

AGENDA
BOARD OF CITY COMMISSIONERS
DECEMBER 16, 2024 AT 6:00 PM
COMMISSION CHAMBERS AT CITY HALL
16 WEST 9TH STREET
SHAWNEE, OKLAHOMA

Official action can only be taken on items which appear on the agenda. The public body may adopt, approve, ratify, deny, defer, recommend, amend, strike, or continue any agenda item. When more information is needed to act on an item, the public body may refer the matter to Staff or back to Committee or the recommending body. Under certain circumstances, items are deferred to a future date or stricken from the agenda entirely.

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.

2. Consider approval of Consent Agenda:

- a. Minutes from the November 18, 2024, regular meeting and December 9, 2024, special call meeting.
- b. Acknowledge the following minutes and reports:
 - Planning Commission Minutes from the October 2, 2024, regular meeting.
 - Shawnee Beautification, Parks, and Recreation Committee Minutes from the September 19, 2024, regular meeting.
 - License Payment Report for November 2024.

- Project Payment Report for November 2024.
- c. Budget amendments for Fiscal Year 2024 – 2025:
- Fund 603 - Insurance Recovery - To appropriate insurance proceeds received for traffic pole claim.
- d. Mayor Appointments:
- Shawnee Hospital Authority
 Ron Sharp 1st Partial Term Expires: September 30, 2028
Replaces Mike Warwick, Deceased
- e. Acknowledgment of Assistant City Manager Mark Simpson as City of Shawnee member for the REACT board.
- f. Approve renewal of contract with Latham Consulting Group and Dunnington Consulting for legislative consulting services.
3. Presentation of the Pet of the Month by Animal Control.
4. Acknowledgment of the Oklahoma Municipal League's Honor Roll of Service for Twenty-Five Years of Service to the City of Shawnee.
5. Presentation by the Pottawatomie County School Superintendents regarding the importance of education funding and the proposed April 1, 2025, election for the continuation of the county sales tax of 0.00495-cent "Education Money," which is set to expire in June 2026.
6. Public Hearing on an Amendment to the City of Shawnee Five-Year Capital Improvement Plan (CIP) for Fiscal Years 2025 through 2029, encompassing multiple changes.
7. Consideration of an Amendment to the City of Shawnee Five-Year Capital Improvement Plan (CIP) for Fiscal Years 2025 through 2029, encompassing multiple changes.
8. Consideration of the following Budget Amendments regarding the City of Shawnee's Capital Improvement Plan (CIP) for Fiscal Years 2025 through 2029.
- a. Fund 303 - 2018 Capital Improvement Plan - adding Expo Fleet Acquisition

- 3/4 Ton Truck to the Capital Improvement Plan

- b. Fund 304/502 - American Rescue Plan Association (ARPA)/Shawnee Municipal Authority/Capital Projects - adding Walnut Street to both ARPA and Shawnee Municipal Authority in the Capital Improvement Plan
 - c. Fund 502 - Shawnee Municipal Authority/Capital Projects - adding SW Loop Water Main Project
9. Consideration and approval of the City Manager's hiring of James Kriwanek as the City's Fire Chief.
 10. Consideration of a contract between the City of Shawnee and Wall Engineering for Design Services associated with the SW Loop Water Main Project.
 11. Consideration of a Professional Services Agreement with Kimley-Horn and Associates, Inc. to provide design services for Wallace Street Sidewalk project.
 12. Consideration of an amendment to a contract with Landmark Construction to provide Construction Manager at Risk Services for the Shawnee Fire Department Station 3 Remodel.
 13. Consideration of a Memorandum of Understanding between the City of Shawnee and the Oklahoma Department of Mental Health and Substance Abuse Services related to the provision of overdose education, Naloxone distribution training, and overdose reversal kits.
 14. Consideration of an ordinance of the City of Shawnee, Oklahoma amending Section 16, Article II, Division 8 of the Shawnee Municipal Code; providing for repeal; providing for severability; providing for codification.
 15. Consideration of an emergency clause as it relates to Agenda Item No. 14 for the protection of the public's health, safety, and welfare, an emergency is declared to exist per Oklahoma State Statute Title 11, Article XIV, Section 14-103.
 16. Public hearing of a request to rezone property located at 3918 North Kickapoo from R-1 (Low-Density Residential District) to C-2 (Regional Commercial District).
Case No. RZ05-24 | Applicant: Erika Jones
(Deferred from November 18, 2024 City Commission meeting.)

17. Consideration of an ordinance to rezone from R-1 (Low-Density Residential District) to C-2 (Regional Commercial District) for property located at 3918 Kickapoo Avenue.

Case No. RZ05-24 | Applicant: Erika Jones

18. Public Hearing of a request for a Conditional Use Permit for a Short Term Rental located at 40 Chickasaw Drive.

Case No. CUP05-24 | Applicant: Edward King

19. Consideration of a Conditional Use Permit for a Short Term Rental located at 40 Chickasaw Drive.

Case No. CUP05-24 | Applicant: Edward King

20. Consider Bid(s):

a. Lowe's Water Line Loop Replacement (Award)

b. Hayes Street Waterline Replacement (Award)

c. Public Works Maintenance Facility - Storm Repairs (Award)

21. Acknowledge Monthly Sales Tax and Budget Reports.

22. Administrative Report(s):

a. Per- and Poly-Fluoroalkyl Substances (PFAS) Update - Joe Vorndran, City Attorney

23. New Business (Any matter not known or which could not have been reasonably foreseen prior to the posting of the agenda.)

24. Commissioners Comments

25. Discussion and consideration of entering into executive session, as allowed under 25 O.S. § 307 (B) (4) to discuss confidential information between City Council, City Attorney and attorneys from Fulmer Sill concerning litigation against social media companies related to mental health, addiction and societal harms on behalf of the City of Shawnee and, under advice of City Attorney, disclosure will seriously impair the ability of the City of Shawnee to conduct litigation in the public interest.

26. Discussion and consideration of entering into executive session, as allowed

under 25 O.S. § 307 (B) (4) to discuss confidential information between City Council, City Attorney and attorneys from Fulmer Sill concerning litigation against Pharmacy Benefit Managers related to price fixing schemes of insulin and other medications vital to the community on behalf of the City of Shawnee and, under advice of City Attorney, disclosure will seriously impair the ability of the City of Shawnee to conduct litigation in the public interest.

27. Discussion and consideration to authorize the Mayor to execute the Legal Services Agreement (LSA) and Resolution for the City of Shawnee for representation by Fulmer Sill on behalf of the City of Shawnee in litigation against social media companies.

28. Discussion and consideration to authorize the Mayor to execute the Legal Services Agreement (LSA) and Resolution for the City of Shawnee for representation by Fulmer Sill on behalf of the City of Shawnee in litigation against Pharmacy Benefit Managers.

29. Adjournment

Respectfully submitted,



Lisa Lasyone, MMC, City Clerk

The City of Shawnee encourages participation from its citizens in public meetings. If participation is not possible due to a disability, notify the City Clerk, in writing, at least forty-eight hours prior to the scheduled meeting, and necessary accommodations will be made. (ADA 28 CFR 36)