

BOARD OF CITY COMMISSIONERS PROCEEDINGS

JULY 15, 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, July 15, 2024 at 6:00 PM, pursuant to notice duly posted as prescribed by law on Friday, July 12, 2024 at 9:40 AM. 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

Yannah Frazier
Commissioner Ward 3

Absent
Commissioner Ward 4 - Vice Mayor

Mark Sehorn
Commissioner Ward 5

Absent
Commissioner Ward 6

ABSENT: Darren Rutherford, Lauren Richter

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. Kevin Hanna, Mr. Rob Morris, Ms. Denoda Martin, Ms. Janelle Watts, and Mr. Rick Young spoke during Citizens Participation.

2. Consider approval of the Minutes from the June 17, 2024 regular meeting.

A motion was made by Commissioner Matthews, seconded by Commissioner

Sehorn, to approve the Minutes from the June 17, 2024 regular meeting. Motion Carried 5-0-0.

AYE: Matthews, Sehorn, Engles, Frazier, Bolt

NAY: None

ABSTAIN: None

RECESS CITY COMMISSION MEETING BY THE POWER OF THE CHAIR
TO CONVENE SHAWNEE AIRPORT AUTHORITY AND SHAWNEE
MUNICIPAL AUTHORITY (6:15 P.M.)

RECONVENE CITY COMMISSION MEETING BY THE POWER OF THE
CHAIR (6:18 P.M.)

3. Consider a Resolution expressing appreciation to Yannah Frazier as Commissioner of Ward Three of the City of Shawnee.

A motion was made by Commissioner Matthews, seconded by Commissioner Sehorn, to approve a Resolution expressing appreciation to Yannah Frazier as Commissioner of Ward Three of the City of Shawnee.

Resolution No. 6742 was introduced.

A RESOLUTION EXPRESSING APPRECIATION FOR THE OUTSTANDING SERVICE OF YANNAH FRAZIER AS COMMISSIONER OF WARD THREE OF THE CITY OF SHAWNEE, OKLAHOMA; PROVIDING THAT SAID RESOLUTION BE SPREAD UPON THE OFFICIAL RECORDS OF THE CITY OF SHAWNEE, OKLAHOMA; AND PROVIDING THAT A COPY HEREOF BE PRESENTED TO THE SAID YANNAH FRAZIER.

Motion carried 5-0-0.

AYE: Matthews, Sehorn, Engles, Frazier, Bolt

NAY: None

ABSTAIN: None

4. Consider a Resolution expressing appreciation to Darren Rutherford as Commissioner of Ward Four and Vice Mayor of the City of Shawnee.

A motion was made by Commissioner Matthews, seconded by Commissioner Sehorn, to approve a Resolution expressing appreciation to Darren Rutherford as Commissioner of Ward Four and Vice Mayor of the City of Shawnee.

Resolution No. 6743 was introduced.

A RESOLUTION EXPRESSING APPRECIATION FOR THE OUTSTANDING SERVICE OF DARREN RUTHERFORD AS COMMISSIONER OF WARD FOUR OF THE CITY OF SHAWNEE, OKLAHOMA; AND VICE MAYOR OF THE CITY OF SHAWNEE, OKLAHOMA; PROVIDING THAT SAID RESOLUTION BE SPREAD UPON THE OFFICIAL RECORDS OF THE CITY OF SHAWNEE, OKLAHOMA; AND PROVIDING THAT A COPY HEREOF BE PRESENTED TO THE SAID DARREN RUTHERFORD.

Motion carried 5-0-0.

AYE: Matthews, Sehorn, Engles, Frazier, Bolt

NAY: None

ABSTAIN: None

5. Presentation of Resolutions of Appreciation to Commissioner Yannah Frazier and Commissioner-Vice Mayor Darren Rutherford.

Mayor Bolt presented the Resolution of Appreciation to Commissioner Yannah Frazier. Mayor Bolt accepted the Resolution of Appreciation on behalf of Commissioner-Vice Mayor Darren Rutherford.

6. Swearing in of Ward Three Commissioner Chris Odneal and Ward Four Commissioner Ashley Fichtner.

City Clerk Lisa Lasyone swore in Ward Three Commissioner Chris Odneal and Ward Four Commissioner Ashley Fichtner.

7. Presentation of Certificates of Election to Ward Three Commissioner Chris Odneal and Ward Four Commissioner Ashley Fichtner.

Mayor Bolt presented Certificates of Election to Ward Three Commissioner Chris Odneal and Ward Four Commissioner Ashley Fichtner.

RECESS CITY COMMISSION MEETING BY THE POWER OF THE CHAIR FOR RECEPTION FOR OUTGOING AND INCOMING COMMISSIONERS

(6:31 P.M.)

RECONVENE CITY COMMISSION MEETING BY THE POWER OF THE
CHAIR (6:51 P.M.)

8. Commission Appointment of a Vice Mayor (Per Article III, Section 6 of the
City Charter).

Discussion was held among the Commission. Recommend appointment of
Commissioner Matthews.

A motion was made by Commissioner Sehorn, seconded by Commissioner
Engles, to appoint Commissioner Matthews as Vice Mayor. Motion carried 4-0-2.

AYE: Sehorn, Engles, Bolt, Fichnter

NAY: None

ABSTAIN: Matthews, Odneal

9. Consider approval of Consent Agenda:

a. Acknowledge the following minutes and reports:

- Planning Commission Minutes from the June 5, 2024 regular meeting.
- Shawnee Beautification, Parks, and Recreation Committee Minutes from
the April 18, 2024 regular meeting.
- License Payment Report for June 2024.
- Project Payment Report for June 2024.

b. Lake Lease Transfer:

- Seck Tract Lot 1, 33700 Post Office Neck
From: Dustin C Bodkin
To: Donald Keith & Cynthia Gail Carpenter
- c. Acknowledgment of lessee's voluntary Cabin Site Lease (Lake Lease) termination for tract situated at 15508 Nickens Rd.
- d. Acknowledge the resignation of Zach Foster from the Shawnee Beautification, Parks, and Recreation Committee.
- e. Acknowledge the resignation of Kim Paxson from the Shawnee Public Library Board.
- f. Mayor Appointments:

Shawnee Library Board

Amber Mitchell	1st Partial Term	Expires: June 30, 2025
<i>Replaces Kim Paxson - Resigned</i>		

Lisa Watson	1st Full Term	Expires: June 30, 2027
<i>Replaces Rebecca Brown - Term Expired</i>		

Shawnee Urban Renewal Authority

Robert D Hoover, Jr.	1st Partial Term	Expires: February 2, 2026
<i>Replaces Glenda Pierce - Appointment Removed</i>		

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

- Professional Services Agreement with Crawford and Associates for the period of July 1, 2024 through June 30, 2025.
- Agreement with Project H.E.A.R.T., Inc. to provide meals to elderly persons.

h. Acknowledge one-year renewal option for Architectural Services Contract with TAP Architecture, LLC.

A motion was made by Vice Mayor Matthews, seconded by Commissioner Sehorn, to approve Consent Agenda Item Nos. 9(a-h). Motion carried 5-0-1.

AYE: Matthews, Sehorn, Engles, Odneal, Bolt

NAY: None

ABSTAIN: Fichtner

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

Animal Control Officer Theresa Touchet introduced Sage, an approximately one and a half (1 1/2) year old Boxer-Lab mix.

11. Consideration of a Resolution to adopt the City of Shawnee 2024-2028 Strategic Plan.

City Manager Andrea Weckmueller-Behringer provided a presentation on the proposed 2024-2028 Strategic Plan. Topics discussed included:

- Vision
- Mission
- Values
- Goals

A motion was made by Vice Mayor Matthews, seconded by Commissioner Engles, to approve a Resolution to adopt the City of Shawnee 2024-2028 Strategic Plan.

Resolution No. 6744 was introduced.

A RESOLUTION TO ADOPT THE CITY OF SHAWNEE 2024-2028
STRATEGIC PLAN.

Motion carried 6-0-0.

AYE: Matthews, Engles, Odneal, Bolt, Sehorn, Fichtner

NAY: None

ABSTAIN: None

12. Consideration of the purchase of one (1) commercial rescue vehicle from Conrad Fire Equipment in the total amount of \$435,560.06.

Fire Chief Tony Wittmann stated that the Suppression Division of the Shawnee Fire Department is scheduled to receive a replacement for “Squad 1” in compliance with the City of Shawnee’s Capital Improvement Plan (CIP). In the 2024 CIP, the original amount allotted was Three Hundred Seventy-Five Thousand Dollars (\$375,000.00). Multiple quotes were requested, all of which came in higher than originally estimated. Due to increased pricing, additional funds were approved in the 2025 CIP budget to offset the increase in pricing. Conrad Fire Equipment submitted the lowest quote and the total cost is Four Hundred Thirty-Five Thousand Five Hundred Sixty Dollars and Six Cents (\$435,560.06).

A motion was made by Commissioner Sehorn, seconded by Commissioner Engles, to approve the purchase of one (1) commercial rescue vehicle from Conrad Fire Equipment in the total amount of Four Hundred Thirty-Five Thousand Five Hundred Sixty Dollars and Six Cents (\$435,560.06). Motion carried 6-0-0.

AYE: Sehorn, Engles, Odneal, Bolt, Fichtner, Matthews

NAY: None

ABSTAIN: None

13. Consideration of a supplemental and modification agreement with the Oklahoma Department of Transportation (ODOT) regarding the MacArthur Street Sidewalk Project. (Shawnee: MacArthur Bike/Ped Trail) State Job No. 32996(04)

City Manager Andrea Weckmueller-Behringer stated that the City and Oklahoma Department of Transportation (ODOT) previously entered into a

Project Maintenance, Financing, and Right-of-Way Agreement for the MacArthur Street Sidewalk Project. During the construction of the project, ODOT hired a third-party inspection, construction management, and materials testing team that increased the project expense substantially. In response to that, ODOT has put forth a Supplemental and Modification Agreement to the Project Maintenance, Financing, and Right-of-way Agreement to increase ODOT's participation cap from Four Hundred Twenty-Five Thousand Eight Hundred Ten Dollars (\$425,810.00) to Eight Hundred Seventeen Thousand Eight Hundred Sixty-Two Dollars (\$817,862.00), an increase of Three Hundred Ninety-Two Thousand Fifty-Two Dollars (\$392,052.00).

A motion was made by Commissioner Engles, seconded by Vice Mayor Matthews, to approve a supplemental and modification agreement with the Oklahoma Department of Transportation (ODOT) regarding the MacArthur Street Sidewalk Project. Motion carried 6-0-0.

AYE: Engles, Matthews, Odneal, Bolt, Fichtner, Sehorn

NAY: None

ABSTAIN: None

14. Consideration of an agreement with the Oklahoma Attorney General (OAG) regarding the City of Shawnee Opioid Abatement Grant funding award.

Assistant City Manager Mark Simpson stated that the Opioid Abatement Grant application was accepted by the Oklahoma Attorney General's office. The City's grant-funded, two-year opioid abatement project will include the following:

1. Facilitate once quarterly Narcan training for City of Shawnee Homeless Program volunteers and Shawnee Homeless Roundtable partner entities as well as other civic or faith-based organizations.
2. Purchase Narcan for distribution to trained volunteers and partner entity staff, documenting distribution and monitoring usage for required reporting.
3. Produce easy-to-understand opioid use disorder and overdose prevention and resource materials for distribution to participating volunteers and groups, as well as to the community at large.

A motion was made by Vice Mayor Matthews, seconded by Commissioner Sehorn, to approve an agreement with the Oklahoma Attorney General (OAG) regarding the City of Shawnee Opioid Abatement Grant funding award. Motion carried 6-0-0.

AYE: Matthews, Sehorn, Engles, Odneal, Bolt, Fichtner

NAY: None

ABSTAIN: None

15. Consideration of a resolution declaring certain items of personal property surplus and no longer needed for City purposes; describing said items; and authorizing disposal at the City's discretion.

City Manager Andrea Weckmueller-Behringer stated that the first phase of the Santa Fe Depot (Depot) restoration includes improvements to outside areas immediately adjacent to the Depot. Spalled concrete and brick pavers were removed, and the area is being sloped to facilitate proper drainage. Stamped concrete will now be installed that is matched to the original Coffeyville pavers. Staff is requesting that the Depot's previous brick pavers be declared surplus and no longer needed for City purposes. Staff also proposes to move the pavers through an auction, and that the proceeds of the sale be designated to the next phase of the restoration of the Depot.

A motion was made by Vice Mayor Matthews, seconded by Mayor Bolt, to approve a resolution declaring certain items [twenty-six (26) pallets of brick pavers] of personal property surplus and no longer needed for City purposes; describing said items; and authorizing disposal at the City's discretion. Motion carried 6-0-0.

Resolution No. 6745 was introduced.

A RESOLUTION DECLARING CERTAIN ITEMS OF PERSONAL PROPERTY SURPLUS AND NO LONGER NEEDED FOR CITY PURPOSES; DESCRIBING SAID ITEMS; AND AUTHORIZING SALE OR DISPOSAL AT THE CITY'S DISCRETION.

Motion carried 6-0-0.

AYE: Matthews, Bolt, Fichtner, Sehorn, Engles, Odneal

NAY: None

ABSTAIN: None

16. Consideration of an appeal of the Administrative Order regarding property located at 910 North Hobson.

City Attorney Joe Vorndran provided a Staff report. He advised that the notice

and process has been examined and approved by City Attorney's office. Staff's recommendation is that the appeal be denied.

A motion was made by Vice Mayor Matthews, seconded by Commissioner Sehorn, to approve Staff's recommendation and deny the appeal of the Administrative Order regarding property located at 910 North Hobson. Motion carried 5-1-0.

AYE: Matthews, Sehorn, Fichtner, Engles, Bolt

NAY: Odneal

ABSTAIN: None

17. Public Hearing for the request of a Conditional Use Permit (CUP) for a Short Term Rental (STR) located at 15305 Perry Road, Shawnee, Oklahoma.

Case No.: CUP03-24 | Applicant: Josh & Beverly Koch

Community Development Director Rian Harkins stated that the Conditional Use Permit (CUP) is being requested to allow for a Short Term Rental (STR). Planning Commission and Staff recommend approval.

Mayor Bolt declared a public hearing in session to consider a Conditional Use Permit (CUP) for a Short Term Rental (STR) located at 15305 Perry Road, Shawnee, Oklahoma. No one appeared in favor or against the CUP. The public hearing was closed.

18. Consideration of a Conditional Use Permit (CUP) for a Short Term Rental (STR) at 15305 Perry Road, Shawnee, Oklahoma.

Case No.: CUP03-24 | Applicant: Josh & Beverly Koch

A motion was made by Commissioner Odneal, seconded by Vice Mayor Matthews, to approve a Conditional Use Permit (CUP) for a Short Term Rental (STR) at 15305 Perry Road, Shawnee, Oklahoma. Motion carried 6-0-0.

AYE: Odneal, Matthews, Engles, Bolt, Sehorn, Fichtner

NAY: None

ABSTAIN: None

19. Public Hearing for the request of a Conditional Use Permit (CUP) for a Short Term Rental (STR) located at 16712 Magnino Road, Shawnee, Oklahoma.

Case No.: CUP04-24 | Applicant: Lora Davis

Community Development Director Rian Harkins stated that the Conditional Use Permit (CUP) is being requested to allow for a Short Term Rental (STR).

Planning Commission and Staff recommend approval.

Mayor Bolt declared a public hearing in session to consider a Conditional Use Permit (CUP) for a Short Term Rental (STR) located at 16712 Magnino Road, Shawnee, Oklahoma. No one appeared in favor or against the CUP. The public hearing was closed.

20. Consideration of a Conditional Use Permit (CUP) for a Short Term Rental (STR) located at 16712 Magnino Road, Shawnee, Oklahoma.

Case No.: CUP04-24 | Applicant: Lora Davis

A motion was made by Vice Mayor Matthews, seconded by Commissioner Sehorn, to approve a Conditional Use Permit (CUP) for a Short Term Rental (STR) located at 16712 Magnino Road, Shawnee, Oklahoma. Motion carried 6-0-0.

AYE: Matthews, Sehorn, Fichtner, Engles, Odneal, Bolt

NAY: None

ABSTAIN: None

21. Consideration of a Final Plat for Rolling Hills Addition, Section 2.

Case No.: FPL02-24 | Applicant: Absentee Shawnee Housing Authority (BWR Design Group - Engineer)

Community Development Director Rian Harkins said that the subject property is approximately two point three-nine (2.39) acres in size and is located northeast of the intersection of Main Street and Bryan Avenue. The proposed Final Plat would establish five (5) lots between zero point two five (0.25) and zero point five (0.5) acres in size.

A motion was made by Commissioner Sehorn, seconded by Commissioner Engles, to approve a Final Plat for Rolling Hills Addition, Section 2. Motion carried 6-0-0.

AYE: Sehorn, Engles, Odneal, Bolt, Fichtner, Matthews,

NAY: None

ABSTAIN: None

22. Consideration of a Final Plat for Shawnee Twin Lakes, Lake No. 1, Phase II.

Case No.: FPL04-24 | Applicant: City of Shawnee, Oklahoma

Community Development Director Rian Harkins stated that the subject property is located in Township 10 North, Range 2 East, and part of Section 14

and contains approximately three hundred sixty-eight point zero two (368.02) acres. The proposed Final Plat of the Shawnee Twin Lakes – Lake No. 1, Phase II subdivision has been completed to define the boundaries of the “lake lot leases” and “common areas” located within the City limits. There are three (3) areas containing lake lot leases: Damron, Seck, and Belcher.

Planning Commission and Staff recommend approval.

A motion was made by Commissioner Engles, seconded by Vice Mayor Matthews, to approve a Final Plat for Shawnee Twin Lakes, Lake No. 1, Phase II. Motion carried 6-0-0.

AYE: Engles, Matthews, Odneal, Bolt, Sehorn, Fichtner

NAY: None

ABSTAIN: None

23. Consideration of the following budget amendments for Fiscal Year 2024 – 2025:

- a. Opioid Settlement Fund - 114 - To fund opioid abatement activities with an Opioid Abatement Grant award.

Assistant Finance Director Courtney Conrad provided a Staff report for the proposed budget amendment.

A motion was made by Commissioner Engles, seconded by Commissioner Fichtner, to approve the budget amendment listed in Agenda Item No. 23(a). Motion carried 6-0-0.

AYE: Engles, Fichtner, Matthews, Odneal, Bolt, Sehorn

NAY: None

ABSTAIN: None

RECESS CITY COMMISSION MEETING BY THE POWER OF THE CHAIR
(8:01 P.M.)

RECONVENE CITY COMMISSION MEETING BY THE POWER OF THE
CHAIR (8:09 P.M.)

24. Consider Bid(s):

a. Lake Patrol Dock, Project No. 24-0620-02 (Award)

Police Chief Mason Wilson announced that one (1) bid was received. Staff recommends awarding the base bid to Goldner Dock Construction of Grove, Oklahoma for the total amount of Two Hundred Forty Thousand Six Hundred Eighty Dollars (\$240,680.00).

A motion was made by Commissioner Engles, seconded by Commissioner Sehorn, to award the Lake Patrol Dock bid to Goldner Dock Construction for the amount of Two Hundred Forty Thousand Six Hundred Eighty Dollars (\$240,680.00). Motion carried 6-0-0.

AYE: Engles, Sehorn, Fichtner, Matthews, Odneal, Bolt

NAY: None

ABSTAIN: None

25. Acknowledge Monthly Sales Tax and Budget Reports.

Assistant Finance Director Courtney Conrad reported sales tax collections are up Twenty-Seven Thousand Two Hundred Ninety-Two Dollars (\$27,292.00) or One Point Zero Five Percent (1.05%), over the projected budget year-to-date. She stated that use tax collections are down approximately Forty-Nine Thousand Two Hundred Six Dollars (\$49,206.00) or Thirteen Point Two Five Percent (13.25%), below the projected budget year-to-date.

26. Administrative Report(s):

a. Presentation of the Quarterly 2018 Half-Cent Sales Tax Report - Courtney Conrad, Assistant Finance Director

Assistant Finance Director Courtney Conrad provided a presentation of the Quarterly 2018 Half-Cent Sales Tax Report. Topics discussed included:

- 2018 Sales Tax Election
- Investment Updates
- Investment Updates - 4th Quarter FY24

b. Update on the City of Shawnee Continuum of Care Application - Rian Harkins, Community Development Director

Community Development Director Rian Harkins provided a presentation on the Update of the City of Shawnee Continuum of Care Application. Topics discussed included:

- Homelessness - Important to All of Us
- Homeless Program
 - Current Activity
 - Continuum of Care (Homeless Roundtable)
- Where are we now?
- Immediate Steps

c. Update on the proposed Unified Development Code - Rian Harkins, Community Development Director

Community Development Director Rian Harkins introduced Ms. Dawn Warrick with Freese and Nichols. Ms. Warrick provided a presentation on the Update of the proposed United Development Code (UDC). Topics discussed included:

- Project Process Overview
- Code Update Foundation
 - Purpose
 - Diagnostic Report Review
- UDC Organization
- Major Changes by Article
 - Article I - General Provisions
 - Article II - Zoning Districts
 - Zoning District Equivalency
 - Twin Lakes Zoning District
 - Downtown District and Subareas
 - Article III - Uses
 - Modernized Use Table
 - Reduced Reliance on Conditional Use Permits (CUPs)
 - Article IV - Development Standards
 - Right-Sized Parking Requirements
 - Improved Landscaping; Xeriscaping
 - Outdoor Lighting Requirements
 - Design Standards

- Sign Regulation Overhaul
 - Infill Development
- Article V - Subdivision Regulations
 - Pedestrian Facilities Zones
- Article VI - Procedures
- Article VII - Nonconformities
- Article VIII - Enforcement
- Article IX - Approval Authorities
- Article X - Definitions
- What We've Heard
- Next Steps

RECESS CITY COMMISSION MEETING BY THE POWER OF THE CHAIR
(9:10 P.M.)

RECONVENE CITY COMMISSION MEETING BY THE POWER OF THE
CHAIR (9:14 P.M.)

- d. Update on Lions Club Park Ballfields - Andrea Weckmueller-Behringer,
City Manager

City Manager Andrea Weckmueller-Behringer provided a presentation on the
Update on Lions Club Park Ballfields. Topics discussed included:

- 4/19/2023 Tornado Event
- Recovery
- Action Related to Ballfields

27. 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.

28. Commissioners Comments

The Mayor and Commissioners congratulated and welcomed Commissioner
Odneal and Commissioner Fichtner. They also thanked Commissioner Frazier and
Commissioner Rutherford for their service.

Vice Mayor Matthews congratulated Mark Simpson on his new position as
Assistant City Manager.

Commissioner Engles welcomed Assistant City Manager Mark Simpson. She also commented on the updates with tornado recovery efforts.

Commissioner Odneal thanked his constituents for voting for him.

Commissioner Fichtner stated she is looking forward to serving.

Commissioner Sehorn commented on the Unified Development Code, Staff reports, and sales tax.

Mayor Bolt commented on the Staff reports.

29. Adjournment

There being no further business to be considered, the meeting was adjourned by power of the Chair. (9:34 p.m.)



ED BOLT, MAYOR

ATTEST:



LISA LASYONE, MMC
CITY CLERK