

BOARD OF CITY COMMISSIONERS PROCEEDINGS

MAY 20, 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, Monday, May 20, 2024 at 6:00 PM, pursuant to notice duly posted as prescribed by law on Thursday, May 16, 2024, at 4:31 PM. Mayor Bolt presided and called the meeting to order. Upon roll call, the following members were in attendance.

Ed Bolt
Mayor

Absent
Commissioner Ward 1

Yannah Frazier
Commissioner Ward 3

Mark Sehorn
Commissioner Ward 5

Absent
Commissioner Ward 2

Darren Rutherford
Commissioner Ward 4 - Vice Mayor

Lauren Richter
Commissioner Ward 6

ABSENT: Daniel Matthews, Cami Engles

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)

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.

Mr. Rob Morris, Ms. Cyndi Berger, Mr. Mark Stewart, Ms. Kellie Steele, Mr. Rick Young, and Mr. Fred Turner spoke during Citizens Participation.

2. Consider approval of Consent Agenda:

- a. Minutes from the April 15, 2024 regular meeting.
- b. Acknowledge the following minutes and reports:
 - Planning Commission Minutes from the April 3, 2024, regular meeting.
 - Shawnee Beautification, Parks, and Recreation Committee Minutes from the March 21, 2024 regular meeting.
 - License Payment Report for April 2024.
 - Project Payment Report for April 2024.
- c. Acknowledge the resignation of Crystal Richardson from the Board of Adjustment.
- d. Acknowledge the resignation of Tate Monroe from the Shawnee Arts & Culture Commission.
- e. Acknowledge the resignation of Rebecca Brown from the Shawnee Library Board effective June 30, 2024.
- f. Acknowledge the resignation of Bill Haley from the Shawnee Senior Citizens Advisory Board effective July 1, 2024.
- g. Approve removal of appointment of Glenda Pierce from Shawnee Urban

Renewal Authority.

h. Mayor Appointments:

Shawnee Senior Citizens Advisory Board

Sally Murphy	1st Full Term	Expires: July 1, 2027
<i>Reappointment</i>		

Ann Dowdy	2nd Full Term	Expires: July 1, 2027
<i>Reappointment</i>		

Planning Commission

Sarita Hayes	1st Full Term	Expires: June 1, 2027
<i>Replaced Tom Rowell - Term Expired</i>		

Shawnee Arts & Culture Commission

John Ryan Grider	2nd Full Term	Expires: May 1, 2027
<i>Reappointment</i>		

Lucas Simmons	2nd Full Term	Expires: May 1, 2027
<i>Reappointment</i>		

Shawnee Library Board

Melanne Greenwood	2nd Full Term	Expires: June 30, 2027
<i>Reappointment</i>		

Pioneer Library System Board

Ryan Grider	1st Full Term	Expires: June 30, 2027
<i>Replaces Marissa Lightsey - Term Expired</i>		

Board of Adjustment

Jessica Nickerson

1st Partial Term

Expires: June 1, 2026

Replaces Crystal Richardson - Resigned

i. Approve renewal of the following agreements for Fiscal Year 2024-2025:

- Agreement with Independent School District North Rock Creek for Police Services.
- Agreement with Pottawatomie County for Paving and Repair of City Streets and Roads.
- Agreement with REACT Ambulance Authority for Dispatch Services.
- Agreement with South Central Industries, Inc. for Right-of-Way Maintenance Services.
- Agreement with Pottawatomie County District Court (Judicial District 23) to enable the Municipal Court to establish, develop, and implement programs for juvenile misdemeanor offenders.
- Agreement with Youth and Family Resource Center, Inc. for Juvenile Services.

j. Acknowledge the Contract for Solid Waste Collection, Recycling, and Disposal Services with Central Disposal for Fiscal Year 2024-2025.

k. Approve Change Order No. 2 for Independence Waterline Project.

l. Acceptance of Utility Easement for the Edwards, Fay and Alice Waterline Project from Oscar R. Ramirez, Jr. and Amy B. Ramirez located in the Remington-Beard addition along North Pesotum.

m. Acknowledge the request of an Inter-Governmental Agreement with the City of Oklahoma City for Regional Household Hazardous Waste Collection and Management Service.

A motion was made by Commissioner Sehorn, seconded by Vice Mayor Rutherford, to approve Consent Agenda Item Nos. 2(a-m). Motion carried 5-0-0.

AYE: Sehorn, Rutherford, Richter, Frazier, Bolt

NAY: None

ABSTAIN: None

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

Animal Control Officer Theresa Touchet introduced Patches, an approximate 3- to 5-year-old female dog.

4. Mayor's Proclamation(s)

a. "Better Speech, Hearing, and Language Month", May 2024

Dr. Kurt Kalies and Dr. Calyn Russ-Whitt from Hearing Health Care, Inc. accepted the Mayor's Proclamation for "Better Speech, Hearing, and Language Month" from Mayor Bolt.

b. "National Emergency Medical Services Week", May 19 through May 25, 2024

Operations Manager James Hulvey with REACT accepted the Mayor's Proclamation for "National Emergency Medical Services Week" from Mayor Bolt.

c. "National Public Works Week", May 19 through May 25, 2024

Public Works Director Brad Schmidt accepted the Mayor's Proclamation for "National Public Works Week" from Mayor Bolt.

d. "National Travel and Tourism Week", May 19 through May 25, 2024

Visit Shawnee Director of Tourism Stacy Cramer Moore and Travel Communications Manager Derek Barton accepted the Mayor's Proclamation for "National Travel and Tourism Week" from Mayor Bolt.

e. "Health Week 2024", May 28 through June 1, 2024

Ms. Audrey Seeliger with Avedis Foundation accepted the Mayor's Proclamation for "Health Week 2024" from Mayor Bolt.

5. Public Hearing for the City of Shawnee Proposed Budget for Fiscal Year 2024-2025.

City Manager Andrea Weckmueller-Behringer provided a Staff report on the City of Shawnee proposed budget for Fiscal Year 2024-2025. She advised that the proposed budget was previously presented at the April 15, 2024, meeting and no changes have been made since that time.

Mayor Bolt declared a public hearing in session regarding the City of Shawnee Proposed Budget for Fiscal Year 2024-2025. Mr. Rob Morris, Ms. Cyndi Berger, Mr. Kenneth Crawford, and Mr. Fred Turner spoke during the public hearing. The public hearing was closed.

6. Public Hearing for the City of Shawnee Five-Year Capital Improvement Plan for Fiscal Years 2025 through 2029.

City Manager Andrea Weckmueller-Behringer provided a Staff report on the City of Shawnee Five-Year Capital Improvement Plan for Fiscal Years 2025-2029.

Mayor Bolt declared a public hearing in session regarding the City of Shawnee Five-Year Capital Improvement Plan for Fiscal Years 2025-2029. Mr. Rob Morris and Ms. Cyndi Berger spoke during the public hearing. The public hearing was closed.

7. Annual Review of the Public Safety Fee.

City Manager Andrea Weckmueller-Behringer stated that on June 6, 2022, the City of Shawnee Board of Commissioners adopted Ordinance Nos. 2762NS and 2763NS that put in place a monthly Public Safety Fee charge of \$1.65 per utility

account. The ordinances stipulate that the Public Safety Fee be reviewed annually by the City Commission. Ms. Weckmueller-Behringer stated that having recently completed the revenue projections for the proposed Fiscal Year 2024-2025 operating budget, it was determined that no alternative long-term funding source has become available to replace the Public Safety Fee at this time.

8. Consideration of a Resolution to authorize an Application for Community Disaster Loan (“CDL”) funds from the Federal Emergency Management Agency (“FEMA”) as a result of the Severe Weather Event on April 19, 2023.

City Manager Andrea Weckmueller-Behringer advised that FEMA is authorized to provide direct loans to local governments who have suffered a substantial loss as a result of a major presidentially declared disaster. The loans have low-interest rates and flexible repayment terms to help communities recover effectively. City Staff recommends approval of a resolution authorizing the submittal of the required application materials for the CDL program to the Governor’s Authorized Representative (GAR), including the Oklahoma Department of Emergency Management (OEM) and the Oklahoma Attorney General's office (OAG), for the review, approval, and subsequent submission to FEMA.

A motion was made by Vice Mayor Rutherford, seconded by Commissioner Sehorn, to approve a resolution to authorize an Application for Community Disaster Loan (“CDL”) funds from the Federal Emergency Management Agency (“FEMA”) as a result of the Severe Weather Event on April 19, 2023.

Resolution No. 6738 was introduced.

A RESOLUTION OF THE CITY OF SHAWNEE TO AUTHORIZE AN APPLICATION FOR COMMUNITY DISASTER LOAN (“CDL”) FUNDS FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY (“FEMA”) AS A RESULT OF THE SEVERE WEATHER EVENT ON APRIL 19, 2023.

Motion carried 5-0-0.

AYE: Rutherford, Sehorn, Richter, Frazier, Bolt

NAY: None

ABSTAIN: None

9. Consideration of an Agreement with Oklahoma Wireless Information Network (OKWIN).

Police Chief Mason Wilson stated that the City of Shawnee has partnered with the Oklahoma Department of Public Safety (DPS) to participate in the Oklahoma Wireless Information Network (OKWIN), along with several additional municipalities. OKWIN is a forty-three (43) site, eight hundred (800) MHz trunked public safety communications radio system that was established through a partnership between the cities of Edmond, Norman, Shawnee, Tulsa, and Owasso as well as DPS, providing coverage to seventy percent (70%) of Oklahoma's population. All associated communications infrastructure and equipment is owned and maintained by the OKWIN partners. OKWIN has been in place for many years. However, there has not been an official agreement between partners/owners of the system. The proposed agreement will facilitate the proper maintenance of associated sites and also encourage partners/owners to track their current radio identification numbers. The agreement does not have a financial impact on the City since the City owns its infrastructure sites. There are no other applicable fees that would be assessed to the City as part of this agreement.

A motion was made by Commissioner Sehorn, seconded by Vice Mayor Rutherford, to approve an Agreement with Oklahoma Wireless Information Network (OKWIN). Motion carried 5-0-0.

AYE: Sehorn, Rutherford, Richter, Frazier, Bolt

NAY: None

ABSTAIN: None

10. Consideration of an Agreement with One Gas Inc., for temporary and permanent easements in Section 11, Range 3 East, Township 10 North.

Director of Engineering Seth Barkhimer advised that Oklahoma Natural Gas Company requires both a temporary and a permanent easement from the City of Shawnee for property located near the City of Shawnee Animal Shelter adjacent to Highway 177 to complete a relocation project.

A motion was made by Commissioner Sehorn, seconded by Vice Mayor Rutherford, to approve an Agreement with One Gas Inc., for temporary and permanent easements in Section 11, Range 3 East, Township 10 North. Motion carried 5-0-0.

AYE: Sehorn, Rutherford, Richter, Frazier, Bolt

NAY: None

ABSTAIN: None

11. Consideration of an Amendment to the Owner's representative contract for Clearpond Culvert Replacement project between The City of Shawnee and Standard Testing.

Director of Engineering Seth Barkhimer stated Standard Testing served as the City of Shawnee's owner representative and inspection Staff during the Clearpond Culvert Replacement project, which is now complete. The original contract with Standard Testing was for Forty-Nine Thousand Nine Hundred Twenty Dollars (\$49,920.00), which covered both inspection and material testing. As the project progressed, more testing and work hours were required than originally quoted. Standard Testing therefore requested a supplemental amount of Thirteen Thousand Six Hundred Thirty Dollars and Five Cents (\$13,630.05) to cover the additional testing and work hours required. Staff recommends approval of the item.

A motion was made by Vice Mayor Rutherford, seconded by Commissioner Sehorn, to approve an Amendment to the Owner's representative contract for Clearpond Culvert Replacement project between The City of Shawnee and Standard Testing. Motion carried 5-0-0.

AYE: Rutherford, Sehorn, Richter, Frazier, Bolt

NAY: None

ABSTAIN: None

12. Public Hearing of a Petition for Annexation request by LaVerne Douglas for purposes of future construction at 14002 Acme Road.

Community Development Director Rian Harkins advised that Ms. LaVerne Douglas filed a Petition for Annexation requesting to annex the property at 14002 Acme Road. The proposed use of the property is for a retail commercial enterprise. Staff recommends approval of the annexation request.

Mayor Bolt declared a public hearing in session to consider a Petition for Annexation request by LaVerne Douglas for purposes of future construction at 14002 Acme Road. No one spoke in favor or against the item. The public hearing was closed.

13. Consideration of an Ordinance to approve the annexation of 2 acres (more or less) owned by Laverne Douglas, located in the Northeast Quarter of Section Ten (10), Township Ten (10) North, Range Three (3) East of the Indian Base and Meridian, Pottawatomie County, Oklahoma, with a physical address of 14002 Acme Road; and providing for severability, codification, repealer, and declaring an emergency.

Community Development Director Rian Harkins stated that when annexing property, it must be declared what the property will be zoned. The ordinance provides that the property will be zoned C-3 - Highway Commercial.

A motion was made by Vice Mayor Rutherford, seconded by Commissioner Richter, to approve an ordinance to approve the annexation of 2 acres (more or less) owned by Laverne Douglas, located in the Northeast Quarter of Section Ten (10), Township Ten (10) North, Range Three (3) East of the Indian Base and Meridian, Pottawatomie County, Oklahoma, with a physical address of 14002 Acme Road; and providing for severability, codification, repealer, and declaring an emergency.

Ordinance No. 2805NS was introduced.

AN ORDINANCE ANNEXING CERTAIN TERRITORY AND PROPERTY OUTSIDE THE PRESENT CITY LIMITS INTO THE CITY LIMITS OF THE CITY OF SHAWNEE, OKLAHOMA, PURSUANT TO TITLE 11 OF THE OKLAHOMA STATUTES; DESCRIBING SAID PROPERTY; AND PROVIDING FOR SEVERABILITY, CODIFICATION, REPEALER, AND DECLARING AN EMERGENCY

Motion carried 5-0-0.

AYE: Rutherford, Richter, Frazier, Bolt, Sehorn

NAY: None

ABSTAIN: None

Ordinance No. 2805NS was adopted by the City Commission

14. Consideration of an Emergency Clause as it relates to Agenda Item No. 13 for the protection of the public's health, safety, and welfare, an emergency is declared to exist per Oklahoma State Statute Title 11, Article XIV, Section 14-103.

A motion was made by Commissioner Sehorn, seconded by Commissioner Richter, to approve an Emergency Clause as it relates to Agenda Item No. 13 for the protection of the public's health, safety, and welfare, an emergency is declared to exist per Oklahoma State Statute Title 11, Article XIV, Section 14-103. Motion carried 5-0-0.

AYE: Sehorn, Richter, Frazier, Bolt, Rutherford

NAY: None

ABSTAIN: None

15. Consideration of a request for a Preliminary Plat for Union Square Addition (Case PPL 02-24).

Community Development Director Rian Harkins stated that the subject property is located northeast of the intersection of East 45th Street and North Union Avenue. The Preliminary Plat contains eight (8) lots and one (1) common tract. The Planning Commission and Staff recommend approval of this item.

A motion was made by Commissioner Sehorn, seconded by Commissioner Frazier, to approve the Preliminary Plat for Union Square Addition. Motion carried 5-0-0.

AYE: Sehorn, Frazier, Bolt, Rutherford, Richter

NAY: None

ABSTAIN: None

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

- a. General Fund - Fund 001 - To appropriate a transfer from the ARPA Fund to fund capital projects in the Capital Improvement Fund and the Street Improvement Fund.
- b. Insurance Recovery Fund - Fund 603 - To appropriate insurance proceeds received from tornado damages at the Airport and surrounding properties.
- c. Grant Fund - Fund 010 - To appropriate a grant award to the Recreation Division from the Central Oklahoma Economic Development District (COEDD).

Financial Accountant Courtney Contrad provided a Staff report for each of the proposed budget amendments.

A motion was made by Commissioner Frazier, seconded by Vice Mayor Rutherford, to approve the budget amendments listed in Agenda Item Nos. 16(a-c).

Motion carried 5-0-0.

AYE: Frazier, Rutherford, Sehorn, Richter, Bolt

NAY: None

ABSTAIN: None

17. Consider Bid(s):

a. Site Preparation for Temporary Airport Terminal Building (Award)

Airport Manager Bonnie Wilson announced that three (3) bids were received. Staff recommends awarding the bid to Tri-City Seal Company, Inc. of Tuttle, Oklahoma for the total amount of Eighty-Nine Thousand One Hundred Six Dollars (\$89,106.00).

A motion was made by Commissioner Sehorn, seconded by Vice Mayor Rutherford, to award the Site Preparation for Temporary Airport Terminal Building to Tri-City Seal Company, Inc. for the amount of Eighty-Nine Thousand One Hundred Six Dollars (\$89,106.00). Motion carried 5-0-0.

AYE: Sehorn, Rutherford, Richter, Frazier, Bolt

NAY: None

ABSTAIN: None

b. Sale of surplus property at 419 N Kickapoo Street, Shawnee, Oklahoma (Award)

Director of Engineering Seth Barkhimer announced that one (1) bid was received. Staff recommends awarding the bid to Frank Sims of Shawnee, Oklahoma for the total amount of Forty Thousand Five Hundred Dollars (\$40,500.00).

A motion was made by Commissioner Sehorn, seconded by Vice Mayor Rutherford, to award the Sale of Surplus Property at 419 N Kickapoo Street, Shawnee, Oklahoma to Frank Sims for the amount of Forty Thousand Five Hundred Dollars (\$40,500.00). Motion carried 5-0-0.

AYE: Sehorn, Rutherford, Richter, Frazier, Bolt

NAY: None

ABSTAIN: None

c. Demolition of Lions Club Ballfields (Award)

Public Works Director Brad Schmidt announced that six (6) bids were received. Staff recommends awarding the bid to Total Demolition Services, LLC of Oklahoma City, Oklahoma for the total amount of Two Hundred Fifty-Six Thousand One Hundred Fifteen Dollars (\$256,115.00) to include base bid and all alternates.

A motion was made by Vice Mayor Rutherford, seconded by Commissioner Sehorn, to award the Demolition of Lions Club Ballfields to Total Demolition Services, LLC for the amount of Two Hundred Fifty-Six Thousand One Hundred Fifteen Dollars (\$256,115.00), to include base bid and all alternates. Motion carried 4-0-1.

AYE: Rutherford, Sehorn, Frazier, Bolt

NAY: None

ABSTAIN: Richter

18. Acknowledge Monthly Sales Tax and Budget Reports.

Financial Accountant Courtney Conrad reported sales tax collections are up One Million Seven Hundred Eight Thousand Two Hundred Thirty-Two Dollars (\$1,708,232.00) or Six Point Thirty-Five Percent (6.35%), over the projected budget year-to-date. She stated that use tax collections are up approximately Nine Hundred Fifteen Thousand Ninety-Six Dollars (\$915,096.00) or Twenty-Nine Point Three Percent (29.3%), above the projected budget year-to-date.

19. 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.

20. Commissioners Comments

Commissioner Sehorn commented regarding sales tax and the reserve fund.

Vice Mayor Rutherford commented on the reserve funds and the study regarding the lake dam.

Commissioner Frazier congratulated the recent graduates. She commented regarding the construction on Main Street and the Visit Shawnee website.

Mayor Bolt commented on the reserve funds, budget report spreadsheet that was handed out during Citizens Participation, and the lake dam study.

21. Adjournment

There being no further business to be considered, the meeting was adjourned by power of the Chair. (7:43 p.m.)



ED BOLT, MAYOR

ATTEST:



LISA LASYONE, MMC
CITY CLERK