

AGENDA
BOARD OF CITY COMMISSIONERS
June 3, 2019 AT 6:00 P.M.
COMMISSION CHAMBERS AT CITY HALL
SHAWNEE, OKLAHOMA

CALL TO ORDER

DECLARATION OF A QUORUM

INVOCATION

FLAG SALUTE

1. Citizens Participation

(A three minute limit per person)
(A twelve minute limit per topic)
2. Consider approval of Consent Agenda:
 - a. Minutes from the May 20, 2019 regular meeting and the May 23, 2019 special call meeting.
 - b. Acknowledge the following minutes:
 - Shawnee Civic and Cultural Development Authority Minutes from the April 18, 2019 meeting
 - Shawnee Community Beautification Committee Minutes from the April 18, 2019 meeting
 - Traffic Commission Minutes from the April 23, 2019 meeting
 - c. Approve renewal of the following agreements for Fiscal Year 2019-2020:
 1. Agreement with YMCA for use of recreational facilities known as Dockery Park and Lions Club Park.
 2. Agreement with YMCA for lease of a mower, city property, for maintenance of Dockery Park and Lions Club Park.
 3. Agreement with Youth and Family Resource Center, Inc. for Juvenile Services.
 4. Agreement with Shawnee Shotgun Club for use of city property known as Shawnee Twin Lakes Trap Range.
 - d. Approval of a Memorandum of Understanding with District Attorney's Office, 23rd Judicial District, for services to victims of domestic violence and sexual assault.

- e. Budget Amendment – Fund 001
To move unrestricted payments in lieu of taxes received from the Shawnee Housing Authority to the General Fund and to appropriate for additional repairs and maintenance costs as needed related to the Community Center.
- f. Budget Amendment – Fund 201
To move unrestricted payments in lieu of taxes received from the Shawnee Municipal Authority to the General Fund. Payments in lieu of taxes are received in accordance with the Oklahoma Housing Authority Act, 63 O.S. 1066, Tax Exemption and Payments in Lieu of Taxes.
- 3. Consideration of approval of the Interim City Manager’s hiring of Rodney Foster as Shawnee Fire Chief.
- 4. Presentation by Animal Control to present the Pet of the Week.
- 5. Presentation and possible action to adopt Shawnee Safe Routes to School Master Plan.
- 6. Consideration and possible action to cancel the July 1, 2019 City Commission meeting.
- 7. Public hearing and consideration of an ordinance to rezone property located at the northeast corner of North Union Avenue and East 45th Street from A-1 (Rural Agricultural) to C-3 (Highway Commercial) for the purposed purpose of a commercial development. Case No. P02-19, Applicant: Stephen Landes.
- 8. Public hearing and consideration of an ordinance to rezone property located east of North Union Avenue, north of East 45th Street, and west of North Harrison Avenue from A-1 (Rural Agricultural) to C-3 (Highway Commercial) for the purposed purpose of a commercial development. Case No. P05-19, Applicant: Stephen Landes.
- 9. Public hearing and consideration of an ordinance to rezone property located east of North Union Avenue, north of East 45th Street, and west of A.T.&S.F. Railroad from C-3 (Highway Commercial) to R-1 (Single-Family Residential) for the purposed purpose of a single-family development. Case No. P07-19, Applicant: Stephen Landes.
- 10. New Business

(Any matter not known or which could not have been reasonably foreseen prior to the posting of the agenda)
- 11. Commissioners Comments
- 12. Adjournment

Respectfully submitted

Lisa Lasyone, CMC, City Clerk

The City of Shawnee encourages participation from its citizens in public meetings. If participation is not possible due to a disability, notify the City Clerk, in writing, at least forty-eight hours prior to the scheduled meeting and necessary accommodations will be made. (ADA 28 CFR/36)

Regular Board of Commissioners**2.a.**

Meeting Date: 06/03/2019

Minutes

Submitted By: Kacie Eck, City Clerk

Department: City Clerk

Information

Title of Item for Agenda

Minutes from the May 20, 2019 regular meeting and the May 23, 2019 special call meeting.

Attachments

May 20, 2019

May 23, 2019 SC

BOARD OF CITY COMMISSIONERS PROCEEDINGS
MAY 20, 2019 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, 9th and Broadway, Shawnee, Oklahoma, Monday, May 20, 2019 at 6:00 p.m., pursuant to notice duly posted as prescribed by law. Mayor Finley presided and called the meeting to order. Upon roll call, the following members were in attendance.

Richard Finley
Mayor

Ed Bolt
Commissioner Ward 1

Absent
Commissioner Ward 2

James Harrod
Commissioner Ward 3-Vice Mayor

Darren Rutherford
Commissioner Ward 4

Mark Sehorn
Commissioner Ward 5

Ben Salter
Commissioner Ward 6

ABSENT: Ron Gillham

INVOCATION

Don Lynch,
Emergency Management Director

FLAG SALUTE

AGENDA ITEM NO. 1:

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 Shawnee Airport Authority Agenda Item No. 2.
- b. Minutes from the May 6, 2019 regular meeting.
- c. Acknowledge the following reports and minutes:
 - License Payment Report for April 2019
 - Project Payment Report for April 2019

- Shawnee Urban Renewal Authority Minutes from the February 5, 2019 meeting
- d. Approve renewal of the following agreements for Fiscal Year 2019-2020:
- 1) Agreement with South Central Industries, Inc. for Right-of-way Maintenance Services.
 - 2) Agreement with Shawnee Twin Lakes Trap Club for use of city property known as Shawnee Twin Lakes Trap Range.
 - 3) Agreement with REACT Ambulance Authority for dispatch services.
 - 4) Agreement with The Housing Authority of the City of Shawnee for fingerprinting services.
 - 5) Agreement with Pottawatomie County District Court to establish, develop, and implement programs for juvenile misdemeanor offenders.
 - 6) Agreement with Project H.E.A.R.T., Inc. to provide meals to elderly persons.
- e. Acknowledge the Central Disposal contract for Fiscal Year 2019-2020.
- f. Authorize Interim City Manager to sign an agreement with Crawford and Associates for accounting, financial management, and consulting services for Fiscal Year 2019-2020.
- g. Budget Amendment – Fund 001
To revise the General Fund budget to reflect changes which have occurred since July 1, 2018.

A motion was made by Commissioner Bolt, seconded by Commissioner Rutherford, to approve Consent Agenda Item Nos. 1(a-g). Motion carried 6-0.

AYE: Bolt, Rutherford, Sehorn, Salter, Harrod, Finley
NAY: None

AGENDA ITEM NO. 2:

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

There was no Pet of the Week.

AGENDA ITEM NO. 3:

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

Ms. Kate Joyce, Senior Center Director, spoke about the benefits of the Senior Center. She stated her staff is currently working on a contract to submit to the City of Shawnee. She invited staff and Commissioners to visit the Senior Center and tour the location.

Ms. Nell Rita Pate spoke about the benefits of the Shawnee Senior Center. She asked that the Commission consider leaving the Senior Center as it is.

Mr. Daniel Shaughnessy also spoke about the Shawnee Senior Center. He said he was thankful for the Commissioners, various City Staff, and Shawnee Senior Center.

AGENDA ITEM NO. 4:

Consider a resolution to declare a 2003 Ford Expedition City of Shawnee Police Department vehicle surplus property and authorize the donation of said property to the Pottawatomie County Sheriff's Office.

Police Chief Mason Wilson explained the Pottawatomie County Sheriff's Office is in need of vehicles and this particular vehicle is no longer of use to the City of Shawnee.

Resolution No. 6587 was introduced.

A RESOLUTION TO DECLARE A 2003 FORD EXPEDITION CITY OF SHAWNEE POLICE DEPARTMENT VEHICLE SURPLUS PROPERTY AND NO LONGER NEEDED FOR CITY PURPOSES; DESCRIBING SAID ITEM; AND AUTHORIZING THE DONATION OF SAID ITEM TO THE POTTAWATOMIE COUNTY SHERIFF'S OFFICE.

A motion was made by Vice Mayor Harrod, seconded by Commissioner Bolt, to approve a resolution to declare a 2003 Ford Expedition City of Shawnee Police Department vehicle surplus property and authorize the donation of said property to the Pottawatomie County Sheriff's Office. Motion carried 6-0.

AYE: Harrod, Bolt, Finley, Rutherford, Sehorn, Salter

NAY: None

AGENDA ITEM NO. 5:

Consider and take action with respect to a resolution of the Board of Commissioners of the City of Shawnee, Oklahoma (the "City") approving action taken by the Shawnee Municipal Authority (the "Authority") authorizing issuance, sale and delivery of its clean water SRF promissory note to the Oklahoma Water Resources Board; ratifying and confirming a lease agreement and operation and maintenance contract, as amended, whereby the City of Shawnee leased its water and sanitary sewer systems to the Shawnee Municipal Authority; and containing other provisions related thereto.

Finance Director Chance Allison explained this item in conjunction with the Shawnee Municipal Authority Agenda Item No. 2. Both items relate to the Shawnee Municipal Authority Advanced Metering Infrastructure System (AMI) project. In April 2019, the Oklahoma Water Resources Board approved a loan for this project. Mr. Nate Ellis, Public Finance Law Group, stated an interest rate of 1.93% was locked in for this loan. The term of the loan is length of construction plus fifteen years.

Resolution No. 6588 was introduced.

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF SHAWNEE, OKLAHOMA (THE "CITY") APPROVING ACTION TAKEN BY THE SHAWNEE MUNICIPAL AUTHORITY (THE "AUTHORITY") AUTHORIZING ISSUANCE, SALE AND DELIVERY OF ITS CLEAN WATER SRF PROMISSORY NOTE TO THE OKLAHOMA WATER RESOURCES BOARD; RATIFYING AND CONFIRMING A LEASE AGREEMENT AND OPERATION AND MAINTENANCE CONTRACT, AS AMENDED, WHEREBY THE CITY OF SHAWNEE LEASED ITS WATER AND SANITARY SEWER SYSTEMS TO THE SHAWNEE MUNICIPAL AUTHORITY; AND CONTAINING OTHER PROVISIONS RELATED THERETO.

A motion was made by Commissioner Sehorn, seconded by Commissioner Bolt, to approve to a resolution of the Board of Commissioners of the City of Shawnee, Oklahoma (the “City”) approving action taken by the Shawnee Municipal Authority (the “Authority”) authorizing issuance, sale and delivery of its clean water SRF promissory note to the Oklahoma Water Resources Board; ratifying and confirming a lease agreement and operation and maintenance contract, as amended, whereby the City of Shawnee leased its water and sanitary sewer systems to the Shawnee Municipal Authority; and containing other provisions related thereto. Motion carried 6-0.

AYE: Sehorn, Bolt, Harrod, Finley, Rutherford, Salter
NAY: None

AGENDA ITEM NO. 6:

Consider an ordinance relating to flagpoles, amending Article VII, Section 8 – General Use Restrictions; providing for severability.

Interim City Manager Eric Benson explained this amendment will allow taller flag poles and larger flags within the City of Shawnee. The height of a flag pole for a commercial center is limited seventy feet, unless approved by the City Manager. Under no circumstances shall any flagpole exceed ninety feet.

A motion was made by Commissioner Rutherford, seconded by Vice Mayor Harrod, to approve an ordinance relating to flagpoles, amending Article VII, Section 8 – General Use Restrictions; providing for severability.

Ordinance No. 2663NS was introduced.

AN ORDINANCE RELATING TO FLAGPOLES, AMENDING ARTICLE VII, SECTION 8 – GENERAL USE RESTRICTIONS; PROVIDING FOR SEVERABILITY.

Motion carried 6-0.

AYE: Rutherford, Harrod, Finley, Sehorn, Salter, Bolt
NAY: None

Ordinance No. 2663NS was adopted by the City Commission.

AGENDA ITEM NO. 7:

Acknowledge monthly Sales Tax and City Treasurer Report.

Finance Director Chance Allison reported sales tax is up \$361,621.00, or 1.99%, over the projected budget year-to-date. He stated that use tax collections are up approximately \$233,812.00, or 16.52%, over the projected budget year-to-date.

AGENDA ITEM NO. 8:

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. 9:

Commissioners Comments

Commissioner Bolt said he appreciated everyone coming out tonight.

Vice Mayor Harrod spoke regarding public storm shelters.

Commissioner Sehorn commented on the possible Heart of Oklahoma Exposition Center and Spectra contract.

Commissioner Salter thanked Eric Benson for his work on the flagpole ordinance.

Mayor Finley explained that the Shawnee Senior Center was not in jeopardy of being shut down. He stated this is merely regarding a contractual agreement between the City of Shawnee and the individuals that currently run the establishment.

AGENDA ITEM NO. 10:

Adjournment

There being no further business to be considered, the meeting was adjourned by power of the Chair. (6:24 p.m.)

RICHARD FINLEY, MAYOR

ATTEST:

KACIE ECK,
SR. DEPUTY CITY CLERK

DRAFT

BOARD OF CITY COMMISSIONERS
CITY OF SHAWNEE
SPECIAL CALLED SESSION
MAY 23, 2019

The Board of City Commissioners of the City of Shawnee met in Special Called Session at the Shawnee Commission Chambers, 16 West 9th Street, Shawnee, Oklahoma, Thursday, May 23, 2019 at 6:00 p.m., pursuant to notice duly posted as prescribed by law. Mayor Finley presided and called the meeting to order. The following members were in attendance and a quorum was declared.

Richard Finley
Chairman

Ed Bolt
Commissioner Ward 1

Ron Gillham
Commissioner Ward 2

James Harrod
Commissioner Ward 3-Vice Mayor

Darren Rutherford
Commissioner Ward 4

Mark Sehorn
Commissioner Ward 5

Ben Salter
Commissioner Ward 6

Absent: None

The Call for said meeting was entered upon the records by the City Clerk, said Call being as follows:

NOTICE OF A CALLED SPECIAL SESSION OF THE BOARD OF CITY
COMMISSIONERS OF THE CITY OF SHAWNEE, OKLAHOMA

You and each of you are hereby notified that by virtue of a call issued by me on this 21st day of May, 2019, a Special Called Session will be held of the Board of Commissioners of the City of Shawnee, Oklahoma in the Shawnee Commission Chambers, 16 West 9th Street, Shawnee, Oklahoma at 6:00 p.m. on the 23rd day of May, 2019, and you are hereby notified to be present at said meeting. The purpose of said meeting will be to discuss, consider, and possibly approve a contract with Global Spectrum dba Spectra for management services of the Heart of Oklahoma Exposition Center.

Witness my hand this 21st day of May, 2019.

(SEAL)

ATTEST:

/s/ Kacie Eck, Deputy for
KACIE ECK,
SR. DEPUTY CITY CLERK

/s/ S. Eric Benson
S. ERIC BENSON
INTERIM CITY MANAGER

STATE OF OKLAHOMA, COUNTY OF POTTAWATOMIE, SS.

I received this notice on the 21st day of May, 2019 at 10:42 a.m., and executed the same by delivering a true and correct copy thereof to the Mayor and to each of the Commissioners of the Board of City Commissioners for the City of Shawnee, Oklahoma:

A read verification was not received from Mayor Richard Finley.

A read verification was received from Commissioner Ed Bolt via e-mail at 8:18 p.m. on May 21, 2019.

A read verification was not received from Commissioner Ron Gillham.

A read verification was not received from Vice Mayor James Harrod.

A read verification was received from Commissioner Darren Rutherford via email at 11:37 a.m. on May 21, 2019.

A read verification was not received from Commissioner Mark Sehorn.

A read verification was received from Commissioner Ben Salter via e-mail at 9:31 a.m. on May 22, 2019.

/s/ Kacie Eck
KACIE ECK,
SR. DEPUTY CITY CLERK

CALL FOR SPECIAL SESSION OF THE SHAWNEE BOARD OF CITY COMMISSIONERS OF THE CITY OF SHAWNEE, OKLAHOMA TO BE HELD ON THE 23RD DAY OF MAY, 2019 AT 6:00 P.M. AT THE SHAWNEE COMMISSION CHAMBERS, 16 WEST NINTH STREET, SHAWNEE, OKLAHOMA. THE PURPOSE OF SAID MEETING WILL BE TO DISCUSS, CONSIDER, AND POSSIBLY APPROVE A CONTRACT WITH GLOBAL SPECTRUM DBA SPECTRA FOR MANAGEMENT SERVICES OF THE HEART OF OKLAHOMA EXPOSITION CENTER.

By virtue of the authority vested in me by Section 4, Article IV of the Charter of the City of Shawnee, Oklahoma, a Special Session of the Board of City Commissioners of the City of Shawnee, Oklahoma is hereby called to meet at the City Commission Chambers, 16 West 9th Street, Shawnee, Oklahoma at 6:00 p.m. on the 23rd day of May, 2019 to discuss, consider, and possibly approve a contract with Global Spectrum dba Spectra for management services of the Heart of Oklahoma Exposition Center.

Witness my hand this 21st day of May, 2019

/s/ S. Eric Benson

S. ERIC BENSON,
INTERIM CITY MANAGER

(SEAL)

ATTEST:

/s/ Kacie Eck

KACIE ECK
SR. DEPUTY CITY CLERK

THE BOARD OF CITY COMMISSIONERS OF THE CITY OF SHAWNEE, COUNTY OF POTTAWATOMIE, STATE OF OKLAHOMA, MET IN SPECIAL CALLED SESSION AT THE CITY COMMISSION CHAMBERS, 16 WEST 9TH STREET, SHAWNEE, OKLAHOMA, THURSDAY, MAY 23, 2019 AT 6:00 P.M., PURSUANT TO NOTICE DULY POSTED AS PRESCRIBED BY LAW. MAYOR FINLEY PRESIDED AND CALLED THE MEETING TO ORDER. THE FOLLOWING MEMBERS WERE IN ATTENDANCE.

CALL TO ORDER AT 6:00 P.M.

PRESENT AT ROLL CALL: Bolt, Gillham, Harrod, Finley, Rutherford, Sehorn, Salter
ABSENT AT ROLL CALL: None

DECLARATION OF A QUORUM

City Staff in Attendance: Eric Benson, Interim City Manager
Chance Allison, Finance Director
Joe Vorndran, City Attorney
Kacie Eck, Senior Deputy City Clerk
Chris Dunlap, Heart of Oklahoma Exposition Center Director
James Bryce, Director of Operations
Mason Wilson, Police Chief
Don Lynch, Emergency Management
Ashley Neel, Assistant Finance Director
Ryan Ayers, IT (Software Specialist)

Others in Attendance: Peter Zingoni, Global Spectrum/Spectra
Mike Clover, SCCDA Attorney
Lance Wortham, SCCDA Board Member
Rachel Melot, SCCDA Board Member
Susie Campbell, County Wide and Sun Newspaper

AGENDA ITEM NO. 1: Discuss, consider, and possibly approve a contract with Global Spectrum dba Spectra for management services of the Heart of Oklahoma Exposition Center.

Interim City Manager Eric Benson thanked the negotiation committee for their work on the potential contract with Global Spectrum dba Spectra. Mr. Benson introduced Mr. Peter Zingoni, Business Development and Client Relations with Spectra.

Mr. Zingoni gave a brief presentation of Spectra, and identified the scope of services offered. Spectra is projecting \$600,000.00 of net savings over five years for the City of Shawnee; and \$2,100,000.00 growth in revenues over the next five years. Mr. Zingoni stated that all current event contracts would be honored and a smooth transition is expected for the venue. Mr. Zingoni answered questions from the Commissioners.

A motion was made by Mayor Finley, seconded by Commissioner Bolt, to authorize the City Manager and City Attorney to execute a contract for management services at the Heart of Oklahoma Exposition Center with Global Spectrum contingent upon identified modification. Motion carried 7-0.

AYE: Finley, Bolt, Gillham, Harrod, Rutherford, Sehorn, Salter
NAY: None

AGENDA ITEM NO. 2:

ADJOURNMENT

There being no further business to be considered, the meeting was adjourned by power of the Chair at 6:28 p.m.

RICHARD FINLEY, MAYOR

(SEAL)

ATTEST:

KACIE ECK, SR. DEPUTY CITY CLERK

Regular Board of Commissioners**2.b.**

Meeting Date: 06/03/2019

Minutes

Submitted By: Kacie Eck, City Clerk

Department: City Clerk

Information

Title of Item for Agenda

Acknowledge the following minutes:

- Shawnee Civic and Cultural Development Authority Minutes from the April 18, 2019 meeting
 - Shawnee Community Beautification Committee Minutes from the April 18, 2019 meeting
 - Traffic Commission Minutes from the April 23, 2019 meeting
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Attachments

SCCDA Minutes

Beautification Minutes

Traffic Comm. Minutes

A MEETING OF THE SHAWNEE
CIVIC AND CULTURAL DEVELOPMENT AUTHORITY
APRIL 18, 2019 @ 12:30PM
HEART OF OKLAHOMA EXPOSITION CENTER

THE TRUSTEES OF THE SHAWNEE CIVIC AND CULTURAL DEVELOPMENT AUTHORITY WAS ORIGINALLY SCHEDULED TO HAVE THEIR REGULAR MEETING DATE THURSDAY, APRIL 18, 2019 AT 12:30PM AT HEART OF OKLAHOMA EXPOSITION CENTER, PURSUANT TO NOTICE DULY POSTED AS PRESCRIBED BY LAW. NOTICE WAS FILED AT CITY HALL ON APRIL 16, 2019 AT 10:32AM.

AGENDA ITEM NO.1

CALL TO ORDER.

THE MEETING WAS CALLED TO ORDER AT 12:31PM BY CHAIRMAN RANDY GILBERT.

AGENDA ITEM NO.2

ROLL CALL

TRUSTEES PRESENT: MR. KARL KOZEL
MR. RANDY GILBERT
MS. RACHEL MELOT
MR. CARL PACKWOOD
MR. ERIC BENSON
MR. TIM BARRICK

TRUSTEES ABSENT: MR. LANCE WORTHAM

*GUESTS ALSO IN ATTENDANCE: CITY COMMISSIONER DARREN RUTHERFORD, MIKE MCCORMICK, SHELLY WELCH W/ FINLEY & COOK, SUZIE CAMPBELL W/ COUNTYWIDE NEWS, AND A FEW IFYR VOLUNTEERS.

AGENDA ITEM NO.4

APPROVAL OF THE MINUTES FROM THE MARCH
2019 REGULAR SCHEDULED MEETING.

THE MOTION MADE BY TRUSTEE KOZEL, SECONDED BY TRUSTEE BARRICK TO APPROVE THE MINUTES FROM THE REGULAR SCHEDULED MEETING MARCH 2019. -MOTION CARRIED.

AYE: MELOT, PACKWOOD, BARRICK, GILBERT, BENSON, KOZEL
NAY: NONE
ABSTAIN: NONE

AGENDA ITEM NO.5

APPROVAL OF THE MINUTES FROM THE MARCH
2019 SPECIAL CALL SCHEDULED MEETING.

THE MOTION MADE BY TRUSTEE PACKWOOD, SECONDED BY TRUSTEE MELOT TO APPROVE THE MINUTES FROM THE SPECIAL CALL SCHEDULED MEETING MARCH 2019. -MOTION CARRIED.

AYE: MELOT, PACKWOOD, BARRICK, GILBERT, BENSON, KOZEL
NAY: NONE
ABSTAIN: NONE

AGENDA ITEM NO.7

APPROVAL OF THE MONTHLY FINANCIAL REPORT.

THE MOTION MADE BY TRUSTEE PACKWOOD, SECONDED BY TRUSTEE KOZEL TO APPROVE THE MONTHLY FINANCIAL REPORT AS PRESENTED. -MOTION CARRIED.

AYE: MELOT, PACKWOOD, BARRICK, GILBERT, BENSON, KOZEL
NAY: NONE
ABSTAIN: NONE

AGENDA ITEM NO.8

APPROVAL OF CLAIMS: GENERAL ACCOUNT &
ADD ONS.

THE MOTION MADE BY TRUSTEE BARRICK, SECONDED BY TRUSTEE PACKWOOD TO APPROVE
THE CLAIMS FOR THE GENERAL ACCOUNT AS PRESENTED. -MOTION CARRIED.

AYE: MELOT, PACKWOOD, BARRICK, GILBERT, BENSON, KOZEL
NAY: NONE
ABSTAIN: NONE

General Claims:

Monthly Bills:

1. Constellation	\$1,868.01
2. MetTel	\$919.01
3. AT&T Mobility	\$56.42
4. OK Tax Commission	\$497.67
5. ONG (7)	\$2,396.76
6. John Deere Financial Payment	\$1,037.18
7. Shawnee Municipal Authority	\$603.70
8. OG&E	\$9748.70
9. City of Shawnee Surcharge	\$266.25
10. Fuelman	\$1986.09

Office:

1. Finley & Cook	\$460.00
2. INS	\$734.00
3. FUB SMG	\$292.52
4. FUB CD	\$657.27
5. Staples	\$438.30

Audit:

1. CBEW	\$6,000.00
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Membership Fees:

1. Shawnee Forward	\$300.00
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Marketing:

1. Vann & Associates	\$1,187.00
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Equipment Maintenance:

1. CH&W	\$147.98
2. NAPA	\$46.48
3. P&K Equipment	\$139.99
4. Fred's Tire	\$156.10

Rentals:

1. Herc Rentals	\$738.50
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Temp Services:

1. Express (3)	\$2,784.65
2. Express	\$713.80

Bldg & Grounds Maintenance:

1. Personal Plumbing (2)	\$1,197.36
2. Locke Supply	\$51.27
3. Winkler Door	\$125.00
4. Fresh Filtered Air	\$760.00
5. Ask About Windows	\$216.00
6. Shawnee Feed Center	\$194.00
7. Techsico	\$270.00
8. Buford White's (3)	\$151.52
9. Ford Audio	\$1,826.40
10. Airgas	\$19.88

Add ons:

General Claims:

Monthly:

1. AT&T	\$390.03
2. ONG (2)	\$730.75

Bldg & Grounds Maintenance:

1. Buford White's	\$31.96
2. Elevator Safety Services	\$135.00

Legal Services:

1. Stuart & Clover	\$1,012.50
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Temp Labor:

1. Express	\$664.00
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AGENDA ITEM NO.9

APPROVAL OF CLAIMS: SPECIAL ACCOUNT

THE MOTION MADE BY TRUSTEE PACKWOOD, SECONDED BY TRUSTEE KOZEL TO APPROVE THE CLAIMS FOR THE SPECIAL ACCOUNT WITH ADD ONS PRESENTED. -MOTION CARRIED.

AYE: MELOT, PACKWOOD, BARRICK, GILBERT, BENSON, KOZEL
 NAY: NONE
 ABSTAIN: NONE

Special Claims:

Marketing:

1. Vann & Associates	\$1,187.00
2. Demco	\$350.00
3. Show & Tell Times	\$376.00
4. Cowboy Times	\$500.00

AGENDA ITEM NO.10

APPROVAL OF CLAIMS: SHAVINGS ACCOUNT WITH
ADD ONS.

THE MOTION MADE BY TRUSTEE PACKWOOD, SECONDED BY TRUSTEE BARRICK TO APPROVE
THE CLAIMS FOR THE SHAVINGS ACCOUNT AS PRESENTED. -MOTION CARRIED.

AYE: MELOT, PACKWOOD, BARRICK, GILBERT, BENSON, KOZEL
NAY: NONE
ABSTAIN: NONE

Shaving Claims:

1. Xylo of Oklahoma

\$4,158.00

Add ons:

Shavings:

Equipment Maintenance:

1. Transmissions Plus

\$1,886.61

AGENDA ITEM NO. 11

D, C, & PA FOR THE POTT COUNTY JUNIOR
LIVESTOCK SHOW TO REMAIN A NO-CHARGE
EVENT AFTER COMCAST DEAL IS SIGNED.

THE MOTION MADE BY TRUSTEE BENSON, SECONDED BY TRUSTEE PACKWOOD TO MODIFY
WORDING ON THE AGENDA ITEM NO. 11 FROM OTTO KRAUSE ARENA TO OTTO KRAUSE BUILDING AND FOR
THE PCJLS TO REMAIN A NO-CHARGE EVENT AFTER COMCAST DEAL IS SIGNED. THE PCJLS WILL UTILIZE
THE SHAWNEE EXPO CENTER, OTTO KRAUSE, & FRED HUMPHREY BUILDINGS INCLUDING SET UP & TEAR
DOWN FOR THE WEEK. THIS IS A NO-CHARGE EVENT FROM THE SC&CDA/MANAGEMENT GROUP MOVING
FORWARD. -MOTION CARRIED.

AYE: MELOT, PACKWOOD, BARRICK, GILBERT, BENSON, KOZEL
NAY: NONE
ABSTAIN: NONE

AGENDA ITEM NO. 12

D, C, & PA FOR THE POTT COUNTY FAIR TO REMAIN
A NO-CHARGE EVENT AFTER COMCAST DEAL IS
SIGNED.

THE MOTION MADE BY TRUSTEE BENSON, SECONDED BY TRUSTEE PACKWOOD TO MODIFY
WORDING ON THE AGENDA ITEM NO. 11 FROM OTTO KRAUSE ARENA TO OTTO KRAUSE BUILDING AND FOR
THE POTT COUNTY FAIR TO REMAIN A NO-CHARGE EVENT AFTER COMCAST DEAL IS SIGNED. THE POTT
COUNTY FAIR WILL UTILIZE THE SHAWNEE EXPO CENTER, OTTO KRAUSE, & FRED HUMPHREY BUILDINGS
INCLUDING SET UP & TEAR DOWN FOR THE WEEK. THIS IS A NO-CHARGE EVENT FROM THE
SC&CDA/MANAGEMENT GROUP MOVING FORWARD. -MOTION CARRIED.

AYE: MELOT, PACKWOOD, BARRICK, GILBERT, BENSON, KOZEL
NAY: NONE
ABSTAIN: NONE

AGENDA ITEM NO. 13

IFYR UPDATE

- *IFYR PERSONNEL APPLICATIONS SENT OUT
- *WORKING ON SPONSORSHIPS
- *FOOD VENDORS APPLICATIONS STILL BEING ACCEPTED
- *STEPHANIE IS HELPING WITH ADS
- *RODEO MEETING NEXT WEEK

AGENDA ITEM NO. 14

COMMITTEE REPORTS

- *COMMITTEE WORKING ON NEGOTIATIONS
- * MAYOR RICHARD FINLEY APPOINTED COMMITTEE MEMBERS:
LANCE WORTHAM, RACHAEL MELOT, DARREN RUTHERFORD, CHANCE ALLISON, TIM BARRICK, &
ERIC BENSON
- **TIM BARRICK REMOVED FROM COMMITTEE PER MIKE CLOVER RECOMMENDATION.

AGENDA ITEM NO. 15

ADMINISTRATIVE REPORTS

- ADMINISTRATIVE REPORT SENT TO ALL BOARD MEMBERS BEFORE MEETING
- *DUE TO THE UNFORTUNATE PASSING OF OUR OG&E GUY, OSCAR, CHRIS DUNLAP IS HAVING TO
MEET WITH NEW OG&E PERSONNEL TO DISCUSS THE LED LIGHTING DETAILS
- *MET WITH JEFF LEE WORKING WITH COWBOY FEST
- *HELPING WITH HEIDI KITTS WITH BIG RAFTER RODEO CO. SPREADING THE WORD ABOUT THE
CONCERT AT THE EXPO IN MAY
- *KEEPING UP WITH MAINTENANCE ON GROUNDS
- *STEPHANIE & CHRIS MET WITH OKLAHOMA SHOPPERS TO PUT TOGETHER A MAGAZINE FOR THE
EXPO CENTER; 1,000 COPIES WILL BE MADE FOR THE TRI-COUNTY AREA.

AGENDA ITEM NO. 16 & 17

OLD BUSINESS & NEW BUSINESS

NONE

AGENDA ITEM NO. 18

PUBLIC & TRUSTEE COMMENTS

MIKE CLOVER THANKED THE EXPO STAFF FOR THE CLEAN FACILITY, CLEAN TABLES, CHAIRS, &
HAVING PLENTY OF ROOM. CLOVER STATED THAT HAVING THE KIWANIS PANCAKE FEED IS BETTER AT THE
EXPO CENTER., HE ALSO THANKED THE PARTICIPATING OBU FOOTBALL PLAYERS FOR VOLUNTEERING TO
HELP WITH CLEAN UP AND EVEN HELPED THE EXPO SET UP FOR THE NEXT DAY EVENTS.

AGENDA ITEM NO. 19

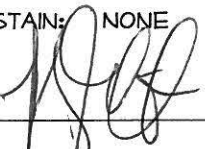
ADJOURNMENT @ 1:05PM

THE MOTION MADE BY TRUSTEE KOZEL, SECONDED BY TRUSTEE MELOT TO ADJOURN THE
MEETING. -MOTION CARRIED.

AYE: MELOT, PACKWOOD, BARRICK, GILBERT, BENSON, KOZEL

NAY: NONE

ABSTAIN: NONE



CHAIRMAN: MR. RANDY GILBERT



INTERIM SECRETARY: MR. ERIC BENSON



Office of the Director of Operations

Minutes

Shawnee Community Beautification Committee

APRIL 18, 2019

The Shawnee Community Beautification Committee met at the Shawnee Chamber of Commerce

The meeting was called to order at 4:10 pm

Roll Call was taken showing the following members present:

		Present	Absent
Member	Tom Terry	<u>X</u>	<u> </u>
Member	Debi Renegar	<u>X</u>	<u> </u>
Member	Joe Harbeson	<u>X</u>	<u> </u>
Member	Sherry Lankford	<u> </u>	<u>X</u>
Member	Kevin Huddleston	<u> </u>	<u>X</u>
Member	Ethan Birdwell	<u> </u>	<u>x</u>
Member	Mike Mlynek	<u>X</u>	<u> </u>
Member	Holly Gordon	<u> </u>	<u>X</u>
Member	Sue Nelson	<u>X</u>	<u> </u>
Member	Carla Smith	<u>X</u>	<u> </u>
City Staff	Whisper Peace	<u>X</u>	<u> </u>
City Staff	James Bryce	<u> </u>	<u>X</u>
City Staff	Jim VanAntwerp	<u>X</u>	<u> </u>
City Staff	Geoff Garner	<u>X</u>	<u> </u>

AGENDA NO 1 **Call to Order.**

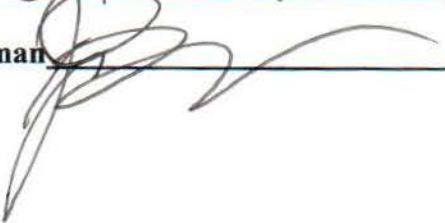
AGENDA NO 2 **Roll Call and Declaration of a Quorum.** Roll was called and a quorum was declared

- AGENDA NO3** **Acknowledge the was no meeting on March 15th due to lack of Quorum.** Acknowledged.
- AGENDA NO 4** **Approved minutes for FEBRUARY 21, 2019.** The minutes for January 17, 2019 were approved with a motion made by Mike Mlynek and 2nd by Carla Smith. The motion carried unanimously.
- AGENDA NO 5** **Discussion on Gardening with the Experts 2020.** Tom Terry reminded Whisper to call and make a reservation for next years' Gardening with the Experts in January.
- AGENDA NO 6** **Discussion on what to use GWE funds on.** Debi Renegar suggested red bud trees in the Fall and Jim mentioned new edging for the Kickapoo Spur flower beds.
- AGENDA NO 7** **Discussion on Annual State Trash Off Event.** Geoff Garner announced the event would be held at Kidspace Park on April 20th beginning at 9:00am.
- AGENDA NO8** **Discussion on Beautification door hangers.** No discussion but new door hangers were handed out to group members that needed them.
- AGENDA NO 8** **Old Business.** None
- AGENDA NO 9** **New Business.** None
- AGENDA NO 10** **Comments.** None.
- AGENDA NO 11** **Adjournment.** Meeting was adjourned at 4:18 p.m.

Date

5-16-19

Chairman



MINUTES
TRAFFIC COMMISSION
APRIL 23, 2019 MEETING
COMMISSION CHAMBERS ROOM AT CITY HALL

- I. CALL TO ORDER**
II. ROLL CALL

MEMBERS PRESENT

Jack Barrett- Chairman
Reuben Peltier- Vice Chairman
Peggy Rider
Travis Flood
Rex Hennen

MEMBERS ABSENT

Rebecca Dolin

EX-OFFICIO MEMBERS

Michael Ludi, Director of Engineering
Shalah Black, Traffic Commission Secretary

CITIZENS PRESENT

None

III. APPROVAL OF MARCH 26, 2019 MINUTES

Motion was made by Flood, seconded by Rider to approve the March 26, 2019 minutes

Roll Call: Aye: Barrett, Peltier, Flood, Rider, Hennen
 Nay: None

IV. Discussion, consideration and possible acceptance of Proposed Comp Plan

A. Discussion, consideration and possible acceptance of Proposed Comp Plan

Discussion:

Rebecca Blaine Planning Director gave a brief summary on what the Transportation Comp Plan covered. Jack Barrett asked what kind of time is Rebecca expecting for approval of the Comp Plan, Rebecca said that she expects that it will go into next fiscal year probably July 2019. Rebecca also said that she is hoping by the next meeting or following Traffic Commission meeting that the Traffic Commission Commissioners would be able to make a recommendation for approval. Michael asked that asked if the Commissioners wanted to take time to look the comp plan over and make notes on their recommendations for next meeting. Rex Hennen asked Rebecca to explain page 116 #2 Apply a context sensitive design approach to street design. Rebecca explained that basically it would be looking at every street individually, that you would not treat a neighborhood street the same as you would treat a heavily traveled street. Rex then asked who would make that decision, Rebecca stated that it would be the Engineering Department. Rex Hennen asked who was the biggest contributor to the information in this

portion of the comp plan, Rebecca stated that she came on to work at the City of Shawnee in February and was not sure. Rebecca asked Travis Flood if he knew, Travis stated that there was sub committees. Michael asked how would the Commissioners like to proceed, would you all like to mark up a set and get it back to us or mark them up and present them at the next meeting verbally. The Traffic Commission said that they would like to present them at the next meeting.

V. ADMINISTRATIVE REPORTS

Michael Ludi gave a brief summary in regards to the approval of the 35 Mph speed limit change on Kickapoo Ave to Westech Rd. by the City Commission.

VI. CITIZEN PARTICIPATION

None

VII. BOARD MEMBERS COMMENTS

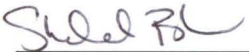
Jack Barrett apologized for his absence on March 26, 2019 Traffic Commission Meeting.

VIII. ADJOURNMENT

There being no further business to come before the Transportation Commission, a motion was made by **Rider**, seconded by **Hennen** recommending the meeting be adjourned. Motion **carried**

Roll Call: Aye: Barrett, Peltier, Dolin, Flood, Hennen
Nay: none

Respectfully submitted,



Shalah Black, Secretary



Jack Barrett, Chairman

Regular Board of Commissioners

2.c.

Meeting Date: 06/03/2019

Annual Agreements

Submitted By: Kacie Eck, City Clerk

Department: City Clerk

Information

Title of Item for Agenda

Approve renewal of the following agreements for Fiscal Year 2019-2020:

Attachments

No file(s) attached.

Regular Board of Commissioners

2.c.1.

Meeting Date: 06/03/2019

YMCAFacilities

Submitted By: Kacie Eck, City Clerk

Department: City Clerk

Information

Title of Item for Agenda

Agreement with YMCA for use of recreational facilities known as Dockery Park and Lions Club Park.

Attachments

YMCA Facilities

AGREEMENT

This Agreement ("Agreement") is entered into between the CITY OF SHAWNEE, a municipal corporation ("City") and the Troy & Dollie Smith Family YMCA, a non-profit Oklahoma corporation ("YMCA"), collectively the ("Parties").

WHEREAS the City is the owner of public property and facilities known as Dockery Park and Lions Club Park in the City of Shawnee, Pottawatomie County, State of Oklahoma, and;

WHEREAS the City recognizes that the sports fields and facilities located at Dockery Park and Lions Club Park shall be used for certain recreational purposes for the benefit of the health, safety and welfare of the residents of the of the City of Shawnee, and;

WHEREAS, it is the desire of the Parties to set out in detail the rights and responsibilities of the Parties regarding the operations of the youth sports program and the use of City property.

NOW, THEREFORE, in consideration of the covenants, terms and conditions herein contained, the City and the YMCA agree as follows:

1. The City hereby grants the right and privilege to the YMCA to use the facilities and property located generally at Dockery Park and Lions Club Park, City of Shawnee, Pottawatomie County, State of Oklahoma, hereinafter jointly referred to as the "Property".
2. It is agreed that the YMCA is given Ten (10) consecutive options to renew this lease beginning July 1, 2019 for the purpose of future planning and developing the facilities unless sooner terminated in accordance with the express provisions of this Agreement or renewed as provided in this section. Each option shall be for one (1) year unless revoked in writing by the City or the YMCA, by May 1st of the then-current renewal term. If no progress has been made in planning and/or developing of the property after three (3) years the lease will revert back to its original one (1) year lease option. It is further agreed that either of the Parties shall have the right and privilege of terminating this Agreement at any time in the event of a material default by the other Party, upon giving sixty (60) days' notice, in writing, delivered by certified mail, to the other Party of its intention to terminate provided the other party fails to cure, or commence the taking of actions designed to cure, such default within such sixty (60) day time period. In the event this Agreement

is terminated, all rights and interests of the Parties hereto shall thereupon cease. Upon termination of this Agreement, the YMCA shall retain all rights to maintenance equipment, concession equipment, and all other items not considered permanent structural improvements or not purchased by the City. Any and all structures which have been placed or constructed on the Property by the YMCA shall become the property of the City unless otherwise mutually agreed to in writing by the City and the YMCA. The Parties acknowledge that the YMCA shall pay to the City a sum of one dollar (\$1.00) on the first day of July every calendar year as lease payment for use of the Property. The Parties acknowledge that at the time of execution of this agreement there have been no permanent improvements constructed by the YMCA.

3. Before any changes are made in the improvements and structures, and before the construction of any permanent building, the YMCA shall obtain approval from the City's Parks Department for such changes or construction costing Twenty-five Thousand Dollars (\$25,000.00) or less. All changes or construction costing in excess of Twenty-five Thousand Dollars (\$25,000.00) shall require the approval of the City Commission.
4. It is agreed that the Property area is to be used by the YMCA solely for the purposes of recreation and education, and development of sports skills, primarily for the purpose of playing, training and promoting various sports, and associated supportive services. Any other use of the Property area must be approved by the City. The YMCA shall provide the City with by-laws, league rules, league registration fees and schedules of all the YMCA activities. It is further agreed between the Parties that the YMCA shall make every effort to accommodate the Shawnee School System to facilitate shared use, at no cost to the school district. If the YMCA makes the property available for use by others, the YMCA shall prepare fields for play and determine costs and assess such costs against such entities using the property.
5. The YMCA shall not assign this Agreement, or any interest herein, or sublet any portion of the Property area without the consent of the City Operations Director or designee. The YMCA may grant permission and authority to any entities to occupy and use the Property area for any supportive services necessary for YMCA or for the conduct of a sport not sponsored by YMCA. YMCA will be responsible for informing all other entities using the City fields of the rules and obligations for the use of the fields.

6. The YMCA will hold the City harmless and exempt from any damage or injury to persons or any damage to property of every kind arising from the management and use of the Property area by the YMCA, its invitees, employees, representatives and successors from the failure of the YMCA to keep the Property and ball fields area and structures in good condition and repair or for any negligent or intentional act committed by YMCA, its employees, officers, successors and assigns resulting in injury of any kind.
7. The YMCA, at its expense, shall keep in force, during the term of this Agreement, general liability insurance issued by an insurance company authorized to conduct business in Oklahoma by the Oklahoma Insurance commissioner. The insurance will be in a form acceptable to the City Attorney and City Manager for the City, for the protection of the City and the YMCA against all liabilities, judgments, costs, damages and expenses which may accrue against, be charged to, or recovered from City, on account of any matter or thing which may occur on the Property, excluding Participants who will not be covered during the actual participation in an event, in a general liability policy or policies in the amount of one million dollars (\$1,000,000.00). The use of the fields by any entity other than YMCA will require that entity to comply with the requirements of this paragraph for the obtaining of insurance. The insurance obtained will include a rider for the City and YMCA to be covered by the policy.
8. The YMCA will provide all maintenance to all game fields, including restrooms, the concession areas and the areas adjacent thereto; all janitorial and sanitizing service and supplies; refuse receptacles and liners to be disposed of on an as needed basis; field supplies and service including chalk, paint, and other equipment; turf and infield supplies. Major repairs to facilities such as replacing buildings, roofs, sewer lines, major water line breaks, parking lot repairs, painting of buildings, and fencing replacement, and other repairs traditionally within the responsibility of the "landlord", will be the responsibility of the City at no cost to the YMCA. The YMCA will be responsible for repair of sprinkler heads when necessary, minor repairs to the concession building; replacement of food preparation equipment; minor plumbing repairs such as clogged toilets, clogged sink drains, toilet and sink replacement; light bulb replacement and minor fence repair. The YMCA shall be responsible for ensuring that trash is picked up from dugouts, bleachers and grounds after games and deposited into containers provided by the City. The setting and purchase of bases, yardage markers, flags and such equipment as is necessary shall be the responsibility of the YMCA. Field maintenance equipment such as infield drags, motorized carts, shovels, rakes mowers and the like, purchased by the YMCA, shall remain the property of the YMCA. The YMCA

shall exercise a high degree of care in ensuring playing surfaces are continually in good repair during the term of this agreement. The City shall be charged for electric services, solid waste services, sewer and water for the Property, including, but not limited to, field lighting, concession building and field storage facilities. The YMCA will exercise reasonable efforts to conserve electric and water usage. For night games, the YMCA will use lights for only those fields in which games will be played and for the safety of the participants.

9. The YMCA will exercise reasonable efforts to make its customers aware of parking regulations during YMCA activities to assist the City in an effort to insure that the ground and vegetation of the Property, and adjacent premises, is not damaged by vehicles being driven or parked in places other than those defined by signage or in the plan as road or parking areas.
10. The YMCA agrees to provide activities, primarily for Shawnee area without discrimination as to race, religion, color, creed, sex or national origin. Said activities will include leagues for all levels of play to include open and recreational leagues. Under normal conditions, YMCA activities will not be scheduled to start after the hours of 10:30 p.m., on Sundays through Thursdays, and 11:00 p.m., Fridays through Saturdays.
11. If any person believes that the YMCA has violated the provisions of this Agreement, and has exhausted all appeal procedures through the YMCA Board, that person may file a written complaint with the Director of Operations or designee. The Director of Operations or designee shall so advise the YMCA, provide it with a copy of the complaint, and give the YMCA ten (10) days to consult with counsel and file a written response with the Director or designee. Thereafter, the Director of Operations may, if he/she deems prudent, conduct an investigation into the situation, and within thirty (30) days of the response by the YMCA, advise of a ruling on the matter by the Director of Operations, if possible. Failure of the YMCA to follow the directions so given by the City Commission or Director of Operations may result in the termination of this Agreement (without further notice).

12. The City Operations Department may designate one (1) person to serve as a non-voting, advisory to the YMCA Board. Alternatively, the YMCA may designate one (1) person to serve as liaison between the YMCA and the City Parks Department to address issues regarding maintenance and program administration. The YMCA will provide the City and the Director of Operations, semi-annual financial statements and reports of business activities. The YMCA shall inform the Director of Operations of changes to league rules and By-Laws in its semi-annual report after the change becomes effective. There shall be ultimate City Commission review for capital improvements in excess of twenty-five thousand dollars (\$25,000.00). The YMCA shall permit City or City's designee to conduct a financial review of its operations at any time per discretion of the City.
13. The YMCA shall maintain a local contact, accessible to the City and the public at reasonable hours and otherwise make arrangements to accommodate the working public to the extent necessary for registration and similar activities. The contact will be responsible for disseminating all administrative and operational functions to include management, registration, access to all records that are subject to disclosure pursuant to Title 51 O.S. §24A.1, et seq., known as the Oklahoma Open Records Act, and access to the operational staff.
14. This Agreement shall only be amended in writing by the mutual consent of the YMCA and the City. In the event that anyone or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, the other provisions of the Agreement shall not be affected. The Agreement shall be construed as if the valid, legal, or enforceable provisions for the Agreement were not affected, and the Agreement shall be construed as if the invalid, illegal, or unenforceable provisions had never been contained therein. No terms inconsistent with this Agreement shall be deemed binding on the parties. This Agreement contains all essential terms necessary to accomplish the purposes expressed by the parties and any other prior agreements, written or oral, consistent or inconsistent with the terms herein, are hereby rendered null and void. The parties also agree that this Agreement is fully integrated, embracing all essential terms necessary to carry out the purpose stated herein.

IN WITNESS HEREOF the City of Shawnee, and Troy & Dollie Smith Family YMCA, by their representatives, set their hands to this Agreement on the ____ day of _____, 2019.

THE CITY OF SHAWNEE, OKLAHOMA
A MUNICIPAL CORPORATION

S. ERIC BENSON, INTERIM CITY MANAGER

ATTEST:

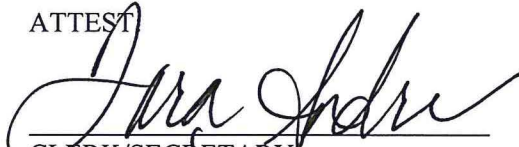
LISA LASYONE, CMC, CITY CLERK

TROY & DOLLIE SMITH FAMILY YMCA



PRESIDENT/CHAIRMAN

ATTEST



CLERK/SECRETARY

Approved as to form and legality this _____ day of _____, 2019.

JOSEPH M. VORNDRAN, CITY ATTORNEY

Regular Board of Commissioners

2.c.2.

Meeting Date: 06/03/2019

YMCA Mower

Submitted By: Kacie Eck, City Clerk

Department: City Clerk

Information

Title of Item for Agenda

Agreement with YMCA for lease of a mower, city property, for maintenance of Dockery Park and Lions Club Park.

Attachments

YMCA Mower

AGREEMENT

This Agreement ("Agreement") is entered into between the CITY OF SHAWNEE, a municipal corporation LESSOR ("City"), and the YMCA, a non-profit Oklahoma corporation, LESSEE, collectively the ("Parties").

WHEREAS the City is the owner of public property known as a Kubota 72" Zero Turn, ZD331, 2009 Mower, City ID # 3527, hereinafter referred to as the "Mower".

WHEREAS, it is the desire of the parties to set out in detail the rights and responsibilities of the parties regarding the use of said City Property.

NOW, THEREFORE, in consideration of the covenants, terms and conditions herein contained, the City and YMCA agree as follows:

1. The City hereby grants the right and privilege to the YMCA to lease the Mower for the sole purpose of maintaining Dockery Ball Park and Lion's Club Park.
2. This Agreement shall commence on July 1, 2019 and end on June 30, 2020 unless sooner terminated in accordance with the express provisions of this Agreement or renewed as provided in this section. It is further agreed that either of the Parties shall have the right and privilege of terminating this Agreement at any time in the event of a material default by the other Party, upon giving thirty (30) days' notice, in writing to the other Party of its intention to terminate provided the other party fails to cure, or commence the taking of actions designed to cure, such default within such thirty (30) day time period. At the end the of the five (5) one (1) year consecutive leases, the mower will be brought back into possession of the CITY OF SHAWNEE to use, trade, or dispose of. In the event this Agreement is terminated, all rights and interests of the Parties hereto shall thereupon cease and the mower shall immediately be returned to City. The Parties acknowledge that the YMCA shall pay to the City a sum of One (1) Dollar on the first day of July every calendar year as lease payment for use of the Mower.

3. The YMCA will be responsible for the fuel, oil, lubricants, and all repairs of the Mower while it is in their possession. Before any major repairs (over \$300) are made to the Mower, the YMCA shall gain approval from the City. Once a year, right before mowing season, the Mower will need to be brought to the City of Shawnee for a servicing and a check out.
4. The Mower will be stored in secure location at the YMCA or approved area and added to the YMCA's insurance policy.
5. The YMCA shall not assign this Agreement, or any interest herein, or sublet the Mower to any other person or entity. All operators must be an employee or approved volunteer of the YMCA.
6. The YMCA will maintain the three ball fields to a standard that complies with all City codes.
7. The YMCA will "indemnify" and hold harmless and exempt the City, its officers, employees, agents, and assigns from any damage or injury to persons or any damage to the Mower of every kind arising from the management and use of the Mower by the lessee, its invitees, employees, and representatives from the failure of the lessee to keep the Mower in good condition and repair or for any negligent or intentional act committed by lessee, its invitees, employees, and representatives resulting in injury of any kind.

IN WITNESS HEREOF the City of Shawnee, and the YMCA, by their representatives, set their hands to this Agreement on the ____ day of _____, 2019.

THE CITY OF SHAWNEE, OKLAHOMA
A MUNICIPAL CORPORATION

S. ERIC BENSON, INTERIM CITY MANAGER

ATTEST:

LISA LASYONE, CMC, CITY CLERK

TROY & DOLLIE SMITH FAMILY YMCA


CHAIRMAN / PRESIDENT

TROY & DOLLIE SMITH FAMILY YMCA


EXECUTIVE

ATTEST:


CLERK/SECRETARY

Approved as to form and legality this _____ day of _____, 2019.

JOSEPH M. VORNDRAN, CITY ATTORNEY

Regular Board of Commissioners

2.c.3.

Meeting Date: 06/03/2019

Youth and Family

Submitted By: Kacie Eck, City Clerk

Department: City Clerk

Information

Title of Item for Agenda

Agreement with Youth and Family Resource Center, Inc. for Juvenile Services.

Attachments

Youth and Family

AGREEMENT FOR JUVENILE SERVICES

This Agreement made and entered into between the City of Shawnee, Oklahoma, hereinafter referred to as "City" and Youth and Family Resource Center, Inc. for juvenile services. It is the intent of this agreement that Youth and Family Resource Center, Inc. will be a provider of juvenile counseling services, assign and monitor community service-related court-ordered sentences; and provide all other services for juvenile offenders required by the City's Municipal Court. In exchange for this service, the City will provide a portion of the fines and/or fees collected from juvenile offenders that are referred to Youth and Family Resource Center, Inc..

Youth and Family Resource Center, Inc. will:

- (1) Provide an intake evaluation and necessary or required counseling for juvenile offenders and/or members of their families;
- (2) Assign, monitor and document community services hours required of juvenile offenders by the City's municipal court;
- (3) Provide the City with a written evaluation of each juvenile offender or members of their families at the conclusion of their court ordered sentences; and
- (4) Provide the City with copies of all records relating to the juvenile offender and/or family members, as allowed by law;

Youth and Family Resource Center, Inc. reserves the right to refuse to accept for supervision any arrested juvenile for any reason, especially those exhibiting violence at the time of their arrest or those under the influence of drugs or alcohol.

In exchange for these services, the City will:

- (1) Refer juvenile offenders and/or their families to Youth and Family Resource Center, Inc. for counseling and/or community service;
- (2) Give to Youth and Family Resource Center, Inc. each month, thirty-five percent (35%) of all fines and administrative fees, exclusive of court costs, collected from each juvenile offender that is referred to Youth and Family Resource Center, Inc. by the Court, except when the Court orders that a juvenile offender is not obligated to pay a fine or costs due to indigence; and
- (3) Share all police records, as allowed by law, with Youth and Family Resource Center, Inc. that may assist Youth and Family Resource Center, Inc. in making an accurate and proper evaluation of the juvenile.

This agreement shall go into effect on the 1st day of July, 2019 and shall expire on June 30, 2020. This agreement may be modified by either party by giving written notice at least thirty (30) days prior to the expiration date.

PASSED AND APPROVED by the Mayor and Commission of the City of Shawnee, Oklahoma
this _____ day of _____, 2019.

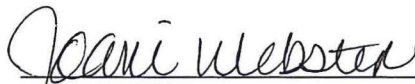
CITY OF SHAWNEE

S. ERIC BENSON, INTERIM CITY MANAGER

ATTEST:

LISA LASYONE, CMC, CITY CLERK

YOUTH AND FAMILY RESOURCE CENTER,
INC.



DIRECTOR
EXECUTIVE DIRECTOR

Approved as to form and legality on this _____ day of _____, 2019

JOSEPH M. VORNDRAN, CITY ATTORNEY

Regular Board of Commissioners**2.c.4.**

Meeting Date: 06/03/2019

Shotgun Club

Submitted By: Kacie Eck, City Clerk

Department: City Clerk

Information

Title of Item for Agenda

Agreement with Shawnee Shotgun Club for use of city property known as Shawnee Twin Lakes Trap Range.

AttachmentsShotgun Club

AGREEMENT

This Agreement ("Agreement") is entered into between the CITY OF SHAWNEE, a municipal corporation LESSOR ("City"), and the SHAWNEE SHOTGUN CLUB, collectively the ("Parties").

WHEREAS the City is the owner of public property and facilities known as The Shawnee Twin Lakes Trap Range, in the City of Shawnee, Pottawatomie County, State of Oklahoma, and;

WHEREAS the City recognizes that the Trap Range and facilities located at the North East corner of Patterson Road and Hardesty Road shall be used for certain recreational purposes for the benefit of the health, safety and welfare of the residents of the of the City of Shawnee, and;

WHEREAS, it is the desire of the parties to set out in detail the rights and responsibilities of the parties regarding the operations of the Sporting Trap area of the Range and the use of City property.

NOW, THEREFORE, in consideration of the covenants, terms and conditions herein contained, the City and the SHAWNEE SHOTGUN CLUB agree as follows:

1. The City hereby grants the right and privilege to the SHAWNEE SHOTGUN CLUB to use the facilities and property located generally at the North East corner of Patterson Road and Hardesty Road, City of Shawnee, Pottawatomie County, State of Oklahoma, East half of property, hereinafter jointly referred to as the "Property".
2. This Agreement shall commence on July 1, 2019 and end on June 30, 2020 unless sooner terminated in accordance with the express provisions of this Agreement or renewed as provided in this section. This Agreement shall automatically renew for successive one (1) year terms at the end of the Original Term and each subsequent renewal term, unless revoked in writing by the City or the SHAWNEE SHOTGUN CLUB, by May 1st of the then-current renewal term. It is further agreed that either of the Parties shall have the right and privilege of terminating this Agreement at any time in the event of a material default by the other Party, upon giving sixty (60) days' notice, in writing, delivered by certified mail, to the other Party of its intention to terminate provided the other party fails to cure, or commence the taking of actions designed to cure, such default within such sixty (60) day time period. In the event this Agreement is terminated, all rights and interests of the Parties hereto shall thereupon cease. Upon termination of this

Agreement, the SHAWNEE SHOTGUN CLUB shall retain all rights to maintenance equipment, concession equipment, and all other items not considered permanent structural improvements or not purchased by the City. Any and all structures which have been placed or constructed on the Property by the SHAWNEE SHOTGUN CLUB shall become the property of the City unless otherwise mutually agreed to in writing by the City and the SHAWNEE SHOTGUN CLUB. The Parties acknowledge that the SHAWNEE SHOTGUN CLUB shall pay to the City a sum of one dollar (\$1.00) on the first day of July every calendar year as lease payment for use of the Property. The Parties acknowledge that at the time of execution of this agreement there have been no permanent improvements constructed by the SHAWNEE SHOTGUN CLUB.

3. Before any changes are made in the improvements, structures, or land and before the construction of any permanent building, the SHAWNEE SHOTGUN CLUB shall obtain approval from the City Manager or his designee for such changes or construction costing Twenty-five Thousand Dollars (\$25,000.00) or less. All changes or construction costing in excess of Twenty-five Thousand Dollars (\$25,000.00) shall require the approval of the City Commission.
4. It is agreed that the Property area is to be used by the SHAWNEE SHOTGUN CLUB solely for the purposes of recreation and education, and development of sports skills, primarily for the purpose of shooting sport traps, and associated supportive services. Any other use of the Property area must be approved by the City. The SHAWNEE SHOTGUN CLUB shall provide the City with by-laws, league rules, league registration fees and schedules of all the SHAWNEE SHOTGUN CLUB activities. It is further agreed between the Parties that the SHAWNEE SHOTGUN CLUB shall make every effort to accommodate the City of Shawnee residents to facilitate shared use. If the SHAWNEE SHOTGUN CLUB makes the property available for use by others, the SHAWNEE SHOTGUN CLUB shall make ready the facilities, determine costs and assess such costs against such entities using the property.
5. The SHAWNEE SHOTGUN CLUB shall not assign this Agreement, or any interest herein, or sublet any portion of the Property area without the consent of the City Manager or his designee. The SHAWNEE SHOTGUN CLUB may grant permission and authority to any entities to occupy and use the Property area for any supportive services necessary for SHAWNEE SHOTGUN CLUB or for the conduct of a function not sponsored by SHAWNEE SHOTGUN CLUB. SHAWNEE SHOTGUN CLUB will be responsible for informing all other entities using the City property of the rules and obligations for the use of the property.

6. The SHAWNEE SHOTGUN CLUB will hold the City harmless and exempt from any damage or injury to persons or any damage to property of every kind arising from the management and use of the Property area by the SHAWNEE SHOTGUN CLUB, its invitees, employees, representatives and successors from the failure of the SHAWNEE SHOTGUN CLUB to keep the Property and structures in good condition and repair or for any negligent or intentional act committed by SHAWNEE SHOTGUN CLUB, its employees, officers, successors and assigns resulting in injury of any kind.
7. The SHAWNEE SHOTGUN CLUB, at its expense, shall keep in force, during the term of this Agreement, Public Liability Insurance issued by an insurance company authorized to conduct business in Oklahoma by the Oklahoma Insurance commissioner. The insurance will be in a form acceptable to the City Attorney and City Manager for the City, for the protection of the City and the SHAWNEE SHOTGUN CLUB against all liabilities, judgments, costs, damages and expenses which may accrue against, be charged to, or recovered from City, on account of any matter or thing which may occur on the Property, excluding Participants who will not be covered during the actual participation in an event, in a Public Liability Insurance policy or policies in the amount of One Million Dollars (\$1,000,000.00). The use of the Sporting Trap area by any entity other than SHAWNEE SHOTGUN CLUB will require that entity to comply with the requirements of this paragraph for the obtaining of insurance. The insurance obtained will include a rider for the City and SHAWNEE SHOTGUN CLUB to be covered by the policy.
8. The Shawnee Shotgun Club will share the building space with the Trap Club (currently the STLTC). The SHAWNEE SHOTGUN CLUB will provide maintenance to Sporting Trap area including mowing of the area, cost share with the STLTC janitorial and sanitizing service and supplies, trash receptacles and liners to be disposed of on an as needed basis, field supplies and other equipment. Major repairs to existing facilities such as replacing buildings, roofs, sewer lines, major water line breaks, parking lot repairs, and fencing replacement previously installed by the City, and other repairs traditionally within the responsibility of the "landlord", will be the responsibility of the City at no cost to the SHAWNEE SHOTGUN CLUB. The SHAWNEE SHOTGUN CLUB will be responsible for helping with minor repairs to the building, replacement of equipment, minor plumbing repairs such as clogged toilets, clogged sink drains, toilet and sink replacement, light bulb replacement and all maintenance and repair to new facilities constructed by the SHAWNEE SHOTGUN CLUB for at least one (1) year after construction and during

warranty period. All members and employees of the lessee that work on or do repairs will be considered independent contractors and not working for the City. The SHAWNEE SHOTGUN CLUB shall be responsible for ensuring that trash is picked up from grounds after events and deposited into the dumpster provided by the City. The SHAWNEE SHOTGUN CLUB shall exercise a high degree of care in ensuring grounds are continually in good repair during the term of this agreement. The City shall be charged for electric services and the SHAWNEE SHOTGUN CLUB will exercise reasonable efforts to conserve electric. The SHAWNEE SHOTGUN CLUB will provide and pay for their own phone service.

9. The SHAWNEE SHOTGUN CLUB will exercise reasonable efforts to make its customers aware of parking regulations during SHAWNEE SHOTGUN CLUB activities to assist the City in an effort to insure that the ground and vegetation of the Property, and adjacent premises, are not damaged by vehicles being driven or parked in places other than those defined by signage or in the plan as road or parking areas.
10. The SHAWNEE SHOTGUN CLUB agrees to provide activities, primarily for Shawnee area residents without discrimination as to race, religion, color, creed, sex or national origin.
11. If any person believes that the SHAWNEE SHOTGUN CLUB has violated the provisions of this Agreement, and has exhausted all appeal procedures through the SHAWNEE SHOTGUN CLUB Board, that person may file a written complaint with the City Manager or his designee. The City Manager or his designee shall so advise the SHAWNEE SHOTGUN CLUB, provide it with a copy of the complaint, and give the SHAWNEE SHOTGUN CLUB ten (10) days to consult with counsel and file a written response with the City Manager or his designee. Thereafter, the City Manager or his designee may, if he/she deems prudent, conduct an investigation into the situation, and within thirty (30) days of the response by the SHAWNEE SHOTGUN CLUB, advise of a ruling on the matter. Failure of the SHAWNEE SHOTGUN CLUB to follow the directions so given by the City Manager or his designee may result in the termination of this Agreement (without further notice).
12. The City Manager may designate one (1) person to serve as a non-voting, advisory to the SHAWNEE SHOTGUN CLUB Board. Alternatively, the SHAWNEE SHOTGUN CLUB may designate one (1) person to serve as liaison between the SHAWNEE SHOTGUN CLUB and the City Parks Department to address issues regarding maintenance and program administration. The

SHAWNEE SHOTGUN CLUB will provide the City semi-annual financial statements and reports of business activities. There shall be ultimate City Commission review for capital improvements in excess of twenty five thousand dollars (\$25,000.00). The SHAWNEE SHOTGUN CLUB shall permit City or City's designee to conduct a financial review of its operations at any time per discretion of the City.

13. The SHAWNEE SHOTGUN CLUB shall maintain a local contact, accessible to the City and the public at reasonable hours and otherwise make arrangements to accommodate the working public to the extent necessary for registration and similar activities. The contact will be responsible for disseminating all administrative and operational functions to include management, registration, access to all records that are subject to disclosure pursuant to Title 51 O.S. §24A.1, et seq., known as the Oklahoma Open Records Act, and access to the operational staff.
14. This Agreement shall only be amended in writing by the mutual consent of the SHAWNEE SHOTGUN CLUB and the City. In the event that anyone or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, the other provisions of the Agreement shall not be affected. The Agreement shall be construed as if the valid, legal, or enforceable provisions for the Agreement were not affected, and the Agreement shall be construed as if the invalid, illegal, or unenforceable provisions had never been contained therein. No terms inconsistent with this Agreement shall be deemed binding on the parties. This Agreement contains all essential terms necessary to accomplish the purposes expressed by the parties and any other prior agreements, written or oral, consistent or inconsistent with the terms herein, are hereby rendered null and void. The parties also agree that this Agreement is fully integrated, embracing all essential terms necessary to carry out the purpose stated herein.

IN WITNESS HEREOF the City of Shawnee, and Shawnee Shotgun Club, Inc., by their representatives, set their hands to this Agreement on the ____ day of _____, 2019.

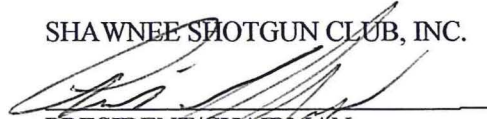
THE CITY OF SHAWNEE, OKLAHOMA

S. ERIC BENSON, INTERIM CITY MANAGER

ATTEST:

LISA LASYONE, CMC, CITY CLERK

SHAWNEE SHOTGUN CLUB, INC.



PRESIDENT/CHAIRMAN

ATTEST:

CLERK/SECRETARY

Approved as to form and legality this _____ day of _____, 2019.

JOSEPH M. VORNDRAN, CITY ATTORNEY

Regular Board of Commissioners

2.d.

Meeting Date: 06/03/2019

MOU with DA

Submitted By: Kacie Eck, City Clerk

Department: City Clerk

Information

Title of Item for Agenda

Approval of a Memorandum of Understanding with District Attorney's Office, 23rd Judicial District, for services to victims of domestic violence and sexual assault.

Attachments

MOU with DA

MEMORANDUM OF UNDERSTANDING

STOP Violence Against Women Grant

This Memorandum of Understanding is entered into between District Attorney's Office, 23rd Judicial District and Shawnee Police Department. The purpose of this understanding is to set forth the agreements of operations for services to victims of domestic violence and sexual assault in Shawnee, Pottawatomie County, Oklahoma, and District 23.

This MOU covers the period of January 1, 2020 to December 31, 2020. Pursuant to this agreement each party shall perform in like manner according to the requirements listed below.

Shawnee Police Department shall:

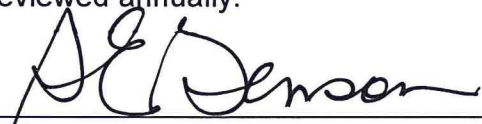
1. Have a police officer available 24 hour per day, 365 days per year as needed to assist victims with emotional, physical, and psychological recovery needs.
2. For rape victims, be available to assist with the completion of a rape kit for use as evidence in prosecutorial circumstances. The police officer will explain to the victims the steps necessary to complete the exam to prepare them for the process.
3. Make transportation available from hospitals, police offices, investigators offices, etc., to a shelter if needed or desired by the victim.
4. After initial reporting, share information freely with the prosecutorial team for the purpose of gathering evidence.
5. Act as liaison between the prosecution team and victim to assist with keeping victims informed of the progress of each individual case.
6. Be responsive to all investigative follow-up requests.

District Attorney's Office shall:

1. Make available an investigator, as needed, or requested by law enforcement, to assist with the investigative needs of each case.
2. Request assistance of a police officer for each case from Shawnee Police Department providing the victim is in agreement. This is to ensure or enhance the long-term emotional stability of the victim.
3. Appoint liaison that is properly informed, to assist keeping victims informed of the progress of their individual cases and notified of delays or impediments to the progress of individual cases. Generally, this can be accomplished through the Prosecutorial team.

4. Share information freely with Shawnee Police Department for purposes of providing the most comprehensive services to victims, encompassing conflicting information, evidence, resources, etc.
5. Coordinate with law enforcement, transportation for victims to hospitals, investigative offices, etc. for completion of prosecutorial needs.
6. Never disclose the location of a shelter.

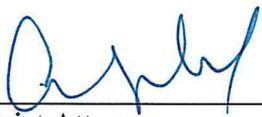
By signing the MOU, the parties agree to uphold the terms of MOU. Any party may amend their roles and responsibilities of the MOU by the written request and mutual approval. Any party may terminate their participation in the MOU with two weeks written notice. MOU will be reviewed annually.



City Manager

ATTEST:

City Clerk



District Attorney

Date

Regular Board of Commissioners

2.e.

Meeting Date: 06/03/2019

Budget Amendment - 001

Submitted By: Kacie Eck, City Clerk

Department: City Clerk

Information

Title of Item for Agenda

Budget Amendment – Fund 001

To move unrestricted payments in lieu of taxes received from the Shawnee Housing Authority to the General Fund and to appropriate for additional repairs and maintenance costs as needed related to the Community Center.

Attachments

Budget Amendment 001

City of Shawnee
Budget Amendment
FUND 001 - General Fund
June 3, 2019

Estimated Revenue, Fund Balance, or Transfers IN

Fund Number	Account Number	Project Code	Line Item	Description	Balance Before Amendment	Amount of Amendment Increase (Decrease)	Balance After Amendment
001	4915			Transfer from Debt Service Fund	-	245,761.92	245,761.92
				Total:	-	245,761.92	245,761.92

Appropriations

Fund Number	Account Number	Project Code	Line Item	Description	Balance Before Amendment	Amount of Amendment Increase (Decrease)	Balance After Amendment
001	5-1130-5302			Repairs and Maintenance - Community Center	4,400.00	2,500.00	6,900.00
				Total:	4,400.00	2,500.00	6,900.00

Approved by the City Commission this
Monday, June 3, 2019

Explanation of Budget Amendment:

To move unrestricted payments in lieu of taxes received from the Shawnee Housing Authority to the General Fund and to appropriate for additional repairs and maintenance costs as needed related to the Community Center.

Approved:

Mayor

Attest:

City Clerk

Posted By _____ Date _____ BA# _____ Pkt.# _____

Regular Board of Commissioners

2.f.

Meeting Date: 06/03/2019

Budget Amendment - 201

Submitted By: Kacie Eck, City Clerk

Department: City Clerk

Information

Title of Item for Agenda

Budget Amendment – Fund 201

To move unrestricted payments in lieu of taxes received from the Shawnee Municipal Authority to the General Fund. Payments in lieu of taxes are received in accordance with the Oklahoma Housing Authority Act, 63 O.S. 1066, Tax Exemption and Payments in Lieu of Taxes.

Attachments

Budget Amendment 201

City of Shawnee
Budget Amendment
FUND 201 - Debt Service Fund
June 3, 2019

Estimated Revenue, Fund Balance, or Transfers IN

Fund Number	Account Number	Project Code	Line Item	Description	Balance Before Amendment	Amount of Amendment Increase (Decrease)	Balance After Amendment
201	4008			Ad Valorem Taxes - Current	25,000.00	(25,000.00)	-
201	4010			Payment In Lieu of Taxes	-	973.27	973.27
				Total:	25,000.00	(24,026.73)	973.27
Fund balance:							244,788.65
Total Budget:							245,761.92

Appropriations

Fund Number	Account Number	Project Code	Line Item	Description	Balance Before Amendment	Amount of Amendment Increase (Decrease)	Balance After Amendment
201	5-5010-5601			Transfer to General Fund	-	245,761.92	245,761.92
					-	245,761.92	245,761.92

Approved by the City Commission this
Monday, June 3, 2019

Explanation of Budget Amendment:

To move unrestricted payments in lieu of taxes received from the Shawnee Housing Authority to the General Fund. Payments in lieu of taxes are received in accordance with the Oklahoma Housing Authority Act, 63 O.S. 1066, Tax Exemption and Payments in Lieu of Taxes.

Approved:

Mayor

Attest:

City Clerk

Posted By _____ Date _____ BA# _____ Pkt.# _____

Regular Board of Commissioners

3.

Meeting Date: 06/03/2019

Hiring

Submitted By: Kacie Eck, City Clerk

Department: City Clerk

Information

Title of Item for Agenda

Consideration of approval of the Interim City Manager's hiring of Rodney Foster as Shawnee Fire Chief.

Attachments

Hiring Memo



Office of the City Manager

To: Honorable Mayor and Members of the City Commission

From: Eric Benson, Interim City Manager

Date: May 20, 2019

RE: Department Head Appointment: Fire Chief

In accordance with the City Charter, “the appointments of all heads of departments shall not become effective until they have been approved by the Board of Commissioners” (Article V, Section 2), I am appointing Rodney Foster as the Fire Chief. He will be starting on June 10, 2019. Mr. Foster has more than 20 years of experience in fire service, having served at the Midwest City Fire Department. For the past 11 years, he has served as Training Chief charged with training all Midwest City Fire personnel and serving as the health and safety officer of the department. Additionally, he has been involved with development and implementation of the Midwest City Fire Department budget and has conducted the hiring process for new recruits and proctored the promotional process. Mr. Foster holds a Master of Science from Oklahoma State University in Fire and Emergency Management Administration.

I am confident Chief Foster will serve the City exceedingly well in this position.

Regular Board of Commissioners

5.

Meeting Date: 06/03/2019

Safe Routes to School

Submitted By: Kacie Eck, City Clerk

Department: City Clerk

Information

Title of Item for Agenda

Presentation and possible action to adopt Shawnee Safe Routes to School Master Plan.

Attachments

Safe Routes to School

2019

Safe Routes to School Master Plan Shawnee, OK



Blue Zones Project

Built Environment & Schools Committees

5/1/2019

Shawnee Safe Routes to School Master Plan

Shawnee, Oklahoma

Prepared For:

The City of Shawnee
222 N Broadway Ave
Shawnee, OK 74801

Prepared By:

Blue Zones Project – Pottawatomie County
420 E Main St
Shawnee, OK 74801

Some sections of this plan have been written by Blue Zones Project Staff.

May 2019

Table of Contents

Acknowledgements	5
Advisory Committee	5
Project Team	5
Executive Summary	8
Introduction	9
About This Plan	9
The Vision.....	9
The Process	9
Background and Importance of Safe Routes to School	10
Study School Assessment.....	11
About Health and Wellness in Pottawatomie County	12
About Blue Zones Project.....	13
Safe Routes to School Master Plan	18
Education, Encouragement, Enforcement, Evaluation, and Equity.....	18
School Walking Route Improvement Plan	20
References	41
Appendix A Walking Routes	42

LIST OF FIGURES

Figure 1. SRTS Master Plan Study Schools

Figure 2. Horace Mann Elementary School Projects

Figure 3. Jefferson Elementary School Projects

Figure 4. Sequoyah Elementary School Projects

Figure 5. Will Rogers Elementary School Projects

Figure 6. Shawnee Middle School Projects

Figure 7. Shawnee High School Projects

Figure 8. Shawnee Early Childhood Center Projects

Figure 9. Pleasant Grove Elementary School Projects

Figure 10. Grove Schools Projects

Acknowledgements

Advisory Committee

Blue Zones Project Built Environment Committee

Grove School District

Pleasant Grove School District

Shawnee Public Schools

Project Team

Mike Affentranger, BancFirst and Absentee Shawnee Housing Authority

Lisa Cobb, Gateway to Prevention

Zachary Davis, CFM, GIS Specialist, Citizen Potawatomi Nation

Holly Gordon, Gateway to Prevention

Michael Ludi, City of Shawnee

Tracy Meeuwsen, Avedis Foundation

Rachael Melot, Blue Zones Project

Taylor Shekarabi, Blue Zones Project

Section 1

Executive Summary

Executive Summary

The Shawnee Safe Routes to School (SRTS) Master Plan identifies improvement projects and programs to promote safe walking and biking conditions to elementary, middle, and high schools within the Shawnee boundaries. The SRTS Master Plan is intended to create a comprehensive and sustainable framework for public schools within Shawnee focusing on those schools serving younger students not of driving age. The SRTS Master Plan prioritizes walking and biking routes within a one-mile radius of public elementary, middle, and high schools. This includes 9 elementary schools, middle, and high schools listed below:

Shawnee School District

Shawnee Early Childhood Center
 Jefferson Elementary
 Will Rogers Elementary
 Sequoyah Elementary
 Horace Mann Elementary
 Shawnee Middle School
 Shawnee High School

Shawnee Independent & Dependent School Districts

Pleasant Grove Public School
 Grove Public School

The cornerstones for the SRTS Master Plan include the six E's: Education, Encouragement, Engineering, Enforcement, Evaluation, and Equity. Creating healthier built environments is not solely the business of planners and engineers; public officials, real estate developers, citizens, community organizations, businesses, schools, and health professionals all have a role to play. As such, this master plan contains a comprehensive set of recommendations to improve multimodal access to these schools. These recommendations have been developed through consultations with area stakeholders, community members, and technical experts.

The plan includes two primary sections:

- **Introduction** – This section describes the plan's vision, process, and background; the context from which it was developed; and the Blue Zones Project and current state of well-being in Pottawatomie County.
- **Safe Routes to School Master Plan** – This section summarizes five of the six E's – Education, Encouragement, Enforcement, Evaluation, and Equity – and how they pertain to Shawnee and SRTS Master Plan. This section also includes the sixth E, Engineering, and proposes specific projects to improve walking routes to each school, including new and upgraded sidewalks and crossings. Planning-level cost estimates for these projects are also provided and the projects are prioritized by school.

Introduction

This section explains the vision and process of this plan, the background and importance of the Safe Routes to School program, and the assessment that was conducted to select the study schools for this plan. It also includes information on Pottawatomie County's current state of well-being and describes how the Blue Zones Project came to be in the community, specifically the efforts it has spearheaded that led to this plan.

About This Plan

The public-school districts in Shawnee, and the Shawnee superintendent have been promoting SRTS. Shawnee public schools serve all of Shawnee with 11 elementary schools, one middle school, and one senior high school, as well as an alternative school, and an early childhood center. The school districts serve students from diverse socioeconomic and racial backgrounds, with a sizable population of Native American students.

The SRTS Master Plan was first introduced to the community as a selected Blue Zones Project Built Environment policy priority. The Built Environment committee includes representatives from the City and County and is tasked with shaping policies and building infrastructure. This is done in a way to support healthy and active living, resulting in enhanced quality of life and well-being for citizens, a vibrant local economy, and an attractive place for businesses and individuals to locate. This section describes the vision and process of this plan, the background and importance of Safe Routes to School and the school assessment conducted to develop this plan.

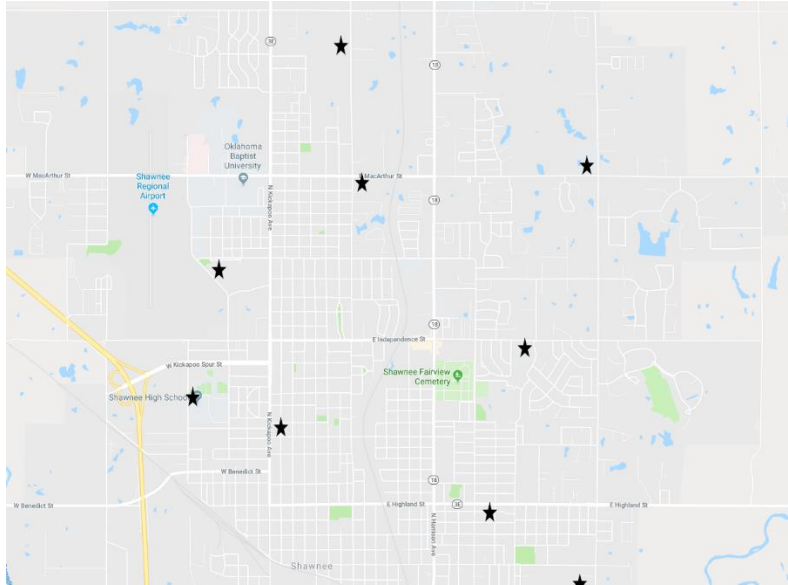
The Vision

The vision for developing a SRTS Master Plan is to reflect the values of the Shawnee community by creating neighborhoods where Shawnee residents and students can feel safe to use active transportation. The SRTS Master Plan will serve as a resource for the City of Shawnee, and a guide for outlying communities with similar pursuits. The SRTS Master Plan incorporates input from Shawnee Public Schools, Grove Public School, Pleasant Grove Public School, government officials, parents of students at the schools, and the community-at-large.

The SRTS Master Plan is intended to create a comprehensive and sustainable framework for public schools within Shawnee, focusing on those schools serving younger students not of driving age. The SRTS Master Plan prioritizes walking routes and within a one-mile radius of most public k-12 schools within the City of Shawnee.

The Process

Creation of a SRTS Master Plan was identified as a priority of the Blue Zones Project – Pottawatomie County Built Environment work. The Blue Zones Project Built Environment Committee was tasked to drive the creation of this plan. In partnership with the Shawnee School District, and other local independent schools, a SRTS Master Plan Advisory Group was formed. The Blue Zones Project Built Environment Committee and the SRTS Master Plan Advisory Group worked to identify the scope of the SRTS Master Plan and begin the creation of the master plan document.



The SRTS Advisory Group identified nine public elementary, middle, and high schools within Shawnee as the feasible focus for the SRTS plan. The Project team established key walking routes primarily following the alignment of major roads, but also including the roads leading to the school's entrance. The SRTS Master Plan does not cover all local roads that may be used as a walking route; it also identified the need for curb ramps at certain intersections but is not a full ADA review. This phase of the plan does not include all schools in the city, but rather focuses on those that are most feasible to create walkability at this time.

Shawnee SRTS Master Plan Process

The final SRTS Master Plan will be presented to the leadership at each of the schools and the Blue Zones Project Steering and Leadership Team before being presented to the City of Shawnee, respectively, for adoption. Once adopted, the SRTS Master Plan will be an important tool for the community when seeking and prioritizing funding opportunities and support for projects around the schools.

Background and Importance of Safe Routes to School

Safe Routes to School is a national movement that was established in 2005 by the Federal Highway Administration to empower communities to make walking and biking to school a safe, fun, and routine activity for children and families.¹ The program created a framework that is being used successfully by communities, schools, and planning organizations across the country. This framework focuses on improving student health, enhancing environmental quality, and changing the built environment to support and sustain walking and biking as viable options for travel. The SRTS programs aim to make school communities healthier and safer through improved sidewalks and walking routes, consistent enforcement, safety education, and activities to enable and encourage students to actively get to school.

Comprehensive SRTS plans are guided by the following six "E's":

1. **Education:** Education programs inform families about transportation choices, teach walking and biking safety skills, and promote driver safety campaigns near schools.
2. **Engineering:** Engineering efforts address the physical environment around schools, like crosswalks and sidewalks, to create safe and accessible places for walking and biking

3. **Encouragement:** Encouragement helps make walking and biking easy and fun by providing incentives and organizing events, like Walking School Bus.
4. **Enforcement:** Enforcement activities may include crossing guards reminding everyone to follow traffic laws or enforcement of school speed zones.
5. **Evaluation:** Evaluation forms and reports help monitor program outcomes and are used to improve activities in the future.
6. **Equity:** Ensuring initiatives are benefiting all children and adults of all economic and social backgrounds as well as people of all physical and mental abilities.

Safe routes to school are important because the number of children walking to school today has drastically declined. Statistics show that only 13 percent of all kindergarten through 8th grade students walk or bike to school today, as compared to 48 percent in 1969. (2) This decline is due to many factors including urban growth patterns, increased traffic, and parental concerns about safety. A comprehensive SRTS program addresses many of the reasons for reductions in walking and biking by using the six E's to develop attitudes, behaviors, and infrastructure that improves the walking and biking environment.

STUDY SCHOOL ASSESSMENT

School districts play a key role in driving certain built environment policy. Leadership from school districts have demonstrated a commitment to providing a learning environment that promotes wellness, nutrition, and an active lifestyle. Both school districts have multiple schools that have become Blue Zones Project Approved Schools™ by completing the School Pledge and implementing actions to increase student well-being. Pleasant Grove, Grove and Shawnee school districts have also actively supported and aided with identified Built Environment priorities. In 2018, the Shawnee Public school board approved a Joint Use of Facilities agreement allowing city use of recreational facilities before and after the school day, during weekends, and during school vacations.

Since 2018, the school district has had representatives engaged and has provided feedback on a SRTS Master Plan. As a preface to this work, walking audits around three elementary school neighborhoods were conducted in the spring of 2018, centering around and hosted by neighborhood schools or churches. Along with a Comprehensive Walking Audit around Horace Mann Elementary school with urban design expert Dan Burton in March 2018. Challenges that were identified within the comprehensive *Blue Zones Project Pottawatomie 2017 Assessment Report* listed three main areas of concern when researching the local area and school districts:

- **Lack of sidewalks** around many schools is a barrier for children to walk or bike to school. Most Shawnee schools are well located within residential areas, making it possible for many students to walk or bike to school. However, many parents believe it is unsafe for children to walk or bike to school because of the lack of sidewalks.
- **Lack of consistency around the level of physical activity and physical education that is provided at each grade level.** Focus group participants revealed that there is variation from school to school and even classroom to classroom in the amount of time students spend doing physical activity and structured physical education. Given increasing obesity and diabetes rates among children and the strong link between physical activity and better academic performance, the decline in physical activity time is a critical issue for both City and County schools.
- **Parent engagement at the school-building level.** Stakeholders noted disparities in parent engagement at the building level through structures such as Parent Teacher Organization (PTO)/Parent-Teacher Association (PTA). Some schools have a strong PTO/PTA and high levels of

parent engagement while others do not. Undoubtedly, high levels of poverty and unemployment and the resulting mobility, two-parent working households, and parents working multiple jobs make it very challenging for parents to be involved at school.

- Lastly, **poverty** is a significant issue in Pottawatomie County.

Blue Zones Project Schools priorities are overseen by the volunteers on the Blue Zones Project Schools Committee, including school leaders, parents, and community supporters. The Schools Committee drafted the priorities in Table 1.

Table 1. 2017 Blue Zones Project School Committee

Objectives			
At least 50 percent (6) of public schools become Blue Zones Project Approved.	Implement a district-wide wellness policy in alignment with Blue Zones Project principles.	Increase physical activity or natural movement during, before, or after school.	Reduce or limit access to unhealthy foods, beverages, and habits.
Measures of Success			
Progress Measures • Number of Blue Zones Project Approved schools; Year 1: two approved schools • Number of Walking School Bus or Bus-to-Walk programs; Year 1: three Walking School Bus routes started • Percentage of students who participate in after-school programs that include physical activities			
Outcome Measures • BMI of those 18 and younger improved (SSM Health St. Anthony Hospital—Shawnee) • Number of incidents reported, from 777 in 2017 to 747 in 2020 (Oklahoma State Department of Education Annual Incident Report Bethel, Grove, North Rock Creek, Pleasant Grove, Shawnee, South Rock Creek) • Sales of salads in salad bars to increase with tracking, beginning in the 2018–2019 school year • Produce purchased by district increased by 3 percent (Shawnee Public Schools Food Service) • Increase percentage of elementary-school students walking to school who live within 0.75 miles of a school by 10 percent (about 50 students) through implementation of a Walking School Bus program in Shawnee Public Schools (Horace Mann and Jefferson SRTS Parent Surveys) • Increase in number of schools that have designated Safe Routes to School, from three in 2016 to five in 2020 (City of Shawnee) • Increase number of active school gardens or school participation in community gardens in Shawnee Public Schools, from zero in 2016 to six in 2020; currently there are three (food policy) • Decrease the number of food-related fundraisers from 42 in the 2016–2017 school year to 38 in the 2019–2020 school year (Shawnee Public Schools summary of fundraisers)			

ABOUT HEALTH & WELLNESS IN POTTAWATOMIE COUNTY

The current state of well-being within Pottawatomie County has suffered from various community health and system-level factors such as high rates of diabetes and adult obesity, a large population suffering from food insecurity, food deserts, and poverty. These were identified by the Pottawatomie County Discovery Report completed in 2017. The Discovery Report revealed that modifiable health factors and

poor health behaviors are higher in Pottawatomie County than in many other Oklahoma counties. The Community Health Improvement Plan (CHIP) 2016 - 2018 for Pottawatomie County identified three priority areas. (6)

Those directly impacted by a SRTS Master Plan are **bolded** in the list below.

1. **Mental Health**
2. **Diabetes**
3. **Heart disease**

ABOUT BLUE ZONES PROJECT

Due to the identified need of health and wellbeing improvement, as well as the readiness of residents and community leaders to create change, Blue Zones Project came to Pottawatomie County in 2017. The Avedis Foundation brought Blue Zones Project to measurably improve the health, wellness and quality of life for the people of Pottawatomie County and its surrounding communities. During early 2017, a comprehensive community assessment was conducted in Pottawatomie County to ascertain the interest, readiness, and opportunities for success in undertaking a Blue Zones Project community transformation initiative. (7) Hundreds of community members expressed a desire to make Pottawatomie County a better place to live, work, and play, and importantly, a readiness to do the work to create community-wide well-being improvement. Pottawatomie County residents were found to be people that are resilient, take care of each other, and know how to “make things happen.”

Built Environment Assessment

Municipal and state governments play a large role in the Blue Zones Project by shaping policies and building infrastructure in a way that lifts well-being for everyone in the community, not just those engaged through participating organizations. Opportunities to address the transportation and infrastructure needs in a SRTS Master Plan will need to be implemented by the Greater Shawnee Area.

The Blue Zones Project team conducted a three-day comprehensive community assessment in March 2017, and again in March 2018, including a specific built environment assessment. Outside experts Dan Burden, Director of Innovation and Inspiration and national walkability expert, and Samantha Thomas, Built Environment Manager at Blue Zones, LLC, came to Shawnee to tour the community via walking, biking, and driving. City and County staff and interested community leaders participated in the built-environment assessment. The readiness of the city and community to reinvest in its built environment was assessed. Many positive signs and trends were observed, including emerging leadership, pride of place, and a willingness among people to work together to improve the built environment. These assessments led to the *Blue Zones Project Built Environment Discovery Report*, the *Blue Zones Project Safe Routes to School Report*, and the *Blue Zones Project Marquee Project Report*. The workshop also led to the below priorities of the Blue Zones Project Built Environment, summarized in Table 2 and informed the SRTS Master Plan. Strengths, opportunities and challenges were identified within these reports. Those specific to a SRTS Master Plan are listed below.

Strengths and Opportunities

- Vision for revitalizing downtown back into a lively, compact, walkable, mixed-use center of activity.
 - The vision is: “a community with a strong sense of its character as a small town with significant heritage and appealing amenities that strives to provide a healthy living environment in future growth and prosperity.”
- Strong Tribal Leadership among local tribes are each focused on improving the quality of life for members by building housing, sidewalks, art, trails, and grocery stores.
- Strong City Partners and Participation: City staff and elected leaders were actively involved in the Discovery vision and have been working on citywide investments to improve active living and overall quality of life.
- Investment happening downtown with the recently complete streetscape project has spurred added community and support for revitalization.
- Funded sidewalk program: With funding from Avedis Foundation, the City is installing 14 miles of new sidewalks, connecting downtown to the north side of city and Bryan Avenue to the airport track, 5 miles complete so far.
- Well-Connected street network downtown and close-in neighborhoods with relatively short block lengths.
- Access to well-located parks throughout Shawnee.
- Existing paved multi-use four to five-mile trail around the airport is well used.
- Strong community partners.

Challenges

- Auto dependency – lack of transportation choice and equity: streets are designed for automobiles, and only automobiles.
- Low-economic-yield strip-style development
- No on street bike infrastructure
- No public transit
- Safe Routes to School barriers
- Lack of gateways: the city lacks a sense of welcome and arrival
- Lack of green infrastructure
- Funding and public perception: city lacks adequate funding to make improvements.
- County lacks planning and zoning requirements

Table 2: 2017 Blue Zones Project Built Environment Committee Blueprint Priorities

Objectives				
Increase the economic and social life in the downtown	Increase the percent of students walking biking to school on a daily basis	Ensure walking and bicycling is a comfortable and convenient choice for all	Improve safety for all users	Increase number of uninterrupted miles of sidewalk
Strategies				
1. Adopt Complete Streets Policy with Education to Key Players 2. Partner with Schools to Create Safe Routes to School Action Plan 3. Develop Active Transportation Plan				

4. Update comprehensive plan
5. Encourage mixed-use with updates to code, form-based code
6. Assess and update historic rehabilitation building codes
7. Create sidewalk master plan
8. Create permit process for parklets
9. Adopt roundabout first policy
10. Develop and implement Broadway Bikeways as the Marquee Project

Section 2 Safe Routes to School Master Plan

Safe Routes to School 6 E's

This section describes actions for each of the 6 E's for the nine study schools. Education, Encouragement, Enforcement, Evaluation, and Equity strategies and programs are described first. Then, it summarizes Engineering projects to improve walking routes to each school.

Education, Encouragement, Enforcement, Evaluation, and Equity

A successful SRTS plan and program contain items related to Education, Encouragement, Enforcement, Evaluation, and Equity as key components. The following describes strategies and programs related to each of these areas that could be implemented at the schools within Shawnee.

EDUCATION

Education and training on pedestrian and bicycle safety can focus on both students and parents. Programs that have been used at some schools in the past and should be continued in the future, or implemented for the first time at some schools, include Safe Routes to School, Walking School Bus, Physical Education (PE) utilization of the school bike fleets, "Bike Rodeo" community-wide education events, school triathlons, Neighborhood Navigator programs. These encourage the importance of safety when walking or biking to school or within their surrounding neighborhoods. As part of these programs, parents can be involved as volunteers. Educating parents around the importance of these events and encouraging involvement is a crucial component and can be achieved by outreach through the students.

Walking School Buses have been implemented at six of the nine study schools. The districts have agreed to continue to promote these activities and increase both frequency and number of sites participating. We began bike education at a preexisting bike rodeo and in 2018 distributed a memory game for kids to learn more about bike safety. We continue to look for opportunities to educate on walking and biking safety.

ENCOURAGEMENT

Often, good infrastructure and education to enhance walking and biking (active) transportation skills are not enough to facilitate usage. Extra encouragement and initiatives may be necessary to help parents and students choose to walk or bike. In most cases, SRTS education is accompanied by encouragement activities. Encouragement activities should be suited for the particular size, situation, and culture of each school. Specific activities that should be continued at the schools covered in this plan include chaperoned walking school buses and bike trains, which can encourage walking and biking by helping to address barriers related to distance and safety; identifying a park or alternate location for families that live further away to meet at to walk to school; making walking and biking to school exciting through school-wide activities and activity days; and family-focused events celebrating walking and biking through other promotional activities.

Many sites have implemented drop and walk Walking School Buses enabling students that don't live on a safe route to join the fun. At Grove they have partnered with a church at their half way point as a parking lot for those that don't live in Windmill Ridge. At Pleasant Grove, they have also partnered with a local church for a drop and walk. They have staff man every intersection, so parents may join students, but are not required to join them on their walk. When helping schools determine new routes these local partnerships and parking opportunities are both factors we consider.

ENFORCEMENT

Identifying unsafe conditions or behaviors is key to enforcement. These may include speeding, child drop-off in an inappropriate location, blocked sidewalks, or cyclists riding on the street against the flow of traffic. Creating processes and mechanisms to engage the public in identifying and reporting these issues is important in deterring unsafe behaviors. The Blue Zones Project Action Force has worked with The City of Shawnee and their Police Department to enforce existing safe streets policy. Unsafe behaviors or conditions can be reported to dispatch.

Local law enforcement has been supportive in monitoring speeds in school zones, providing assistance in safe crossings for elementary, walking with students during walk-to-school days, and speaking at school activities. Law enforcement officers are experts on traffic behavior and can be a valuable resource in determining how to deter unsafe behaviors. Using law enforcement to assist in Safe Routes efforts should be done with careful consideration of their resources and working within their means. There are many demands on law enforcement departments that will limit their ability and level of participation. Law enforcement partners may be helpful in identifying efficient means by which they can assist in reducing speed, double-parking, or drivers disobeying traffic control (e.g., stop signs, signals).

EVALUATION

Evaluation helps to determine whether the program is meeting its objectives and to assess whether resources are being directed toward efforts that show the greatest likelihood of success. Ongoing evaluation can identify unforeseen barriers or issues that arise and help respond with necessary adjustments. Each school, school district, or local government can determine the objectives to be evaluated. Objective should be “SMART:” Specific, Measurable, Achievable, Relevant, and Time-bound. Goals could include improved public opinion and public commentary on the safety of walking and biking, decreased traffic violations within surrounding areas to schools, and increased walking or biking rates.

Evaluation tools should be used at regular intervals, ideally at least at the beginning of each school year. Safe Routes Parent Survey and Student Tally sheet are available online. The National Center for Safe Routes to School provides a data collection and reports system. Additional local resources can also help evaluate SRTS activities and utilization. Blue Zones Project currently assists with volunteers for active transportation activities and counts. Gateway to Prevention, Avedis Foundation, and School Leadership should also be contacted to volunteer for these activities in the future using previous work as a template. To date Safe Routes to School surveys have been sent to three schools two years in a row and an additional 3 schools collected surveys again this year. We also track the number of students participating in Walking School Buses with estimated distance. We aim to increase the miles walked every year through this tracking and number of students walking on the Safe Routes to Schools surveys. We have held one summit on the built environment around schools and if desired would host additional tailored summits to address site specific issues and establish groups like Safety Patrol to help younger students safely exit.

EQUITY

All children and adults of all economic and social backgrounds, as well as people of all physical and mental abilities, deserve the right to walk and bike safely in their communities. Both the City and County School Districts serve students from diverse socioeconomic, racial, and ethnic backgrounds, with a sizable population of Native American students. Though the SRTS Master Plan is a guide for the safety of students and schools, Shawnee community members who are living on a fixed income may not have appropriate access to transportation to assist with daily living tasks, which raises concerns for individuals who must walk or ride a bicycle for their main mode of transportation.

Poverty is a significant issue in Shawnee. Shawnee has a greater percentage of people living below the federal poverty level (22.9 percent) compared to Pottawatomie County (18.2 percent) and Oklahoma as a whole (16.7 percent). One-third of children under age eighteen live below the poverty level, and around one in five working-age adults (eighteen to sixty-four years old) live below the poverty level. If there are not appropriate safety measures in place for all people to get safely from their homes to school, work, or the grocery store, the community's needs are not being met successfully.

In prioritizing equity, it is important to partner with organizations who work closely with those populations. These could include Citizen Potawatomi Nation and other local Tribes, and agencies serving poverty and marginalized populations such as Community Renewal, the Community Market of Pottawatomie County, Shawnee Head Start, and The Salvation Army. In the first year of this project, we focused on three of our most socioeconomically depressed schools. We have since added more sites but continue to work to find plans that work for all groups. We have worked closely with school leaders to establish where their greatest need for improvements are and what walking routes would most benefit from Walking School Bus leaders. Their input has helped establish the order in which their projects are listed in the following section.

School Walking Route Improvement Plan

This section describes projects to improve walking routes to each school and the process followed to arrive at these projects. Projects in this section include new or improved sidewalks and street crossings.

PROJECT IDENTIFICATION

Projects have been identified through an iterative process that included: defining walking routes to each school, reviewing the conditions along those routes, and soliciting feedback from community members and school and agency staff. The SRTS Master Plan focuses on filling sidewalk gaps and improving crossings along walking routes; it identifies the need for curb ramps at certain intersections but is not a full ADA review.

WALKING ROUTES and FIELD INVENTORY

To conduct a focused field inventory, the project team created walking route maps for each school. This entailed first determining walking boundaries for each school, which were defined as all areas within a school's attendance boundary that are within a radius of one mile of each school. Within these walking buffers, the project team established key walking routes, primarily following the alignment of major roads, but also including the roads leading to the school's entrance. Project stakeholders, including representatives from the school districts and individual schools, Blue Zones Project, incorporated their comments into the final maps.

During walking audits, multiple parties noted sidewalk gap locations along each walking route and documented crossing treatments at each identified crossing location [i.e., existing marked crosswalks and marking details, warning and/or advanced warning signs, beacons, and detectable warning surfaces at curb ramps (i.e. truncated domes)].

PROJECT LIST

Using the field inventory information, the project team developed a draft set of potential side walk and

crossing improvements for each school. Sidewalk improvements will be categorized as either priority gaps to fill or gaps difficult to fill based on feasibility and cost.

PRIORITIZED PROJECTS

The last steps in this plan include:

1. Applying for grants and assessing projects and prioritizing according to feasibility/cost, proximity to school, roadway classification, posted speed, adjacent facilities, and residential density.
2. Reviewing this revised draft project list and collaborating on priorities with area stakeholders, including school and agency staff and community members on a regular basis to evaluate current built environment needs.
3. Utilizing the feedback of these meetings and yearly Safe Routes to School Surveys to apply for grants and improve infrastructure.

Overview of SRTS Master Plan Study Schools

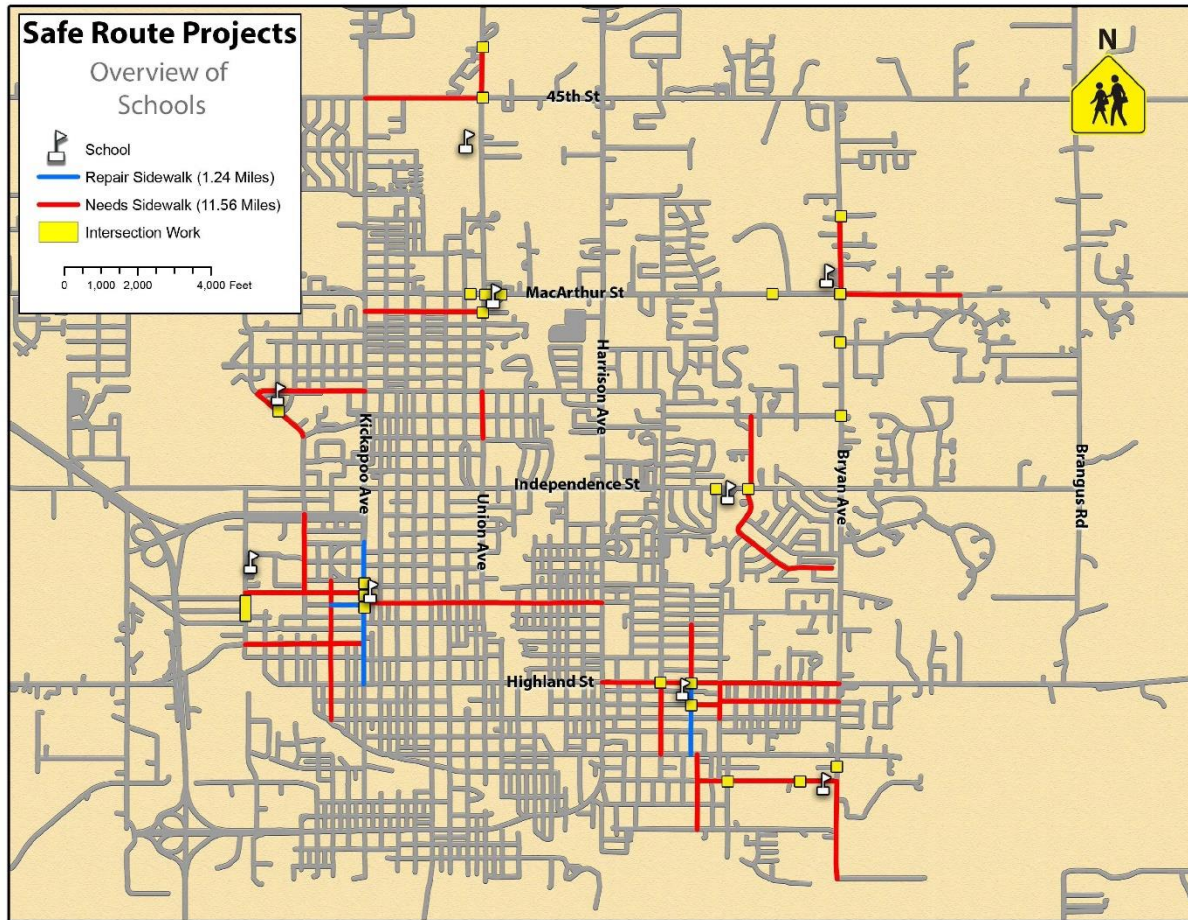


Figure 1

Cost Estimate Legend (provided by City of Shawnee engineering department, May 2019)

¢	\$0.00-	\$1,500.00
¢¢	\$1,500.00-	\$6,000.00
¢¢¢	\$6,000.00-	\$18,000.00
¢¢¢¢	\$18,000.00-	\$36,000.00
¢¢¢¢¢	\$36,000.00-	\$120,000.00
\$	\$0.00-	\$100,000.00
\$	\$100,000.00-	\$400,000.00
\$	\$400,000.00-	\$750,000.00
\$	\$750,000.00-	\$1,000,000.00
\$	\$1,000,000.00-	\$1,500,000.00
\$	\$1,500,000.00-	\$2,500,000.00

Horace Mann Elementary

412 N Draper Ave, Shawnee, OK 74801



Figure 2

Sidewalk Projects

Project #	Street	From	To	Treatment	Cost Estimate
HM-001	Draper	Farrall	Main	Need sidewalks	\$\$\$
HM-002	Draper	Main	Highland	Repair sidewalk	\$\$\$
HM-003	Draper	Highland	Alice	Need sidewalk	\$\$\$\$
HM-004	Center	Main	Highland	Need sidewalk	\$\$\$
HM-005	Pesotum	10th	Highland	Need Sidewalk	\$\$\$
HM-006	11 th	Draper	Bryan	Need sidewalks	\$\$\$\$\$
HM-007	Highland	Harrison	Bryan	Need Sidewalk on North and South Side of Street	\$\$\$\$\$\$

Intersection and Other Road Treatments

Project #	Intersection	Treatment	Cost Estimate
HM-1	Center & Highland	Needs increased signage	
HM -2	Highland & Draper	Need updated Crosswalk & pedestrian median	\$\$\$\$\$\$\$
HM -3	Draper & 11th	Trial Painted Intersection	CCCC

Jefferson Elementary

800 N Louisa Ave, Shawnee, OK 74801

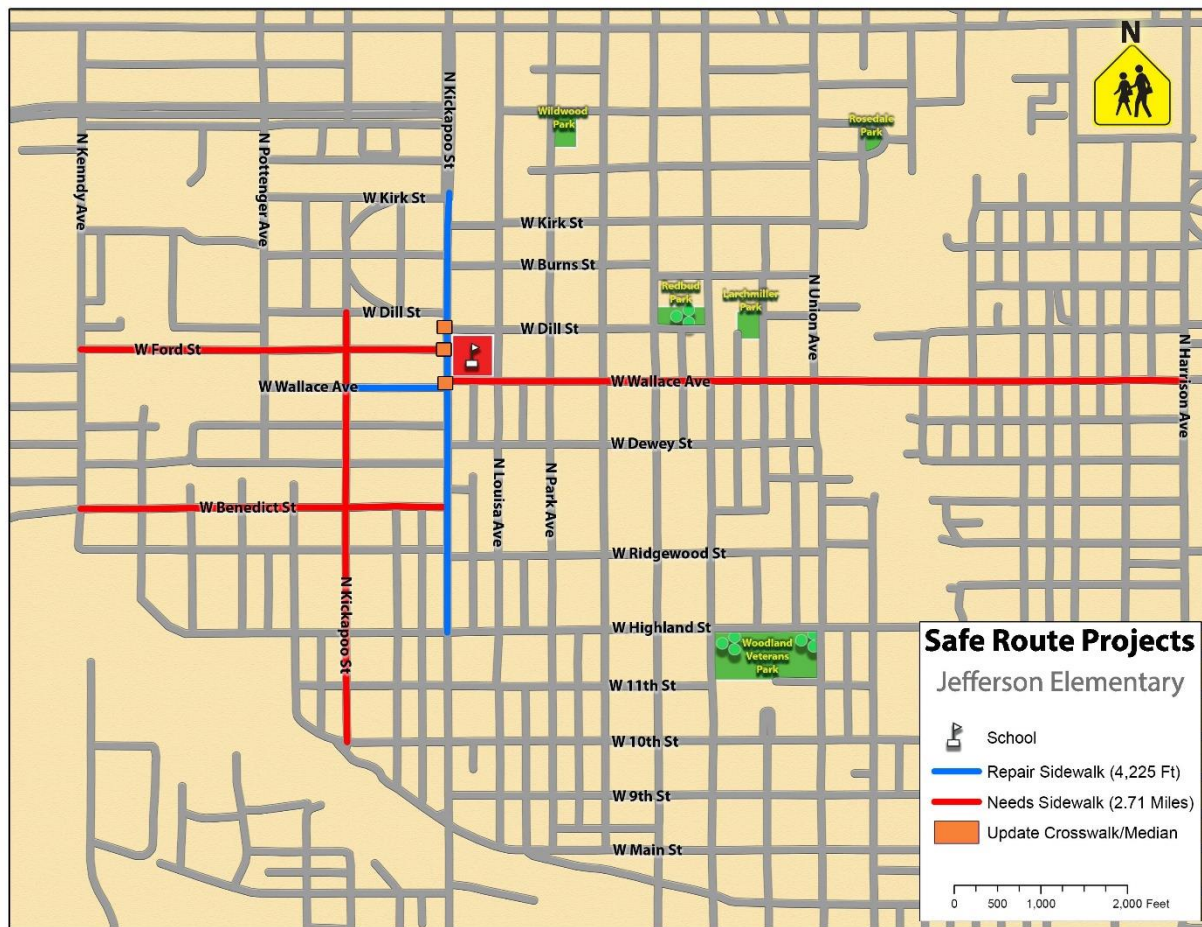


Figure 3

Sidewalk Projects

Project #	Street	From	To	Treatment	Cost Estimate
JE-1	Kickapoo	W Ford	W Wood	Need to replace sidewalks on west side	\$\$
JE-2	Wallace	Harrison	N Louisa Ave	Missing sidewalk on north side	\$\$\$
JE-3	Wallace	Kickapoo	Chapman	Random missing sidewalk, very broken and uneven	\$\$
JE-4	Kickapoo			Check sidewalks on east side	
JE-5	Chapman	10 th	Dill	Needs sidewalk	\$\$\$\$\$
JE-6	Benedict	Kennedy	Kickapoo	Needs sidewalk	\$\$\$\$\$
JE-7	Ford	Kennedy	Kickapoo	Needs sidewalks	\$\$\$\$

Intersection and Other Road Treatments

Project #	Intersection	Treatment	Cost Estimate
JE -1	Kickapoo	Start School Zones earlier	CCCC
JE -2	Kickapoo & W Dill Street	Need Cross walks, flashing lights to cross Kickapoo	CCCCC
JE -3	Kickapoo & W ford St.	Need flashing lights for crosswalk on Kickapoo	CCCCC
JE -4	Kickapoo & Wallace	Need flashing crosswalk sign (most popular crosswalk)	CCCCC

Sequoyah Elementary

1401 E Independence St, Shawnee, OK 74804

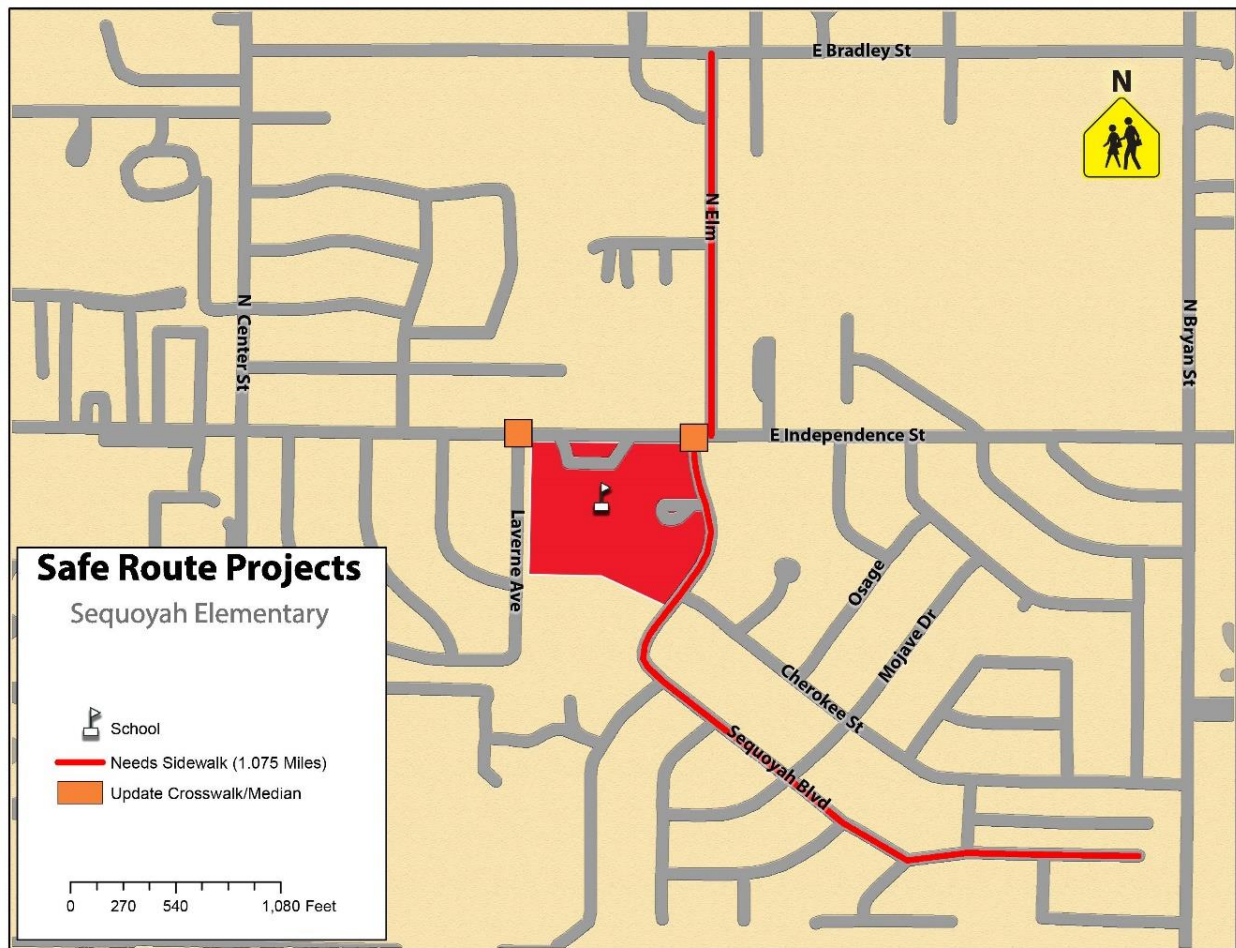


Figure 4

Sidewalk Projects

Project #	Street	From	To	Treatment	Cost Estimate
SQ-001	Elm	Bradley	Independence	Sidewalk	\$\$\$\$
SQ -002	Sequoyah	Independence	Bryan	Sidewalk	\$\$\$\$

Intersection and Other Road Treatments

Project #	Intersection	Treatment	Cost Estimate
SQ -1	Independence and Laverne	Put in pedestrian and audible signal crosswalk	CCCCC
SQ -2	Sequoyah and Independence	Put in pedestrian and audible signal crosswalk	CCCCC

Will Rogers Elementary

2600 N Union Ave, Shawnee, OK 74804

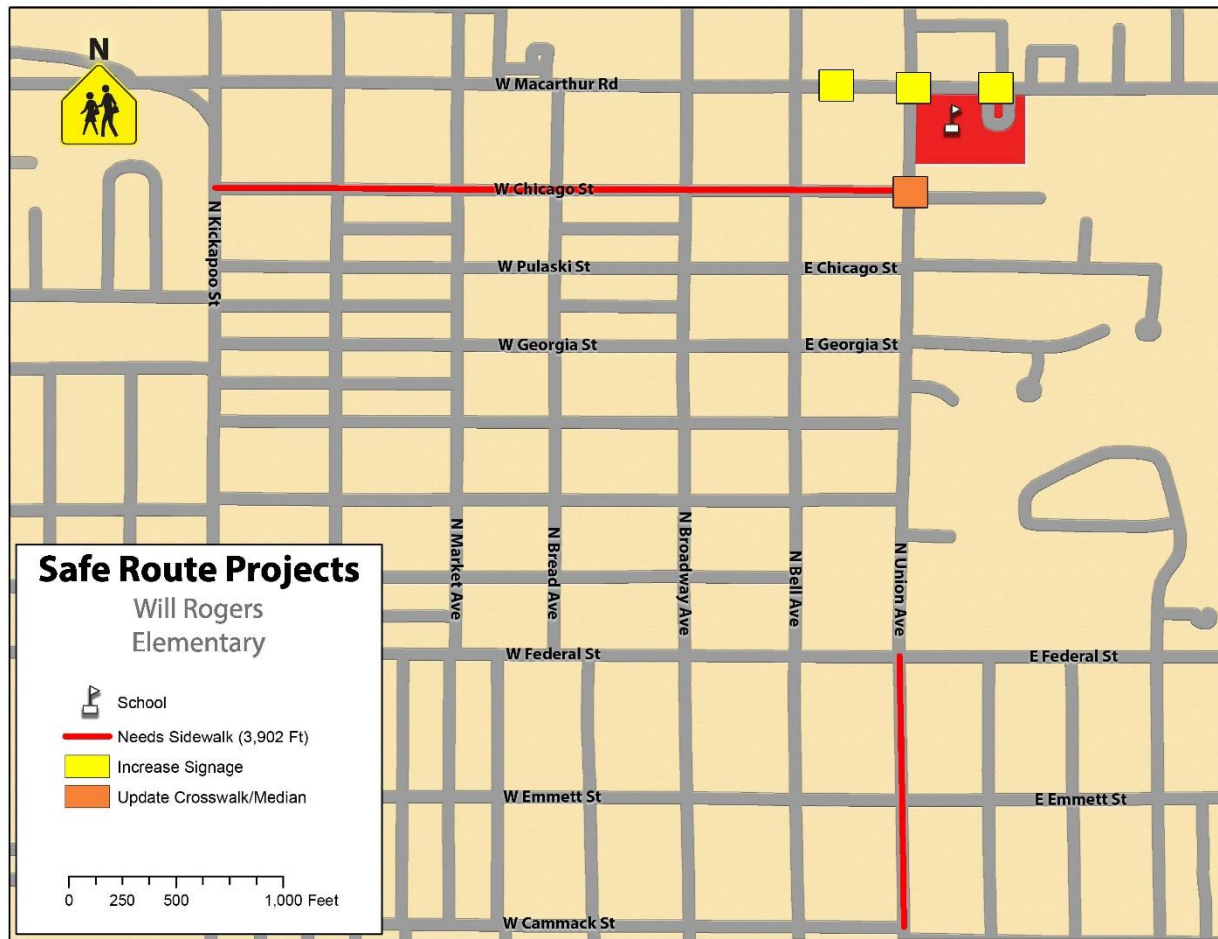


Figure 5

Sidewalk Projects

Project #	Street	From	To	Treatment	Cost Estimate
WR-001	Chicago	Kickapoo	Union	Sidewalk on either side	\$\$\$
WR-002	Union	Federal	Cammack	Continue Sidewalk on west side of street	\$\$

Intersection and Other Road Treatments

Project #	Intersection	Treatment	Cost Estimate
WR -1	N Union & E Chicago St	Four-way intersection needs crosswalks	çç
WR -2	MacArthur	Increased Signage for Speed Limit and School Zone	
WR -3	MacArthur and Union	Pedestrian Island to narrow lanes and slow traffic	\$\$\$\$\$\$

Shawnee Middle School

4300 N Union Ave, Shawnee, OK 74804

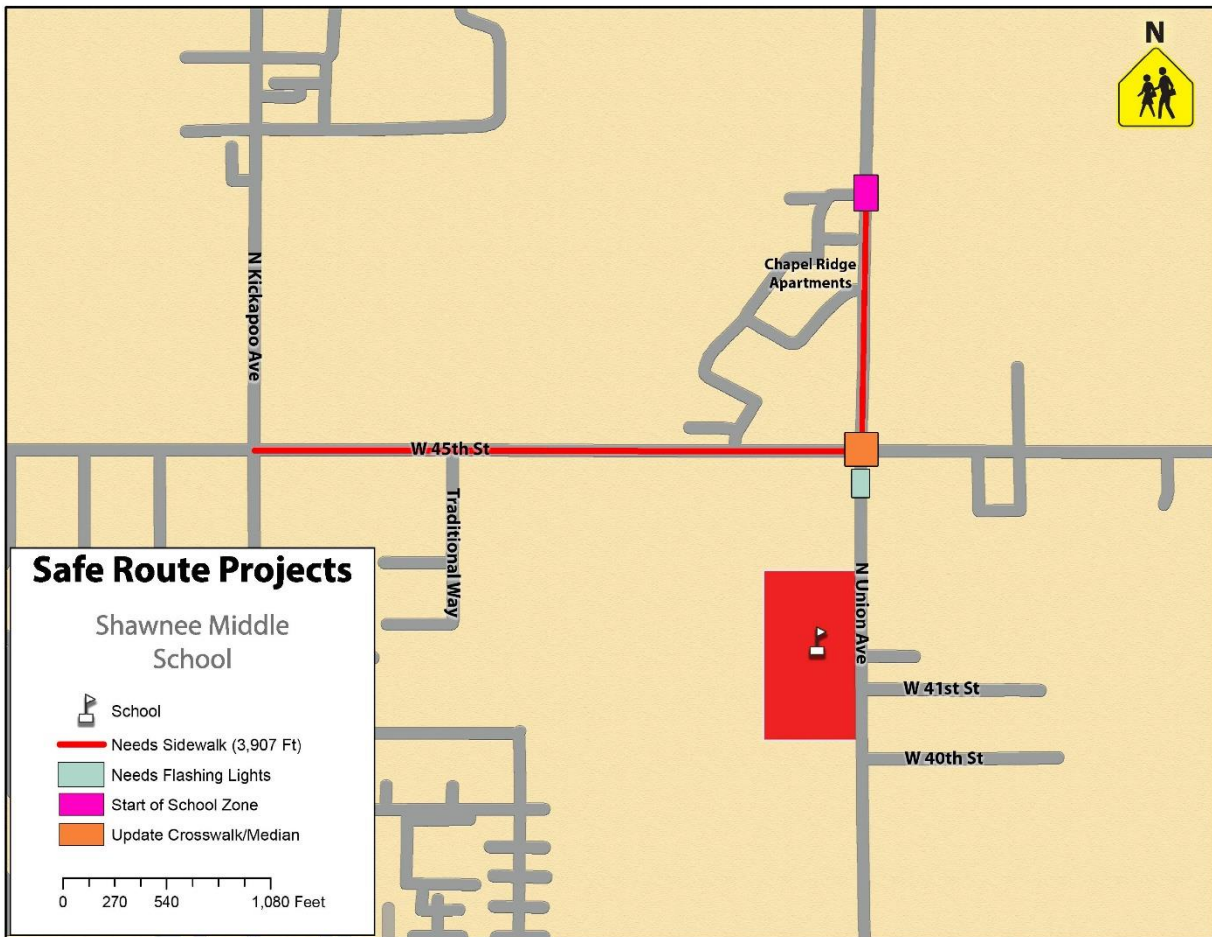


Figure 6

Sidewalk Projects

Project #	Street	From	To	Treatment	Cost Estimate
SMS-001	45 th	Union	Chapel Ridge	Need Sidewalks	\$\$
SMS-002	45 th	Kickapoo	Union	Need Sidewalks	\$\$\$\$\$

Intersection and Other Road Treatments

Project #	Intersection	Treatment	Cost Estimate
SMS -1	South Union	Need flashing lights for the school zone	¢¢¢¢
SMS -2	45 th and Union	Need cross walks on all four	¢¢
SMS -3	North Union	School zone should start before the Chapel Ridge Apartments	¢

Shawnee High School

1001 N Kennedy Ave, Shawnee, OK 74801

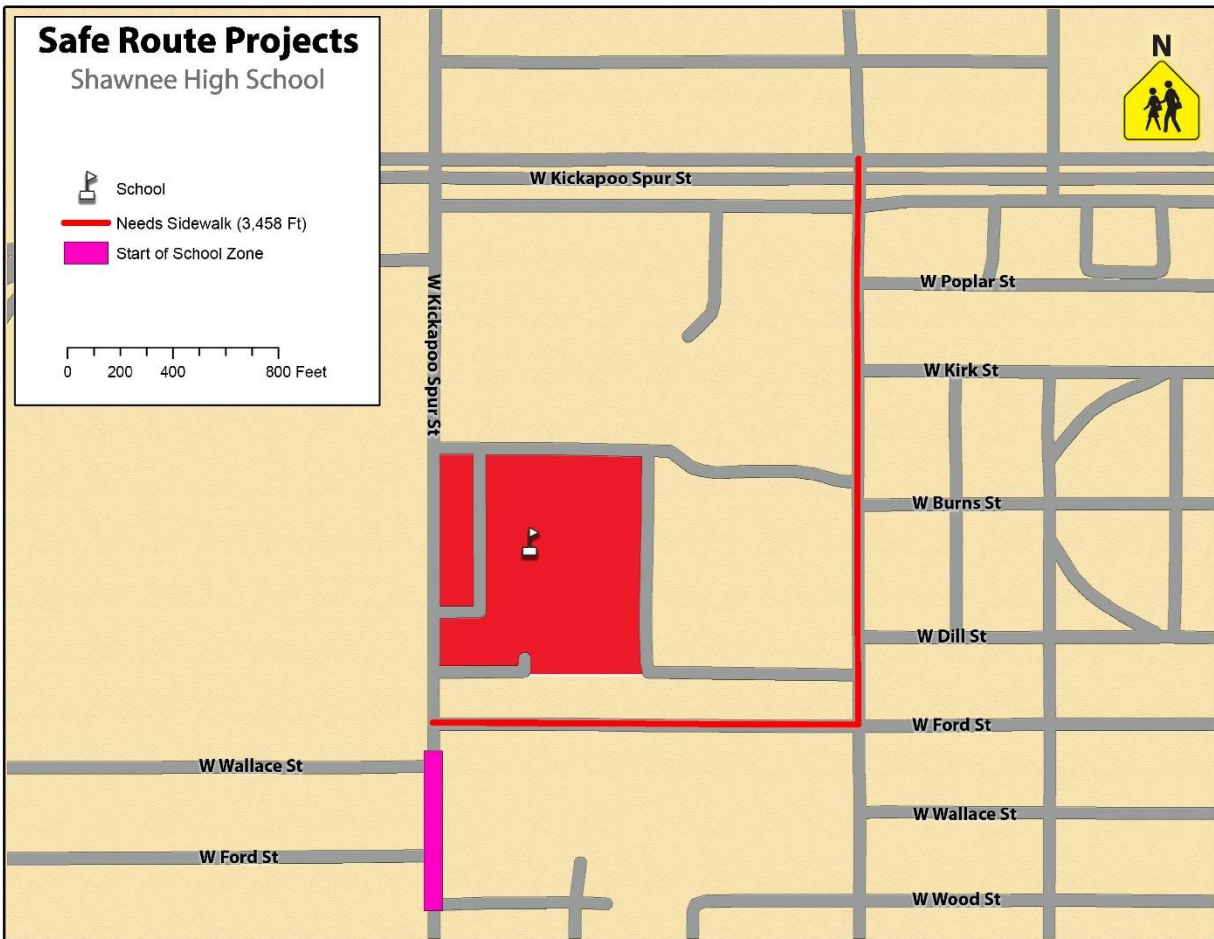


Figure 7

Sidewalk Projects

Project #	Street	From	To	Treatment	Cost Estimate
SHS-001	Pottenger St.	Kickapoo Spur	Ford St	Need sidewalks on East or West Side	\$\$\$
SHS-002	Ford St	Pottenger	N Kennedy Ave	Need Sidewalk on North side of Street	

Intersection and Other Road Treatments

Project #	Intersection	Treatment	Cost Estimate
SHS -1	Ford & Kennedy	Move school zone further down Kennedy	¢

Shawnee Early Childhood Center

1831 Airport Drive, Shawnee, OK 74804



Figure 8

Sidewalk Projects

Project #	Street	From	To	Treatment	Cost Estimate
SEC-1	W Federal	Airport Dr.	Kickapoo	Need sidewalk on North side of W Federal	\$\$
SEC -2	Airport	Federal	Saratoga	Need sidewalk on N Side of Airport	\$\$

Intersection and Other Road Treatments

Project #	Intersection	Treatment	Cost Estimate
SEC-1	Airport	Need Flashing Signs from N and S	CCCCC
SEC -2	Airport & ECC	Need Crosswalk	CCCCC

Pleasant Grove Public School

1927 E Walnut St, Shawnee, OK 74801



Figure 9

Sidewalk Projects

Project #	Street	From	To	Treatment	Cost Estimate
PG-001	E Walnut St.	S Bryan Ave	Draper	Need Sidewalk on North or South Side of the street	\$\$\$\$
PG-002	Bryan	Walnut	Bluff	Need Sidewalks	\$\$\$

Intersection and Other Road Treatments

Project #	Intersection	Treatment	Cost Estimate
PG -1	S. Bryan and E 7 th Circuit	Need flashing school zone signs	\$\$\$
PG -2	S Lindale Ave and Walnut	Need Cross walks	\$\$
PG -3	E walnut	Need flashing School Zone signs	\$\$\$

Grove Public School

2800 N Bryan Ave, Shawnee, OK 74804

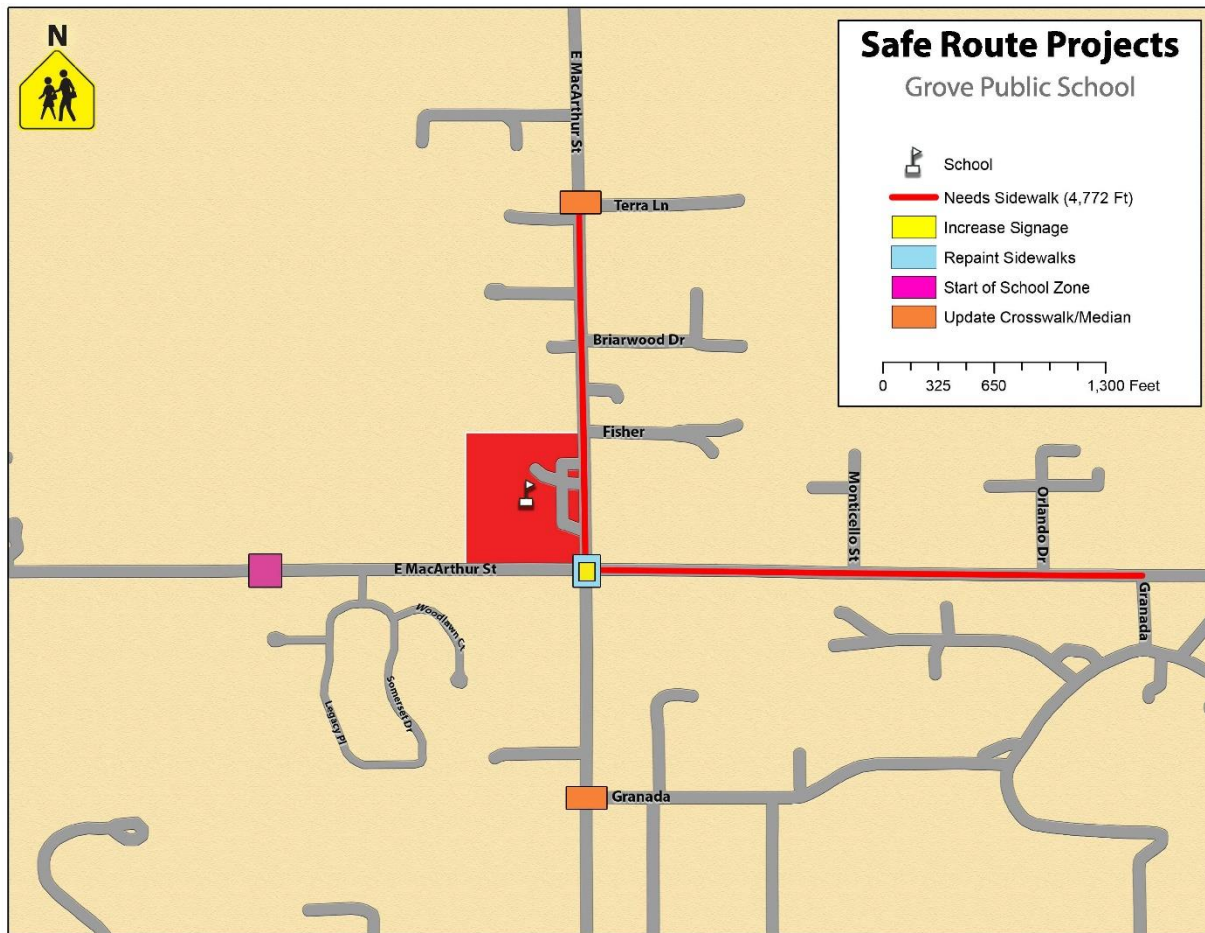


Figure 10

Sidewalk Projects

Project #	Street	From	To	Treatment	Cost Estimate
GP-001	MacArthur	Bryan	Granada	Need Sidewalk	\$\$\$\$
GP-002	Bryan	MacArthur	Terra Lane	Need sidewalk	\$\$\$\$

Intersection and Other Road Treatments

Project #	Intersection	Treatment	Cost Estimate
GP -1	Bradley and Bryan	Need a crossing with flashing lights from East to west side of the street	CCCCC
GP -2	Granada and Bryan	Need cross walk to connect east side to west side of the street	CCCCC
GP -3	Bryan and MacArthur	Need crosswalk signage on all sides	
GP -4	Bryan and MacArthur	Repaint crosswalks	CC
GP -5	Wyndemere Place and MacArthur	School zone should start before Wyndemere	C
GP -6	Terra and MacArthur	Need crosswalk at Terra	CCCCC

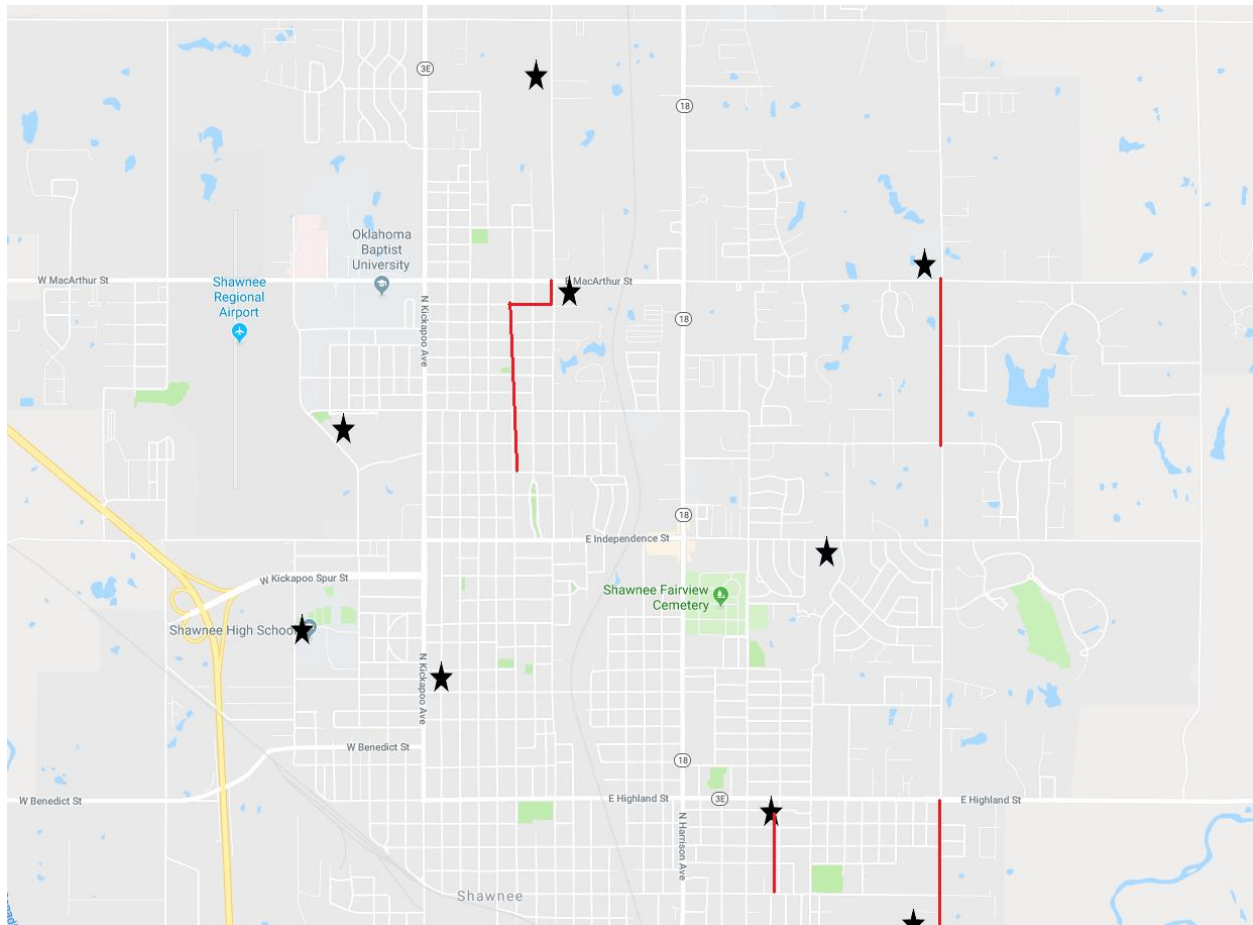
References

1. Safe Routes to School Guide (2015). History of Safe Routes to School. http://guide.saferoutesinfo.org/introduction/history_of_srts.cfm. Accessed: March 2018.
2. Safe Routes to School National Partnership (2015). Rural Communities: Making Safe Routes Work. http://saferoutespartnership.org/sites/default/files/pdf/Lib_of_Res/SR2S_Rural_making%20SR%20work_20150331.pdf. Accessed: March 2018.
3. 2012-2016 American Community Survey 5-Year Estimates. US Census Bureau. Data Accessed June 2018.
4. Blue Zones Project. (2017). Pottawatomie County 2017 Community Assessment Report. Blue Zones Project by Healthways.

Appendix A

Walking Routes

Established Walking School Bus Routes



Regular Board of Commissioners

6.

Meeting Date: 06/03/2019

Meeting Cancellation

Submitted By: Kacie Eck, City Clerk

Department: City Clerk

Information

Title of Item for Agenda

Consideration and possible action to cancel the July 1, 2019 City Commission meeting.

Attachments

No file(s) attached.

Regular Board of Commissioners

7.

Meeting Date: 06/03/2019

P02-19 Union and 45th

Submitted By: Kacie Eck, City Clerk

Department: City Clerk

Information

Title of Item for Agenda

Public hearing and consideration of an ordinance to rezone property located at the northeast corner of North Union Avenue and East 45th Street from A-1 (Rural Agricultural) to C-3 (Highway Commercial) for the purposed purpose of a commercial development. Case No. P02-19, Applicant: Stephen Landes.

Attachments

Staff Rpt

Ordinance

RECOMMENDATION TO:

MAYOR
BOARD OF CITY COMMISSIONERS
CITY OF SHAWNEE
CITY OF SHAWNEE
PLANNING COMMISSION

RECOMMENDATION FROM:

SUBJECT:

APPLICANT: Landes Engineering

FOR: Rezone

LOCATION: NE Corner of Union & 45th, Shawnee, OK

PROJECT#: 190261 Case# P02-19

LEGAL DESCRIPTION:

A tract of land described as beginning at the southwest corner (SW/C) of the west half of the southwest quarter of the southeast quarter (W/2-SW/4-SE/4) of Section thirty-one (31), Township eleven (11) north, Range four (4) east of the Indian Meridian; thence east 412.5 feet; thence north 526.80 feet; thence west 412.5 feet; thence south 526.80 feet to the point of beginning;

CURRENT CLASSIFICATION: A-1; Rural Agricultural

REQUESTED CLASSIFICATION: C-3; Highway Commercial

PROPOSED PROPERTY USE: Commercial

PLANNING COMMISSION MEETING DATE: May 22nd, 2019

PLANNING COMMISSION RECOMMENDATION: Motion to approve:

VOTE OF THE PLANNING COMMISSION:

MEMBERS PRESENT: 6

MEMBERS:	1ST	2ND	AYE	NAY	ABSTAIN	COMMENTS
DEEM		X	X			
MATTHEWS	X		X			
WALKER						ABSENT
BERGSTEN (CHAIRMAN)			X			
COWEN (VICE-CHAIRMAN)			X			
KIENZLE			X			
ROWELL			X			

RESPECTFULLY SUBMITTED,

Joseph Barker

SECRETARY, PLANNING COMMISSION

ACTION BY CITY COMMISSION:

PUBLIC HEARING SET: _____

DATE OF ACTION: _____

ADOPTED _____ DENIED _____

ORDINANCE NO. _____

City of Shawnee Planning Department 222. N. Broadway Shawnee, OK 74801 (405) 878-1616 Fax: (405) 878-1587 www.ShawneeOK.org			CASE # P02-19 PUBLIC HEARING DATE: May 22nd, 2019 CITY COMMISSION DATE: June 3rd, 2019	
APPLICANT: Landes Engineering		903 East 35th Street Shawnee, Oklahoma, 74804		slandes@landesengineering.net
PROPERTY ADDRESS/LOCATION: Northeast Corner of Union and East 45th				
The applicant, Landes Engineering, is requesting a rezone from A-1 to C-3 at the Northeast corner of Union and East 45th. The stated use is for a commercial development.				
EXISTING ZONING: A-1	EXISTING LAND USE: Vacant	SURROUNDING ZONING & LAND USE: A-1 (Rural Agricultural) R-3 (Multi-Family Residential) C-1 (Neighborhood Commercial) C-3 (Highway Commercial)	SUBDIVISION: Unplatted	PROPERTY SIZE: 4.92 acres

STAFF RECOMMENDATION

The applicant has stated they intend to use the lot for commercial development. The specific use was not stated. According to the submitted survey, the subject site is 4.92 acres in size and abuts the Briar Creek Addition and the Armourdale Addition. Adjacent properties are zoned A-1 (Rural Agricultural District), R-3 (Multi-Family Residential District), C-1 (Neighborhood Commercial District), and C-3 (Highway Commercial District). Therefore, the proposed zoning is consistent with the typical use of this area. Also, the request is in conformance with the Comprehensive Plan's Residential/Commercial designation for this area. However, the comprehensive plan also states that "[L]arge scale, 'big-box' uses are preferred to be located outside of Residential/Commercial in areas designated for pure commercial use, unless designated to be successfully integrated with the surrounding area." Because this property is just under 5 acres, this creates the concern that a large-scale business that does not fit this area's intended use could one day be erected. If the applicant or another developer were to attempt to plat this lot for a commercial development and this Comprehensive Plan still active or the newly active one maintains the current intended future use of this land, that plat could be denied, depending on what type of business is proposed.

The rezone is required to conform to Section 22-165.2 of the Zoning Code, "Uses [in commercial districts]," which assures that the C-3 zoning district is used for establishments offering accommodations, supplies or services to motorists, and for certain specialized uses such as retail outlets, extensive commercial amusement and service, establishments. The rezone is also required to conform to Section 22.165.4 of the Zoning Code, "Dimensional Standards [in commercial districts]." If rezoned to C-3, it would conform to these standards.

The subject request is in conformance with the City Zoning Code and Comprehensive Plan; therefore, Staff hereby recommends approval on the requested rezone from A-1 (Rural Agricultural) to C-3 (Highway Commercial).

APPROVE

APPROVE WITH CONDITIONS

DENY

**ATTACHMENTS:
(CIRCLE)**

**SUBMITTED
PLANS**

**PUBLIC HEARING
PETITION/
APPLICATION FORM**

LEGAL NOTICE

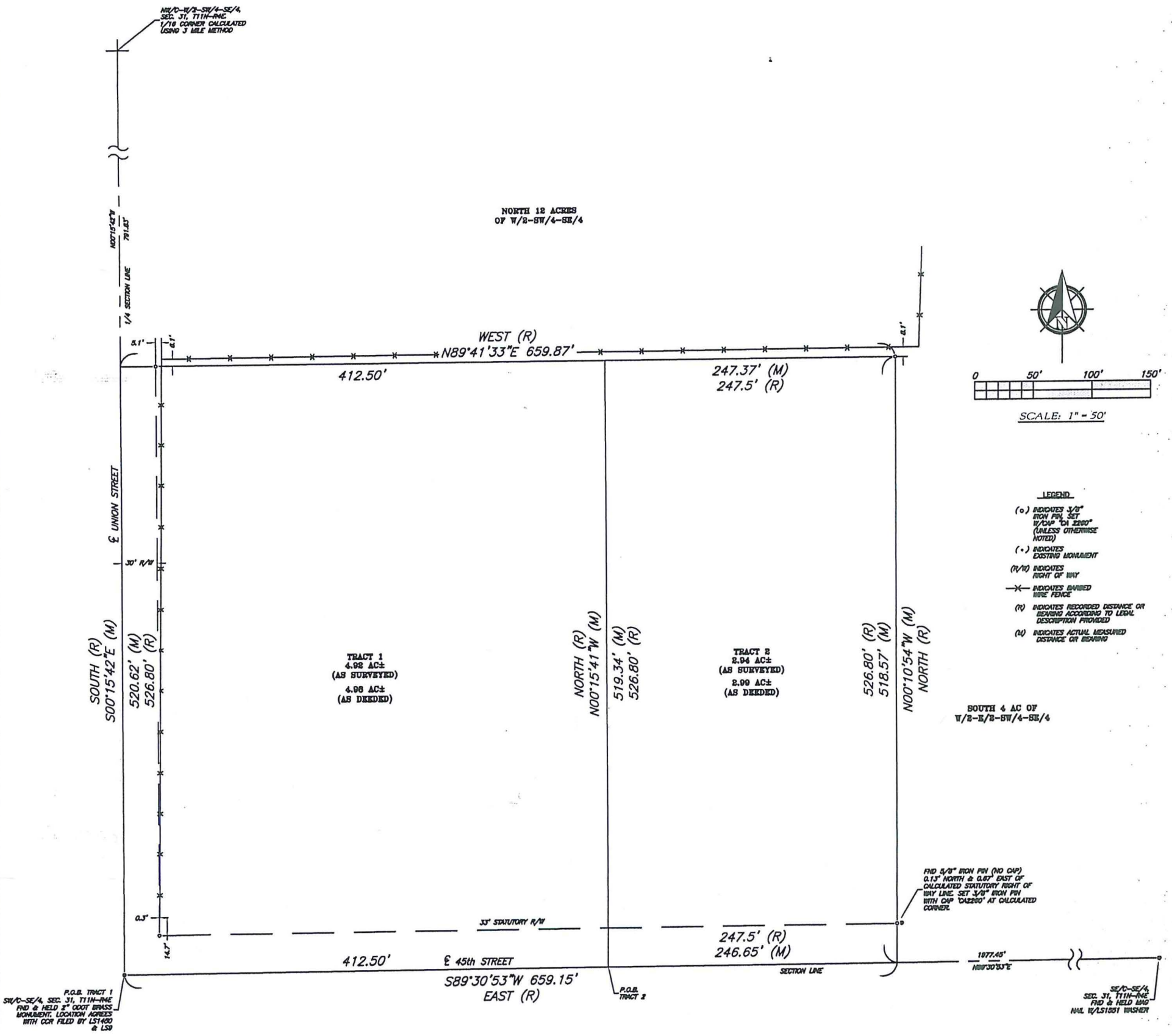
LEGAL DESCRIPTION

PUBLIC COMMENTS

AGENCY COMMENTS

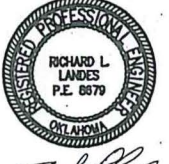
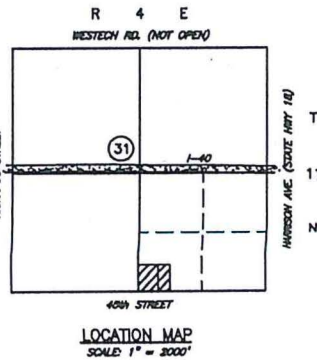
RESPONSE TO STANDARDS

INFORMATIONAL DRAWING
LEGAL DESCRIPTIONS



LEGAL DESCRIPTION:
(TRACT 1)
A TRACT OF LAND DESCRIBED AS BEGINNING AT THE SOUTHWEST CORNER (SW/4) OF THE WEST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER (W/2-SW/4-SE/4) OF SECTION THIRTY-ONE (31), TOWNSHIP ELEVEN (11) NORTH, RANGE FOUR (4) EAST OF THE INDIAN MERIDIAN; THENCE EAST 412.5 FEET; THENCE NORTH 526.80 FEET; THENCE WEST 412.5 FEET; THENCE SOUTH 526.80 FEET TO THE POINT OF BEGINNING.

(TRACT 2)
A TRACT OF LAND IN THE WEST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER (W/2-SW/4-SE/4) OF SECTION THIRTY-ONE (31), TOWNSHIP ELEVEN (11) NORTH, RANGE FOUR (4) EAST OF THE INDIAN MERIDIAN, DESCRIBED AS BEGINNING 412.5 FEET EAST OF THE SOUTHWEST CORNER (SW/4) OF SAID W/2-SW/4-SE/4; THENCE EAST 247.5 FEET; THENCE NORTH 526.80 FEET; THENCE WEST 247.5 FEET; THENCE SOUTH 526.80 FEET TO THE POINT OF BEGINNING, CONTAINING 3 ACRES, MORE OR LESS.



Richard L. Landes P.E. 8879

02/24/2018
Date

LANDES ENGINEERING L.L.C. & ASSOCIATES www.landes-engineering.com 505 EAST 10TH STREET, SUITE 200 TULSA, OK 74103-5555 TEL: 918.585.5555 FAX: 918.585.5555		Mike Adcock SHAWNEE, OKLAHOMA	
DATE DRAFTED: 02/24/2018	DATE OF LAST SITE VISIT: 02/24/2018	DRAWN BY: MTH	CHECKED: STL
		DRAWING NUMBER:	7440-C

February 11, 2019

To whom it may concern:

I Kevin Kalise do hereby give Steve Landes with (Landes Engineering) permission to rezone my Three (3) lots on W 45th Street, Shawnee, Ok. The legals to the properties are attached to this letter.


Respectfully,

Kevin Kalise dba/ Kalise Properties LLC

5ac

201800014414
Filed for Record in
POTTAWATOMIE OKLAHOMA
RAESHEL FLEWALLEN, COUNTY CLERK
12-18-2018 At 03:37 PM.
WARR DEED 171.75



Instrument PG 1 OF 2
201800014414

Return To:
Kalies Properties, LLC
13204 Coked Rd
Shawnee, OK 74804

WARRANTY DEED
(OKLAHOMA STATUTORY FORM)

Doc Stamps: **156.75**

Tax ID#: **0000-31-011-004-0-019-00**

Filed/insured by: First American Title Insurance Company

File No.: **2367077-SH01 (DKB)**

That **Bodard Realty, LLC, an Oklahoma limited liability company**, (the "Grantor"), in consideration of the sum of TEN & NO/100-----Dollars and other valuable considerations, in hand paid, the receipt of which is hereby acknowledged, do(es) hereby, grant, bargain, sell and convey unto **Kalies Properties, LLC, an Oklahoma limited liability company**, (the "Grantee"), the following described real property and premises situated in **Pottawatomie County, State of Oklahoma**, to wit:

SURFACE ONLY:

A tract of land described as beginning at the Southwest Corner of the West Half of the Southwest Quarter of the Southeast Quarter (SW/c W/2 SW/4 SE/4) of Section Thirty-one (31), Township Eleven (11) North, Range Four (4) East of the Indian Meridian, Pottawatomie County, Oklahoma; thence East 412.5 feet; thence North 526.80 feet; thence West 412.5 feet; thence South 526.80 feet to the point of beginning

and

A tract of land in the West Half of the Southwest Quarter of the Southeast Quarter (W/2 SW/4 SE/4) of Section Thirty-one (31), Township Eleven (11) North, Range Four (4) East of the Indian Meridian, Pottawatomie County, Oklahoma, described as beginning 412.5 feet East of the Southwest corner of said W/2 SW/4 SE/4; thence East 247.5 feet; thence North 526.80 feet; thence West 247.5 feet; thence South 526.80 feet to the point of beginning.

4.988
5ac

2.993
3ac

LESS AND EXCEPT ANY AND ALL INTEREST IN AND TO ALL OF THE OIL, GAS, COAL AND OTHER MINERALS AND ALL RIGHTS PERTAINING THERETO.

Property Address: **LAND ONLY, Shawnee, OK 74804**

Together with all the improvements thereon and the appurtenances thereunto belonging, and warrant the title to the same. LESS AND EXCEPT any interest in and to oil, gas, coal, metallic ores and other minerals therein and thereunder previously reserved or conveyed of record and all rights, interests and estates of whatsoever nature incident thereto or arising thereunder, and SUBJECT TO easements, rights of way, restrictive covenants of record.

TO HAVE AND TO HOLD said described premises unto the Grantee, and to the heirs, successors and assigns, forever, free, clear and discharged of and from all former grants, charges, taxes, judgments, mortgages and other liens and encumbrances of whatsoever nature.

First American Title *SH 2367077*

STATE OF OKLAHOMA
Pottawatomie County
Documentary Stamps: \$ 156.75

CORNER
PROPERTY



PLANNING COMMISSION APPLICATION

Planning Department

222 N. Broadway
Shawnee, OK 74801
(405) 878-1616 Fax (405) 878-1587
www.ShawneeOK.org

For Office Use Only	
Case Number:	<u>100-19</u>
Project Number:	<u>190261</u>
Date Filed:	<u>3-6-2019 5-1-2019</u>
_____ Planning Commission Secretary	

REQUEST:

☒ Rezoning
☐ Conditional Use Permit
☐ Rezoning w/Conditional Use Permit
☐ Planned Unit Development

I, the undersigned, do hereby respectfully make application and petition to the City Commission to amend the zoning map, and to change the zoning district of the Shawnee area, from A-1 and C-3 District to C-3 and R-1 District, as hereinafter requested, and in support of this application, the following facts are shown:

PROPERTY LOCATION (STREET ADDRESS): _____

LEGAL DESCRIPTION: See attached legal

PROPERTY OWNER (S): ACTION PHYSICAL THERAPY / ANDY & KATIE LANDES

PROPERTY AGENT (APPLICANT): LANDES ENGINEERING / Stephen Landes

APPLICANT'S ADDRESS: 903 E. 35th St

CITY: Shawnee STATE: OK ZIP: 74801

EMAIL ADDRESS: slandes@landesengineering.net

TELEPHONE NUMBER: (405) 275-5388 CONTACT NUMBER: (405) 432-9396

DIMENSIONS OF PROPERTY: AREA: SEE ATTACHED WIDTH: _____
LENGTH: ATTACHED FRONTAGE: _____

CURRENT ZONING: A-1 and C-3 CURRENT USE: Raw land

PROPOSED ZONING: C-3 and R-1 PROPOSED USE: Commercial & Residential

With the filing of this application, I acknowledge that I have been informed of off-street parking, fencing and paving requirements in regard to the zoning I have requested as witnessed by my signature.

APPLICATION, OFFICIAL OWNERSHIP LIST AND PAYMENT
MUST BE RECEIVED 30 DAYS PRIOR TO MEETING

[Signature]
SIGNATURE OF APPLICANT

FOR STAFF USE ONLY

REZONING &/OR C.U.P FEE \$ 280.00

RECEIPT NO. 02276378

PLANNED UNIT DEVELOPMENT FEE \$ 550.00

SIGN DEPOSIT \$ 50.00

(Refundable if Applicant returns 48 hrs. after City Commission Meeting)

PLANNING COMMISSION ACTION: _____ DATE: _____

CITY COMMISSION ACTION: _____ DATE: _____

PLACE ON ZONING MAP: _____ ORDINANCE NO.: _____

300 FOOT LIST

LEGAL DESCRIPTION: SURFACE ONLY:

A tract of land described as beginning at the Southwest Corner (SW/C) of the West Half of the Southwest Quarter of the Southeast Quarter (W/2 SW/4 SE/4) of Section Thirty-One (31), Township Eleven (11) North, Range Four (4) East of the Indian Meridian; thence East 412.5 feet; thence North 526.80 feet; thence West 412.50 feet; thence South 526.80 feet to the Point of Beginning, all in Pottawatomie County, Oklahoma.

NAMES: Kalies Properties, LLC

Choice Title & Abstracting has reviewed the records of the Office of the County Clerk of Pottawatomie County, and discloses that they find the following record owners to own property within 300 feet of the subject property:

1. Margaret Stone and Donna Parmer
4371 N. Union St., Shawnee, OK, 74801

The North 12 acres of the W/2 SW/4 SE/4 and Beginning at the SW/C of the NW/4 SE/4; thence North 285 feet; thence East 660 feet; thence South 285 feet; thence West 660 feet to the POB Section 31, Township 11 North, Range 4 East, Shawnee, OK

2. Hubert D. Perry and Annebelle M. Perry
306 E. 45th St., Shawnee, OK 74801

The South 4 acres of the W/2 E/2 SW/4 SE/4 Section 31, Township 11 North, Range 4 East, Shawnee, OK

3. Eyedoc Props LLC, Attn: Kyle
100 E. 45th St., Shawnee, OK 74801

A tract beginning at the SE/C of the SW/4 thence West 230.02 feet; thence North 250.02 feet; thence East 230.02 feet; thence 250.02 feet to the Point of Beginning in Section 31, Township 11 North, Range 4 East, Shawnee, OK

4. Ricky L. and Kimberly S. Floyd
800 Truman Baker Drive, Searcy, AR 72143

See attached Exhibit "A"

5. Shawne Mission Plaza LLC
132 W. Main St. Purcell, OK 730810

SW/4 (ALSO KNOWN AS U S GOV LOTS 3 & 4 AND E/2 SW LESS BEG NW/C SW S740' E50' N425.92' E25' NE ALG CURVE TO LEFT A RADIUS OF 791.20'A DIS OF 325.05'N66°E 572.66' TH EASTERLY 1724.98' TH N 10 .57' W2641' POB AND LESS PT LOT 1 BLK 1 BRIARCREEK PHASE I OWNED BY MCDONALDS AND LESS LOT 2 BLK 1 SHAWNEE MISSION PLAZA OWNED BY SHONEY'S LESS COMM AT NE/C U S GOVERNMENT LOT 3 S573.37' TH S87°E 55.72' TO A PT BEING ON THE EASTERLY RW LN FOR KICKAPOO ST SAID PT ALSO BEING 261.16' S2°W OF NW/ C OF LOT 1 BLK 1 BRIAR CREEK PHASE I AND ALSO BEING POB OF A TR DES AS TH S87° E 226.18' TO PT ON EASTERLY RW LN OF KICKAPOO ST TH N ALG SAID EASTERLYRW LN 50 ' POB THIS STRIP OWNED BY MCDONALDS LESS 1.2603 AC TO MIDWEST HERITAGE INN LESS 1.99AC & LESS 8.74AC TO SHAWNEE HOUSING ASSOCI ATES.& LESS .73AC TO MAZZIOS LESS .297 AC TO STATE LESS 2.23 AC TO BLACKBURN PROP LESS 3.57 AC TO SHAWNEE HOUSINGASSOC II LESS 1.31 AC TO RETAIL BUILDINGS INC LESS TR TO BANCFIRST REC#2000-1442 & LESS .22AC 2005-3750 & LESS 2.25AC REC 2006-894 & LESS 1.37AC REC 2006-2294 & LESS .60AC REC 2006-2298 & LESS .53AC PLATTED INTO SHA MISSION PLAZA SEC 6

Section 31, Township 11, North, Range 4 East, Shawnee, OK

6. PC Chapel, LLC
1474 E. 820 North, Orem, UT 84097

BEG SE/C SW W409.75' TO POB W98.09' N50' N29°30' 10"E 240.41' N33°33'49"E 57.10'
N27°11'15"E211.77' N34°41'34"E 227.31' N39° 54'19"E 86.18' N50°05'29" E53.14' N61°38'10"E 20.54'
S138.50' W16.75' S49°24' 56"W 122.17' S22°43'22"W 105.51' S10°50'46"E 106.92' S42°32'23"W 235. 87'
S34°03'35"W 179.12' S50' TO POB. AND BEG SE/C SW 507.84'TO POB W322.55' N50' N17°54' 39"E
508.33' N40°42'27"E 301.16' N30°26'54"E 246.91' E337.41' S178.51' S61°38'10"W20.51' S50°5' 29"W 53.14'
S39°54'19"W 86.18' S34°41'34"W227.31' S27°11'15"W211.77' S33° 33'49"W57.10' S29°30'10"W 240.41' S50'
POB CHAPEL RIDGE APARTMENTS

8. Threep, LLC
201 E. 45th St., Shawnee, OK 74804

Williams 6-10-4 PT Blk 5 Beginning 33 feet South and 30 Feet East of the NW?C NE/4 thence East
376.30 feet; thence South 365.60 feet; thence West 376.30 feet thence North 367.50 feet to the POB
LESS AND EXCEPT IOTS 1-10 & IOTS 21-32 all inclusive in Block 53 Armourdale Addition, Section 6
Township 10 North, Rane 4 East, Shawnee, OK

9. Central Church of Christ
c/o Bob Perry, 1936 N. Union St., Shawnee, OK 74804

Williams East 4 Acres in Block 5 described as beginning 33 fett South & 1002 feet East on the NW/C NE
South 365.5 feet; thence East 478 feet; thence NW 365.5 feet thence West 475 feet POB Section 6
Township 10 North, Range 4 Est, Shanwee, OK

Williams 2 Acres in 6-10-4 Beginning 33 feet South & 763.7 feet East of the NW Corner of the NE Corner
thence South 365.5 feet; thence East 238.3 feet; thence North 356.5 feet; thence West 238.3 feet to the
point of beginning

10. Kalis Properties, LLC
13204 Coker Rd.
Shawnee, OK 74804

North A tract in the W/2 SW SE Beginning 412.5 East of the SW/C W/2 SW SE; thence East 247.5; thence
526.8; thence West 247.5; thence South 526.8 feet to the Point of Beginning, Section Thirty-one (31),
Township Eleven North, Range Four East of the Indian Meridian, Shawnee, Pottawatomie County,
Oklahoma.

AND

A tract of land located in the Southeast Quarter (SE/4) of Section Thirty-one (31), Township Eleven
North (11), Range Four East (4) of the Indian Meridian, Shawnee, Pottawatomie County, Oklahoma
more particularly described as:

Commencing at the Northwest Corner (NW/C) of said SE/4; thence S00°54'43"W along the West line of
said NW/4 SE/4 a distance of 943.22 feet to the Point of Beginning; thence S89°05'17"E a distance of
315.00 feet; thence N89°41'33"E a distance of 1131.44 feet to a point on the West property line of the
A.T.&S.F. Railway Company right-of-way; thence S02°44'42"E along said right of way line a distance of
774.83 feet; thence S89°44'50"W a distance of 166.70 feet to a point on the East line of the Southwest
Quarter (SW/4) of said SE/4; thence S00°06'05"E along said East line a distance of 692.03 feet; thence
S89°30'53"W a distance of 329.58 feet; thence N00°08'29"W a distance of 320.90 feet; thence
S89°30'54"W a distance of 329.95 feet; thence N00°10'54"W a distance of 781.72 feet to a point on the

North Line of said SW/4 SE/4; thence S89°41'53"W along said North line a distance of 0.98 feet; thence N00°54'43"E a distance of 285.00 feet; thence S89°41'33"W a distance of 660.00 feet to a Point on the West line of the Northwest Quarter (NW/4) of said SE/4; thence N00°54'43"E along said West line a distance of 84.00 feet to the Point of Beginning, all in Pottawatomie County, Oklahoma.

11. John A. Barrett Jr
1210 Gordon Cooper Dr., Shawnee, OK 74801

Williams 3 acres in Section 6 Township 20 North, Range 4 East beginning 33 feet South and 406.3 East of the NW/4 NE/4 thence East 357.4 feet; thence South 365.5 feet; thence West 357.4 feet; thence North 365.5 feet to the Point of Beginning in Block 5

This check covers the 300 feet of the surrounding property associated with the subject property

We have prepared the above summary of our records with the same measure of care used in the preparation of abstracts, however this is the only summary of the instruments on file and of record and is not intended to express or imply an opinion as to the legal effect of those instruments or status of title. We assume no liability in connection with this written interim record check beyond that of due care. Any party using this report as the basis of a real estate transaction does so at their own risk.

CHOICE TITLE & ABSTRACTING



Pamela L. Atyia
OAB # 4644

Order No.: 9063

City of Shawnee OK
405-878-1616

REC#: 02276378 3/25/2019 10:35 AM
OPER: KG TERM: 020
REF#: 10031
PAID BY:

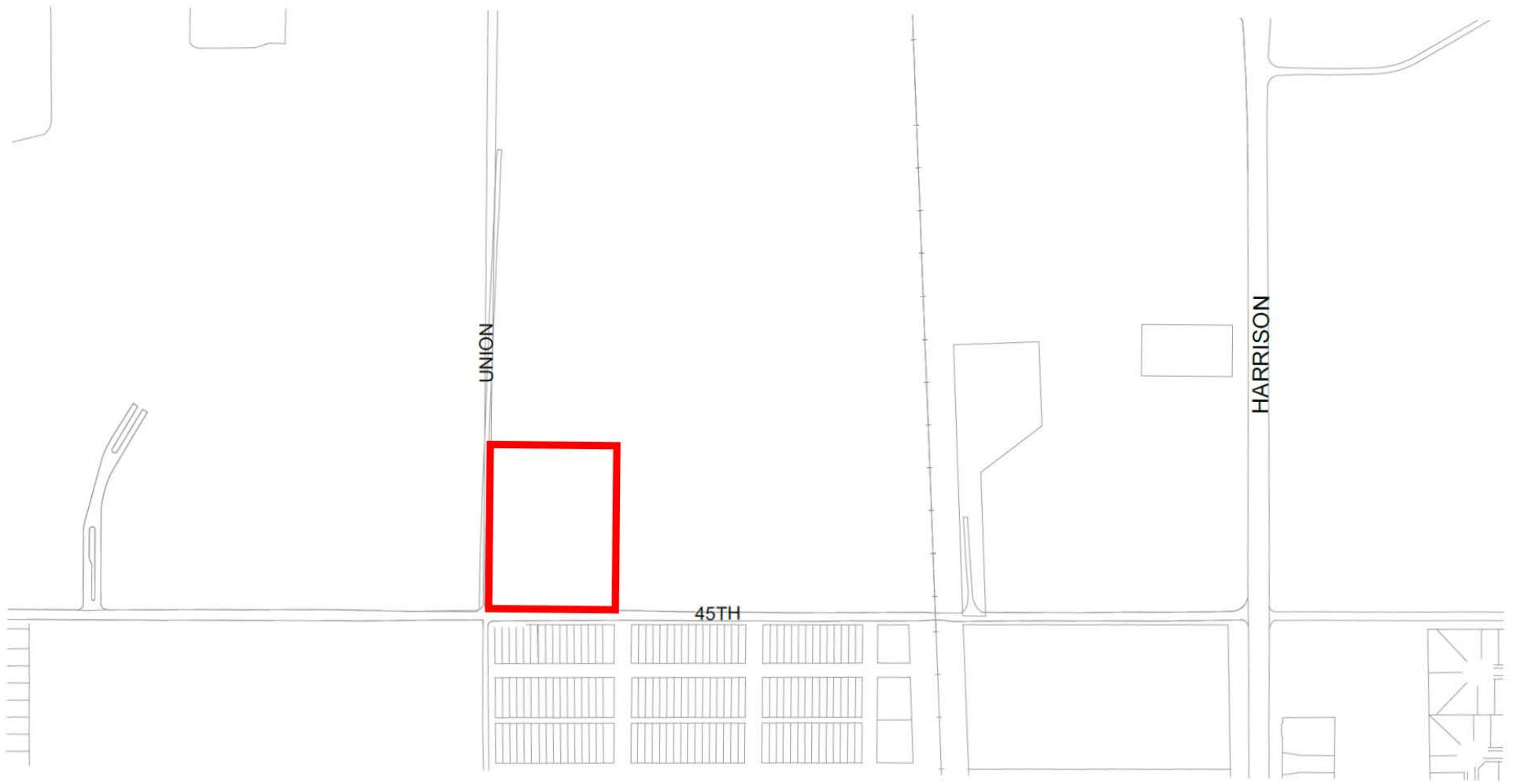
TRAN: 401.0000 BUILDING PERMIT
190261 280.00CR
LANDES ENGINEERING
NONE
Z-REZONING 280.00CR

TRAN: 401.0000 BUILDING PERMIT
190262 366.00CR
LANDES ENGINEERING
NONE
X-PLATREV 366.00CR

TENDERED: 646.00 CHECK
APPLIED: 646.00-

CHANGE: 0.00

Visit www.ShawneeOK.org
For More Information



CASE #P02-19

Notice is hereby given that the City of Shawnee, Oklahoma, will conduct a public hearing on a proposed rezone of property located within the City of Shawnee.

The property requesting rezoning is described as follows:

A tract of land described as beginning at the southwest corner (SW/C) of the west half of the southwest quarter of the southeast quarter (W/2-SW/4-SE/4) of Section thirty-one (31), Township eleven (11) north, Range four (4) east of the Indian Meridian; thence east 412.5 feet; thence north 526.80 feet; thence west 412.5 feet; thence south 526.80 feet to the point of beginning;

General Location Known As: NE Corner of North Union & East 45th

Current Zoning Classification: A-1; Rural Agricultural

Requested Zoning Classification:

C-3; Highway Commercial

Proposed Use of Property: Commercial

Applicant: Stephen Landes

Affidavit of Publication

The Shawnee News-Star

215 N. Bell

Shawnee OK 74801

(405) 273-4200

State of Oklahoma
County of Pottawatomie

I, Wanda Westerman, of lawful age, being duly sworn upon oath, deposes and says that I am the Legal Advertising Account Executive of The Shawnee News-Star, a Daily publication that is a "legal newspaper" as that phrase is defined in 25 O.S. §106 for the City of Shawnee, for the County of Pottawatomie, in the State of Oklahoma, and that the attachment hereto contains a true and correct copy of what was actually published in said legal newspaper in consecutive issues on the following date(s):

Insertion Date(s): May 5th, 2019

Publishing Fee: \$99.10

Wanda Westerman

Wanda Westerman, Account Executive

The "Zoning Map of the City of Shawnee, Oklahoma" will be amended accordingly to reflect such change if approved by the City Commission.

The public hearing will be held in the City Commission Chambers in City Hall, 16 W. 9th St. Shawnee, Oklahoma, as follows:

May 22nd, 2019 AT 1:30 P.M.:

CITY OF SHAWNEE PLANNING COMMISSION

June 3rd, 2019 AT 6:00 P.M.:

CITY OF SHAWNEE CITY COMMISSION

At this time any interested citizen of Shawnee, Oklahoma will have the opportunity to appear and be heard with regard to the rezone. The Commission reserves the right to limit discussion and debate on the proposed rezone in the public hearing, in which event those persons appearing in support or opposition of the proposed rezone will be allotted equal time. Any formal protest must be filed in writing with the City Clerk during normal working hours before 5:00 p.m. a minimum of three (3) days prior to the hearing. If there are any questions about the proposal, or you need additional information prior to the public hearing, please contact the Planning Department at 405-878-1616. A copy of the application is available for public inspection during normal working hours in the Planning Secretary's office at 222 N. Broadway.

Witness my hand this 2nd day of May, 2019.

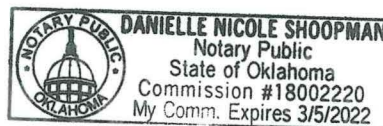
Lisa Lasyone, City Clerk

Published in the Shawnee News-Star

Signed and sworn to before me this 6th day of May, 2019.

Danielle Shoopman

Danielle Shoopman, Notary Public
My Commission Expires: March 5th, 2022
Commission No18002220



ORDINANCE NO. _____NS

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 THE SOUTHWEST CORNER (SW/C) OF THE WEST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER (W/2-SW/4-SE/4) OF SECTION THIRTY-ONE (31), TOWNSHIP ELEVEN (11) NORTH, RANGE FOUR (4) EAST OF THE INDIAN MERIDIAN; THENCE EAST 412.5 FEET; THENCE NORTH 526.80 FEET; THENCE WEST 412.5 FEET; THENCE SOUTH 526.80 FEET TO THE POINT OF BEGINNING FROM ZONING CLASSIFICATION, A-1; RURAL AGRICULTURAL TO C-3; HIGHWAY COMMERCIAL AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SHAWNEE ACCORDINGLY.

WHEREAS, pursuant to notice duly given as required by law, a public hearing conducted by the Board of Commissioners of the City of Shawnee, Oklahoma on the 3rd day of June, 2019, upon an application to rezone certain properties located in the City of Shawnee, Oklahoma, from zoning classification A-1; Rural Agricultural to C-3; Highway Commercial.

WHEREAS, the Planning Commission of the City of Shawnee has conducted one or more public hearings on said application pursuant to notice as required by law and has submitted its final report and recommendation upon said application to the Board of Commissioners; and,

WHEREAS, it appears to be in the best interest of the City of Shawnee and the inhabitants thereof for said properties to be rezoned to C-3; Highway Commercial.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF SHAWNEE, OKLAHOMA:

SECTION 1: That the following described property located in the City of Shawnee, Oklahoma, to-wit: A TRACT OF LAND DESCRIBED AS BEGINNING AT THE SOUTHWEST CORNER (SW/C) OF THE WEST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER (W/2-SW/4-SE/4) OF SECTION THIRTY-ONE (31), TOWNSHIP ELEVEN (11) NORTH, RANGE FOUR (4) EAST OF THE INDIAN MERIDIAN; THENCE EAST 412.5 FEET; THENCE NORTH 526.80 FEET; THENCE WEST 412.5 FEET; THENCE SOUTH 526.80 FEET TO THE POINT OF BEGINNING FROM ZONING CLASSIFICATION A-1; RURAL AGRICULTURAL TO C-3; HIGHWAY COMMERCIAL AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SHAWNEE ACCORDINGLY.

PASSED AND APPROVED this 3rd day of June, 2019.

RICHARD FINLEY, MAYOR

(SEAL)
ATTEST:

LISA LASYONE, CMC, CITY CLERK

Approved as to form and legality this 3rd day of June, 2019.

JOSEPH M. VORNDRAN,
CITY ATTORNEY

Regular Board of Commissioners

8.

Meeting Date: 06/03/2019

P05-19 Union and 45th

Submitted By: Kacie Eck, City Clerk

Department: City Clerk

Information

Title of Item for Agenda

Public hearing and consideration of an ordinance to rezone property located east of North Union Avenue, north of East 45th Street, and west of North Harrison Avenue from A-1 (Rural Agricultural) to C-3 (Highway Commercial) for the purposed purpose of a commercial development. Case No. P05-19, Applicant: Stephen Landes.

Attachments

Staff Rpt

Ordinance

RECOMMENDATION TO:

MAYOR
BOARD OF CITY COMMISSIONERS
CITY OF SHAWNEE
CITY OF SHAWNEE
PLANNING COMMISSION

RECOMMENDATION FROM:

SUBJECT:

APPLICANT: Landes Engineering
FOR: Rezone
LOCATION: East of Union, North of 45th, Shawnee, OK
PROJECT#: 190362 Case# P05-19

LEGAL DESCRIPTION:

A tract of land in the west half of the southwest quarter of the southeast quarter (W/2-SW/4-SE/4) of Section thirty-one (31), Township eleven (11) north, Range four (4) east of the Indian Meridian, described as beginning 412.5 feet east of the southwest corner (SW/C) of said W/2-SW/4-SE/4; thence east 247.5 feet; thence north 526.80 feet; thence west 247.5 feet; thence south 526.80 feet to the point of beginning, containing 3 acres, more or less.

CURRENT CLASSIFICATION: A-1; Rural Agricultural
REQUESTED CLASSIFICATION: C-3; Highway Commercial
PROPOSED PROPERTY USE: Commercial

PLANNING COMMISSION MEETING DATE: May 22nd, 2019

PLANNING COMMISSION RECOMMENDATION: Motion to approve:

VOTE OF THE PLANNING COMMISSION: *MEMBERS PRESENT:* 6

MEMBERS:	1ST	2ND	AYE	NAY	ABSTAIN	COMMENTS
DEEM			X			
MATTHEWS		X	X			
WALKER						ABSENT
BERGSTEN (CHAIRMAN)			X			
COWEN (VICE-CHAIRMAN)	X		X			
KIENZLE			X			
ROWELL			X			

RESPECTFULLY SUBMITTED,

Joseph Barker

SECRETARY, PLANNING COMMISSION

ACTION BY CITY COMMISSION:

PUBLIC HEARING SET: _____

DATE OF ACTION: _____

ADOPTED _____ DENIED _____

ORDINANCE NO. _____

City of Shawnee Planning Department 222. N. Broadway Shawnee, OK 74801 (405) 878-1616 Fax: (405) 878-1587 www.ShawneeOK.org			CASE # P05-19 PUBLIC HEARING DATE: May 22nd, 2019 CITY COMMISSION DATE: June 3rd, 2019	
APPLICANT: Landes Engineering		903 East 35th Street Shawnee, Oklahoma, 74804		slandes@landesengineering.net
PROPERTY ADDRESS/LOCATION: East of Union & North of East 45th				
The applicant, Landes Engineering, is requesting a rezone from A-1 to C-3 east of Union and North of East 45th. The stated use is for a commercial development.				
EXISTING ZONING: A-1	EXISTING LAND USE: Vacant	SURROUNDING ZONING & LAND USE: A-1 (Rural Agricultural) C-3 (Highway Commercial)	SUBDIVISION: Unplatted	PROPERTY SIZE: 2.94 acres

STAFF RECOMMENDATION

The applicant has stated they intend to use the lot for commercial development. The specific use was not stated. According to the submitted survey, the subject site is 2.94 acres in size and abuts the Armourdale Addition. Adjacent properties are zoned A-1 (Rural Agricultural District), and C-3 (Highway Commercial District). Therefore, the proposed zoning is consistent with the typical use of this area. Also, the request is in conformance with the Comprehensive Plan's Residential/Commercial designation for this area.

The rezone is required to conform to Section 22-165.2 of the Zoning Code, "Uses [in commercial districts]," which assures that the C-3 zoning district is used for establishments offering accommodations, supplies or services to motorists, and for certain specialized uses such as retail outlets, extensive commercial amusement and service, establishments. The rezone is also required to conform to Section 22.165.4 of the Zoning Code, "Dimensional Standards [in commercial districts]." If rezoned to C-3, it would conform to these standards.

The subject request is in conformance with the City Zoning Code and Comprehensive Plan; therefore, Staff hereby recommends approval on the requested rezone from A-1 (Rural Agricultural) to C-3 (Highway Commercial).

APPROVE

APPROVE WITH CONDITIONS

DENY

**ATTACHMENTS:
(CIRCLE)**

**SUBMITTED
PLANS**

**PUBLIC HEARING
PETITION/
APPLICATION FORM**

LEGAL NOTICE

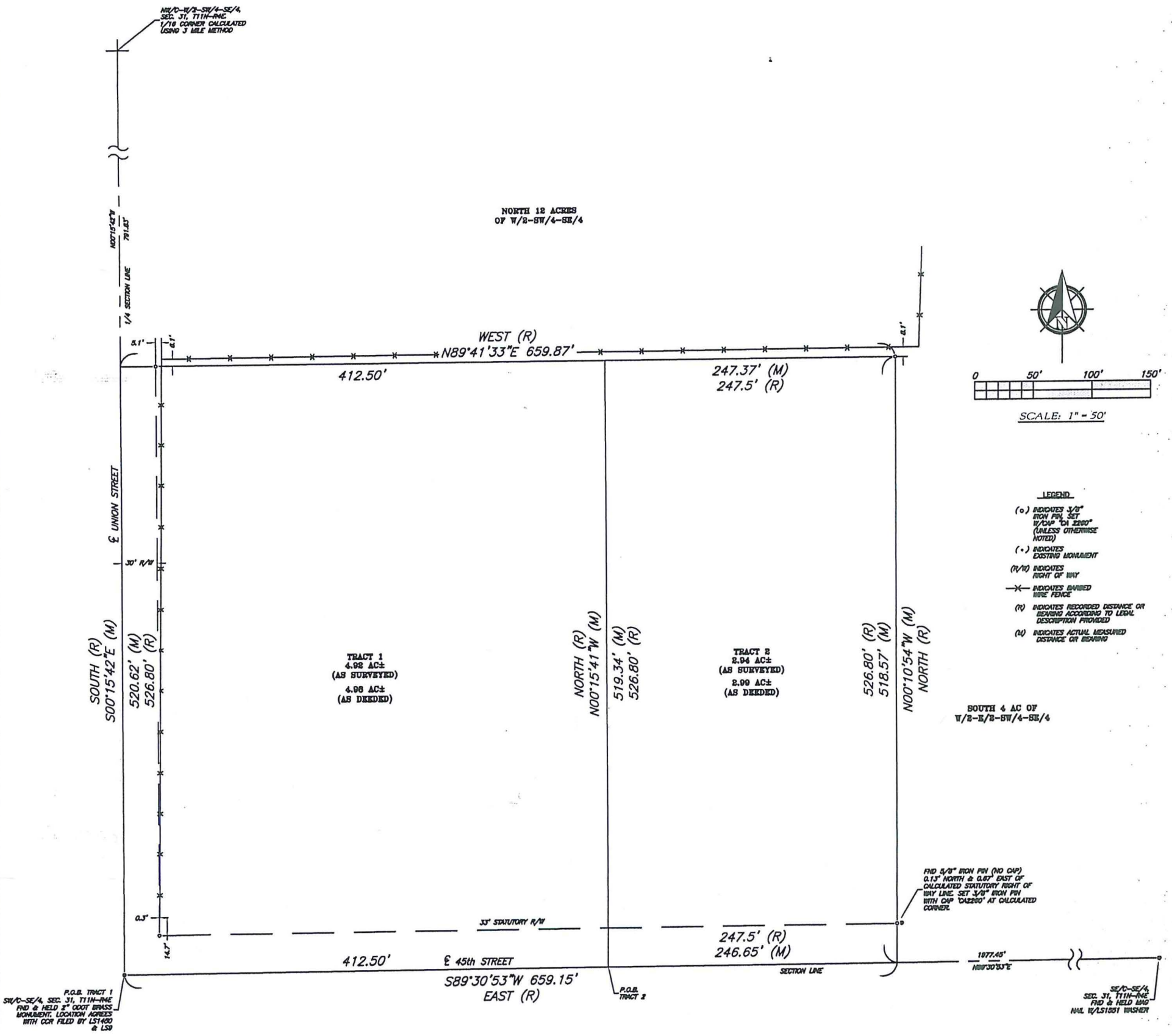
LEGAL DESCRIPTION

PUBLIC COMMENTS

AGENCY COMMENTS

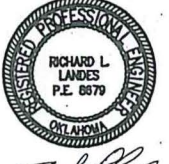
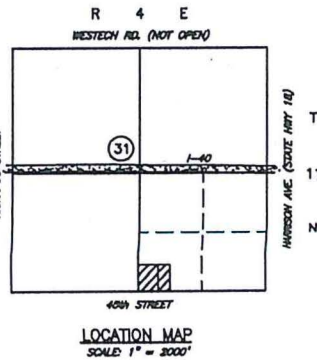
RESPONSE TO STANDARDS

INFORMATIONAL DRAWING
LEGAL DESCRIPTIONS



LEGAL DESCRIPTION:
(TRACT 1)
A TRACT OF LAND DESCRIBED AS BEGINNING AT THE SOUTHWEST CORNER (SW/4) OF THE WEST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER (W/2-SW/4-SE/4) OF SECTION THIRTY-ONE (31), TOWNSHIP ELEVEN (11) NORTH, RANGE FOUR (4) EAST OF THE INDIAN MERIDIAN; THENCE EAST 412.5 FEET; THENCE NORTH 526.80 FEET; THENCE WEST 412.5 FEET; THENCE SOUTH 526.80 FEET TO THE POINT OF BEGINNING.

(TRACT 2)
A TRACT OF LAND IN THE WEST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER (W/2-SW/4-SE/4) OF SECTION THIRTY-ONE (31), TOWNSHIP ELEVEN (11) NORTH, RANGE FOUR (4) EAST OF THE INDIAN MERIDIAN, DESCRIBED AS BEGINNING 412.5 FEET EAST OF THE SOUTHWEST CORNER (SW/4) OF SAID W/2-SW/4-SE/4; THENCE EAST 247.5 FEET; THENCE NORTH 526.80 FEET; THENCE WEST 247.5 FEET; THENCE SOUTH 526.80 FEET TO THE POINT OF BEGINNING, CONTAINING 3 ACRES, MORE OR LESS.



Richard L. Landes P.E. 8879

08/24/2018
Date

LANDES ENGINEERING L.L.C. & ASSOCIATES		Mike Adcock	
305 EAST 10TH STREET, SUITE 200 TULSA, OKLAHOMA 74103-1000		SHAWNEE, OKLAHOMA	
DATE DRAFTED: 08/24/2018	DATE OF LAST SITE VISIT: 08/24/2018	DRAWN BY: MTH	CHECKED: STL
		DRAWING NUMBER:	7440-C

February 11, 2019

To whom it may concern:

I Kevin Kalise do hereby give Steve Landes with (Landes Engineering) permission to rezone my Three (3) lots on W 45th Street, Shawnee, Ok. The legals to the properties are attached to this letter.



Respectfully,

Kevin Kalise dba/ Kalise Properties LLC

201800014412
Filed for Record in
POTTAWATOMIE OKLAHOMA
RAESHEL FLEWALLEN, COUNTY CLERK
12-18-2018 At 03:33 pm.
WARR DEED 515.25

Instrument 201800014412 PG 1 OF 2

Return To:
Kalies Properties, LLC
13204 Coker Rd
Shawnee, OK 74804



WARRANTY DEED
(OKLAHOMA STATUTORY FORM)

Doc Stamps: **500.25**
Filed/insured by: First American Title Insurance Company
File No.: **2367095-SH01 (DKB)**

Tax ID#: **tbd**

That **Bodard Realty, LLC, an Oklahoma limited liability company**, (the "Grantor"), in consideration of the sum of TEN & NO/100-----Dollars and other valuable considerations, in hand paid, the receipt of which is hereby acknowledged, do(es) hereby, grant, bargain, sell and convey unto **Kalies Properties, LLC, an Oklahoma limited liability company**, (the "Grantee"), the following described real property and premises situated in **Pottawatomie County, State of Oklahoma**, to wit:

SURFACE ONLY:

A tract of land located in the Southeast Quarter (SE/4) of Section Twenty-one (21), Township Eleven (11) North, Range Four (4) East of the Indian Meridian, Pottawatomie County, Oklahoma, more particularly described as Commencing at the Northwest Corner of said SE/4; thence S00°54'43"W along the West line of said NW/4 SE/4 a distance of 943.22 feet to the point of beginning; thence S89°05'17"E a distance of 315.00 feet; thence N89°41'33"E a distance of 1131.44 feet to a point on the West property line of the A.T.&S.F. Railway Company right-of-way; thence S02°44'42"E along said right-of-way line a distance of 774.83 feet; thence S89°44'50"W a distance of 166.70 feet to a point on the East line of the Southwest Quarter of said SE/4; thence S00°06'05"E along said East line a distance of 896.60 feet to a point on the South line of said SW/4 SE/4; thence S89°30'53"W along said South line a distance of 329.58 feet; thence N00°08'29"W a distance of 528.68 feet; thence S89°30'54"W a distance of 329.95 feet; thence N00°10'54"W a distance of 781.72 feet to a point on the North line of said SW/4 SE/4; thence S89°41'33"W along said North line a distance of 0.98 feet; thence N00°54'43"E a distance of 285.00 feet; thence S89°41'33"W a distance of 660.00 feet to a point on the West line of the Northwest Quarter of said SE/4; thence N00°54'43"E along said West line a distance of 84.00 feet to the point of beginning.

LESS AND EXCEPT ANY AND ALL INTEREST IN AND TO ALL OF THE OIL, GAS, COAL AND OTHER MINERALS AND ALL RIGHTS PERTAINING THERETO.

Property Address: **LAND ONLY, Shawnee, OK 74804**

Together with all the improvements thereon and the appurtenances thereunto belonging, and warrant the title to the same. LESS AND EXCEPT any interest in and to oil, gas, coal, metallic ores and other minerals therein and thereunder previously reserved or conveyed of record and all rights, interests and estates of whatsoever nature incident thereto or arising thereunder, and SUBJECT TO easements, rights of way, restrictive covenants of record.

TO HAVE AND TO HOLD said described premises unto the Grantee, and to the heirs, successors and assigns, forever, free, clear and discharged of and from all former grants, charges, taxes, judgments, mortgages and other liens and encumbrances of whatsoever nature.

First American Title SH 2367095

STATE OF OKLAHOMA
Pottawatomie County
Documentary Stamps: \$ **500.25**

Signed and delivered this **December 17, 2018**.

Bodard Realty, LLC, an Oklahoma limited liability company

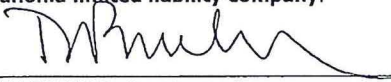
By: 
Name: D. Wesley Schubert
Title: Manager

By: 
Name: J. Michael Adcock
Title: Manager

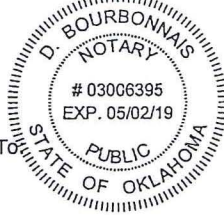
ACKNOWLEDGMENT - OKLAHOMA FORM

STATE OF **OKLAHOMA** }
COUNTY OF **POTTAWATOMIE** } ss.

This instrument was acknowledged before me on **December 17, 2018**, by **D. Wesley Schubert**, as **Manager of Bodard Realty, LLC** an **Oklahoma limited liability company**, and **J. Michael Adcock**, as **Manager**


NOTARY PUBLIC **D. Bourbonnais**
My Commission Expires: **5/2/2019**

Mail Tax Statements To



CORNER
PROPERTY



PLANNING COMMISSION APPLICATION

Planning Department

222 N. Broadway
Shawnee, OK 74801
(405) 878-1616 Fax (405) 878-1587
www.ShawneeOK.org

For Office Use Only	
Case Number:	<u>P05-19</u>
Project Number:	<u>190362</u>
Date Filed:	<u>4-5-1-2019</u>
_____ Planning Commission Secretary	

REQUEST:

☒ Rezoning
☐ Conditional Use Permit
☐ Rezoning w/Conditional Use Permit
☐ Planned Unit Development

I, the undersigned, do hereby respectfully make application and petition to the City Commission to amend the zoning map, and to change the zoning district of the Shawnee area, from A-1 and C-3 District to C-3 and R-1 District, as hereinafter requested, and in support of this application, the following facts are shown:

PROPERTY LOCATION (STREET ADDRESS): _____

LEGAL DESCRIPTION: See attached legals

PROPERTY OWNER (S): ACTION PHYSICAL THERAPY / ANDY & KATIE LANDES

PROPERTY AGENT (APPLICANT): LANDES ENGINEERING / Stephen Landes

APPLICANT'S ADDRESS: 903 E. 35th St

CITY: Shawnee STATE: OK ZIP: 74804

EMAIL ADDRESS: slandes@landesengineering.net

TELEPHONE NUMBER: (405) 275-5388 CONTACT NUMBER: (405) 432-9396

DIMENSIONS OF PROPERTY: AREA: SEE ATTACHED WIDTH: _____

LENGTH: ATTACHED FRONTAGE: _____

CURRENT ZONING: A-1 and C-3 CURRENT USE: Raw land

PROPOSED ZONING: C-3 and R-1 PROPOSED USE: Commercial & Residential

With the filing of this application, I acknowledge that I have been informed of off-street parking, fencing and paving requirements in regard to the zoning I have requested as witnessed by my signature.

APPLICATION, OFFICIAL OWNERSHIP LIST AND PAYMENT
MUST BE RECEIVED 30 DAYS PRIOR TO MEETING

[Signature]
SIGNATURE OF APPLICANT

FOR STAFF USE ONLY

REZONING &/OR C.U.P FEE \$ 280.00

RECEIPT NO. 02289617

PLANNED UNIT DEVELOPMENT FEE \$ 550.00

SIGN DEPOSIT \$ 50.00

(Refundable if Applicant returns 48 hrs. after City Commission Meeting)

PLANNING COMMISSION ACTION: _____ DATE: _____

CITY COMMISSION ACTION: _____ DATE: _____

PLACE ON ZONING MAP: _____ ORDINANCE NO.: _____

300 FOOT LIST

LEGAL DESCRIPTION:

SURFACE ONLY:

A tract of land in the West Half of the Southwest Quarter of the Southeast Quarter (W/2 SW/4 SE/4) of Section Thirty-One (31), Township Eleven (11) North, Range Four (4) East of the Indian Meridian, described as beginning 412.5 feet East of the Southwest Corner (SW/C) of said (W/2 SW/4 SE/4); thence East 247.5 feet; thence North 526.80 feet; thence West 247.5 feet; thence South 526.80 feet to the Point of Beginning, all in Pottawatomie County, Oklahoma.

NAMES: Kalies Properties, LLC

Choice Title & Abstracting has reviewed the records of the Office of the County Clerk of County, and discloses that they find the following record owners to own property within 300 feet of the subject property:

1. Margaret Stone and Donna Parmer
4371 N. Union St., Shawnee, OK, 74801

The North 12 acres of the W/2 SW/4 SE/4 and Beginning at the SW/C of the NW/4 SE/4; thence North 285 feet; thence East 660 feet; thence South 285 feet; thence West 660 feet to the POB Section 31, Township 11 North, Range 4 East, Shawnee, OK

2. Hubert D. Perry and Annebelle M. Perry
306 E. 45th St., Shawnee, OK 74801

The South 4 acres of the W/2 E/2 SW/4 SE/4 Section 31, Township 11 North, Range 4 East, Shawnee, OK

4. Ricky L. and Kimberly S. Floyd
800 Truman Baker Drive, Searcy, AR 72143

See attached Exhibit "A"

5. Threep, LLC
201 E. 45th St., Shawnee, OK 74804

Williams 6-10-4 PT Blk 5 Beginning 33 feet South and 30 Feet East of the NW?C NE/4 thence East 376.30 feet; thence South 365.60 feet; thence West 376.30 feet thence North 367.50 feet to the POB LESS AND EXCEPT IOTS 1-10 & IOTS 21-32 all inclusive in Block 53 Armourdale Addition, Section 6 Township 10 North, Range 4 East, Shawnee, OK

6. Central Church of Christ
c/o Bob Perry, 1936 N. Union St., Shawnee, OK 74804

Williams East 4 Acres in Block 5 described as beginning 33 feet South & 1002 feet East on the NW/C NE South 365.5 feet; thence East 478 feet; thence NW 365.5 feet thence West 475 feet POB Section 6 Township 10 North, Range 4 East, Shawnee, OK

Williams 2 Acres in 6-10-4 Beginning 33 feet South & 763.7 feet East of the NW Corner of the NE Corner thence South 365.5 feet; thence East 238.3 feet; thence North 356.5 feet; thence West 238.3 feet to the point of beginning

7. Kalis Properties, LLC
13204 Coker Rd.
Shawnee, OK 74804

A tract of land located in the Southeast Quarter (SE/4) of Section Thirty-one (31), Township Eleven North (11), Range Four East (4) of the Indian Meridian, Shawnee, Pottawatomie County, Oklahoma more particularly described as:

Commencing at the Northwest Corner (NW/C) of said SE/4; thence S00°54'43"W along the West line of said NW/4 SE/4 a distance of 943.22 feet to the Point of Beginning; thence S89°05'17"E a distance of 315.00 feet; thence N89°41'33"E a distance of 1131.44 feet to a point on the West property line of the A.T.&S.F. Railway Company right-of-way; thence S02°44'42"E along said right of way line a distance of 774.83 feet; thence S89°44'50"W a distance of 166.70 feet to a point on the East line of the Southwest Quarter (SW/4) of said SE/4; thence S00°06'05"E along said East line a distance of 692.03 feet; thence S89°30'53"W a distance of 329.58 feet; thence N00°08'29"W a distance of 320.90 feet; thence S89°30'54"W a distance of 329.95 feet; thence N00°10'54"W a distance of 781.72 feet to a point on the North Line of said SW/4 SE/4; thence S89°41'53"W along said North line a distance of 0.98 feet; thence N00°54'43"E a distance of 285.00 feet; thence S89°41'33"W a distance of 660.00 feet to a Point on the West line of the Northwest Quarter (NW/4) of said SE/4; thence N00°54'43"E along said West line a distance of 84.00 feet to the Point of Beginning, all in Pottawatomie County, Oklahoma.

8. John A. Barrett Jr
1210 Gordon Cooper Dr., Shawnee, OK 74801

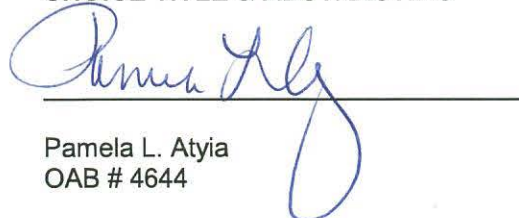
Williams 3 acres in Section 6 Township 20 North, Range 4 East beginning 33 feet South and 406.3 East of the NW/C NE/4 thence East 357.4 feet; thence South 365.5 feet; thence West 357.4 feet; thence North 365.5 feet to the Point of Beginning in Block 5

This check covers the 300 feet of the surrounding property associated with the subject property.

We have prepared the above summary of our records with the same measure of care used in the preparation of abstracts, however this is the only summary of the instruments on file and of record and is not intended to express or imply an opinion as to the legal effect of those instruments or status of title. We assume no liability in connection with this written interim record check beyond that of due care. Any party using this report as the basis of a real estate transaction does so at their own risk.

Order No.: 9063

CHOICE TITLE & ABSTRACTING


Pamela L. Atyia
OAB # 4644

City of Shawnee OK
405-878-1616

REC#: 02289617 5/03/2019 2:59 PM
OPER: KG TERM: 020
REF#: 8162
PAID BY:

TRAN: 401.0000 BUILDING PERMIT
190362 280.00CR
LANDES ENGINEERING
NONE
Z-REZONING 280.00CR

TENDERED: 280.00 CHECK
APPLIED: 280.00-

CHANGE: 0.00

Visit www.ShawneeOK.org
For More Information



CITY OF SHAWNEE
PUBLIC HEARING NOTICE

CASE #P05-19

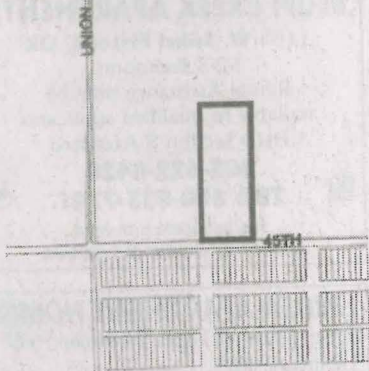
Notice is hereby given that the City of Shawnee, Oklahoma, will conduct a public hearing on a proposed rezone of property located within the City of Shawnee.

The property requesting rezoning is described as follows:

A tract of land in the west half of the southwest quarter of the southeast quarter (W/2-SW/4-SE/4) of Section thirty-one (31), Township eleven (11) north, Range four (4) east of the Indian Meridian, described as beginning 412.5 feet east of the southwest corner (SW/C) of said W/2-SW/4-SE/4; thence east 247.5 feet; thence north 526.80 feet; thence west 247.5 feet; thence south 526.80 feet to the point of beginning, containing 3 acres, more or less.

General Location Known As: East of North Union, North of East 45th, & West of North Harrison
Current Zoning Classification: A-1; Rural Agricultural
Requested Zoning Classification: C-3; Highway Commercial
Proposed Use of Property: Commercial
Applicant: Stephen Landes

The "Zoning Map of the City of Shawnee, Oklahoma" will be amended accordingly to reflect such change if approved by the City Commission.



The public hearing will be held in the City Commission Chambers in City Hall, 16 W. 9th St. Shawnee, Oklahoma, as follows:

May 22nd, 2019 AT 1:30 P.M.:
CITY OF SHAWNEE PLANNING COMMISSION
June 3rd, 2019 AT 6:00 P.M.: CITY OF SHAWNEE CITY COMMISSION

At this time any interested citizen of Shawnee, Oklahoma will have the opportunity to appear and be heard with regard to the rezone. The Commission reserves the right to limit discussion and debate on the proposed rezone in the public hearing, in which event those persons appearing in support or opposition of the proposed rezone will be allotted equal time. Any formal protest must be filed in writing with the City Clerk during normal working hours before 5:00 p.m. a minimum of three (3) days prior to the hearing. If there are any questions about the proposal, or you need additional information prior to the public hearing, please contact the Planning Department at 405-878-1616. A copy of the application is available for public inspection during normal working hours in the Planning Department at 222 N. Broad.

Affidavit of Publication

The Shawnee News-Star
215 N. Bell
Shawnee OK 74801
(405) 273-4200

State of Oklahoma
County of Pottawatomie

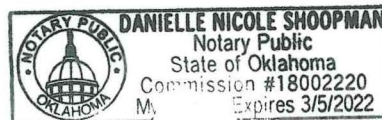
I, Wanda Westerman, of lawful age, being duly sworn upon oath, deposes and says that I am the Legal Advertising Account Executive of The Shawnee News-Star, a Daily publication that is a "legal newspaper" as that phrase is defined in 25 O.S. §106 for the City of Shawnee, for the County of Pottawatomie, in the State of Oklahoma, and that the attachment hereto contains a true and correct copy of what was actually published in said legal newspaper in consecutive issues on the following date(s):

Insertion Date(s): May 5th, 2019
Publishing Fee: \$99.65

Wanda Westerman, Account Executive

Signed and sworn to before me this 6th day of May, 2019.

Danielle Shoopman, Notary Public
My Commission Expires: March 5th, 2022
Commission No 18002220



ORDINANCE NO. _____NS

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 IN THE WEST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER (W/2-SW/4-SE/4) OF SECTION THIRTY-ONE (31), TOWNSHIP ELEVEN (11) NORTH, RANGE FOUR (4) EAST OF THE INDIAN MERIDIAN, DESCRIBED AS BEGINNING 412.5 FEET EAST OF THE SOUTHWEST CORNER (SW/C) OF SAID W/2-SW/4-SE/4; THENCE EAST 247.5 FEET; THENCE NORTH 526.80 FEET; THENCE WEST 247.5 FEET; THENCE SOUTH 526.80 FEET TO THE POINT OF BEGINNING, CONTAINING 3 ACRES, MORE OR LESS; FROM ZONING CLASSIFICATION A-1; RURAL AGRICULTURAL TO C-3; HIGHWAY COMMERCIAL AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SHAWNEE ACCORDINGLY.

WHEREAS, pursuant to notice duly given as required by law, a public hearing conducted by the Board of Commissioners of the City of Shawnee, Oklahoma on the 3rd day of June, 2019, upon an application to rezone certain properties located in the City of Shawnee, Oklahoma, from zoning classification A-1; Rural Agricultural to C-3; Highway Commercial.

WHEREAS, the Planning Commission of the City of Shawnee has conducted one or more public hearings on said application pursuant to notice as required by law and has submitted its final report and recommendation upon said application to the Board of Commissioners; and,

WHEREAS, it appears to be in the best interest of the City of Shawnee and the inhabitants thereof for said properties to be rezoned to C-3; Highway Commercial.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF SHAWNEE, OKLAHOMA:

SECTION 1: That the following described property located in the City of Shawnee, Oklahoma, to-wit: A TRACT OF LAND IN THE WEST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER (W/2-SW/4-SE/4) OF SECTION THIRTY-ONE (31), TOWNSHIP ELEVEN (11) NORTH, RANGE FOUR (4) EAST OF THE INDIAN MERIDIAN, DESCRIBED AS BEGINNING 412.5 FEET EAST OF THE SOUTHWEST CORNER (SW/C) OF SAID W/2-SW/4-SE/4; THENCE EAST 247.5 FEET; THENCE NORTH 526.80 FEET; THENCE WEST 247.5 FEET; THENCE SOUTH 526.80 FEET TO THE POINT OF BEGINNING, CONTAINING 3 ACRES, MORE OR LESS; FROM ZONING CLASSIFICATION A-1; RURAL AGRICULTURAL TO C-3; HIGHWAY COMMERCIAL AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SHAWNEE ACCORDINGLY.

PASSED AND APPROVED this 3rd day of June, 2019.

RICHARD FINLEY, MAYOR

(SEAL)
ATTEST:

LISA LASYONE, CMC, CITY CLERK

Approved as to form and legality this 3rd day of June, 2019.

JOSEPH M. VORNDRAN,
CITY ATTORNEY

Regular Board of Commissioners**9.**

Meeting Date: 06/03/2019

P07-19 Union and 45th

Submitted By: Kacie Eck, City Clerk

Department: City Clerk

Information**Title of Item for Agenda**

Public hearing and consideration of an ordinance to rezone property located east of North Union Avenue, north of East 45th Street, and west of A.T.&S.F. Railroad from C-3 (Highway Commercial) to R-1 (Single-Family Residential) for the purposed purpose of a single-family development. Case No. P07-19, Applicant: Stephen Landes.

Attachments

Staff Rpt

Additional Documents Submitted

Ordinance

RECOMMENDATION TO:

MAYOR
BOARD OF CITY COMMISSIONERS
CITY OF SHAWNEE
CITY OF SHAWNEE
PLANNING COMMISSION

RECOMMENDATION FROM:

SUBJECT:

APPLICANT: Landes Engineering
FOR: Rezone
LOCATION: East of Union, West of Railroad, Shawnee, OK
PROJECT#: 190400 Case# P07-19

LEGAL DESCRIPTION:

A tract of land located in the Southeast Quarter (SE/4) of Section Thirty-one (31), Township Eleven North (11), Range Four East (4) of the Indian Meridian, Shawnee, Pottawatomie County, Oklahoma more particularly described as: Commencing at the Northwest Corner (NW/C) of said SE/4; thence S00°54'43"W along the West line of said NW/4 SE/4 a distance of 943.22 feet to the Point of Beginning; thence S89°05'17"E a distance of 315.00 feet; thence N89°41'33"E a distance of 1131.44 feet to a point on the West property line of the A.T.&S.F. Railway Company right-of-way; thence S02°44'42"E along said right of way line a distance of 774.83 feet; thence S89°44'50"W a distance of 166.70 feet to a point on the East line of the Southwest Quarter (SW/4) of said SE/4; thence S00°06'05"E along said East line a distance of 692.03 feet; thence S89°30'53"W a distance of 329.58 feet; thence N00°08'29"W a distance of 320.90 feet; thence S89°30'54"W a distance of 329.95 feet; thence N00°10'54"W a distance of 781.72 feet to a point on the North Line of said SW/4 SE/4; thence S89°41'53"W along said North line a distance of 0.98 feet; thence N00°54'43"E a distance of 285.00 feet; thence S89°41'33"W a distance of 660.00 feet to a Point on the West line of the Northwest Quarter (NW/4) of said SE/4; thence N00°54'43"E along said West line a distance of 84.00 feet to the Point of Beginning, all in Pottawatomie County, Oklahoma

CURRENT CLASSIFICATION: C-3; Highway Commercial
REQUESTED CLASSIFICATION: R-1; Single-Family Residential
PROPOSED PROPERTY USE: Single-family homes

PLANNING COMMISSION MEETING DATE: May 22nd, 2019

PLANNING COMMISSION RECOMMENDATION: Motion to approve:

VOTE OF THE PLANNING COMMISSION: *MEMBERS PRESENT:* 6

MEMBERS:	1ST	2ND	AYE	NAY	ABSTAIN	COMMENTS
DEEM			X			
MATTHEWS	X		X			
WALKER						ABSENT
BERGSTEN (CHAIRMAN)			X			
COWEN (VICE-CHAIRMAN)			X			
KIENZLE			X			
ROWELL		X	X			

RESPECTFULLY SUBMITTED,

Joseph Barker

SECRETARY, PLANNING COMMISSION

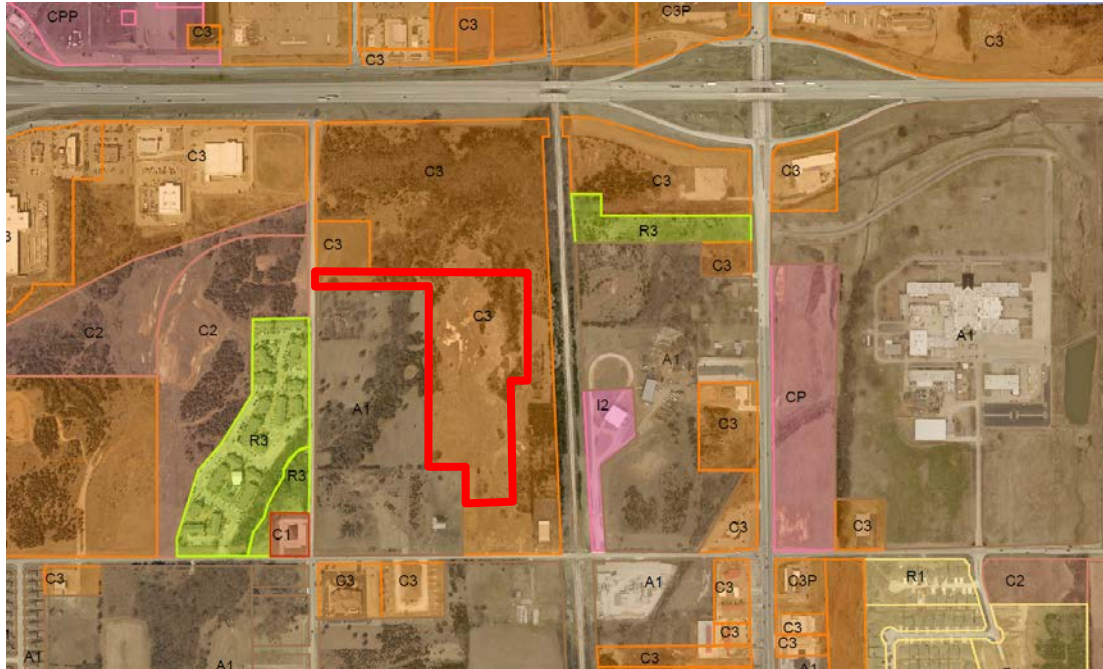
ACTION BY CITY COMMISSION:

PUBLIC HEARING SET: _____

DATE OF ACTION: _____

ADOPTED _____ DENIED _____

ORDINANCE NO. _____

City of Shawnee Planning Department 222. N. Broadway Shawnee, OK 74801 (405) 878-1616 Fax: (405) 878-1587 www.ShawneeOK.org				CASE # P07-19 PUBLIC HEARING DATE: May 1st, 2019 CITY COMMISSION DATE: May 6th, 2019
APPLICANT: Landes Engineering				
903 East 35th Street Shawnee, Oklahoma, 74804				
slandes@landesengineering.net				
PROPERTY ADDRESS/LOCATION: East of Union, North of East 45th, West of the A.T. & S.F. Railroad Tracks				
The applicant, Landes Engineering, is requesting a rezone from C-3 to R-1 on a property abutting west of the railroad tracks on East 45th. The rezone is for a single-family development.				
EXISTING ZONING: C-3	EXISTING LAND USE: Vacant	SURROUNDING ZONING & LAND USE: A-1 (Rural Agricultural) C-3 (Highway Commercial)	SUBDIVISION: Unplatted	PROPERTY SIZE: 23.85 acres

STAFF RECOMMENDATION

The applicant has stated they intend to use the lot for residential development. The use will be for single-family homes. The subject site is 23.85 acres in size. Adjacent properties are zoned A-1 (Rural Agricultural District), and C-3 (Highway Commercial District). The request is in conformance with the Comprehensive Plan's Residential/Commercial designation for this area.

The rezone is required to conform to Section 22-160.2 of the Zoning Code, "Uses [in residential districts]," which assures that the R-1 zoning district is used for single family dwellings and related recreational, religious, and educational facilities normally required to provide the basic elements of a balanced and attractive residential area. The rezone is also required to conform to Section 22-160.4 of the Zoning Code, "Dimensional Standards [in residential districts]." If rezoned to R-1, it would conform to these standards.

The subject request is in conformance with the City Zoning Code and Comprehensive Plan; therefore, Staff hereby recommends approval on the requested rezone from C-3 (Highway Commercial) to R-1 (Single Family Residential).

APPROVE

APPROVE WITH CONDITIONS

DENY

**ATTACHMENTS:
(CIRCLE)**

SUBMITTED PLANS

**PUBLIC HEARING
PETITION/
APPLICATION FORM**

LEGAL NOTICE

LEGAL DESCRIPTION

PUBLIC COMMENTS

AGENCY COMMENTS

RESPONSE TO STANDARDS

February 11, 2019

To whom it may concern:

I Kevin Kalise do hereby give Steve Landes with (Landes Engineering) permission to rezone my Three (3) lots on W 45th Street, Shawnee, Ok. The legals to the properties are attached to this letter.


Respectfully,

Kevin Kalise dba/ Kalise Properties LLC

5ac

201800014414
Filed for Record in
POTTAWATOMIE OKLAHOMA
RAESHEL FLEWALLEN, COUNTY CLERK
12-18-2018 At 03:37 PM.
WARR DEED 171.75



Instrument PG 1 OF 2
201800014414

Return To:
Kalies Properties, LLC
13204 Coked Rd
Shawnee, OK 74804

WARRANTY DEED
(OKLAHOMA STATUTORY FORM)

Doc Stamps: **156.75**

Tax ID#: **0000-31-011-004-0-019-00**

Filed/insured by: First American Title Insurance Company

File No.: **2367077-SH01 (DKB)**

That **Bodard Realty, LLC, an Oklahoma limited liability company**, (the "Grantor"), in consideration of the sum of TEN & NO/100-----Dollars and other valuable considerations, in hand paid, the receipt of which is hereby acknowledged, do(es) hereby, grant, bargain, sell and convey unto **Kalies Properties, LLC, an Oklahoma limited liability company**, (the "Grantee"), the following described real property and premises situated in **Pottawatomie County, State of Oklahoma**, to wit:

SURFACE ONLY:

A tract of land described as beginning at the Southwest Corner of the West Half of the Southwest Quarter of the Southeast Quarter (SW/c W/2 SW/4 SE/4) of Section Thirty-one (31), Township Eleven (11) North, Range Four (4) East of the Indian Meridian, Pottawatomie County, Oklahoma; thence East 412.5 feet; thence North 526.80 feet; thence West 412.5 feet; thence South 526.80 feet to the point of beginning

and

A tract of land in the West Half of the Southwest Quarter of the Southeast Quarter (W/2 SW/4 SE/4) of Section Thirty-one (31), Township Eleven (11) North, Range Four (4) East of the Indian Meridian, Pottawatomie County, Oklahoma, described as beginning 412.5 feet East of the Southwest corner of said W/2 SW/4 SE/4; thence East 247.5 feet; thence North 526.80 feet; thence West 247.5 feet; thence South 526.80 feet to the point of beginning.

LESS AND EXCEPT ANY AND ALL INTEREST IN AND TO ALL OF THE OIL, GAS, COAL AND OTHER MINERALS AND ALL RIGHTS PERTAINING THERETO.

Property Address: **LAND ONLY, Shawnee, OK 74804**

Together with all the improvements thereon and the appurtenances thereunto belonging, and warrant the title to the same. LESS AND EXCEPT any interest in and to oil, gas, coal, metallic ores and other minerals therein and thereunder previously reserved or conveyed of record and all rights, interests and estates of whatsoever nature incident thereto or arising thereunder, and SUBJECT TO easements, rights of way, restrictive covenants of record.

TO HAVE AND TO HOLD said described premises unto the Grantee, and to the heirs, successors and assigns, forever, free, clear and discharged of and from all former grants, charges, taxes, judgments, mortgages and other liens and encumbrances of whatsoever nature.

First American Title *SH 2367077*

STATE OF OKLAHOMA
Pottawatomie County
Documentary Stamps: \$ **156.75**

Interim on property



PLANNING COMMISSION APPLICATION

Planning Department

222 N. Broadway
Shawnee, OK 74801
(405) 878-1616 Fax (405) 878-1587
www.ShawneeOK.org

For Office Use Only

Case Number: P07-19
Project Number: 190400
Date Filed: 5-1-2019

Planning Commission Secretary

REQUEST:

☒ Rezoning
☐ Conditional Use Permit
☐ Rezoning w/Conditional Use Permit
☐ Planned Unit Development

I, the undersigned, do hereby respectfully make application and petition to the City Commission to amend the zoning map, and to change the zoning district of the Shawnee area, from ~~C-3~~ District to ~~C-3~~ R-1 District, as hereinafter requested, and in support of this application, the following facts are shown:

PROPERTY LOCATION (STREET ADDRESS): _____

LEGAL DESCRIPTION: See attached legal

PROPERTY OWNER (S): ACTION PHYSICAL THERAPY / ANDY & KATIE LANDES

PROPERTY AGENT (APPLICANT): LANDES ENGINEERING / Stephen Landes

APPLICANT'S ADDRESS: 903 E. 35th St

CITY: Shawnee STATE: OK ZIP: 74801

EMAIL ADDRESS: slandes@landesengineering.net

TELEPHONE NUMBER: (405) 275-5388 CONTACT NUMBER: (405) 432-9396

DIMENSIONS OF PROPERTY: AREA: SEE ATTACHED WIDTH: _____
LENGTH: ATTACHED FRONTAGE: _____

CURRENT ZONING: ~~C-3~~ CURRENT USE: Raw land

PROPOSED ZONING: ~~C-3~~ R-1 PROPOSED USE: Commercial & Residential

With the filing of this application, I acknowledge that I have been informed of off-street parking, fencing and paving requirements in regard to the zoning I have requested as witnessed by my signature.

APPLICATION, OFFICIAL OWNERSHIP LIST AND PAYMENT
MUST BE RECEIVED 30 DAYS PRIOR TO MEETING

[Signature]
SIGNATURE OF APPLICANT

FOR STAFF USE ONLY

REZONING &/OR C.U.P FEE \$ 280.00

RECEIPT NO. 02289626

PLANNED UNIT DEVELOPMENT FEE \$ 550.00

SIGN DEPOSIT \$ 50.00

(Refundable if Applicant returns 48 hrs. after City Commission Meeting)

PLANNING COMMISSION ACTION: _____ DATE: _____

CITY COMMISSION ACTION: _____ DATE: _____

PLACE ON ZONING MAP: _____ ORDINANCE NO.: _____

LEGAL DESCRIPTION:
SURFACE ONLY:

A tract of land located in the Southeast Quarter (SE/4) of Section Thirty-one (31), Township Eleven North (11), Range Four East (4) of the Indian Meridian, Shawnee, Pottawatomie County, Oklahoma more particularly described as:

Commencing at the Northwest Corner (NW/C) of said SE/4; thence S00°54'43"W along the West line of said NW/4 SE/4 a distance of 943.22 feet to the Point of Beginning; thence S89°05'17"E a distance of 315.00 feet; thence N89°41'33"E a distance of 1131.44 feet to a point on the West property line of the A.T.&S.F. Railway Company right-of-way; thence S02°44'42"E along said right of way line a distance of 774.83 feet; thence S89°44'50"W a distance of 166.70 feet to a point on the East line of the Southwest Quarter (SW/4) of said SE/4; thence S00°06'05"E along said East line a distance of 692.03 feet; thence S89°30'53"W a distance of 329.58 feet; thence N00°08'29"W a distance of 320.90 feet; thence S89°30'54"W a distance of 329.95 feet; thence N00°10'54"W a distance of 781.72 feet to a point on the North Line of said SW/4 SE/4; thence S89°41'53"W along said North line a distance of 0.98 feet; thence N00°54'43"E a distance of 285.00 feet; thence S89°41'33"W a distance of 660.00 feet to a Point on the West line of the Northwest Quarter (NW/4) of said SE/4; thence N00°54'43"E along said West line a distance of 84.00 feet to the Point of Beginning, all in Pottawatomie County, Oklahoma.

NAMES: Kalies Properties, LLC

Choice Title & Abstracting has reviewed the records of the Office of the County Clerk of Pottawatomie County, and discloses that they find the following record owners to own property within 300 feet of the subject property:

1. Margaret Stone and Donna Parmer
4371 N. Union St., Shawnee, OK, 74801

The North 12 acres of the W/2 SW/4 SE/4 and Beginning at the SW/C of the NW/4 SE/4; thence North 285 feet; thence East 660 feet; thence South 285 feet; thence West 660 feet to the POB Section 31, Township 11 North, Range 4 East, Shawnee, OK

2. Ricky L. and Kimberly S. Floyd
800 Truman Baker Drive, Searcy, AR 72143

Beginning 369 feet North of the SW/C NW/4 SE/4 thence North 315 feet; thence East 315 feet; thence South 315 feet; thence West 315 feet; to the Point of Beginning, Section 31, Township 11 North, Range 4 East, Shawnee, OK.

SEE ATTACHED EXHIBIT "A"

3. Hubert D. Perry and Annebelle M. Perry
306 E. 45th St., Shawnee, OK 74801

The South 4 acres of the W/2 E/2 SW/4 SE/4 Section 31, Township 11 North, Range 4 East, Shawnee, OK

4. Central Church of Christ
c/o Bob Perry, 1936 N. Union St., Shawnee, OK 74804

Williams East 4 Acres in Block 5 described as beginning 33 feet South & 1002 feet East on the NW/C NE South 365.5 feet; thence East 478 feet; thence NW 365.5 feet thence West 475 feet POB Section 6 Township 10 North, Range 4 East, Shawnee, OK

Williams 2 Acres in 6-10-4 Beginning 33 feet South & 763.7 feet East of the NW Corner of the NE

Corner thence South 365.5 feet; thence East 238.3 feet; thence North 356.5 feet; thence West 238.3 feet to the point of beginning

5. Dreamcatchers Dance, Co.
650 E. 45th St., Shawnee, OK 74804

Beginning at the Southeast Corner of the Southwest Quarter of the Southeast Quarter (SE/c SW/4 SE/4) of Section Thirty-one (31), Township Eleven (11) North, Range Four (4) East of the Indian Meridian, Pottawatomie County, Oklahoma; thence East 151.5 feet to a point on the West right-of-way line of the ATS&F Railroad Company; thence Northwesterly along said West right-of-way line a distance of 896.6 feet; thence West 140.00 feet; thence Southeasterly 896.6 feet to the point of beginning.

6. TJT Holdings LC
3701 N. Harrison, Shawnee, OK 74804

Beginning SE/C SE/4 thence West 389.93 feet to Point of Beginning thence West 571.67 feet; thence N02°32'01"W thence 1379.50 feet; thence East 676 feet; thence South 359 feet; thence East 348 feet; thence South 520.24 feet; thence S37°52'11"W a distance of 636.02 feet to the POB Section 31, T11N; R4E, Pottawatomie Count, Oklahoma

7. Central Disposal LLC
4650 N. Harrison, Shawnee, OK 74804

Shawnee Transfer Station is the legal the county assessor has.

This interim check covers the period from to at and is continuation of our original order/file number.

We have prepared the above summary of our records with the same measure of care used in the preparation of abstracts, however this is the only summary of the instruments on file and of record and is not intended to express or imply an opinion as to the legal effect of those instruments or status of title. We assume no liability in connection with this written interim record check beyond that of due care. Any party using this report as the basis of a real estate transaction does so at their own risk.

CHOICE TITLE & ABSTRACTING


Pamela L. Atyia

No. 9063

City of Shawnee OK
405-878-1616

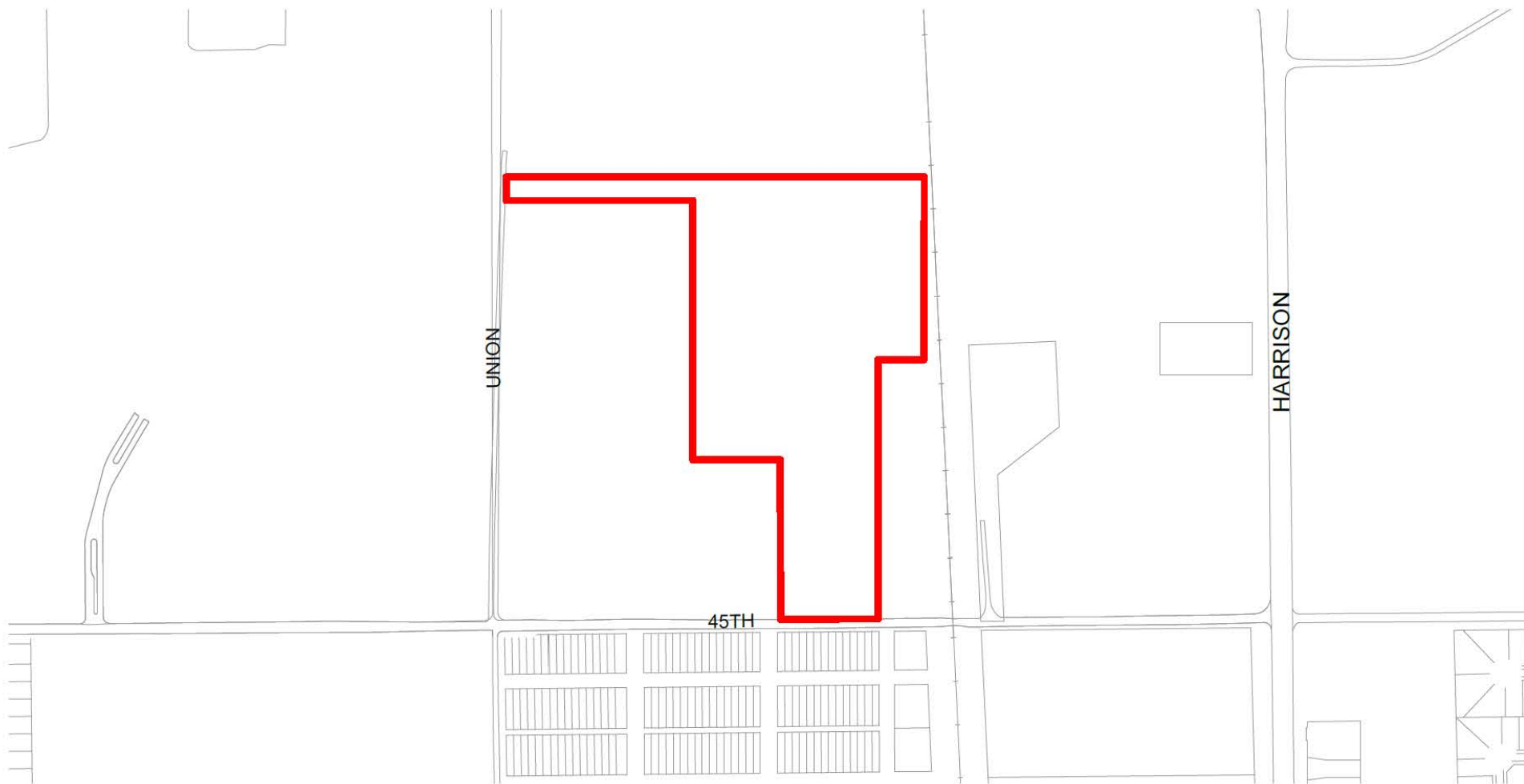
REC#: 02289626 5/03/2019 2:59 PM
OPER: KG TERM: 020
REF#: 8147
PAID BY: /

TRAN: 401.0000 BUILDING PERMIT
190400 280.00CR
LANDES ENGINEERING
NONE
Z-REZONING 280.00CR

TENDERED: 280.00 CHECK
APPLIED: 280.00-

CHANGE: 0.00

Visit www.ShawneeOK.org
For More Information



CITY OF SHAWNEE
PUBLIC HEARING NOTICE

CASE #P07-19

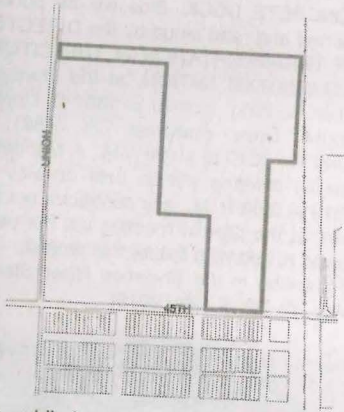
Notice is hereby given that the City of Shawnee, Oklahoma, will conduct a public hearing on a proposed rezone of property located within the City of Shawnee.

The property requesting rezoning is described as follows:

A tract of land located in the Southeast Quarter (SE/4) of Section Thirty-one (31), Township Eleven North (11), Range Four East (4) of the Indian Meridian, Shawnee, Pottawatomie County, Oklahoma more particularly described as: Commencing at the Northwest Corner (NW/C) of said SE/4; thence S00°54'43"W along the West line of said NW/4 SE/4 a distance of 943.22 feet to the Point of Beginning; thence S89°05'17"E a distance of 315.00 feet; thence N89°41'33"E a distance of 1131.44 feet to a point on the West property line of the A.T.&S.F. Railway Company right-of-way; thence S02°44'42"E along said right of way line a distance of 774.83 feet; thence S89°44'50"W a distance of 166.70 feet to a point on the East line of the Southwest Quarter (SW/4) of said SE/4; thence S00°06'05"E along said East line a distance of 692.03 feet; thence S89°30'53"W a distance of 329.58 feet; thence N00°08'29"W a distance of 320.90 feet; thence S89°30'54"W a distance of 329.95 feet; thence N00°10'54"W a distance of 781.72 feet to a point on the North Line of said SW/4 SE/4; thence S89°41'53"W along said North line a distance of 0.98 feet; thence N00°54'43"E a distance of 285.00 feet; thence S89°41'33"W a distance of 660.00 feet to a Point on the West line of the Northwest Quarter (NW/4) of said SE/4; thence N00°54'43"E along said West line a distance of 84.00 feet to the Point of Beginning, all in Pottawatomie County, Oklahoma

General Location Known As: East of North Union, North of East 45th, & West of A.T & S.F. Railroad Tracks
Current Zoning Classification: C-3; Highway Commercial
Requested Zoning Classification: R-1; Single-Family Residential
Proposed Use of Property: Single-Family
Applicant: Stephen Landes

The "Zoning Map of the City of Shawnee, Oklahoma" will be amended accordingly to reflect such change if approved by the City Commission.



The public hearing will be held in the City Commission Chambers in City Hall, 16 W. 9th St. Shawnee, Oklahoma, as follows:

May 22nd, 2019 AT 1:30 P.M.:

CITY OF SHAWNEE PLANNING COMMISSION

June 3rd, 2019 AT 6:00 P.M.: CITY OF SHAWNEE CITY COMMISSION

At this time any interested citizen of Shawnee, Oklahoma will have the opportunity to appear and be heard with regard to the rezoning. The Commission reserves the right to limit discussion and debate on the proposed rezoning in the public hearing, which event those persons appearing in support or opposition of the proposed rezoning will be allotted equal time. Any formal protest must be filed in writing with the City Clerk during normal working hours before 5:00 p.m. a minimum of three (3) days prior to the hearing. If there are any questions about the proposal, or you need additional information prior to the public hearing,

Affidavit of Publication

The Shawnee News-Star
215 N. Bell
Shawnee OK 74801
(405) 273-4200

State of Oklahoma
County of Pottawatomie

I, Wanda Westerman, of lawful age, being duly sworn upon oath, deposes and says that I am the Legal Advertising Account Executive of The Shawnee News-Star, a Daily publication that is a "legal newspaper" as that phrase is defined in 25 O.S. §106 for the City of Shawnee, for the County of Pottawatomie, in the State of Oklahoma, and that the attachment hereto contains a true and correct copy of what was actually published in said legal newspaper in consecutive issues on the following date(s):

Insertion Date(s): May 5th, 2019
Publishing Fee: \$127.55

Wanda Westerman, Account Executive

Signed and sworn to before me this 6th day of May, 2019.

Danielle Shoopman, Notary Public
My Commission Expires: March 5th, 2022
Commission No18002220



ORDINANCE NO. _____NS

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 LOCATED IN THE SOUTHEAST QUARTER (SE/4) OF SECTION THIRTY-ONE (31), TOWNSHIP ELEVEN NORTH (11), RANGE FOUR EAST (4) OF THE INDIAN MERIDIAN, SHAWNEE, POTTAWATOMIE COUNTY, OKLAHOMA MORE PARTICULARLY DESCRIBED AS: COMMENCING AT THE NORTHWEST CORNER (NW/C) OF SAID SE/4; THENCE S00°54'43''W ALONG THE WEST LINE OF SAID NW/4 SE/4 A DISTANCE OF 943.22 FEET TO THE POINT OF BEGINNING; THENCE S89°05'17''E A DISTANCE OF 315.00 FEET; THENCE N89°41'33''E A DISTANCE OF 1131.44 FEET TO A POINT ON THE WEST PROPERTY LINE OF THE A.T.&S.F. RAILWAY COMPANY RIGHT-OF-WAY; THENCE S02°44'42''E ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 774.83 FEET; THENCE S89°44'50''W A DISTANCE OF 166.70 FEET TO A POINT ON THE EAST LINE OF THE SOUTHWEST QUARTER (SW/4) OF SAID SE/4; THENCE S00°06'05''E ALONG SAID EAST LINE A DISTANCE OF 692.03 FEET; THENCE S89°30'53''W A DISTANCE OF 329.58 FEET; THENCE N00°08'29''W A DISTANCE OF 320.90 FEET; THENCE S89°30'54''W A DISTANCE OF 329.95 FEET; THENCE N00°10'54''W A DISTANCE OF 781.72 FEET TO A POINT ON THE NORTH LINE OF SAID SW/4 SE/4; THENCE S89°41'53''W ALONG SAID NORTH LINE A DISTANCE OF 0.98 FEET; THENCE N00°54'43''E A DISTANCE OF 285.00 FEET; THENCE S89°41'33''W A DISTANCE OF 660.00 FEET TO A POINT ON THE WEST LINE OF THE NORTHWEST QUARTER (NW/4) OF SAID SE/4; THENCE N00°54'43''E ALONG SAID WEST LINE A DISTANCE OF 84.00 FEET TO THE POINT OF BEGINNING, ALL IN POTTAWATOMIE COUNTY, OKLAHOMA FROM ZONING CLASSIFICATION C-3; HIGHWAY COMMERCIAL TO R-1; SINGLE FAMILY RESIDENTIAL AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SHAWNEE ACCORDINGLY.

WHEREAS, pursuant to notice duly given as required by law, a public hearing conducted by the Board of Commissioners of the City of Shawnee, Oklahoma on the 3rd day of June, 2019, upon an application to rezone certain properties located in the City of Shawnee, Oklahoma, from zoning classification C-3; Highway Commercial to R-1; Single Family Residential.

WHEREAS, the Planning Commission of the City of Shawnee has conducted one or more public hearings on said application pursuant to notice as required by law and has submitted its final report and recommendation upon said application to the Board of Commissioners; and,

WHEREAS, it appears to be in the best interest of the City of Shawnee and the inhabitants thereof for said properties to be rezoned to R-1; Single Family Residential.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF SHAWNEE, OKLAHOMA:

SECTION 1: That the following described property located in the City of Shawnee, Oklahoma, to-wit: A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER (SE/4) OF SECTION THIRTY-ONE (31), TOWNSHIP ELEVEN NORTH (11), RANGE FOUR EAST (4) OF THE INDIAN MERIDIAN, SHAWNEE, POTTAWATOMIE COUNTY, OKLAHOMA MORE PARTICULARLY DESCRIBED AS: COMMENCING AT THE NORTHWEST CORNER (NW/C) OF SAID SE/4; THENCE S00°54'43''W ALONG THE WEST LINE OF SAID NW/4 SE/4 A DISTANCE OF 943.22 FEET TO THE POINT OF BEGINNING; THENCE S89°05'17''E A DISTANCE OF 315.00 FEET; THENCE N89°41'33''E A DISTANCE OF 1131.44 FEET TO A POINT ON THE WEST PROPERTY LINE OF THE A.T.&S.F. RAILWAY COMPANY RIGHT-OF-WAY; THENCE S02°44'42''E ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 774.83 FEET; THENCE S89°44'50''W A DISTANCE OF 166.70 FEET TO A POINT ON THE EAST LINE OF THE SOUTHWEST QUARTER (SW/4) OF SAID SE/4; THENCE S00°06'05''E ALONG SAID EAST LINE A DISTANCE OF 692.03 FEET; THENCE S89°30'53''W A DISTANCE OF 329.58 FEET; THENCE N00°08'29''W A DISTANCE OF 320.90 FEET; THENCE S89°30'54''W A DISTANCE OF 329.95 FEET; THENCE N00°10'54''W A DISTANCE OF 781.72 FEET TO A POINT ON THE NORTH LINE OF SAID SW/4 SE/4; THENCE S89°41'53''W ALONG SAID

NORTH LINE A DISTANCE OF 0.98 FEET; THENCE N00°54'43''E A DISTANCE OF 285.00 FEET; THENCE S89°41'33''W A DISTANCE OF 660.00 FEET TO A POINT ON THE WEST LINE OF THE NORTHWEST QUARTER (NW/4) OF SAID SE/4; THENCE N00°54'43''E ALONG SAID WEST LINE A DISTANCE OF 84.00 FEET TO THE POINT OF BEGINNING, ALL IN POTTAWATOMIE COUNTY, OKLAHOMA FROM ZONING CLASSIFICATION C-3; HIGHWAY COMMERCIAL TO R-1; SINGLE FAMILY RESIDENTIAL AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SHAWNEE ACCORDINGLY.

PASSED AND APPROVED this 3rd day of June, 2019.

RICHARD FINLEY, MAYOR

(SEAL)
ATTEST:

LISA LASYONE, CMC, CITY CLERK

Approved as to form and legality this 3rd day of June, 2019.

JOSEPH M. VORNDRAN,
CITY ATTORNEY