

BOARD OF CITY COMMISSIONERS PROCEEDINGS

MARCH 17, 2025 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, March 17, 2025, at 6:00 PM, pursuant to notice duly posted as prescribed by law on Thursday, March 13, 2025, at 3:44 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

Absent

Commissioner Ward 2

Absent

Commissioner Ward 3

Ashley Fichtner

Commissioner Ward 4

Mark Sehorn

Commissioner Ward 5

Lauren Richter

Commissioner Ward 6

ABSENT: Greta Madson, Chris Odneal

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.

Ms. Cyndi Berger spoke during Citizens Participation.

COMMISSIONER MADSON ARRIVED AT 6:04 P.M.

Mr. Glenn Peck, Mr. Mark Stewart, Ms. Sandy Gaeta, Mr. Rob Morris, and Ms. Denoda Martin spoke during Citizens Participation.

2. Consider approval of Consent Agenda:

a. Minutes from the January 21, 2025, regular meeting, and the January 28, 2025, special call meeting.

b. Acknowledge the following minutes and reports:

- Board of Adjustment Minutes from the September 19, 2024, regular meeting.
- Shawnee Arts and Culture Commission Minutes from the February 28, 2024, special call meeting.
- Shawnee Beautification, Parks, and Recreation Committee Minutes from the December 19, 2024, regular meeting.
- Shawnee Senior Citizens Advisory Board Minutes from the August 13, 2024, regular meeting.
- License Payment Reports for January and February 2025.
- Project Payment Reports for January and February 2025.

c. Budget amendments for Fiscal Year 2024 – 2025:

- Fund 104 - Other Contractual Services - Sales Tax Rebates

- Fund 603 - Capital Outlays Buildings & Improvements - Public Works Buildings
- Fund 603 - Insurance Recovery - Truck Damaged in Water Distribution
- Fund 603 - Insurance Recovery - Patrol Car Totaled - Police Department
- Fund 001 - State Grant Revenue - Emergency Management
- Fund 603 - Insurance Recovery - Patrol Car Accident - Police Department

d. Mayor Appointments:

Shawnee Housing Authority

Holly Gordon

2nd Full Term

Expires: February 1, 2028

Reappointment

- e. 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.
- f. Acceptance of a Right-of-Way Utility Easement Agreement with Oklahoma Baptist University.
- g. Acceptance of Oklahoma Baptist University waterline and placing maintenance bonds into effect.

- h. Acceptance of Kickapoo Street Retail Center infrastructure and placing the maintenance bonds into effect.
- i. Acknowledge Change Order No. 2 for Sewer Pipe Bursting.
- j. Acknowledge Change Order No. 2 for Thompson Heights Waterline Project.
- k. Ratification of the contract with Mark Simpson as Interim City Manager.
- l. Approval of a Task Order in accordance with the agreement between the City of Shawnee and Cowan Group Engineering, LLC for Sewer System improvements.
- m. Approval of the purchase and installation of splash pad equipment for Optimist and Boy Scout parks, through National Purchasing Partners, in compliance with the City of Shawnee's approved Capital Improvement Plan for 2025-2029.
- n. Approval of the renewal of an agreement for beautification services for the City of Shawnee with South Central Industries, Inc for trash removal and janitorial services.

A motion was made by Vice Mayor Matthews, seconded by Commissioner Sehorn, to approve Consent Agenda Item Nos. 2(a-n). Motion carried 6-0-0.

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

NAY: None

ABSTAIN: None

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

Animal Control Officer Theresa Touchet introduced Mowgli, an approximately ten (10) month-old terrier mix.

4. Shawnee Forward Presentation.

Crystal Romanyszyn, Shawnee Forward President & CEO, provided a Shawnee Forward Presentation. Topics discussed included:

- Population Trends
- Labor Force
- Education
- Median House Value
- Poverty Rate
- Unemployment
- Individual Annual Wage
- Crime Rate
- Recommendations

5. Presentation of update and Final Report on Shawnee Twin Lake #1 Dam.

Director of Engineering Seth Barkhimer introduced Mr. Colin Young with Freese and Nichols. Mr. Young provided an update and Final Report on Shawnee Twin Lake #1 Dam. Topics discussed included:

- Work Scope
- Visual Assessment
 - Crest
 - Upstream Slope
 - Downstream Slope
 - Spillway
- Geotechnical Analysis
- Spillway Capacity
- Peer Review
- Recommendations

6. Consideration of a resolution updating the City Fee Schedule by: (1) setting the

water rates for residential and commercial use, both inside and outside the city limits, pursuant to Subsections (a) and (b), Section 26-26, Article II, Chapter 26 of the City Code; and (2) setting the sanitary sewer rates for residential and commercial use, both inside and outside the city limits, pursuant to Subsections (b) and (c), Section 26-27, Article II, Chapter 26 of the Code of the City of Shawnee.

City Clerk Lisa Lasyone provided a Staff report.

A motion was made by Vice Mayor Matthews, seconded by Commissioner Sehorn, to approve a resolution updating the City Fee Schedule by: (1) setting the water rates for residential and commercial use, both inside and outside the city limits, pursuant to Subsections (a) and (b), Section 26-26, Article II, Chapter 26 of the City Code; and (2) setting the sanitary sewer rates for residential and commercial use, both inside and outside the city limits, pursuant to Subsections (b) and (c), Section 26-27, Article II, Chapter 26 of the Code of the City of Shawnee.

Resolution No. 6764 was introduced.

A RESOLUTION UPDATING THE CITY FEE SCHEDULE BY: (1) SETTING THE WATER RATES FOR RESIDENTIAL AND COMMERCIAL USE, BOTH INSIDE AND OUTSIDE THE CITY LIMITS, PURSUANT TO SUBSECTIONS (a) AND (b), SECTION 26-26, ARTICLE II, CHAPTER 26 OF THE CITY CODE; AND (2) SETTING THE SANITARY SEWER RATES FOR RESIDENTIAL AND COMMERCIAL USE, BOTH INSIDE AND OUTSIDE THE CITY LIMITS, PURSUANT TO SUB-SECTIONS (b) AND (c), SECTION 26-27, ARTICLE II, CHAPTER 26 OF THE CODE OF THE CITY OF SHAWNEE.

Motion carried 6-0-0.

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

NAY: None

ABSTAIN: None

7. Consideration of a resolution updating the City Fee Schedule by setting the monthly rates and fees for solid waste services pursuant to Subsections (a), Section 23-38, Article II, Chapter 23 of the City Code; and providing for the re-adoption of the City Fee Schedule in whole.

City Clerk Lisa Lasyone provided a Staff report.

A motion was made by Commissioner Sehorn, seconded by Mayor Stephens, to approve a resolution updating the City Fee Schedule by setting the monthly rates and fees for solid waste services pursuant to Subsections (a), Section 23-38, Article II, Chapter 23 of the City Code; and providing for the re-adoption of the City Fee Schedule in whole.

Resolution No. 6765 was introduced.

A RESOLUTION UPDATING THE CITY FEE SCHEDULE BY SETTING THE MONTHLY RATES AND FEES FOR SOLID WASTE SERVICES PURSUANT TO SUBSECTIONS (a), SECTION 23-38, ARTICLE II, CHAPTER 23 OF THE CITY CODE; AND PROVIDING FOR THE RE-ADOPTION OF THE CITY FEE SCHEDULE IN WHOLE.

Motion carried 6-0-0.

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

NAY: None

ABSTAIN: None

8. Consideration to enter into a Permit in Lieu of Franchise with CoxCom, LLC for placing equipment in the Rights of Way of the City of Shawnee in order to provide services to Shawnee Public Schools.

City Attorney Joe Vorndran provided a Staff report.

A motion was made by Vice Mayor Matthews, seconded by Commissioner Madson, to approve a Permit in Lieu of Franchise with CoxCom, LLC for placing equipment in the Rights of Way of the City of Shawnee in order to provide services to Shawnee Public Schools. Motion carried 6-0-0.

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

NAY: None

ABSTAIN: None

9. Public Hearing regarding a request to rezone a parcel of land from TA (Transitional Agriculture District) to C-2 (Regional Commercial District) located at 1474 East 45th Street, Shawnee, Oklahoma.
Case No. RZ01-25 | Applicant: Tracey Nugyen/Landes Engineering

Community Development Director Rian Harkins provided a Staff report. He

stated the applicant requested the property be rezoned to C-2 (Regional Commercial District). The Planning Commission and Staff recommend rezoning the property to C-1 (Local Commercial District).

Mayor Stephens declared a public hearing in session to consider a request to rezone a parcel of land from TA (Transitional Agriculture District) to C-2 (Regional Commercial District) located at 1474 East 45th Street, Shawnee, Oklahoma. No one appeared in favor or against the rezoning. The public hearing was closed.

10. Consideration of an ordinance to rezone property at 1474 East 45th Street, Shawnee, Oklahoma from TA (Transitional Agriculture District) to C-2 (Regional Commercial District).

Case No. RZ01-25 | Applicant: Tracey Nugyen/Landes Engineering

A motion was made by Commissioner Madson, seconded by Vice Mayor Matthews, to approve an ordinance to rezone property at 1474 East 45th Street, Shawnee, Oklahoma from TA (Transitional Agriculture District) to C-1 (Local Commercial District).

Ordinance No. 2816NS 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: BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER (SE/C SW/4) OF SECTION THIRTY TWO (32), TOWNSHIP ELEVEN (11) NORTH, RANGE FOUR (4) EAST OF THE INDIAN MERIDIAN, POTTAWATOMIE COUNTY, OKLAHOMA, ACCORDING TO THE UNITED STATES GOVERNMENT SURVEY THEREOF; THENCE S89°28'21"W A DISTANCE OF 200 FEET; THENCE N00°34'34"E A DISTANCE OF 625.40 FEET; THENCE N89°28'21"E A DISTANCE OF 200 FEET; THENCE S00°34'34"W A DISTANCE OF 625.40 FEET TO THE POINT OF BEGINNING.

FROM ZONING CLASSIFICATION TA (TRANSITIONAL AGRICULTURAL DISTRICT) TO C-1 (LOCAL COMMERCIAL DISTRICT), AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SHAWNEE ACCORDINGLY.

Motion carried 6-0-0.

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

NAY: None

ABSTAIN: None

Ordinance No. 2816NS was adopted by the City Commission.

11. Consideration of a resolution declaring it to be a matter of public necessity to acquire certain easements for the purpose of construction and expansion improvements known as the proposed 45th Street Widening Phase I project, describing said fee simple and easements and authorizing the City Manager and City Attorney to acquire said easements by purchase or by way of eminent domain.

Director of Engineering Seth Barkhimer stated that additional easements are necessary as part of the right-of-way acquisition process for the 45th Street widening project. The proposed resolution formally declares the project a matter of public necessity and grants authorization for City staff to negotiate and secure the required easements, ensuring the timely advancement of the project.

A motion was made by Commissioner Sehorn, seconded by Commissioner Richter, to approve a resolution declaring it to be a matter of public necessity to acquire certain easements for the purpose of construction and expansion improvements known as the proposed 45th Street Widening Phase I project, describing said fee simple and easements and authorizing the City Manager and City Attorney to acquire said easements by purchase or by way of eminent domain.

Resolution No. 6766 was introduced.

A RESOLUTION DECLARING IT TO BE A MATTER OF PUBLIC NECESSITY TO ACQUIRE CERTAIN EASEMENTS FOR THE PURPOSE OF CONSTRUCTION AND EXPANSION IMPROVEMENTS KNOWN AS THE PROPOSED 45TH STREET WIDENING PHASE I PROJECT, DESCRIBING SAID FEE SIMPLE AND EASEMENTS AND AUTHORIZING THE CITY MANAGER AND THE CITY ATTORNEY TO ACQUIRE SAID EASEMENTS BY PURCHASE OR BY WAY OF EMINENT DOMAIN.

Motion carried 6-0-0.

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

NAY: None

ABSTAIN: None

12. Consideration of a contract between OK End Homelessness and the City of Shawnee for the administration of a Transitional Housing Program for Shawnee Urban Renewal Authority property located at 104 South Chapman, Units A and B, Shawnee, Oklahoma.

Community Development Director Rian Harkins stated that the proposed contract would allow OK End Homelessness to provide administrative services for transitional housing at a Shawnee Urban Renewal Authority dwelling located at 104 S Chapman, Shawnee.

A motion was made by Commissioner Madson, seconded by Commissioner Richter, to approve a contract between OK End Homelessness and the City of Shawnee for the administration of a Transitional Housing Program for Shawnee Urban Renewal Authority property located at 104 South Chapman, Units A and B, Shawnee, Oklahoma. Motion carried 5-1-0.

AYE: Madson, Richter, Matthews, Stephens, Sehorn

NAY: Fichtner

ABSTAIN: None

13. Consider Bid(s):

- a. Unit Rate Paving and Drainage Project, Contract No. 25-0920-01 (Award)

Director of Engineering Seth Barkhimer announced that four (4) bids were received. To ensure efficiency and cost-effectiveness, Staff recommends contracting with the two lowest bidders, Rudy Construction, Oklahoma City, Oklahoma, as the primary contractor, and CGC, LLC, Edmond, Oklahoma, as the secondary contractor, for the total amount of Eight Hundred Twenty Thousand Dollars (\$820,000.00). The dual-contractor approach will enable Staff to address paving, grading, and drainage issues more quickly, while maintaining competitive pricing through the established bidding process.

A motion was made by Mayor Stephens, seconded by Vice Mayor Matthews, to award the Unit Rate Paving and Drainage Project bid to Rudy Construction and CGC, LLC in the total amount of Eight Hundred Twenty Thousand Dollars (\$820,000.00). Motion carried 6-0-0.

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

NAY: None

ABSTAIN: None

14. Acknowledge Monthly Sales Tax and Budget Reports received February and March 2025.

Finance Director Kimberly Smith reported sales tax collections for February 2025 are up One Hundred Seventy-Two Thousand Six Hundred Thirty-Five Dollars (\$172,635.00), or Zero Point Eight Three Percent (0.83%), over the projected budget year-to-date. She stated that use tax collections are down One Hundred Twenty-Nine Thousand Three Hundred Forty-Three Dollars (\$129,343.00) or Three Point Nine Two Percent (3.92%), below the projected budget year-to-date.

Finance Director Kimberly Smith reported sales tax collections for March 2025 are up Two Hundred Forty-Seven Thousand Three Hundred Twenty-Two Dollars (\$247,322.00), or One Point Zero Six Percent (1.06%), over the projected budget year-to-date. She stated that use tax collections are down Two Hundred Thousand Six Hundred Nineteen Dollars (\$200,619.00) or Five Point Five Two Percent (5.52%), below the projected budget year-to-date.

RECESS BY POWER OF THE CHAIR 7:16 P.M.

RECONVENE BY POWER OF THE CHAIR 7:31 P.M.

15. Administrative Report(s):

- a. Overview and History of the Adaptive Kayak Dock - Joe Vorndran, City Attorney

City Attorney Joe Vorndran provided an Overview and History of the Adaptive Kayak Dock. Topics discussed included:

- Kayak Launch Donors
- Lake Advisory Committee
 - Kayak Dock Recommendation
 - Commercial Development Recommendations
- Kayak Area Improvement Discussion

Mr. Vorndran also discussed the report that was delivered in December 2021.

Topics discussed at that time included:

- Kayak Area Improvements
- Kayak Donation
- Potential Locations
 - A. Boat Ramp #1
 - B. Glenn Collins Memorial Park
 - C. No. 2 Lake Park
 - D. Boat Ramp #2
- Timeline
- Kayak Area Improvement Discussion Continued

16. 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.

17. Commissioners Comments

Vice Mayor Matthews commented on the Lake No. 1 Dam report and the sales tax reports.

Commissioner Madson commented on the response to the wildfires on Friday and thanked all the entities that responded.

Commissioner Fichtner thanked the response from emergency responders and churches relating to the wildfires.

Commissioner Sehorn commented on fire and emergency management response, the Lake No. 1 Dam report, and the sales tax reports.

Mayor Stephens thanked the Fire Department and first responders for the response to fires on Friday. He also commented on the water, sewer, and sanitation rate increases.

18. Adjournment

There being no further business to be considered, the meeting was adjourned by power of the Chair. (7:57 p.m.)



ERIC STEPHENS, MAYOR

ATTEST:

A handwritten signature in blue ink that reads "Lisa Laszlo". The signature is written in a cursive style with a large initial "L".

LISA LASZLO, MMC
CITY CLERK