

BOARD OF CITY COMMISSIONERS PROCEEDINGS

SEPTEMBER 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 Monday, September 16, 2024 at 6:00 PM, pursuant to notice duly posted as prescribed by law on Thursday, September 12, 2024, at 5:45 P.M. Mayor Bolt presided and Ms. Manuela Parada called the meeting to order. Upon roll call, the following members were in attendance.

Ed Bolt
Mayor

Daniel Matthews
Commissioner Ward 1 - Vice Mayor

Cami Engles
Commissioner Ward 2

Chris Odneal
Commissioner Ward 3

Ashley Fichtner
Commissioner Ward 4

Mark Sehorn
Commissioner Ward 5

Lauren Richter
Commissioner Ward 6

ABSENT: None

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. Phil Solinger, Mr. David Dinsmore, Mr. Rob Morris, and Ms. Cyndi Berger spoke during Citizens Participation.

2. Consider approval of the Minutes from the August 14, 2024, Special Call meeting and the August 19, 2024, regular meeting.

A motion was made by Vice Mayor Matthews, seconded by Commissioner Fichtner, to approve the Minutes from the August 14, 2024, Special Call meeting and the August 19, 2024, regular meeting. Motion carried 7-0-0.

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

NAY: None

ABSTAIN: None

RECESS CITY COMMISSION MEETING BY THE POWER OF THE CHAIR
TO CONVENE SHAWNEE AIRPORT AUTHORITY AND SHAWNEE
MUNICIPAL AUTHORITY (6:16 P.M.)

RECONVENE CITY COMMISSION MEETING BY THE POWER OF THE
CHAIR (6:21 P.M.)

3. Consider a Resolution expressing appreciation to Cami Engles as
Commissioner of Ward Two of the City of Shawnee.

A motion was made by Vice Mayor Matthews, seconded by Commissioner Sehorn, to approve a Resolution expressing appreciation to Cami Engles as Commissioner of Ward Two of the City of Shawnee.

Resolution No. 6750 was introduced.

A RESOLUTION EXPRESSING APPRECIATION FOR THE OUTSTANDING
SERVICE OF CAMI ENGLAS AS COMMISSIONER OF WARD TWO 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 CAMI ENGLAS.

Motion carried 6-0-1.

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

NAY: None

ABSTAIN: Engles

4. Consider a Resolution expressing appreciation to Ed Bolt as Commissioner of

Ward One and Mayor of the City of Shawnee.

A motion was made by Commissioner Sehorn, seconded by Commissioner Engles, to approve a Resolution expressing appreciation to Ed Bolt as Commissioner of Ward One and Mayor of the City of Shawnee.

Resolution No. 6751 was introduced.

A RESOLUTION EXPRESSING APPRECIATION FOR THE OUTSTANDING SERVICE OF ED BOLT AS COMMISSIONER OF WARD ONE AND 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 ED BOLT.

Motion carried 7-0-0.

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

NAY: None

ABSTAIN: None

5. Presentation of Resolutions of Appreciation to Commissioner Cami Engles and Mayor Ed Bolt.

Mayor Bolt presented the Resolution of Appreciation to Commissioner Cami Engles. Vice Mayor Matthews presented the Resolution of Appreciation to Mayor Ed Bolt.

6. Swearing in of Mayor Eric Stephens and Ward Two Commissioner Greta Madson.

City Clerk Lisa Lasyone swore in Mayor Eric Stephens and Ward Two Commissioner Greta Madson.

7. Presentation of Certificates of Election to Mayor Eric Stephens and Ward Two Commissioner Greta Madson.

Mayor Bolt presented Certificates of Election to Mayor Eric Stephens and Ward Two Commissioner Greta Madson.

RECESS CITY COMMISSION MEETING BY THE POWER OF THE CHAIR

FOR RECEPTION FOR OUTGOING AND INCOMING COMMISSIONERS
(6:37 P.M.)

RECONVENE CITY COMMISSION MEETING BY THE POWER OF THE
CHAIR (7:03 P.M.)

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

Discussion was held among the Commission.

A motion was made by Commissioner Sehorn, seconded by Commissioner Fichtner, to appoint Commissioner Matthews as Vice Mayor. Motion carried 6-0-1.

AYE: Sehorn, Fichtner, Richter, Madson, Odneal, Stephens

NAY: None

ABSTAIN: Matthews

9. Consider approval of Consent Agenda:

a. Acknowledge the following minutes and reports:

- Planning Commission Minutes from the August 7, 2024, regular meeting.
- Shawnee Beautification, Parks, and Recreation Committee Minutes from the June 20, 2024, regular meeting.
- Shawnee Senior Citizens Advisory Board Minutes from the February 13, 2024, regular meeting.
- Board of Adjustment Minutes from the June 20, 2024, and July 18,

2024, regular meetings.

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

b. Lake Lease Transfer:

- Magnino A Lot 1, 17000 Magnino Rd
From: Jennifer Massey
To: Kyle and Brea Haustveit

- c. Authorize a Right-Of-Way Easement to be given to Canadian Valley Electric Cooperative, Inc., to serve an existing City Lake Lot Lease at Shawnee Twin Lakes.
- d. Authorize a Right-of-Way Easement to be given to Oklahoma Gas and Electric Company, to serve property located in the Northwest Quarter of Section 7, Township 11 North, Range 4 East of the Indian Meridian, Pottawatomie County, Oklahoma.
- e. Authorize an Amendment to the Owner's Representative task order for Independence Water Line (C-23-02), Thompson Heights Water Line (C-23-05) and Sewer Pipe Bursting (C-23-08) with Freese and Nichols Inc.
- f. Approve grant application process for the Edward Byrnes Memorial Grant in the sum of \$14,347.00 for the Shawnee Police Department, to be shared with the Pottawatomie County Sheriff's Office.

- g. Acknowledge the resignation of Chantal Dubois from the Shawnee Beautification, Parks, and Recreation Committee.

A motion was made by Vice Mayor Matthews, seconded by Commissioner Odneal, to approve Consent Agenda Item Nos. 9(a-g). Motion carried 7-0-0.

AYE: Matthews, Odneal, Stephens, Fichtner, Sehorn, Richter, Madson

NAY: None

ABSTAIN: None

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

Animal Control Officer Theresa Touchet introduced Kat Kat, an approximately eight to ten (8-10) week old cat.

11. Mayor's Proclamation(s)

- a. "Patriot Day and National Day of Service and Remembrance", September 11, 2024

Mr. Don Plumley, with the Veterans of Foreign Wars, accepted the Mayor's Proclamation for "Patriot Day and National Day of Service and Remembrance" from Mayor Stephens.

- b. "National POW/MIA Recognition Day", September 20, 2024

Mr. Don Plumley, with the Veterans of Foreign Wars, accepted the Mayor's Proclamation for "National POW/MIA Recognition Day" from Mayor Stephens.

- c. "National Diaper Awareness Week", September 23 – 29, 2024

Ms. Lacey Holt, Legacy Parenting Executive Director, accepted the Mayor's Proclamation for "National Diaper Awareness Week" from Mayor Stephens.

12. Swearing in of Kimberly Smith as City Treasurer.

City Clerk Lisa Lasyone swore in Kimberly Smith as City Treasurer.

13. Presentation of the Fiscal Year 2022-2023 Annual Comprehensive Financial

Report and Single Audit Report.

City Manager Andrea Weckmueller-Behringer stated that Arledge & Associates issued an Independent Auditor's Report to accompany the City's Annual Comprehensive Financial Report (ACFR) for the Fiscal Year ended June 30, 2023. Concurrently, Arledge & Associates issued a Single Audit Report for the fiscal year ended June 30, 2023, related to federal assistance programs. She introduced Mr. Kency Duarte with Arledge & Associates to present the ACFR and Single Audit Report.

Mr. Duarte provided a presentation on the Fiscal Year 2022-2023 ACFR and Single Audit Report. The annual reports contain the following audit opinions:

- Annual Comprehensive Financial Report (ACFR) for the fiscal year ended June 30, 2023.
 - Unmodified Opinion – Financial statements are presented fairly, in all material respects, and conform with Generally Accepted Accounting Principles (GAAP)
- Single Audit Report for the fiscal year ended June 30, 2023.
 - Unmodified Opinion – For its Major Federal Programs, the City has complied, in all material respects, with the compliance requirements of the Uniform Guidance.

14. 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 the proposed Task Order would be the fourth under the Consulting Agreement with Del Sol Consulting. 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

Discussion was held between the Commission and Staff.

A motion was made by Vice Mayor Matthews, 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 7-0-0.

AYE: Matthews, Sehorn, Richter, Madson, Odneal, Stephens, Fichtner

NAY: None

ABSTAIN: None

15. Consideration of an agreement with Safe Events for Families for the production and management of Shawnee's Christmas Parade of Lights.

City Manager Andrea Weckmueller-Behringer stated that Safe Events for Families (SEFF) has submitted a proposed agreement to provide management services to produce, coordinate, and manage all aspects of the City's desired "Parade of Lights" and related annual Christmas festivities. The proposed Agreement amount is Fifty Thousand Dollars (\$50,000.00). Mr. Dell Kerbs with SEFF answered questions from the Commission.

A motion was made by Commissioner Richter, seconded by Commissioner Madson, to approve an agreement with Safe Events for Families for the production and management of Shawnee's Christmas Parade of Lights. Motion carried 7-0-0.

AYE: Richter, Madson, Odneal, Stephens, Fichtner, Sehorn, Matthews

NAY: None

ABSTAIN: None

16. Public Hearing for a request to rezone property located at 1303 West Farrall Street from C-3 (Highway Commercial District) to R-3 (Multifamily Residential District). (Case No. RZ02-24) *(Deferred from June 17, 2024, City Commission Meeting.)*

Community Development Director Rian Harkins stated that the proposed rezoning is the first step to bring the property into compliance with the provisions of the Short Term Rental ordinance. Planning Commission and Staff recommend approval.

Mayor Stephens declared a public hearing in session to consider a request to rezone property located at 1303 West Farrall Street from C-3 (Highway

Commercial District) to R-3 (Multifamily Residential District). No one appeared in favor or against the rezoning. The public hearing was closed.

17. Consideration of an ordinance to rezone property located at 1303 West Farrall Street from C-3 (Highway Commercial District) to R-3 (Multifamily Residential District). Case No. RZ02-24 | Applicant: Kaye Steele

Community Development Director Rian Harkins provided a Staff report.

A motion was made by Vice Mayor Matthews, seconded by Commissioner Fichtner, to approve an ordinance to rezone property located at 1303 West Farrall Street from C-3 (Highway Commercial District) to R-3 (Multifamily Residential District).

Ordinance No. 2807NS 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 DESCRIBED AS SOUTHEAST QUARTER (SE/4) OF THE SOUTHWEST QUARTER (SW/4) OF SECTION TWENTY-FOUR (24), TOWNSHIP TEN (10) NORTH, RANGE THREE (3) EAST OF THE INDIAN MERIDIAN, POTTAWATOMIE COUNTY, OKLAHOMA FROM ZONING CLASSIFICATION C-3 (HIGHWAY COMMERCIAL DISTRICT) TO R-3 (MULTIFAMILY RESIDENTIAL DISTRICT), AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SHAWNEE ACCORDINGLY.

Motion carried 7-0-0.

AYE: Matthews, Fichtner, Sehorn, Richter, Madson, Odneal, Stephens

NAY: None

ABSTAIN: None

Ordinance No. 2807NS was adopted by the City Commission.

18. 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) (*Deferred from June 17, 2024, City Commission Meeting.*)

Community Development Director Rian Harkins stated that the Conditional

Use Permit (CUP) application is being concurrently processed with a request to rezone the property from C-3 (Highway Commercial District) to R-3 (Multifamily Residential District). A CUP is required to allow one (1) Accessory Dwelling Unit (ADU) on the property. Planning Commission recommends denial of the request. Staff recommends approval of the request.

Mayor Stephens declared a public hearing in session to consider a Conditional Use Permit (CUP) for an Accessory Dwelling Unit located at 1303 West Farrall Street from C-3 (Highway Commercial District) to R-3 (Multifamily Residential District). No one appeared in favor or against the rezoning. The public hearing was closed.

19. Consideration of a Conditional Use Permit (CUP) for an Accessory Dwelling Unit located at 1303 West Farrall Street. Case No. CUP02-24 | Applicant: Kaye Steele

Community Development Director Rian Harkins stated that Staff's recommendation was approval per conditions noticed in Staff report. Planning Commission recommended denial.

A motion was made by Commissioner Sehorn, seconded by Vice Mayor Matthews, to approve a Conditional Use Permit (CUP) for an Accessory Dwelling Unit located at 1303 West Farrall Street. Motion carried 7-0-0.

AYE: Sehorn, Matthews, Madson, Odneal, Stephens, Fichtner, Richter

NAY: None

ABSTAIN: None

20. Public Hearing to adopt an Official Zoning Map. Case No. TXT02-24 | Applicant: City of Shawnee

Community Development Director Rian Harkins stated that the new Unified Development Code (UDC) was adopted by the City on August 19, 2024. At this time, Staff seeks to formally adopt a new Official Zoning Map to work in conjunction with the newly adopted UDC. Planning Commission and Staff recommend approval.

Mayor Stephens declared a public hearing in session to consider an adoption of an Official Zoning Map). No one appeared in favor. Mr. Dell Kerbs, Mr. Rob Morris, and Ms. Theresa Cody appeared against. The public hearing was closed.

21. Consideration of an ordinance amending Chapter 22 of the Municipal Code of the City of Shawnee, Pottawatomie County, Oklahoma, more specifically

adopting a new official zoning map to accompany Chapter 22, Article X. Case No. TXT02-24 | Applicant: City of Shawnee

Community Development Director Rian Harkins provided a Staff report.

A motion was made by Commissioner Sehorn, seconded by Commissioner Fichtner, to approve an ordinance amending Chapter 22 of the Municipal Code of the City of Shawnee, Pottawatomie County, Oklahoma, more specifically adopting a new official zoning map to accompany Chapter 22, Article X.

Ordinance No. 2808NS was introduced.

AN ORDINANCE AMENDING CHAPTER 22, OF THE MUNICIPAL CODE OF THE CITY OF SHAWNEE, POTTAWATOMIE COUNTY, OKLAHOMA, MORE SPECIFICALLY ADOPTING A NEW OFFICIAL ZONING MAP TO ACCOMPANY CHAPTER 22, ARTICLE X.

Motion carried 7-0-0.

AYE: Sehorn, Fichtner, Richter, Matthews, Madson, Odneal, Stephens

NAY: None

ABSTAIN: None

Ordinance No. 2808NS was adopted.

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

- a. Grant Fund - Fund 010 - to appropriate fund balance for FY23-24 Encumbrances for which goods or services will be received or rendered in FY24-25.
- b. Capital Improvement Fund - Fund 301 - to appropriate fund balance for FY23-24 Encumbrances for which goods or services will be received or rendered in FY24-25.

- c. 2018 Capital Improvement Fund - Fund 303 - to appropriate fund balance for FY23-24 Encumbrances for which goods or services will be received or rendered in FY24-25.
- d. Insurance Recovery Fund - Fund 603 - to appropriate fund balance for FY23-24 Encumbrances for which goods or services will be received or rendered in FY24-25.

Finance Director Kimberly Smith provided a Staff report for the proposed budget amendment.

A motion was made by Vice Mayor Matthews, seconded by Commissioner Odneal, to approve the budget amendment listed in Agenda Item No. 22(a-d). Motion carried 7-0-0.

AYE: Matthews, Odneal, Stephens, Fichtner, Sehorn, Richter, Madson

NAY: None

ABSTAIN: None

23. Acknowledge Monthly Sales Tax and Budget Reports.

Finance Director Kimberly Smith reported sales tax collections are up Eighty-Eight Thousand One Hundred Forty-Eight Dollars (\$88,148.00) or One Point One Four Percent (1.14%), over the projected budget year-to-date. She stated that use tax collections are down approximately One Hundred Twenty-Three Thousand Seven Hundred Sixty-Two Dollars (\$123,762.00) or Ten Point Seven Percent (10.7%), below the projected budget year-to-date.

24. Administrative Report(s):

Director of Engineering Seth Barkhimer

- a. Engineering Design Manual and Standard Construction Detail Update - Seth Barkhimer, Director of Engineering

Director of Engineering Seth Barkhimer provided a presentation on the Engineering Design Manual and Standard Constructure Detail Update. Topics discussed included:

- Engineering Design Manual
 - Purpose

- Content
- Standard Construction Details
- Review and Inspection Fees
 - Current Fees
 - Peer City Fees
 - Potential City of Shawnee Fees

25. 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.

26. Commissioners Comments

Commissioners welcomed Mayor Stephens and Commissioner Madson.

Vice Mayor Matthews thanked former Mayor Bolt and former Commissioner Engles for their service. He also commented on the audit report and sales tax.

Commissioner Madson thanked everyone for the opportunity to serve.

Commissioner Odneal thanked Mr. Dinsmore for his comments during Citizens Participation.

Commissioner Fichtner commented on the comments during Citizen Participation regarding various roles on the City's boards.

Commissioner Sehorn thanked former Mayor Bolt and former Commissioners Engles and Rutherford for their service. He also commented on sales tax.

Commissioner Richter commented on the Christmas parade.

Mayor Stephens thanked everyone who voted. He also commented on the comments during Citizen Participation regarding various roles on the City's boards.

27. Adjournment

There being no further business to be considered, the meeting was adjourned by power of the Chair. (8:45 p.m.)



ERIC STEPHENS, MAYOR

ATTEST:



LISA LASYONE, MMC
CITY CLERK