

BOARD OF CITY COMMISSIONERS PROCEEDINGS

JUNE 17, 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, June 17, 2024 at 6:00 PM, pursuant to notice duly posted as prescribed by law on Thursday, June 13, 2024 at 6:35 PM. Mayor Bolt presided and Mr. Hudson McMains 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

Yannah Frazier
Commissioner Ward 3

Darren Rutherford
Commissioner Ward 4 - Vice Mayor

Mark Sehorn
Commissioner Ward 5

Absent
Commissioner Ward 6

ABSENT: Lauren Richter

CALL TO ORDER

DECLARATION OF A QUORUM

INVOCATION

FLAG SALUTE

1. Recognition of Keifer Landes, Shawnee High School, Pole Vaulting State Championship Win.

Mayor Bolt presented a Certificate of Recognition to Keifer Landes for the Pole Vaulting State Championship Win.

2. Introduction of Shawnee 2024 student/teacher delegation for the Sister Cities exchange trip to Nikaho, Japan:

Adults
Summer Proffer (Teacher)
Michael Canaday (Chairman)

Students

Makaiah Baker
Daniel Bowlan
Kylee Ingram
Hudson McMains
Evy Simpson
Hartly Stephens
Bridge Uch
Conner Vorndran

The 2024 student/teacher delegation for the Sister Cities exchange trip to Nikaho, Japan was introduced.

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. Dani Shaughnessy, Mr. Travis Alexander, Ms. Cyndi Berger, Mr. Rob Morris, and Mr. Rick Young spoke during Citizens Participation.

4. Consider approval of Consent Agenda:

a. Minutes from the May 20, 2024 regular meeting.

b. Acknowledge the following minutes and reports:

- Board of Adjustment Minutes from the March 21, 2024 meeting.
- Planning Commission Minutes from the May 8, 2024, special call meeting.

- License Payment Report for May 2024.
- Project Payment Report for May 2024.

c. Mayor Appointments:

Arts and Culture Commission

Katie Goodson	2nd Full Term	Expires: May 1, 2027
<i>Reappointment</i>		

Sherri Thompson	1st Full Term	Expires: May 1, 2027
<i>Replaces Tate Monroe - Term Expired</i>		

Planning Commission

Travis Alexander	1st Full Term	Expires: June 1, 2027
<i>Replaces Craig Walker - Term Expired</i>		

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

- Agreement with the Pottawatomie County Public Safety Center for Jail Services.
- Agreement with Grove Elementary School District for Police Services.
- Agreement with Independent School District No. 93, also known as Shawnee Public Schools, for Supplemental Police Services.

- Agreement with the Housing Authority of the City of Shawnee for Supplemental Police Services.
 - Interlocal Cooperation Agreement with Gordon Cooper Technology Center (GCTC) District No. 5 to provide repaving and repair of public roadways and parking lots.
- e. Acknowledge Change Order No. 1 for Sewer Pipe Bursting.
 - f. Acknowledge one-year renewal option for Fencing and Repair Services Contract with Deep South Fencing.
 - g. Acknowledge one-year renewal option for Disaster Debris Removal Services Contract with DRC Emergency Services, LLC.
 - h. Acknowledge one-year renewal option for Disaster Debris Monitoring Services Contract with DebrisTech, LLC.
 - i. Acknowledge the Carnegie Library Building Lease Agreement with the Pottawatomie County Board of County Commissioners.

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

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

NAY: None

ABSTAIN: None

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

Animal Control Officer Theresa Touchet introduced Noodle, an approximately five-and-a-half (5 1/2) month old poodle-mix.

6. Mayor's Proclamation(s)

- a. "Commemorate Juneteenth and the Dunbar Heights Historic Neighborhood", June 19, 2024

Representatives from the Dunbar Heights Historic Neighborhood accepted the Mayor's Proclamation to "Commemorate Juneteenth and the Dunbar Heights Historic Neighborhood" from Mayor Bolt.

7. Consideration of a Resolution adopting the City of Shawnee Five-Year Capital Improvement Plan for Fiscal Years 2025 through 2029.

City Manager Andrea Weckmueller-Behringer provided a Staff report. Staff is requesting approval of a resolution adopting the five-year Capital Improvement Plan (CIP) for Fiscal Years 2025 through 2029.

A motion was made by Commissioner Sehorn, seconded by Vice Mayor Rutherford, to approve a Resolution adopting the City of Shawnee Five-Year Capital Improvement Plan for Fiscal Years 2025 through 2029.

Resolution No. 6739 was introduced.

A RESOLUTION APPROVING AND ADOPTING THE FISCAL YEARS 2025-2029 CAPITAL IMPROVEMENT PLAN.

Motion carried 6-0-0.

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

NAY: None

ABSTAIN: None

8. Consideration of a Resolution adopting the Fiscal Year 2024-2025 Budget for the City of Shawnee, Oklahoma for the period of July 1, 2024, through June 30, 2025.

City Manager Andrea Weckmueller-Behringer provided a Staff report regarding the proposed resolution adopting the Fiscal Year 2024-2025 budget.

Discussion was held between the Commission and Staff.

A motion was made by Commissioner Matthews, seconded by Commissioner Engles, to approve a Resolution adopting the Fiscal Year 2024-2025 Budget for the City of Shawnee, Oklahoma for the period of July 1, 2024, through June 30, 2025.

Resolution No. 6740 was introduced.

A RESOLUTION APPROVING AND ADOPTING THE FISCAL YEAR 2024-2025 BUDGET FOR THE CITY OF SHAWNEE, OKLAHOMA FOR THE PERIOD JULY 1, 2024 THROUGH JUNE 30, 2025.

Motion carried 6-0-0.

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

NAY: None

ABSTAIN: None

9. Presentation of Update on Shawnee Twin Lake #1 Dam.

Director of Engineering Seth Barkhimer provided an update on the Shawnee Twin Lake #1 Dam. Topics discussed included:

- History of Shawnee Twin Lake #1 Dam
- Twin Lakes Dam Inspections
 - Timeline
- Twin Lake #1 Update
- Twin Lake #1 Dam - What's Next

10. Consideration of a Contract with Freese and Nichols, Inc. to provide consultant services for the Twin Lake #1 Dam.

Director of Engineering Seth Barkhimer stated that Staff advertised a Request for Qualifications (RFQ) to secure the services of an engineering firm specialized in dam safety. The City received proposals from two (2) qualified firms. Freeze and Nichols, Inc. (FNI) was subsequently selected to provide services related to the Twin Lake #1 Dam Rehabilitation Project. Staff is requesting approval of a contract with FNI for professional services in the preparation of an Engineering Report, which will evaluate the field investigation data and provide

recommendations for potential future dam maintenance and safety projects. The contract is in the amount of Two Hundred Sixty-Two Thousand Dollars (\$262,000.00), which will be paid from a grant that was accepted in December 2023 from the Oklahoma Water Resources Board (OWRB) as part of the State of Oklahoma's American Rescue Plan Act (ARPA) funding.

A motion was made by Commissioner Engles, seconded by Commissioner Sehorn, to approve a Contract with Freese and Nichols, Inc. to provide consultant services for the Twin Lake #1 Dam. Motion carried 6-0-0.

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

NAY: None

ABSTAIN: None

11. Consideration of a Professional Services Agreement with TAP Architecture, for architecture services related to the proposed Animal Shelter.

Director of Engineering Seth Barkhimer stated that TAP Architecture has been selected for the design of the new Animal Shelter, with a proposal totaling Seventy-Six Thousand Eight Hundred Eighty Dollars (\$76,880.00). This proposal encompasses four primary phases:

1. Schematic Design / Design Development
2. Construction Documents
3. Permitting and Bidding
4. Construction Administration

Staff recommends approval of the item.

A motion was made by Commissioner Matthews, seconded by Vice Mayor Rutherford, to approve a Professional Services Agreement with TAP Architecture, for architecture services related to the proposed Animal Shelter. Motion carried 6-0-0.

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

NAY: None

ABSTAIN: None

12. Consideration of an Amendment to the Consulting Services Agreement with Del Sol Consulting, Inc.

Emergency Management Director Rachelle Erickson stated the initial

agreement with Del Sol Consulting, Inc. to provide consultant services related to disaster recovery is set to expire June 30, 2024. Staff is requesting that Amendment 1 to the current agreement be approved that would extend the current termination date to June 30, 2025.

A motion was made by Commissioner Engles, seconded by Vice Mayor Rutherford, to approve an Amendment to the Consulting Services Agreement with Del Sol Consulting, Inc. Motion carried 6-0-0.

AYE: Engles, Rutherford, Sehorn, Matthews, Frazier, 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, Inc. for services related to the April 19, 2023, Storm Event.

Emergency Management Director Rachelle Erickson stated that on June 9, 2023, the Commission approved a consulting agreement with Del Sol Consulting, Inc. to provide consulting services related to disaster recovery from the April 19, 2023 storm. The agreement requires the issuance of task orders that include a scope of services in order to engage with the consultant. This will be the third Task Order under the agreement. It includes a not-to-exceed (NTE) provision of Five Hundred Thousand Dollars (\$500,000.00) and provides that the consultant will perform the following services through June of 2025:

- Consulting for all FEMA categories
- Consulting for all insurance claims related to the storm event
- Program and Project Management for all State and/or Federally funded projects
- Construction Management for all State and/or Federally funded projects
- Consulting for direct administrative tasks related to the storm event

Staff recommends approval of this item.

A motion was made by Vice Mayor Rutherford, seconded by Commissioner Sehorn, to approve a Task Order in accordance with the Agreement between the City of Shawnee and Del Sol Consulting, Inc. for services related to the April 19, 2023, Storm Event. Motion carried 6-0-0.

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

NAY: None

ABSTAIN: None

14. Consideration of a Contract with Global Spectrum L.P. d/b/a Oak View Group for Management Services at the Heart of Oklahoma Exposition Center.

City Manager Andrea Weckmueller-Behringer provided a Staff report.

A motion was made by Commissioner Matthews, seconded by Vice Mayor Rutherford, to approve a Contract with Global Spectrum L.P. d/b/a Oak View Group for Management Services at the Heart of Oklahoma Exposition Center. Motion carried 6-0-0.

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

NAY: None

ABSTAIN: None

15. Consideration of an Agreement with Central Oklahoma Community Action Agency / Central Oklahoma Transit System for public transportation services in Fiscal Year 2024-2025.

City Manager Andrea Weckmueller-Behringer stated that the City has long partnered with Central Oklahoma Community Action Agency (COCAA) and its transportation division, Central Oklahoma Transit System (COTS), to provide transportation services for the citizens of Shawnee. Staff recommends approval of an Agreement with COCAA / COTS for Fiscal Year 2024-2025 in an amount of Eighty-Five Thousand Dollars (\$85,000.00).

A motion was made by Commissioner Sehorn, seconded by Vice Mayor Rutherford, to approve an Agreement with Central Oklahoma Community Action Agency / Central Oklahoma Transit System for public transportation services in Fiscal Year 2024-2025. Motion carried 6-0-0.

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

NAY: None

ABSTAIN: None

16. Consideration of an Agreement with Shawnee Forward for economic development services in Fiscal Year 2024-2025.

City Manager Andrea Weckmueller-Behringer stated that the City has contracted with Shawnee Forward in the past to provide economic development services to the community, including the growth and expansion of existing businesses, as well as recruitment of new industries and businesses. Staff

recommends approval of a Contract with Shawnee Forward for Three Hundred Thousand Dollars (\$300,000.00) for Fiscal Year 2024-2025.

A motion was made by Commissioner Matthews, seconded by Commissioner Sehorn, to approve an Agreement with Shawnee Forward for economic development services in Fiscal Year 2024-2025. Motion Carried 4-0-2.

AYE: Matthews, Sehorn, Bolt, Rutherford

NAY: None

ABSTAIN: Engles, Frazier

RECESS BY POWER OF CHAIR AT 7:28 P.M.

RECONVENE BY POWER OF THE CHAIR AT 7:39 P.M.

17. Consideration of an Agreement with GovInvest, Inc. for access to online platform with peer-city compensation information.

Human Resources Director Jennifer Greenland stated that to assist the City's Human Resources staff in their understanding of peer city compensation, consisting of salaries, incentives, and other benefits, the City of Shawnee is requesting approval of an agreement with GovInvest, Inc. to gain access to its online Live Compensation platform. The amount of the proposed agreement is Fifteen Thousand Five Hundred Dollars (\$15,500.00).

A motion was made by Commissioner Matthews, seconded by Commissioner Engles, to approve an Agreement with GovInvest, Inc. for access to online platform with peer-city compensation information. Motion carried 6-0-0.

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

NAY: None

ABSTAIN: None

18. Consideration of a Resolution of the City of Shawnee, Oklahoma, nominating Tamera Johnson as a candidate to fill an open position on the Board of Trustees of the Oklahoma Municipal Retirement Fund (OkMRF), representing District 4 for a Five-Year Term, beginning October 1, 2024, through October 1, 2029.

Human Resources Director Jennifer Greenland provided a Staff report.

A motion was made by Commissioner Matthews, seconded by Commissioner Engles, to approve a Resolution of the City of Shawnee, Oklahoma, nominating Tamera Johnson as a candidate to fill an open position on the Board of Trustees of

the Oklahoma Municipal Retirement Fund (OkMRF), representing District 4 for a Five-Year Term, beginning October 1, 2024, through October 1, 2029.

Resolution No. 6741 was introduced.

A RESOLUTION OF THE CITY OF SHAWNEE, OKLAHOMA,
NOMINATING TAMERA JOHNSON AS A CANDIDATE TO FILL AN OPEN
POSITION ON THE BOARD OF TRUSTEES OF THE OKLAHOMA
MUNICIPAL RETIREMENT FUND (OkMRF), REPRESENTING DISTRICT 4
FOR A FIVE-YEAR TERM, BEGINNING OCTOBER 1, 2024, THROUGH
OCTOBER 1, 2029.

Motion carried 6-0-0.

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

NAY: None

ABSTAIN: None

19. Consideration of an appeal of the Administrative Order regarding property located at 214 West Oakland.

Chief Code Official Kevin Moore stated that there have been two administrative hearings on the property in question, namely August 25, 2022 and May 16, 2024. Staff is recommending denial of the appeal and the right to proceed with demolition. City Attorney Joe Vorndran advised that the notice and process has been examined and approved by City Attorney's office.

A motion was made by Commissioner Matthews, seconded by Vice Mayor Rutherford, to deny the appeal of the Administrative Order regarding property located at 214 West Oakland. Motion carried 6-0-0.

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

NAY: None

ABSTAIN: None

20. Public Hearing for a request to rezone property located at 1303 West Farrell Street from C-3 (Highway Commercial District) to R-3 (Multifamily Residential District). (Case No. RZ02-24)

Community Development Director Rian Harkins advised that the Planning Commission deferred the item to its September 4, 2024 meeting. Due to the

actions of the Planning Commission, Staff recommends deferring the public hearing to the September 16, 2024 City Commission meeting.

A motion was made by Commissioner Matthews, seconded by Commissioner Sehorn, to defer the item to the September 16, 2024 City Commission meeting. Motion carried 6-0-0.

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

NAY: None

ABSTAIN: None

21. Public Hearing for a request for a Conditional Use Permit (CUP) for an Accessory Dwelling Unit located at 1303 West Farrall Street. (Case No. CUP02-24)

Community Development Director Rian Harkins advised that the Planning Commission deferred the item to its September 4, 2024 meeting. Due to the actions of the Planning Commission, Staff recommends deferring the public hearing to the September 16, 2024 City Commission meeting.

A motion was made by Commissioner Matthews, seconded by Commissioner Sehorn, to defer the item to the September 16, 2024 City Commission meeting. Motion carried 6-0-0.

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

NAY: None

ABSTAIN: None

22. Consideration of a request for a Final Plat, Adcock Addition, near the northwest corner of North Harrison and 45th Street. (Case No. FPL01-24)

Community Development Director Rian Harkins stated that the Planning Commission recommended approval of the item at its June 5, 2024, meeting. However, since that time, the applicant has asked for a deferral of the item in order to review improvements for possible revisions and resubmittal, if necessary. Staff recommends deferral of this item to the September 16, 2024, City Commission meeting.

A motion was made by Commissioner Matthews, seconded by Vice Mayor Rutherford, to defer the item to the September 16, 2024 City Commission meeting. Motion carried 6-0-0.

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

NAY: None

ABSTAIN: None

23. Consideration of the purchase of one (1) heavy-duty truck from Vance Country Ford, under State Contract pricing, in the total amount of \$56,825.60.

Fire Chief Tony Wittman stated that in compliance with the City's Capital Improvement Plan (CIP), the Suppression Division of the Shawnee Fire Department is scheduled to receive a replacement for its "Command" vehicle. Currently slated for purchase in the CIP's Year 2025, the opportunity to pre-order this vehicle under State contract pricing has presented itself. Staff is requesting authority to order the vehicle now and paid for in the current fiscal year as sufficient budget authority remains. The truck would not be delivered until sometime in the upcoming Fiscal Year 2024-2025. The cost is Fifty-Six Thousand Eight Hundred Twenty-Five Dollars and Sixty Cents (\$56,825.60).

A motion was made by Commissioner Sehorn, seconded by Commissioner Engles, to approve the purchase of one (1) heavy-duty truck from Vance Country Ford, under State Contract pricing, in the total amount of Fifty-Six Thousand Eight Hundred Twenty-Five Dollars and Sixty Cents (\$56,825.60). Motion carried 6-0-0.

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

NAY: None

ABSTAIN: None

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

- a. Police Sales Tax Fund - 107 - To fund an increase to the transfer to General fund with Sales Tax revenues exceeding budget estimates.
- b. Fire Sales Tax Fund - 108 - To fund an increase to the transfer to General fund with Sales Tax revenues exceeding budget estimates.
- c. Street & Alley Fund - 101 - To fund an increase in the cost of electricity for traffic signals funded by a transfer from the General Fund.

- d. Workers' Compensation Fund - 601 - To fund year-end workers' compensation claims exceeding budget, funded with a transfer from the General Fund and a refund from the Oklahoma Tax Commission.
- e. General Fund - 001 - To fund legal expenses with sales tax collections exceeding budget estimates.

Assistant Finance Director Courtney Conrad provided a Staff report for each of the proposed budget amendments.

A motion was made by Commissioner Engles, seconded by Vice Mayor Rutherford, to approve the budget amendments listed in Agenda Item Nos. 24(a-e). Motion carried 6-0-0.

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

NAY: None

ABSTAIN: None

25. Consider Bid(s):

- a. Alice, Fay, Edwards & Pesotum Street Water Line Replacement (Award)

Director of Engineering Seth Barkhimer announced that three (3) bids were received. Staff recommends awarding the base bid to Davenport Construction of Edmond, Oklahoma for the total amount of Two Million Four Hundred Sixteen Thousand Twenty-Four Dollars (\$2,416,024.00).

A motion was made by Commissioner Sehorn, seconded by Vice Mayor Rutherford, to award the Alice, Fay, Edwards & Pesotum Street Water Line Replacement to Davenport Construction for the amount of Two Million Four Hundred Sixteen Thousand Twenty-Four Dollars (\$2,416,024.00). Motion carried 6-0-0.

AYE: Sehorn, Rutherford, Mathews, Engles, Frazier, Bolt

NAY: None

ABSTAIN: None

26. Acknowledge Monthly Sales Tax and Budget Reports.

Assistant Finance Director Courtney Conrad reported sales tax collections are up One Million Seven Hundred Twenty-One Thousand One Hundred Thirty-Eight Dollars (\$1,721,138.00) or Five Point Eight Six Percent (5.86%), over the projected budget year-to-date. She stated that use tax collections are up approximately Six Hundred Twenty Thousand Nine Hundred Twenty-Six Dollars (\$620,926.00) or Sixteen Point Four Seven Percent (16.47%), above the projected budget year-to-date.

27. Administrative Report(s):

- a. Ongoing Public Review of Unified Development Code - Rian Harkins, Community Development Director

Community Development Director Rian Harkins provided a presentation on the Ongoing Public Review of Unified Development Code. Topics discussed included:

- Website Use Guide
- Next Steps

- b. Upcoming Civic Engagement Sessions for Draft 2024-2028 Strategic Plan - Andrea Weckmueller-Behringer, City Manager

City Manager Andrea Weckmueller-Behringer provided a presentation on the Upcoming Civic Engagement Sessions for Draft 2024-2028 Strategic Plan. Topics discussed included:

- Share Your Insight (upcoming dates)
- Explore Major Goals (Ranked)
- Going from the 2023 Community Survey to the Visioning Retreat to the 5-Year Strategic Plan with your help

28. 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.

29. Commissioners Comments

Commissioner Sehorn commented on the budget, the Capital Improvement Plan, and the sales tax report.

Vice Mayor Rutherford stated this would be his last complete meeting. He thanked everyone for letting him serve the last eight (8) years. He thanked Staff, said a lot of progress has been made, and it has been a privilege to serve.

Commissioner Frazier thanked those that came to the meeting. She also invited everyone to celebrate Juneteenth on June 19, 2024, at 6pm to 8pm by the snow cone stand on South Beard.

Commissioner Engles said this may be her last full meeting if there is no runoff. She expressed her respect and appreciation for Staff.

Commissioner Matthews thanked the Shawnee Police Department and the Shawnee Fire Department for their service.

Mayor Bolt commented on the Shawnee Police Department and Shawnee Fire Department and sales tax. He also provided an explanation on a sewage dump posted on Facebook in the Dunbar Heights neighborhood.

30. Adjournment

There being no further business to be considered, the meeting was adjourned by power of the Chair. (8:27 p.m.)



ED BOLT, MAYOR

ATTEST:



LISA LASYONE, MMC
CITY CLERK