

## BOARD OF CITY COMMISSIONERS PROCEEDINGS

OCTOBER 21, 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, October 21, 2024 at 6:00 PM, pursuant to notice duly posted as prescribed by law on Thursday, October 17, 2024, at 5:21 PM. Mayor Stephens presided and called the meeting to order. Upon roll call, the following members were in attendance.

Eric Stephens  
Mayor

Daniel Matthews  
Commissioner Ward 1 - Vice Mayor

Greta Madson  
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. Recognition of Shawnee Police Department Communications Manager Christina Brown for receiving the Certification as Emergency Number Professional (ENP).

Mayor Stephens presented a Certificate of Recognition to Shawnee Police Department Communications Manager Christina Brown for receiving the Emergency Number Professional Certification.

2. Recognition of the Shawnee Twin Lakes Master Plan as the American Planning Association (APA) Oklahoma Chapter's Outstanding Plan.

Mayor Stephens presented a Certificate of Recognition to the Community Development and Tourism Staff for the Shawnee Twin Lakes Master Plan being recognized as Outstanding Plan by the American Planning Association Oklahoma

Chapter.

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.

Mr. David Henry, Mr. Glenn Peck, Mr. Bill Rooth, Ms. Cyndi Berger, and Mr. Rob Morris spoke during Citizens Participation.

4. Consider approval of Consent Agenda:

a. Minutes from the September 16, 2024, regular meeting.

b. Acknowledge the following minutes and reports:

- Planning Commission Minutes from the September 4, 2024, regular meeting.
- Shawnee Beautification, Parks, and Recreation Committee Minutes from the August 15, 2024, regular meeting.
- License Payment Report for September 2024.
- Project Payment Report for September 2024.

c. Mayor Appointments:

Shawnee Beautification, Parks, and Recreation Committee

Raymond Lutomski Jr      1st Partial Term      Expires: May 1, 2025  
*Replaces Chantal Dubois - Resigned*

d. Lake Lease Transfer:

- Magnino Tract Lot 9, 16724 Clearpond Rd  
From: Randall Hill  
To: Dianna M. Jones

e. Acknowledge the City of Shawnee Holiday Schedule for 2025.

f. Approval of the Calendar Year 2025 Schedule of Regular Meetings for the Board of City Commissioners, the Board of Trustees of the Shawnee Airport Authority, and the Board of Trustees of the Shawnee Municipal Authority.

g. Acknowledge receipt of the Pioneer Library System's Revised Budget for July 1, 2024, through June 30, 2025.

h. Acknowledge receipt of the Pioneer Library System Audit for Fiscal Year Ended June 30, 2024.

i. Acceptance of Heritage Plains public infrastructure and placing the maintenance bonds into effect.

- j. Acknowledge Change Order No. 1 for Marie Drive Water Main Project.
- k. Acknowledge Change Order No. 3 for Traffic Signal Storm Damage Repair Project.
- l. Acknowledge Amendment to Purchase Order 24-2797-R1 for the Rebuilding of the Announcer Stand at the Heart of Oklahoma Exposition Center.

A motion was made by Vice Mayor Matthews, seconded by Commissioner Sehorn, to approve Consent Agenda Item Nos. 4(a-l). Motion carried 7-0-0.

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

NAY: None

ABSTAIN: None

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

Animal Control Officer Theresa Touchet introduced Beautiful, an approximately one (1) year old dog.

- 6. Consideration of an appointment of a City Commissioner to the Shawnee Senior Citizens Advisory Board.

A motion was made by Mayor Stephens, seconded by Commissioner Fichtner, to appoint Commissioner Mark Sehorn as the Commissioner Appointment to the Shawnee Senior Citizens Advisory Board. Motion carried 6-0-1.

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

NAY: None

ABSTAIN: Sehorn

- 7. Consideration of the acceptance of a grant from the Avedis Foundation for Splash Pads at Optimist and Boy Scout Parks.

Parks and Recreation Director Kerri Foster stated that the Avedis Foundation recently notified the City of their support for the Splash Pads for Optimist and Boy

Scout Parks project, in the amount of One Hundred Ninety-One Thousand Dollars (\$191,000.00). Matched by City funding, the Avedis Foundation's grant will provide half of the funding needed to construct a new splash pad at Optimist Park and fully re-construct the splash pad at Boy Scout Park. Staff is requesting acceptance of the grant award and authorization for the City Manager to execute the necessary grant agreement.

A motion was made by Commissioner Odneal, seconded by Commissioner Fichtner, to approve the acceptance of a grant from the Avedis Foundation for Splash Pads at Optimist and Boy Scout Parks. Motion carried 7-0-0.

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

NAY: None

ABSTAIN: None

8. Consideration of a resolution of support for the appointment of Andrea Weckmueller-Behringer to the Oklahoma Municipal League Regional Council; declaring said appointment to be for the benefit of the City of Shawnee and other municipalities within the district; declaring the mission of the Oklahoma Municipal League to be for the public purpose.

City Manager Andrea Weckmueller-Behringer stated that the Oklahoma Municipal League (OML) recently announced the formation of the OML Regional Councils for each of the OML districts within the State of Oklahoma. These Regional Districts will advise the OML Board of Directors on questions of collective action statewide.

A motion was made by Vice Mayor Matthews, seconded by Commissioner Sehorn, to approve a resolution of support for the appointment of Andrea Weckmueller-Behringer to the Oklahoma Municipal League Regional Council; declaring said appointment to be for the benefit of the City of Shawnee and other municipalities within the district; declaring the mission of the Oklahoma Municipal League to be for the public purpose.

Resolution No. 6752 was introduced.

**A RESOLUTION OF SUPPORT FOR THE APPOINTMENT OF ANDREA WECKMUELLER-BEHRINGER TO THE OKLAHOMA MUNICIPAL LEAGUE REGIONAL COUNCIL; DECLARING SAID APPOINTMENT TO BE FOR THE BENEFIT OF THE CITY OF SHAWNEE AND OTHER MUNICIPALITIES WITHIN THE DISTRICT; AND DECLARING THE MISSION OF THE OKLAHOMA MUNICIPAL LEAGUE TO BE FOR THE**

## PUBLIC PURPOSE.

Motion carried 5-2-0.

AYE: Matthews, Sehorn, Richter, Odneal, Fichtner

NAY: Madson, Stephens

ABSTAIN: None

9. Consideration of an appeal of the administrative order regarding property located at 1320 North Market Avenue.

Chief Building Official Kevin Moore said that the Public Nuisance Administrative Hearing was held on September 19, 2024, and the owner failed to appear at the hearing. City Attorney Joe Vorndran advised that the notice and process has been examined and approved by the City Attorney's office. Staff recommends 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 1320 North Market Avenue. Motion carried 6-1-0.

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

NAY: Odneal

ABSTAIN: None

10. Consideration of the adoption of the Engineering Design Manual.

Director of Engineering Seth Barkhimer stated that Staff, in collaboration with a consultant, have developed a comprehensive draft of the Engineering Design Manual (EDM). The manual aims to streamline development processes in Shawnee by providing clear and standardized engineering criteria.

A motion was made by Commissioner Sehorn, seconded by Commissioner Fichtner, to approve the adoption of the Engineering Design Manual. Motion carried 7-0-0.

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

NAY: None

ABSTAIN: None

11. Consideration of the adoption of the Shawnee Standard Construction Details.

Director of Engineering Seth Barkhimer stated that Staff has developed a comprehensive set of Standard Construction Details to accompany the new Engineering Design Manual (EDM). The purpose of the Standard Construction Details is to provide clear, consistent guidelines for construction practices with the City of Shawnee.

A motion was made by Vice Mayor Matthews, seconded by Commissioner Sehorn, to approve the adoption of the Shawnee Standard Construction Details. Motion carried 7-0-0.

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

NAY: None

ABSTAIN: None

12. Consideration of an ordinance of the City of Shawnee, Oklahoma amending Chapter 24, "Streets and Sidewalks"; and also providing for repealer, codification, and severability.

Director of Engineering Seth Barkhimer stated that at the September meeting, Staff presented to the Commission an overview of current and proposed fees for the City of Shawnee as well as peer city comparisons of engineering and inspection fees associated with public infrastructure projects. Based on the feedback received from the Commissioners, Staff has drafted a proposed ordinance aimed at formalizing these fees. This draft ordinance outlines the establishment of plan review and inspection fees, providing a clear and consistent approach to funding the necessary engineering and inspection services for public infrastructure projects, at a lower rate than Shawnee's peer cities.

A motion was made by Mayor Stephens, seconded by Commissioner Fichtner, to approve an ordinance of the City of Shawnee, Oklahoma amending Chapter 24, "Streets and Sidewalks"; and also providing for repealer, codification, and severability.

Ordinance No. 2809NS was introduced.

AN ORDINANCE OF THE CITY OF SHAWNEE, OKLAHOMA AMENDING CHAPTER 24, "STREETS AND SIDEWALKS"; AND ALSO PROVIDING FOR REPEALER, CODIFICATION, AND SEVERABILITY.

Motion carried 7-0-0.

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

NAY: None

ABSTAIN: None

Ordinance No. 2809NS was adopted by the City Commission.

13. Consideration of a resolution updating the City Fee Schedule by amending portions of Chapter 24, "Streets and Sidewalks", of the Shawnee Municipal Code.

Director of Engineering Seth Barkhimer advised that the proposed resolution is related to Agenda Item No. 12.

A motion was made by Commissioner Odneal, seconded by Vice Mayor Matthews, to approve a resolution updating the City Fee Schedule by amending portions of Chapter 24, "Streets and Sidewalks", of the Shawnee Municipal Code.

Resolution No. 6753 was introduced.

A RESOLUTION UPDATING THE CITY FEE SCHEDULE BY AMENDING PORTIONS OF CHAPTER 24, "STREETS AND SIDEWALKS" OF THE SHAWNEE MUNICIPAL CODE.

Motion carried 7-0-0.

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

NAY: None

ABSTAIN: None

14. Consideration of an ordinance of the City of Shawnee, Oklahoma amending Chapter 26, "Utilities", and also providing for repealer, codification, and severability.

Director of Engineering Seth Barkhimer stated that at the September City Commission meeting Staff gave a presentation to the Commission regarding the engineering and inspection fees associated with public infrastructure projects. The presentation highlighted the need for a standardized fee structure to cover the costs incurred by the City during the review and inspection phases of public infrastructure development. Following a detailed discussion and feedback from the Commissioners, Staff has now drafted a proposed ordinance aimed at formalizing these fees. This draft ordinance outlines the establishment of plan review and inspection fees, providing a clear and consistent approach to funding the necessary



engineering and inspection services for public infrastructure projects, at a reduced rate from peer cities

A motion was made by Commissioner Odneal, seconded by Commissioner Richter, to approve an ordinance of the City of Shawnee, Oklahoma amending Chapter 26, "Utilities", and also providing for repealer, codification, and severability.

Ordinance No. 2810NS was introduced.

AN ORDINANCE OF THE CITY OF SHAWNEE, OKLAHOMA AMENDING CHAPTER 26, "UTILITIES"; AND ALSO PROVIDING FOR REPEALER, CODIFICATION, AND SEVERABILITY.

Motion carried 7-0-0.

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

NAY: None

ABSTAIN: None

Ordinance No. 2810NS was adopted by the City Commission.

15. Consideration of a resolution updating the City Fee Schedule by amending portions of Chapter 26, "Utilities", of the Shawnee Municipal Code; and providing for the re-adoption of the City Fee Schedule in whole.

Director of Engineering Seth Barkhimer advised that the proposed resolution is related to Agenda Item No. 14.

A motion was made by Vice Mayor Matthews, seconded by Commissioner Odneal, to approve a resolution updating the City Fee Schedule by amending portions of Chapter 26, "Utilities", of the Shawnee Municipal Code; and providing for the re-adoption of the City Fee Schedule in whole.

Resolution No. 6754 was introduced.

A RESOLUTION UPDATING THE CITY FEE SCHEDULE BY AMENDING PORTIONS OF CHAPTER 26, "UTILITIES" OF THE SHAWNEE MUNICIPAL CODE; AND PROVIDING FOR THE RE-ADOPTION OF THE CITY FEE SCHEDULE IN WHOLE.

Motion carried 7-0-0.

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

NAY: None

ABSTAIN: None

16. Consideration of a resolution to accept a grant offer from the State of Oklahoma 911 Management Authority for the Shawnee 911 Communications Center; specifically related to office furniture.

Shawnee Police Department Communications Manager Christina Brown advised that the State of Oklahoma 911 Management Authority offers grants to upgrade and repair 911 Centers. The Shawnee 911 Center requires new chairs with ergonomic designs to prevent injury and fatigue. These chairs can be purchased for an approximate cost of Eight Thousand Nine Hundred Fifty-Four Dollars and Seventy-Six Cents (\$8,954.76). The grant will pay eighty percent (80%) of this cost, with a twenty percent (20%) match from the City of Shawnee.

A motion was made by Commissioner Fichtner, seconded by Commissioner Sehorn, to approve a resolution to accept a grant offer from the State of Oklahoma 911 Management Authority for the Shawnee 911 Communications Center; specifically related to office furniture.

Resolution No. 6755 was introduced.

A RESOLUTION ACCEPTING A GRANT OFFER FROM THE STATE OF OKLAHOMA NINE-ONE-ONE (911) MANAGEMENT AUTHORITY FOR THE SHAWNEE NINE-ONE-ONE (911) COMMUNICATIONS CENTER.

Motion carried 7-0-0.

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

NAY: None

ABSTAIN: None

17. Consideration of a resolution to accept a grant offer from the State of Oklahoma 911 Management Authority for the Shawnee 911 Communications Center; specifically related to training.

Shawnee Police Department Communications Manager Christina Brown advised the State of Oklahoma 911 Management Authority offers grants to train staff in 911 Centers. GovWorx provides a new training platform that incorporates

artificial intelligence to create training. The trainer can adjust the types of calls and stress levels for these training modules. This is the most realistic training ever provided for new staff. This program is available for Seven Thousand Five Hundred Dollars (\$7,500.00), which will be one hundred percent (100%) reimbursed to the City by the State of Oklahoma 911 Management Authority.

A motion was made by Commissioner Fichtner, seconded by Vice Mayor Matthews, to approve a resolution to accept a grant offer from the State of Oklahoma 911 Management Authority for the Shawnee 911 Communications Center; specifically related to training.

Resolution No. 6756 was introduced.

A RESOLUTION ACCEPTING A GRANT OFFER FROM THE STATE OF OKLAHOMA NINE-ONE-ONE (911) MANAGEMENT AUTHORITY FOR THE SHAWNEE NINE-ONE-ONE (911) COMMUNICATIONS CENTER.

Motion carried 7-0-0.

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

NAY: None

ABSTAIN: None

18. Consideration of a resolution to accept a grant offer from the State of Oklahoma 911 Management Authority for the Shawnee 911 Communications Center; specifically related to GIS support and maintenance.

Shawnee Police Department Communications Manager Christina Brown stated the State of Oklahoma 911 Management Authority offers grants to upgrade and repair 911 Centers. To comply with national standards, the Shawnee 911 Center requires maintenance and restructuring of Geographic Information Systems (GIS) mapping services. Surveying and Mapping LLC will provide these services for two (2) years at a cost of Eight Thousand Eight Hundred Dollars (\$8,800.00), which will be one hundred percent (100%) reimbursed to the City by the State of Oklahoma 911 Management Authority.

A motion was made by Commissioner Fichtner, seconded by Vice Mayor Matthews, to approve a resolution to accept a grant offer from the State of Oklahoma 911 Management Authority for the Shawnee 911 Communications Center; specifically related to GIS support and maintenance.

Resolution No. 6757 was introduced.

A RESOLUTION ACCEPTING A GRANT OFFER FROM THE STATE OF OKLAHOMA NINE-ONE-ONE (911) MANAGEMENT AUTHORITY FOR THE SHAWNEE NINE-ONE-ONE (911) COMMUNICATIONS CENTER.

Motion carried 7-0-0.

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

NAY: None

ABSTAIN: None

19. Consideration of approval of an updated Citizen Participation Plan for the Community Development Block Grant program.

Community Development Director Rian Harkins provided a Staff report. He advised that the City receives Community Development Block Grant (CDBG) funds annually from the U.S. Department of Housing and Urban Development (HUD). As part of Shawnee's 2023 monitoring report, staff from HUD noted that key revisions to the Citizen Participation Plan were needed. These requested revisions are designed to clarify how stakeholder groups can obtain information, notes where information can be obtained, and how individuals can provide input on the Annual Action Plan and Consolidated Plan.

A motion was made by Commissioner Sehorn, seconded by Vice Mayor Matthews, to approve an updated Citizen Participation Plan for the Community Development Block Grant program. Motion carried 7-0-0.

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

NAY: None

ABSTAIN: None

20. Public hearing for a request to rezone from C-1 (Local Commercial District) to R-2 (Medium Density Residential District).

Case No. RZ03-24 | Applicant: Gerona Fowler

Community Development Director Rian Harkins stated this is a rezoning request for property located at 1339 East Highland. The Planning Commission and Staff recommend approval.

Mayor Stephens declared a public hearing in session to consider a rezoning from C-1 (Local Commercial District) to R-2 (Medium Density Residential District). No one spoke in favor or against the rezoning. The public hearing was

closed.

21. Consideration of an Ordinance to rezone from C-1 (Local Commercial District) to R-2 (Medium Density Residential District).

Case No. RZ03-24 | Applicant: Gerona Fowler

Community Development Director Rian Harkins advised that the Planning Commission and Staff recommend approval.

A motion was made by Vice Mayor Matthews, seconded by Commissioner Sehorn, to approve an Ordinance to rezone from C-1 (Local Commercial District) to R-2 (Medium Density Residential District).

Ordinance No. 2811NS 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 ONE, TWO, THREE, AND FOUR, BLOCK ONE, TIMM'S ADDITION TO THE CITY OF SHAWNEE, POTTAWATOMIE COUNTY, OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF. LESS AND EXCEPT THAT PORTED DEEDED TO THE STATE OF OKLAHOMA FOR HIGHWAY PURPOSES IN BOOK 964, PAGE 309. FROM ZONING CLASSIFICATION C-1 (LOCAL COMMERCIAL DISTRICT) TO R-2 (MEDIUM DENSITY RESIDENTIAL DISTRICT), AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SHAWNEE ACCORDINGLY.

Motion carried 7-0-0.

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

NAY: None

ABSTAIN: None

Ordinance No. 2811NS was adopted by the City Commission.

22. Public hearing of a request to rezone from R-1 (Low Density Residential District) to C-2 (Regional Commercial District).

Case No. RZ04-24 | Applicant: Rueben Peltier Properties (Nick Atwood, Attorney)

Community Development Director Rian Harkins stated this is a rezoning request for property located at 2025 East MacArthur. He stated that the Planning Commission and Staff recommended denial. The applicant has requested that the item be deferred to the November 18, 2024, City Commission meeting. Staff's supports the deferral of the item.

A motion was made by Vice Mayor Matthews, seconded by Commissioner Richter, to defer the item to the November 18, 2024, City Commission meeting. Motion carried 7-0-0.

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

NAY: None

ABSTAIN: None

## 23. Consideration of a request for a Final Plat for Union Square Addition.

Case No. FPL05-24 | Applicant: Royal Land Properties, LLC

Community Development Director Rian Harkins stated that the Preliminary Plat was approved in May 2024. The Planning Commission and Staff recommend approval subject to Staff's recommendations being included in the recorded plat. The proposed revisions are:

- Noting all cross-access easements as delineated on the copy of the proposed plat staff has marked up;
- Revise easements to note they are also drainage easements as shown on the marked-up copy of the proposed plat;
- Include the additional drainage easement near the northwest corner of the common area as noted by staff.

A motion was made by Commissioner Sehorn, seconded by Commissioner Madson, to approve a request for a Final Plat for Union Square Addition subject to Staff's recommendations. Motion carried 7-0-0.

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

NAY: None

ABSTAIN: None

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

- a. Donations Fund - Fund 706 - to appropriate prior year donations for use in Fiscal Year 2024-2025 for costs associated with the Fire Clown Program.
- b. Donations Fund - Fund 706 - to appropriate prior and current year donations received by the Parks and Recreation Department for use in Fiscal Year 2024-2025 for the costs associated with the Fitness Program.
- c. Capital Improvement Fund - Fund 301 - to appropriate a grant award from the Avedis Foundation for Splash Pads at Optimist Park and Boy Scout Park in the amount of \$191,000.00.

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

A motion was made by Vice Mayor Matthews, seconded by Commissioner Fichtner, to approve the budget amendments listed in Agenda Item No. 24(a-c). Motion carried 7-0-0.

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

NAY: None

ABSTAIN: None

## 25. Acknowledge Monthly Sales Tax and Budget Reports.

Finance Director Kimberly Smith reported sales tax collections are up Two Hundred Thirty-Seven Thousand Two Hundred Fifty-Five Dollars (\$237,255.00) or Two Point Three Zero Percent (2.30%), over the projected budget year-to-date. She stated that use tax collections are down approximately Ninety-Two Thousand Four Hundred Thirty-Seven Dollars (\$92,437.00) or Five Point Nine Five Percent (5.95%), below the projected budget year-to-date.

## 26. Administrative Report(s):

- a. Presentation of the Quarterly 2018 Half-Cent Sales Tax Report - Kimberly Smith, Finance Director

Finance Director Kimberly Smith provided a presentation on the Quarterly Half-Cent Sales Tax Report. Topics discussed included:

- 2018 Sales Tax Election
- Investment Updates
  - 1st Quarter FY2025

b. Chapter 22 "Planning and Development" Fee Update - Rian Harkins, Community Development Director

Community Development Director Rian Harkins provided a presentation on the Chapter 22 "Planning and Development " Fee Update. Topics discussed included:

- Current Fees
- Peer City Fee Comparison

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

Vice Mayor Matthews commented on the grant funds, the Engineering Design Manual, and the sales tax numbers.

Commissioner Madson said she appreciated everyone's patience as she and the new Commissioners learn process.

Commissioner Odneal commented on the Salvation Army Spaghetti Day on October 24, 2024, Enchanted Woodland at Woodland Park on October 26, 2024, and Mummy Day at Mabee-Gerrer Museum on October 26, 2024.

Commissioner Fichtner commented on the grant funds and the once per month City Commission meetings.

Commissioner Sehorn commented on sales tax and the once per month City Commission meetings.

Mayor Stephens commented on the once per month City Commission meetings, the Salvation Army Spaghetti Day, and encouraged everyone to vote on November 5, 2024.



RECESS CITY COMMISSION MEETING BY THE POWER OF THE CHAIR  
TO CONVENE SHAWNEE AIRPORT AUTHORITY AND SHAWNEE  
MUNICIPAL AUTHORITY (7:33 P.M.)

RECONVENE CITY COMMISSION MEETING BY THE POWER OF THE  
CHAIR (8:29 P.M.)

29. Consider an executive session to discuss a confidential personnel investigation pursuant to 25 O.S. § 307 (B)(1) "Discussing the employment, hiring, appointment, promotion, demotion, disciplining, or resignation of any individual salaried public officer or employee."

A motion was made by Vice Mayor Matthews, seconded by Commissioner Fichtner, to approve an executive session to discuss a confidential personnel investigation pursuant to 25 O.S. § 307 (B)(1) "Discussing the employment, hiring, appointment, promotion, demotion, disciplining, or resignation of any individual salaried public officer or employee." Motion carried 7-0-0.

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

NAY: None

ABSTAIN: None

30. Consider an executive session to discuss annual evaluation of the City Manager pursuant to 25 O.S. § 307 (B)(1) "Discussing the employment, hiring, appointment, promotion, demotion, disciplining, or resignation of any individual salaried public officer or employee."

A motion was made by Commissioner Richter, seconded by Commissioner Odneal, to approve an executive session to discuss annual evaluation of the City Manager pursuant to 25 O.S. § 307 (B)(1) "Discussing the employment, hiring, appointment, promotion, demotion, disciplining, or resignation of any individual salaried public officer or employee." Motion carried 7-0-0.

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

NAY: None

ABSTAIN: None

31. Consider an executive session in accordance with 25 O.S. § 307 (B)(4) to discuss confidential communications between a public body and its attorney concerning a pending investigation, claim, or action, if the public body, with

the advice of its attorney, determines that disclosure will seriously impair the ability of the public body to process the claim or conduct a pending investigation, litigation, or proceeding in the public interest, specifically regarding the ACLU.

A motion was made by Commissioner Odneal, seconded by Commissioner Richter, to approve an executive session in accordance with 25 O.S. § 307 (B)(4) to discuss confidential communications between a public body and its attorney concerning a pending investigation, claim, or action, if the public body, with the advice of its attorney, determines that disclosure will seriously impair the ability of the public body to process the claim or conduct a pending investigation, litigation, or proceeding in the public interest, specifically regarding the ACLU. Motion carried 7-0-0.

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

NAY: None

ABSTAIN: None

32. Consider an executive session in accordance with 25 O.S. § 307 (B)(4) to discuss confidential communications between a public body and its attorney concerning a pending investigation, claim, or action, if the public body, with the advice of its attorney, determines that disclosure will seriously impair the ability of the public body to process the claim or conduct a pending investigation, litigation, or proceeding in the public interest, specifically regarding Shawnee Mission Plaza, LLC vs. Eric Stephens, Mayor, City of Shawnee, et al., Pottawatomie County District Court, Case No. CV-24-160.

A motion was made by Vice Mayor Matthews, seconded by Commissioner Odneal, to approve an executive session in accordance with 25 O.S. § 307 (B)(4) to discuss confidential communications between a public body and its attorney concerning a pending investigation, claim, or action, if the public body, with the advice of its attorney, determines that disclosure will seriously impair the ability of the public body to process the claim or conduct a pending investigation, litigation, or proceeding in the public interest, specifically regarding Shawnee Mission Plaza, LLC vs. Eric Stephens, Mayor, City of Shawnee, et al., Pottawatomie County District Court, Case No. CV-24-160. Motion carried 7-0-0.

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

NAY: None

ABSTAIN: None

COMMISSION ENTERED INTO EXECUTIVE SESSION AT 8:32 P.M. WITH ALL MEMBERS PRESENT.

COMMISSION RECONVENED FROM EXECUTIVE SESSION AT 12:13 A.M. WITH ALL MEMBERS PRESENT.

33. Consider matters discussed in executive session to discuss a confidential personnel investigation pursuant to 25 O.S. § 307 (B)(1) "Discussing the employment, hiring, appointment, promotion, demotion, disciplining, or resignation of any individual salaried public officer or employee."

City Attorney Joe Vorndran stated because of the nature of the complaint that was made, and the fact it involved the City Manager, and the complaint was made close to when the agenda was being published, the decision was made to engage a third party Human Resources firm to conduct an independent investigation, the scope of which was unknown to City Staff. He stated that was why it was not designated within the agenda who or what position was being investigated. That has since been concluded. Prior to any discussion, he wanted to make it clear that that investigation related to the City Manager.

No action was taken.

34. Consider matters discussed in executive session regarding discussion of annual evaluation of the City Manager pursuant to 25 O.S. § 307 (B)(1) "Discussing the employment, hiring, appointment, promotion, demotion, disciplining, or resignation of any individual salaried public officer or employee."

A motion was made by Vice Mayor Matthews, seconded by Commissioner Sehorn, to give City Manager a step pay increase that was given to other employees. Motion carried 7-0-0.

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

NAY: None

ABSTAIN: None

35. Consider matters discussed in executive session in accordance with 25 O.S. §307 (B)(4) to discuss confidential communications between a public body and its attorney concerning a pending investigation, claim, or action if the public body, with the advice of its attorney, determines that disclosure will seriously impair the ability of the public body to process the claim or conduct a pending

investigation, litigation, or proceeding in the public interest, specifically regarding the ACLU.

No action was taken.

36. Consider matters discussed in executive session in accordance with 25 O.S. §307 (B)(4) to discuss confidential communications between a public body and its attorney concerning a pending investigation, claim, or action if the public body, with the advice of its attorney, determines that disclosure will seriously impair the ability of the public body to process the claim or conduct a pending investigation, litigation, or proceeding in the public interest, specifically regarding Shawnee Mission Plaza, LLC vs. Eric Stephens, Mayor, City of Shawnee, et al., Pottawatomie County District Court, Case No. CV-24-160.

No action was taken.

37. Adjournment

There being no further business to be considered, the meeting was adjourned by power of the Chair. (12:17 a.m. on October 22, 2024)



ERIC STEPHENS, MAYOR

ATTEST:



LISA LASZYONE, MMC  
CITY CLERK