2 (LIMITED OFFICE DISTRICT) TO R-2 (MEDIUM DENSITY RESIDENTIAL DISTRICT) AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SHAWNEE ACCORDINGLY.

Motion carried 7-0.

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

Ordinance No. 2765NS was adopted by the City Commission.

AGENDA ITEM NO. 8:

Public hearing and consideration of an ordinance to rezone property located at 1303 West Farrall Street from A-1 (Rural Agriculture District) to C-3 (Highway Commercial District). Case No. RZ09-22, Applicant: Kaye Steele.

Mr. Rian Harkins, Community Development Director, provided a staff report and explained Staff and the Planning Commission recommend approval.

Mayor Bolt declared a public hearing in session to consider an ordinance to rezone property located at 1303 West Farrall Street from A-1 (Rural Agriculture District) to C-3 (Highway Commercial District). Ms. Kaye Steele appeared in favor of said rezoning. No one spoke against said rezoning. The public hearing was closed.

A motion was made by Vice Mayor Rutherford, seconded by Commissioner Flood, to approve an ordinance to rezone property located at 1303 West Farrall Street from A-1 (Rural Agriculture District) to C-3 (Highway Commercial District).

Ordinance No. 2766NS 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; THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER (SE/4 SW/4) OF SECTION TWENTY-FOUR (24), TOWNSHIP TEN (10) NORTH, RANGE THREE (3) EAST OF THE INDIAN MERIDIAN, POTTAWATOMIE COUNTY, OKLAHOMA, LESS AND EXCEPT THAT PORTION OF SUBJECT PROPERTY TAKEN FOR HIGHWAY PURPOSES AS SHOWN BY REPORT OF COMMISSIONERS RECORDED IN BOOK 187, PAGE 686 AND BY REPORT OF COMMISSIONERS RECORDED IN BOOK 220, PAGE 692 AND BY REPORT OF COMMISSIONERS RECORDED IN BOOK 229, PAGE 66 AND BY JOURNAL ENTRY RECORDED IN BOOK 258, PAGE 457, RECORDS OF THE COUNTY CLERK OF POTTAWATOMIE COUNTY; FROM ZONING CLASSIFICATION A-1 (RURAL AGRICULTURE DISTRICT) TO C-3 (HIGHWAY COMMERCIAL DISTRICT) AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SHAWNEE ACCORDINGLY.

Motion carried 7-0.

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

Ordinance No. 2766NS was adopted by the City Commission.

AGENDA ITEM NO. 9:

Public hearing and consideration of an ordinance to rezone property located at 506 North Beard Avenue from C-3 (Highway Commercial District) to R-2 (Medium Density Residential District). Case No. RZ10-22, Applicant: Abraham Santana.

Mr. Rian Harkins, Community Development Director, provided a staff report and explained Staff and the Planning Commission recommend approval.

Mayor Bolt declared a public hearing in session to consider an ordinance to rezone property located at 506 North Beard Avenue from C-3 (Highway Commercial District) to R-2 (Medium Density Residential District). Mr. Abraham Santana appeared in favor of said rezoning. No one spoke against said rezoning. The public hearing was closed.

A motion was made by Commissioner Matthews, seconded by Commissioner Engles, to approve an ordinance to rezone property located at 506 North Beard Avenue from C-3 (Highway Commercial District) to R-2 (Medium Density Residential District).

Ordinance No. 2767NS 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; THE SOUTH HALF OF LOT SEVEN (7), BLOCK FIVE (5), WOODLAND PARK ADDITION, TO THE CITY OF SHAWNEE, POTTAWATOMIE COUNTY, OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF; FROM ZONING CLASSIFICATION C-3 (HIGHWAY COMMERCIAL DISTRICT) TO R-2 (MEDIUM DENSITY RESIDENTIAL DISTRICT) AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SHAWNEE ACCORDINGLY.

Motion carried 7-0.

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

NAY: None

Ordinance No. 2767NS was adopted by the City Commission.

AGENDA ITEM NO. 10:

Public hearing and consideration of an ordinance to rezone property located at 506 North Beard Avenue from R-2 (Medium Density Residential District) to R-2 (Medium Density Residential District) with a Conditional Use Permit (CUP) for an Accessory Dwelling Unit (ADU). Case No. CUP04-22, Applicant: Abraham Santana.

Mr. Rian Harkins, Community Development Director, stated that after public notification, but prior to the July 6, 2022, Planning Commission meeting, the applicant withdrew the application.

There was no action taken.

AGENDA ITEM NO. 11

Consideration of the following budget amendments for Fiscal Year 2022-2023:

- a. Fund 001 General Fund to appropriate fund balance for General Fund for encumbrances in Fiscal Year 2021-2022 which goods and services were not received in Fiscal Year 2021-2022 but will be received in Fiscal Year 2022-2023. Also, additional transfers from Shawnee Municipal Authority due to Fiscal Year 2021-2022 reduced transfers due to timing issues.
- b. Fund 301 Capital Improvement Fund to appropriate fund balance for Capital Improvement Fund for encumbrances in Fiscal Year 2021-2022 which goods and services were not received in Fiscal Year 2021-2022 but will be received in Fiscal Year 2022-2023.
- c. Fund 301 Capital Improvement Fund to appropriate grant revenue for capital expenditures in Fiscal Year 2022-2023.
- d. Fund 303 2018 Capital Improvement Fund to appropriate fund balance for 2018 Capital Improvement Fund for encumbrances in Fiscal Year 2021-2022 which goods and services were not received in Fiscal Year 2021-2022 but will be received in Fiscal Year 2022-2023.

Mr. Jacob Foos, Assistant City Manager, provided a staff report.

A motion was made by Commissioner Matthews, seconded by Vice Mayor Rutherford, to approve the budget amendments listed in Agenda Item Nos. 11(a-d). Motion carried 7-0.

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

NAY: None

AGENDA ITEM NO. 12

Consider Bids:

- a. Woodland Veterans Park Improvements Project (Award)

Mr. Brad Schmidt, Public Works Director, announced that six (6) bids were received. After review and consideration, it was Staff's recommendation to award the bid to Downey Contracting, LLC of Oklahoma City, Oklahoma in the total amount of Four Million Seven Hundred Sixty-Eight Thousand One Hundred Fifty-Three Dollars (\$4,768,153.00), which includes the base bid of Four Million, Six Hundred Forty-Eight Thousand Thirty-Three Dollars (\$4,648,233.00), plus all additional alternates totaling One Hundred Nineteen Thousand Nine Hundred Twenty Dollars (\$119,920.00).

A motion was made by Mayor Bolt, seconded by Commissioner Sehorn, to award the bid to Downey Contracting, LLC in the total amount of Four Million Seven Hundred Sixty-Eight Thousand One Hundred Fifty-Three Dollars (\$4,768,153.00). Motion carried 7-0.

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

NAY: None

- b. Cammack Street Gravity Relief Line (Open)

BIDDER

AMOUNT

Krapff-Reynolds Construction Co. Oklahoma City, OK	\$626,330.50
Downey Contracting, L.L.C. Oklahoma City, OK	\$831,971.00

Mr. Brad Schmidt, Public Works Director, read two (2) bids into the record. Mr. Schmidt requested the bid award be deferred to a future meeting.

A motion was made by Vice Mayor Rutherford, seconded by Commissioner Flood, to defer the bid award to a future City Commission meeting. Motion carried 7-0.

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

AGENDA ITEM NO. 13

Acknowledge monthly Sales Tax and Budget Reports.

Mr. Jacob Foos, Assistant City Manager, reported sales tax is up Three Hundred Twenty-Nine Thousand Six Hundred Seventy-Four Dollars (\$329,674.00) or Sixteen Point Eight Four Percent (16.84%), over the projected budget year-to-date. He stated that use tax collections are up approximately Fourteen Thousand Seven Hundred Eighty-Four Dollars (\$14,784.00) or Five Point Seven Three Percent (5.73%), over the projected budget year-to-date.

AGENDA ITEM NO. 14

Administrative Reports:

- a. Quarterly One-Half Cent Sales Tax Overview – Jacob Foos, Assistant City Manager

Mr. Jacob Foos, Assistant City Manager, gave presentation with an update on the one-half cent (\$0.005) sales tax.

- b. Lions Club Park Ball Fields – Andrea Weckmueller-Behringer, City Manager

Ms. Andrea Weckmueller-Behringer, City Manager, gave an overview of the agreement between the City of Shawnee and the Troy & Dollie Smith Family YMCA regarding the Lions Club Park Ball Fields.

- c. Santa Fe Depot Update – Rian Harkins, Community Development Director

Mr. Rian Harkins, Community Development Director, gave an update on the Santa Fe Depot.

AGENDA ITEM NO. 15:

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. 16:

Commissioners Comments

Commissioner Salter spoke regarding the number of ongoing City projects and addressed a concern mentioned by Mr. Morris during Citizens Participation.

Commissioner Sehorn spoke regarding the number of ongoing City projects, sales tax, and the International Finals Youth Rodeo.

Vice Mayor Rutherford spoke regarding the Shawnee Twin Lakes Master Plan.

Commissioner Flood spoke regarding City project completions, rezonings and project improvements, the Santa Fe Depot, and addressed Mr. Morris' concerns from Citizens Participation.

Commissioner Engles spoke regarding Citizens Participation, the Public Works Department Staff, the International Finals Youth Rodeo, the Santa Fe Depot, and the Shawnee Twin Lakes Master Plan.

Commissioner Matthews spoke regarding administrative reports provided by Staff, the Kickapoo Street expansion project, the International Finals Youth Rodeo, the Shawnee Twin Lakes Master Plan, Sales Tax, the Santa Fe Depot, and addressed Mr. Young's concerns from Citizens Participation.

Mayor Bolt spoke regarding sales tax, recent events in the community, the Shawnee Twin Lakes Master Plan, Homeless Resource Center, and addressed concerns from Mr. Morris and Mr. Young from Citizens Participation.

AGENDA ITEM NO. 17:

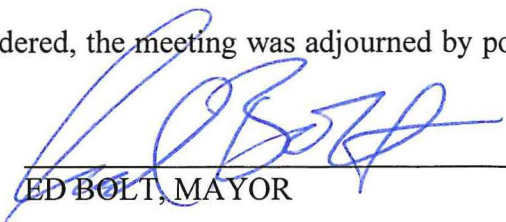
Adjournment

There being no further business to be considered, the meeting was adjourned by power of the Chair. (7:12 p.m.)

ATTEST:


LISA LASYONE, CMC, CITY CLERK




ED BOLT, MAYOR