

BOARD OF CITY COMMISSIONERS PROCEEDINGS
FEBRUARY 7, 2022 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, 16 West 9th Street, Shawnee, Oklahoma on, Monday, February 7, 2022 at 6:00 p.m., pursuant to notice duly posted as prescribed by law at 2:23 p.m. on February 3, 2022. Mayor Bolt presided and Miss Kayline Burdine called the meeting to order. Upon roll call, the following members were in attendance.

Ed Bolt
Mayor

Daniel Matthews
Commissioner Ward 1

Absent
Commissioner Ward 2

Travis Flood
Commissioner Ward 3

Darren Rutherford
Commissioner Ward 4-Vice Mayor

Mark Sehorn
Commissioner Ward 5

Ben Salter
Commissioner Ward 6

ABSENT: Cami Engles

INVOCATION

Commissioner Flood

FLAG SALUTE

AGENDA ITEM NO. 1:

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

Ms. Amy Camarata and Mr. Wolf Gugler spoke regarding the Lake Advisory Committee.

Ms. Sherill Bell provided a handout to the Mayor, Commissioners and Staff. She spoke on behalf of the of the Dockrey family regarding the Fairview Cemetery Mausoleum.

Mr. Steven Muzny spoke regarding concerns with the new homes built in the Bentley Oaks addition.

Ms. Fhionna Shaughnessy with Shawnee Forward Inc. announced that effective January 31, 2022, Shawnee, Oklahoma has been recognized as the number one city for women business owners in Oklahoma. She stated that Shawnee Forward will host a press conference on Thursday, February 24, 2022 at 2:00 p.m. at South Central Industries to recognize this distinction.

Mr. Rob Morris spoke regarding the American Rescue Plan Act (ARPA) funds and the Lake Advisory Committee.

AGENDA ITEM NO. 2:

Consider approval of Consent Agenda:

- a. Minutes from the January 18, 2022 regular meeting.
- b. Authorize a right-of-way easement to be given to Canadian Valley Electric Cooperative, Inc. to serve an existing City Lake Lot Lease at the Shawnee Twin Lakes.
- c. Acceptance of public improvements for Hyatt IV Addition and place maintenance bonds into effect.
- d. Acknowledge the resignation of Rachael Cole Yahola from the Shawnee Urban Renewal Authority.
- e. Mayor's Appointments:

Shawnee Urban Renewal Authority

Tosha Tanquary 1st Full Term Expires: February 2, 2025

Replaces Rachael Cole Yahola – Resigned

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

A motion was made by Commissioner Matthews, seconded by Commissioner Sehorn, to approve Consent Agenda Item Nos. 2(a-e), less item 2(a). Motion carried 6-0.

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

NAY: None

Regarding Agenda Item No. 2(a), Commissioner Salter stated he would abstain from voting since he did not attend the January 18, 2022 City Commission Meeting.

A motion was made by Commissioner Matthews, seconded by Commissioner Flood, to approve Consent Agenda Item No. 2(a). Motion carried 5-0-1.

AYE: Matthews, Flood, Bolt, Rutherford, Sehorn

NAY: None

ABSTAIN: Salter

AGENDA ITEM NO. 3:

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

Animal Control Officer Justin Baxley introduced Kelley, a Calico cat. Kelley is available for adoption.

Officer Baxley advised that the Animal Shelter currently has nineteen dogs and two cats. The Animal Shelter is planning a Valentine's Day promotion. Details can be found on their Facebook page.

AGENDA ITEM NO. 4:

Acknowledgement and ratification of the Declaration of the Mayor of the City of Shawnee declaring an emergency within the city limits and such additional territory as may be described herein, authorizing the actions of the City Manager pursuant to State Laws and the Municipal Code of the City of Shawnee.

City Manager Andrea Weckmueller-Behringer explained that Governor Stitt declared a State of Emergency for the State of Oklahoma on February 1, 2022. The City of Shawnee declared an emergency within the city limits to prepare for a potential winter storm disaster. She advised that the City is waiting on correspondence from the Federal Emergency Management Agency (FEMA) regarding any reimbursement for damages.

A motion was made by Vice Mayor Rutherford, seconded by Commissioner Flood, to acknowledge and ratify the Declaration of the Mayor of the City of Shawnee declaring an emergency within the city limits and such additional territory as may be described herein, authorizing the actions of the City Manager

pursuant to State Laws and the Municipal Code of the City of Shawnee. Motion carried 6-0.

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

NAY: None

AGENDA ITEM NO. 5:

Discussion and consideration to provide financial assistance for the Shawnee Civic and Cultural Development Authority related to the 2022 International Finals Youth Rodeo.

Mr. Randy Gilbert expressed his excitement for the 2022 International Finals Youth Rodeo (IFYR). He provided highlights from the 2021 IFYR. Commissioner Salter inquired what the funds would be used for. Mr. Gilbert explained the funds would be for the operations of the rodeo. Commissioner Sehorn questioned the status of the mediation between the City of Shawnee, Pottawatomie County, and Shawnee Civic and Cultural Development Authority (SCCDA). City Attorney Joe Vorndran stated mediation was scheduled for February 22, 2022. Commissioner Sehorn asked if all accounts were paid in full from the 2021 IFYR. Mr. Gilbert stated to his knowledge they were all paid. City Manager Andrea Weckmueller-Behringer verified \$50,000 was budgeted for assistance for the 2022 IFYR.

A motion was made by Commissioner Flood, seconded by Commissioner Matthews, for approval to designate the budgeted amount for the 2022 International Finals Youth Rodeo.

Discussion was held between the Commission and Staff.

Commissioner Flood amended the previous motion, and Commissioner Matthews seconded the amended motion, for approval to designate the budgeted amount of Fifty Thousand Dollars (\$50,000.00) for the 2022 International Finals Youth Rodeo. Motion carried 6-0.

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

NAY: None

AGENDA ITEM NO. 6:

Consideration of a resolution of the Mayor and City Commission of the City of Shawnee, Oklahoma that amends a Project Maintenance Agreement with the Oklahoma Department of Transportation for the Wayfinding Sign Project.

SHAWNEE, IN SECTION 24, T10N, R3E IN POTTAWATOMIE COUNTY, OKLAHOMA SAID PARCEL OF LAND BEING DESCRIBED AS FOLLOWS: ALL OF LOTS 4 AND 4, CONTAINING 7,000 SQUARE FEET, 0.16 ACRES, MORE OR LESS, SURPLUS AND NO LONGER NEEDED FOR CITY PURPOSES; DESCRIBING SAID PROPERTY; AND AUTHORIZING STAFF TO ADVERTISE FOR SEALED BIDS FOR THE SALE OF SAID PROPERTY.

Motion carried 6-0.

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

NAY: None

AGENDA ITEM NO. 8:

Acceptance of the Donation of an Adaptive Kayak Launch.

City Manager Andrea Weckmueller-Behringer advised that seven (7) community entities raised Fifty-One Thousand, Three Hundred Dollars and Forty-Eight Cents (\$51,300.48) to purchase and install an adaptive kayak launch. The adaptive kayak launch allows those with mobility limitations to participate in kayaking. She explained that each of the seven (7) entities have requested that the City accept the donation of the kayak launch as a City asset.

A motion was made by Commissioner Sehorn, seconded by Commissioner Flood, to approve the donation of an Adaptive Kayak Launch. Motion carried 6-0.

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

NAY: None

AGENDA ITEM NO. 9:

Report from the Lake Advisory Committee.

City Attorney Joe Vorndran gave a presentation on the Lake Advisory Committee Report. He spoke regarding the topics of

- Safety and Code Enforcement
- Commercial Activity/Development
- Facility Improvement/Recreation

Discussion was held between Commission and Staff.

AGENDA ITEM NO. 10 WAS MOVED AFTER AGENDA ITEM NO. 15 BY THE POWER OF THE CHAIR.

AGENDA ITEM NO. 11:

Administrative Report:

- a. Annual Homeless Point in Time Count – Rian Harkins, Community Development Director

Community Development Director Rian Harkins provided an update on the Annual Homeless Point in Time Count. He stated that the preliminary homeless count found a subtotal of two hundred and fifteen (215) homeless individuals. Mr. Harkins explained the Department of Housing and Urban Development (HUD) assumes the total findings of a Point in Time Count only account for approximately one-fourth of the total homeless population. He stated that this data is used to help apply for additional grant opportunities and to create a continuum of care strategy with partner agencies.

AGENDA ITEM NO. 12:

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. 13:

Commissioners Comments

The Mayor and Commissioners thanked the participants of the Lake Advisory Committee.

Commissioner Matthews expressed his appreciation for Mr. Rian Harkins, Ms. Erika Genty and the team for being proactive with the warming center.

Commissioner Matthews addressed Mr. Muzny's concerns from Citizen Participation. He also spoke regarding the Oklahoma Baptist University Authority.

Commissioner Flood addressed Mr. Muzny and Mr. Morris' concerns from Citizen Participation. He thanked Ms. Fhionna Shaughnessy for her announcement in Citizen Participation.

Commissioner Flood also expressed his excitement for the 2022 International Finals Youth Rodeo (IFYR).

Vice Mayor Rutherford and Commissioner Sehorn thanked City Staff for their work on the roads during the recent winter weather conditions.

Commissioner Salter addressed Mr. Muzny's concerns from Citizens Participation.

Mayor Bolt thanked City Staff for doing the Point and Time Count and for the warming center. He also thanked Ms. Fhionna Shaughnessy for the information during Citizens Participation.

RECESS CITY COMMISSION MEETING BY THE POWER OF THE CHAIR
TO CONVENE SHAWNEE AIRPORT AUTHORITY AND SHAWNEE
MUNICIPAL AUTHORITY (8:08 P.M.)

RECONVENE CITY COMMISSION MEETING BY THE POWER OF THE
CHAIR (8:11 P.M.)

AGENDA ITEM NO. 14:

Discussion, consideration, and possible action to enter into executive session for discussion related to the Fairview Cemetery Mausoleum in accordance with 25 O.S. § 307(B)(3) and (4) to discuss confidential communications between a public body and its attorney concerning the purchase or appraisal of real property and a pending investigation, claim, or action that the public body, with advice of its attorney, has determined that disclosure will seriously impair the ability of the public body to process the claim or conduct a pending investigation, litigation, or proceeding in the public interest.

A motion was made by Commissioner Flood, seconded by Commissioner Matthews, to enter into executive session for discussion related to the Fairview Cemetery Mausoleum in accordance with 25 O.S. § 307(B)(3) and (4) to discuss confidential communications between a public body and its attorney concerning the purchase or appraisal of real property and a pending investigation, claim, or action that the public body, with advice of its attorney, has determined that disclosure will seriously impair the ability of the public body to process the claim or conduct a pending investigation, litigation, or proceeding in the public interest. Motion carried 6-0.

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

COMMISSIONERS ENTERED INTO EXECUTIVE SESSION AT 8:12 P.M.
WITH ALL MEMBERS PRESENT.

COMMISSIONERS RECONVENED FROM EXECUTIVE SESSION AT 8:45
P.M. WITH ALL MEMBERS PRESENT.

AGENDA ITEM NO. 15:

Consider matters discussed in executive session related to the Fairview Cemetery Mausoleum in accordance with 25 O.S. § 307(B)(3) and (4) to discuss confidential communications between a public body and its attorney concerning the purchase or appraisal of real property and a pending investigation, claim, or action that the public body, with advice of its attorney, has determined that disclosure will seriously impair the ability of the public body to process the claim or conduct a pending investigation, litigation, or proceeding in the public interest.

A motion was made by Commissioner Matthews, seconded by Vice Mayor Rutherford, to move that the City of Shawnee revoke the April 5, 2021 acceptance of the mausoleum building, funds, and records from the Fairview Mausoleum Association, Inc. based upon (1) the Mausoleum Association's failure to perform by not turning over the funds and records; (2) the request for the addition of a material term of the donation, specifically, a grant of indemnification by the City; and (3) the need to further discuss the disposition of the real property, and if being considered for transfer to the City, the appropriate due-diligence necessary to accept. Further, staff shall immediately communicate with the Fairview Mausoleum Association, Inc. to further discuss a comprehensive proposal for the disposition of the mausoleum to be considered by the Commission at a future date. Motion carried 6-0.

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

AGENDA ITEM NO. 10:

Consideration of the following Budget Amendments for Fiscal Year 2021 – 2022:

- a. Fund 001 General Fund – To reduce budget appropriations for Cemetery Mausoleum.
- b. Fund 001 General Fund – To move full-time employee position amount from Fund 501 (Shawnee Municipal Authority) to Fund 001 due to new department position arrangement.

Assistant Finance Director Jacob Bussell explained that Staff has moved its Construction Inspector position from Shawnee Municipal Authority Fund (Fund 501) to General Fund (Fund 001), which will require Commission approval of moving appropriations between funds.

A motion was made by Commissioner Sehorn, seconded by Commissioner Flood, to approve the budget amendments listed in Agenda Item Nos. 10 (a-b). Motion carried 6-0.

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

NAY: None

AGENDA ITEM NO. 16:

Adjournment

There being no further business to be considered, the meeting was adjourned by power of the Chair. (8:48 p.m.)

ATTEST:



Lisa Lasyone

LISA LASYONE, CMC, CITY CLERK

Ed Bolt
ED BOLT, MAYOR