

AGENDA
BOARD OF CITY COMMISSIONERS
May 21, 2012 AT 6:30 P.M.
COMMISSION CHAMBERS AT CITY HALL
SHAWNEE, OKLAHOMA

CALL TO ORDER

DECLARATION OF A QUORUM

INVOCATION

REV. KEVIN NAGLE
LIFESONG CHURCH

FLAG SALUTE

1. Consider approval of Agenda:
2. Consider approval of Consent Agenda:
 - a. Acknowledge staff will proceed in the instant meeting with the opening and consideration of bids as set forth in Agenda Item Number 2 on the Shawnee Municipal Authority Agenda.
 - b. Minutes from the May 7, 2012 regular meeting.
 - c. Acknowledge the following minutes:
 - Shawnee Urban Renewal Authority minutes from March 6, 2012
 - d. Approve release of easement to Shawnee Hospital Authority for property no longer needed by the City of Shawnee.
 - e. Authorize staff to begin the bidding process on the Library re-roofing project.
3. Citizens Participation

(A three minute limit per person)
(A twelve minute limit per topic)
4. Mayor's Proclamation
"Emergency Medical Services Week"
May 20 – May 26, 2012
5. Presentation of United Way of Pottawatomie County Community Survey 2011, by Audrey Seeliger.
6. Presentation of Capital Improvement Projects funding request for Shawnee Civic and Cultural Development Authority (Expo Center).

7. Consider offer from Texoma Land Consultants to lease mineral rights on a tract of property the City owns in the Shawnee Twin Lakes area.
8. Acknowledge Sales Tax report received May, 2012
9. Consider Bids:
10. New Business
(Any matter not known about or which could not have been reasonably foreseen prior to the posting of the agenda)
11. Administrative Reports
12. Commissioners Comments
13. Adjournment

Respectfully submitted

Phyllis Loftis, 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: 05/21/2012

Bid Opening

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Acknowledge staff will proceed in the instant meeting with the opening and consideration of bids as set forth in Agenda Item Number 2 on the Shawnee Municipal Authority Agenda.

Regular Board of Commissioners

2. b.

Meeting Date: 05/21/2012

Commission Minutes 5-7-12

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Minutes from the May 7, 2012 regular meeting.

Attachments

Minutes 5-7-12

BOARD OF CITY COMMISSIONERS PROCEEDINGS
MAY 7, 2012 AT 6:30 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 7, 2012 at 6:30 p.m., pursuant to notice duly posted as prescribed by law. Mayor Peterson presided and called the meeting to order. Upon roll call, the following members were in attendance.

Linda Peterson

Mayor

Pam Stephens

Commissioner Ward 1

Frank Sims

Commissioner Ward 2

James Harrod

Commissioner Ward 3

Billy Collier

Commissioner Ward 4-Vice Mayor

John Winterringer

Commissioner Ward 5

Steve Smith

Commissioner Ward 6

ABSENT: None

INVOCATION

Rev. David Henry
Calvary Baptist Church

FLAG SALUTE

AGENDA ITEM NO. 1:

Consider approval of Agenda.

A motion was made by Commissioner Sims, seconded by Vice Mayor Collier, to approve the Agenda. Motion carried 7-0.

AYE: Sims, Collier, Winterringer, Smith, Stephens, Harrod, Peterson

NAY: None

AGENDA ITEM NO. 2:

Consider approval of Consent Agenda:

- a. Minutes from the April 16, 2012 regular meeting and special called meeting April 23, 2012.
- b. Acknowledge the following minutes and reports:
 - Shawnee Civic and Cultural Development Authority minutes from March 15, 2012
 - License Payment Report April 1-30, 2012
 - Project Payment Report April 1-30, 2012
- c. Authorize staff to solicit bids for the demolition of the former Al & James building located at the SE corner of Beard and 10th Street. Bids will include asbestos abatement.
- d. Ratification of Collective Bargaining Agreement with IUPA Local #3 for 2011-2012.
- e. Request Authorization to Advertise for Bids on the Bryan & Independence Signalization Project.
- f. Request Authorization to Advertise for Bids on the Kickapoo & Kulhbird Lane Safety Improvements.
- g. Request Authorization to Advertise for Bids on the FY11-12 Rehab Asphalt Streets Project.
- h. Request Authorization to Advertise for Bids on the FY11-12 Rehab Concrete Streets Project.
- i. Accept Citizens Corps Award in the amount of \$2300.00 from Oklahoma Office of Homeland Security and authorize staff to execute grant contract paperwork.
- j. Appoint the Mayor and City Attorney to a committee comprised of one city commission representative, one county commissioner, and legal counsel for both entities to prepare a plan for combining communication and dispatch services for Pottawatomie County.

Commissioner Harrod requested that Consent Agenda Item No. 2c be pulled for separate consideration. A motion was made by Commissioner Sims, seconded

by Commissioner Winterringer, to approve the Consent Agenda Items a-j, less item c. Motion carried 7-0.

AYE: Sims, Winterringer, Smith, Stephens, Harrod, Peterson, Collier

NAY: None

Regarding Consent Agenda Item 2c, Commissioner Harrod stated demolishing the building is too costly and that renovation would be a better option. A motion was made by Commissioner Harrod to table the item until more information is received regarding costs. The motion died for lack of a second. City Manager Brian McDougal explained the need for additional parking and that the current building does not meet the city's needs.

A motion was made by Commissioner Sims, seconded by Vice Mayor Collier, to approve Consent Agenda Item No. 2c. Motion carried 6-1.

AYE: Sims, Collier, Winterringer, Smith, Stephens, Peterson

NAY: Harrod

<u>AGENDA ITEM NO. 3:</u>	Citizens Participation (A three minute limit per person) (A twelve minute limit per topic)
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There was no Citizens Participation.

<u>AGENDA ITEM NO. 4:</u>	Mayor's Proclamation "Better Hearing Month" May 2012
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Mayor Peterson read the Better Hearing Month Proclamation and presented the same to Kevin Kalies who was present to accept.

<u>AGENDA ITEM NO. 5:</u>	Introduction of Shawnee 2012 student/teacher delegation for exchange trip to Nikaho, Japan.
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Taren Taylor of the Sister Cities Council introduced the 2011-2012 student and teacher delegation to the City Commission. The selection included 8 students and 3 teachers, which are:

* Parker Stewart

* Christopher Hawkins

- * Peyton Wilson
- * Lauryn Cambell-Wiggins
- * Riley Smith
- * Lillian Bryant
- * Joshua Wester
- * Jonathon Richardson
- * James Graham (Adult)
- * Tami Currie (Adult)
- * Taren Taylor (Chair)

AGENDA ITEM NO. 6:

A public hearing for consideration of approval to rezone property located at 43000 E. MacArthur from A-1; Agricultural to C-3; Automotive, Commercial and Recreation. Case #P08-12 (Applicant: Langley Management Co. LLC)

Mayor Peterson declared a public hearing in session to consider rezoning property located at 43000 E. MacArthur from A-1; Agricultural to C-3; Automotive, Commercial and Recreation. No one appeared to speak in favor or against proposed rezoning and the public hearing was closed.

A motion was made by Commissioner Sims, seconded by Commissioner Winterringer, to rezone property located at 43000 E. MacArthur from A-1; Agricultural to C-3; Automotive, Commercial and Recreation.

Ordinance No. 2478NS was introduced and the title read aloud.

ORDINANCE NUMBER 2478NS, AN ORDINANCE CONCERNING THE ZONING CLASSIFICATION OF THE FOLLOWING DESCRIBED PROPERTY LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY OF SHAWNEE, OKLAHOMA, TO-WIT: A TRACT OF LAND DESCRIBED AS BEGINNING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER (SW/4) OF SECTION FOUR (4), TOWNSHIP TEN (10) NORTH, RANGE FOUR (4) EAST OF THE INDIAN MERIDIAN, POTTAWATOMIE COUNTY, OKLAHOMA; THENCE NORTH 404.66 FEET; THENCE EAST 258.10 FEET; THENCE SOUTH 404.66 FEET; THENCE WEST 258.10 FEET TO THE POINT OF BEGINNING, REZONING SAID PROPERTY FROM A-1; AGRICULTURAL TO C-3; AUTOMOTIVE, COMMERCIAL AND RECREATION AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SHAWNEE ACCORDINGLY.

Motion carried 7-0.

AYE: Sims, Winterringer, Smith, Stephens, Harrod, Peterson, Collier

NAY: None

AGENDA ITEM NO. 7:

Consideration of approving the Rolling Hills Addition final plat located at 111 N. Bryan Case #S01-12 (Applicant: Absentee Shawnee Housing Authority)

A motion was made by Commissioner Sims, seconded by Commissioner Stephens, to approving the Rolling Hills Addition final plat located at 111 N. Bryan with the following conditions:

1. Final improvements plans shall be approved by the City Engineer prior to construction.
2. Prior to filing (recording) the final plat, the applicant shall commence with making the required and proposed private and public site improvements in accordance with construction plans approved by the City Engineer or otherwise bond the project in accordance with City code.
3. Sidewalks shall be installed in accordance with the City's sidewalk ordinance.

Motion Carried 7-0.

AYE: Sims, Stephens, Harrod, Peterson, Collier, Winterringer, Smith

NAY: None

AGENDA ITEM NO. 8:

Consider a resolution for bank qualified approval relating to \$8,000,000 Oklahoma Baptist University Authority, Student Housing Revenue Note (OKLAHOMA BAPTIST UNIVERSITY PROJECT) Series 2012 previously approved by the city.

Resolution No. 6424 was introduced.

BANK QUALIFIED APPROVAL RELATING TO \$8,000,000 OKLAHOMA BAPTIST UNIVERSITY AUTHORITY, STUDENT HOUSING REVENUE NOTE (OKLAHOMA BAPTIST UNIVERSITY PROJECT) SERIES 2012 PREVIOUSLY APPROVED BY THE CITY.

Chris Gander of Oppenheim, a Division of BOSC, Inc. noted that the City Commission had approved this resolution at the April 23, 2012 commission meeting, but the original resolution did not state the loan was bank qualified and, therefore, needed to be resigned. A motion was made by Commissioner Sims, seconded by Commissioner Smith, to approve a resolution for bank qualified approval relating to \$8,000,000 Oklahoma Baptist University Authority, Student Housing Revenue Note (OKLAHOMA BAPTIST UNIVERSITY PROJECT) Series 2012 previously approved by the city. Motion carried 7-0.

AYE: Sims, Smith, Stephens, Harrod, Peterson, Collier, Winterringer

NAY: None

AGENDA ITEM NO. 9:

Consider a resolution declaring the Enclosed Fishing Dock on Shawnee Twin Lake Number One surplus and authorizing staff to accept bids for sale and removal of said dock.

Resolution No. 6425 was introduced.

A RESOLUTION DECLARING THE ENCLOSED FISHING DOCK ON SHAWNEE TWIN LAKE NUMBER ONE SURPLUS PROPERTY AND NO LONGER NEEDED FOR CITY PURPOSES; DESCRIBING SAID ITEM; AND AUTHORIZING STAFF TO PROCEED WITH ADVERTISING FOR SEALED BIDS FROM THE PUBLIC FOR SALE AND REMOVAL OF SAID DOCK.

A motion was made by Commissioner Sims, seconded by Commissioner Smith, to approve a resolution declaring the Enclosed Fishing Dock on Shawnee Twin Lake Number One surplus and authorizing staff to accept bids for sale and removal of said dock. Motion carried 7-0.

AYE: Sims, Smith, Stephens, Harrod, Peterson, Collier, Winterringer

NAY: None

AGENDA ITEM NO.10:

Consider a resolution authorizing the mayor to cast votes for Mr. Brian McDougal and Mr. Craig Stephenson as Trustees for

Oklahoma Municipal Assurance Group for
three year terms commencing July 1, 2012.

Resolution No. 6426 was introduced.

A RESOLUTION AUTHORIZING AND DIRECTING
LINDA PETERSON, MAYOR AND AUTHORIZED
AGENT OF THE CITY OF SHAWNEE,
OKLAHOMA, TO CAST VOTES FOR TRUSTEES OF
THE OKLAHOMA MUNICIPAL ASSURANCE
GROUP TO FILL EXPIRING TERMS OF TRUSTEES.

A motion was made by Vice Mayor Collier, seconded by Commissioner Smith, to approve a resolution authorizing the mayor to cast votes for Mr. Brian McDougal and Mr. Craig Stephenson as Trustees for Oklahoma Municipal Assurance Group for three year terms commencing July 1, 2012. Motion carried 7-0.

AYE: Collier, Smith, Stephens, Sims, Harrod, Peterson, Winterringer
NAY: None

AGENDA ITEM NO. 11: Consider Bids:

- a. Converting Supplied Cab and Chassis to Wildland Firefighting Apparatus (Award)

<u>BIDDER</u>	<u>AMOUNT</u>
Weis Fire and Safety Equipment Co. Salina, KS	\$64,489.00

Interim Fire Chief Dru Tischer announced that one bid was received and after review and consideration it was staff's recommendation to award the bid to Weis Fire and Safety Equipment of Salina, Kansas in the amount of \$64,489.00.

A motion was made by Commissioner Sims, seconded by Commissioner Winterringer, to accept staff's recommendation and award the bid to Weis Fire and Safety Equipment in the amount of \$64,489.00. Motion carried 7-0.

AYE: Sims, Winterringer, Smith, Stephens, Harrod, Peterson, Collier
NAY: None

AGENDA ITEM NO. 12:

New Business (Any matter not known about or which could not have been reasonably foreseen prior to the posting of the agenda)

There was no New Business.

AGENDA ITEM NO. 13:

Administrative Reports

City Engineer John Krywicki discussed the current status of the Kickapoo Street project. He informed the Commission of a recent meeting with representatives from the Oklahoma Department of Transportation. Mr. Krywicki reported that there were several items that needed correction according to ODOT. Among the issues were 19 parcels in which the legal descriptions do not “close.” The property owners with corrected legal descriptions will need to re-sign their right-of-way agreements. Also mentioned was a potential issue involving drainage at one property site. Mr. Krywicki stated that ODOT did not have this project on their June scheduling and did not say when they expected it to be scheduled.

Community Development Director Justin Erickson informed the Commission of some future training opportunities. The first will be on May 24, 2012 from 8:30 – 11:30 and the topic will be “The Significant Changes to the 2009 International Residential Code”. This training will be presented by GWS.

A Planning Commission workshop will be held on June 20, 2012 at 1:30 p.m. presented by Catalyst Commercial discussing their retail study findings.

AGENDA ITEM NO. 14:

Commissioners Comments

Commissioner Sims stated he was disappointed in the lack of landscaping on the islands at the Expo parking lot.

Commission Harrod asked for clarification regarding the Mayor’s ballot vote on the OMAG board. City Attorney Mary Ann Karns explained the procedure to Commissioner Harrod.

AGENDA ITEM NO. 15:

Consider an Executive Session for discussion and possible action on settlement of Anthony Grasso, Case No. CJ-2010-00243 pursuant to 25 O.S. §307(B)(4).

A motion was made by Commissioner Sims, seconded by Commissioner

Winterringer, to enter into Executive Session to discuss and possible action on settlement of Anthony Grasso, Case No. CJ-2010-00243 pursuant to 25 O.S. §307(B)(4). Motion carried 7-0.

AYE: Sims, Winterringer, Smith, Stephens, Harrod, Peterson, Collier

NAY: None

COMMISSION ENTERS EXECUTIVE SESSION AT 7:13 P.M.

COMMISSIONER HARROD LEAVES COMMISSION MEETING AT 7:13 P.M.
AND DOES NOT ATTEND EXECUTIVE SESSION.

COMMISSION RETURNS FROM EXECUTIVE SESSION WITH SIX
COMMISSIONERS PRESENT AT 8:22 P.M.

AGENDA ITEM NO. 16: Consider matters discussed in Executive Session regarding discussion and possible action on settlement of Anthony Grasso, Case No. CJ-2010-00243 pursuant to 25 O.S. §307(B)(4).

A motion was made by Commissioner Stephens, seconded by Commissioner Sims, to reject the settlement offer. Motion carried 6-0.

AYE: Stephens, Sims, Peterson, Collier, Winterringer, Smith

NAY: None

AGENDA ITEM NO. 17: Adjournment

There being no further business to be considered, a motion was made by Commissioner Sims, seconded by Commissioner Winterringer, that the meeting be adjourned. Motion carried 6-0. (8:24 p.m.)

AYE: Sims, Winterringer, Smith, Stephens, Peterson, Collier

NAY: None

LINDA PETERSON, MAYOR

ATTEST:

PHYLLIS LOFTIS, CMC, CITY CLERK

Regular Board of Commissioners

2. c.

Meeting Date: 05/21/2012

Board and Authorities Minutes

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Acknowledge the following minutes:

- Shawnee Urban Renewal Authority minutes from March 6, 2012

Attachments

SURA Minutes

SHAWNEE URBAN RENEWAL AUTHORITY

MINUTES OF MARCH 6, 2012

The Board of Commissioners of the **Shawnee Urban Renewal Authority** met for a regular meeting Tuesday, March 6, 2012 at 9:00 a.m. in the 4th Floor Conference Room, Masonic Building, 23 E. 9th, Room 440, Shawnee, Oklahoma.

Chairman Stephen Rice called the meeting to order at 9:00 a.m.

AGENDA ITEM NO. 2

ROLL CALL:

Roll call was taken showing the following members present:

Chairman	Stephen Rice
Commissioner	Tiffany Barrett
Commissioner	Monte Cockings
Commissioner	Ron Henderson
Commissioner	Patty L. Nida

Also present:

Justin Erickson, Program Director

Mike Wolf, Program Manager, SURA

Carla Clemons, Planning Assistant, SURA

Elaine Shrum, Administrative Specialist, SURA

A quorum was declared.

AGENDA ITEM NO. 3

APPROVAL OF MINUTES:

A motion to approve the minutes of February 7, 2012 was made by **Commissioner Barrett**, seconded by **Commissioner Cockings**. Motion carried with no abstentions.

VOTING YES: Rice, Barrett, Cockings, Henderson and Nida

VOTING NO: None

AGENDA ITEM NO. 4
APPROVAL OF CLAIMS:

A motion to approve claims totaling \$ 21,329.65 was made by **Commissioner Barrett**, seconded by **Commissioner Nida**. Motion carried with no abstentions.

VOTING YES: Rice, Barrett, Cockings, Henderson and Nida
VOTING NO: None

AGENDA ITEM NO. 5
ELECTION:

RFP Review Committee – One Board Member to replace Sim K. Sims.

A motion to appoint **Commissioner Cockings** to serve on the RFP Review Committee was made by **Commissioner Henderson**, seconded by **Commissioner Barrett**. Motion carried with no abstentions.

VOTING YES: Rice, Barrett, Cockings, Henderson and Nida
VOTING NO: None

A motion to appoint **Commissioner Henderson** to serve on the RFP Review Committee as an alternate was made by **Chairman Rice**, seconded by **Commissioner Cockings**. Motion carried with no abstentions.

VOTING YES: Rice, Barrett, Cockings, Henderson and Nida
VOTING NO: None

AGENDA ITEM NO. 6
REQUEST FOR ASSISTANCE:

Mike Wolf, Program Manager reported on the following request:

a) Deferred Payment Loan: Delois Taylor, 406 N. McKinley

Ms. Taylor is 66 years old and receives Social Security. She is income qualified. She has lived in her home 22 years. The structure needs weatherization.

A motion to approve the request for assistance was made by **Commissioner Henderson**, seconded by **Commissioner Cockings**. Motion carried with no abstentions.

VOTING YES: Rice, Barrett, Cockings, Henderson and Nida
VOTING NO: None

AGENDA ITEM NO. 7
REQUEST FOR APPROVAL:

a) SURA Policy and Procedure Changes.

Mike Wolf, Program Manager reported that due to a cut in funding, he recommends reducing the amount spent on a DPL project to \$21,000.00 from \$30,000.00. This would allow SURA to continue assisting approximately the same number of clients. He also recommended lowering the income limits on an Emergency applicant to 30% median income.

A motion to approve the changes was made by **Commissioner Barrett**, seconded by **Commissioner Nida**. Motion carried with no abstentions.

VOTING YES: Rice, Barrett, Cockings, Henderson and Nida
VOTING NO: None

b) Family Promise, Transitional Housing.

Mike Wolf, Program Manager reported that Family Promise is interested in leasing all three of SURA's properties for transitional housing. If approved by Family Promise a lease agreement will be executed June 30, 2012.

A motion to approve leasing the properties was made by **Commissioner Henderson**, seconded by **Commissioner Barrett**. Motion carried with no abstentions.

VOTING YES: Rice, Barrett, Cockings, Henderson and Nida
VOTING NO: None

AGENDA ITEM NO. 8
UPDATE ON BID OPENING FROM LAST MEETING:

a) Emergency Assistance: Carol Dyas, 818 N. Market

The bid was awarded to LG Construction and is set to start next week.

**AGENDA ITEM NO. 9
OLD BUSINESS:**

There was no old business.

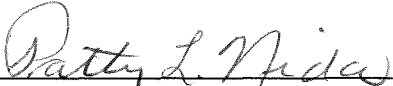
**AGENDA ITEM NO. 10
NEW BUSINESS:**

There was no new business.

**AGENDA ITEM NO. 11
ADJOURNMENT**

There being no further business to come before the Board at this time, a motion to adjourn at 9:23 a.m. was made by **Commissioner Barrett**, seconded by **Commissioner Nida**. Motion carried with no abstentions.

VOTING YES: Rice, Barrett, Cockings, Henderson and Nida
VOTING NO: None


Secretary, Patty L. Nida


Chairman, Stephen Rice

Regular Board of Commissioners

2. d.

Meeting Date: 05/21/2012

Easement

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Approve release of easement to Shawnee Hospital Authority for property no longer needed by the City of Shawnee.

Attachments

Easement

00-4035
City Clerk's Office
P. O. Box 1443
Shawnee, OK 74802-1443



Book 1752 Page 137 1000

KNOW ALL MEN BY THESE PRESENTS:

State of Oklahoma, Pottawatomie County, SS:
Filed for record at 3:40 P.M. on 4-1-1989
Myrna Eocene, County Clerk, By: D. N. Little Deputy

That the Shawnee Hospital Authority, a Public Trust (Grantor), for valuable consideration and upon the terms herein, hereby grants, bargains, sells and conveys unto The City of Shawnee, Oklahoma, a Municipality (Grantee) an Easement covering the following described tract of real property (Subject Property) located in Pottawatomie County, Oklahoma, to-wit:

A strip, parcel or piece of land lying in the Southwest Quarter of Section 1, Township 10 North, Range 3 East of the Indian Meridian, Pottawatomie County, Oklahoma, further described as follows:

Beginning at the Southwest Corner of Lot 32, Block 3, Benedictine Heights Addition to the City of Shawnee, Oklahoma; thence East along the existing North right of way line of the Section Line a distance of 304 feet; thence North along a line parallel to the West block line of Block 2 of said Addition a distance of 60 feet; thence West along a line parallel to said existing North right of way line a distance of 314 feet; thence South along a line parallel to the West block line of said Block 3 a distance of 60 feet; thence East along said existing North right of way line to the Point of Beginning, containing 0.43 acres, more or less.

Said Easement shall grant to Grantee the right to use Subject Property in connection with the construction, maintenance and use of an underpass on MacArthur Street adjoining Subject Property.

Grantee agrees to construct and maintain a two lane hard surface road on Subject Property, parallel to the North side of Subject Property and to construct a curbed approach on Subject Property to said road from MacArthur Street. Grantor and its successors and assigns shall have unlimited use of said road for access to Grantor's property adjoining Subject Property.

The parties hereto acknowledge that Grantor, by Easement dated August 11, 1987, and recorded in Book 1527 at Page 254 in the office of the Pottawatomie County, Oklahoma, Clerk, has granted to the Young Men's Christian Association of Shawnee, Oklahoma, an Easement for road purposes covering the West 60 feet of Subject Property.

Grantor does not warrant or agree to defend title to the interest conveyed herein against the claims and demands of any of those claiming an interest in Subject Property; provided, however, Grantee is hereby granted the right of full subrogation and substitution of all warranties heretofore made or given and all such covenants of warranty are hereby transferred and assigned to Grantee, and Grantee shall have the benefit of after acquired title as to Grantor and its predecessors in interest.

The provisions hereof shall inure to the benefit of and be binding on Grantor and Grantee, their successors and assigns.

Executed this 7th day of March, 1989.



SHAWNEE HOSPITAL AUTHORITY,
a Public Trust

By William A. W. Jones
Chairman of the Board

C9268msc7

SPACE ABOVE LINE RESERVED FOR RECORDER'S USE

RELEASE OF EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

The undersigned, the City of Shawnee in consideration of the sum of Ten Dollars (\$10.00) and other valuable consideration in hand paid, the receipt of which is hereby acknowledged, do hereby release and forever discharge that certain Easement dated March 7, 1989, recorded on April 4, 1989, in Book 1752 at Page 137 of the Pottawatomie County Clerk's records, from the Shawnee Hospital Authority, a Public Trust for purposes of using the property in connection with the construction, maintenance and use of an underpass on MacArthur Street adjoining the Property constructing, maintaining and utilizing a road on the following described real property (the "Property") to-wit:

A strip, parcel or piece of land lying in the Southwest Quarter (SW/4) of Section One (1), Township Ten (10) North, Range Three (3) East of the Indian Meridian, Pottawatomie County, Oklahoma, further described as follows:

Beginning at the Southwest Corner (SW/4) of Lot Thirty-two (32), Block Three (3), Benedictine Heights Addition to the City of Shawnee, Oklahoma; thence East along the existing North right of way line of the Section Line a distance of 304 feet; thence North along a line parallel to the West block line of Block Two (2) of said Addition a distance of Sixty (60) feet; thence West along a line parallel to said existing North right of way line a distance of 314 feet; thence South along a line parallel to the West block line of said Block Three (3) a distance of Sixty (60) feet; thence East along said existing right of way line to the Point of Beginning, containing 0.43 acres, more or less.

and disclaims any such right, title or interest in or to said property.

Dated this _____ day of _____, 2012.

The City of Shawnee, Oklahoma

Phyllis Loftis, City Clerk

by: _____
Brian McDougal, City Manager

STATE OF OKLAHOMA)
) SS:
COUNTY OF POTTAWATOMIE)

This instrument was acknowledged before me on the _____ day of _____, 2012, by Brian McDougal as City Manager of the City of Shawnee, Oklahoma.

[S E A L]

NOTARY PUBLIC
Commission No. _____
My Commission Expires: _____



Regular Board of Commissioners

2. e.

Meeting Date: 05/21/2012

Authorize Bids on Library Re-Roofing

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Authorize staff to begin the bidding process on the Library re-roofing project.

Attachments

Library Reroofing

City of Shawnee Memorandum



To: Mayor and City Commissioners
CC: Brian McDougal, City Manager
From: James Bryce, Director of Operations
Date: May 16, 2012
Re: Library Re-Roofing Project

Staff requests permission to begin the bidding process on the Library Re-Roofing Project. Funding for this project will come from the 3rd Penny short term note and bond refinance approved by the Commission on November 14, 2011.

Budgeted amount \$250,000.00

Regular Board of Commissioners

4.

Meeting Date: 05/21/2012

Mayor's Proclamation

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Mayor's Proclamation

"Emergency Medical Services Week"

May 20 – May 26, 2012

Attachments

Proclamation

City of Shawnee



Proclamation

On behalf of the citizens of Shawnee, Oklahoma, I, Mayor Linda Peterson, do hereby proclaim the week of May 20 through May 26, 2012, as

"EMERGENCY MEDICAL SERVICES WEEK"

Whereas, emergency medical services is a vital public service; and

Whereas, the members of emergency medical services teams are ready to provide lifesaving care to those in need twenty-four hours a day, seven days a week; and

Whereas, access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and

Whereas, the emergency medical services system consists of emergency physicians, emergency nurses, emergency medical technicians, paramedics, firefighters, educators, administrators and others; and

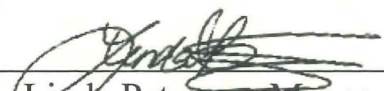
Whereas, the members of emergency medical services teams, whether career or volunteer, engage in thousands of hours of specialized training and continuing education to enhance their lifesaving skills; and

Whereas, it is appropriate to recognize the value and the accomplishments of emergency medical services providers by designating Emergency Medical Services Week; now

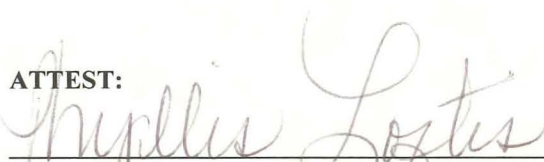
Now, Therefore, I, Linda Peterson, Mayor of the City of Shawnee, Oklahoma by the authority vested in me, do hereby proclaim the week of May 20 through May 26, 2012, as

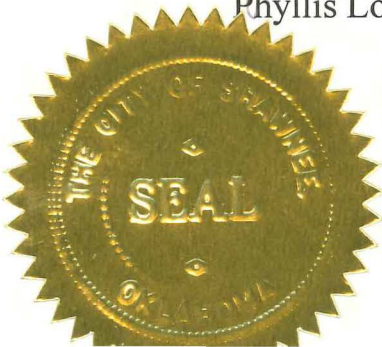
"EMERGENCY MEDICAL SERVICES WEEK"

In the City of Shawnee, Oklahoma
Dated this 21st day of May, 2012.


Linda Peterson, Mayor

ATTEST:


Phyllis Loftis, City Clerk



Regular Board of Commissioners

5.

Meeting Date: 05/21/2012

United Way Community Survey

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Presentation of United Way of Pottawatomie County Community Survey 2011, by Audrey Seeliger.

Attachments

Survey Presentation



**United Way of Pottawatomie County
Community Survey 2011**



INTRODUCTION

- The United Way of Pottawatomie County is dedicated to promoting the overall health and well-being of Pottawatomie County.
- The primary goal of the community assessment study is to identify critical areas of human and society-based needs within our county.
- Information gained will be:
 - used in the annual allocation process and
 - shared this information with any interested party.

PROCESS



Five focus group meetings with over 65 area residents (Shawnee youth coalition, UW Board, community residents recruited from all walks of life)

Based on their insight, an online survey was developed and distributed broadly through use of postcards, newspaper ads, personal and group email notifications



TEAM

The community assessment process has been conducted by the following United Way Committee Members:

- Casey Bell, BancFirst
- Michael Affentranger, BancFirst
- Rachael Geiger, Shawnee Economic Development Foundation, 2008-2011
- Audrey Seeliger, United Way of Pottawatomie County

The United Way engaged a non-affiliated third party, independent consultant Dr. Denise Caudill, to review and report the survey results

RESPONSE

N=252

- The results of this survey reflect the ideas and perspective of the 252 respondents

Profile of Respondents = 252

- 71% Female
- 72% Residents of Shawnee
- 73% Hold college degree
- 73% Age 30 -59 years
- 75% Household annual income greater than \$50,000

2010 US Census Data for Pottawatomie County:

- Population 2010 = 69,442
- 52% Female
- 18% Bachelors degree or higher
- Median household income 2009 = \$38,763

What We Learned About the Process

- Five focus groups were well attended and more representative of a cross-section of the community
- Survey response rate was less than hoped for



In the future

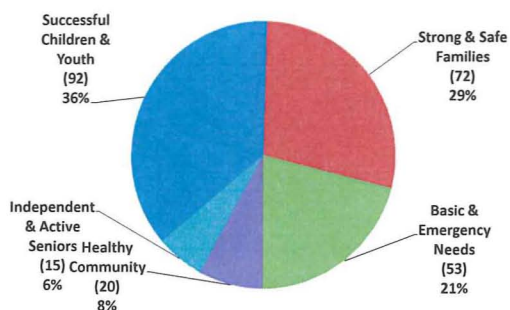
- Seek more input from current United Way donors
- And all segments of the community population.
- Data collection methods and tools will be short and easy to use by respondents.
 - open-ended questions instead of
 - complicated rating/prioritizing factors in closed-ended lists

What Did They Say?



Most Important Category

Number & Percent of People by their Choice for #1 Ranking, N=252



Successful Children and Youth -- 36% (92)

- Children and youth need to be a number one priority if we want community growth and progress. Investing in children is an investment in the future.
- Success in the other categories will flow from success in this category.
- All else will fall into place if children are well served.
- Successful children will become healthy, productive adults
- My idea of a community that is doing things well (or is on the "cutting edge") is one that has many opportunities for (all) their youth and is able to engage them to the point they feel they are a part of the community. The more youths who have positive experiences at a young age the more likely they may come back to be active leaders in their home community.

Strong and Safe Families – 29% (72)

- *When we invest in our families so they become strong, healthy and secure the effects domino down to all other concerns. When the basic family unit is encouraged, supported and emphasized, the home can be an integral building block laying the foundation for a healthy home, community, and school environment.*
- *Strong and safe families are fundamental to addressing all other areas*
- *Family is foundational to community and the strength of the family usually determines the strength of the community.*
- *You have to meet the basic needs before a family can focus on other issues.*

Basic and Emergency Needs -- 21% (53)

- *Meeting basic needs is foundational to all other human needs*
- *Without basic needs met, you can't have success, independence, safety, or be healthy.*
- *Basic needs are not met then the other categories do not matter.*
- *What's more important than basic and emergency needs?*
- *It is virtually impossible to attend to the rest if basic needs are not provided for.*

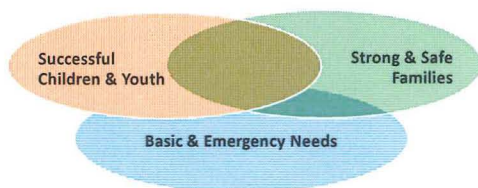
Healthy Community -- 8% (20)

- *I think it's important that our community/children participate in activities that promote health and well being.*
- *Being healthy precursor to other categories*
- *Lack of and cost of health care are problems*

Independent & Active Seniors 6% (15)

- *Because I am 62 and I don't think there's enough attention to seniors.*

What We Learned About the Most Important Category



What We Learned About the Most Important Category

Top three categories overlap

- Families are made up of people of all ages, including children and youth;
- Children and youth live in families; and,
- Addressing basic needs is fundamental for all people, all ages.

Response?

- Not linear or sequential, but instead encompass all three areas.

Basic needs = chronic and crisis need

- Different causes and consequences
- Emergency compared to living at or below poverty level.
- Programs to address both types of inability to meet basic needs

What Are the Barriers & Obstacles to Success for Local Children?



2 out of 3

- of the respondents to the survey chose
- Lack of parental guidance and/or
- Lack of positive adult role models

What Are the Barriers & Obstacles to Success for Local Children?

- Respondents also chose these other barriers to success, all of which were also seen as contributing factors to high school drop-out rate and generational poverty:
- Addictive Behaviors (i.e. drugs, alcohol, gambling, etc.)
- Lack of Self-Worth
- Lack of Education
- Lack of Employment

What did they say?

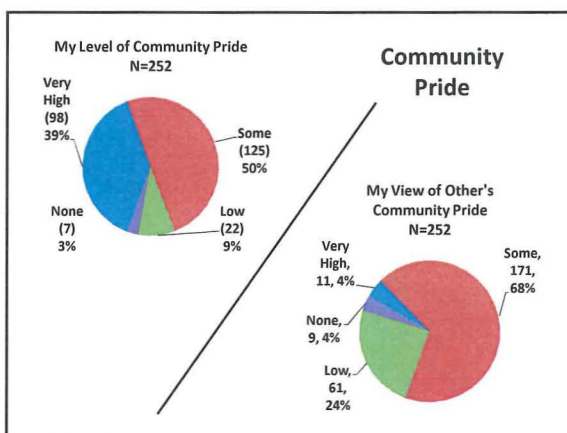
- *I work with youth and families on a daily basis and it seems that the effects of parental guidance in homes where there is little lead to many of these other barriers. Parents are often overwhelmed or just not educated on how to guide their children so other adults try to do it.*
- *Having strong parental influence and involvement is one of the strongest denominators in child development.*
- *A lack of a positive role model is detrimental to a child's success. It doesn't have to be a biological parent. Anyone can positively influence a child's life.*
- *A positive role model is the best defense against many of the other contributing factors listed. It is important to recognize that the positive role model may not always be a parent.*

Why Children and Youth Lack Parental Guidance and / or Positive Role Models

- Increase in number of single parent families
- Parents are too busy working to support the family, not at home with children
- Lack of parent engagement in children's lives because they are working or engaged in their own activities
- Lack of parenting skills, understanding of parent role in child development
- Parental abuse of alcohol and drugs, gambling, unethical behaviors
- Too much unsupervised time for children, 'latch-key kids'

What We Learned About Barriers to Success

- People believe children deserve and need guidance and positive adult role models
- All children need opportunities to grow and thrive
- **If not from their parents then from other positive adult influences**



Positive Contributing Factors to Community Pride

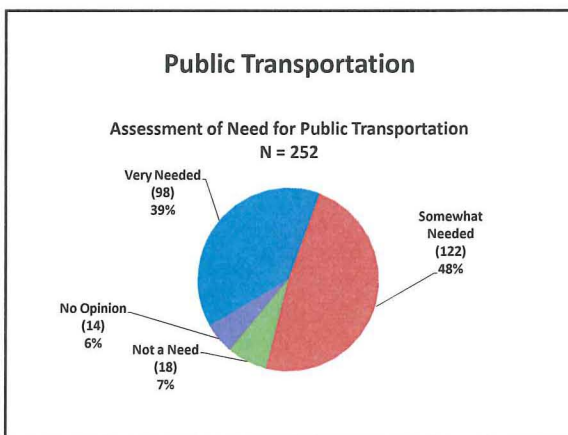
- Small Town/Home
- Proximity to Oklahoma City Metro
- Civic/Religious/Volunteer Organizations
- Affordable Housing
- Shopping/Restaurants



Negative
Contributing Factors to Community Pride

- Lack of Activity/Healthy Conscious Community (bike lanes, walking/running trails, parks)
- Homelessness
- Lack of Beautification
- Incarceration





Potential Use of Public Transportation

- 9% (23) said they would use public transportation
- 16% (41) said they and someone they know would use public transport
- 52% (131) said they know someone who would use public transport
- 22% (57) said neither themselves or anyone they know would utilize public transportation



2-1-1 Resource Referral Hotline

- Only 38% (97 of 252) of respondents said they are aware of the 2-1-1 Resource Referral Hotline.



0-----50-----100%

Summing Up



United Way of Pottawatomie County
 23 E 9th St., Suite 333
 Shawnee, OK 74801
 PO Box 697, 74802-0697
 Phone: (405) 273-6833 – Fax: (405) 273-4114
www.unitedwaypottco.org

Regular Board of Commissioners

6.

Meeting Date: 05/21/2012

Expo Center Capital Projects Request

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Presentation of Capital Improvement Projects funding request for Shawnee Civic and Cultural Development Authority (Expo Center).

Regular Board of Commissioners

7.

Meeting Date: 05/21/2012

Mineral Lease

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Consider offer from Texoma Land Consultants to lease mineral rights on a tract of property the City owns in the Shawnee Twin Lakes area.

Attachments

Texoma Land Office Offer

City of Shawnee Memorandum

To: Honorable Mayor and City Commission Members

Through: Brian McDougal, City Manager

From: Donald D. Lynch, Oil and Gas Inspector *D.L.*

Date: May 16, 2012

Re: Offer from Texoma Land Consultants

I am writing to request your consideration on the attached offer from Texoma Land Consultants concerning leasing mineral rights on a tract of property the City owns in the Twin Lakes area.

The offer amount is greater than the previous offer you accepted at the April 2, 2012 meeting. Texoma has agreed to raise the lease proceeds on that property to the new offer amount should you accept the new offer.

Jim Roberts with Texoma Land Company will be in attendance at your meeting to answer any questions you may have for him.

Staff recommends acceptance of this offer.

Thank you for your attention to this matter.



TEXHOMA LAND CONSULTANTS, INC.

Telephone (405) 650-0007 FAX (405) 330-4616
Email: jroberts319@aol.com

May 16, 2012

City of Shawnee, OK

Attn: Brian McDougal, City Mgr.

Attn: Don Lynch, Director Emergency Management

16 W. 9th

Shawnee, OK 74801

Re: Revised Offer Oil & Gas Lease
Section 03, Township 10 North, Range 02 East;
Section 11, Township 10 North, Range 02 East;
Section 13, Township 10 North, Range 02 East;
Corrected Section 15, Township 10 North, Range 02 East;
Corrected Section 22, Township 10 North, Range 02 East;
Section 23, Township 10 North, Range 02 East
All in Pottawatomie County, Oklahoma

Dear Sirs:

On May 15, 2012, Texhoma Land Consultants, Inc. presented to your office our letter of correction for an error made in examining title ownership which resulted in a correction to the total net acres owned by the City. As a result of this error and after further consultation with our client, Texhoma Land Consultants, Inc. hereby offers to lease all of the corrected approximate **1014.99000** net mineral acres for the following revised terms:

\$200.00 per net acre for a 3 year lease and a 3/16th royalty in the event of production

As has been a constant in this leasing process, the 80 net acre tract in Section 03, 10N-02E that was previously approved per our offer letter of February 21, 2012 has remained a part of and is included in the corrected total of **1014.99000** net mineral acres. A detail of these total acres is located in the Total Net Acres Summary located on page two of this letter.

I am available at any time on my cell at **405-650-0007**. Please feel free to contact me with any additional questions or concerns. We look forward to including the City's mineral interests in this current oil and gas play.

Sincerely,

Jim W. Roberts

Land Agent for Texhoma Land Consultants, Inc.

405-650-0007

YES, PLEASE SEND PACKET: _____

SIGNED _____

PHONE # _____



TEXHOMA LAND CONSULTANTS, INC.

Telephone (405) 650-0007 FAX (405) 330-4616
Email: jroberts319@aol.com

TOTAL NET ACRES SUMMARY

(Corrected acres in **bold**)

Tract #4; Section 03, 10N-02E, SW/4
Tract #4; 50.0000% interest.....80.0000 net acres

Tract #4; Section 11, 10N-02E, SW/4 & SW/4 SW/4 SE/4
Tract #4; 100.0000% interest.....170.0000 net acres

Tract #6; Section 13, 10N-02E, a part of the NW/4 (metes & bounds)
Tract #6; 100.0000% interest.....2.9900 net acres

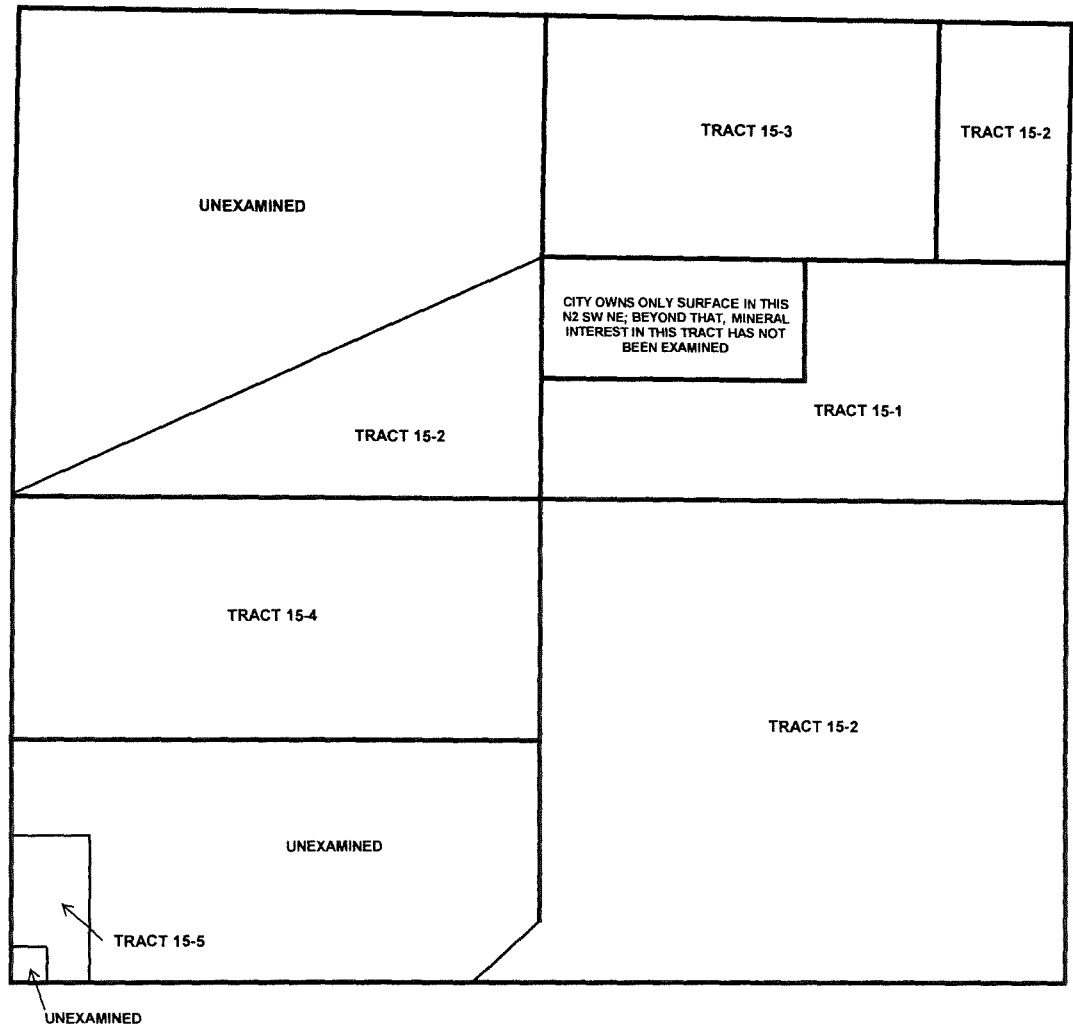
Tract #'s 1-4; Section 15, 10N-02E, tracts in the NE/4; NW/4; SW/4 & All SE/4 (metes & bounds)
Tract #1; 50.0000% interest.....30.0000 net acres
Tract #2; 100.0000% interest.....222.0000 net acres
Tract #3; 50.0000% interest.....30.0000 net acres
Tract #4; 50.0000% interest.....40.0000 net acres
Tract #5; 50.0000% interest.....2.5000 net acres

Tract #1; Section 22, 10N-02E, All NE/4 & Tracts in the S/2 (metes & bounds)
Tract #1; 100.0000% interest.....202.5000 net acres
Tract #2; 50.0000% interest.....80.0000 net acres

Tract #'s 1-2; Section 23, 10N-02E, tracts in the NW/4 and All SW/4 (metes & bounds)
Tract #1; 100.0000% interest.....75.0000 net acres
Tract #2; 50.0000% interest.....80.0000 net acres

TECUMSEH DEEP

Tracts in the NE/4; NW/4; SW/4 & All of the SE/4 of Section 15, Township 10 North, Range 2 East
Pottawatomie County, Oklahoma



TRACT	GROSS ACRES	ACRES OR % OWNED BY CITY	ACRES OR % UNEXAMINED
15-1	60.00000	30.00000 or 50%	30.00000 or 50%
15-2	222.00000	222.00000 or 100%	0.00 or 0%
15-3	60.00000	30.00000 or 50%	30.00000 or 50%
15-4	80.00000	40.00000 or 50%	40.00000 or 50%
15-5	5.00000	2.50000 or 50%	2.50000 or 50%
TOTAL	427.00000	324.50000 or 76.00%	102.50000 or 24.00%

(In the balance of the 640 acre section, being 213 acres, the City of Shawnee owned no interest, therefore no further examination was done.)

May 11, 2012

Texhoma Land Consultants, Inc.

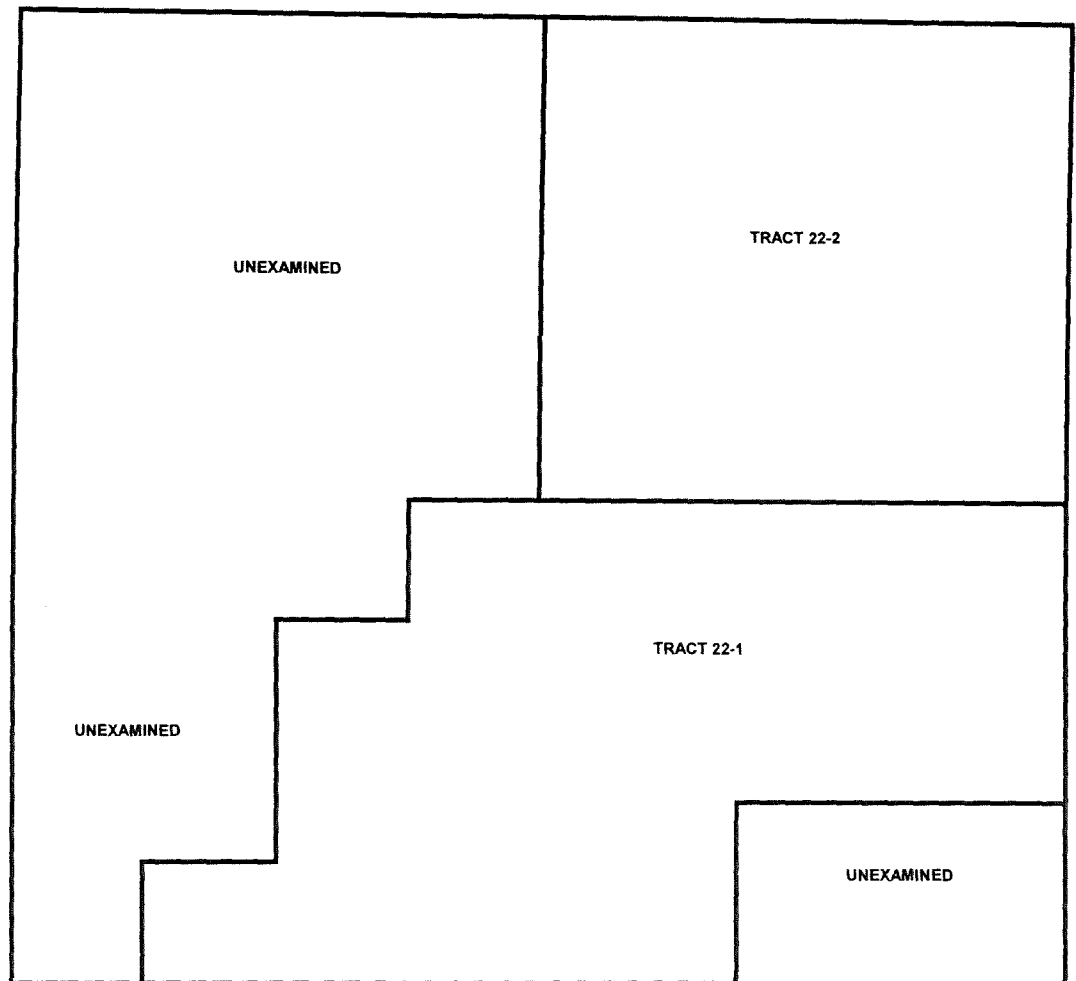
770 W. Rock Creek Rd., Ste. 117

Norman, OK 73069

(405) 321-6777

TECUMSEH DEEP

All of the NE/4 and Tracts in the S/2 of Section 22, Township 10 North, Range 2 East
Pottawatomie County, Oklahoma



TRACT	GROSS ACRES	ACRES OR % OWNED BY CITY	ACRES OR % UNEXAMINED
22-1	202.50000	202.5 or 100%	0.00 or 0%
22-2	160.00000	80.00 or 50%	80.00 or 50%
TOTAL	362.50000	282.5 or 78%	80.00 or 22%

(In the balance of the 640 acre section, being 277.5 acres, the City of Shawnee owned no interest, therefore no further examination was done.)

May 11, 2012

Texhoma Land Consultants, Inc.

770 W. Rock Creek Rd., Ste. 117

Norman, OK 73069

(405) 321-6777

Regular Board of Commissioners

8.

Meeting Date: 05/21/2012

Sales Tax Report

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Acknowledge Sales Tax report received May, 2012

Attachments

Sales Tax

City of Shawnee Memorandum

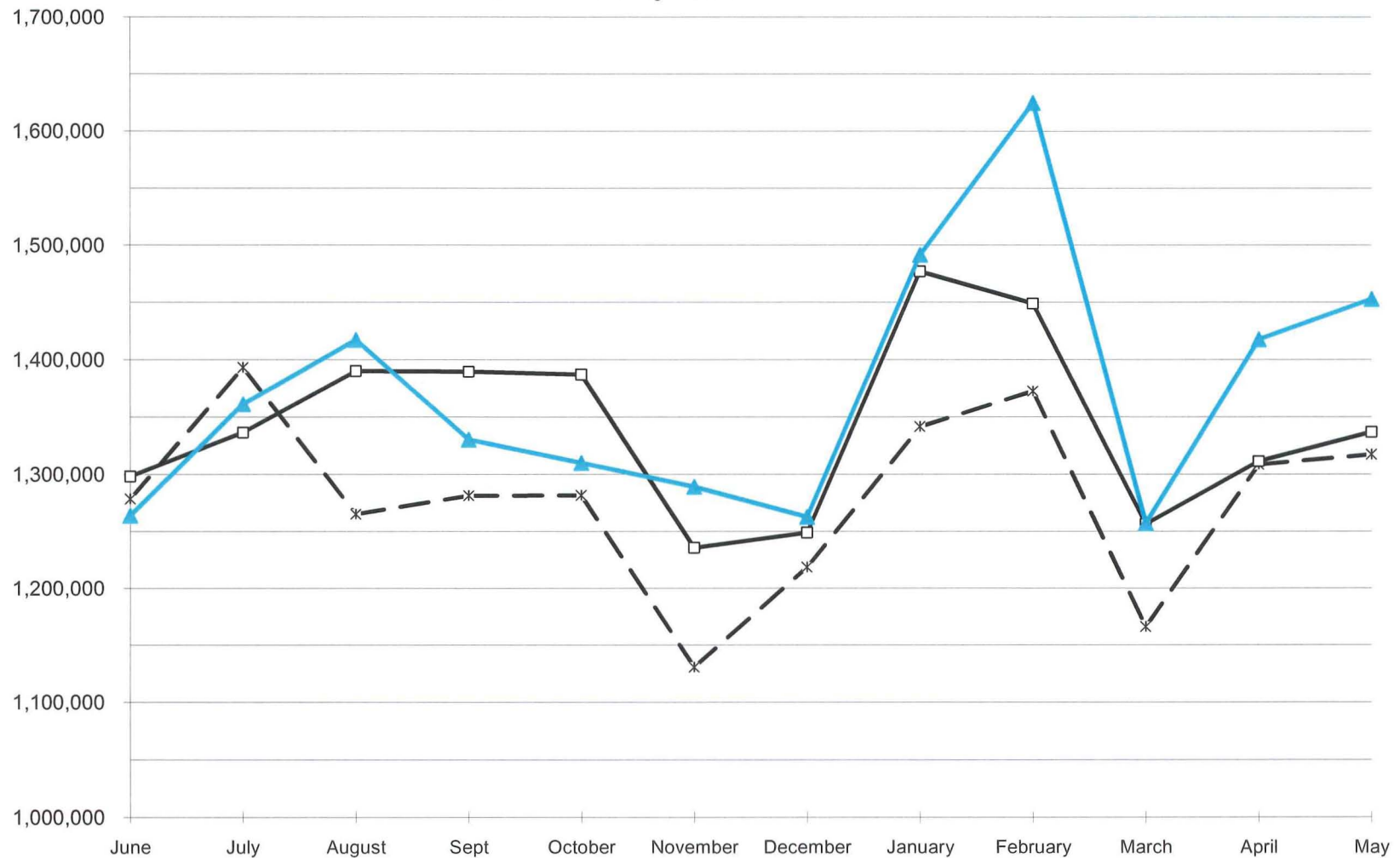
To: Mayor and City Commissioners
CC: Brian McDougal, City Manager
From: Cynthia R Sementelli, Finance Director
Date: May 11, 2012
Re: City Sales Tax Report



May Sales Tax receipts were up \$115,731 or 8.66% compared to last year receipts. The May Sales tax amount received plus interest was \$1,452,759 which is up over budget by .66% compared to the year to date budget amount. Compared to May 2010 figures we were up by \$135,592 10.29%



**CITY OF SHAWNEE
SALES TAX COLLECTIONS
June 2009-May 2012**



- *— May 2009 through April 2010
- May 2010 through April 2011
- ▲— May 2011 through April 2012

	June 2009	June 2010	June 2011	Increase (Decrease)	
	through	through	through	Over Prior Year	
Month	May 2010	May 2011	May 2012	Amount	Percentage
June	1,278,401	1,298,026	1,263,777	(34,249)	(2.64%)
July	1,393,065	1,336,599	1,361,273	24,675	1.85%
August	1,265,208	1,390,086	1,417,308	27,222	1.96%
Sept	1,281,234	1,389,702	1,330,420	(59,282)	(4.27%)
October	1,281,416	1,386,987	1,309,924	(77,063)	(5.56%)
November	1,130,651	1,235,390	1,289,143	53,754	4.35%
December	1,218,404	1,248,649	1,262,401	13,752	1.10%
January	1,341,370	1,476,824	1,491,647	14,824	1.00%
February	1,372,608	1,448,966	1,624,568	175,602	12.12%
March	1,165,927	1,256,430	1,256,806	376	0.03%
April	1,308,463	1,311,387	1,417,533	106,146	8.09%
May	1,317,167	1,337,029	1,452,759	115,731	8.66%
Total	15,353,915	16,116,072	16,477,560	361,488	2.24%

Period	Prior Year Actual	Current Year Actual	Increase (Decrease) Over Prior Year	
Fiscal Year to Date	14,818,046	15,213,784	\$395,738	2.67%

Fiscal Year to Date Budget based on last year actual plus 2%

Period	Current Year Budget	Current Year Actual	Budget Variance Favorable (Unfavorable)	
Fiscal Year to Date	15,114,407	15,213,784	\$99,377	0.66%