

AGENDA
BOARD OF CITY COMMISSIONERS
April 16, 2012 AT 6:30 P.M.
COMMISSION CHAMBERS AT CITY HALL
SHAWNEE, OKLAHOMA

CALL TO ORDER

DECLARATION OF A QUORUM

INVOCATION

REV. AMY PERKINS
UNITED PRESBYTERIAN

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 14.
 - b. Minutes from the April 2, 2012 regular meeting and the April 9, 2012 special called meeting.
 - c. Budget Amendment General Fund
To bring up compensated absences from fund balance to accommodate those who left
 - d. Acknowledge the following minutes and reports:
 - Planning Commission minutes from March 7, 2012
 - License Payment report for March 1-31, 2012
 - Project Payment report for March 1-31, 2012
 - e. Approve grant application to the "Edward Byrnes Memorial Local Grant" in the sum of \$21,811 for the Shawnee Police Department, to be shared with the Pottawatomie County Sheriff's Office.
3. Citizens Participation

(A three minute limit per person)
(A twelve minute limit per topic)
4. Mayor's Proclamation
"Community Action Month"
May 2012
5. City Manager's presentation of Employee of the Month to Melody Chancellor.

6. Public hearing and consider an ordinance to rezone property located at 3930 N. Kickapoo Street from R-1; Single Family Residential to C-3; Automotive, Commercial and Recreation.
Case #P06-12 Applicant: Seminole Ice House, LLC
Deferred from the March 19, 2012 meeting
7. Public hearing and consider an ordinance 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
Deferred by Planning Commission to their May 2, 2012 meeting.
8. Consider approval of the final plat for Austin & Austin located in the 3800 block of north Harrison on the west side.
Case #S07-12 Applicant: Landes Engineering LLC
9. Presentation of Shawnee Economic Development Foundation annual report and funding request by Tim Burg, SEDF Executive Director.
10. Presentation by Finance Director for Audit RFP.
11. Consider resolution approving sale not to exceed \$9,000,000.00 Oklahoma Baptist University Authority, Student Housing Revenue Note (Oklahoma Baptist University Project) Series 2012 and waiving competitive bidding.
12. Consider an ordinance modifying Section 3-216 of the Shawnee Municipal Code.
Deferred from March 19, 2012 City Commission meeting.
13. Acknowledge Sales Tax report received April, 2012.
14. Consider Bids:
 - a. Converting Supplied Cab and Chassis to Wildland Firefighting Apparatus (Open)
15. New Business
(Any matter not known about or which could not have been reasonably foreseen prior to the posting of the agenda)
16. Administrative Reports
17. Commissioners Comments
18. 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: 04/16/2012

Open Bids

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 14.

Regular Board of Commissioners

2. b.

Meeting Date: 04/16/2012

Minutes 4-2-12 and 4-9-12

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Minutes from the April 2, 2012 regular meeting and the April 9, 2012 special called meeting.

Attachments

Regular Meeting 4-02-12

Special Call 4-09-12

BOARD OF CITY COMMISSIONERS PROCEEDINGS
APRIL 2, 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, April 2, 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

Absent

Commissioner Ward 5

Steve Smith

Commissioner Ward 6

ABSENT: John Winterringer

INVOCATION

Don Lynch,
Emergency Management Director

FLAG SALUTE

AGENDA ITEM NO. 1:

Consider approval of Agenda.

A motion was made by Commissioner Harrod, seconded by Vice Mayor Collier, to approve the Agenda. Motion carried 6-0.

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

NAY: None

AGENDA ITEM NO. 2:

Consider approval of Consent Agenda:

There was no Citizens Participation.

AGENDA ITEM NO. 4:

Mayor's Proclamation
"Fair Housing Month"
April 2012

Mayor Peterson read the Fair Housing Month Proclamation and presented the same to Justin Erickson, City Planner.

"Oklahoma Baptist University Men's Swim
Team NAIA Championship"
April 2, 2012

Mayor Peterson read the Oklahoma Baptist University Men's Swim Team NAIA Championship Proclamation and presented the same to Robert Davenport, Athletic Director. It was additionally in the proclamation that the OBU Women's swim team placed 2nd in the national competition. Also present to accept the proclamation was Coach Sam Freas who thanked the Commission for their support. Many swim team members from both men and women's teams were also present in the audience.

AGENDA ITEM NO. 5:

Consider an ordinance calling for a general
and runoff election for Mayor, Ward 2,
Ward 3 and Ward 4.

Ordinance No. 2475NS was introduced and the title read aloud.

ORDINANCE NUMBER 2475NS, AN ORDINANCE
CALLING AND PROVIDING FOR THE HOLDING
OF NONPARTISAN GENERAL AND GENERAL
RUNOFF ELECTIONS IN THE CITY OF SHAWNEE,
OKLAHOMA, FOR THE PURPOSE OF
NOMINATING AND ELECTING CANDIDATES FOR
THE OFFICE OF MAYOR, AND THE OFFICES OF
CITY COMMISSIONER OF THE SECOND WARD,
CITY COMMISSIONER OF THE THIRD WARD
AND CITY COMMISSIONER OF THE FOURTH
WARD; ESTABLISHING A FILING PERIOD AND
QUALIFICATIONS FOR SUCH OFFICES;
DESIGNATING THE MANNER OF ELECTING THE
VARIOUS CITY OFFICES NAMED HEREIN;
PROVIDING FOR SAID ELECTIONS TO BE
CONDUCTED BY THE POTTAWATOMIE COUNTY
ELECTION BOARD; PROVIDING FOR VOTING BY

ABSENTEE BALLOT; AND DECLARING AN
EMERGENCY.

A motion was made by Commissioner Stephens, seconded by Commissioner Sims, to approve an ordinance calling for a general and runoff election for Mayor, Ward 2, Ward 3 and Ward 4. Motion carried 6-0.

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

NAY: None

AGENDA ITEM NO. 6:

Consider an offer from Texhoma Land Consultants, Inc. for leasing oil and gas mineral acres located at a tract in the SW/4 Section 03, Township 10 North, Range 02 East, Pottawatomie County, Oklahoma.

A motion was made by Commissioner Sims, seconded by Commissioner Stephens, to approve offer Number 2 in the February 21, 2012 letter offer from Texhoma Land Consultants, which is \$120.00 per net mineral acre for a 3-year lease plus a 2-year option to renew at \$100.00 per net mineral acre and an 1/8th royalty in the event of production. Motion Carried 6-0.

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

NAY: None

AGENDA ITEM NO. 7:

Consider approving proposed Expo Landscaping & Irrigation Project, and directing Staff to proceed with preparing a Change Order to amend the current contract (COS-PW-11-04) with CGC. LLC.

Commissioner Harrod stated he reviewed the minutes and video from prior meetings and that the landscaping at the Expo was not a priority and the money should go toward the municipal pool. Mayor Peterson and Commissioner Sims both were of the understanding that it was part of the original project and should be completed.

City Engineer John Krywicki stated that there is a change in the package that was attached to the agenda for tonight's meeting. The island that included landscaping will be a concrete island. He stated this is for stabilizing utilities.

A motion was made by Commissioner Sims, seconded by Vice Mayor Collier, to approve the proposed Expo Landscaping & Irrigation Project, and directing Staff to proceed with preparing a Change Order to amend the current contract (COS-PW-11-04) with CGC, LLC. Motion carried 5-1.

AYE: Sims, Collier, Smith, Stephens, Peterson

NAY: Harrod

AGENDA ITEM NO. 8:

Consider Bids:

Item 2d moved from Consent Agenda above: Authorize staff to solicit proposals from vendors for the replacement of the telephone system at the City Hall and Annex buildings with an option to replace the system at the Public Works Service Center.

Commissioner Harrod stated in reviewing the past minutes and video, the telephone system had been considered by the City Manager for inclusion in the capital projects list but was eventually cut from the lists. Commissioner Harrod asked if the citizens would get an automated system or would give a live person when calling City Hall. City Manager Brian McDougal stated the citizens would probably not notice much of a change from the telephone system we have now. He stated the proposed system is a voice over IP system. He further stated that the City has outgrown the current system as it does not allow any more lines to be added. This system allows many more options for users, allows unlimited lines and allows faxes to be sent and received on the user's computer.

A motion was made by Commissioner Harrod, seconded by Commissioner Stephens, to authorize staff to solicit proposals from vendors for the replacement of the telephone system at the City Hall and Annex buildings with an option to replace the system at the Public Works Service Center with the bid date being the first meeting in June. Motion carried 6-0.

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

NAY: Harrod

AGENDA ITEM NO. 9:

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. 10:

Administrative Reports

Emergency Management Director Don Lynch reported on the closing of three of the public shelters with the city limits of Shawnee located at City Hall, Fire Station No. 2 and Sequoyah School. He stated that some of the reasons are that none of the shelters meet the ADA requirements, none have restrooms and sex offenders cannot be around children and there is no way to monitor if a registered sex offender is in the shelter. He also stated Sequoyah School made the decision to close that shelter and the City does not control that shelter.

After much Commission discussion, City Manager Brian McDougal agreed to keep the shelters open, not including Sequoyah School, until July. Emergency Management Director Don Lynch will provide an updated administrative report on the public shelters at the next meeting.

City Attorney Mary Ann Karns reported on the sales of Unity Health Center to St. Anthony Hospital. The law firm of Lester, Loving & Davies, P.C. reviewed the documents of the Shawnee Hospital Authority to determine if the City had any interest in the sale of Unity Health Center to St. Anthony Hospital. It was determined that the City does have an interest in the event Shawnee Hospital Authority ceases to exist but at this there are no assets for the City to have. Community Health Partners plan to keep the money from the sale in the plan and the City has no control over that.

AGENDA ITEM NO. 11:

Commissioners Comments

Mayor Peterson stated she received a newsletter from Shawnee Rescue Mission reporting it had been awarded a grant and would be building a residency on Louisa. City Planner Justin Erickson reported he has not received anything from Shawnee Rescue Mission for an overnight shelter at this time. He does anticipate meeting with Shawnee Rescue Mission to discuss its plans in the future.

Mayor Peterson asked Staff what would the circumstances be for Commissioners to have access to the City's health insurance. City Attorney Mary Ann Karns said the Commission has the authority to offer Commissioners access

to the health insurance. The Commissioners would have to pay 100% of the premium because the City Charter states there is no compensation for the Commissioners. Commissioner Sims asked Karns to look at the history and see how the health insurance was offered to Commissioners in the past.

AGENDA ITEM NO. 12:

Adjournment

There being no further business to be considered, a motion was made by Commissioner Sims, seconded by Commissioner Smith, that the meeting be adjourned. Motion carried 6-0. (8:07 p.m.)

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

NAY: None

LINDA PETERSON, MAYOR

ATTEST:

LISA LASYONE, DEPUTY CITY CLERK

BOARD OF CITY COMMISSIONERS
CITY OF SHAWNEE
SPECIAL CALLED SESSION
APRIL 9, 2012

The Board of City Commissioners met in Special Called Session at the Heart of Oklahoma Exposition Center, Highway 177 and Independence Street, Shawnee, Oklahoma, Monday, April 9, 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
Chairman

Absent
Commissioner Ward 1

Frank Sims
Vice Mayor

James Harrod
Commissioner Ward 3

Billy Collier
Commissioner Ward 4

John Winterringer
Commissioner Ward 5

Steve Smith
Commissioner Ward 6

Commissioner(s) absent: Stephens

Others in attendance were City Manager Brian McDougal, City Clerk Phyllis Loftis, Finance Director/Treasurer Cynthia Sementelli, City Attorney Mary Ann Karns, Justin Erickson, Jim Bierd, Randy Brock, John Krywicki, Russell Frantz, Ryan Ayers, Don Lynch and James Bryce. The media was represented by Kory Oswald, Shawnee News Star and Johnna Ray, Countywide News.

Other parties in attendance that signed in were Tim Burg, Butch Victor, Marta Land, Joe Ford, Randy Smith, Richard Finley, Kate Joyce, Wes Mainord, Jim Collard, Linda Agee, Elton Agee, Holly Gordon, Douglas Gordon, Theresa Cody, Karen Bays, Nancy Keith, Lakisha Meade, Theodor Rogers, Mitch Hale, Mike Adcock, Lai Tabror and Melissa Dennis

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

TO THE CITY COMMISSION 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 4th day of April, 2012, a Special Called Session will be held of the Board of Commissioners of the City of Shawnee, Oklahoma at the Heart of Oklahoma Exposition Center, Highway 177 and Independence Street, Shawnee, Oklahoma at 6:30 p.m. on April 9, 2012, and you are hereby notified to be present at said meeting.

The purpose of the said special call session of the City Commissioners will be presentation and discussion of water yield study, general discussion of long term needs of the City, including without limitation:

- | | |
|---|---|
| a. Community Park | f. Emergency communications/towers, radio, etc. |
| b. Swimming pool | g. E-911 |
| c. Streets and sidewalks | h. Expo improvements |
| d. Streetscape improvements | i. Economic development funding |
| e. Demolition of dilapidated structures | j. Existing and future budgets, including capital funding |
| | k. Prioritization of needs |

(SEAL)

ATTEST:

s/s Phyllis Loftis
PHYLLIS LOFTIS
CITY CLERK

s/s Brian McDougal
BRIAN MCDOUGAL
CITY MANAGER

STATE OF OKLAHOMA, COUNTY OF POTTAWATOMIE, SS.

I received this notice on the 4th day of April, 2012 at 9:02 o'clock s.m., and executed the same by delivering a true and correct copy thereof to each of the Commissioners of the City of Shawnee, Oklahoma as follows:

I delivered a true and correct copy to Mayor Linda Peterson
via e-mail at 3:40 o'clock p.m. on April 4, 2012

I delivered a true and correct copy to Commissioner Frank Sims
via e-mail at 7:55 o'clock p.m. on April 4, 2012

I delivered a true and correct copy to Commissioner John Winterringer
via e-mail at 9:02 o'clock a.m. on April 4, 2012 but no response was received

I delivered a true and correct copy to Commissioner Steve Smith

via e-mail at 9:02 o'clock a.m. on April 4, 2012 but no response was received

I delivered a true and correct copy to Commissioner James Harrod

via e-mail at 2:07 o'clock a.m. on April 5, 2012

I delivered a true and correct copy to Commissioner Pam Stephens

via e-mail at 9:02 o'clock a.m. on April 4, 2012 but no response was received

I delivered a true and correct copy to Commissioner Billy Collier

via e-mail at 7:56 o'clock p.m. on April 4, 2012

s/s Phyllis Loftis

City Clerk

CALL FOR SPECIAL SESSION OF THE SHAWNEE BOARD OF CITY COMMISSIONERS OF THE CITY OF SHAWNEE, OKLAHOMA TO BE HELD ON THE 9TH DAY OF APRIL, 2012 AT 6:30 O'CLOCK P.M. AT THE HEART OF OKLAHOMA EXPOSITION CENTER, HIGHWAY 177 AND INDEPENDENCE, SHAWNEE, OKLAHOMA. THE PURPOSE OF THE SAID SPECIAL CALL SESSION OF THE CITY COMMISSIONERS WILL BE PRESENTATION AND DISCUSSION OF WATER YIELD STUDY, GENERAL DISCUSSION OF LONG TERM NEEDS OF THE CITY, INCLUDING WITHOUT LIMITATION: A. COMMUNITY PARK; B. SWIMMING POOL; C. STREETS AND SIDEWALKS; D. STREETSCAPE IMPROVEMENTS; E. DEMOLITION OF DILAPIDATED STRUCTURES; F. EMERGENCY COMMUNICATIONS/TOWERS, RADIO, ETC.; G. E-911; H. EXPO IMPROVEMENTS; I. ECONOMIC DEVELOPMENT FUNDING; J. EXISTING AND FUTURE BUDGETS, INCLUDING CAPITAL FUNDING; K. PRIORITIZATION OF NEEDS.

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 Heart of Oklahoma Exposition Center, Highway 177 and Independence Street, Shawnee, Oklahoma at 6:30 p.m. on April 9, 2012 for a presentation and discussion of water yield study, general discussion of long term needs of the City, including without limitation:

- | | |
|---|---|
| a. Community Park | f. Emergency communications/towers, radio, etc. |
| b. Swimming pool | g. E-911 |
| c. Streets and sidewalks | h. Expo improvements |
| d. Streetscape improvements | i. Economic development funding |
| e. Demolition of dilapidated structures | j. Existing and future budgets, including capital funding |
| | k. Prioritization of needs |

Witness my hand this 4th day of April, 2012.

s/s Brian McDougal

BRIAN MCDOUGAL

CITY MANAGER

(SEAL)

ATTEST:

s/s Phyllis Loftis

PHYLLIS LOFTIS, CITY CLERK

CALL TO ORDER:

DECLARATION OF A QUORUM

Roll was called with six Commissioners present and a quorum was declared.

AGENDA ITEM NO. 1: Presentation and discussion of water yield study

The Multi- Reservoir Yield and Operations Analysis was prepared and presented by Amber Wooten and Kirk Westphal of CDM Smith.

City Manager Brian McDougal explained the need for the water yield study and noted that the project has taken in excess of 12 months to complete.

The presentation began with Ms. Wooten defining terms used in this study and stressed the importance of two items:

- a. That even at the lowest projections, Shawnee reservoirs can meet the needs of our community until at least 2060.
- b. That a drought management plan is in place that contains well-defined triggers to alert staff well in advance of implementation of drought management issues.

Mr. Westphal discussed the hydrology of both Shawnee Twin Lakes and Wes Watkins Reservoir. He further presented four operating scenarios, as listed below, from which the city could choose to utilize.

- a. Prioritize Wes Watkins
- b. Prioritize Shawnee Twin Lakes
- c. Prioritize Twin Lakes without withdrawing from Wes Watkins Recreation Pool.
- d. Balance the use from both Shawnee Twin Lakes and Wes Watkins without withdrawing from Wes Watkins recreation pool

It was noted that Shawnee Twin Lakes is currently capable of producing approximately 5.5 million gallons per day and Wes Watkins approximately 3.5 – 4 million gallons per day.

A review of watershed assessment and reservoir seepage indicates that seepage is minimal and dependent on lake elevation.

The drought management plan was discussed with the following triggers:

Voluntary Restrictions – when Shawnee Twin Lakes or Wes Watkins reaches 1064 feet.

Level 1 Mandatory – when Shawnee Twin Lakes reach an elevation of 1058 feet and/or average weekly WTP production exceeds 6.0 mgd.

Level 2 Mandatory – Shawnee Twin Lakes reach an elevation of 1057 feet and/or average weekly WTP production exceeds 6.5 mgd.

Level 3 Mandatory – Shawnee Twin Lakes reach an elevation of 1056 and average weekly WTP production exceeds 4.0 mgd.

Level 4 Mandatory – Shawnee Twin Lakes reach an elevation of 1055 feet and average weekly WTP production exceeds 3.5 mgd.

At the conclusion of the presentation, Mayor Peterson asked for staff to bring to the Commission a recommendation regarding the yield study and drought management plan. She also asked for staff to look at whether the need still exists to continue paying the meter fee for the Atoka line.

AGENDA ITEM NO. 2:

General discussion of long term needs of the City, including without limitation:

- a. Community Park
- b. Swimming pool
- c. Streets and sidewalks
- d. Streetscape improvements
- e. Demolition of dilapidated structures
- f. Emergency communications/towers, radio, etc.
- g. E-911
- h. Expo improvements
- i. Economic development funding
- j. Existing and future budgets, including capital funding
- k. Prioritization of needs

Mayor Peterson noted that there have been some private citizen groups meeting regarding some of the capital improvement projects, specifically the swimming pool, and she would like these groups to enter into the public discussion and share their ideas to help solve the difficult issues of needs, funding and prioritization of projects. Regarding the Municipal Pool, it was noted that in order for the pool to open in 2013, approximately \$500,000 worth of repairs are needed.

Citizens speaking in favor of keeping the pool open and remaining in its current location at Woodland Veterans Park were Holly Gordon, Douglas Gordon, Marta Land, Kate Joyce, Theresa Cody and Wes Mainord.

Commissioner Sims asked those present for ideas regarding funding the repairs. Linda Agee stated that it is common for other cities to support parks and recreation activities from hotel/motel taxes and suggested that might be an option to consider raising that tax.

It was also noted that the Noble Foundation is establishing a trust in the amount of \$108,000,000 for health and wellness issues in the community. Mike Adcock, who serves on the Hospital Board, noted that he had been approached by several people who asked about making application to the trust for renovation of the pool. Mr. Adcock stated that he thought it could be a viable option, although funds will not be available for at least a year.

Another item discussed at length was the public safety need for a north side radio tower to cover dead areas in the northern part of Shawnee. Police Chief Russ Frantz stressed the need for north side tower. Don Lynch, Emergency Management Director stated that the total costs for the new tower and to upgrade our current tower would be \$2.5 million dollars.

A discussion regarding combining the 911 emergency centers (City and County) was touched upon by Police Chief Russell Frantz and County Commissioner Melissa Dennis. Commissioners suggested that a joint meeting, along with the E-911 board, should be scheduled as soon as possible.

Other topics of discussion included central heat and air for the Municipal Auditorium, education, library needs and neighborhood revitalization.

AGENDA ITEM NO. 3: ADJOURNMENT

There being no further business to come before the meeting, a motion was made by Commissioner Sims, seconded by Commissioner Winterringer, that the meeting be adjourned. Motion carried. (8:50 p.m..)

LINDA PETERSON,
MAYOR

(SEAL)

ATTEST:

PHYLLIS LOFTIS,
CITY CLERK

Regular Board of Commissioners

2. c.

Meeting Date: 04/16/2012

Budget Amendment

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Budget Amendment General Fund

To bring up compensated absences from fund balance to accommodate those who left

Attachments

Budget Amendment

Estimated Revenue, Fund Balance, or Transfers IN

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	3001			FUND BALANCE-DESIGNATED FOR COMP	1,618,848.78	(49,264.13)	1,569,584.65
				Total			

Appropriations

[illegible]

Approved by the City Commission this
October 31, 2011

Explanation of Budget Amendment:
To bring up compensated absences from fund balance to accommodate those who left

Approved:

Mayor

Attest:

Posted By	Date	BA#	Pkt.#
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City Clerk

Regular Board of Commissioners

2. d.

Meeting Date: 04/16/2012

Minutes and Reports

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Acknowledge the following minutes and reports:

- Planning Commission minutes from March 7, 2012
- License Payment report for March 1-31, 2012
- Project Payment report for March 1-31, 2012

Attachments

Planning Commission Minutes 3-7-12

License Payment Report March 2012

Project Payment Report March 2012

PLANNING COMMISSION MINUTES

DATE: March 7, 2012

The Planning Commission of the City of Shawnee, County of Pottawatomie, State of Oklahoma, met in Commission Chambers, at City Hall, 9th and Broadway, on Wednesday, March 7, 2012 at 1:30 p.m., pursuant to notice duly posted as prescribed by law. Justin Erickson, Planning Director for the City of Shawnee, presented the staff reports. Staff reports are available upon request.

AGENDA ITEM NO. 1: Roll Call

Upon roll call the following members were present:

Carl Holt, Brad Carter, Kirk Hoster, Shawna Turner, Chris Silvia, Taylor Prince, Ben Salter

A quorum was declared present and the meeting was called to order.

AGENDA ITEM NO. 2: Approval of the minutes from the February 1, 2012 Planning Commission Meeting.

Shawna Turner asked for a motion, Commissioner Holt made a motion seconded by Commissioner Salter to approve the February 1, 2012 minutes.

Motion carried:

AYE: Holt, Salter, Carter, Hoster, Turner, Silvia, Prince

NAY: None

ABSTAIN: None

AGENDA ITEM NO. 3: Citizens' Participation (A three minute limit per person) (A twelve minute limit per topic)

Shawna Turner opened the Citizens' Participation and asked if anyone would like to speak. No one came forward.

AGENDA ITEM NO. 4: Case # P06-12- A Public Hearing for consideration of approval to rezone property located at 3930 N. Kickapoo from R-1: Single Family Residential to C-3; Automotive, Commercial & Recreation. Applicant: Seminole Ice House, LLC.

Shawna Turner asked for the staff report. Justin Erickson presented the staff report and stated the applicant is requesting a zone change from R-1 to C-3 to allow for an ice machine to be placed on the lot where the applicant plans to build an office and/or retail building in the future. Staff recommended approval.

Shawna Turner opened the public hearing and asked if anyone was for or against the proposal. No one came forward.

The applicant was not present to answer questions from the Commission.

Shawna Turner asked for a motion, Commissioner Silvia made a motion, seconded by Commissioner Holt to defer this item to the April 4 Planning Commission meeting.

Motion carried:

AYE: Silvia, Holt, Carter, Hoster, Turner, Prince, Salter

NAY: None

ABSTAIN: None

AGENDA ITEM NO. 5:

**Case # P07-12- A Public Hearing for consideration of approval to rezone property located at the NE corner of Acme Rd. from A-1; Agricultural to C-3; Automotive, Commercial & Recreation and R-3; Multi Family.
Applicant: E. Allen Cowen, II.**

Shawna Turner asked for the staff report. Justin Erickson presented the staff report and stated the applicant wishes to construct multi-family housing (townhome style) on Tract 2 and utilize Tract 1 for future commercial development. Staff recommended approval of the rezoning from A-1 to R-3 and C-3.

Shawna Turner opened the public hearing and asked if anyone was in favor of the rezoning. Justin Ramer came forward and spoke for the proposal.

Shawna Turner asked if anyone was against the proposal. No one came forward.

Shawna Turner asked for a motion, Commissioner Carter made a motion, seconded by Commissioner Prince to approve the rezoning from A-1 to R-3 and C-3.

Motion carried:

AYE: Carter, Prince, Salter, Holt, Hoster, Turner, Silvia

NAY: None

ABSTAIN: None

AGENDA ITEM NO. 6:

Case # P05-12- A Public Hearing for consideration of approval to rezone property located at 4650 N. Harrison from A-1; Agricultural to C-3; Automotive, Commercial & Recreation.

Applicant: TJT Holdings, LC

Shawna Turner asked for the staff report. Justin Erickson presented the staff report and recommended approval.

Shawna Turner opened the public hearing and asked if anyone was for or against the proposal. No one came forward.

Shawna Turner asked for a motion, Commissioner Hoster made a motion, seconded by Commissioner Silvia.

Motion carried:

AYE: Hoster, Silvia, Prince, Salter, Holt, Carter, Turner

NAY: None

ABSTAIN: None

AGENDA ITEM NO. 7:

Case # S05-12 & S06-12 - Consideration of approval of the Bodard Addition Section I preliminary & final plats located at the NW Corner of 45th & Harrison.

Applicant: TJT Holdings, LC

Shawna Turner asked for the staff report. Justin Erickson presented the staff report and recommended approval of the Bodard Addition, Section 1, Preliminary and Final plats, subject to the following conditions:

1. Preliminary Plat approval for Lot 1 and 2 is approved provided the property is rezoned to a commercial zoning designation.
2. Final infrastructure plans shall be submitted by the applicant and approved by the City and the City Engineer prior to construction.
3. Sidewalks are required in accordance with City Standards along the Harrison Street frontage.
4. An engineered site plan and engineered drainage plan is required concurrent with building permit submittal for each lot.
5. Lot 2 may not be final platted until all floodplain requirements have been met to the satisfaction of the City's Floodplain Administrator.

6. All other applicable City standards apply.
7. The following deviations are hereby approved:
 - a. Waiver of requirement that all contiguous land owned by the applicant be included in the preliminary plat; and
 - b. Waiver of utility easement requirement along the side and rear lot lines for Lot 1 and Lot 2.

Shawna Turner opened the public hearing and asked if there was anyone for or against the proposal. No one came forward.

Shawna Turner asked for a motion, Commissioner Hoster made a motion, seconded by Commissioner Holt to approve the preliminary & final plats with the conditions as outlined by staff.

Motion carried:

AYE: Hoster, Holt, Carter, Turner, Silvia, Prince, Salter

NAY: None

ABSTAIN: None

AGENDA ITEM NO. 8: **A Public Hearing and consideration of an ordinance concerning off premise and non-accessory signs.**

Shawna Turner asked for the staff report. Justin Erickson presented the staff report which included a restrictive draft code for review. Staff recommended that the Planning Commission defer action to allow for further discussion and deliberation.

There was a lengthy discussion between the commissioners and Justin Erickson.

Shawna Turner opened the public hearing and asked if anyone wanted to speak. Nancy Ford and Cody Deem both came forward and spoke against lifting the moratorium.

Shawna Turner asked for a motion, Commissioner Prince made a motion, seconded by Commissioner Salter to repeal Section 3-216 of the Shawnee Sign Code.

Motion carried:

AYE: Prince, Salter, Holt, Carter, Hoster, Turner, Silvia

NAY: None

ABSTAIN: None

AGENDA ITEM NO. 9:

Consideration of approval of a workshop schedule

The first workshop will be held on April 18 at 1:30.

AGENDA ITEM NO. 10:

Planning Director's report

Justin Erickson reported permits for Cottage Park on Kickapoo St. have been approved. Construction will begin soon.

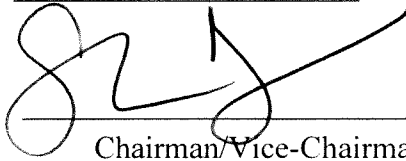
AGENDA ITEM NO. 11:

New Business/Commissioner Comments

AGENDA ITEM NO. 12:

Adjournment

Meeting was adjourned.



Chairman/Vice-Chairman

Karen Drain
Karen Drain, Planning Commission Secretary

4/09/2012 9:41 AM
LICENSES: THRU ZZZZZZZZZZ

L I C E N S E P A Y M E N T R E P O R T
SORTED BY: CODE

PAGE:
PAYMENT DATES: 3/01/2012 TO 3/31/2012

** FEE CODE TOTALS **

FEE CODE	DESCRIPTION		FEE	===== PAYMENT DISTRIBUTION =====			TOTAL PAI
				PENALTY	TAX	INTEREST	
ALARM	BURGLAR/FIRE ALARM LICENSE	6	150.00CR				150.00
ALARMRENEW	BURGLAR/FIRE ALARM RENEW	6	90.00CR				90.00
BOATREG	BOAT REGULAR PERMIT	55	1,430.00CR				1,430.00
DEMOL	DEMOLITION LICENSE FEE	1	75.00CR				75.00
ELEC1	ELECTRICAL CONTRACTOR INITIAL	1	100.00CR				100.00
ELEC2	ELECTRICAL CONTRACTOR RENEW	5	375.00CR				375.00
FISHANNUAL	FISHING ANNUAL FEE	59	885.00CR				885.00
FISHDAILY	FISHING DAILY FEE	6	18.00CR				18.00
LAKE-IN	LAKE LEASE CITY RESIDENT	5	549.40CR				549.40
LAKE-OUT	LAKE LEASE NON RESIDENT	3	229.50CR				229.50
LAKEINSP	LAKE LEASE INSPECTION	4	300.00CR				300.00
LAKELEASE	LAKE LEASE	8	3,520.56CR				3,520.56
LAKEXFER	LAKE LEASE TRANSFER FEE	2	1,075.00CR				1,075.00
MECH2	MECHANICAL CONTRACTOR RENEW	5	375.00CR				375.00
MIXER	MIXED BEVERAGE RENEWAL	1	900.00CR				900.00
PLUM1	PLUMBING CONTRACTOR INITIAL	1	100.00CR				100.00
PLUM2	PLUMBING CONTRACTOR RENEW	6	450.00CR				450.00
REFUND	REFUND	3	444.54CR				444.54
RESAL	RESIDENTIAL SALE	68	680.00CR				680.00
SIGN	SIGN HANGERS LICENSE FEE	3	225.00CR				225.00
SNOWC	SNOW CONE STAND LICENSE FEE	3	75.00CR				75.00
STORM	STORM CELLAR LICENSE FEE	1	75.00CR				75.00
TOTAL			12,122.00CR				12,122.00

04/10/2012 8:38 AM
STATUS: ALL
SEGMENT CODES: All
FEE CODES: All

P R O J E C T P A Y M E N T R E P O R T

PAGE: 4
PROJECTS: THRU ZZZZZZZZZZ
PAYMENT DATES: 3/01/2012 TO 3/31/2012
SORTED BY: PROJECT

** SEGMENT CODE TOTALS **

SEGMENT CODE	DESCRIPTION	TOTAL PAID
B1-NEW	BUILDING CONSTRUCTION NEW	3,870.23CR
B2-ADD	BUILDING CONSTRUCTION ADD	139.38CR
B3-REMODEL	BUILDING CONSTRUCTION REM	1,448.90CR
B4-OTHER	BUILDING CAPORT/SHELTER	613.10CR
E3-REMODEL	ELECTRICAL REMODEL/REPAIR	334.50CR
M2-ADD	MECHANICAL ADDITION	24.50CR
M3-REMODEL	MECHANICAL REMODEL/REPAIR	1,302.00CR
P2-ADD	PLUMBING ADDITION	154.50CR
P3-REMODEL	PLUMBING REMODEL	637.00CR
X-BORE/CUT	BORING & PAVING CUT PERMI	100.00CR
X-CURBCUT	CURBCUT/DRIVEWAY/SIDEWALK	25.00CR
X-DEMO	DEMOLITION PERMIT	150.00CR
X-PLATFIN	PLAT REVIEW FINAL	655.00CR
X-SIGN	SIGN PERMIT	150.00CR
X-SWIMPOOL	SWIMMING POOL PERMIT	69.00CR
Z-OCCUP	OCCUPANCY PERMIT	100.00CR
Z-REZONING	REZONING REQUEST	280.00CR
TOTAL		10,053.11CR

04/10/2012 8:38 AM
STATUS: ALL
SEGMENT CODES: All
FEE CODES: All

P R O J E C T P A Y M E N T R E P O R T

PAGE: 6
PROJECTS: THRU ZZZZZZZZZZ
PAYMENT DATES: 3/01/2012 TO 3/31/2012
SORTED BY: PROJECT

** GENERAL LEDGER DISTRIBUTION **

FUND G/L ACCOUNT	ACCOUNT NAME	AMOUNT
001-2133	UBCC FEE PAYABLE	332.00CR
001-4202	BUILDING PERMITS	4,604.61CR
001-4203	PLUMBING PERMITS	970.00CR
001-4204	ELECTRICAL PERMITS	285.00CR
001-4205	ZONING PERMITS & APPLICATIONS	935.00CR
001-4206	HEATING & A/C PERMITS	1,250.00CR
001-4249	OTHER PERMITS	460.00CR
001-4822	OTHER MISC. REVENUE	41.50CR
101-4249	OTHER PERMITS	125.00CR
501-4510	WATER TAPS	1,050.00CR
799-1023	BANCFIRST GENERAL	10,053.11

Regular Board of Commissioners

2. e.

Meeting Date: 04/16/2012

Grant Application Police Dept

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Approve grant application to the "Edward Byrnes Memorial Local Grant" in the sum of \$21,811 for the Shawnee Police Department, to be shared with the Pottawatomie County Sheriff's Office.

Regular Board of Commissioners

4.

Meeting Date: 04/16/2012

Proclamation

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Mayor's Proclamation

"Community Action Month"

May 2012

Attachments

Community Action Month

City of Shawnee

Proclamation

"Community Action Month"

Whereas, Community Action Agencies were created when the Economic Opportunity Act of 1964 was signed into law; and

Whereas, Community Action Agencies have a 48 year history of promoting self-sufficiency for those with limited income; and

Whereas, the Central Oklahoma Community Action Agency is a member of a nationwide network of 1,100 Community Action Agencies, and one of 19 agencies in Oklahoma. Central Oklahoma Community Action Agency serves six counties in central Oklahoma: Cleveland, Lincoln, Payne, Logan, Pottawatomie, and Seminole; and

Whereas, the Central Oklahoma Community Action Agency continues to lead the effort to eradicate poverty by assisting families through a variety of programs and services that include transportation, prescription assistance, housing, utilities assistance, senior programs, home weatherization, and many others; and

Whereas, Community Action Agencies help people and change lives, embody a spirit of hope and make Oklahoma and America a better place to live, work, and play; and

Whereas, Shawnee joins the national effort to designate May **"Community Action Month"** to celebrate the success stories and honor the dedication of volunteers and the personal achievements of individuals who have benefited from the diverse programs of Community Action.

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

"Community Action Month"

In the city of Shawnee, Oklahoma
Dated this 16th day of April, 2012



ATTEST:

Phyllis Loftis, CMC

Linda Peterson, Mayor



"Helping People ~ Changing Lives ~ Building Communities"

Regular Board of Commissioners

5.

Meeting Date: 04/16/2012

Employee of the Month

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

City Manager's presentation of Employee of the Month to Melody Chancellor.

Regular Board of Commissioners

6.

Meeting Date: 04/16/2012

Rezoning P06-12

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Public hearing and consider an ordinance to rezone property located at 3930 N. Kickapoo Street from R-1; Single Family Residential to C-3; Automotive, Commercial and Recreation.

Case #P06-12 Applicant: Seminole Ice House, LLC

Deferred from the March 19, 2012 meeting

Attachments

Rezoning P06-12

Ordinance P06-12

RECOMMENDATION TO:

MAYOR
BOARD OF CITY COMMISSIONERS
CITY OF SHAWNEE

RECOMMENDATION FROM:

CITY OF SHAWNEE
PLANNING COMMISSION

SUBJECT:

APPLICANT: Seminole Ice House LLC
FOR: Rezone
LOCATION: 3930 N. Kickapoo
PROJECT#: 120074 Case# P06-12

LEGAL DESCRIPTION:

SEE OWNERSHIP LIST

CURRENT CLASSIFICATION: R-1; Single Family Residential
REQUESTED CLASSIFICATION: C-3; Automotive, Commercial & Residential
PROPOSED PROPERTY USE: Ice Machine

PLANNING COMMISSION MEETING DATE: April 4, 2012

PLANNING COMMISSION RECOMMENDATION: Approval

VOTE OF THE PLANNING COMMISSION:

MEMBERS PRESENT: 7

MEMBERS:	1ST	2ND	AYE	NAY	ABSTAIN	COMMENTS
HOLT			X			
CARTER	X		X			
HOSTER			X			
TURNER (CHAIRMAN)			X			
SILVIA (VICE-CHAIRMAN)			X			
PRINCE		X	X			
SALTER			X			

RESPECTFULLY SUBMITTED,

Karen Drain

SECRETARY, PLANNING COMMISSION

ACTION BY CITY COMMISSION:

PUBLIC HEARING SET: _____

DATE OF ACTION: _____

ADOPTED _____ DENIED _____

ORDINANCE NO. _____



City of Shawnee
Community Development Department
222 N. Broadway
Shawnee, OK 74801
(405) 878-1665 Fax (405) 878-1587
www.ShawneeOK.org

STAFF REPORT
Case #P06-12

TO: Shawnee Planning Commission

AGENDA: March 7, 2012

RE: CASE #P06-12; Consideration of Rezone Request (R-1 to C-3)

PROPOSAL

Rezone the subject site, which is currently zoned R-1 (Residential) to C-3 (Commercial) to facilitate commercial development. The applicant wishes to place an automated ice machine on the property, while reserving additional land for future additional development.

GENERAL INFORMATION

Applicant	Seminole Ice
Owners	Seminole Ice
Site Location/Address	3930 N. Kickapoo
Current Site Zoning	R-1 Residential
Parcel Size	31,500 square feet
Proposed Zoning	C-3
Proposed Use	Commercial
Comprehensive Plan Designation	Commercial- Residential
Existing Land Use	Residential/ Vacant
Surrounding Land Use	<u>North</u> : Residential <u>South</u> : Commercial <u>West</u> : Residential <u>East</u> : Commercial

Surrounding Zoning	<u>North:</u> R1 <u>South:</u> C-1 <u>West:</u> R-1 <u>East:</u> C-3
---------------------------	---

STAFF ANALYSIS AND FINDINGS

The applicant is requesting a zone change from R-1 to C-3 to allow for an ice machine to be placed on the lot where the applicant plans to build an office and/or retail building in the future. The applicant currently has another ice machine in Shawnee located on Independence Street (in front of Shawnee Cleaners) that is considered an accessory structure. The requested C-3 zoning would allow for a mixture of uses that would fit the development plans of the applicant, while still falling under the recommendations of the Comprehensive plan.

The Comprehensive Plan supports the zone change from R-1 to C-3 as the area has been designated Commercial- Residential. The surrounding zoning also supports the proposed zone change as the properties to the North, South and East are commercial properties. While there are residential properties immediately to the west, site design can limit the impact of parking, light and noise on adjacent properties. A solid fence will be required where the property abuts residentially-zone property.

RECOMMENDATION

Based on the analysis and findings above, Staff recommends **approval** of the applicants request to rezone the site to C-3.

ZONING MAP

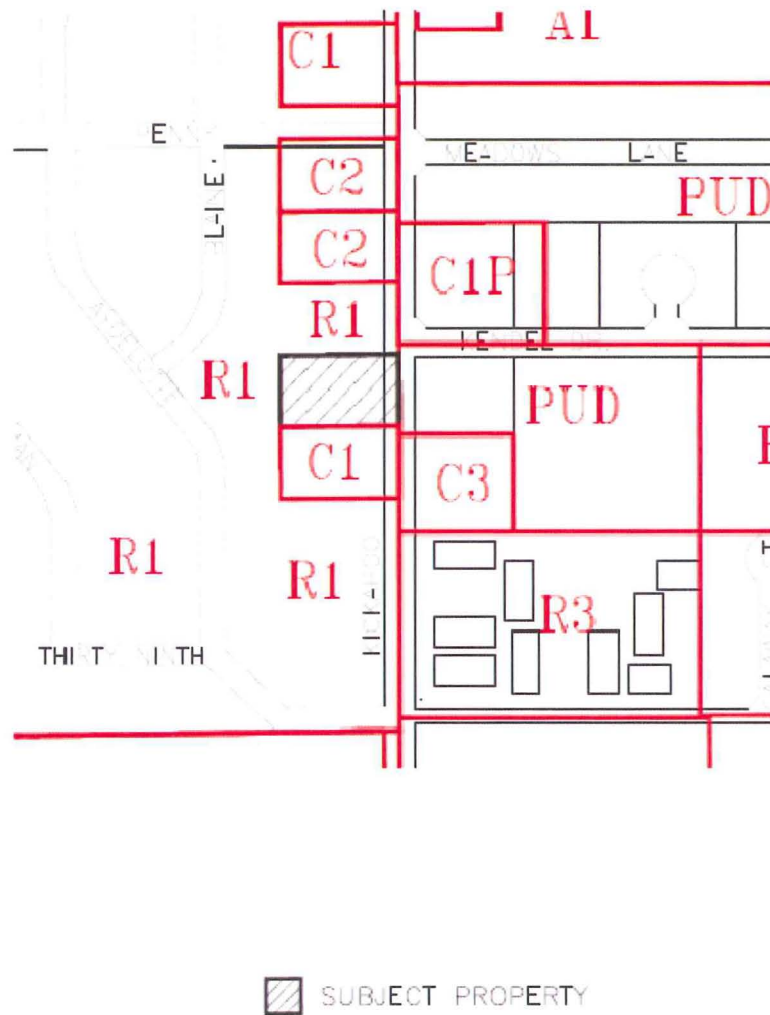


Figure 1: Location and zoning map.



Figure 2: Aerial view of site and surrounding area (site outlined in red).

CITY OF SHAWNEE
PUBLIC HEARING NOTICE
CASE #P06-12

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:

Lot Five (5), Block One (1), COLLEGE VIEW ADDITION, to the City of Shawnee, Pottawatomie County, Oklahoma, according to the recorded plat thereof.

General Location Known As:	<u>3930 N. Kickapoo</u>
Current Zoning Classification:	<u>R-1; Single Family Residential</u>
Requested Zoning Classification:	<u>C-3; Automotive, Commercial & Recreation</u>
Proposed Use of Property:	<u>Ice Machine</u>
Applicant:	<u>Seminole Ice House, LLC</u>

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

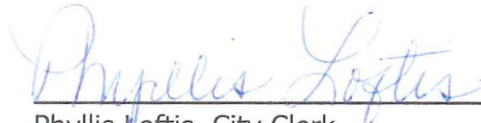
The public hearings will be held in the City Commission Chambers in City Hall, 16 W. 9th St. Shawnee, Oklahoma, as follows:

March 07, 2012	AT 1:30 P.M.:	CITY OF SHAWNEE PLANNING COMMISSION
March 19, 2012	AT 6:30 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 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 15th day of February, 2012.




Phyllis Loftis, City Clerk

CITY OF SHAWNEE
222 N. BROADWAY
SHAWNEE, OK 74801

PLANNING DEPARTMENT
PHONE: (405) 878-1666
FAX: (405) 878-1587

PLANNING COMMISSION APPLICATION
PROJECT NO. 120074 CASE NO. P06-12

REQUEST:

Rezoning X Rezoning w/Conditional Use Permit _____ 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 R-1 District to C-3 District, as hereinafter requested, and in support of this application, the following facts are shown:

PROPERTY LOCATION (STREET ADDRESS): 3930 N Kickapoo

LEGAL DESCRIPTION: Lot (5) in Block (1) College View addition to the City of Shawnee, OK

PROPERTY OWNER (S): Seminole Ice

PROPERTY AGENT (APPLICANT): Seminole Ice

APPLICANT'S ADDRESS: P.O. Box 336 74801

CITY: Shawnee **STATE** OK **ZIP** 74802

EMAIL ADDRESS: Self ch @ Oge. Com

TELEPHONE NUMBER: (405) 760-5533 **CONTACT NUMBER:** () same

DIMENSIONS OF PROPERTY: AREA 31,500 sq ft WIDTH 150 ft
LENGTH 210 days FRONTAGE 150 ft

CURRENT ZONING: R-1 **CURRENT USE:** Vacant

PROPOSED ZONING: C-3 **PROPOSED USE:** Ice Machine

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.

Chad Self (Seminole Ice)
SIGNATURE OF APPLICANT

(FOR STAFF USE ONLY)

Filed in the office of the Planning Department, 222 N. Broadway, this 23 day of January 20 12

Karen Orain

PLANNING COMMISSION SECRETARY

REZONING &/OR C.U.P FEE \$ 280.00
RECEIPT NO. 1293800

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.:** _____

STATE OF OKLAHOMA)
) SS:
COUNTY OF POTTAWATOMIE)

-: AFFIDAVIT OF BONDED ABTRACTOR :-

The undersigned Bonded Abstractor in and for the aforesaid County and State does hereby certify that the following Ownership is true and correct according to the current year's tax rolls in the Office of the County Treasurer of Pottawatomie County, Oklahoma, as updated by the records of the County Clerk of Pottawatomie County, Oklahoma; that the owners, as reflected by said records, are based on the last conveyance or final decree of record of certain properties located within 300 feet in all directions of the following described lands:

Lot Five (5), Block One (1), COLLEGE VIEW ADDITION, to the City of Shawnee,
Pottawatomie County, Oklahoma, according to the recorded plat thereof.

and find the following owners, addresses and brief legal descriptions on the attached pages numbered from One (1) to Three (3), both inclusive.

The Abstractor makes no representation or warranty, either expressed or implied, regarding the accuracy of the information contained in this report. The Abstractor does not guarantee the validity of the title of such parties nor is this report intended to guarantee title thereof. The liability of the Abstractor shall be based solely on contract and shall be limited to the price paid for the report by the customer. The parties agree that the Abstractor shall not be liable for consequential damages. Acceptance of the instrument constitutes acceptance of this limitation on liability.

EXECUTED at Shawnee, Oklahoma, this 6th day of January, 2012.

FIRST AMERICAN TITLE AND TRUST COMPANY

By 
Teresa Southard, Licensed Abstractor #264

Order No. 1654724-SH99

Ownership List

Order No. 1654724-SH99

Date January 6, 2012

Page No. 1

OWNER

BRIEF LEGAL:

James P. Maxwell and Levoe Maxwell Trust – 3914 N. Kickapoo, Shawnee, OK 74804
Lot 2, Block 1, COLLEGE VIEW ADDITION to Shawnee

Donald E. Stewart and Jorun H. Stewart – Postboks 86, N-2025 Fjerdingsby, Norway
Lot 3, Block 1, COLLEGE VIEW ADDITION to Shawnee

EC Development, LLC – 23 E. 9th St. #229, Shawnee, OK 74801
Lot 4, Block 1, COLLEGE VIEW ADDITION to Shawnee

Helen L. Peters – 37905 Old Highway 270, Shawnee, OK 74804
Lot 5, Block 1, COLLEGE VIEW ADDITION to Shawnee

Claudio Moreno, Jr. & Joe Ann G. Claudio – 510 Telstar Street, Norman, OK 73071-8639
Lot 6, Block 1, COLLEGE VIEW ADDITION to Shawnee

Kalies Enterprises, LLC – 21020 Judy Circle, McLoud, OK 74851
Lots 7 & 8, Block 1, COLLEGE VIEW ADDITION to Shawnee

Kimberly Raye Hartling – 4013 Blaine Road, Shawnee, OK 74804
Lot 2, Block 1, AMENDED PLAT OF COLLEGE VIEW ADDITION to Shawnee

Bill J. Washburn and Reta J. Washburn – 4011 Blaine Road, Shawnee, OK 74804
Lot 3, Block 1, AMENDED PLAT OF COLLEGE VIEW ADDITION to Shawnee

Allen Hubbard – P.O. Box 3855, Shawnee, OK 74802-3855
Lot 4, Block 1, AMENDED PLAT OF COLLEGE VIEW ADDITION to Shawnee

Timothy Jay Michael and Cheryl A. Michael – 4007 Blaine Road, Shawnee, OK 74804
Lot 5, Block 1, AMENDED PLAT OF COLLEGE VIEW ADDITION to Shawnee

Toby O. Thompson – 4005 Blaine Road, Shawnee, OK 74804
Lot 6, Block 1, AMENDED PLAT OF COLLEGE VIEW ADDITION to Shawnee

Michael D. Askins and Karen L. Askins – 4003 Blaine Road, Shawnee, OK 74804
Lot 7, Block 1, AMENDED PLAT OF COLLEGE VIEW ADDITION to Shawnee

Kenneth L. Fleischfresser and Roxane K. Fleischfresser – 3917 N. Aydelotte, Shawnee, OK 74804
Lot 8 & N 35' Lot 9, Block 1, AMENDED PLAT OF COLLEGE VIEW ADDITION to Shawnee

Larry W. Evans and Shelly R. Evans – 3915 N. Aydelotte, Shawnee, OK 74804
S 25' Lot 9 & All Lot 10, Block 1, AMENDED PLAT OF COLLEGE VIEW ADDITION to
Shawnee...LESS S 10'

Millard Thomas, Jr. – 3913 N. Aydelotte, Shawnee, OK 74804
S 10' Lot 10 & All Lot 11 & N 4.76' Lot 12, Block 1, AMENDED PLAT OF COLLEGE VIEW
ADDITION to Shawnee

Harold D. Farris and Judy M. Farris – 3911 N. Aydelotte, Shawnee, OK 74804
S 55' Lot 12 & N 30' Lot 13, Block 1, AMENDED PLAT OF COLLEGE VIEW ADDITION to
Shawnee

Ownership List

Order No. 1654724-SH99

Date January 6, 2012

Page No. 2

OWNER

BRIEF LEGAL:

Reuben Peltier – P.O. Box 3071, Shawnee, OK 74802-3071

S 30' Lot 13 & All Lot 14, Block 1, AMENDED PLAT OF COLLEGE VIEW ADDITION to Shawnee

Elizabeth E. Williams – 3905 N. Aydelotte, Shawnee, OK 74804

Lot 15 & N 10' Lot 16, Block 1, AMENDED PLAT OF COLLEGE VIEW ADDITION to Shawnee

Theresa V. Cutlip – 4003 N. Aydelotte, Shawnee, OK 74804

S 86' Lot 6 & N 30' Lot 7, Block 2, AMENDED PLAT OF COLLEGE VIEW ADDITION to Shawnee

Darrell D. Belyeu and Irene B. Belyeu 2007 Revocable Trust – 4002 Blaine Road, Shawnee, OK 74804

Lot 7, LESS N 30' & Lot 8, LESS N 10', Block 2, AMENDED PLAT OF COLLEGE VIEW ADDITION to Shawnee

Gary Hobbs and Cathy g. Hobbs Revocable Trust – 40 Granada, Shawnee, OK 74804

N 10' Lot 8 & S 55' Lot 9, Block 2, AMENDED PLAT OF COLLEGE VIEW ADDITION to Shawnee

Kurt H. Basler and Sharon K. Basler – 4006 Blaine Road, Shawnee, OK 74804

N 5' Lot 9 & All Lot 10, Block 2, AMENDED PLAT OF COLLEGE VIEW ADDITION to Shawnee

Susie Anne Smith – 4008 Blaine Road, Shawnee, OK 74804

Lot 11, Block 2, AMENDED PLAT OF COLLEGE VIEW ADDITION to Shawnee

Don L. Loula and Gail L. Loula Revocable Trust – 3906 N. Aydelotte, Shawnee, OK 74804

N 55' Lot 20 & S 35' Lot 21, Block 3, AMENDED PLAT OF COLLEGE VIEW ADDITION to Shawnee

Lillie M. Smith – 3908 N. Aydelotte, Shawnee, OK 74804

N 30' Lot 21 & S 60' Lot 22, Block 3, AMENDED PLAT OF COLLEGE VIEW ADDITION to Shawnee

Betty J. Walls – 3910 N. Aydelotte, Shawnee, OK 74804

N 5' Lot 22 & All Lot 23 & S 5' Lot 24, Block 3, AMENDED PLAT OF COLLEGE VIEW ADDITION to Shawnee

Laurel E. Brewer – 3912 N. Aydelotte, Shawnee, OK 74804

N 74.56' Lot 24 & S 30' Lot 25, Block 3, AMENDED PLAT OF COLLEGE VIEW ADDITION to Shawnee

Susan Mae Lipinski – 3914 N. Aydelotte, Shawnee, OK 74804

N 40' Lot 25 & S 50' Lot 26, Block 3, AMENDED PLAT OF COLLEGE VIEW ADDITION to Shawnee

Ownership List

Order No. 1654724-SH99

Date January 6, 2012

Page No. 3

OWNER

BRIEF LEGAL:

Richard G. Canham and Shirley W. Canham Trust – 4002 N. Aydelotte, Shawnee, OK 74804
N 15' Lot 26 & All Lot 27, Block 3, AMENDED PLAT OF COLLEGE VIEW ADDITION to
Shawnee

Alford Gruette and Shawnda Gruett – 101 Meadows Lane, Shawnee, OK 74804
Lot 1, Block 2, AMENDED PLAT OF THE MEADOWS to Shawnee

Derek Dodd – 103 Meadows Lane, Shawnee, OK 74804
Lot 2, Block 2, AMENDED PLAT OF THE MEADOWS to Shawnee

Health Care Reit, Inc. – c/o Alterra Healthcare – 6737 W. Washington St., Suite 2300,
Milwaukee, WI 53214
363.42' X 227.17', Block 5, AMENDED PLAT OF THE MEADOWS to Shawnee...LESS 100' X
227.28'

Bank of New York Mellon Trust – P.O. Box 780, Waterloo, IA 50702
Lot 1, Block 1, NORTHCREEK MANOR ADDITION to Shawnee

Elizabeth K. McCown – 3901 N. Kickapoo #2, Shawnee, OK 74804
Lot 2, Block 1, NORTHCREEK MANOR ADDITION to Shawnee

Thomas R. Quandt and Amy L. Quandt – 3901 N. Kickapoo #3, Shawnee, OK 74804
Lot 3, Block 1, NORTHCREEK MANOR ADDITION to Shawnee

Gary W. Carr – 3901 N. Kickapoo #4, Shawnee, OK 74804
Lot 4, Block 1, NORTHCREEK MANOR ADDITION to Shawnee

Elizabeth J. Campbell – 3901 N. Kickapoo #5, Shawnee, OK 74804
Lot 5, Block 1, NORTHCREEK MANOR ADDITION to Shawnee

Jo Ellen, Inc. – 305 E. Federal, Shawnee, OK 74804-3809
Lot 6, Block 1, NORTHCREEK MANOR ADDITION to Shawnee

G. Randy Cowden and Joye E. Cowden – 1810 Henson Court, Shawnee, OK 74804
Lot 1, Block 1, NORTHCREEK PLAZA to Shawnee & Beg. 375' N SW/C NW/4 Section 6,
Township 10 North, Range 4 East; thence E 50'; thence N 199.49'; thence W 50'; thence S to
beg.

Modern Oil Co., Inc. – P.O. Box 218, Shawnee, OK 74802-0218
Beg. 574.51' N SW/C NW/4 Section 6, Township 10 North, Range 4 East; thence E 180';
thence N 180.49'; thence W 180'; thence S 180.49' to beg.

American Self Storage, LLC – 7100 N. Classen, Suite 400, Oklahoma City, OK 73116
Beg. 375' N & 180.07' E SW/C NW/4 Section 6, Township 10 North, Range 4 East; thence
E 450'; thence N 380.24'; thence W 450'; thence S 380.24' to beg.

ORDINANCE NO. _____

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 LOT FIVE (5), BLOCK ONE (1), COLLEGE VIEW ADDITION, TO THE CITY OF SHAWNEE, POTTAWATOMIE COUNTY, OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF, REZONING SAID PROPERTY FROM R-1; SINGLE FAMILY RESIDENTIAL TO C-3; AUTOMOTIVE, COMMERCIAL AND RECREATION AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SHAWNEE ACCORDINGLY.

WHEREAS, pursuant to notice duly given as required by law, a public hearing was conducted by the Board of Commissioners of the City of Shawnee, Oklahoma on the 19th day of March, 2012, upon an application to rezone certain properties located in the City of Shawnee, Oklahoma; and,

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 property to be rezoned as considered.

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 Lot Five (5), Block One (1), COLLEGE VIEW ADDITION, to the City of Shawnee, Pottawatomie County, Oklahoma, according to the recorded plat thereof be and the same is hereby rezoned from R-1; Single Family Residential to C-3; Automotive, Commercial and Recreation and the official zoning map heretofore adopted is hereby amended as to include said property C-3; Automotive, Commercial and Recreation.

PASSED AND APPROVED this 16th day of April, 2012

LINDA PETERSON, MAYOR

(SEAL)

ATTEST:

PHYLLIS LOFTIS, CMC, CITY CLERK

Regular Board of Commissioners

7.

Meeting Date: 04/16/2012

Rezoning P08-12

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Public hearing and consider an ordinance 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

Deferred by Planning Commission to their May 2, 2012 meeting.

Attachments

Rezoning P08-12

RECOMMENDATION TO:

MAYOR
BOARD OF CITY COMMISSIONERS
CITY OF SHAWNEE

RECOMMENDATION FROM:

CITY OF SHAWNEE
PLANNING COMMISSION

SUBJECT:

APPLICANT: Langley Management
FOR: Rezone
LOCATION: 43000 E. MacArthur
PROJECT#: 120240 Case# P08-12

LEGAL DESCRIPTION:

SEE OWNERSHIP LIST

CURRENT CLASSIFICATION: A-1; Agricultural
REQUESTED CLASSIFICATION: C-3; Automotive, Commercial & Recreation
PROPOSED PROPERTY USE: Commercial/Offices

PLANNING COMMISSION MEETING DATE: April 4, 2012

PLANNING COMMISSION RECOMMENDATION: Defer to May 2, 2012 meeting

VOTE OF THE PLANNING COMMISSION:

MEMBERS PRESENT: 7

MEMBERS:	1ST	2ND	AYE	NAY	ABSTAIN	COMMENTS
HOLT	X		X			
CARTER			X			
HOSTER			X			
TURNER (CHAIRMAN)			X			
SILVIA (VICE-CHAIRMAN)			X			
PRINCE			X			
SALTER		X	X			

RESPECTFULLY SUBMITTED,

Karen Drain

SECRETARY, PLANNING COMMISSION

ACTION BY CITY COMMISSION:

PUBLIC HEARING SET: _____

DATE OF ACTION: _____

ADOPTED _____ DENIED _____

ORDINANCE NO. _____



City of Shawnee
Community Development Department
222 N. Broadway
Shawnee, OK 74801
(405) 878-1665 Fax (405) 878-1587
www.ShawneeOK.org

STAFF REPORT
Case #P08-12

TO: Shawnee Planning Commission

AGENDA: April 4, 2012

RE: CASE #P08-12; 43000 E. MacArthur St- Consideration of Rezone
Request (A-1 to C-3)

PROPOSAL

Rezone the subject site, which is currently zoned A-1 (Agricultural) to C-3 (Commercial). The applicant wishes to have the property zoned for potential office and/or retail development. The property is currently undeveloped.

GENERAL INFORMATION

Applicant	Langley Management Co. LLC
Owners	Peltier Lawn Service Inc.
Site Location/Address	43000 E. MacArthur
Current Site Zoning	A-1 (Agricultural)
Parcel Size	Total Parcel- Around 2.3 acres
Proposed Zoning	C-3
Proposed Use	Commercial Use
Comprehensive Plan Designation	Commercial
Existing Land Use	Vacant
Surrounding Land Use	<u>North</u> : Residential <u>South</u> : Agricultural/Vacant <u>West</u> : School <u>East</u> : Commercial

Surrounding Zoning	<u>North:</u> C1 <u>South:</u> C1 <u>West:</u> A1 <u>East:</u> C3
---------------------------	--

STAFF ANALYSIS AND FINDINGS

This property located at the northeast corner of MacArthur and Bryan Street and is around 2.3 acres in size. Because the property has not been surveyed, and the only description of the Tract is meets and bounds, Staff has had to estimate the Tract size. The property is directly to the East of Grove Elementary School. The property is currently undeveloped, but according to the application materials, the applicant wishes to develop the site in the future for commercial and/or office-type uses. The requested C-3 designation would allow for a variety of commercial and non-residential uses. The property to the east of the proposed site is currently zoned C-3 and is used for automotive repair. Property to the north and south of the site is zoned C-1.

The application meets all of the requirements for a zone change, and it is in Staff's opinion that the proposed change does conform to the Comprehensive Plan, which recommends that the area be used for Commercial uses.

RECOMMENDATION

Based on the analysis and findings above, Staff recommends **approval** of the applicant's request to rezone the subject property to C-3. The proposal conforms to the Shawnee Comprehensive Plan and the proposed uses are allowable under the proposed zoning. Staff recommends that the Planning Commission forward this recommendation to the City Commission.

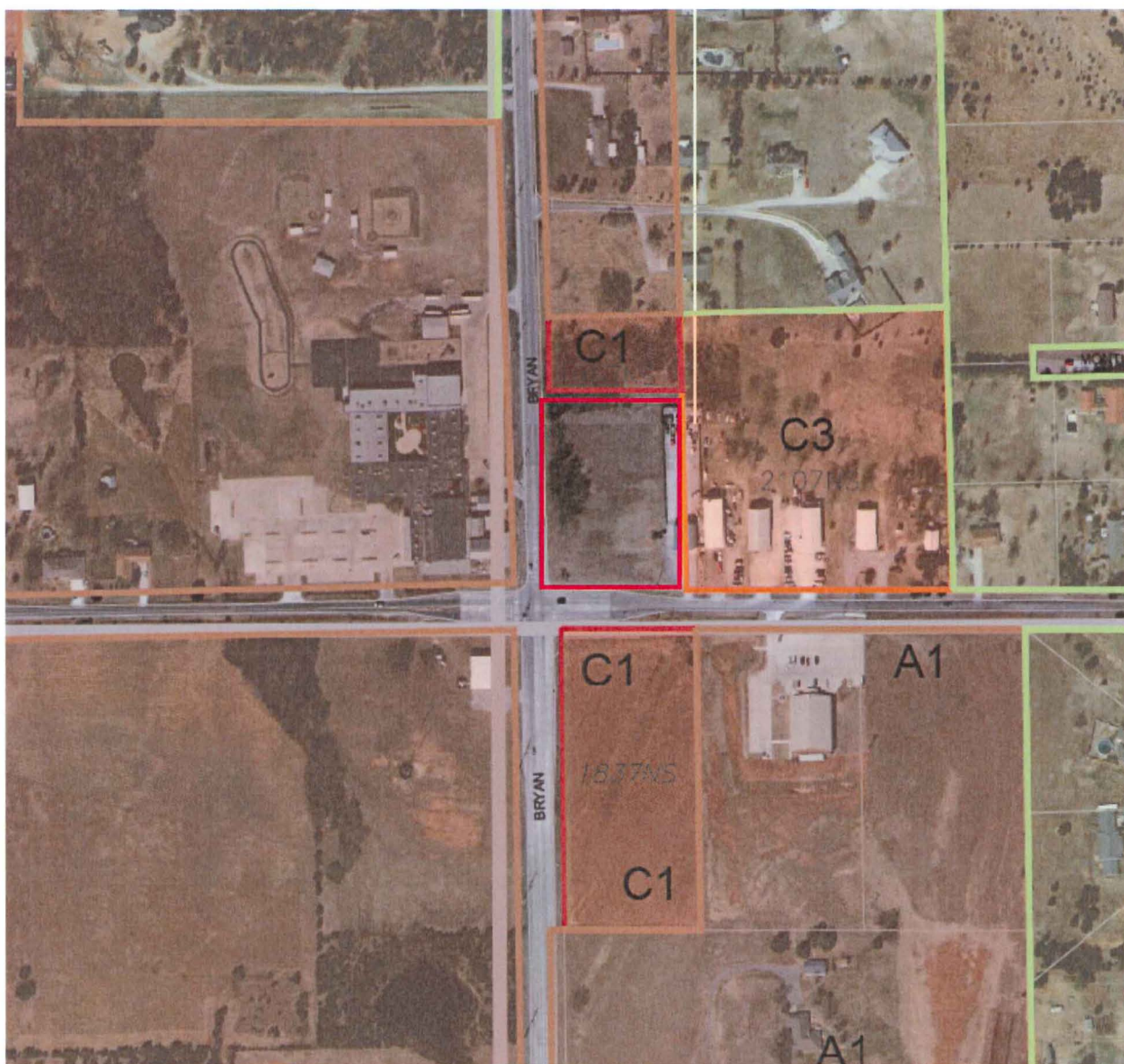


Figure 1: Zoning map, with site outlined in red

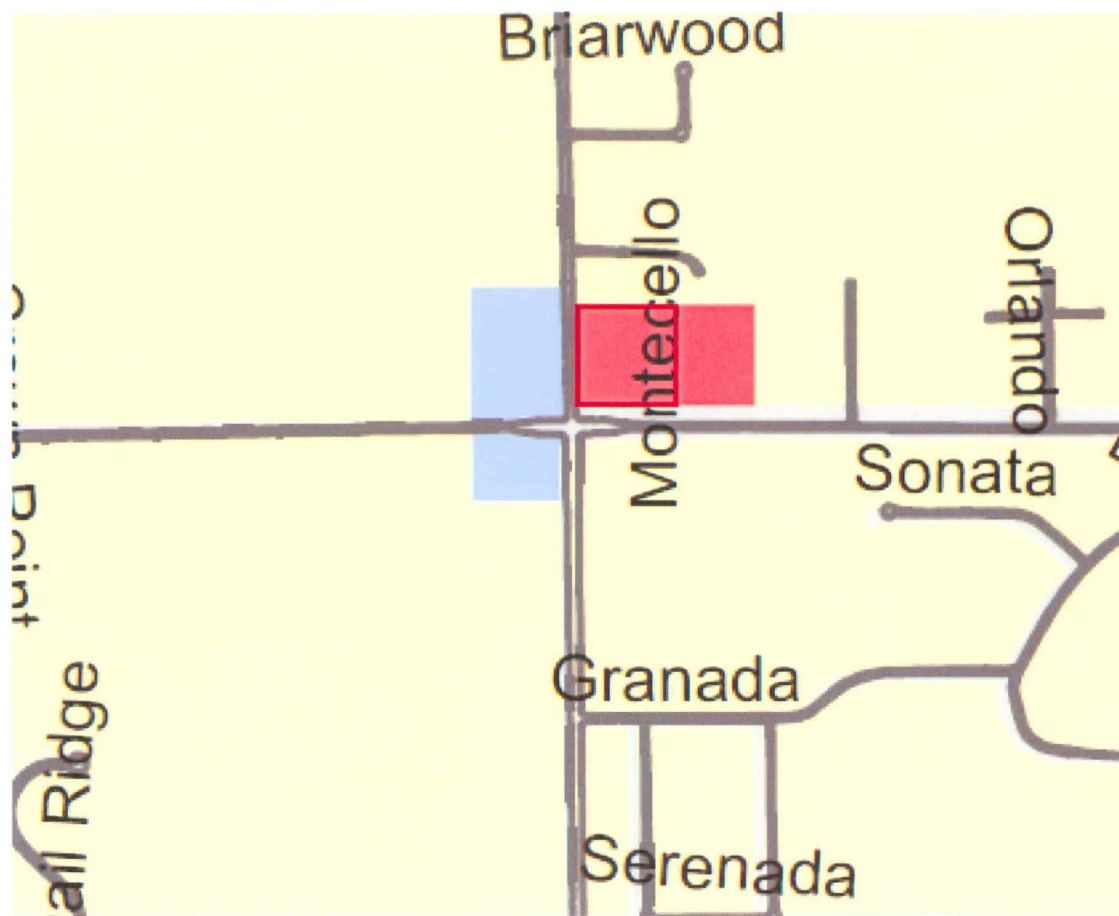


Figure 2: Comprehensive Plan designation of the site (Commercial).

CITY OF SHAWNEE
PUBLIC HEARING NOTICE
CASE #P08-12

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 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.

General Location Known As:	<u>43000 E MacArthur</u>
Current Zoning Classification:	<u>A-1; Agricultural</u>
Requested Zoning Classification:	<u>C-3; Automotive, Commercial & Recreation</u>
Proposed Use of Property:	<u>Commercial and/or Offices</u>
Applicant:	<u>Langley Management</u>

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

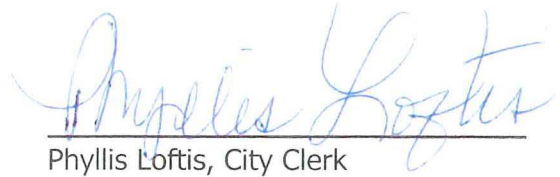
The public hearings will be held in the City Commission Chambers in City Hall, 16 W. 9th St. Shawnee, Oklahoma, as follows:

April 4, 2012 AT 1:30 P.M.: CITY OF SHAWNEE PLANNING COMMISSION
April 16, 2012 AT 6:30 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 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 14th day of March, 2012.




Phyllis Loftis, City Clerk

CITY OF SHAWNEE
222 N. BROADWAY
SHAWNEE, OK 74801

PLANNING DEPARTMENT
PHONE: (405) 878-1666
FAX: (405) 878-1587

PLANNING COMMISSION APPLICATION
PROJECT NO. 120240 CASE NO. P08-12

REQUEST:

Rezoning X Rezoning w/Conditional Use Permit _____ 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 District to C-3 District, as hereinafter requested, and in support of this application, the following facts are shown:

PROPERTY LOCATION (STREET ADDRESS): 43000 E. MacArthur

LEGAL DESCRIPTION: _____

PROPERTY OWNER (S): Peltier Lawn Service Inc

PROPERTY AGENT (APPLICANT): Langley Management Co. LLC.

APPLICANT'S ADDRESS: 1010 E. MacArthur

CITY: Shawnee STATE: OKLA ZIP: 74804

EMAIL ADDRESS: Langley.MGMT@hotmail.com

TELEPHONE NUMBER: (405) 275-7201 CONTACT NUMBER: ()

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

CURRENT ZONING: A-1 **CURRENT USE:** vacant

PROPOSED ZONING: C-3 **PROPOSED USE:** commercial / offices

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.

[Signature]
SIGNATURE OF APPLICANT

(FOR STAFF USE ONLY)

Filed in the office of the Planning Department, 222 N. Broadway, this 6th day of March 2012

[Signature]
PLANNING COMMISSION SECRETARY

REZONING &/OR C.U.P FEE \$ 280.00
RECEIPT NO. 01308236

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.:** _____

STATE OF OKLAHOMA)
) SS:
COUNTY OF POTTAWATOMIE)

-: AFFIDAVIT OF BONDED ABTRACTOR :-

The undersigned Bonded Abstractor in and for the aforesaid County and State does hereby certify that the following Ownership is true and correct according to the current year's tax rolls in the Office of the County Treasurer of Pottawatomie County, Oklahoma, as updated by the records of the County Clerk of Pottawatomie County, Oklahoma; that the owners, as reflected by said records, are based on the last conveyance or final decree of record of certain properties located within 300 feet in all directions of the following described lands:

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.

and find the following owners, addresses and brief legal descriptions on the attached pages numbered from One (1) to Two (2), both inclusive.

The Abstractor makes no representation or warranty, either expressed or implied, regarding the accuracy of the information contained in this report. The Abstractor does not guarantee the validity of the title of such parties nor is this report intended to guarantee title thereof. The liability of the Abstractor shall be based solely on contract and shall be limited to the price paid for the report by the customer. The parties agree that the Abstractor shall not be liable for consequential damages. Acceptance of the instrument constitutes acceptance of this limitation on liability.

EXECUTED at Shawnee, Oklahoma, this 27th day of February, 2012.

FIRST AMERICAN TITLE AND TRUST COMPANY

By 
Teresa Southard, Licensed Abstractor #264

Order No. 1671716-SH99

Ownership List

Order No. 1671716-SH99

Date February 27, 2012

Page No. 1

OWNER

BRIEF LEGAL:

Donna S. Russell and Timothy W. Russell – 1718 E. MacArthur, Shawnee, OK 74804

Beg. 585.49' E SW/C Section 4, Township 10 North, Range 4 East; thence N 533.46';
thence E 166.616'; thence S 533.46'; thence W 165.744' to beg.

Terry E. Clinkenbeard and Kathleen Clinkenbeard – 2028 E. MacArthur, Shawnee, OK 74804

E/2 of Beg. 419.75' E SW/C Section 4, Township 10 North, Range 4 East; thence N 535.5';
thence E 166.616'; thence S 533.48'; thence W 165.744' to beg.

Fred Dean Akin and Fred J. Akin – 43004 MacArthur, Shawnee, OK 74804

W/2 of Beg. 419.75' E SW/C Section 4, Township 10 North, Range 4 East; thence N
533.5'; thence E 166.616'; thence S 533.48'; thence W 165.744' to beg.

Pham Thien Do, Phan Quach Do and Gary T. Do – 3 Fischer Dr., Shawnee, OK 74804

Beg. 533.5' N & 419.75' E SW/C Section 4, Township 10 North, Range 4 East; thence E
416.54'; thence N 266.72'; thence W 417.63'; thence S 266.75' to beg.

Paul E. Lofton and Kay L. Lofton, Trustees KLL Family Trust – 4 Fischer Dr., Shawnee, OK 74804

Beg. 533.5' N SW/C Section 4, Township 10 North, Range 4 East; thence E 419.75';
thence N 266.75'; thence W 419.75'; thence S 266.75' to beg.

Peltier Lawn Service Inc. – P.O. Box 3071, Shawnee, OK 74802-3071

Beg. SW/C; thence N 404.66'; thence E 258.10'; thence S 404.66'; thence W 258.10' to
beg. & Beg. 258.1' E SW/C Section 4, Township 10 North, Range 4 East; thence N 404.66';
thence E 80'; thence S 404.66'; thence W 80' to beg. all in Section 4, Township 10 North, Range
4 East

Dennis Enright and Kathy Enright – 5 Tyler Lane, Shawnee, OK 74801

Beg. 338.1' E SW/C Section 4, Township 10 North, Range 4 East; thence N 533.5'; thence
E 81.65'; thence S 533.5'; thence W 81.65' to beg.

Darryl W. Morton and Becky Morton – Route 2, Box 63, Elmore City, OK 73433

Beg. 404.66' N SW/C Section 4, Township 10 North, Range 4 East; thence E 338.1';
thence N 128.84'; thence W 338.1'; thence S 128.84' to beg.

School Land – Grove School – Dependent School District #D-2 - 2800 N. Bryan, Shawnee, OK
74804

Beg. SE/C; thence W 677.43'; thence N to S line of Lot 5 (531'); thence E to Section line;
thence S to beg. & Beg. 1619' S NE/C SE/4; thence W 1088.4'; thence S 490.4'; thence E 1088.4';
thence N 490.4' to beg. all in Section 5, Township 10 North, Range 4 East

Overland Communications, Inc. – c/o Danny Overland – 623 Pool Place, Shawnee, OK 74801

Beg. 1767.4' N & 450' W SE/C E/2 NE/4; thence N to Section line; thence E 450' to NE/C
NE/4; thence S 1767.4' N SE/C E/2 NE/4 of Section; thence W 450' to beg. in Section 8,
Township 10 North, Range 4 East

Ownership List

Order No. 1671716-SH99

Date February 27, 2012

Page No. 2

OWNER

BRIEF LEGAL:

Nghiep Thi Vuong and Tuyet Ngoc Do – 3 Fisher Dr., Shawnee, OK 74804

Beg. NW/C Section 9, Township 10 North, Range 4 East; thence E 331.47'; thence S 636.353'; thence W 331.47'; thence N 636.66' to beg.

First Church of God, Inc. – 1025 E. 9th St., Shawnee, OK 74801

Beg. 331.47' E NW/C Section 9, Township 10 North, Range 4 East; thence E 331.28'; thence S 636.07'; thence W 331.28'; thence N 636.35' to beg.

Regular Board of Commissioners

8.

Meeting Date: 04/16/2012

Final Plat Austin & Austin

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Consider approval of the final plat for Austin & Austin located in the 3800 block of north Harrison on the west side.

Case #S07-12 Applicant: Landes Engineering LLC

Attachments

Final Plat S07-12

RECOMMENDATION TO:

MAYOR

BOARD OF CITY COMMISSIONERS
CITY OF SHAWNEE**RECOMMENDATION FROM:**CITY OF SHAWNEE
PLANNING COMMISSION**SUBJECT:**APPLICANT: Landes Engineering LLCFOR: Final PlatLOCATION: 3800 Block of N. Harrison, west sidePROJECT NUMBER 120252 CASE NUMBER S07-12PLANNING COMMISSION MEETING DATE: April 4, 2012PLANNING COMMISSION RECOMMENDATION: Approval with 4 conditions:

1. The applicant shall build the proposed private street to city standards and the street design shall be approved by the City Engineer prior to construction.
2. Final infrastructure plans shall be submitted by the applicant and approved by the City and the City Engineer prior to construction.
3. Prior to recording the final plat, the applicant shall submit a corrected plat for review and acceptance by the City.
4. All other applicable City standards apply, including the sidewalk requirement along Harrison Street.

VOTE OF THE PLANNING COMMISSION:**MEMBERS PRESENT:** 7

MEMBERS:	1ST	2ND	AYE	NAY	ABSTAIN	COMMENTS
HOLT			X			
CARTER	X		X			
HOSTER		X	X			
TURNER (CHAIRMAN)			X			
SILVIA (VICE-CHAIRMAN)			X			
PRINCE			X			
SALTER			X			

RESPECTFULLY SUBMITTED,

Karen Drain

SECRETARY, PLANNING COMMISSION

ACTION BY CITY COMMISSION:

PUBLIC HEARING SET: _____

DATE OF ACTION: _____

ADOPTED _____ DENIED _____



City of Shawnee
Community Development Department
222 N. Broadway
Shawnee, OK 74801
(405) 878-1665 Fax (405) 878-1587
www.ShawneeOK.org

STAFF REPORT
Austin & Austin Addition, Final Plat
Case #S07-12

TO: Shawnee Planning Commission

AGENDA: April 4, 2012

RE: Austin and Austin Addition Final Plat

PROPOSAL

The applicant is requesting approval of the Final Plat for Austin and Austin Addition, Sec I, Lot 1. The property is currently vacant and is 5.53 acres in size. The preliminary plat was approved January 16, 2012 and included six lots (later reduced to four). The property is zoned C-3 and the applicant intends to construct one or more commercial/retail buildings on the site.

GENERAL INFORMATION

Applicant	Austin & Austin Investments , LLC
Contact	Landes Engineering
Site Location/Address	3800 Block of N. Harrison, West Side
Current Site Zoning	C-3
Comprehensive Plan Designation	Commercial/Residential
Existing Land Use	Vacant
Proposed Land Use	Commercial
Surrounding Land Use	<u>North</u> : Vacant and Commercial <u>South</u> : Commercial <u>West</u> : Vacant <u>East</u> : Commercial

Surrounding Zoning	<u>North:</u> C-3P <u>South:</u> A-1 <u>West:</u> A-1 <u>East:</u> C-3P
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STAFF REVIEW AND ANALYSIS

Staff has reviewed the Final Plat and finds that the plat does conform to the Shawnee Zoning Code and Subdivision Regulations and the intended use is permitted under the zoning code. The proposed lot meets the minimum dimensional standards within the zoning code. The submitted Final Plat conforms to the preliminary plat approval conditions set forth in January 2012.

With respect to utilities, the site is currently served by City water and sewer, and the developer. A stormwater detention pond will be constructed concurrent with site development. The lot fronts on Harrison Street and accordingly, has direct access to a dedicated public street. One shared driveway will accommodate this lot and adjacent lot.

Regarding the technical aspects of the submitted plat, the City Engineer has reviewed the submitted plans and has no objection to Final Plat approval, provided the engineering details and requirements are adhered to any necessary corrections made prior to recording the plat. Additional building plan review will be conducted at the time of building permit submittal.

STAFF RECOMMENDATION

Staff recommends **approval** of the Austin and Austin Addition, Final Plat, Section I, subject to the following conditions:

1. The applicant shall build the proposed private street to city standards and the street design shall be approved by the City Engineer prior to construction.
2. Final infrastructure plans shall be submitted by the applicant and approved by the City and the City Engineer prior to construction.
3. Prior to recording the final plat, the applicant shall submit a corrected plat for review and acceptance by the City.
4. All other applicable City standards apply, including the sidewalk requirement along Harrison Street.

Attachment

1. Final Plat

FINAL PLAT APPLICATION FOR THE CITY OF SHAWNEE

Please provide a submittal letter, 6-24 X 36 maps, 1-8 1/2 x 14 map, 1 electronic map
(kdrain@shawneeok.org) and filing fees upon submitting this application.

APPLICANT LANDES ENGINEERING LLC

APPLICANT ADDRESS 903 E. 35th, P.O. BOX 1032, SHAWNEE, OK

APPLICANT PHONE NUMBERS 405-275-5388

EMAIL ADDRESS landesengineering@landesengineering.net

NAME OF PLAT AUSTIN AND AUSTIN ADDITION, SECTION I

LOCATION 3800 BLOCK OF NORTH HARRISON

NUMBER OF ACRES 5.53 NUMBER OF LOTS 1

FOR 2 ACRE LOTS OR GREATER DEVELOPMENTS: COST IS \$325.00

PLUS \$3.00 PER LOT UP TO FIFTY (50) LOTS NUMBER OF LOTS 1 3.00

PLUS \$1.00 PER LOTS OVER FIFTY (50) LOTS NUMBER OF LOTS

TOTAL COST \$328.00

FOR LESS THAN 2 ACRE LOTS:

COST IS \$325.00

PLUS \$2.00 PER LOT UP TO FIFTY (50) LOTS NUMBER OF LOTS

PLUS \$1.00 PER LOTS OVER FIFTY (50) LOTS NUMBER OF LOTS

TOTAL COST

OWNER/DEVELOPER INFORMATION:

NAME AUSTIN AND AUSTIN LLC

ADDRESS 37311 45th STREET, SHAWNEE, OK 74804

CONTACT NUMBERS 405-613-2095

EMAIL ADDRESS caustin@prestigeoklahoma.com

PROJECT ENGINEER INFORMATION:

NAME LANDES ENGINEERING LLC,

ADDRESS 903 E. 35th, P.O. BOX 1032, SHAWNEE, OK.

CONTACT NUMBERS 405-275-5388

EMAIL ADDRESS landesengineering@landesengineering.net

pd.
3/16/12

Regular Board of Commissioners

9.

Meeting Date: 04/16/2012

SEDF Presentation

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Presentation of Shawnee Economic Development Foundation annual report and funding request by Tim Burg, SEDF Executive Director.

Attachments

SEDF Annual Report

SEDF Funding Request

2011/2012 Activities and Accomplishments
For the
Shawnee Economic Development Foundation

Retail Attraction Efforts:

The SEDF increased their retail attraction efforts in the 2011/2012 fiscal year by undertaking several new programs that heighten the awareness of what our community has to offer, along with a refinement of the retail targets we can attract.

Those efforts include:

- Hiring Catalyst Commercial to complete a comprehensive retail marketing plan for the community.
- Undertaking a revitalized effort to gather all the critical information on the available commercial and retail properties in the community, which have been included in the Catalyst Commercial plan, along with posting on the Oklahoma Department of Commerce and Oklahoma City Chamber of Commerce's property information websites.
- Assisted several larger and key retail developers in updating their marketing materials about this community.
- Directed retail brokers and retail site selectors to those developers in the community who are willing to undertake projects.
- Provided property data to retailers seeking to open a retail establishment in Shawnee.
- Furnish demographics and traffic count data, along with recent professional economic development studies, analysis and reviews to retail brokers, site selectors and retail property developers.
- Maintain a consistent level of contact with retailers, retail consultants, site selectors and retail developers on the positive changes taking place in the community.
- Arrange for meetings between out of state developers, property owners and retailers interested in locating in Shawnee.
- Provide business support for the development of new retail areas, as requested by developers, brokers and business leaders.
- Assist retailers with marketing, advertising and customer targeting as requested.
- Develop and print for the City of Shawnee, marketing materials for use at a retail conference.
- Work closely with city staff, a national restaurant chain and a local retail developer on a potential project for Shawnee.

Manufacturing and Business Expansion:

While Business Retention and Expansion efforts remain a major portion of where the SEDF focuses their efforts, it is not the only area we are active in. Shawnee has seen an increase in interest by companies seeking information about the community. One such project within the recent fiscal year has resulted in the attraction of a transportation company who is now located at the NW corner of Highway 177 and Highway 270. While this company is not in the city limits, its close proximity is still beneficial to the community.

As has been clearly stated, the existing companies located in Shawnee are where the majority of new jobs will be created, and assisting these companies provides the community, along with our financial benefactors with the best possible return on their investment.

Staff continues to update and maintain the Pottawatomie County Manufacturers Directory, along with other forms of data that are frequently requested from the manufacturers. In the past year staff has assisted the manufacturers in supply chain areas, which include but are not limited to:

- Workforce recruitment, attraction and development initiatives that allow our local companies to reach a wider and more diverse audience.
- Development and engagement of non-traditional workforce attraction tools, which have not been widely known about or used in this area.
- Engaged the various workforce partners with an interaction on job openings, training needs, and skilled individuals seeking employment.
- Identification and awareness of new state and federal grants or incentives they may wish to consider applying for.
- Introductions to Federal and State elected officials, which have offered assistance to numerous companies in areas where they were facing barriers to growth.
- Rapidly respond to one of the rapidly growing gas and oil service companies as it relates to their storage and rail needs.
- Provide a presentation venue for manufacturers to learn about methods they can use to reduce their carbon footprint, improve their facility working conditions and lower their energy costs and consumption.
- Provide a wide range of business intelligence services from weight limits tied to rail service, wage rate comparisons, new manufacturing funding programs, employee retention formulas, and supply chain needs.
- Personally contact the local manufacturers and provide daily update to them on water issues related to the emergency issues facing the community this past summer.
- Join the Central Oklahoma Human Resources Association to allow for a closer interaction with the various HR Directors.
- Submit letters of support to State and Federal authorities for transportation infrastructure improvements, which would allow them to have better and safer methods of transporting raw materials and finished goods, along with safer access for their employees.
- Arrange a luncheon meeting between the area manufacturers, health care providers, workforce support staff, customized training staff and others in the community who are all available to support their needs.
- Develop a marketing tool to use with area high school programs, where the skills needs of the area manufacturers are highlighted in high school courses.
- Begin promoting the area manufacturers in local and statewide media publications that will help them create a greater awareness of their company.
- Meet with numerous manufacturers who are considering expanding their operations and who are seeking larger facilities for those efforts.

Aviation/Aerospace:

The SEDF is always seeking opportunities to help increase the presence of aviation and aerospace businesses in our community.

This past fiscal year has seen several increases in employment in this area. Employees have been added at one of our aviation companies, in two different locations, plus capital investments have been made at two locations within our community by this firm.

Some of those efforts include:

- Coordinating meetings between a local DOD contractor and elected officials with the state of Oklahoma.
- Exploring the use of New Market Tax Credits and incentives with an area aviation business.
- Providing business support information to an existing company, which includes incentives, related to how we can respond on both a local and state level to an aircraft manufacturing opportunity.
- Research the companies who provide aircraft training services to private aircraft owners, as an effort to attract more usage to the airport.
- Provide SEDF staff time to assist with the Airport's Fly-in event.
- Gather the information on private aircraft ownership for Oklahoma, Kansas, Texas, Arkansas, Missouri and New Mexico, for use in an aviation training marketing program.
- Review and submit proposals to various businesses interested in locating a suitable facility for their aviation or non-aviation related business.
- Assemble the data on the properties at the Airport and make sure they are listed on the SEDF, Greater OKC Chamber and Oklahoma Department of Commerce's websites.
- Make business calls on prospective aviation and aerospace firms that are considering relocations or expansions into Oklahoma.
- Attend aviation conferences and events to meet potential aerospace prospects.
- Continue our efforts of developing new methods for attracting lower tier aviation and aerospace firms, either on our own, with the staff of the Governor's office, or the Oklahoma Department of Commerce.
- Active attendance in the Tinker Business Industrial Park monthly meetings.

Site Consultants/Developers:

Our efforts to meet with Site Consultants and Developers continued to gain momentum this past year, in somewhat of a more focused capacity. Staff spent more time on meeting and communicating with retail developers and a smaller group of industrial or commercial site consultants.

Those that we met with or call trips we participated in this past year include:

- OKC Regional Partnership—(x 2)--Industrial/Commercial
- OK Department of Commerce Dallas Call Trip--Industrial/Commercial
- Robin O'Grady—NAI Sullivan--Retail

- Irmon Gray—NAI Sullivan--Industrial
- Jeff Williams—The Hunt Properties--Retail
- Mike Morris—Morris Investments--Retail
- Alison Benton—Aliquantus Consulting--Industrial
- Derith Jarvis—MOHR Partners—Industrial/Commercial
- Charles Cayton—HWH--Industrial/Commercial
- Robbie Ruminer—HWH--Industrial/Commercial
- Todd Merka—We Pack Logistics--Industrial/Commercial
- Lester Cowden—JR Fulton & Associates--Retail
- Leigh Messina---Ernst & Young LLP--Industrial/Commercial
- Tim Feemster—Grubb & Ellis--Industrial
- Burk Collins—Burk Collins & CO. Ltd.--Industrial
- Scott Ambrosino—Price Waterhouse Cooper--Industrial/Commercial
- Kipp Collins—Binswanger--Industrial/Commercial
- Brian Oley—Jones Lang LaSalle-- Industrial/Commercial
- Linda Burns—Burns Development Group--Retail/Industrial/Commercial
- Jeffrey Sheehan—CASE—Industrial/Commercial
- Stephen Johnson—Stream Realty--Industrial/Commercial
- Joe Geer—Archangel Capital--Industrial
- Troy Humphrey—Land Run--Retail
- Don Schjedahl—Austin Consulting--Industrial/Commercial
- Ed McCallum—McCallum Sweeney Consulting--Industrial
- Jeanette Goldsmith—McCallum Sweeney Consulting--Industrial
- Mark Sweeney—McCallum Sweeney Consulting--Industrial
- Tracey Bosman—Grubb & Ellis--Industrial
- Charles Wiggin—Wiggin Properties--Retail
- Rhonda Martin—The Commercial Connection--Retail
- Mike Colgan—ColWood Development--Retail
- Jason Claunch—Catalyst Commercial--Retail
- John Baldwin—Catalyst Commercial--Retail
- Mike Williams—RSM McGladrey Inc.--Industrial/Commercial

<u>Site Consultants/Developers personally contacted:</u>	<u>2011</u>	<u>2010</u>
	35	17

With the exception of the consulting contract with Catalyst Commercial, these contacts have been accomplished at low or at no cost to the organization.

Housing:

Staff was able to assist with the finalization of the Primrose project this year, which resulted in a \$10 million dollar capital investment, with approximately 30 new jobs being created. This is the first of its type of Senior Housing to be developed in Shawnee.

Other activities related to housing this past year include, but are not limited to:

- Continuing our joint efforts to market the housing opportunities in Shawnee to a larger regional and national market.
- Actively participate in the Shawnee Home Builders Association.
- Provide a list of suppliers, sub-contractors and utility contacts to those who are building and developing in the community.
- Actively seeking land for local single-family housing developers and conducting the research on their behalf related to the existence of or proximity to utilities.
- Actively recruiting additional fair market value apartment developers.
- Actively recruiting those who wish to take advantage of Title 42, low income senior housing tax credits, tied to historical buildings.
- Assisting the developers of the Primrose facility with marketing and awareness of their facility to help expedite the lease up process.

Communication and Marketing:

This past year saw additional efforts to refine and deliver a positive message about Shawnee and our region. Additional efforts were undertaken to broaden the areas that SEDF markets in and some of those efforts and areas are:

- Writing a monthly article for the Shawnee Outlook, which reaches in excess of 25,000 homes and businesses per month.
- Submitting a weekly blog to the Journal Record Business paper.
- Developing white papers on economic development for the Oklahoma Academy of Goals.
- Continuation of the regional and west coast housing marketing efforts.
- Submitting stories and story suggestions to the two local newspapers, the News Star and County Wide, plus the Journal Record, the Oklahoman, and others within the state.
- SEDF staff has shared their expertise on the use of social media application in business with numerous businesses, institutions and agencies, including the Oklahoma Business Roundtable and the Governor's International Team.
- At the time of this report, two articles were pending publication. One in the Oklahoma Department of Commerce's Engage magazine and another in the Oklahoma Magazine.
- Inclusion in the Greater OKC website information as part of the OKC Regional Partnership efforts.
- Upgraded format for the Monday Memo, to provide a more professional look and more consistent delivery.

<u>Monday Memo sent:</u>	<u>2011</u>	<u>2010</u>
	130,357	126,347

Infrastructure:

Similar to the last fiscal year, the SEDF staff has been working diligently behind the scenes to assist with keeping the lines of communication open related to reopening the rail line between Shawnee and McAlester.

Additionally we work closely with OG&E, CVE, ONG, AT&T, and the City of Shawnee utilities, to assure that we are up to speed on issues that could adversely affect the area's existing businesses or those we might be recruiting.

While it is too early to claim any major success regarding the rail efforts, we are beginning to see some small gains in that area. Those rail successes and other activities include, but are not limited to:

- Work to assist with the collaborative efforts to reconnect the approaches to the bridge that crosses the North Canadian River. This is a vital step in reopening the line.
- Identification and utilization of waste or stranded materials that will help with the reopening of the line and the erosion control efforts between Shawnee and OKC.
- Communication with elected officials to heighten their awareness of the barriers and obstacles facing the AOK and communities along the rail line.
- The continued effort by AOK to refurbish the rail bed, ties and lines between OKC and Shawnee.
- Exploring the opportunities connected with the use of NMTC's as it relates to projects tied to the rail line.
- Forward projects related to the need for rail to the AOK leadership.
- Facilitate bringing together the OSU/OU researchers (hired by ODOT to study the reopening of the rail line), AOK and the CPN to fully review the business case for improving the rail line.
- Developing a report on the users of rail in Shawnee for the TIGER Grant submissions and also the data tied to projects we could NOT submit due to lack of rail to AOK and the ODOT researchers.
- In partnership with the City and Shawnee Chamber, development and submission of roadway projects to our area ODOT representative that would benefit our area manufacturers and their employees.
- At the request of OG&E, make presentations at their leadership programs on subjects related to economic development.
- Stayed in direct contact with City staff and area manufacturers during the 2011 water crisis events.

Government Agency Interaction/Participation:

Since the renewed direction of the SEDF, staff continues to maintain and enhance its relationships between the various Federal, State and Local government entities.

Some of those interactions include:

- Attendance at the City Commissioners meetings.
- Work with the Pottawatomie County Commissioners as requested and needed.

- Arranging the meeting between the Lt. Governor of Oklahoma and the area manufacturers and business leaders.
- Arranging the meeting between the Oklahoma Insurance Commissioner and area insurance agents, bonding groups and property appraisers.
- Arranged the luncheon meeting between the Tinker Navy Commander, Captain Pederson, and community leaders.
- Participation through the Oklahoma Economic Development Council in their Legislative Day at the Capital.
- Participate as an active member of the Governor's Economic Development Marketing Team and Governor's International Team.
- Attend and participate in the Oklahoma Academy of Goals, Town Hall meeting and submit a series of white papers on economic development.
- Attend the Japanese Ambassador's reception with the Vice Mayor of Shawnee in the Oklahoma House of Representatives.
- Visit with our elected Federal, State and Local government officials and their representatives about legislative issues affecting the businesses of Shawnee.
- Participate in the OSU Extension office Community Action group on the subject of water conservation and public awareness of water related resources.

Database/Information/Lists:

As time allows, the SEDF staff maintains and frequently updates the databases and lists of information that we feel are relevant to our community and economic development efforts. Some of those lists include:

- The Pottawatomie County Manufacturers Directory.
- A comprehensive list of buildings and properties in Shawnee.
- Our list of National, Regional and Mom/Pop retailers.
- Community info links.
- The data available on our website.
- Executive Pulse database software.
- Monday Memo recipients.

Continuing Education:

Within the constraints of a limited amount of funds, the SEDF staff attempts to continue their education in the field of economic development. If at all possible, we minimize travel and any costs to the organization. In the past reporting period, staff attended the following educational courses, which we believe will benefit the community and our economic development efforts.

- Governor's Economic Development Marketing Team Annual Retreat.
- Oklahoma Economic Development Council's Annual Meeting.
- International Economic Development Council, Neighborhood Revitalization Course.
- International Economic Development Council, Leadership & Ethics Summit.
- Oklahoma City Regional Partnership presentations/training courses.
- OML Retail Course.
- Rural Electrical Coop's Annual Summit.

Additional Activities/ Reports/Scorecards/Measurements:

Areas where the SEDF has provided support or expertise include:

- Impact analysis of incentives related to retail development.
- 2009/2010/2011 List of projects requesting existing buildings.
- Documentation and data related to reopening the rail line between Shawnee & McAlester
- Forwarding grant opportunities to the Shawnee Public Schools, OBU, SGU, CPN, Shawnee Little Theatre, Mabee Gerrer, OBU SIFE program, SAFE Community committee, City of Shawnee Parks, United Way, and others.
- Assisted with fundraising for the United Way, Boy Scouts, Shop With A Cop, OBU and the Oklahoma Economic Development Council.
- Staff continues to review resumes of job seekers and assist with those individual's job seeking efforts.
- Staff is an active participant in the OBU Shawnee Advisory Board and the OBU Students in Free Enterprise Advisory committee.
- Staff participates in the East Central Workforce Investment Board.
- Staff regularly attends the Greater Shawnee Chamber of Commerce board meetings, the Tourism Advisory Council meetings and other associated events such as the Tasty Affair and Chamber Banquet.
- Property lease analysis and contract review.
- Providing contact information for local startup businesses or those who have undergone a new change in ownership.
- The SEDF Executive Director continues to serve as an instructor with the University of Oklahoma twice per year, and has also been asked to serve in a similar capacity with the University of Georgia, the Georgia Economic Development Association, the regional IEDC Basic Economic Development Course in OKC and the Center for Community & Economic Development at the University of Central Arkansas.

Measurement & Cumulative Totals:**Projects:**

Total amount of projects reviewed and worked in 2011:	59
Total amount of projects reviewed and worked in 2010:	65
Total amount of projects reviewed and worked in 2009:	57

Contacts made per category and per year:

	2011	2010	2009
Existing Businesses Contacts:	1748	1441	646
New Industry/Businesses Contacts:	744	664	264
Utilities/Railroad Contacts:	300	187	118
Government Contacts:	698	814	393
Economic Development Associates Contacts:	886	810	523
Media Contacts:	256	<i>Not previously tracked</i>	
Other Contacts:	1146	1123	590

Each month the SEDF staff submits a detailed, written staff report, contact report, community scorecard, financial P&L report, detail check registry and other associated documentation.

At the monthly board meeting a detailed executive session report is also reviewed by the Board of Directors.

Each year the Executive Director has a performance evaluation completed by the Board Members, who wish to participate in that process. This includes the Ex-Officio Board Members as well.

All of these reports and documents are on file in the SEDF offices. All are available for review with the exception of the Executive Session report, which contains private business negotiations that are protected by the Title 25, Section 307, of the Oklahoma Statutes.

2009/2010/2011 SEDF PROSPECTS THAT WERE SEEKING AN EXISTING BUILDING

<u>2009 projects:</u>	58
Those that were seeking an existing building:	26
	(45%)
Approximate total square footage of those buildings:	1,134,000 sq. ft.
Approximate capital investments of those projects:	\$250,000,000.00
Approximate number of jobs to be created:	3500
Approximate amount of payroll of those jobs at \$12.00 per hour:	\$87,235,200.00

Number of 2009 buildings that were 50,000 sq. ft or less in size:	8
Approximate amount of capital investment of these projects:	\$8,900,000.00
Number of jobs created with just these buildings:	778
Approximate amount of payroll created with just these projects:	\$19,968,000.00

<u>Total of 2010 projects:</u>	64
Those that were seeking an existing building:	41
	(64%)
Approximate total square footage of those buildings:	3,741,000 sq. ft.
Approximate capital investments of those projects:	\$6,451,800,000.00
Approximate number of jobs to be created:	4,228
Approximate amount of payroll of those jobs at \$12.00 per hour:	\$105, 530,880.00

Number of 2010 buildings that were 50,000 sq. ft. or less in size:	15
Approximate amount of capital investment of these projects:	\$339,150,000.00
Number of jobs created with these projects:	1444
Approximate amount of payroll created with just these projects:	\$36,042,240.00

Total of 2011 projects:	59
Those that were seeking an existing building:	30
	(51%)
Approximate total square footage of those buildings:	3,951,000 sq. ft.
Approximate capital investments of those projects:	\$446,000,000.00 +
Approximate number of jobs to be created:	3728 +
Approximate amount of payroll of those jobs at \$12.00 per hour:	\$93,050,880.00

Number of 2011 buildings that were 50,000 sq. ft. or less in size:	15
Approximate amount of capital investment of these projects:	\$60,287,000.00 +
Number of jobs created with these projects:	1611 +
Approximate amount of payroll created with just these projects at:	\$40,210,560.00 +

**2012 / 2013
ANNUAL REPORT
&
FUNDING REQUEST**

SHAWNEE ECONOMIC DEVELOPMENT FOUNDATION



Retail

- ◆ Catalyst Commercial—Location Optimization & Merchandising Strategy.
- ◆ Property database and increased regional and national awareness.
- ◆ Direct linkage between retailers, retail brokers and developers.
- ◆ Relevant, accurate and expedient delivery of demographics based upon the clients needs.

Business Retention & Expansion

- Workforce recruitment and attraction efforts increasing to assist the needs of our existing business.
- Developing long range workforce attraction strategies within the region.
- Staying on task with infrastructure improvements needs, including an active role in reopening the rail line.
- Assist with business expansions and company transitions.

Aerospace & Aviation

- 💧 Provide state incentive and available business resources to prospective aerospace or aviation prospects.
- 💧 Increasing awareness of our area through database development of pilots in a multi-state area.
- 💧 SEDF staff support for the Airport Fly-In.
- 💧 Continue our efforts of attracting lower tier aerospace and aviation prospects.

Site Selectors & Developers

- ◆ Continued to develop personal relationships between industrial and commercial site selectors and developers.
- ◆ Increase our activity to retail brokers and developers, through multiple methods (personal, hard copy & electronic)
- ◆ Increased awareness of the use of New Market Tax Credits and Historical Tax Credits available in our area.
- ◆ Maintain an accurate list of available property data.

Housing

- ◆ Assist in the efforts to close the Primrose Senior Community project, and continue to assist them as they begin serving the Shawnee region.
- ◆ Work with all of the area home builders to increase their regional and national presence.
- ◆ Assist developers in researching available properties within the community, with a focus on land in the I-93 district.

Communication and Marketing

- Expanding awareness of the community and businesses by being featured in area and statewide media publications.
- Constantly upgrading our social and electronic media presence.
- Upgrade and refresh the Pottawatomie County Manufacturers directory.
- Focus and share a positive message about Shawnee with all.

Infrastructure

- ◆ Focus our energies on maintaining a close relationship between the AOK Railroad, Congressman Lankford's staff, and our elected officials in OKC and Shawnee.
- ◆ Support the efforts of City staff and Elected officials during the water crisis of 2011.
- ◆ Frequently update the area leadership of AT&T, OG&E, ONG and CVE about the activities of the SEDF and how that might affect them.

Databases/Information

- ◆ Refresh the Pottawatomie Manufacturers Directory to reflect current and accurate information.
- ◆ Develop and maintain a comprehensive list of buildings and properties in the immediate area.
- ◆ Keep changing the content on our website to allow it to be the best source for relevant information and linkages in the community.
- ◆ Expand the use of the BR&E software and our Monday Memo recipients.

Funding Request

INCOME:		FY 12/13 Contract		FY 11/12 Contract	
▲	City of Shawnee – Contract		\$196,000		\$196,000
▲	Pledges *	\$ 45,400		\$ 32,400	
▲	Other Income	\$ 3,000		\$ 2,400	
▲	Draw Down from Reserves – Pending	\$ 29,000			
EXPENSES:					
▲	All Operational Expenses **		\$230,850		\$208,054
▲	Programs:	BR&E	\$ 4,900		\$ 5,510
		New Industry Attraction	\$ 5,650		\$ 5,000
		Aviation Attraction	\$ 21,000		\$ 5,000
		Retail Attraction	\$ 5,000		\$ 5,000
		Marketing	\$ 6,000		\$ 2,236
TOTALS:		\$273,400	\$273,400	\$230,800	\$230,800

NOTES: * does not reflect One Time Contributions (Utility Companies, Specialty Groups)

* includes Insurance, Building Maintenance, Supplies, Utilities, Dues & Subscriptions, Salaries & Benefits

RESERVE BREAKDOWN:	CD'S	\$244,090 (NOT liquid)
	Operating as of 4/1/12	\$ 24,026 (liquid)
	Money Market	\$ 63,823 (liquid)
TOTAL CURRENT RESERVE:		\$331,938

FY 2011/2012 RESERVE = \$328,399

2009 / 2010 / 2011 Contact Comparison

Measurement & Cumulative Totals:

Projects:

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<u>Contacts made per category and per year:</u>	<u>2011</u>	<u>2010</u>	<u>2009</u>
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Economic Development Associates Contacts:	886	810	523
Media Contacts:	256	<i>Not previously tracked</i>	
Other Contacts:	1146	1123	590

Regular Board of Commissioners

10.

Meeting Date: 04/16/2012

Presentation Audit RFP

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

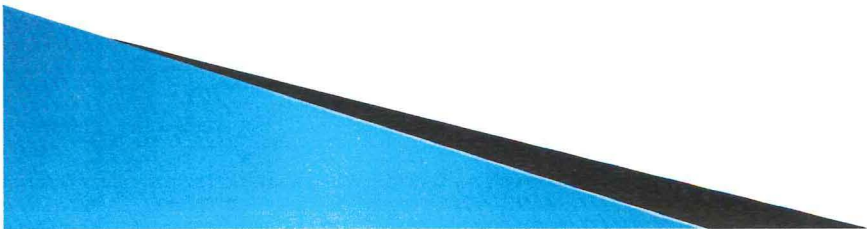
Presentation by Finance Director for Audit RFP.

Attachments

Audit RFP



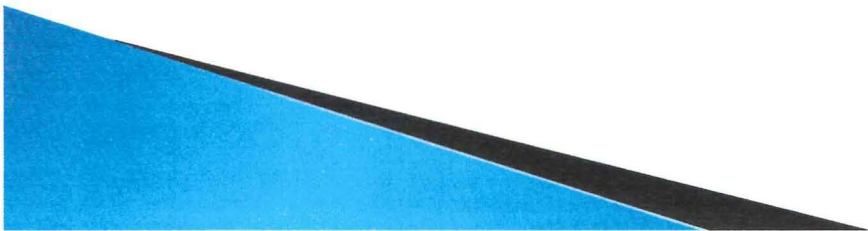
CITY OF SHAWNEE AUDIT RFP



PROCESS

▶ FEBURARY 23, 2012– SENT TO 8 AUDIT FIRMS–TO BE RETURNED BY MARCXH 14, AT 5:00PM

- 1 ARLEDGE & ASSOCIATES
- 2 CBEW PROFESSIONAL GROUP
- 3 COLE & REID, PC
- 4 EIDE BAILLY, LLP
- 5 GRANT THORTON, LLP
- 6 FINLEY & COOK
- 7 TULLIS TAYLOR SARTAIN & SARTAIN
- 8 STANFIELD & O'DELL

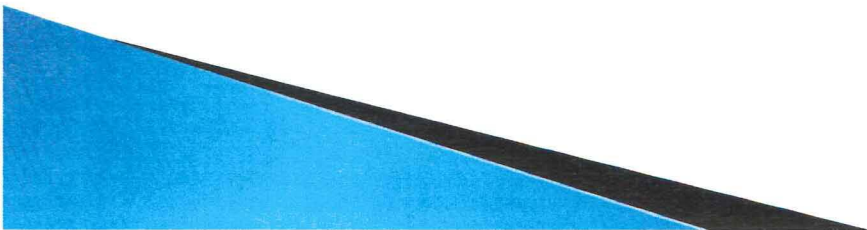


RECEIVED 5 RESPONSES

1. ARLEDGE & ASSOCIATES
2. CBEW PROFFESIONAL GROUP
3. COLE & REED
4. EIDE BAILLY
5. STANFIELD AND O'DELL

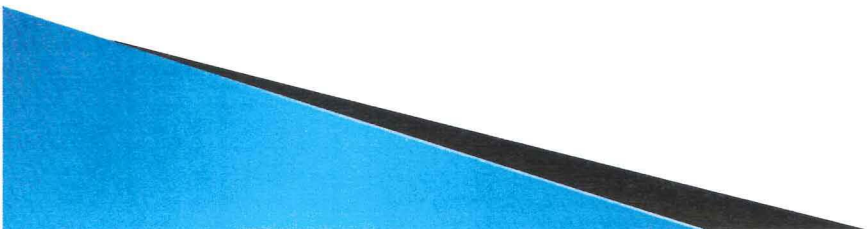
COST FOR A FULL CAFR RANGED FROM

\$23,800 TO \$68,000



REVIEW PROCESS

- ▶ 1. STAFF REVIEWED EACH PROPOSAL
 - ▶ 2. CRAWFORD AND ASSOCIATES REVIEWED AS WELL
 - ▶ 3. STAFF CALLED REFERENCES
-
- ▶ ARLEDGE WAS THE LOWEST BID AND HAD GREAT REFERENCES (EDMOND, STILLWATER AND NICHOLS HILL)



Regular Board of Commissioners

11.

Meeting Date: 04/16/2012

OBU Bond Resolution

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Consider resolution approving sale not to exceed \$9,000,000.00 Oklahoma Baptist University Authority, Student Housing Revenue Note (Oklahoma Baptist University Project) Series 2012 and waiving competitive bidding.

Attachments

OBU Bond Resolution

RESOLUTION NO. _____

APPROVAL OF SALE NOT TO EXCEED \$9,000,000.00
OKLAHOMA BAPTIST UNIVERSITY AUTHORITY,
STUDENT HOUSING REVENUE NOTE (OKLAHOMA
BAPTIST UNIVERSITY PROJECT) SERIES 2012 AND
WAIVING COMPETITIVE BIDDING.

WHEREAS, the Oklahoma Baptist University Authority at the request of Oklahoma Baptist University has approved the issuance by the Authority of approximately \$8,000,000, but in any event not to exceed \$9,000,000, bonds, notes, or other forms of indebtedness (the "Note") for the purpose paying the costs of constructing student housing facilities (the "Project") in Shawnee, Oklahoma to support the educational purposes of the University or to reimburse the University for said costs, including amounts needed to fund a debt service reserve fund, if any, and to pay certain costs of issuance.

WHEREAS, a public hearing was conducted in these chambers on this date by a duly authorized representative of the Authority after fourteen days' published noticed and the City is advised that no one appeared in opposition to the issuance of the Note or the financing of the Project.

NOW THEREFORE BE IT RESOLVED, that approval is hereby given this 16th day of April, 2012, by the duly elected City Commission of Shawnee, Oklahoma, for the sale by Oklahoma Baptist University Authority of not to exceed, \$9,000,000.00 Oklahoma Baptist University Authority, Student Housing Revenue Note (Oklahoma Baptist University Project) Series 2012, said Note to be sold on a negotiated basis, at a purchase price and with an average interest rate per annum not to exceed statutory limits, competitive bidding on said Note being hereby expressly waived, but provided, however, that this approval is expressly contingent upon the City of Shawnee, Oklahoma, being in no method or manner liable for any of the indebtedness incurred under said Note and that the same shall not constitute a general obligation of Shawnee, Oklahoma, and further contingent upon said Note being issued in accordance with all applicable Federal, State and local laws.

PASSED AND APPROVED THIS 16TH DAY OF APRIL, 2012.

Mayor

(SEAL)

ATTEST:

City Clerk

STATE OF OKLAHOMA)
) S.S.
POTTAWATOMIE COUNTY)

I, the undersigned, City Clerk of Shawnee, Oklahoma, hereby certify that the foregoing Resolution was duly adopted by a three-quarters majority vote of the City Commission of said City, at its regular meeting on 16th day of April, 2012. I further certify that the “Open Meeting Law” was complied with for said meeting and Resolution.

City Clerk

(SEAL)

Regular Board of Commissioners

12.

Meeting Date: 04/16/2012

Billboard / Signs Ordinance

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Consider an ordinance modifying Section 3-216 of the Shawnee Municipal Code.
Deferred from March 19, 2012 City Commission meeting.

Attachments

Non accessory sign memo and map

Ordinance Non accessory signs



City of Shawnee
Community Development Department
222 N. Broadway
Shawnee, OK 74801
(405) 878-1665 Fax (405) 878-1587
www.ShawneeOK.org

MEMORANDUM

AGENDA: April 16, 2012

TO: Shawnee City Commission

FROM: Justin Erickson, Planning Director

RE: Non-Accessory Sign Ordinance

At the March 19 City Commission meeting, the Commission instructed staff to prepare an ordinance based on the draft regulations presented at that time. An ordinance similar in form to the draft is attached. Changes made include the following:

1. Removal of annual licensure requirement and fees;
2. Removal of allowance for LED or lit signs;
3. Allowance for billboards in the C-3 Zone;
4. Other minor amendments designed to ease implementation and compliance.

In addition, a map is attached that illustrates existing billboards and where, geographically, new billboards could potentially be constructed in accordance with the proposed regulations, which require that off-premise signs be spaced 1,000 feet apart and that they also be located more than 500 feet from residentially-zoned property. As shown, if the ordinance was adopted, additional signs would only be permissible along portions of Highway 177, Interstate 40, South Gordon Cooper, and along N. Kickapoo and N. Harrison, north of Interstate 40. ***It is staff's opinion that approximately 10-15 new signs could be constructed if the ordinance was approved in its current form.***

Attachments

ORDINANCE NO. _____

**AN ORDINANCE RELATING TO NON-
ACCESSORY SIGNS AMENDING SECTION 3-216
OF THE SHAWNEE MUNICIPAL CODE,
PROVIDING FOR SEVERABILITY AND
DECLARING AN EMERGENCY.**

WHEREAS, a moratorium was approved on August 20, 2001 and reaffirmed on October 21, 2002 by the Shawnee City Commission that has prevented the City of Shawnee from issuing permits for non-accessory signs pursuant to Section 3-216; and

WHEREAS, moratoriums should be short in duration and the City of Shawnee must now take action to clarify code provisions relating to non-accessory signs; and

WHEREAS, the Shawnee Planning Commission held public hearings on January 4, 2012 and March 7, 2012 to accept public testimony and consider standards contained in Section 3-216 and voted favorably to repeal such and permanently prohibit non-accessory signs; and

WHEREAS, the Shawnee City Commission held public hearings on January 17, 2012 and March 19, 2012 to accept public testimony and consider provisions found in Section 3-216 and it is their desire to effectuate code changes to the effect stated herein.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION
OF THE CITY OF SHAWNEE, OKLAHOMA:**

SECTION 1: AMENDATORY. Section 3-216 is hereby deleted in its entirety and shall be replaced by the following:

Section 3-216. Billboards and non-accessory sign standards.

A. General:

1. Non-accessory (off-premise) signs may only be established on property zoned A-1, C-3, C-5, CP, I-1, I-2, and I-3.
2. New non-accessory signs shall only be located along four lane highways or along a portion of a highway that contains four lanes.
3. All new non-accessory signs shall be mono pole construction only.
4. All signs shall be maintained in good and safe condition. The painted portions shall be periodically repainted and kept in good condition.
5. The general area of the sign shall be kept free and clear of sign material, weeds, debris, and trash and other refuse.
6. Permits shall be required for all signs and material change or alterations to existing signs or structure, except for message change.

B. Setbacks and dimensional standards:

1. Sign placement shall be allowed no closer than 50 feet from all property lines, but shall be within six hundred and sixty (660) feet from the edge of the right-of-way.
2. No sign shall be erected closer than one thousand (1,000) feet to another non-accessory sign.
3. Signs shall be located a minimum of five hundred (500) feet from any residential zoned property which shall be measured from the base of the pole to the property line of the residentially zoned property.
4. No sign shall be erected closer than three hundred (300) feet from a City park.
5. No sign shall be erected closer than three hundred (300) feet from structures or sites listed on the National Register of Historic Places.
6. Signs located within six hundred and sixty (660) feet of the nearest edge of the right-of-way of a State or Federal highway shall be required to obtain a permit from the Oklahoma Department of Transportation in conformance with Title 69, Article 12 of Oklahoma Statutes.

7. The square footage of any non-accessory sign shall not exceed 250 square feet which shall include the frame and/or border.
 8. Back-to-back signs are allowed with only one side used to calculate total square footage (no penalty).
 9. Stacked or side-by-side signs are not allowed.
- C. Exterior lighting. The lighting of new or relighting of existing billboards and signs shall require a Building Permit, which shall be granted subject to the following requirements:
1. Signs may have direct or indirect illumination, however, internally lit and LED signs shall not be permitted.
 2. Flashing, intermittent or moving light or lights are prohibited except for time, temperature and date signs.
 3. No sign shall be illuminated so that it interferes with the effectiveness of, or obscures an official traffic sign, device or signal; neither shall it be permitted to have beams or rays directed at any portion of the travelled ways and be of such intensity or brilliance to cause glare or impair the vision of the driver of any motor vehicle or which otherwise interferes with any driver's operation of a motor vehicle.
 4. Externally illuminated billboards and signs shall have fixtures mounted at the top of the billboard or sign and aimed downward. The fixtures shall be designed, fitted and aimed to shield the source from off-site view and to place the light output onto and not beyond the sign or billboard. Lighting shall be by linear fluorescent. At no point on the face of the sign or billboard and at no time shall the illumination exceed 30-vertical foot candles during hours of darkness.
 5. Rotating, traveling, pulsing, flashing or oscillating light sources, lasers, beacons, searchlights or strobe lighting shall not be permitted.
 6. The use of highly reflective signage that creates nuisance glare or a safety hazard shall not be permitted.

SECTION 2: SEVERABILITY. The provisions of this ordinance are severable, and if any sentence, provision or other part of this Ordinance shall be held invalid, the decision of the courts so holding shall not affect or impair any of the remaining parts or provisions of this ordinance.

SECTION 3: EMERGENCY. It being necessary for the protection of the public health, safety and welfare, an emergency is hereby declared to exist and this ordinance shall be effective immediately upon its passage and publication.

PASSED AND APPROVED this 16th day of April, 2012.

LINDA PETERSON, MAYOR

ATTEST:
(SEAL)

PHYLLIS LOFTIS, CMC, CITY CLERK

Regular Board of Commissioners

13.

Meeting Date: 04/16/2012

Sales Tax Report

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Acknowledge Sales Tax report received April, 2012.

Attachments

Sales Tax Report

City of Shawnee Memorandum

To: Mayor and City Commissioners
CC: Brian McDougal, City Manager
From: Cynthia R Sementelli, Finance Director
Date: April 9, 2012
Re: City Sales Tax Report



April Sales Tax receipts were up \$106,146 or 8.09% compared to last year receipts. The April Sales tax amount received plus interest was \$1,417,533 which is up over budget by .08% compared to the year to date budget amount. Compared to April 2010 figures we were up by \$109,070 or 8.3%



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



—x— May 2009 through April 2010

—□— May 2010 through April 2011

—▲— May 2011 through April 2012

	May 2009	May 2010	May 2011	Increase (Decrease)	
	through	through	through	Over Prior Year	
Month	April 2010	April 2011	April 2012	Amount	Percentage
May	1,265,208	1,317,167	1,337,029	19,861	1.51%
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%
Total	15,301,956	16,096,211	16,361,829	265,619	1.65%

Period	Prior Year Actual	Current Year Actual	Increase (Decrease) Over Prior Year	
Fiscal Year to Date	13,481,017	13,761,024	\$280,007	2.08%

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	13,750,638	13,761,024	\$10,387	0.08%

Regular Board of Commissioners

14. a.

Meeting Date: 04/16/2012

Brush Pumper Truck

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Converting Supplied Cab and Chassis to Wildland Firefighting Apparatus (Open)

Attachments

Brush Pumper Notice to Bidders and Bidders List

NOTICE TO BIDDERS

Sealed bids will be received by the City of Shawnee, 16 W. 9th Street, P.O. Box 1448, Shawnee, Oklahoma 74802-1448, until 4:00 p.m., Monday, April 16, 2012, for the following work:

CONVERTING SUPPLIED CAB AND CHASSIS TO WILDLAND FIREFIGHTING APPARATUS

Instructions and bid documents are available to qualified bidders at the office of the City Clerk, 16 W. 9th Street, P.O. Box 1448, Shawnee, Oklahoma 74802-1448.

Each bid shall be filed in a sealed envelope. On the front of each envelope shall be written the following words to the left of the address:

BID: CONVERTING SUPPLIED CAB AND CHASSIS TO WILDLAND FIREFIGHTING APPARATUS APRIL 16, 2012

The City of Shawnee invites individuals or firms to submit bids. Bid sheets will be available at the City Clerk's Office from 8:00 a.m. to 4:00 p.m., Monday through Friday. Bidders may contact Deputy Fire Chief Dru Tischer at (405) 878-1538 for further information.

The ORIGINAL bid shall be filed with the Clerk of the City of Shawnee, together with a sworn anti-collusion affidavit in writing that the bidder has not entered into any agreement, expressed or implied, with any other bidder, or bidders, for the purpose of limiting the bid, or bidders or parcel out to any bidder, or bidders or any other persons, any part of the contract or subject matter of the bid.

Bids filed with the City Clerk will be opened and considered by the Board of City Commissioners at a Public Meeting in the City Hall Commission Chambers, at 16 W. 9th Street, Shawnee, Oklahoma, at 6:30 p.m., Monday, April 16, 2012.

The City of Shawnee reserves the right to reject any or all bids.



THE CITY OF SHAWNEE
SHAWNEE, OKLAHOMA
A MUNICIPAL CORPORATION

By: 
Brian E. McDougal, City Manager

ATTEST:


Phyllis Loftis, City Clerk

Bidder List

SMILES Public Safety
3435 S. Zero Street
Fort Smith, AR 72908

Unruh Fire
201 E. Industrial Dr.
Sedgwick, KS 67135

Conrad Fire Equipment, Inc.
887 N. Jan-Mar Court
Olathe, KS 66061

Cooper Creek Mfg. Inc.
RR1 Box 97A
Loyal, OK 73756-9737

Weis Fire & Safety Equipment Co. Inc.
P.O. Box 3467
Salina, KS 67402-9527

Chief Fire & Safety Co. Inc.
P.O. Box 1214
Chickasha, OK 73023