

AGENDA
BOARD OF CITY COMMISSIONERS
March 2, 2020 AT 6:00 P.M.
COMMISSION CHAMBERS AT CITY HALL
SHAWNEE, OKLAHOMA

CALL TO ORDER

DECLARATION OF A QUORUM

INVOCATION

FLAG SALUTE

1. Citizens Participation

(A three minute limit per person)
(A twelve minute limit per topic)
2. Consider approval of Consent Agenda:
 - a. Acknowledge staff will proceed in the instant meeting with the opening and consideration of bids as set forth in Agenda Item No. 7.
 - b. Minutes from the February 18, 2020 regular meeting.
 - c. Acknowledge the following minutes:
 - Shawnee Parks and Recreation Committee Minutes from the January 9, 2020 meeting
 - Shawnee Community Beautification Committee Minutes from the January 16, 2020 meeting
3. Presentation by Animal Control to present the Pet of the Week.
4. Presentation of independent auditor's reports for the Comprehensive Annual Financial Report and Single Audit.
5. Consideration to enter into a contract with the Pottawatomie County Historical Society.
6. Consideration of a resolution 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, 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.
7. Consider Bids:

- a. Remodel of property located at 514 North Patchin Avenue, Block 5 Lots 17 thru 20, Shawnee, OK 74801 (Open)

8. New Business

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

9. Commissioners Comments

10. Adjournment

Respectfully submitted

Lisa Lasyone, CMC, City Clerk

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

Regular Board of Commissioners

2. b.

Meeting Date: 03/02/2020

Minutes

Submitted By: Kacie Eck, City Clerk

Department: City Clerk

Information

Title of Item for Agenda

Minutes from the February 18, 2020 regular meeting.

Attachments

Minutes

BOARD OF CITY COMMISSIONERS PROCEEDINGS
FEBRUARY 18, 2020 AT 6:00 P.M.

The Board of City Commissioners of the City of Shawnee, County of Pottawatomie, State of Oklahoma, met in Regular Session in the Commission Chambers at City Hall, 9th and Broadway, Shawnee, Oklahoma, Tuesday, February 18, 2020 at 6:00 p.m., pursuant to notice duly posted as prescribed by law at 3:30 p.m. on February 14, 2020. Mayor Finley presided and Ethan Anderson and Mariah Reed called the meeting to order. Upon roll call, the following members were in attendance.

Richard Finley
Mayor

Ed Bolt
Commissioner Ward 1

Ron Gillham
Commissioner Ward 2

James Harrod
Commissioner Ward 3-Vice Mayor

Darren Rutherford
Commissioner Ward 4

Mark Sehorn
Commissioner Ward 5

Ben Salter
Commissioner Ward 6

ABSENT: None

INVOCATION

The Lord's Prayer

FLAG SALUTE

AGENDA ITEM NO. 1:

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

Mr. Gene Greenfield expressed his concerns with the Broadway Project. He stated this was a Blue Zone driven project. Mr. Greenfield asked Commissioners with Blue Zones connections to please abstain from voting on the project.

Ms. Linda Agee stated she noticed the two of the three bid awards had bid tabulation attachments, but the Broadway Project did not. She asked for more transparency with the agenda. Ms. Agee addressed past budget issues and

questioned why funds were earmarked for beautification projects during financial hardships.

Ms. Cami Engles asked the Commissioners to move forward with the Broadway Project. She compared the community investment to the recent Downtown Streetscape that brought growth and investments to that area.

Ms. LaDonna Bryce spoke against the Broadway Project. She addressed the potential of forcing people to park in their yards because street parking may discontinue. She asked the City to address homelessness and crime rates instead of beautification.

Mr. Glenn Peck said he believes Blue Zones has hypnotized the City and asked if the project was worth it when feeder streets were in disrepair.

Ms. Carey McIntyre expressed her concerns about traffic impact on 45th Street with the proposed development in the area of East 45th Street and North Bryan Avenue.

Mr. Chuck Glave expressed concerns with the development in the area of the Hyatt Addition.

Mr. Rob Morris spoke against the Broadway Project. He asked that infrastructure be upgraded instead. He also stated concerns with the recent fee increase for medical marijuana establishments.

AGENDA ITEM NO. 2:

Consider approval of Consent Agenda:

- a. Minutes from the February 3, 2020 regular meeting.
- b. Acknowledge the following reports and minutes:
 - License Payment Report for January 2020
 - Project Payment Report for January 2020
 - Planning Commission Minutes from the December 4, 2019 meeting
 - Senior Citizens of Shawnee Board Minutes from the December 10, 2019 meeting
 - Shawnee Parks and Recreation Committee Minutes from the December 16, 2019 meeting

c. Mayor's Appointments:

Zoning Board of Adjustments

Brandon Dyer 1st Partial Term Expires: June 1, 2022

Replaces Mat Thomas – Termed Out

- d. Acceptance of Rolling Hills South Addition public improvements and place maintenance bonds into effect.
- e. Consider Oklahoma Municipal Retirement Fund lump sum payment for Defined Benefit Plan for Jeremy Weller.
- f. Lake Lease Transfer:

TRANSFER:

Lot 19 Belcher Tract, 33402 Post Office Neck

From: Le Ngan Yeatts

To: Carol K. Hopkins

A motion was made by Commissioner Bolt, seconded by Vice Mayor Harrod, to approve Consent Agenda Item Nos. 2 (a-f). Motion carried 7-0.

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

NAY: None

AGENDA ITEM NO. 3:

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

There was no Pet of the Week.

AGENDA ITEM NO. 4:

Consideration of approval of a proposal with Young Strategies for tourism lodging market analysis, visitor profile research, and strategic planning.

City Manager Chance Allison and Tourism Director Stacy Moore explained the strategic firm would assist with lodging market analysis, visitor profile research and strategic planning. Mr. Allison stated this will allow for a true marketing plan for the community and that funding will be from the hotel/motel fund. The firm plans to caption 1,000 individual surveys and 200 commercial surveys to compile

the data. They will also hold physical meetings and post market surveys for guests staying in our community. The contract amount is \$37,650.00.

A motion was made by Commissioner Sehorn, seconded by Commissioner Rutherford, to approve a proposal with Young Strategies for tourism lodging market analysis, visitor profile research, and strategic planning.

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

NAY: None

AGENDA ITEM NO. 5:

Public hearing and consideration of an ordinance to rezone property located 630 feet west of the northwest corner of East 45th Street and North Bryan Avenue, containing 40.08 acres, from A-1 (Rural Agricultural District) to PUD (Planned Unit Development) for the proposed purpose of a campus for the National Institute on Developmental Delays. Case No. P01-20, Applicant: Mass Architects, Inc.

Planning Director Rebecca Blaine provided a staff report. She explained this organization is currently operating at the Saint Gregory's Abbey property. They assist children and families with physical and developmental delays. The new location will allow retreat cabins and horse therapy for affected families. No permanent housing will be established. Staff and the Planning Commission recommend approval.

Mayor Finley declared a public hearing in session to consider an ordinance rezoning property located 630 feet west of the northwest corner of East 45th Street and North Bryan Avenue, containing 40.08 acres, from A-1 (Rural Agricultural District) to PUD (Planned Unit Development) for the proposed purpose of a campus for the National Institute on Developmental Delays. Mr. Duane Mass, Sr. of Mass Architects and Former Governor Brad Henry appeared in favor of said rezoning. No one appeared against said rezoning. The public hearing was closed.

A motion was made by Vice Mayor Harrod, seconded by Commissioner Gillham, to approve an ordinance to rezone property located 630 feet west of the northwest corner of East 45th Street and North Bryan Avenue, containing 40.08 acres, from A-1 (Rural Agricultural District) to PUD (Planned Unit Development).

Ordinance No. 2686NS was introduced.

AN ORDINANCE CONCERNING THE ZONING CLASSIFICATION OF THE FOLLOWING DESCRIBED PROPERTY LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY OF SHAWNEE, POTTAWATOMIE COUNTY, OKLAHOMA, TO-WIT: THE WEST HALF OF THE EAST HALF OF THE SOUTHEAST QUARTER (W/2 E/2 SE/4) OF SECTION THIRTY-TWO (32), TOWNSHIP ELEVEN (11) NORTH, RANGE FOUR (4) EAST OF THE INDIAN MERIDIAN, POTTAWATOMIE COUNTY, OKLAHOMA, FROM ZONING CLASSIFICATION A-1 (RURAL AGRICULTURAL DISTRICT) TO PUD (PLANNED UNIT DEVELOPMENT) AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SHAWNEE ACCORDINGLY.

Motion carried 7-0.

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

Ordinance No. 2686NS was adopted by the City Commission

AGENDA ITEM NO. 6:

Public hearing and consideration of an ordinance to rezone property located 60 feet east of the northeast corner of North Harrison Avenue and East Whittaker Street, containing 0.11 acres, from R-2 (Combined Residential District) to C-3 (Highway Commercial District) for the proposed purpose of commercial development. Case No. P02-20, Applicant: Judy Akerman.

Planning Director Rebecca Blaine provided a staff report. She explained that the applicants have two adjacent properties on the corner and are combining the two lots. Staff and the Planning Commission recommend approval.

Mayor Finley declared a public hearing in session to consider an ordinance rezoning property located 60 feet east of the northeast corner of North Harrison Avenue and East Whittaker Street, containing 0.11 acres, from R-2 (Combined Residential District) to C-3 (Highway Commercial District) for the proposed purpose of commercial development. No one appeared in favor or against said rezoning. The public hearing was closed.

A motion was made by Commissioner Bolt, seconded by Commissioner Gillham, to approve an ordinance to rezone property located 60 feet east of the northeast corner of North Harrison Avenue and East Whittaker Street, containing 0.11 acres, from R-2 (Combined Residential District) to C-3 (Highway Commercial District).

Ordinance No. 2687NS was introduced.

AN ORDINANCE CONCERNING THE ZONING CLASSIFICATION OF THE FOLLOWING DESCRIBED PROPERTY LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY OF SHAWNEE, POTTAWATOMIE COUNTY, OKLAHOMA, TO-WIT: LOTS TWENTY-ONE (21) AND TWENTY-TWO (22), BLOCK "A" OF THE AMENDED PLAT OF BLOCK TWO (2) OF THE AMENDED PLAT OF WHITTAKER'S ADDITION TO THE CITY OF SHAWNEE, POTTAWATOMIE COUNTY, OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF, FROM ZONING CLASSIFICATION R-2 (COMBINED RESIDENTIAL DISTRICT) TO C-3 (HIGHWAY COMMERCIAL DISTRICT) AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SHAWNEE ACCORDINGLY.

Motion carried 7-0.

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

NAY: None

Ordinance No. 2687NS was adopted by the City Commission.

AGENDA ITEM NO. 7:

Public hearing and consideration of an ordinance to rezone property located at 1310 North Kickapoo Avenue, containing 0.29 acres, from C-3 (Highway Commercial District) to C-3 (Highway Commercial District) with a Conditional Use Permit for a cell tower. Case No. P03-20, Applicant: Troy Williams.

Planning Director Rebecca Blaine provided a staff report. She explained the Zoning Board of Adjustments approved a height variance for the self-collapsing tower. This tower will be an AT&T tower providing additional assistance for first responders and increased data and wireless usage in the area. Staff and the Planning Commission recommend approval.

Mayor Finley declared a public hearing in session to consider an ordinance rezoning property located at 1310 North Kickapoo Avenue, containing 0.29 acres, from C-3 (Highway Commercial District) to C-3 (Highway Commercial District) with a Conditional Use Permit for a cell tower. Mr. Troy Williams appeared in favor of said rezoning. The public hearing was closed.

A motion was made by Commissioner Gillham, seconded by Commissioner Rutherford, to approve an ordinance to rezone property located at 1310 North Kickapoo Avenue, containing 0.29 acres, from C-3 (Highway Commercial District) to C-3 (Highway Commercial District).

Ordinance No. 2688NS was introduced.

AN ORDINANCE CONCERNING THE ZONING CLASSIFICATION OF THE FOLLOWING DESCRIBED PROPERTY LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY OF SHAWNEE, POTTAWATOMIE COUNTY, OKLAHOMA, TO-WIT: PARENT TRACT: THE SURFACE ONLY OF A TRACT OF LAND COMMENCING AT THE NORTHEAST CORNER (NE/C) OF SECTION THIRTEEN (13), TOWNSHIP TEN (10) NORTH, RANGE THREE (3) EAST OF THE INDIAN MERIDIAN, POTTAWATOMIE COUNTY, OKLAHOMA, THENCE S00°12'10'' W A DISTANCE OF 365 FEET AND S89°57'35'' W A DISTANCE OF 33 FEET TO THE POINT OF BEGINNING; THENCE S00°12'10'' W A DISTANCE OF 125 FEET; THENCE S89°57'35'' W A DISTANCE OF 100 FEET; THENCE N00°12'10'' E A DISTANCE OF 125 FEET; THENCE N89°57'35'' E A DISTANCE OF 100 FEET TO THE POINT OF BEGINNING. LEASE SITE DESCRIPTION: A TRACT OF LAND LYING IN AND BEING A PART OF THE NE4 OF SECTION 13, TOWNSHIP 10 NORTH, RANGE 3 EAST, INDIAN MERIDIAN AND BEING FURTHER DESCRIBED IN INSTRUMENT NUMBER 201600014825, DEED RECORDS OF POTTAWATOMIE COUNTY, OKLAHOMA, SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE CUT "X" FOUND FOR THE NORTHEAST CORNER OF SAID NE4; THENCE S00°24'37'' E ON THE EAST LINE OF SAID NE4 A DISTANCE OF 365.14 FEET TO A POINT ON SAID EAST LINE; THENCE S89°35'23'' W PERPENDICULAR TO SAID EAST LINE A DISTANCE OF 33.00 FEET TO A POINT FOR THE NORTHEAST CORNER, SAID CORNER BEING THE PART OF BEGINNING; THENCE S00°24'37'' E A DISTANCE OF 125.00 FEET TO A POINT FOR THE SOUTHEAST CORNER; THENCE S89°20'48'' W A DISTANCE OF 100.00 FEET TO A MAG NAIL FOUND FOR THE SOUTHWEST CORNER; THENCE N00°24'37'' W A DISTANCE OF 125.00 FEET TO 3/8'' IRON ROD FOUND FOR THE NORTHWEST CORNER; THENCE N89°0'48'' E A DISTANCE OF 100.00 FEET TO THE POINT OF BEGINNING., FROM ZONING CLASSIFICATION C-3 (HIGHWAY COMMERCIAL DISTRICT) TO C-3 (HIGHWAY COMMERCIAL DISTRICT) WITH CONDITIONAL USE PERMIT AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SHAWNEE ACCORDINGLY.

Motion carried 6-0-1.

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

NAY: None

ABSTAIN: Bolt

Ordinance No. 2688NS was adopted by the City Commission.

AGENDA ITEM NO. 8:

Consideration of approval of a preliminary plat for Hyatt Addition, Section IV located east of North Harrison Avenue and south of East 45th Street, containing 6.57 acres, for the purpose of a single-family development. Case No. S01-20, Applicant Hyatt Development, LLC.

A staff report was given by Rebecca Blaine, Planning Director. She addressed concerns with improving 42nd Street. Currently Phase IV is not adjacent to 42nd Street. The developer has expressed intentions to develop this portion at a later date that may connect with 42nd Street. This development will bring an additional 25 tracts to the area. Staff and the Planning Commission recommend approval.

A motion was made by Commissioner Gillham, seconded by Commissioner Bolt, to approve a Preliminary Plat for Hyatt Addition, Section IV located east of North Harrison Avenue and south of East 45th Street, containing 6.57 acres. Motion carried 7-0.

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

NAY: None

AGENDA ITEM NO. 9:

Consideration of a final plat for Rolling Hills South Addition located on the southeast corner of Bryan Avenue and East Main Street, containing 3 acres, for the purpose of a single-family development. Case No. S02-20, Applicant: TLP Associates, Inc.

A staff report was given by Rebecca Blaine, Planning Director. Staff and the Planning Commission recommend approval.

A motion was made by Vice Mayor Harrod, seconded by Commissioner Bolt, to approve a Final Plat for Rolling Hills South Addition located on the southeast corner of Bryan Avenue and East Main Street, containing 3 acres. Motion carried 7-0.

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

NAY: None

AGENDA ITEM NO. 10:

Consideration of an ordinance amending portions of Ordinance No. 2545NS, being codified as a part of the City Zoning Code located in Chapter 22, Article VII, of the Shawnee City Code of Ordinances, by specifically amending Section 22-262 and Table 22-262 of the code in order to revise dimensional standards for minimum lot

widths and minimum street frontage for all properties classified as A-1 Rural Agricultural Districts; providing for repeal; providing for severability; providing for codification; and providing for emergency clause.

Planning Director Rebecca Blaine provided a staff report. She advised that the item is proposing to amendments to Chapter 22. The proposed amendment would change the ambiguous language of 'None' for minimum street frontage to "330 feet", which is implied by the minimum lot width of 330 feet but should be clearly defined. In addition, it would also eliminate the lot width exception for lots of more than 10 acres.

A motion was made by Vice Mayor Harrod, seconded by Commissioner Rutherford, to approve an ordinance amending portions of Ordinance No. 2545NS, being codified as a part of the City Zoning Code located in Chapter 22, Article VII, of the Shawnee City Code of Ordinances, by specifically amending Section 22-262 and Table 22-262 of the code in order to revise dimensional standards for minimum lot widths and minimum street frontage for all properties classified as A-1 Rural Agricultural Districts; providing for repeal; providing for severability; providing for codification.

Ordinance No. 2689NS was introduced.

AN ORDINANCE AMENDING PORTIONS OF ORD. NO. 2545NS, BEING CODIFIED AS A PART OF THE CITY ZONING CODE LOCATED IN CHAPTER 22, ARTICLE VII, OF THE SHAWNEE CITY CODE OF ORDINANCES, BY SPECIFICALLY AMENDING SECTION 22-262 AND TABLE 22-262 OF THE CODE IN ORDER TO REVISE DIMENSIONAL STANDARDS FOR MINIMUM LOT WIDTHS AND MINIMUM STREET FRONTAGE FOR ALL PROPERTIES CLASSIFIED AS A-1 RURAL AGRICULTURAL DISTRICTS; PROVIDING FOR REPEAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR EMERGENCY CLAUSE.

Motion carried 7-0.

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

NAY: None

Ordinance No. 2689NS was adopted by the City Commission.

A motion was made by Vice Mayor Harrod, seconded by Commissioner Gillham, to approve the emergency clause relating to Ordinance No. 2689NS. Motion carried 7-0.

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

NAY: None

AGENDA ITEM NO. 11: Consideration of the following budget amendments:

- a. Fund 001 General Fund – Adjustment for changes that have occurred since the beginning of the fiscal year.
- b. Fund 106 Hotel Motel Fund – Updating Department of Tourism budget to reflect changes since August 2019 and includes funding for grants and advertising.
- c. Fund 301 Capital Improvement Fund – Budget for Oklahoma Municipal Assurance Group (OMAG) funding for body cameras and SPF and Byrne Grant funds for two motorcycles.
- d. Fund 302 Street Improvement Fund – To provide for Oklahoma Department of Transportation (ODOT) payment for phase one of Kickapoo Street Project (MacArthur to Kickapoo Spur).

Finance Director Ashley Neel explained these budget amendments are to cover items that came up through the current fiscal year.

A motion was made by Commissioner Bolt, seconded by Vice Mayor Harrod, to approve the budget amendments listed in Agenda Item Nos. 11 (a-d). Motion carried 6-0-1.

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

NAY: None

ABSTAIN: Sehorn

AGENDA ITEM NO. 12: Acknowledge monthly Sales Tax and Budget Report.

Finance Director Ashely Neel reported sales tax is up \$643,527.00, or 4.39%, over the projected budget year-to-date. She stated that use tax collections

are up approximately \$567,276.00, or 49.70%, over the projected budget year-to-date. Ms. Neel also reported 42% of the General Fund and 56% of the Shawnee Municipal Authority Fund are remaining for the Fiscal Year budget.

AGENDA ITEM NO. 13:

Consider Bids/Requests for Qualifications (RFQ):

- a. Upgrade and replace City of Shawnee outdoor warning system (Award)

Police Chief Mason Wilson announced that six (6) bids were received. The bid received from American Signal was not located in the packets until after the last City Commission meeting for reading into the record. American Signal's base bid was \$311,373.01, Alternate No. 1 was \$883.00 each, and Alternate No. 2 was \$1,750.00 each. After review and consideration, it was Staff's recommendation to award the bid to Federal Signal Corporation for the base bid of \$298,664.73 and Alternate No. 2 of \$28,050.00 and subtract \$17,205.00 from the base bid, for a total of \$309,509.73.

A motion was made by Commissioner Rutherford, seconded by Commissioner Gillham, to accept staff's recommendation and award the bid to Federal Signal Corporation in the total amount of \$309,509.73, which consists of the base bid of \$298,664.73 and Alternate No. 2 of \$28,050.00 and subtract \$17,205.00 from the base bid. Motion carried 7-0.

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

NAY: None

- b. Shawnee Police Department Architect's Project No. 1811, 912 East Independence, Shawnee, Oklahoma 74801 (Award)
Deferred from the January 21, 2020 City Commission agenda.

Police Chief Mason Wilson announced that four (4) bids were received. After review and consideration, it was Staff's recommendation to award the bid to W.L. McNatt and Company in the total amount of \$2,443,000.00. This price consists of the base bid of \$2,280,000.00 and Alternate No. 1 of \$163,000.00.

A motion was made by Vice Mayor Harrod, seconded by Commissioner Sehorn, to accept staff's recommendation and award the bid to W.L. McNatt and Company in the total amount of \$2,443,000.00, which consists of the base bid of \$2,280,000.00 and Alternate No. 1 of \$163,000.00. Motion carried 7-0.

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

- c. Broadway Street Project Request for Qualifications (RFQ) (Award)
Deferred from the February 3, 2020 City Commission agenda.

Planning Director Rebecca Blaine explained that a Request for Qualification (RFQ) is for professional services. It is a request for potential companies to submit why they are qualified to perform the work you are seeking on a specific project. Once a firm is selected, negotiations for services and costs take place. The proposal to hire Freese and Nichols is based on their financial stability and comparable projects they have completed. She advised that this firm would be hired at this time for the design only and no construction.

City Attorney Joseph Vorndran explained that this vote is to allow staff to negotiate a contract with Freese and Nichols for design only and that the contract would come before the Commission for final approval.

A motion was made by Commissioner Rutherford, seconded by Commissioner Bolt, to accept staff's recommendation and hire Freese and Nichols. Motion carried 4-3.

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

AGENDA ITEM NO. 14: New Business (Any matter not known or which could not have been reasonably foreseen prior to the posting of the agenda.)

There was no New Business.

AGENDA ITEM NO. 15: Commissioners Comments

Commissioner Bolt reminded everyone that the vote regarding the Broadway Project was only to hire a design firm.

Commissioner Gillham stated that his seat, Ward Two, would be up for election in June and welcomed anyone willing to run.

Vice Mayor Harrod expressed his concerns with the Broadway Project. He announced that he would be running for Ward Three again.

Commissioner Rutherford stated this was the first contentious vote between the Commissioners and explained this is healthy for a commission. He encouraged everyone to look at both sides of issues. He ensured that no final decisions had been made yet.

Commissioner Sehorn expressed his biggest concern with the Broadway Project is will other projects that need to be completed be affected.

Commissioner Salter stated in the three years the Broadway Project has been discussed he has only received negative support up until this past Thursday, when he received his first supportive phone call for the project.

Mayor Finley explained future costs were a concern for the Broadway Project.

Mayor Finley addressed comments regarding the medical marijuana establishment fee increase. He explained that the fee increase was related to what the State requires for licensing and the fee is a reflection of time and effort of City Staff.

Mayor Finley also explained that Blue Zones does not tell entities what to do. They assimilate information about how to make healthy choices. He stated that the City Commission has endorsed certain policies that Blue Zones has recommended.

AGENDA ITEM NO. 16: Adjournment

There being no further business to be considered, the meeting was adjourned by power of the Chair. (8:08 p.m.)

RICHARD FINLEY, MAYOR

ATTEST:

LISA LASYONE, CMC, CITY CLERK

Regular Board of Commissioners

2. c.

Meeting Date: 03/02/2020

Minutes

Submitted By: Kacie Eck, City Clerk

Department: City Clerk

Information

Title of Item for Agenda

Acknowledge the following minutes:

- Shawnee Parks and Recreation Committee Minutes from the January 9, 2020 meeting
 - Shawnee Community Beautification Committee Minutes from the January 16, 2020 meeting
-

Attachments

Parks and Rec Minutes

Beautification Minutes



Office of the Recreation Manager

Minutes

Shawnee Parks and Recreation Committee

January 09, 2020

The Shawnee Parks and Recreation Committee met at the Shawnee Community Center

The meeting was called to order at 3:30 pm

Roll Call was taken showing the following members present:

		Present	Absent
Chairman	Bob Weaver	<u>X</u>	_____
Member	Chad Payn	<u>X</u>	_____
Member	Sue Winterringer	<u>X</u>	_____
Member	Lynn Gray	<u>X</u>	_____
City Commissioner	Ed Bolt	<u>X</u>	_____
City Staff	Kerri Foster	<u>X</u>	_____
City Staff	James Bryce	<u>X</u>	_____
City Staff	Geoff Garner	<u>X</u>	_____
City Staff	Amy Riggins	<u>X</u>	_____

AGENDA NO 1 **Call to Order.**

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

AGENDA NO3 **Approval of Minutes from the December 16th meeting.** A motion to approve was made by Sue Winterringer and seconded by Chad Payn.

AGENDA NO 4 **Swearing in of Sue Winterringer and Lynn Gray** Both Sue Winterringer and Lynn Gray were sworn in to serve.

- AGENDA NO 5** **Overview presentation of Parks and Recreation** James Bryce, Kerri Foster, Geoff Garner, and Amy Riggins presented information on each area they managed, the growth that has occurred and the struggles of this fast-growing department. Discussion of presenting the newly designed organizational chart at the next meeting was suggested.
- AGENDA NO 6** **Discussion of committee 2020 goals.** The committee requested city staff to provide a department organizational chart for the next meeting. This motion was made by Sue Winterringer and seconded by Lynn Gray
- AGENDA NO 8** **Comments** A guest was introduced with the name Mitchell Moore with the Boy Scouts.
- AGENDA NO 9** **Adjournment.** Meeting was called to adjourn with a motion by Lynn Gray and seconded by Chad Payn.

Date 2-13-2020

Chairman BB Wilson



Office of the Director of Operations

Minutes

Shawnee Community Beautification Committee

JANUARY 16, 2020

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

The meeting was called to order at 4:03 pm

Roll Call was taken showing the following members present:

		Present	Absent
Member	Kevin Huddleston (Chairperson)		X
Member	Sherry Lankford (Vice Chairperson)	X	
Member	Tom Terry	X	
Member	Debi Renegar	X	
Member	Joe Harbeson	X	
Member	Ethan Birdwell	X	
Member	Mike Mlynek	X	
Member	Sue Nelson	X	
Member	Carla Smith	X	
Member	Ladonna Bryce	X	
City Staff	Whisper Peace	X	
City Staff	James Bryce	X	
City Staff	Jim VanAntwerp	X	
City Staff	Geoff Garner	X	
Guest			

AGENDA NO 1 Call to Order. Meeting was called to order at 4:03 pm.

- AGENDA NO 2** **Roll Call and Declaration of a Quorum.** Roll was called and a quorum was declared.
- AGENDA NO 3** **Approval of November Minutes.** A motion to approve was made by Mike Mlynek. It was 2nd by Debi Renegar. The vote carried unanimously.
- AGENDA NO 4** **Acknowledge that there was no meeting in December Due to lack or quorum.**
- AGENDA NO 5** **Discussion on Gardening with the Experts.** Discussion was made on the finalizing all materials for the event including door prizes, folder information, and setting up tables on Friday. Tom passed out posters for the event for members to distribute.
- AGENDA NO 6** **Discussion and possible action on paying a company to weed eat the inside of the airport fence along Airport Drive.** Jim Vanantwerp weed eated on the outside from the entrance to the Japanese Peace Garden. David Henry submitted a quote to finish the rest of it when needed. A motion was made to approve \$150.00 to hire him to do it. The motion was made by Mike Mlynek. It was 2nd by Ethan Birdwell and it carried unanimously.
- AGENDA NO 7** **Discussion on Larch Miller Park memorial monument relocation and landscaping around it plus replace dead redbud trees.** Tom Terry mentioned that August 16th is the 100th anniversary of Women's Right to Vote and the Monument referencing this needs to be moved to a better location within the park and that two red bud trees in the park need to be replaced as well. It was agreed to discuss what type of trees to plant in their place at the next meeting.
- AGENDA NO 8** **Swearing in of new Committee Members.** Ladonna Bryce, Mike Mlynek, Debi Renegar, and Ethan Birdwell were sworn in.
- AGENDA NO 9** **Old Business.** None
- AGENDA NO 10** **New Business.** None
- AGENDA NO 11** **Comments.**
- AGENDA NO 12** **Adjournment.** Meeting was adjourned at 4:50 p.m.

Date 2-20-2020

Chairman Sherry Lankford for Kevin Huddleston

Regular Board of Commissioners

4.

Meeting Date: 03/02/2020

CAFR Presentation

Submitted By: Kacie Eck, City Clerk

Department: City Clerk

Information

Title of Item for Agenda

Presentation of independent auditor's reports for the Comprehensive Annual Financial Report and Single Audit.

Attachments

CAFR Presentation



Annual Financial Statement Audit and Comprehensive Annual Financial Report Briefing

For the Year Ended June 30,
2019



Audit Results

- Financial Statements
 - Unmodified opinion
 - Financial reporting conforms with U.S. General Accepted Accounting Principles (GAAP)
 - Financial Statements are free of material misstatements
- Compliance with Major Federal Programs
 - Unmodified opinion
 - The City complied in all material respects with federal grant requirements enumerated in the uniform guidance
 - The City's major federal program during FY-2019 was the Airport Improvement Program.

Compliance Matters

Issue

General Fund expenditures exceeded budgeted appropriations in the general government and culture and recreation categories.

Remedy

Consistent monitoring of departmental expenditures and passage of budget amendments as necessary.

Issue

Three funds, the General Fund, the Street and Alley Fund, and the Capital Improvement Fund reported negative balances.

Remedy

Consistent monitoring of expenditures and regular projection of expected revenues and expenditures.

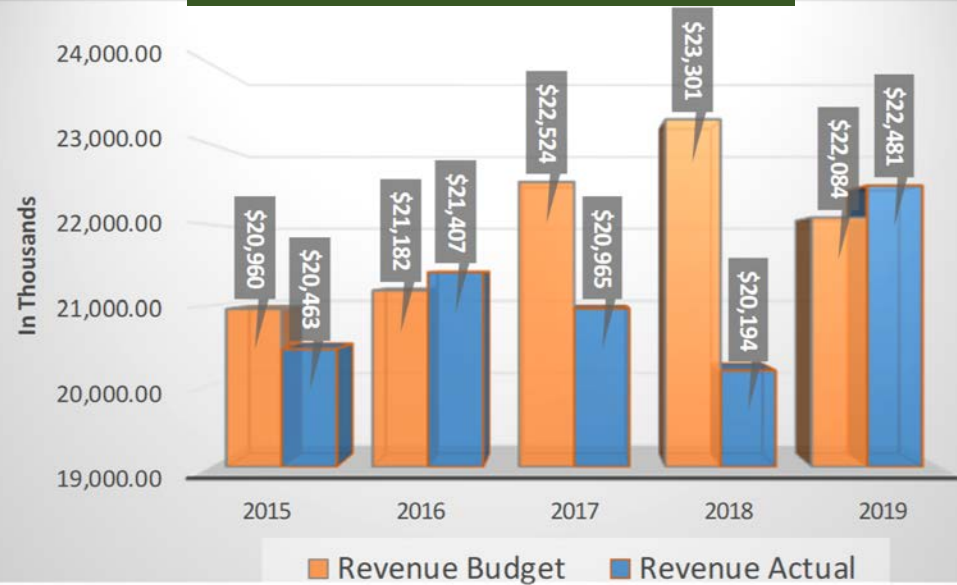
Net Position

- Definition: The difference between assets, deferred outflows of resources, liabilities, and deferred inflows of resources. One way to measure a city's financial condition.

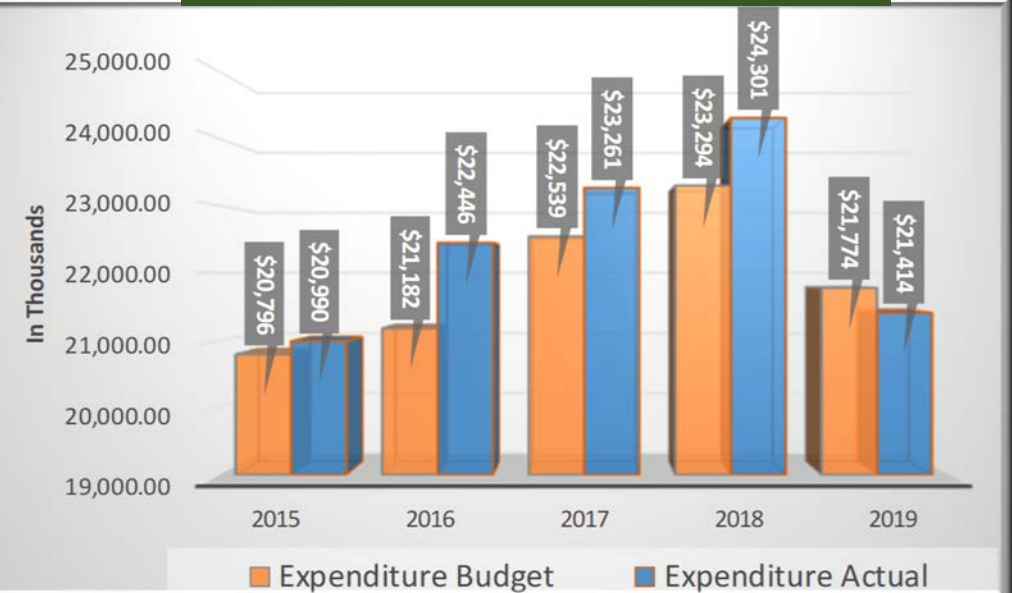


Net Position increased \$5,686,854 from 2017-2018 to 2018-2019, a 7.6% increase year-over-year.

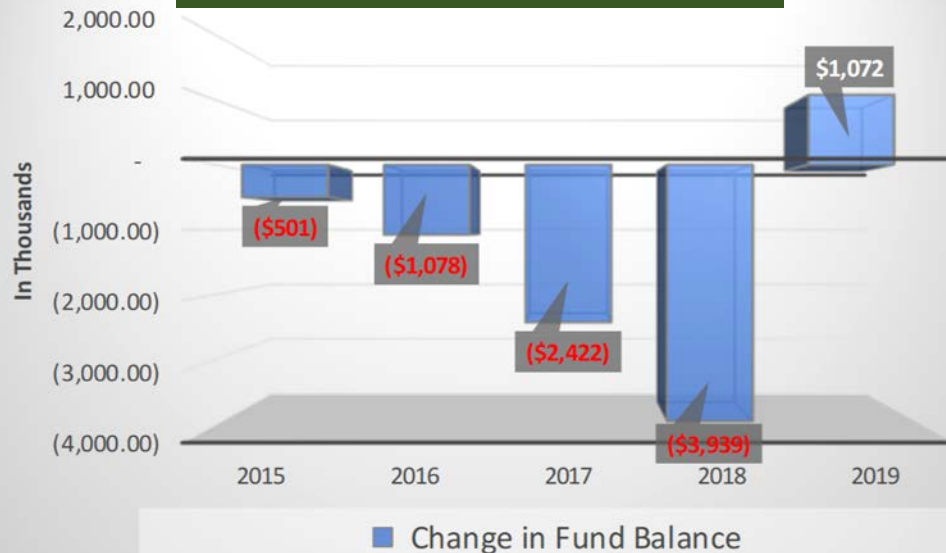
Budget To Actuals - Revenue



Budget To Actuals - Expenditures



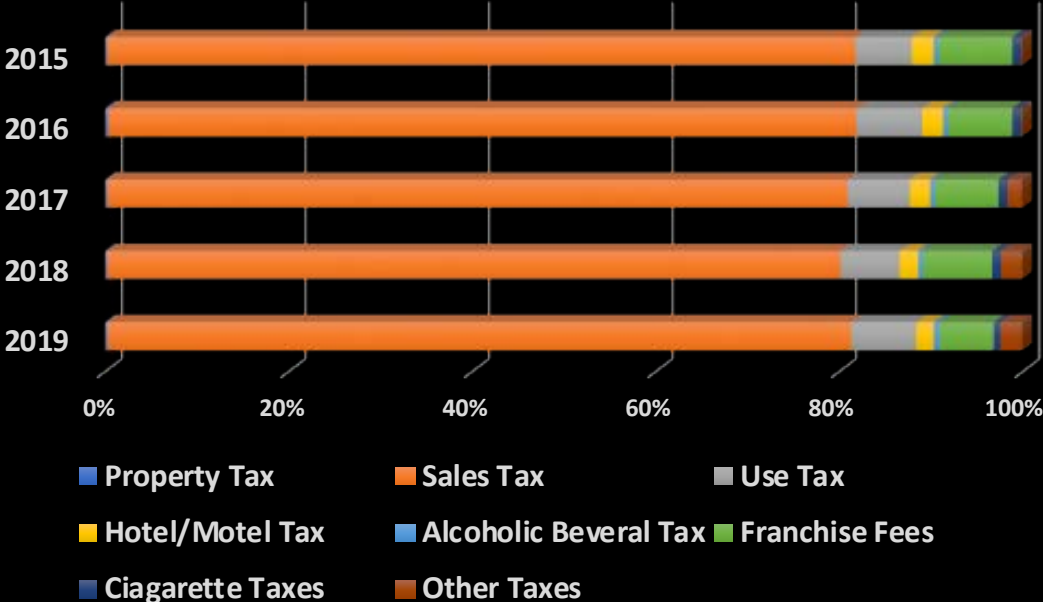
Change in Fund Balance



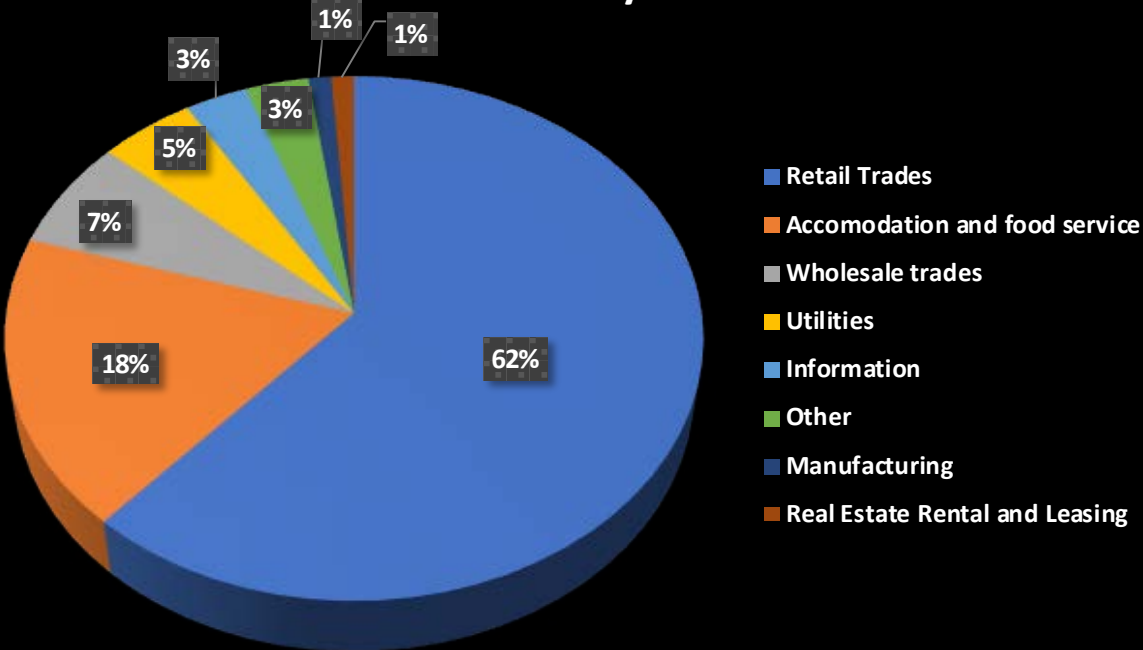
General Fund Trends

- ❑ First time since 2016, revenue came in above budget.
- ❑ First time since before 2015, expenditures came in under budget.
- ❑ First time since before 2015, fund balance reported an increase.

Tax Revenue by Source



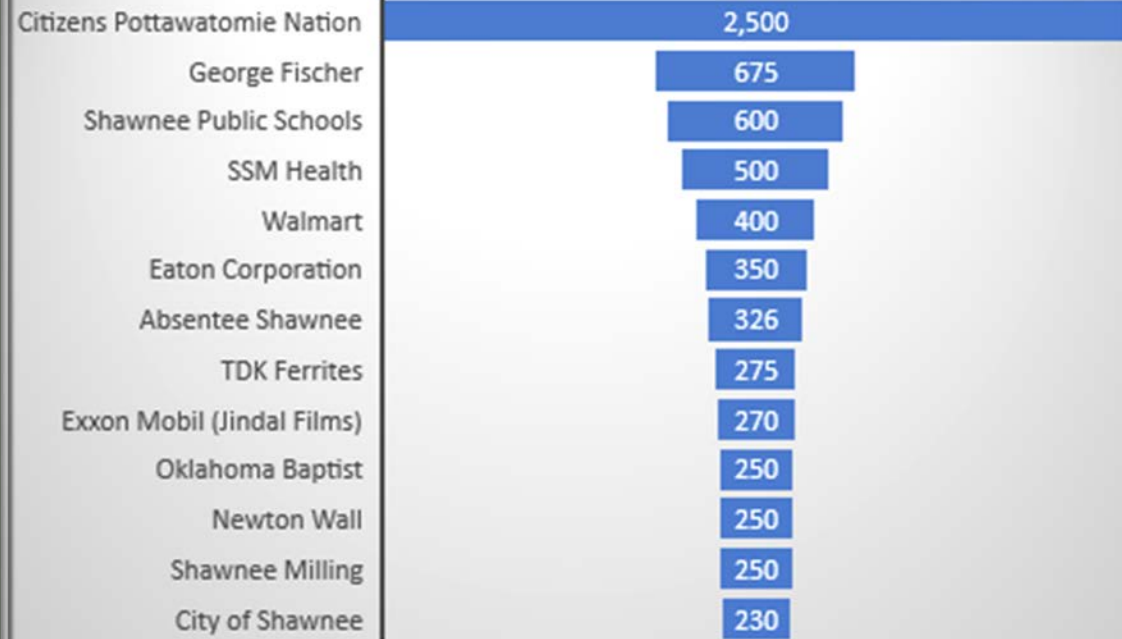
Sales Tax Collected By SIC Code



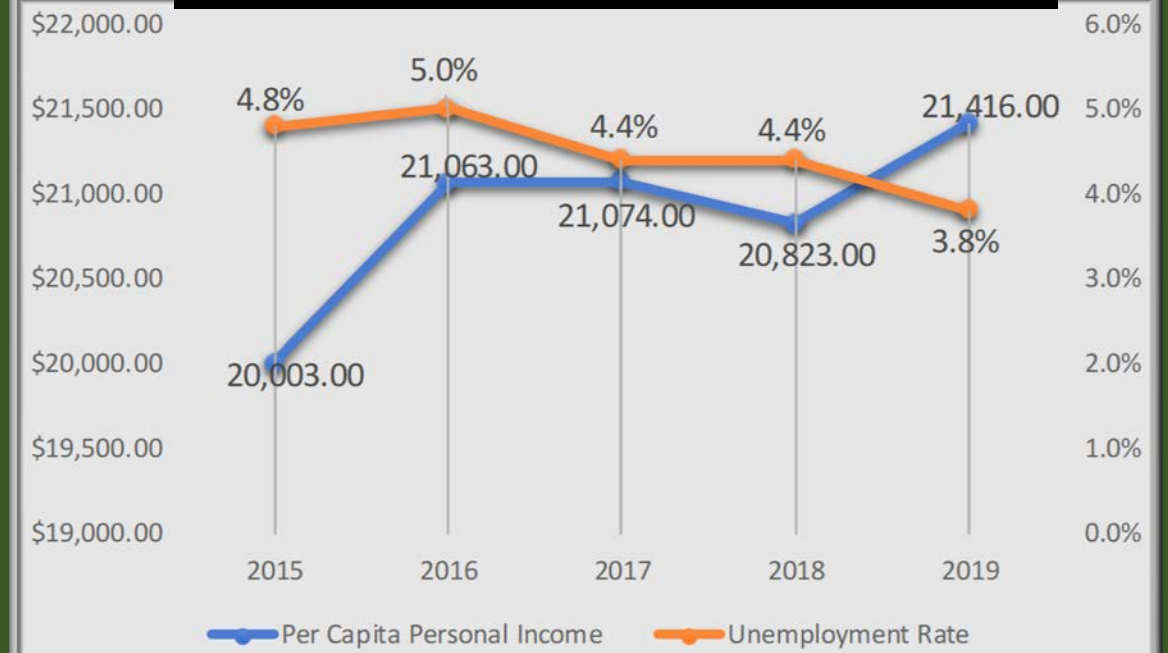
Tax Breakdown



Principal Employers



Per Capital Income vs Employment Rate



State of Employment



Questions?

Regular Board of Commissioners

5.

Meeting Date: 03/02/2020

Pottawatomie County Historical

Submitted By: Kacie Eck, City Clerk

Department: City Clerk

Information

Title of Item for Agenda

Consideration to enter into a contract with the Pottawatomie County Historical Society.

Attachments

Pott County Historical Contract

AGREEMENT BETWEEN THE CITY OF SHAWNEE AND
THE POTTAWATOMIE COUNTY HISTORICAL SOCIETY

This Agreement (“Agreement”) is made and entered into this ____ day of March, 2020, is between the City of Shawnee, an Oklahoma municipal corporation hereinafter referred to as “CITY”, and the Pottawatomie County Historical Society, an Oklahoma not-for-profit corporation hereinafter referred to as “MUSEUM”.

WITNESSETH

WHEREAS, the CITY promotes and supports tourism in the City of Shawnee in order to benefit the local economy and the CITY’s citizens, and

WHEREAS, the MUSEUM has a facility commonly known as the Pottawatomie County Museum—Paul and Ann Milburn Center, which is a tourist destination that attracts many visitors each year to the City of Shawnee, and

NOW, THEREFORE, in consideration of the mutual covenants and promises herein contained, the parties hereby agree as follows:

1. MUSEUM agrees to provide the CITY a tourist destination at the Pottawatomie County Museum—Paul and Ann Milburn Center with regularly scheduled operating hours and events.
2. MUSEUM agrees to provide and furnish a full-time fundraising and marketing staff member to measurably enhance the visibility of tourism activities, and to measurably increase donor and fund-raising opportunities.
3. MUSEUM agrees to work towards self-sustainability by developing a fund-raising plan, among other policies and procedures, using best practices through training and other materials provided by the Oklahoma Center for Nonprofits, and any other highly esteemed resource to wit.
4. MUSEUM agrees to provide and furnish tourism activities to commence on the 31st day of March, 2020, and to continue until the 30th day of June, 2024.
5. In consideration for the tourism activities provided by MUSEUM, the CITY agrees to compensate MUSEUM as follows:
 - a. A one-time lump sum payment of \$150,000.00 due upon execution of this Agreement;
 - b. An annual fee of \$50,000.00 due by March 31, 2020;
 - c. An annual fee of \$40,000.00 due by March 31, 2021;
 - d. An annual fee of \$30,000.00 due by March 31, 2022;
 - e. An annual fee of \$20,000.00 due by March 31, 2023;
 - f. An annual fee of \$10,000.00 due by March 31, 2024;
 - f. No annual fee shall be due by CITY to MUSEUM thereafter.

6. MUSEUM acknowledges and agrees to provide adequate utilities, temperature-controlled heating and cooling systems, restrooms, furnishings and equipment appropriate for building design, property insurance, and general liability insurance suitable for the use of space.
7. MUSEUM agrees that it will submit a clean, unmodified audit of its financials and be prepared to substantiate the services rendered pursuant to this Agreement on March 31st annually for review by the CITY's Community Service Contract Review Committee.
8. MUSEUM agrees to furnish CITY with copies of all of MUSEUM's minutes.
9. MUSEUM hereby indemnifies CITY and agrees to hold CITY harmless from and against any loss, damage, or claim arising from the operation of MUSEUM and for any insurance premiums owed by MUSEUM or for any tax liability now or later determined to be due and owing by MUSEUM. Upon receipt of notice of a suit or proceeding filed against CITY or MUSEUM, MUSEUM shall give CITY written notice of such suit or proceeding within ten (10) days of receipt of such notice and shall cooperate with CITY in its defense of any such suit or proceeding.
10. This Agreement terminates automatically on June 30, 2024.
11. This Agreement may be terminated by either party upon thirty (30) days written notice prior to the end of the contract period. If the Agreement is terminated before the end of the contract year, which begins and ends on March 31st annually, then the amount owed by CITY shall be prorated accordingly.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed the date and year first above written.

WITNESS our hands this _____ day of _____, 2020.

POTTAWATOMIE COUNTY
HISTORICAL SOCIETY

ATTEST:

PRESIDENT

SECRETARY/NOTARY

APPROVED by the Mayor and City Commissioners of the City of Shawnee this _____
day of _____, 2020.

THE CITY OF SHAWNEE, OKLAHOMA
A Municipal Corporation

ATTEST:

CHANCE ALLISON
CITY MANAGER

LISA LASYONE, CMC
CITY CLERK

APPROVED as to form and legality this _____ day of _____, 2020.

JOSEPH M. VORNDRAN
CITY ATTORNEY

Regular Board of Commissioners**6.**

Meeting Date: 03/02/2020

Election Resolution

Submitted By: Kacie Eck, City Clerk

Department: City Clerk

Information**Title of Item for Agenda**

Consideration of a resolution 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, 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.

AttachmentsElection Resolution

RESOLUTION NO. _____

A RESOLUTION 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 OFFICES OF MAYOR, 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.

WHEREAS, the City of Shawnee, Oklahoma, nonpartisan general and general runoff elections are hereby authorized and called to be held in the City of Shawnee, Oklahoma, and;

WHEREAS, the general election shall be held on the 30th day of June, 2020, the same being the fifth Tuesday in June, for the purpose of submitting to the registered, qualified voters of the City of Shawnee, the names of all persons who have properly filed or been filed as candidates in the general election for the offices of Mayor, Commissioner of the Second Ward, Commissioner of the Third Ward, and Commissioner of the Fourth Ward; and the general runoff election shall be held on the 25th day of August, 2020, the same being the fourth Tuesday in August, for the purpose of submitting to the registered, qualified voters of the City of Shawnee the names of the nominees for the offices of Mayor, Commissioner of the Second Ward, Commissioner of the Third Ward, and Commissioner of the Fourth Ward, and;

WHEREAS, the filing period for the elections authorized herein shall be during the hours of 8:00 a.m. to 5:00 p.m. on the 8th, 9th and 10th of April, 2020 at the Pottawatomie County Election Board offices, 14101 Acme Road, Shawnee, Oklahoma; and

WHEREAS, any qualified elector may become a candidate for the offices named herein by filing with the Secretary of the Pottawatomie County Election Board, during the filing period, a written declaration of candidacy as provided in the Charter of the City of Shawnee, provided that any qualified elector can be a candidate for only one (1) office, and;

WHEREAS, provided, that no person shall be qualified to become a candidate for any office herein unless such person shall have attained the age of twenty-five (25) years and shall have been, for at least six (6) months prior to filing a declaration of candidacy, a qualified elector as provided by the Charter of the City of Shawnee and the laws of the State of Oklahoma and a resident within the ward for which such person files for office, and;

WHEREAS, all declarations of candidacy, petitions and election ballots shall be nonpartisan in form and shall have no party designation of any kind and no sign, mark, symbol or device of a partisan character.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND BOARD OF COMMISSIONERS OF THE CITY OF SHAWNEE, OKLAHOMA:

Section 1. Call for Election.

That the question be set for election on the 30th day of June, 2020, to allow the electorate of the City of Shawnee, Oklahoma to vote for the offices of Mayor, Commissioner of the Second Ward, Commissioner of the Third Ward, and Commissioner of the Fourth Ward. If at the general election provided for herein no candidate receives a majority of the votes cast, the two (2) candidates receiving the largest number of votes shall be nominated, and their names shall be placed on the ballot and they shall be voted upon at the ensuing general runoff city election on 25th day of August, 2020, and the person receiving the largest number of votes shall be elected.

Section 2. Purpose of Election.

That the purpose of submitting to the registered, qualified voters of the City of Shawnee, the names of all persons who have properly filed or been filed as candidates in the general election for the offices of Mayor, Commissioner of the Second Ward, Commissioner of the Third Ward, and Commissioner of the Fourth Ward.

Section 3. Filing Period.

The filing period for the elections authorized herein shall be during the hours of 8:00 a.m. to 5:00 p.m. on the 8th, 9th and 10th of April, 2020, by filing with the Secretary of the Pottawatomie County Election Board, 14101 Acme Road, Shawnee, Oklahoma, a written declaration of candidacy as provided in the Charter of the City of Shawnee.

Section 4. Conduct of Election.

The County Election Board shall prepare all ballots and conduct the election provided for herein in the manner set forth in accordance with the Charter of the City of Shawnee and the laws of the State of Oklahoma.

The polls of said election shall be open at seven o'clock a.m., and shall remain open continuously until and be closed at seven o'clock p.m. on the designated day.

Section 5. Absentee Ballots

Registered, qualified electors may vote in said election by absentee ballot. Absentee ballots shall be obtained from the Secretary of the County Election Board and shall be requested, cast and returned in the manner described by the general election laws of the State of Oklahoma relating to voting by absentee ballot.

PASSED AND APPROVED THIS ____ DAY OF _____, 2020.

RICHARD FINLEY, MAYOR

ATTEST:

(SEAL)

LISA LASYONE, CMC, CITY CLERK

Regular Board of Commissioners**7. a.**

Meeting Date: 03/02/2020

Remodel Bid (Open)

Submitted By: Kacie Eck, City Clerk

Department: City Clerk

Information

Title of Item for Agenda

Remodel of property located at 514 North Patchin Avenue, Block 5 Lots 17 thru 20, Shawnee, OK 74801 (Open)

Attachments

Notice to Bidders

Bid Packet

Plan Holders List

NOTICE TO BIDDERS

Sealed bids will be received by the City of Shawnee, 9th & Broadway, P. O. Box 1448, Shawnee, Oklahoma, up to **4:00 p.m., Monday, March 2, 2020**, for:

Remodel of property located at:

514 N. Patchin, Block 5 Lots 17 thru 20, Shawnee, OK 74801

Instructions and bid documents will be available to qualified bidders at City of Shawnee, Community Development Office at 227 N. Broadway, Suite C, Shawnee OK, 74801. You can call 405-878-1543 with any questions.

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 – Remodel of 514 N. Patchin
March 2, 2020**

The ORIGINAL bid shall be filed with the City Clerk of the City of Shawnee, together with a sworn non-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 will be opened and considered by the Board of City Commissioners at a Public Meeting in the City Hall Commission Chambers, Shawnee, Oklahoma, at **6:00 p.m., Monday, March 2, 2020**. The City of Shawnee reserves the right to reject any or all bids.

CITY OF SHAWNEE, A Municipal Corporation

By: Chance Allison
Chance Allison, City Manager

Date: 2/1/2020



ATTEST:

Lisa Lasyone
Lisa Lasyone, CMC, City Clerk

INFORMATION TO BIDDERS
FOR:

Rehab for residential property located at 514 N. Patchin, Shawnee OK

BY THE
CITY OF SHAWNEE

The City of Shawnee, a municipal corporation, (hereinafter called "CITY"), desires to rehab a residential structure by a qualified contractor, (hereinafter called VENDOR").

Sealed BIDS for the **Rehab for residential property located at 514 N. Patchin, Shawnee OK** will be received by the City of Shawnee, 9th & Broadway, P. O. Box 1448, Shawnee, Oklahoma 74802-1448, until **4:00 p.m., Monday, March 2, 2020**. BIDS filed with the City Clerk will be opened and considered by the Board of Commissioners at a Public Meeting in the City Hall Commission Chambers, Shawnee, Oklahoma, at **6:00 p.m., Monday, March 2, 2020**.

The ORIGINAL COPY of the BID shall be filed with the City Clerk, together with a business relationship affidavit and a non-collusion affidavit that the firm or individual has not entered into any agreement, expressed or implied, with any other person or persons, for the purpose of limiting the proposal or proposers, or parcel out to any firm, or firms or any other persons, any part of the contract or subject matter of the proposal.

All BIDS must be made on the required BID FORM. The BID FORM must be fully completed and executed when submitted. Only one copy of the BID form is required in each bid package.

The CITY may waive any informalities or minor defects or reject any and all BIDS. Any BID may be withdrawn prior to the above scheduled time for the opening of BIDS or authorized postponement thereof. Any BID received after the time and date specified shall not be considered.

The VENDOR must satisfy themselves of the accuracy of the instructions and specifications. After BIDS have been submitted, the VENDOR shall not assert that there was a misunderstanding concerning the nature of the services to be provided.

Information obtained from an officer, agent, or employee of the CITY or any other person shall not affect the risks or obligations assumed by the VENDOR or relieve the VENDOR from fulfilling any of the conditions of the BID.

The CITY shall provide to BIDDERS prior to BIDDING, all information which is pertinent to, and delineates and describes, the land owned and rights-of-way acquired or to be acquired.

The CONTRACT DOCUMENTS contain the provisions required for the construction of EACH PROJECT. Information obtained from an officer, agent, or employee of the CITY or any other person shall not affect the risks or obligations assumed by the CONTRACTOR or relieve him from fulfilling any of the conditions of the contract.

Each BID FOR EACH PROJECT must be accompanied by a BID bond payable to the CITY for five percent (5%) of the total amount of the BID. As soon as the BID prices have been compared, the CITY will return the BONDS of all except the three (3) lowest responsible BIDDERS. When the Agreement is executed the bonds of the two remaining unsuccessful BIDDERS will be returned. The BID BOND of the successful BIDDER will be retained until the Contract, Statutory and Performance BONDS have been executed and approved after which it will be returned. A certified check may be used in lieu of a BID BOND.

A Performance BOND, and a Statutory BOND each in the amount of 100 percent of the CONTRACT PRICE, with a corporate surety approved by the CITY, will be required for the faithful performance of the contract.

Attorneys-in-fact who sign BID BONDS or Statutory BONDS and Performance BONDS must file with each BOND a certified and effective dated copy of their power of attorney.

The party to whom the contract is awarded will be required to execute the Agreement and obtain the Performance and Statutory Bonds within ten [10] calendar days from the date when NOTICE OF AWARD is delivered to the BIDDER. The NOTICE OF AWARD shall be accompanied by the necessary Agreement and BOND forms. In case of failure of the BIDDER to execute the Agreement, the CITY may at his option consider the BIDDER in default in which case the BID BOND accompanying the proposal shall become the property of the CITY.

The CITY within ten (10) days of receipt of acceptable Performance and Statutory BONDS and Agreement signed by the party to whom the Agreement was awarded, shall sign the Agreement and return to such party an executed duplicate of the Agreement. Should the CITY not execute the Agreement within such period, the bidder may by WRITTEN NOTICE withdraw his signed Agreement. Such notice of withdrawal shall be effective upon receipt of the notice by the CITY.

City of Shawnee

Housing Rehabilitation Section

Construction Specification

Page 1 of 4

Owner:	SURA	Inspector:	Bryan Logan
Address:	514 N Patchin	Phone:	878-1543
Phone:	878-1543	Date:	January 3, 2020

LEGAL DESCRIPTION: PATCHINS BLK 5 LOTS 17 THRU 20

DIVISION 100 - BIDDING REQUIREMENTS

NOTE: The general contractor and sub-contractors shall carefully observe the general conditions of the project, and the intent of these Specifications, to include in their bid all the materials and labor necessary to complete the project in a manner to conform to the workmanship of the trade. All work performed shall be a finished product unless otherwise stated, e.g. trim installed will be finished to match existing. All damage to the property as a result of construction shall be repaired in good order by the General Contractor. Materials used shall be standard grade or better. The term written approved equal requires written approval from Staff for products used other than specified.

NOTE: Permits are required on all SURA projects were applicable. All Permitted projects will be subject to inspection by City Code Enforcement. Permit fees will be waived.

DIVISION 1000 - ROOFING, FLASHING

- 10.1 Remove all existing layers of roofing material down to solid decking.
- 10.2 Install 30-year Architectural Type self-sealing shingles over 30# felt.
Apply 30-year Architectural Ridge Cap shingles over ridge. Installation to include 30 lb. asphalt saturated felt underlayment installed over decking
 - Step Flash all points where roof intersects vertical walls. Use galvanized sheet metal.
 - Install new flashing around all plumbing vents and soil stack.
- 10.3 Install new drip edge to the perimeter of the roof. Drip edge color to match shingle.
- 10.4 Install new roof louvers. Position the vents evenly spaced across the roof, below the ridgeline so that the vents can only be seen from one side of the house, yet no greater than 2 feet below the ridgeline. Color to match drip edge.
- 10.5 Install Architectural Type shingles over ICE SHIELD.

DIV 1000 \$ _____

DIVISION 1100 - PLUMBING

NOTE: All new plumbing work must comply with 2015 International Residential Codes.

- 11.1 Remove existing bathtub. Install a new five-foot (5') (porcelain steel enamel) (fiberglass) bathtub in same location.
- 11.2 Install "Delta", "Luxury Line" brand or written approved equal tub faucet with personal shower Locke# A0700 or written approved equal. Include all necessary water line and connections. Coordinate with other bathroom finishes
- 11.3 Install high impact plastic, tub surrounds to the tub/shower opening. Color to match tub.

- 11.4 Kitchen faucet Locke #D0381 or written approved equal. Installation to include new supply lines and shut-off valves.
- 11.5 Install new double equal, stainless steel kitchen sink. Brand to be Kohler, American Standard or Elkay
- 11.6 Install (2) two new grade A, reverse traps, vitreous china handicap model Kohler, Mansfield or written approved equal water closet. Coordinate work with new flooring. Installation to include seat, new supply line, shut-off valve, escutcheon at floor, and bolt caps.
- 11.7 Replace Water Heater supply lines.

DIV 1100 TOTAL \$_____

DIVISION 1200 - ELECTRICAL

NOTE: All new electrical work must comply with 2015 International Residential Codes.

- 12.1 Purchase and install new light/fan fixtures in all rooms. Install new CFL or LED bulbs.
- 12.2 Install all new switches, receptacles and cover plates. Color to be white.
- 12.3 Remove old smoke detector bases. Install smoke detector(s) in each sleeping room and outside in the immediate vicinity of the sleeping area(s). Smoke detector (s) shall be direct wired with battery back-up. Installation shall include one combination smoke detector/carbon monoxide alarm
- 12.4 Install new exterior in use bubble covers on exterior receptacles.
- 12.5 Replace exterior wall sconces. Install new CFL or LED bulbs.
- 12.6 Replace bathroom vents.

DIV 1200 TOTAL \$_____

DIVISION 1300 – MECHANICAL

NOTE: Mechanical Inspection required. All new mechanical work must comply with the 2009 International Residential Codes. (Required access for unit placed in attic)

- 13.1 Install all new painted steel registers and return grilles.

DIV 1300 TOTAL \$_____

DIVISION 1400 – DOORS & TRIM

- 14.1 Repair any missing or damaged base and case trim.
- 14.2 Replace both rear exterior doors. Design to match original.
- 14.3 Replace all bedroom closet doors with double doors.
- 14.4 Replace all door hardware with new (silver) hardware.
- 14.5 Replace all door stops. Match other hardware

DIV 1400 TOTAL \$_____

DIVISION 1500 – WINDOWS & TRIM

- 15.1 Clean all windows inside and out.
- 15.2 Replace missing or damaged screens.
- 15.3 Repair any missing or damaged window seats or aprons.

DIV 1500 TOTAL \$_____

DIVISION 1600 – INTERIOR WALLS & CEILINGS

- 16.1 Repair all damaged walls and ceilings. Tape, bed and texture area. Texture to match existing.

DIV 1600 TOTAL \$ _____

DIVISION 1800 – KITCHEN CABINETS

- 18.1 Remove all existing kitchen, bathroom and laundry room cabinets. Install all new (white) cabinets. Installation to include all hardware and countertops. Keep dimensions and layout the same. SURA to choose color of laminate.

DIV 1800 TOTAL \$ _____

DIVISION 1900 - PAINTING

NOTE: Paint applied will cover specified area completely, if not, additional coats will be applied. SURA to pick all colors.

- 19.1 Paint walls and ceilings with semi-gloss paint.
19.2 Paint all trim. (Base, case, window apron, window seats, handrail, etc.)
19.3 Paint all doors and jambs. Interior and exterior.
19.4 Paint newly installed cabinets.
19.5 Paint exterior siding, trim, fascia and soffit. Note: scrape in areas that needs it.

DIV 1900 TOTAL \$ _____

DIVISION 2100 - FLOOR COVERING

- 21.1 Install 6"x24" Wood Look Porcelain floor covering in downstairs areas. Tile price not to exceed \$2.25 a sq. ft. SURA to pick colors.
21.2 Install new carpeting and pad to the upstairs excluding the bathroom. Carpet and pad allowance shall not exceed \$3.50 a square foot. Homeowner's allowance does not include taxes and installation. SURA shall choose color and style, one (1) only.
21.3 Remove the existing floor covering in the bathroom. Install sheet vinyl covering in the area. Floor covering price not to exceed \$2.00 a sq. ft. SURA to choose patterns and color.

DIV 2100 TOTAL \$ _____

DIVISION 2200 – SIDING & GUTTERING

- 22.1 Repair any damaged or missing siding, trim, fascia and/or soffit.
22.2 Remove existing gutter and downspouts. Install extruded seamless aluminum guttering to the perimeter of all horizontal eaves. Include all elbows downspouts and splash blocks. Install 3"x4" downspouts. SURA to choose color.

DIV 2200 TOTAL \$ _____

DIVISION 2400 - SPECIALTIES

- 24.1 Replace dishwasher
- 24.2 Replace toilet paper holder in bathroom.
- 24.3 Remove and replace kitchen vent hood.
- 24.4 Remove shutters.
- 24.5 Replace garage door.

DIV 2400 TOTAL \$ _____

DIVISION 2500 - GENERAL

- 25.1 Replace all interior door knobs. Color to match hinges.

DIV 2500 TOTAL \$ _____

DIVISION 2600 – CLEAN-UP

- 26.1 Clean up and remove all construction debris from job site.

DIV 2600 TOTAL \$ _____

PROJECT TOTAL \$ _____

I have examined the Construction Specification and agree with all Work to be done on the above address and I further understand that the Contract is only for the Work Specified in the Construction Specification.



Rehab Specialists Approval

1/3/20

Date

SURA Signature

Date

Contractor's Signature

Date

SUBCONTRACTORS LIST

Project Address: 514 N. Patchin, Shawnee OK

* This list is required for each project bid with the Shawnee Urban Renewal Authority.

Once the General Contractor establishes the list, another Subcontractor cannot be substituted without written notification and acceptance by the Housing Inspector.

An unauthorized substitution is sufficient cause for the General Contractor to be removed as the apparent low bidder.

NOTE! Include all trades including laborers not an employee of General Contractor.

NAMES OF SUBCONTRACTORS USED IS REQUIRED.

LOW INCOME IS AT OR UNDER

1 person	2 person	3 person	4 person	5 person	6 person	7 person	8 person
\$31,950	\$36,500	\$41,050	\$45,600	\$49,250	\$52,950	\$56,550	\$60,200

REQUIRED Name of Firm Subcontractor	REQUIRED Type of Subcontractor	Low Income	Minority/Women Owned Business	Local Business	Use Local Suppliers

GENERAL CONTRACTORS SIGNATURE

DATE

* This Sheet to be included in the bid package and returned to the
Shawnee Urban Renewal Authority

BID FORM

CONSTRUCTION BID: **Rehab for residential property located at
514 N. Patchin, Shawnee OK**

BID SUBMITTED TO: THE CITY OF SHAWNEE
9th & Broadway - P.O. Box 1448
Shawnee, Oklahoma 74802-1448

1. If this Bid is accepted, the undersigned BIDDER proposes to supply the construction specified or indicated in the construction Specifications on or before the Delivery Date stated in this Bid and in accordance with the other terms and conditions within the Bid Documents.
2. BIDDER accepts all of the terms and conditions of the Notice to Bidders. This BID will remain subject to acceptance for thirty (30) days after the day of Bid opening.
3. In submitting this Bid, BIDDER represents that:
 - a. BIDDER has examined copies of all the Bid Documents and of the following Addenda (receipt of all which is hereby acknowledged) (if none, so state)

ADDENDA NUMBER (S): None

- b. This bid is genuine and not made in the interest of or on behalf of any undisclosed person, firm or corporation; and is not submitted in conformity with any agreement or rules of any group, association, organization, or corporation; BIDDER has directly or Indirectly induced or solicited any other BIDDER to submit a false sham Bid; BIDDER has not solicited or induced any person, firm or corporation to refrain from bidding; and BIDDER has not sought by collusion to obtain for itself any advantage over any other BIDDER or over OWNER.
4. The following documents are attached and made a condition of this Bid:
 - a. Construction Specification.
 - b. Bid Affidavits (Non-collusion and Business Relationship).
 - c. Bid Bond
5. The purchaser reserves the right to reject any or all bids, to waive any informality in bids, to accept in whole or in part such bid or bids as may be deemed in the best interest of the purchaser.

6. The BIDDER agrees to provide materials and labor to the Owner for the following Price:

<u>ITEM</u>	<u>AMOUNT</u>
Rehab for residential property located at 514 N. Patchin, Shawnee OK	\$_____

VENDOR'S STATEMENT: (CONSTRUCTION PROPOSED COMPLIES:) YES___ NO___

CONTRACTOR _____

ADDRESS _____

SIGNATURE _____

TITLE _____ DATE _____

**Any questions can be directed to:
Bryan Logan
CDBG Coordinator
City of Shawnee
405-878-1543**

NON-COLLUSION AFFIDAVIT

STATE OF _____ }
COUNTY OF _____ } SS:

_____, of lawful age, being first duly sworn, on oath says that he/she is the agent authorized by the VENDOR to submit the attached Proposal. Affiant further states that the VENDOR has not been a party to any collusion among the Proposers in restraint of freedom of competition by agreement to Propose at a fixed price or to refrain from submitting a Proposal; or with any City official or employee as to quantity, quality, or price in the prospective contract, or any other terms of said prospective contract; or in any discussions between the Proposers and any City official concerning exchange of money or other thing of value for special consideration in the awarding of a contract; that the undersigned/Proposer has not paid, given or donated or agreed to pay, give or donate to any officer or employee of the City of Shawnee, Oklahoma, any money or other thing of value, either directly or indirectly, in the procuring of the award of a contract pursuant to this Proposal.

FIRM NAME

By: _____

Sworn before me this _____ day of _____, 2020

Notary Public

My commission expires _____

BUSINESS RELATIONSHIP AFFIDAVIT

STATE OF _____ }
COUNTY OF _____ } SS:

_____, of lawful age, being first duly sworn, on oath says that he/she is the agent authorized by the VENDOR to submit the attached Proposal. Affiant further states that the nature of any partnership, joint venture, or other business relationship presently in effect or which existed within one (1) year prior to the date of this statement with any party to the prospective contract is as follows:

Affiant further states that any such business relationship presently in effect or which existed within one (1) year prior to the date of this statement between any officer or director of the Proposing company and any other party to the prospective contract is as follows:

Affiant further states that the names of all persons having such business relationships and the positions they hold with their respective companies or firms are as follows:

(If none of the business relationships herein above mentioned exists, affiant should so state.)

AFFIANT

Sworn before me this _____ day of _____, 2020

Notary Public

My commission expires _____

BID BOND

KNOW ALL MEN BY THESE PRESENTS, that we, the undersigned

_____ as Principal, and

_____ as Surety,

are hereby held and firmly bound unto the CITY OF SHAWNEE, OKLAHOMA, as OWNER in the penal sum of _____ for the payment of which, well and truly to be made, we hereby jointly and severally bind ourselves, successors and assigns.

Signed, this _____ day of _____, 2019

The Condition of the above obligation is such that whereas the Principal has submitted to the CITY OF SHAWNEE, OKLAHOMA a certain BID, attached hereto and hereby made a part hereof to enter into a contract in writing, for the **Rehab for residential property located at 514 N. Patchin, Shawnee OK**

NOW, THEREFORE,

- (a) If said BID shall be rejected, or
- (b) If said BID shall be accepted and the Principal shall execute and deliver a contract in the Form of Contract attached hereto [properly completed in accordance with said BID] and shall furnish a Bond for his faithful performance of said contract, and for the payment of all persons performing labor or furnishing materials in connection therewith, and shall in all other respects perform the agreement created by the acceptance of said BID, then obligation shall be void, otherwise the same shall remain in force and effect; it being expressly understood and agreed that the liability of the Surety for any and all claims hereunder shall, in no event, exceed the penal amount of this obligation as herein stated.

The Surety, for value received, hereby stipulates and agrees that the obligations of said Surety and its BOND shall be in no way impaired or affected by the extension of the time within which the OWNER may accept such BID; and said Surety does hereby waive notice of any such extension.

IN WITNESS WHEREOF, the Principal and the Surety have hereunto set their hands and seals, and such of them as are corporations have caused their corporate seals to be hereto affixed and these presents to be signed by proper officers, the day and year first set forth above.

Principal

Surety

By: _____

IMPORTANT: Surety companies executing BONDS must appear on the Treasury Department's most current list [Circular 570 as amended] and be authorized to transact business in the state where the project is located.

Kyle Craig Craig Contractors LLC.

GENERAL CONTRACTOR BIDDERS LIST

- | | | |
|----|---|-----------------|
| 1. | LG Construction
John Smith, Jr.
<u>lgconstruction@coxinet.net</u> | 672-9100 |
| 2. | Unlimited Design Custom Homes
Jake Clanin
<u>Jclan.udch@gmail.com</u> | 401-4181 |
| 3. | Beauford Const.
Josh Beauford
<u>joshbeauford@yahoo.com</u> | 205-2399 |
| 4. | D & D Contractors
Johnny Douglas
<u>Dougiejd2@yahoo.com</u> | 659-1493 |
| 5. | D & K Renovations
Douglas Plunkett
<u>d&krenovations@gmail.com</u> | 535-2009 |