

BOARD OF CITY COMMISSIONERS PROCEEDINGS

MAY 15, 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, Monday, May 15, 2023 at 6:00 PM, pursuant to notice duly posted as prescribed by law at 11:37 a.m. on Friday, May 12, 2023. 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 Schorn

Commissioner Ward 5

Lauren Richter

Commissioner Ward 6

ABSENT: None

CALL TO ORDER

DECLARATION OF A QUORUM

INVOCATION

FLAG SALUTE

1. Recognition of City of Shawnee Emergency Response Personnel, Community Partners, and Volunteers.

Mayor Bolt presented Certificate of Recognitions to Community Renewal, United Way, Citizen Potawatomi Nation, American Red Cross, Avedis Foundation, City of Shawnee Engineering Department, City of Shawnee Police Department, City of Shawnee Fire Department, City of Shawnee Public Works, and Emergency Response Personnel.

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

Ms. LaDonna Bryce, Mr. Fred Turner, Ms. Edwina Butler-Wolfe, Mr. Casey Bell, Ms. Theresa Cody, Ms. Bree Terry, and Mr. Rick Young spoke during Citizens Participation.

3. 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 Item No. 19.
- b. Minutes from the April 17, 2023 regular meeting, the April 17, 2023 special call meeting, and the April 27, 2023 special call meeting.
- c. Acknowledge the following minutes and reports:
 - Planning Commission Minutes from the April 5, 2023, regular meeting.
 - License Payment Report for April 2023.
 - Project Payment Report for April 2023.
- d. Lake Lease Transfers:

Magnino Tract Lot 1, 16500 Archery Range Rd
From: David Teel
To: David Teel and Karla Ann Jennings

Eckel Tract Lot 5, 15309 Eckel Rd
From: Floyd and Delma Murphy
To: Murphy 2015 Revocable Trust
- e. Approve renewal of the following agreements for Fiscal Year 2023-2024:
 - Agreement with Pioneer Library System for Library Services, Facilities, and Maintenance.
- f. Acceptance of grant from the State of Oklahoma American Rescue Plan Act (ARPA) for water and wastewater projects.
- g. Acknowledge the Management Agreement with Global Spectrum, LP d/b/a Spectra Venue Management (now known as OVG360) for Fiscal Year 2023-2024 for management services of the Heart of Oklahoma Exposition Center.
- h. Acknowledge the Contract for Solid Waste Collection, Recycling, and Disposal Services with Central Disposal for Fiscal Year 2023-2024.
- i. Acknowledge the Agreement with Pottawatomie County Historical Society for Fiscal Year 2023-2024.

Commissioner Richter asked that Consent Agenda Item No. 3(b) be pulled for separate consideration.

A motion was made by Commissioner Matthews, seconded by Vice Mayor Rutherford, to approve Consent Agenda Item Nos. 3(a-i), less 3(b). Motion Carried 6-0-1.

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

NAY: None

ABSTAIN: Richter

A motion was made by Commissioner Matthews, seconded by Commissioner Flood, to approve Consent Agenda Item No. 3(b). Motion Carried 6-0-1.

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

NAY: None

ABSTAIN: Richter

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

Animal Shelter Volunteer Beverly Mabry introduced Sweet Pea, a 1-year-old terrier. She also invited everyone to the Health Week event "Bark in the Park" on May 31, 2023 at the Mary M. Williamson Dog Park.

5. Mayor's Proclamation(s)

a. National Police Week - May 14-20, 2023

Corporal Greg VanBrunt and Officer Lance Biswell accepted the Mayor's Proclamation for "National Police Week" from Mayor Bolt.

b. National Public Works Week - May 21-27, 2023

Public Works Staff accepted the Mayor's Proclamation for "National Public Works Week" from Mayor Bolt.

c. National Emergency Medical Services Week - May 21-27, 2023

REACT Director of Services Willis Snowden accepted the Mayor's Proclamation for "National Emergency Medical Services Week" from Mayor Bolt.

d. Health Week 2023 - May 27-June 3, 2023

Health Week partners accepted the Mayor's Proclamation for "Health Week" from Mayor Bolt.

6. 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 gave a Staff report.

A motion was made by Commissioner Flood, seconded by Vice Mayor Rutherford, to approve 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. Motion Carried 7-0-0.

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

NAY: None

ABSTAIN: None

7. Presentation of the Five-Year Capital Improvement Plan.

Finance Director Lindsey McNabb-Fox stated that on December 19, 2022, the City Commission approved a resolution setting forth a Capital Improvement Plan (CIP) policy. She passed out copies of the CIP and advised that the CIP and an interactive map are on the City's website. She also advised that there will be a public hearing at the June 20, 2023 City Commission meeting and the plan will be formally adopted at that time.

8. Public Hearing for the City of Shawnee Proposed Budget for Fiscal Year 2023- 2024.

Finance Director Lindsey McNabb-Fox handed out a copy of the proposed budget. She provided a Staff report of the City of Shawnee's proposed budget for Fiscal Year 2023-2024.

Mayor Bolt declared a public hearing in session to consider the Fiscal Year 2023-2024 budget. Mr. Fred Turner spoke during the public hearing. The public hearing was closed.

9. Consideration of a contract between the City of Shawnee and Freese and Nichols, Inc. for professional services regarding the Clearpond Road Culvert Replacement Project.

Director of Engineering Seth Barkhimer stated that in March 2023, a drainage structure collapsed on Clearpond Road. Staff recommends a geotechnical study and a bid package be put together for the complete replacement of the culvert and overtopping roadway. The proposed agreement is for professional services that includes (1) survey, (2) geotechnical, (3) design, (4) construction administration, and (5) record drawings with Freese and Nichols, Inc. in the amount of Ninety- Four Thousand Ten Dollars (\$94,010.00).

A motion was made by Commissioner Engles, seconded by Commissioner Sehorn, to approve a contract between the City of Shawnee and Freese and Nichols, Inc. for professional services regarding the Clearpond Road Culvert Replacement Project. Motion Carried 7-0-0.

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

NAY: None

ABSTAIN: None

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

- a. Fund 302 - Street Improvement Fund in the amount of \$94,010 to fund a professional services agreement for the Clearpond Road Culvert Replacement Project.

Finance Director Lindsey McNabb-Fox provided a Staff report.

A motion was made by Commissioner Matthews, seconded by Commissioner Flood, to approve the budget amendment listed in Agenda Item No. 10(a). Motion Carried 7-0-0.

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

NAY: None

ABSTAIN: None

11. Consideration and approval of an application for AmeriCorps Vista volunteers based in the Community Development Department.

Community Development Director Rian Harkins provided a Staff report.

A motion was made by Commissioner Flood, seconded by Commissioner Engles, to approve an application for AmeriCorps Vista volunteers based in the Community Development Department. Motion Carried 7-0-0.

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

NAY: None

ABSTAIN: None

12. Public hearing of a request to rezone from I-2 (Light Industrial District) and R- 1 (Single-Family Residential District) to A-1 (Rural Agricultural District) on property located at 1804 West Dewey Street. Case No. RZ06-23 | Applicant: Larry LeRay (*Deferred from April 17, 2023 City Commission Meeting.*) (*Applicant withdrew application.*)

Community Development Director Rian Harkins advised that the applicant withdrew the application prior to the Planning Commission meeting. He advised that no action is needed.

No action was taken.

13. Public hearing of a request to rezone from C-1 (Neighborhood Commercial District) to C-3 (Highway Commercial District) on property located at 1320 North Harrison Avenue. Case No. RZ04-23 | Applicant: Nathan Furgeson.

Community Development Director Rian Harkins gave a Staff report. He advised that both the Planning Commission and Staff recommend approval.

Mayor Bolt declared a public hearing in session to consider a rezoning request from C-1 (Neighborhood Commercial District) to C-3 (Highway Commercial District) on property located at 1320 North Harrison Avenue. No one appeared in favor or against said rezoning. The public hearing was closed.

14. Consideration of an ordinance to rezone from C-1 (Neighborhood Commercial District) to C-3 (Highway Commercial District) on property located at 1320 North Harrison Avenue. Case No. RZ04-23 | Applicant: Nathan Furgeson.

A motion was made by Commissioner Matthews, seconded by Vice Mayor Rutherford, to approve an ordinance to rezone from C-1 (Neighborhood Commercial District) to C-3 (Highway Commercial District) on property located at 1320 North Harrison Avenue.

Ordinance No. 2786NS 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 (20), TWENTY-ONE (21), TWENTY-TWO (22), TWENTY-THREE (23), TWENTY-FOUR (24) AND TWENTY-FIVE (25), BLOCK THIRTY-SIX (36), BEVERLY HILLS ADDITION, TO THE CITY OF SHAWNEE, POTTAWATOMIE COUNTY, OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF, LESS AND EXCEPT A TRACT DESCRIBED AS BEGINNING AT THE SOUTHEAST CORNER OF LOT 25; THENCE WEST 20 FEET; THENCE N44°51"E A DISTANCE OF 28.80 FEET TO A POINT ON THE EAST LINE OF SAID LOT; THENCE SOUTH 20 FEET TO THE POINT OF BEGINNING.

Motion Carried 7-0-0.

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

NAY: None

ABSTAIN: None

15. Public hearing of a request to rezone from A-1 (Rural Agricultural District) to C-1 (Neighborhood Commercial District) on property located at 15301 Highway 102. Case No. RZ07-23 | Applicant: Greg White.

Community Development Director Rian Harkins gave a Staff report. He advised that both the Planning Commission and Staff recommend approval.

Mayor Bolt declared a public hearing in session to consider a rezoning request from A-1 (Rural Agricultural District) to C-1 (Neighborhood Commercial District) on property located at 15301 Highway 102. Mr. Brad Davison, Lakeview Church of Christ, appeared in favor of said rezoning. No one appeared against said rezoning. The public hearing was closed.

16. Consideration of an ordinance to rezone from A-1 (Rural Agricultural District) to C-1 (Neighborhood Commercial District) on property located at 15301 Highway 102. Case No. RZ07-23 | Applicant: Greg White.

A motion was made by Commissioner Engles, seconded by Commissioner Flood, to approve an ordinance to rezone from A-1 (Rural Agricultural District) to C-1 (Neighborhood Commercial District) on property located at 15301 Highway 102.

Ordinance No. 2787NS 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: A TRACT OF LAND IN THE SOUTHWEST QUARTER (SW/4) OF THE NORTHWEST QUARTER (NW/4) OF SECTION 13, TOWNSHIP 10 NORTH, RANGE 2 EAST OF THE INDIAN MERIDIAN IN POTTAWATOMIE COUNTY, OKLAHOMA. DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER (SW/C) OF SAID SOUTHWEST QUARTER (SW/4) OF THE NORTHWEST QUARTER (NW/4) OF SECTION 13; THENCE EAST 592.5 FEET, THENCE NORTH 378 FEET, THENCE WEST 607 FEET TO A POINT ON THE WEST LINE OF SAID SOUTHWEST QUARTER (SW/4) OF THE NORTHWEST QUARTER (NW/4) THENCE SOUTH 0° 45' EAST ALONG SAID WEST LINE A DISTANCE OF 378.4 FEET TO THE POINT OF BEGINNING. TRACT CONTAINS 5.2 ACRES, MORE OR LESS; THE WEST 50 FEET OF THE ABOVE-DESCRIBED PROPERTY IS RESERVED FOR HIGHWAY # 102 RIGHT-OF- WAY; ALSO A TRACT OF LAND DESCRIBED AS BEGINNING AT A POINT 378.4 FEET NORTH OF THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SECTION THIRTEEN (13), TOWNSHIP TEN (10) NORTH, RANGE TWO (2) EAST OF THE INDIAN MERIDIAN; THENCE EAST 608.76 FEET; THENCE NORTH 357.78 FEET; THENCE WEST 608.76 FEET; THENCE SOUTH 357.78 FEET TO THE POINT OF BEGINNING, CONTAINING 5.0 ACRES, MORE OR LESS, POTTAWATOMIE COUNTY, OKLAHOMA.

Motion Carried 7-0-0.

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

NAY: None

ABSTAIN: None

17. Consideration of a request for a Preliminary Plat, Shawnee Twin Lakes, Lake No. 2, of approximately 1,754.59 acres. Case No. PPL03-23 | Applicant: City of Shawnee, Oklahoma.

Community Development Director Rian Harkins advised this item is a Preliminary Plat request for the boundary of the lake area only for Shawnee Twin Lakes No. 2. He advised that both the Planning Commission and Staff recommend approval.

A motion was made by Commissioner Matthews, seconded by Commissioner Engles, to approve a Preliminary Plat, Shawnee Twin Lakes, Lake No. 2, of approximately 1,754.59 acres. Motion Carried 7-0-0.

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

NAY: None

ABSTAIN: None

18. Consideration of a request for a Final Plat, Shawnee Twin Lakes, Lake No. 2, of approximately 1,754.59 acres. Case No. FPL03-23 | Applicant: City of Shawnee, Oklahoma.

Community Development Director Rian Harkins advised this item is a Final Plat request for the boundary of the lake area only for Shawnee Twin Lakes No. 2. He advised that both the Planning Commission and Staff recommend approval.

A motion was made by Commissioner Engles, seconded by Commissioner Flood, to approve a Final Plat, Shawnee Twin Lakes, Lake No. 2, of approximately 1,754.59 acres. Motion Carried 7-0-0.

AYE: Engles, Flood, Matthews, Richter, Rutherford, Sehorn, Bolt NAY: None
ABSTAIN: None

19. Consider Bid(s):

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

<u>BIDDER</u>		<u>AMOUNT</u>
Veit National		\$449,978.00
Rogers, Minnesota	Additional Alternate	\$221,976.00
K&M Dirt Services, LLC		\$363,000.00
Oklahoma City, Oklahoma	Additional Alternate	\$183,400.00
DT Specialized Service, Inc		\$379,900.00
Catoosa, Oklahoma	Additional Alternate	\$107,500.00
Total Demolition Services, LLC		\$424,303.00
Oklahoma City, Oklahoma	Additional Alternate	\$239,275.00
Midwest Wrecking Co. Demolition		\$294,220.00
Oklahoma City, Oklahoma	Additional Alternate	\$ 79,210.00
American Demolition		\$734,084.00
Tulsa, Oklahoma	Additional Alternate	\$128,594.00

Director of Engineering Seth Barkhimer read six (6) bids into the record. Mr. Barkhimer requested that the bid award be deferred in order for Staff to review each bid.

A motion was made by Commissioner Flood, seconded by Vice Mayor Rutherford, to defer the item to a future City Commission meeting. Motion Carried 7-0-0.

AYE: Flood, Rutherford, Engles, Matthews, Richter, Sehorn, Bolt
NAY: None
ABSTAIN: None

20. Acknowledge Monthly Sales Tax Report.

Finance Director Lindsey McNabb-Fox reported sales tax is up Two Million Nine Hundred Ninety-One Thousand Five Hundred Twenty-Two Dollars (\$2,991,522.00) or Thirteen Point Eight Percent (13.8%), over the projected budget year-to-date. She stated that use tax collections are up Two Hundred Eight Thousand Eight Hundred Eighty-Two Dollars (\$208,882.00) or Six Point Nine Percent (6.9%), above the projected budget year-to-date.

21. Administrative Report(s):

- a. 2023 Shawnee Community Survey - Andrea Weckmueller-Behringer, City Manager

City Manager Andrea Weckmueller-Behringer provided a presentation on the 2023 Shawnee Community Survey. She discussed items that included:

- ETC Institute
- Purpose and Methodology
- Major Findings
- Other Significant Findings
- Bottom Line Summary

- b. April 19, 2023 Tornado Recovery - Rachelle Erickson, Emergency Manager

Emergency Manager Rachelle Erickson provided a presentation on the April 19, 2023 Tornado Recovery. She discussed items that included:

- Tornado Event Timeline
- Initial Disaster Response
- Transition to Recovery
- Available Resources

22. 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.

23. Commissioners Comments

The Mayor and Commissioners commented on the recovery effort after the April 19, 2023 and thanked Staff, volunteers, OG&E and Community Partners.

Commissioner Richter commented on the June 13, 2023 election and the seven (7) propositions.

Commissioner Sehorn commented on the sales tax.

Commissioner Flood commented on the June 13, 2023 election and the propositions. He also thanked Oklahoma Baptist University for the use of the Green Campus as a resource center after the April 19, 2023 tornado.

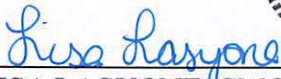
Commissioner Engles responded to a comment made during Citizens Participation regarding the proposed budget. She also asked everyone to shop locally.

Mayor Bolt stated that he had been meeting with other cities that have been through a similar disaster to ask what they have learned.

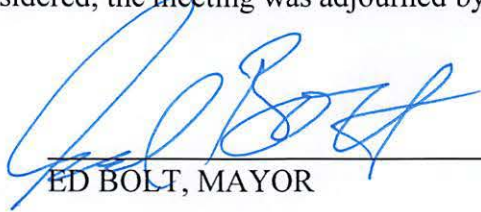
24. Adjournment

There being no further business to be considered, the meeting was adjourned by power of the Chair. (8:24 p.m.)

ATTEST:


LISA LASYONE, CMC, CITY CLERK




ED BOLT, MAYOR