

BOARD OF CITY COMMISSIONERS PROCEEDINGS

JANUARY 16, 2024 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, January 16, 2024 at 6:00 PM, pursuant to notice duly posted as prescribed by law on Thursday, January 11, 2024 at 4:48 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

Absent
Commissioner Ward 2

Yannah Frazier
Commissioner Ward 3

Darren Rutherford
Commissioner Ward 4 - Vice Mayor

Mark Sehorn
Commissioner Ward 5

Lauren Richter
Commissioner Ward 6

ABSENT: Cami Engles

CALL TO ORDER

DECLARATION OF A QUORUM

INVOCATION

FLAG SALUTE

1. Recognition of Emery Luna for donating 1,175 pounds of dog food to the Animal Shelter for distribution to our community.

Mayor Bolt presented a Certificate of Recognition to Ms. Emery Luna.

2. Recognition of Shawnee Police Department Communications Manager Christina Brown for receiving the "Wendy Day Memorial Scholarship for 911 Goes to Washington 2024."

Mayor Bolt presented a Certificate of Recognition to Christina Brown.

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

Citizens may provide comment relevant to City business. Per Oklahoma State

Statute 25 O.S. § 311(B)(1), the City Commission may only consider, deliberate, or render decisions on those items of City business that were included in the agenda. For other citizen comments, the City Commission may refer the matter to the City Manager for administrative consideration, or to schedule the matter for Commission consideration at a later date.

Ms. Linda Gouge, Ms. Cyndi Berger, and Mr. Rob Morris, spoke during Citizens Participation.

4. Consider approval of Consent Agenda:

a. Minutes from the December 18, 2023 regular meeting.

b. Acknowledge the following minutes and reports:

- Shawnee Beautification, Parks, and Recreation Committee Minutes from the October 19, 2023 regular meeting.
- Shawnee Senior Citizens Advisory Board Minutes from the November 14, 2023 regular meeting.
- License Payment Report for December 2023.
- Project Payment Report for December 2023.

c. Mayor Appointments:

Shawnee Beautification, Parks, and Recreation Committee

Kerri Keck

1st Partial Term

Term Expires: May 1, 2025

Replaces Ian Hayes - Resigned

d. Acceptance of Right-of-Way Utility Easement Agreement for property along 419 North Kickapoo.

e. Acceptance of Right-of-Way Easement Agreement (roadway) for property along 419 North Kickapoo.

A motion was made by Commissioner Matthews, seconded by Commissioner Sehorn, to approve Consent Agenda Item Nos. 4(a-e). Motion carried 6-0-0.

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

NAY: None

ABSTAIN: None

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

Animal Control Officer Theresa Touchet introduced Hoss, an approximately 3-5-year-old Catahoula Cur.

6. Mayor's Proclamation(s)

a. "School Board Appreciation Month", January 2024

Mr. Clif Harden, Mr. Keith Sandlin, and Ms. April Stobbe accepted the Mayor's Proclamation for "School Board Appreciation Month" from Mayor Bolt.

7. Shawnee Forward Presentation.

Ms. Crystal Romanyszyn, Shawnee Forward President and CEO, gave a presentation. She discussed topics that included:

- City of Shawnee Contract Deliverables Progress Report
 - Shawnee by the Numbers
 - Sales Tax Collection
 - Permits
 - Housing

- Benchmarking Data
 - Population
 - Annual Wages Per Worker
 - Median House Value (owner-occupied units)
 - Labor Force Size/Participation Rate
 - Bachelor's Degree or Higher
 - Unemployment Rate by City
 - Poverty Level (of all people)
 - Crime Index

8. Consideration of a Contract with CEC to provide Traffic Signal Storm Damage Repair design services related to the April 19, 2023, storm event.

Assistant City Manager Danny Vise stated that the City entered into an agreement with CEC for professional services regarding the design of traffic control measures associated with the April 19, 2023, storm damage. Following an initial assessment of the damages and the subsequent quantification of necessary repairs, it was determined that the scope of the project would need to be expanded and that additional hours were required for the preparation of bid packets and coordination of the bidding process and an adjustment to the fee was deemed necessary. Staff is requesting an additional Forty-Four Thousand Six Hundred Thirty-Seven Dollars (\$44,637.00) in addition to the original agreement, resulting in a total fee for this project of Ninety-Three Thousand Six Hundred Thirty-Seven Dollars (\$93,637.00).

A motion was made by Vice Mayor Rutherford, seconded by Commissioner Richter, to approve a Contract with CEC to provide Traffic Signal Storm Damage Repair design services related to the April 19, 2023, storm event. Motion carried 6-0-0.

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

NAY: None

ABSTAIN: None

9. Consideration of an Amendment to the Contract with Deep South Fencing for Fencing Installation and Repair Services.

Assistant City Manager Danny Vise stated that the Commission previously approved a contract with Deep South Fencing to provide fencing repair and installation services. During the course of the execution of the contract, it has

become apparent that the original amount is insufficient. Staff is requesting an amendment to the "not to exceed" amount from Three Hundred Thousand Dollars (\$300,000.00) to Four Hundred Thousand Dollars (\$400,000.00), which will allow Deep South Fencing to continue to complete ongoing fencing projects throughout the City.

A motion was made by Commissioner Matthews, seconded by Commissioner Sehorn, to approve Agenda Item No. 8. Commissioner Matthews, seconded by Commissioner Sehorn, amended the motion to approve Agenda Item No. 9 to approve an Amendment to the Contract with Deep South Fencing for Fencing Installation and Repair Services. Motion carried 6-0-0.

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

NAY: None

ABSTAIN: None

10. Public hearing on an Amendment to the City of Shawnee FY 2024-2028 Capital Improvement Plan to include an Airfield Signage Retrofit Project.

Finance Director Lindsey McNabb-Fox stated that Staff is requesting an amendment to the Capital Improvement Plan (CIP) to add an Airfield Signage Retrofit Project.

Mayor Bolt declared a public hearing in sessions for an amendment to the City of Shawnee Fiscal Year (FY) 2024-2028 Capital Improvement Plan to include an Airfield Signage Retrofit Project. No one spoke in favor or against the amendment. The public hearing was closed.

11. Consideration of an Amendment to the City of Shawnee FY 2024-2028 Capital Improvement Plan to include an Airfield Signage Retrofit Project.

A motion was made by Commissioner Richter, seconded by Commissioner Matthews, to approve an Amendment to the City of Shawnee FY 2024-2028 Capital Improvement Plan to include an Airfield Signage Retrofit Project. Motion carried 6-0-0.

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

NAY: None

ABSTAIN: None

12. Consideration of a Resolution to adopt the Shawnee Twin Lakes Master Plan.

Community Development Director Rian Harkins gave a presentation regarding

the Shawnee Twin Lakes Master Plan. He discussed topics that included:

- Purpose
- Plan Structure
- Public Outreach
- Survey Results
- Key Takeaways
- Guiding Principles
- Growth Scenarios
- Future Development Plan
- Additional Issues

He advised that the Planning Commission and Staff recommend approval of the resolution.

A motion was made by Vice Mayor Rutherford, seconded by Commissioner Matthews, to approve a resolution to adopt the Shawnee Twin Lakes Master Plan.

Resolution No. 6720 was introduced.

A RESOLUTION ADOPTING THE SHAWNEE TWIN LAKES MASTER PLAN AS AN ELEMENT OF THE COMPREHENSIVE PLAN.

Motion carried 6-0-0.

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

NAY: None

ABSTAIN: None

13. Consideration of a resolution of the City of Shawnee declaring that a nuisance exists at the Fairview Mausoleum and authorizing and directing the City of Shawnee, Oklahoma to initiate a legal proceeding in the District Court of Pottawatomie County, Oklahoma for the purpose of abating the nuisance at the Fairview Mausoleum.

City Attorney Joe Vorndran provided a Staff report.

A motion was made by Commissioner Sehorn, seconded by Vice Mayor Rutherford, to approve a resolution of the City of Shawnee declaring that a nuisance exists at the Fairview Mausoleum and authorizing and directing the City

of Shawnee, Oklahoma to initiate a legal proceeding in the District Court of Pottawatomie County, Oklahoma for the purpose of abating the nuisance at the Fairview Mausoleum.

Resolution No. 6721 was introduced.

A RESOLUTION OF THE CITY OF SHAWNEE DECLARING THAT A NUISANCE EXISTS AT THE FAIRVIEW MAUSOLEUM AND AUTHORIZING AND DIRECTING THE CITY OF SHAWNEE, OKLAHOMA TO INITIATE A LEGAL PROCEEDING IN THE DISTRICT COURT OF POTTAWATOMIE COUNTY, OKLAHOMA FOR THE PURPOSE OF ABATING THE NUISANCE AT THE FAIRVIEW MAUSOLEUM.

Motion carried 6-0-0.

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

NAY: None

ABSTAIN: None

14. Consideration of a Resolution of the City of Shawnee to purchase a Volumetric Concrete Truck utilizing Sourcewell Contract #060122.

Public Works Director Brad Schmidt stated that Staff is requesting to purchase a CemenTech C60 Volumetric Concrete Mixer on a Mack Granite chassis. The purchase was previously budgeted and approved by the City Commission for FY 2023-2024 and was included in the approved Capital Improvement Plan for purchase in the current fiscal year.

A motion was made by Vice Mayor Rutherford, seconded by Commissioner Sehorn, to approve a resolution of the City of Shawnee to purchase a Volumetric Concrete Truck utilizing Sourcewell Contract #060122.

Resolution No. 6722 was introduced.

A RESOLUTION OF THE CITY OF SHAWNEE APPROVING THE PURCHASE OF A CEMENTECH C60 VOLUMETRIC CONCRETE MIXER FROM THE G.W. VAN KEPPEL COMPANY, UNDER THE COOPERATIVE PURCHASING AGREEMENT WITH SOURCEWELL.

Motion carried 6-0-0.

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

NAY: None

ABSTAIN: None

15. Consideration of the purchase of two (2) 2024 Chevrolet Silverado 3500 HD DRW Crew Cab vehicles for the Shawnee Parks Department at state bid price.

Public Works Director Brad Schmidt advised that Staff requests to purchase two (2) 2024 Chevrolet Silverado 3500 HD DRW CrewCab trucks, utilizing state bid contract # SW0035, for the total amount of One Hundred Twelve Thousand Nine Hundred Seventy-Six Dollars (\$112,976.00). The purchase was previously budgeted and approved by the City Commission for FY 2023-2024 and was included in the approved Capital Improvement Plan for purchasing in the current fiscal year.

A motion was made by Commissioner Matthews, seconded by Vice Mayor Rutherford, to approve the purchase of two (2) 2024 Chevrolet Silverado 3500 HD DRW Crew Cab vehicles for the Shawnee Parks Department at state bid price. Motion carried 6-0-0.

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

NAY: None

ABSTAIN: None

16. Consideration of the following budget amendments for Fiscal Year 2023 – 2024:

- a. General Fund - 001 - to fund the sales tax rebate agreement with Elmer Smith Oil Company with sales tax collections in excess of budget projections.
- b. Economic Development Fund - 104 - to fund the sales tax rebate agreement with Elmer Smith Oil Company with Sales tax revenue previously budgeted and collections in excess of budget projections.
- c. Tax Increment Fund - 112 - to fund the payment to Shawnee Public Schools for five percent of the taxes collected per the approved project plan.

Finance Director Lindsey McNabb-Fox provided a Staff report for each of the proposed budget amendments.

A motion was made by Commissioner Matthews, seconded by Commissioner Sehorn, to approve the budget amendments listed in Agenda Item Nos. 16(a-c). Motion carried 6-0-0.

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

NAY: None

ABSTAIN: None

17. Consider Bid(s):

a. Traffic Signal Storm Damage Repair (EM-20230419-04) (Award).

Assistant City Manager Danny Vise announced that three (3) bids were received. Staff recommends awarding the bid to TLS Group, Inc. of Oklahoma City, Oklahoma for the total amount of Five Hundred Thirty-Three Thousand Nine Hundred Fifty-Three Dollars and Fifty Cents (\$533,953.50).

A motion was made by Commissioner Matthews, seconded by Vice Mayor Rutherford, to award the Traffic Signal Storm Damage Repair to TLS Group, Inc. for the amount of Five Hundred Thirty-Three Thousand Nine Hundred Fifty-Three Dollars and Fifty Cents (\$533,953.50). Motion carried 6-0-0.

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

NAY: None

ABSTAIN: None

18. Acknowledge Monthly Sales Tax and Budget Report.

Finance Director Lindsey McNabb-Fox reported sales tax collections are up One Million Two Hundred Ninety-Four Thousand Eight Hundred Five Dollars (\$1,294,805.00) or Seven Point Five Percent (7.5%), over the projected budget year-to-date. She stated that use tax collections are up approximately Four Hundred Three Thousand Two Hundred Ninety-Seven Dollars (\$403,297.00) or Eighteen Point Eight Percent (18.8%), above the projected budget year-to-date.

19. Administrative Report(s):

- a. Presentation of the Quarterly 2018 Half-Cent Sales Tax Report - Lindsey McNabb-Fox, Finance Director

Community Development Director Lindsey McNabb-Fox provided a presentation on the Quarterly 2018 Half-Cent Sales Tax Report. Topics discussed included:

- 2018 Sales Tax Election
- Investment Updates
 - Investment Updates - 3rd Quarter FY24

- b. Ward Redistricting Update - Andrea Weckmueller-Behringer, City Manager

Assistant City Manager Danny Vice provided a presentation on the Ward Redistricting Update. Topics discussed included:

- Requirements
- Redistricting Data
- Need for Change
- Current and Proposed Population by Ward
- Redistricting Process
- Next Steps

20. 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.

21. Commissioners Comments

Commissioner Matthews commented on a question by Ms. Berger during Citizens Participation. He suggested she contact Police Chief Mason Wilson. He also commented regarding the Shawnee Forward presentation and the Twin Lakes Master Plan.

Commissioner Frazier commented regarding the Shawnee Forward presentation. She also thanked the Streets and Water Departments for their work during the recent storms.

Vice Mayor Rutherford thanked the Public Works Department and commented on the Shawnee Forward presentation.

Commissioner Sehorn commented on the new equipment for the Public Works Department, and the school board proclamation.

Commissioner Richter commented on the tornado repairs being made, the Shawnee Forward presentation, and the administrative reports.

Mayor Bolt commented on the Staff reports, the Shawnee Forward presentation, and the two recognitions presented at the meeting. He also thanked everyone who volunteered at the warming center.

22. Consider an executive session in accordance with 25 O.S. § 307(B)(4) to discuss confidential communications between a public body and its attorney concerning a pending investigation, claim, or action, if the public body, with the advice of its attorney, determines 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, specifically regarding PFAS settlement.

A motion was made by Mayor Bolt, seconded by Commissioner Sehorn, to defer the item to a future meeting. Motion carried 6-0-0.

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

NAY: None

ABSTAIN: None

23. Consider matters discussed in executive session in accordance with 25 O.S. §307(B)(4) to discuss confidential communications between a public body and its attorney concerning a pending investigation, claim, or action if the public body, with the advice of its attorney, determines 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, specifically regarding PFAS settlement.

A motion was made by Mayor Bolt, seconded by Commissioner Matthews, to defer the item to a future meeting. Motion carried 6-0-0.

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

NAY: None
ABSTAIN: None

24. Adjournment

There being no further business to be considered, the meeting was adjourned by power of the Chair. (7:58 p.m.)


ED BOLT, MAYOR

ATTEST:



LISA LASYONE, MMC
CITY CLERK