

BOARD OF CITY COMMISSIONERS PROCEEDINGS
MAY 17, 2021 AT 6:00 P.M.

The Board of City Commissioners of the City of Shawnee, County of Pottawatomie, State of Oklahoma, met in Regular Session, Monday, May 17, 2021 at 6:00 p.m., pursuant to notice duly posted as prescribed by law at 4:40 p.m. on May 14, 2021. Mayor Bolt presided and Mr. Alex Meeuwsen called the meeting to order. Upon roll call, the following members were in attendance.

Ed Bolt
Mayor

Daniel Matthews
Commissioner Ward 1

Bob Weaver
Commissioner Ward 2

Travis Flood
Commissioner Ward 3

Darren Rutherford
Commissioner Ward 4-Vice Mayor

Mark Sehorn
Commissioner Ward 5

Ben Salter
Commissioner Ward 6

ABSENT: None

INVOCATION

Commissioner Flood

FLAG SALUTE

AGENDA ITEM NO. 1:

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

Mr. John Bobb-Semple, Blue Zones Project Community Program Manager, announced there are exciting events happening next week, May 21-27, 2021, for Avedis Foundation Health Week.

Mr. Rob Morris stated a public hearing should be held for citizen involvement regarding Agenda Item Nos. 6, 7, and 8. He mentioned he was looking forward to hearing more about 113 South Philadelphia Avenue.

Ms. Teresa Cody stated she would like there to be a town hall meeting with downtown businesses to discuss the Streatery Guidelines.

AGENDA ITEM NO. 2:

Consider approval of Consent Agenda:

- a. Acknowledge staff will proceed in the instant meeting with the opening and consideration of bids as set forth in Agenda Item No. 13.
- b. Minutes from the May 3, 2021 regular meeting.
- c. Acknowledge the following reports:
 - License Payment Report for April 2021
 - Project Payment Report for April 2021
- d. Mayor's Appointments:

Pioneer Library System Board
Marissa Lightsey 2nd Full Term Expires: June 30, 2024
Reappointment
- e. Approve Change Order No. 6 for Shawnee Police Department Architect's Project No. 1811, 912 East Independence, Shawnee, Oklahoma 74801.
- f. Approval of Mayoral appointment of Joe Vorndran as City of Shawnee designee to the Board of Directors of Shawnee Forward through June 30, 2022.
- g. Authorize a right-of-way easement to be given to Canadian Valley Electric Cooperative, Inc. to serve an existing City Lake Lot Lease site at the Shawnee Twin Lakes.
- h. Approve renewal of the following agreements for Fiscal Year 2021-2022:
 - 1) Agreement with the Housing Authority of the City of Shawnee for fingerprinting services.

- 2) Agreement with South Central Industries, Inc. for trash removal services at twenty-three (23) municipal park locations, and janitorial services at three (3) municipal park locations.
- 3) Agreement with Pottawatomie County District Court to establish, develop, and implement programs for juvenile misdemeanor offenders.
- 4) Agreement with the Independent School District North Rock Creek for police services.
- 5) Agreement with the YMCA for use of City property known as Lions Club Park.

i. Lake Lease Transfer:

TRANSFER:

Lot 6 Seck Tract, 33804 Post Office Neck

From: James and Susan Ruth

To: Gregory and Mary Beth Treece

Commissioner Matthews asked that Consent Agenda Item No. 2(b) be pulled for separate consideration.

A motion was made by Commissioner Mathews, seconded by Commissioner Weaver, to approve the Consent Agenda Item Nos. 2 (a-i), less item 2(b). Motion carried 7-0.

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

NAY: None

Regarding Consent Agenda Item No. 2(b), Commissioner Matthews explained he was not in attendance for the May 3, 2021 City Commission Meeting and wished to abstain from approving the Minutes.

A motion was made by Commissioner Flood, seconded by Vice Mayor Rutherford, to approve Consent Agenda Item No. 2(b) as presented. Motion carried 5-0-2.

AYE: Flood, Rutherford, Sehorn, Salter, Bolt

NAY: None

ABSTAIN: Matthews, Weaver

AGENDA ITEM NO. 3:

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

Animal Control Officer Brandy Spoon introduced Ruby, a seven- to eight-week-old female kitten. Ruby is up for adoption.

Officer Spoon advised that the Animal Shelter currently has fourteen cats, and thirteen dogs.

AGENDA ITEM NO. 4:

Mayor's Proclamations:

"National Public Works Week"
May 16-22, 2021

Mayor Bolt presented the Mayor's Proclamation for "National Public Works Week" to Public Works Director Brad Schmidt and the following staff members: Line Maintenance Supervisor Shane Lomeli, Plant Supervisor Billie (BJ) Sing, Street Department Supervisor Tim Dibler, and Parks Department Supervisor Cody Ellis.

AGENDA ITEM NO. 5:

Discussion and consideration to enter into a four-year lease agreement for a Case Motor Grader.

Public Works Director Brad Schmidt stated the Case Motor Grader will be used at the Shawnee Twin Lakes area. He stated the lease agreement is a 48-month lease at 3.99 % interest.

A motion was made by Commissioner Weaver, seconded by Commissioner Sehorn, to approve a four-year lease agreement for a Case Motor Grader. Motion carried 7-0.

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

NAY: None

AGENDA ITEM NO. 6:

Discussion and consideration to establish the Shawnee Film and Music Office within the City of Shawnee Department of Tourism.

Tourism Director Stacy Moore explained the film industry is growing in Oklahoma. The Oklahoma Film and Music Office has created a certification called *The Film Friendly Community*. This certification involves three requirements. The

first is to designate a point of contact, which will be the Shawnee Film and Music Office. She advised that approval of this item will satisfy this requirement. The second requirement is to identify a minimum of twelve (12) locations for the Oklahoma Film and Music Database. Ms. Moore advised this has been completed and more locations are currently be added. The third requirement is to establish a permitting process. She stated that approval of Agenda Item No. 7 will satisfy this requirement.

A motion was made by Commissioner Weaver, seconded by Commissioner Flood, to establish the Shawnee Film and Music Office within the City of Shawnee Department of Tourism. Motion carried 7-0.

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

NAY: None

AGENDA ITEM NO. 7:

Consideration of an ordinance relating to Shawnee Film and Music Office, amending Chapter 8 of the Shawnee Municipal Code by creating a new Article X of Chapter 8, providing for film registration regulations; providing for repeal; providing for severability; providing for codification; and providing for emergency clause.

Tourism Director Stacy Moore explained this ordinance will give the City of Shawnee more authority regarding film registration regulations. It also shows the City is prepared to have film and music crews in the area.

A motion was made by Commissioner Weaver, seconded by Vice Mayor Rutherford, to approve an ordinance relating to Shawnee Film and Music Office, amending Chapter 8 of the Shawnee Municipal Code by creating a new Article X of Chapter 8, providing for film registration regulations; providing for repeal; providing for severability; providing for codification.

Ordinance No. 2720NS was introduced.

AN ORDINANCE RELATING TO SHAWNEE FILM AND MUSIC OFFICE, AMENDING CHAPTER 8 OF THE SHAWNEE MUNICIPAL CODE BY CREATING A NEW ARTICLE X OF CHAPTER 8, PROVIDING FOR FILMING REGISTRATION REGULATIONS; PROVIDING FOR REPEAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR EMERGENCY CLAUSE.

Motion carried 7-0.

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

Ordinance No. 2720NS was adopted by the City Commission.

A motion was made by Vice Mayor Rutherford, seconded by Commissioner Sehorn, to approve the emergency clause relating to Ordinance No. 2720NS. Motion carried 7-0.

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

AGENDA ITEM NO. 8: Discussion and consideration of Streatery Guidelines.

Planning Director Rebecca Blaine explained the Streatery Guidelines work in conjunction with Resolution No. 6566 that was passed in 2018 regarding parklets. Parklets have been successful in adding outdoor dining to restaurants, cafes, and coffee shops, especially during the COVID-19 pandemic. Mrs. Blaine provided a downtown parking map and explained only a maximum of twenty-four (24) parking spaces could be impacted. There are over one thousand (1,000) parking spaces available in the area.

Mrs. Blain answered questions from the Commission.

The Commission discussed the Streatery Guidelines and potential impact on the community and business owners.

COMMISSIONER FLOOD LEFT THE MEETING AT 6:52 P.M.

COMMISSIONER FLOOD RETURNED TO THE MEETING AT 6:54 P.M.

A motion was made by Vice Mayor Rutherford, seconded by Commissioner Matthews, to defer the consideration of Streatery Guidelines to a future City Commission meeting. Motion carried 7-0.

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

AGENDA ITEM NO. 9:

Administrative Report:

- a. Planning Director Rebecca Blaine – 113 South Philadelphia Avenue

Planning Director Rebecca Blaine provided an update on property located at 113 South Philadelphia Avenue regarding a recent demolition performed on behalf of the City of Shawnee Action Department.

AGENDA ITEM NO. 10:

Discussion, consideration, and possible action of an Appeal of an Administrative Order regarding the demolition of the residential structure located at 420 West Forrest Street. *(Deferred from the April 19, 2021 City Commission meeting.)*

Agenda Item Nos. 10 and 11 were discussed in conjunction.

City Attorney Brandi Nowakowski explained the permits had been requested for demolition at 420 and 422 West Forrest Street. The demolitions will be scheduled as soon as all the utilities to the properties have been disconnected. As soon as the demolitions are completed, both matters will be considered settled.

Planning Director Rebecca Blaine stated that Staff is supportive of the demolitions. She also requested both items be deferred to a future City Commission meeting to provide an update once the appeals have been settled.

A motion was made by Commissioner Matthews, seconded by Vice Mayor Rutherford, to defer the Appeal of an Administrative Order regarding the demolition of the residential structure located at 420 West Forrest Street to a future City Commission meeting. Motion carried 7-0.

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

NAY: None

AGENDA ITEM NO. 11:

Discussion, consideration, and possible action of an Appeal of an Administrative Order regarding the demolition of the residential structure located at 422 West Forrest Street. *(Deferred from the April 19, 2021 City Commission meeting.)*

A motion was made by Vice Mayor Rutherford, seconded by Commissioner Matthews, to defer the Appeal of an Administrative Order regarding the demolition

of the residential structure located at 422 West Forrest Street to a future City Commission meeting. Motion carried 7-0.

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

AGENDA ITEM NO. 12:

Discussion and consideration of an ordinance amending the boundaries of the City of Shawnee, Oklahoma, by de-annexing/detaching certain property within the City of Shawnee, Pottawatomie County and declaring an emergency.

The City of Shawnee received a petition for detachment of municipal territory for property located by the Shawnee Twin Lakes. Planning Director Rebecca Blaine explained this property was annexed in 1962. Municipal Code states if the City is unable to provide City services to the property within ten (10) years of annexation, a de-annexation can be filed. She stated it is Staff's recommendation to approve the de-annexation of this property.

A motion was made by Commissioner Matthews, seconded by Commissioner Sehorn, to approve an ordinance amending the boundaries of the City of Shawnee, Oklahoma, by de-annexing/detaching certain property within the City of Shawnee, Pottawatomie County.

Ordinance No. 2721NS was introduced.

AN ORDINANCE AMENDING THE BOUNDARIES OF THE CITY OF SHAWNEE, OKLAHOMA, BY DE-ANNEXING/DETACHING CERTAIN PROPERTY WITHIN THE CITY OF SHAWNEE, POTTAWATOMIE COUNTY AND DECLARING AND EMERGENCY.

Motion carried 7-0.

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

Ordinance No. 2721NS was adopted by the City Commission

A motion was made by Commissioner Matthews, seconded by Commissioner Sehorn, to approve the emergency clause relating to Ordinance No. 2721NS. Motion carried 7-0.

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

NAY: None

AGENDA ITEM NO. 13:

Discussion and consideration of a contract with CEC Corporation for Phase 2 Bridge and Roadway Design and Construction Plans for East Main Street over Shawnee Creek.

City Engineer Seth Barkhimer explained that every two (2) years bridges within the City Limits are inspected. He stated the existing Main Street Bridge over Shawnee Creek was originally built in 1930 and has received substandard reports. Staff recommends the replacement of the bridge be awarded to CEC Corporation in the contract amount of \$177,362.00.

A motion was made by Vice Mayor Rutherford, seconded by Commissioner Sehorn, to approve a contract with CEC Corporation for Phase 2 Bridge and Roadway Design and Construction Plans for East Main Street over Shawnee Creek in the amount of \$177,362.00. Motion carried 7-0.

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

NAY: None

AGENDA ITEM NO. 14:

Consider bids:

- a. Whittaker Street Rehabilitation Project No. 20SHAWWHITST
(Open)

<u>BIDDER</u>		<u>AMOUNT</u>
Rudy Construction Co.		\$625,810.00
Oklahoma City, OK	Alternate No. 1	\$30,000.00
	Alternate No. 2	\$10,000.00
A-Tech Paving		\$618,603.75
Oklahoma City, OK	Alternate No. 1	\$49,800.00
	Alternate No. 2	\$15,000.00

Wynn Construction Co., Inc		\$565,405.00
Oklahoma City, OK	Alternate No. 1	\$18,600.00
	Alternate No. 2	\$14,000.00
Nash Construction Company		\$585,430.00
Oklahoma City, OK	Alternate No. 1	\$8,250.00
	Alternate No. 2	\$12,650.00

City Engineer Seth Barkhimer stated four (4) bids were received. He requested that the bid award be deferred to a future City Commission meeting to allow Staff additional time to review the bids.

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

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

AGENDA ITEM NO. 15: Acknowledge monthly Sales Tax and Budget Reports.

Finance Director Ashley Neel reported sales tax is up \$2,243,407.00, or 11.38%, over the projected budget year-to-date. She stated that use tax collections are up approximately \$23,583.00, or 1.03%, over the projected budget year-to-date.

RECESS CITY COMMISSION MEETING BY THE POWER OF THE CHAIR
TO CONVENE SHAWNEE AIRPORT AUTHORITY AND SHAWNEE
MUNICIPAL AUTHORITY (7:33 P.M.)

RECONVENE CITY COMMISSION MEETING BY THE POWER OF THE
CHAIR (7:46 P.M.)

AGENDA ITEM NO. 16: 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 Drinking 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 leased its water and sanitary sewer systems to the Authority; and containing other provisions related thereto.

City Manager Chance Allison explained this item is a partner item to Shawnee Municipal Authority Agenda Item No. 2 regarding a Drinking Water SRF Loan from the Oklahoma Water Resources Board (OWRB).

Resolution No. 6631 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 DRINKING 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 LEASED ITS WATER AND SANITARY SEWER SYSTEMS TO THE AUTHORITY; AND CONTAINING OTHER PROVISIONS RELATED THERETO.

A motion was made by Commissioner Sehorn, seconded by Vice Mayor Rutherford, to approve 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 Drinking 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 leased its water and sanitary sewer systems to the Authority; and containing other provisions related thereto. Motion carried 7-0.

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

AGENDA ITEM NO. 17:

Consider and take action with respect to a resolution of the Board of Commissioners of the City of Shawnee, Oklahoma (the "City") replacing and superseding Resolution No. 6623 dated December 7,

2020 and 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 leased its water and sanitary sewer systems to the Authority; and containing other provisions related thereto.

City Manager Chance Allison explained this item is a partner item to Shawnee Municipal Authority Agenda Item No. 3 regarding a Clean Water SRF Loan from the Oklahoma Water Resources Board (OWRB).

Resolution No. 6632 was introduced.

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF SHAWNEE, OKLAHOMA (THE "CITY") REPLACING AND SUPERSEDING RESOLUTION NO. 6623 DATED DECEMBER 7, 2020 AND 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 LEASED ITS WATER AND SANITARY SEWER SYSTEMS TO THE AUTHORITY; AND CONTAINING OTHER PROVISIONS RELATED THERETO.

A motion was made by Commissioner Flood, seconded by Commissioner Matthews, to approve a resolution of the Board of Commissioners of the City of Shawnee, Oklahoma (the "City") replacing and superseding Resolution No. 6623 dated December 7, 2020 and 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 leased its water and sanitary sewer systems to the Authority; and containing other provisions related thereto. Motion carried 7-0.

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

AGENDA ITEM NO. 18:

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. 19:

Commissioners Comments

Commissioner Matthews acknowledged the Public Works Department and thanked Brad Schmidt and Staff for their hard work.

Commissioner Matthews congratulated the 2021 graduates in the community graduating this week.

Commissioner Matthews mentioned an All Pro Tour (APT) Golf Tournament was held in Shawnee this past week. He stated he would like to see promotion of large events in the community.

Commissioner Matthews encouraged citizens to celebrate Health Week.

Commissioner Matthews expressed gratitude to Commissioner Salter for his kindness and compassion in helping the community.

Commissioner Weaver noted the high amount of local businesses with hiring opportunities.

Commissioner Weaver expressed his passion for fairness in the community.

Commissioner Weaver also thanked Brad Schmidt and his Department for their work at the Shawnee Twin Lakes area and securing the lease of the Case Motor Grader.

Commissioner Flood stated there are a lot of good things making a difference in the community. He explained he is in favor of the Streatery Guidelines but would like the downtown businesses to be satisfied also. He is thankful for Planning Director Rebecca Blaine's hard work on this project.

Commissioner Flood expressed the Homeless Initiative has a long way to go but we are headed in the right direction.

Vice Mayor Rutherford stated the Streatery Guidelines are an attraction for a modern, thriving downtown area and he would like to work with the local businesses.

Commissioner Sehorn expressed his excitement for the new police station as it nears completion.

Commissioner Sehorn also commented on several projects moving forward, such as the, Water Treatment Plant and streets projects.

Commissioner Salter emphasized that we need to be fair with policies and procedures that are put in place. He also acknowledged the hard work that is being done on the 45th Street project.

Mayor Bolt stated that there were a lot of good things discussed tonight. He thanked Staff for always being available.

Mayor Bolt also commented on the Homeless Initiative.

AGENDA ITEM NO. 20:

Adjournment

There being no further business to be considered, the meeting was adjourned by power of the Chair. (8:09 p.m.)



ED BOLT, MAYOR

ATTEST:

Kacie Eck
KACIE ECK, SENIOR DEPUTY CITY CLERK