

BOARD OF CITY COMMISSIONERS PROCEEDINGS
JULY 5, 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, Tuesday, July 5, 2022 at 6:00 p.m., pursuant to notice duly posted as prescribed by law at 3:53 p.m. on June 30, 2022. Mayor Bolt presided and Miss Grace Hobbs Mr. Gabe Hobbs 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

Pastor Ken Kerbo
C3 Cross Connection Church

FLAG SALUTE

AGENDA ITEM NO. 1:

Recognition of members of the Shawnee Police Department.

Mayor Bolt presented Certificates of Recognition to Detective Austin Bizzell and Cpl. Richard Ruiz. Certificates of Recognition were also provided for Officer Shawn Grasso and Sgt. Jason Crouch who were not present at the meeting.

AGENDA ITEM NO. 2:

Recognition of the Shawnee Tourism Department.

Mayor Bolt recognized the Shawnee Tourism Department for receiving top honors at the Oklahoma Travel Industry Association's RedBud Awards. The Shawnee Tourism Department received first place for the *Tourism Organization of the Year Small Budget* and *Best Website Small Budget Organization*. They also received second place for *Best Brochure or Publication (\$10,000 or Less)*. Mr. Stacy Moore and Ms. Erica Bass were present for the recognition.

AGENDA ITEM NO. 3:

Swearing in of Ward I Commissioner Daniel Matthews, Ward II Commissioner Cami Engles, and Ward V Commissioner Mark Sehorn.

Municipal Judge Nick Atwood swore in Ward I Commissioner Daniel Matthews, Ward II Commissioner Cami Engles, and Ward V Commissioner Mark Sehorn.

AGENDA ITEM NO. 4:

Presentation of Certificates of Election to Ward I Commissioner Daniel Matthews, Ward II Commissioner Cami Engles, and Ward V Commissioner Mark Sehorn.

Mayor Bolt presented Certificates of Election to Ward I Commissioner Daniel Matthews, Ward II Commissioner Cami Engles, and Ward V Commissioner Mark Sehorn.

AGENDA ITEM NO. 5:

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

Mr. Rob Morris and Mr. Cliff Harden spoke during Citizens Participation.

AGENDA ITEM NO. 6:

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. 14.
- b. Consider approval of minutes from the June 20, 2022 regular meeting.
- c. Acceptance of a Right-of-way Easement Agreement with Hillside Properties.
- d. Approve renewal of the following agreements for Fiscal Year 2022-2023:
 - 1) Interlocal Cooperation Agreement with Gordon Cooper Technology Center (GCTC) for District No. 5 to provide repaving and repair of public roadways and parking lots used by students, faculty, employees, and patrons of GCTC.
 - 2) Agreement with Independent School District No. 93 also known as Shawnee Public Schools for supplemental police services.
 - 3) Agreement with Shawnee Twin Lakes Trap Club for use of City Property known as Shawnee Twin Lakes Trap Range.
 - 4) Agreement with Project H.E.A.R.T., Inc. to provide meals to elderly persons.

A motion was made by Commissioner Matthews, seconded by Vice Mayor Rutherford, to approve Consent Agenda Item Nos. 6(a-d). Motion carried 7-0.

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

AGENDA ITEM NO. 7: Presentation by Animal Control to present the Pet of the Week.

Animal Control Officers Wendy Cole and Shelby Bowen introduced Whiskey, a five (5) month old male feline. The Animal Shelter currently has thirty-six (36) dogs, seven (7) cats, and one (1) rooster.

AGENDA ITEM NO. 8: Grant acceptance from the Avedis Foundation for Woodland Veterans Park Project.

Ms. Andrea Weckmueller-Behringer, City Manager, advised that the grant funds awarded by the Avedis Foundation will provide for the construction of a stage and amphitheater at Woodland Veterans Park. The grant is in the amount of Seven Hundred Sixty-Six Thousand Eight Hundred Thirty-Three Dollars and Twenty-Five Cents (\$766,833.25).

A motion was made by Vice Mayor Rutherford, seconded by Commissioner Flood, to accept the grant from the Avedis Foundation for Woodland Veterans Park Project. Motion carried 7-0.

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

AGENDA ITEM NO. 9: Consideration of the following budget amendments for Fiscal Year 2021-2022:

- a. Fund 001 General Fund to appropriate general fund revenue for transfers to library fund and street and alley fund.
- b. Fund 101 Street and Alley Fund to appropriate street and alley fund motor vehicle revenue and general fund transfer revenue for electricity expense.
- c. Fund 106 Hotel/Motel Surcharge Fund to appropriate hotel/motel surcharge revenue for tourism department personnel expense.
- d. Fund 107 Police Sales Tax Fund to appropriate police sales tax revenue for transfer to general fund.
- e. Fund 108 Fire Sales Tax Fund to appropriate fire sales tax revenue for transfer to general fund.
- f. Fund 350 Aquatic Fund to appropriate aquatic fund revenue for workers compensation expense.

- g. Fund 701 Library Fund to appropriate library fund revenue for repair, pest control, and janitorial expense.

Mr. Jacob Foos, Assistant City Manager, advised that the proposed budget amendments are to close out accounts for Fiscal Year 2021-2022.

A motion was made by Commissioner Matthews, seconded by Commissioner Engles, to approve the budget amendments listed in Agenda Item Nos. 9(a-g). Motion carried 7-0.

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

NAY: None

AGENDA ITEM NO. 10:

Consideration of an agreement to partner with Community Market for the Nutrition Assistance portion of the CDBG-CV2 Grant awarded by the Oklahoma Department of Commerce.

COMMISSIONER MATTHEWS LEFT THE MEETING AT 6:26 P.M.

Mr. Rian Harkins, Community Development Director, stated that the proposed Agreement would allow the City to partner with Community Market to provide nutrition assistance for low- to moderate-income citizens of Shawnee. The funding is provided through the Nutrition Assistance portion of the City's CDBG-CV2 grant award from the Oklahoma Department of Commerce.

A motion was made by Commissioner Flood, seconded by Mayor Bolt, to approve the agreement to partner with Community Market for the Nutrition Assistance portion of the CDBG-CV2 Grant awarded by the Oklahoma Department of Commerce. Motion carried 6-0.

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

NAY: None

COMMISSIONER MATTHEWS RETURNED AT 6:30 P.M.

AGENDA ITEM NO. 11:

Consideration of an appeal of an Administrative Order regarding property located at 806 West 9th Street.

Mr. Kevin Moore, Building Official, provided a Staff report regarding the item. He stated that Staff recommends denial of the appeal. City Attorney Joe Vorndran advised that there are no defects in the Administrative Order.

Mr. Ronnie McCullar and Mr. Wallace Williams spoke in support of the appeal.

A motion was made by Vice Mayor Rutherford, seconded by Mayor Bolt, to deny the appeal of the Administrative Order regarding property located at 806 West 9th Street. Motion carried 7-0.

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

NAY: None

AGENDA ITEM NO. 12:

Consideration of an ordinance amending portions of Chapter 25 related to the City of Shawnee occupancy surcharge and providing for severability, codification, and repealer; and providing for emergency.

Mr. Jacob Foos, Assistant City Manager, stated that the proposed ordinance removes reference to "recreational vehicle spaces" and returns the \$1.00 minimum fee, per room, per night language that was on the August 23, 1994 election ballot language approved by a vote of the people.

A motion was made by Commissioner Engles, seconded by Commissioner Sehorn, to approve an ordinance amending portions of Chapter 25 related to the City of Shawnee occupancy surcharge and providing for severability, codification, and repealer; and providing for emergency.

Ordinance No. 2764NS was introduced.

AN ORDINANCE AMENDING PORTIONS OF CHAPTER 25 RELATED TO THE CITY OF SHAWNEE OCCUPANCY SURCHARGE AND PROVIDING FOR SEVERABILITY, CODIFICATION, AND REPEALER; AND PROVIDING FOR EMERGENCY.

Motion carried 7-0.

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

NAY: None

Ordinance No. 2764NS was adopted by the City Commission.

A motion was made by Vice Mayor Rutherford, seconded by Commissioner Matthews, to approve the emergency clause relating to Ordinance No. 2764NS. Motion carried 7-0.

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

NAY: None

AGENDA ITEM NO. 13:

Reconsideration of an ordinance to rezone property located on approximately 8.79 acres north of West MacArthur Street and east of Acme Road from R-3 (Multifamily Residential District) and C-2 (Suburban Office Commercial District) to a PUD (Planned Unit Development). Case No. PUD01-22, Applicant: J. Bentley Investments, LLC represented by Grubbs Consulting, LLC. (Deferred from the June 20, 2022 City Commission meeting.)

Mr. Rian Harkins, Community Development Director, advised that this item came before the Commission on June 20, 2022 with a request to defer the item to the August 18, 2022 City Commission meeting. Mr. Harkins stated that the date is incorrect and should have been August

15, 2022. Staff is requesting that the item be reconsidered, and the item deferred to the August 15, 2022 City Commission meeting.

A motion was made by Commissioner Matthews, seconded by Vice Mayor Rutherford, to reconsider an ordinance to rezone property located on approximately 8.79 acres north of West MacArthur Street and east of Acme Road from R-3 (Multifamily Residential District) and C-2 (Suburban Office Commercial District) to a PUD (Planned Unit Development). Motion carried 7-0.

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

A motion was made by Commissioner Matthews, seconded by Vice Mayor Rutherford, to defer this item to the City Commission meeting on August 15, 2022. Motion carried 7-0.

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

AGENDA ITEM NO. 14:

Consider Bids:

a. Woodland Veterans Park Improvements Project (Open)

BIDDER

AMOUNT

<u>Jenco Construction of Oklahoma City, Oklahoma</u>	\$ 4,891,712.25
Additional Alternate No. 1 – Pickleball Lighting	\$ 33,000.00
Additional Alternate No. 2a – Demo & Removal of Existing Chain Link Fence	\$ 5,000.00
Additional Alternate No. 2b – Tennis 10' Black Vinyl Chain Link Fence	\$ 60,320.00
Additional Alternate No. 2c – 1' W. Concrete Curb for Tennis Fence	\$ 12,792.00
Additional Alternate No. 3 – Resurfacing	\$ 27,600.00
Additional Alternate No. 4 – Tennis Court Equipment	\$ 7,200.00
 <u>MacHill Construction of Ada, Oklahoma</u>	 \$ 4,941,772.00
Additional Alternate No. 1 – Pickleball Lighting	\$ 13,400.00
Additional Alternate No. 2a – Demo & Removal of Existing Chain Link Fence	\$ 3,200.00
Additional Alternate No. 2b – Tennis 10' Black Vinyl Chain Link Fence	\$ 52,000.00
Additional Alternate No. 2c – 1' W. Concrete Curb for Tennis Fence	\$ 19,680.00
Additional Alternate No. 3 – Resurfacing	\$ 36,000.00
Additional Alternate No. 4 – Tennis Court Equipment	\$ 6,000.00
 <u>W.L. McNatt & Co. of Oklahoma City, Oklahoma</u>	 \$ 5,017,459.53
Additional Alternate No. 1 – Pickleball Lighting	\$ 43,733.00
Additional Alternate No. 2a – Demo & Removal of Existing Chain Link Fence	\$ 11,000.00
Additional Alternate No. 2b – Tennis 10' Black Vinyl Chain Link Fence	\$ 57,200.00
Additional Alternate No. 2c – 1' W. Concrete Curb for Tennis Fence	\$ 15,252.00
Additional Alternate No. 3 – Resurfacing	\$ 32,400.00
Additional Alternate No. 4 – Tennis Court Equipment	\$ 12,000.00

<u>Wynn Construction Co., Inc. of Oklahoma City, Oklahoma</u>	\$ 4,974,647.00
Additional Alternate No. 1 – Pickleball Lighting	\$ 20,000.00
Additional Alternate No. 2a – Demo & Removal of Existing Chain Link Fence	\$ 11,000.00
Additional Alternate No. 2b – Tennis 10' Black Vinyl Chain Link Fence	\$ 57,200.00
Additional Alternate No. 2c – 1' W. Concrete Curb for Tennis Fence	\$ 16,236.00
Additional Alternate No. 3 – Resurfacing	\$ 18,000.00
Additional Alternate No. 4 – Tennis Court Equipment	\$ 11,000.00

<u>Lambert Construction of Stillwater, Oklahoma</u>	\$ 4,644,515.00
Additional Alternate No. 1 – Pickleball Lighting	\$ 32,270.00
Additional Alternate No. 2a – Demo & Removal of Existing Chain Link Fence	\$ 3,706.00
Additional Alternate No. 2b – Tennis 10' Black Vinyl Chain Link Fence	\$ 55,068.00
Additional Alternate No. 2c – 1' W. Concrete Curb for Tennis Fence	\$ 3,936.00
Additional Alternate No. 3 – Resurfacing	\$ 26,640.00
Additional Alternate No. 4 – Tennis Court Equipment	\$ 6,778.00

<u>Downey Contracting, LLC of Oklahoma City, Oklahoma</u>	\$ 4,648,233.00
Additional Alternate No. 1 – Pickleball Lighting	\$ 13,000.00
Additional Alternate No. 2a – Demo & Removal of Existing Chain Link Fence	\$ 6,900.00
Additional Alternate No. 2b – Tennis 10' Black Vinyl Chain Link Fence	\$ 58,760.00
Additional Alternate No. 2c – 1' W. Concrete Curb for Tennis Fence	\$ 14,760.00
Additional Alternate No. 3 – Resurfacing	\$ 18,000.00
Additional Alternate No. 4 – Tennis Court Equipment	\$ 8,500.00

Mr. Seth Barkhimer, City Engineer, read six (6) bids into the record. Mr. Barkhimer requested the bid award be deferred to a future meeting.

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

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

NAY: None

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 Matthews thanked the voters for electing him to continue to serve as Commissioner. He stated he is excited about the Woodland Veterans Park project and continuing to serve the City of Shawnee.

Commissioner Engles thanked everyone who voted in the recent primary election.

Commissioner Flood stated he was disheartened to hear about the incident at the hospital but was amazed at the response by the Shawnee Police Department officers. He also gave his condolences to the family of David Hammer.

Vice Mayor Rutherford stated he is excited about the Woodland Veterans Park project moving forward and the Kids Space Park and Water Treatment Plant projects that are already underway.

Commissioner Sehorn stated that his top four (4) key factors as a Commissioner is water, sewer, police, and fire. He stated that the City is in a much better financial position than a few years back.

Commissioner Salter congratulated the Shawnee Tourism Department and Shawnee Police Department for the recognition and awards each received.

Mayor Bolt congratulated the Shawnee Tourism Department and Shawnee Police Department for the recognition and awards each received. He also expressed his condolences for the passing of District Attorney Elect David Hammer and Shawnee Arts and Culture Commission Member Robbie Kienzle. He also spoke regarding the homeless initiative.

AGENDA ITEM NO. 17:

Adjournment

There being no further business to be considered, the meeting was adjourned by power of the Chair. (7:17 p.m.)



ATTEST:

Lisa Lasyone
LISA LASYONE, CMC, CITY CLERK

Ed Bolt
ED BOLT, MAYOR