

BOARD OF CITY COMMISSIONERS PROCEEDINGS

JUNE 20, 2023 AT 6:00 PM

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, Tuesday, June 20, 2023 at 6:00 PM, pursuant to notice duly posted as prescribed by law on Thursday, June 15, 2023, at 4:33 PM. Mayor Bolt presided and called the meeting to order. Upon roll call, the following members were in attendance.

Ed Bolt
Mayor

Daniel Matthews
Commissioner Ward 1

Cami Engles
Commissioner Ward 2

Travis Flood
Commissioner Ward 3

Darren Rutherford
Commissioner Ward 4 - Vice Mayor

Mark Sehorn
Commissioner Ward 5

Lauren Richter
Commissioner Ward 6

ABSENT: None

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)

Mr. Fred Turner, Mr. Terry Compton, Mr. Tate Monroe, Ms. Shelley Byrd, and Mr. Rick Young spoke during Citizens Participation.

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 Shawnee Airport Authority Item No. 3.

b. Minutes from the May 15, 2023 regular meeting and the June 9, 2023 special call meeting.

c. Acknowledge the following minutes and reports:

- Board of Adjustment Minutes from the March 16, 2023, regular meeting.
- Shawnee Beautification, Parks, and Recreation Committee Minutes from the March 16, 2023 regular meeting.
- Shawnee Senior Citizens Advisory Board Minutes from the March 14, 2023 regular meeting.
- License Payment Report for May 2023.
- Project Payment Report for May 2023.

d. Lake Lease Transfer:

Coffman Tract Lot 2, 15405 Perry Rd
From: Jesse and Kobi Abbott
To: Faron and Cathy Kincheloe

e. Approve renewal of the following agreements for Fiscal Year 2023-2024:

- Agreement with the Housing Authority of the City of Shawnee for Supplemental Police Services.
- Agreement with Independent School District North Rock Creek for Police Services.
- Interlocal Agreement with Pottawatomie County for the paving/repair of streets and roads owned by the City of Shawnee.
- Agreement with the Pottawatomie County District Court (Judicial District 23) to enable the Municipal Court to establish, develop, and implement programs for juvenile misdemeanor offenders.
- Agreement with REACT Ambulance Authority for Dispatch Services.
- Agreement with South Central Industries, Inc. for Right-of-Way Maintenance Services.
- Agreement with Youth and Family Resource Center, Inc. for Juvenile Services.
- Agreement with the Pottawatomie County Public Safety Center for Jail Services.
- Professional Services Agreement with Crawford and Associates for the period of July 1, 2023 through June 30, 2024.

f. Acknowledge the request of an Inter-Governmental Agreement with the

City of Oklahoma City for Regional Household Hazardous Waste
Collection and Management Service.

g. Mayor's appointments:

Airport Advisory Board

Scott Lee <i>Reappointment</i>	2nd Full Term	Expires: July 1, 2026
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Blake White <i>Reappointment</i>	2nd Full Term	Expires: July 1, 2026
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Planning Commission

Amanda Johnson <i>Reappointment</i>	1st Full Term	Expires: June 1, 2026
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John "Jack" Barrett <i>Reappointment</i>	1st Full Term	Expires: June 1, 2026
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Monty Porter <i>Reappointment</i>	1st Full Term	Expires: June 1, 2026
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Steve Reese <i>Reappointment</i>	1st Full Term	Expires: June 1, 2026
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Board of Adjustment

Dana Austin <i>Reappointment</i>	1st Full Term	Expires: June 1, 2026
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Crystal Richardson <i>Reappointment</i>	2nd Full Term	Expires: June 1, 2026
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Shawnee Arts & Culture Commission

Nicki Sherman <i>Reappointment</i>	1st Full Term	Expires: May 1, 2025
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Delaynna Trim <i>Reappointment</i>	1st Full Term	Expires: May 1, 2025
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Carmen Wolf <i>Reappointment</i>	2nd Full Term	Expires: May 1, 2025
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Shawnee Library Board

Brent Newsom <i>Reappointment</i>	2nd Full Term	Expires: June 30, 2026
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A motion was made by Commissioner Matthews, seconded by Vice Mayor Rutherford, to approve Consent Agenda Item Nos. 2(a-g). Motion Carried 7-0-0.

AYE: Matthews, Rutherford, Sehorn, Richter, Engles, Flood, Bolt

NAY: None

ABSTAIN: None

3. Presentation of the Pet of the Month by Animal Control.

Animal Control Officer Theresa Touchet introduced Shadow, a five to six-year old male blue heeler.

4. Public Hearing for the City of Shawnee Five-Year Capital Improvement Plan for Fiscal Years 2024 through 2028.

Finance Director Lindsey McNabb-Fox provided details of the Capital Improvement Plan for Fiscal Years 2024 through 2028.

Mayor Bolt declared a public hearing in session to consider the City of Shawnee Five-Year Capital Improvement Plan for Fiscal Years 2024 through 2028. Mr. Fred Turner spoke during the public hearing. The public hearing was closed.

5. Consideration of a resolution approving and adopting the City of Shawnee Five-Year Capital Improvement Plan for Fiscal Years 2024 through 2028.

Finance Director Lindsey McNabb-Fox provided a staff report. She explained a new five-year plan should be adopted by the City Commission every two years, per the Capital Improvement Plan (CIP) Policy.

A motion was made by Commissioner Matthews, seconded by Commissioner Engles, to approve a resolution approving and adopting the City of Shawnee Five-Year Capital Improvement Plan for Fiscal Years 2024 through 2028.

Resolution No. 6704 was introduced.

A RESOLUTION APPROVING AND ADOPTING THE FISCAL YEARS 2024-2028 CAPITAL IMPROVEMENT PLAN.

Motion Carried 7-0-0.

AYE: Matthews, Engles, Flood, Bolt, Rutherford, Sehorn, Richter

NAY: None

ABSTAIN: None

6. Annual review of Public Safety Fee.

City Manager Andrea Weckmueller-Behringer explained that staff recommends that the Public Safety Fee be continued throughout the next fiscal year until a potential alternative long-term funding source can be secured.

A motion was made by Commissioner Flood, seconded by Vice Mayor Rutherford, to approve the continuance of the Public Safety Fee. Motion Carried 7-0-0.

AYE: Flood, Rutherford, Sehorn, Richter, Matthews, Engles, Bolt

NAY: None

ABSTAIN: None

The original item was not a consideration/action item and therefore the motion has no merit. No official action was taken.

7. Consideration of a resolution adopting the Fiscal Year 2023-2024 Budget for the City of Shawnee, Oklahoma for the period of July 1, 2023 through June 30, 2024.

Finance Director Lindsey McNabb-Fox explained the proposed resolution adopting the Fiscal Year 2023-2024 budget.

A motion was made by Commissioner Matthews, seconded by Commissioner Sehorn, to approve a resolution adopting the Fiscal Year 2023-2024 Budget for the City of Shawnee, Oklahoma for the period of July 1, 2023 through June 30, 2024.

Resolution No. 6705 was introduced.

A RESOLUTION APPROVING AND ADOPTING THE FISCAL YEAR 2023-2024 BUDGET FOR THE CITY OF SHAWNEE, OKLAHOMA FOR THE PERIOD JULY 1, 2023 THROUGH JUNE 30, 2024.

Motion Carried 7-0-0.

AYE: Matthews, Sehorn, Richter, Engles, Flood, Bolt, Rutherford

NAY: None

ABSTAIN: None

8. Consideration of an Agreement with Community Renewal of Pottawatomie County for Fiscal Year 2023-2024.

Senior Deputy City Clerk Kacie Eck provided a staff report. Staff recommends approval of the proposed Agreement.

A motion was made by Commissioner Matthews, seconded by Vice Mayor Rutherford, to approve an Agreement with Community Renewal of Pottawatomie County for Fiscal Year 2023-2024. Motion Carried 5-0-2.

AYE: Matthews, Rutherford, Sehorn, Richter, Bolt

NAY: None

ABSTAIN: Engles, Flood

9. Consideration of an Agreement with Central Oklahoma Community Action

Agency / Central Oklahoma Transit System for Fiscal Year 2023-2024.

Senior Deputy City Clerk Kacie Eck provided a staff report. Staff recommends approval of the proposed Agreement.

A motion was made by Commissioner Engles, seconded by Commissioner Flood, to approve an Agreement with Central Oklahoma Community Action Agency / Central Oklahoma Transit System for Fiscal Year 2023-2024. Motion Carried 7-0-0.

AYE: Engles, Flood, Bolt, Rutherford, Sehorn, Richter, Matthews

NAY: None

ABSTAIN: None

10. Consideration of an Agreement with Shawnee Forward for Fiscal Year 2023-2024.

City Manager Andrea Weckmueller-Behringer provided a staff report. Shawnee Forward has asked to amend Section 8 of the Agreement from thirty (30) days' to sixty (60) days' regarding termination. Staff recommends approval of the Agreement with the requested change to Section 8.

A motion was made by Commissioner Matthews, seconded by Commissioner Sehorn, to approve an Agreement with Shawnee Forward for Fiscal Year 2023-2024, with the requested amendment to Section 8. Motion Carried 6-0-1.

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

NAY: None

ABSTAIN: Engles

11. Consideration of a resolution decommissioning the Contract Review Committee for the City of Shawnee.

City Manager Andrea Weckmueller-Behringer provided a staff report. The Contract Review Committee and staff recommend approval of the proposed resolution to decommission the Contract Review Committee.

A motion was made by Commissioner Flood, seconded by Commissioner Matthews, to approve a resolution decommissioning the Contract Review Committee for the City of Shawnee.

Resolution No. 6706 was introduced.

A RESOLUTION DECOMMISSIONING THE CONTRACT REVIEW

COMMITTEE FOR THE CITY OF SHAWNEE.

Motion Carried 7-0-0.

AYE: Flood, Matthews, Engles, Bolt, Rutherford, Sehorn, Richter

NAY: None

ABSTAIN: None

12. Consideration of an Amendment to a Grant Agreement between the City of Shawnee, the Shawnee Civic & Cultural Development Authority, and the Avedis Foundation.

City Manager Andrea Weckmueller-Behringer provided a staff report. The Shawnee Civic and Cultural Development Authority approved the Amendment to the Grant Agreement on June 15, 2023. Staff also recommends approval of the Amendment.

A motion was made by Vice Mayor Rutherford, seconded by Commissioner Sehorn, to approve an Amendment to a Grant Agreement between the City of Shawnee, the Shawnee Civic & Cultural Development Authority, and the Avedis Foundation. Motion Carried 7-0-0.

AYE: Rutherford, Sehorn, Richter, Matthews, Engles, Flood, Bolt

NAY: None

ABSTAIN: None

13. Consideration of a task order in accordance with the agreement between the City of Shawnee and Del Sol Consulting for consulting services related to the April 19, 2023 storm event.

Assistant City Manager Danny Vise, Jr. provided a staff report. He explained the contract was approved at the June 9, 2023 Special Call City Commission meeting. Staff recommends approval of the proposed task order.

A motion was made by Commissioner Sehorn, seconded by Commissioner Flood, to approve a task order in accordance with the agreement between the City of Shawnee and Del Sol Consulting for consulting services related to the April 19, 2023 storm event. Motion Carried 7-0-0.

AYE: Sehorn, Flood, Bolt, Rutherford, Richter, Matthews, Engles

NAY: None

ABSTAIN: None

14. Declaration that an emergency exists pursuant to 61 O.S. § 130 and authorization for an emergency installation of traffic signal equipment on Kickapoo Avenue at the following intersections: Kickapoo and Interstate Parkway, Kickapoo and 45th, Kickapoo and Federal, and Kickapoo Spur and Kennedy, related to the April 19, 2023 storm event.

Public Works Director Brad Schmidt explained the severe storm event that occurred on April 19, 2023 caused extensive damage to traffic signal equipment at multiple intersections. It has been determined the installation of temporary signal equipment is necessary. Staff requests emergency approval for the temporary signal equipment installation at the selected intersections.

A motion was made by Commissioner Flood, seconded by Vice Mayor Rutherford, to approve a declaration that an emergency exists pursuant to 61 O.S. § 130 and authorization for an emergency installation of traffic signal equipment at the following intersections: Kickapoo and Interstate Parkway, Kickapoo and 45th, Kickapoo and Federal, and Kickapoo Spur and Kennedy. Motion Carried 7-0-0.

AYE: Flood, Rutherford, Sehorn, Richter, Matthews, Engles, Bolt

NAY: None

ABSTAIN: None

15. Discussion, consideration, and possible action to convey real estate owned by the City of Shawnee by entering into, signing, and acknowledging a certain proposed Warranty Deed, between the City of Shawnee, as Grantor, and Shawnee Bridges Out of Poverty, Oklahoma, as Grantee, specifically regarding the following property: A tract of land and improvements within the City of Shawnee, Pottawatomie County, Oklahoma described as follows: 3703 through 3721 North Beard and 3801 through 3809 North Beard (Vista Heights Block 1 Lots 1 through 24, Block 2 Lots 1 through 33, and Block 3 Lots 1 through 33), and containing 9 acres, more or less; and authorizing the City Manager to sign, execute, and enter into said Deed on behalf of the City.

Community Development Director Rian Harkins provided a staff report. He explained that the transfer of this property would allow Shawnee Bridges Out of Poverty to begin a transitional housing project. Mr. Harkins answered questions from the Commission.

A motion was made by Commissioner Sehorn, seconded by Commissioner Flood, to approve the proposed Warranty Deed, between the City of Shawnee, as Grantor, and Shawnee Bridges Out of Poverty, Oklahoma, as Grantee, specifically regarding the following property: A tract of land and improvements within the

City of Shawnee, Pottawatomie County, Oklahoma described as follows: 3703 through 3721 North Beard and 3801 through 3809 North Beard (Vista Heights Block 1 Lots 1 through 24, Block 2 Lots 1 through 33, and Block 3 Lots 1 through 33), and containing 9 acres, more or less; and authorizing the City Manager to sign, execute, and enter into said Deed on behalf of the City. Motion Carried 7-0-0.

AYE: Sehorn, Flood, Bolt, Rutherford, Richter, Matthews, Engles

NAY: None

ABSTAIN: None

16. Public hearing and review of a proposed text amendment to Section 22-295 of the Zoning Code regarding Traditional Neighborhood (TN) infill standards.

Community Development Director Rian Harkins explained the June 7, 2023 Planning Commission meeting was cancelled due to a lack of quorum. Therefore, Staff recommends this item be deferred to the July 17, 2023 City Commission meeting to allow the Planning Commission to hear the item at their July 5, 2023 meeting.

A motion was made by Commissioner Flood, seconded by Vice Mayor Rutherford, to defer the public hearing and review of a proposed text amendment to Section 22-295 of the Zoning Code regarding Traditional Neighborhood (TN) infill standards to the July 17, 2023 City Commission meeting. Motion Carried 7-0-0.

AYE: Flood, Rutherford, Sehorn, Richter, Matthews, Engles, Bolt

NAY: None

ABSTAIN: None

17. Public hearing of a request for a Conditional Use Permit (CUP) for a brewery/taproom at the property located at 313 East Main Street.
Case No. CUP01-23 | Applicant: Vortex Alley Brewing, LLC.

Community Development Director Rian Harkins explained the June 7, 2023 Planning Commission meeting was cancelled due to a lack of quorum. Therefore, Staff recommends this item be deferred to the July 17, 2023 City Commission meeting to allow the Planning Commission to hear the item at their July 5, 2023 meeting.

A motion was made by Commissioner Matthews, seconded by Vice Mayor Rutherford, to defer the public hearing of a request for a Conditional Use Permit

(CUP) for a brewery/taproom at the property located at 313 East Main Street to the July 17, 2023 City Commission meeting. Motion Carried 7-0-0.

AYE: Matthews, Rutherford, Sehorn, Richter, Engles, Flood, Bolt

NAY: None

ABSTAIN: None

18. Discussion and consideration of rescheduling the remaining 2023 Regularly Scheduled Meetings for the Board of City Commissioners, the Board of Trustees of the Shawnee Airport Authority, and the Board of Trustees of the Shawnee Municipal Authority.

City Manager Andrea Weckmueller-Behringer provided a staff report. Discussion was held among the Commission.

A motion was made by Vice Mayor Rutherford to reschedule the remaining 2023 Regularly Scheduled Meetings for the Board of City Commissioner, the Board of Trustees of the Shawnee Airport Authority, and the Board of Trustees of the Shawnee Municipal Authority to 2:00 p.m. The motion died for lack of a second motion.

No action was taken.

19. Consideration of an appeal of an Administrative Order regarding property located at 528 North Cleveland Avenue.

Chief Building Inspector Kevin Moore provided a staff report regarding the property located at 528 North Cleveland Avenue. Ms. Betty Scott, property owner, spoke regarding said property.

A motion was made by Commissioner Sehorn, seconded by Vice Mayor Rutherford, to deny the appeal of an Administrative Order regarding property located at 528 North Cleveland Avenue. Motion Carried 6-0-1.

AYE: Sehorn, Rutherford, Richter, Engles, Flood, Bolt

NAY: None

ABSTAIN: Matthews

20. Consider Bid(s):

- a. Demolition and Clearing of 623 Kickapoo Spur "The Cinderella Hotel" (Award)

Chief Building Inspector Kevin Moore announced that six (6) bids had been received. Staff recommends awarding the bid to Midwest Wrecking of Oklahoma City, Oklahoma at the base bid amount of Two Hundred Ninety-Four Thousand Two Hundred Twenty Dollars (\$294,220.00).

RECESS CITY COMMISSION MEETING BY POWER OF THE CHAIR AT 8:17 P.M.

RECONVENE CITY COMMISSION MEETING BY POWER OF THE CHAIR AT 8:24 P.M.

A motion was made by Commissioner Sehorn, seconded by Commissioner Engles, to award the demolition and clearing of 623 Kickapoo Spur "The Cinderella Hotel" bid to Midwest Wrecking in the amount of Two Hundred Ninety-Four Thousand Two Hundred Twenty Dollars (\$294,220.00). Motion Carried 7-0-0.

AYE: Sehorn, Engles, Flood, Bolt, Rutherford, Richter, Matthews

NAY: None

ABSTAIN: None

21. Consideration of the following budget amendments for Fiscal Year 2022 – 2023:

- a. General Fund - 001 - to fund the demolition of the Cinderella Hotel and other year-end operational needs.
- b. Aquatic Center Fund - 350 - to fund year-end operations at Shawnee Splash.
- c. Street & Alley Fund - 101 - to fund an increase in the cost of electricity for traffic signals.
- d. E-911 Fund - 102 - to fund contractual services for temporary employees in Dispatch.

e. Police Sales Tax Fund - 107 - to fund the year-end transfer to the General Fund.

f. Fire Sales Tax Fund - 108 - to fund the year-end transfer to the General Fund.

Finance Director Lindsey McNabb-Fox explained each proposed budget amendment.

A motion was made by Commissioner Matthews, seconded by Vice Mayor Rutherford, to approve the budget amendment listed in Agenda Item No. 21(a). The motion was withdrawn.

A motion was made by Commissioner Matthews, seconded by Commissioner Sehorn, to approve the budget amendments listed in Agenda Item Nos. 21(a-f). Motion Carried 7-0-0.

AYE: Matthews, Sehorn, Richter, Engles, Flood, Bolt, Rutherford

NAY: None

ABSTAIN: None

22. Acknowledge Monthly Sales Tax Report.

Finance Director Lindsey McNabb-Fox reported sales tax collections are up Three Million Two Hundred Seventy-Four Thousand Nine Hundred Ninety Dollars (\$3,274,990.00) or Thirteen Point Eight Percent (13.8%), over the projected budget year-to-date. She stated that use tax collections are up approximately Two Hundred Forty-Four Thousand Nine Hundred Ninety-Eight Dollars (\$244,998.00) or Seven Point Four Percent (7.4%), above the projected budget year-to-date.

23. Administrative Report(s):

a. Goals for 2023-2028 Strategic Plan - Andrea Weckmueller-Behringer, City Manager

City Manager Andrea Weckmueller-Behringer discussed the goals for the 2023-2028 strategic plan.

b. Election Results for 2023 Proposed City Charter Amendments - Danny Vise, Jr., Assistant City Manager

Assistant City Manager Danny Vise, Jr. explained the June 13, 2023 election results regarding proposed City Charter Amendments.

24. 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.

25. Commissioners Comments

Commissioner Matthews thanked citizens for voting in the recent election. He also spoke regarding the Capital Improvement Plan, contingency fund, budget, sales tax, ongoing tornado/storm clean-up, KidSpace Park opening, and the Potawatomi Fire Basketball Team.

Commissioner Engles spoke regarding the strategic planning meeting, Kickapoo traffic lights, Shawnee Bridges Out of Poverty, the recent community survey, and the KidSpace Park opening.

Commissioner Flood spoke regarding the Kickapoo traffic lights, strategic planning meeting, the recent community survey, and Shawnee Bridges Out of Poverty. He also thanked City Staff and fellow Commissioners.

Vice Mayor Rutherford spoke regarding the KidSpace Park opening, Woodland Veterans Park, and progress since the April tornado event.

Commissioner Sehorn spoke regarding the new fiscal year budget, Cinderella Hotel demolition, Kickapoo traffic signals, and sales tax collections.

Commissioner Richter echoed comments from other Commissioners.

Mayor Bolt expressed his appreciation for the citizens that voted in the recent election. He also spoke regarding sales tax collections, KidSpace Park opening, the Potawatomi Fire Basketball Team, and City Commission meeting times.

RECESS CITY COMMISSION MEETING BY POWER OF THE CHAIR AT
9:22 PM

RECONVENE CITY COMMISSION MEETING BY POWER OF THE CHAIR
AT 9:24 PM

26. Adjournment

There being no further business to be considered, the meeting was adjourned
by power of the Chair. (9:25 p.m.)




ED BOLT, MAYOR

ATTEST:


KACIE ECK, CMC
SENIOR DEPUTY CITY CLERK