

**BOARD OF CITY COMMISSIONERS PROCEEDINGS**

SEPTEMBER 15, 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, September 15, 2025, at 6:00 PM, pursuant to notice duly posted as prescribed by law on Thursday, September 11, 2025, at 3:05 PM. Mayor Stephens presided and called the meeting to order. Upon roll call, the following members were in attendance.

Eric Stephens

Mayor

Absent

Commissioner Ward 1 - Vice Mayor

Chris Odneal

Commissioner Ward 3

Mark Sehorn

Commissioner Ward 5

Greta Shuler

Commissioner Ward 2

Ashley Fichtner

Commissioner Ward 4

Lauren Richter

Commissioner Ward 6

ABSENT: Daniel Matthews

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. Kerri Keck, Ms. Cyndi Berger, Mr. Rob Morris, and Ms. Theresa Cody spoke during Citizens Participation.

2. Consider approval of Consent Agenda:

- a. Minutes from the August 18, 2025, regular meeting.

b. Acknowledge the following minutes and reports:

- Shawnee Beautification, Parks, and Recreation Committee Minutes from the July 17, 2025, regular meeting.
- License Payment Report for August 2025.
- Project Payment Report for August 2025.

c. Budget amendments for Fiscal Year 2025 – 2026:

- Fund 001 — General Fund — To appropriate fund balance for FY25 Encumbrances for which goods or services will be received or rendered in FY26.
- Fund 706 — Donations — To appropriate donation money into Other Materials and Supplies for Fire Prevention Clown Program expenditures in FY26 for the Fire Department.

d. Lake Lease Transfer:

- Mosler Tract Lot 4, 16406 Archery Range Road  
To: Jeremy D. Ayers  
From: April Hill (Whalen)
- Magnino Tract Lot 9, 16724 Clearpond Lane

To: Stephen Ray & Shanna Lynn Keiffer  
From: Dianna M. Jones

- Magnino A Tract Lot 5, 17104 Magnino Rd  
To: Lora Melton  
From: Dana Browning

- Belcher Tract Lot 6, 15411 Nickens Rd  
To: Robert & Traci Murphy  
From: Kenneth & Reta Sparks

- e. Acknowledge the resignation of Chad Payn from the Shawnee Beautification, Parks, and Recreation Committee effective immediately.
- f. Ratification of the City Manager Agreement with Mark Simpson.
- g. Acceptance of Right-of-Way Utility Easement Agreement for property within Satterfields addition.
- h. Acknowledge the Oklahoma Municipal Retirement Fund lump sum payment from the Defined Benefit Plan for Justin Beaver.
- i. Approval of the purchase of a 2026 Ford F-250 utilizing state bidding and in compliance with the approved Capital Improvement Plan for 2026-2030.
- j. Approval of the Calendar Year 2026 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.

k. Acknowledge Change Order No. 4 for Independence Waterline Project.

A motion was made by Commissioner Odneal, seconded by Commissioner Shuler, to approve Consent Agenda Item Nos. 2(a-k). Motion carried 6-0-0.

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

NAY: None

ABSTAIN: None

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

Animal Control Officer Trel Myers introduced Teeny, an approximately two (2) year-old canine.

4. Consideration of a resolution of the Mayor and City Commission of the City of Shawnee, Oklahoma that establishes and provides compensation of the City Manager pursuant to Article V, Section 3 of the City Charter.

City Attorney Joe Vorndran stated Article V, Section 3 of the City Charter stipulates that the agreed-upon salary for the City Manager shall be fixed and recited by resolution.

A motion was made by Commissioner Odneal, seconded by Commissioner Fichtner, to approve a resolution of the Mayor and City Commission of the City of Shawnee, Oklahoma that establishes and provides compensation of the City Manager pursuant to Article V, Section 3 of the City Charter.

Resolution No. 6776 was introduced.

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF SHAWNEE, OKLAHOMA THAT ESTABLISHES AND PROVIDES COMPENSATION OF THE CITY MANAGER PURSUANT TO ARTICLE V, SECTION 3 OF THE CITY CHARTER.

Motion carried 6-0-0.

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

NAY: None

ABSTAIN: None

5. Public hearing of a request to rezone property located at a tract of land directly west of 4308 Faith Boulevard from TA (Transitional Agriculture District) to C-1 (Local Commercial District).

Case No. RZ03-25 | Applicant: Rickey Crain c/o Landes Engineering (*Deferred from the August 18, 2025, City Commission meeting.*)

City Planner Diana Hood stated that the applicant is requesting to extend the C-1 zoning from the south side of Faith Boulevard to locate a gymnasium on the property. The Planning Commission recommended approval with conditions.

Mayor Stephens declared a public hearing in session to consider a request to rezone property located at a tract of land directly west of 4308 Faith Boulevard from TA (Transitional Agriculture District) to C-1 (Local Commercial District). Mr. Steve Landes appeared in favor. Mr. Donald Mosser and Ms. Cyndi Berger appeared against. The public hearing was closed.

6. Consideration of an ordinance to rezone property located at a tract of land directly west of 4308 Faith Boulevard from TA (Transitional Agriculture District) to C-1 (Local Commercial District).

Case No. RZ03-25 | Applicant: Rickey Crain c/o Landes Engineering (*Deferred from the August 18, 2025, City Commission meeting.*)

A motion was made by Commissioner Odneal, seconded by Commissioner Fichtner, to approve an ordinance to rezone property with conditions as recommended by the Planning Commission located at a tract of land directly west of 4308 Faith Boulevard from TA (Transitional Agriculture District) to C-1 (Local Commercial District).

Ordinance No. 2820NS 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 BEGINNING AT A POINT 228.5 FEET S02°27'42"E OF THE NORTHWEST CORNER OF THE NORTH HALF OF THE SOUTH HALF OF THE NORTHWEST QUARTER (NW/C, N/2, S/2, NW/4) OF SECTION FOUR (4), TOWNSHIP TEN (10) NORTH, RANGE FOUR (4) EAST OF THE INDIAN MERIDIAN, POTTAWATOMIE COUNTY, OKLAHOMA; THENCE S02°27'42"E A

DISTANCE OF 112.5 feet; THENCE N89°06'02"E A DISTANCE OF 294 FEET; THENCE N02°27'42"W A DISTANCE OF 112.5 FEET; THENCE S89°06'02"W A DISTANCE OF 294 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 5-1-0.

AYE: Odneal, Fichtner, Sehorn, Shuler, Stephens

NAY: Richter

ABSTAIN: None

7. Public hearing of a request for a Conditional Use Permit to operate a Short-Term Rental at the property addressed as 15105 Eckel Road.

Case No. CUP01-25 | Applicant: Jeff and Katie Cannon; CC Cannon, LLC

City Planner Diana Hood stated that the applicants are requesting a Conditional Use Permit for a Short-Term Rental. The Planning Commission recommended approval.

Mayor Stephens declared a public hearing in session to consider a request for a Conditional Use Permit to operate a Short-Term Rental at the property addressed as 15105 Eckel Road. Ms. Katie Cannon and Mr. Jeff Cannon appeared in favor. Mr. Rob Morris and Mr. Kenneth Crawford appeared against. The public hearing was closed.

8. Consideration of a Conditional Use Permit to operate a Short-Term Rental at the property addressed as 15105 Eckel Road.

Case No. CUP01-25 | Applicant: Jeff and Katie Cannon; CC Cannon, LLC

A motion was made by Commissioner Fichtner, seconded by Commissioner Richter, to approve a Conditional Use Permit to operate a Short-Term Rental at the property addressed as 15105 Eckel Road. Motion carried 5-0-1.

AYE: Fichtner, Richter, Odneal, Stephens, Sehorn

NAY: None

ABSTAIN: Shuler

9. Consideration of a request to reduce the speed limit on North Kickapoo Avenue from Westech Road to Garrett's Lake Road from 45 mph to 35 mph, and to

establish 4-way stop intersections at both North Kickapoo and Wolverine Road, and North Kickapoo and Garrett's Lake Road.

Assistant City Manager and Director of Engineering Seth Barkhimer stated that City staff has reviewed traffic conditions along this corridor and identified safety concerns related to both speed and intersection control. Staff recommends approval of the item.

A motion was made by Commissioner Fichtner, seconded by Commissioner Sehorn, to approve a request to reduce the speed limit on North Kickapoo Avenue from Westech Road to Garrett's Lake Road from 45 mph to 35 mph, and to establish 4-way stop intersections at both North Kickapoo and Wolverine Road, and North Kickapoo and Garrett's Lake Road. Motion carried 5-1-0.

AYE: Fichtner, Sehorn, Richter, Shuler, Stephens

NAY: Odneal

ABSTAIN: None

10. Consideration of an amendment to a contract with Downey Contracting, LLC to provide Construction Manager at Risk Services for the Shawnee Animal Shelter Project.

Assistant City Manager and Director of Engineering Seth Barkhimer stated that the design stages of the project are complete and Downey Contracting, LLC has submitted a Guaranteed Maximum Price (GMP) Amendment to their originally negotiated reconstruction contract in the amount of One Million Four Hundred Seventy-Eight Thousand Two Hundred Thirty-Nine Dollars (\$1,478,239.00), which includes consulting fees. Staff recommends approval of the item.

A motion was made by Commissioner Richter, seconded by Commissioner Fichtner, to approve an amendment to a contract with Downey Contracting, LLC to provide Construction Manager at Risk Services for the Shawnee Animal Shelter Project. Motion carried 6-0-0.

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

NAY: None

ABSTAIN: None

11. Consideration of a request for a Final Plat for Shawnee Twin Lakes, Lake No. 1, Phase 3.

Case No. FPL03-25 | Applicant: City of Shawnee

City Planner Diana Hood provided a Staff report. The Planning Commission recommended approval.

A motion was made by Commissioner Odneal, seconded by Commissioner Shuler, to approve a request for a Final Plat for Shawnee Twin Lakes, Lake No. 1, Phase 3. Motion carried 6-0-0.

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

NAY: None

ABSTAIN: None

#### 12. Acknowledge Monthly Sales Tax Report.

Finance Director Kimberly Hoover reported sales tax collections are up One Hundred Eighty-Six Thousand Seventy Dollars (\$186,070.00) or Two Point Four Zero Percent (2.40%), above the projected budget year-to-date. She stated that use tax collections are down Fourteen Thousand Eight Hundred Fifty-One Dollars (\$14,851.00) or One Point Two Eight Percent (1.28%), below the projected budget year-to-date.

#### 13. Administrative Report(s):

##### a. Vacant Structure Identification Overview — Joe Vorndran, City Attorney

City Attorney Joe Vorndran provided a presentation on the Vacant Structure Identification Overview. Topics discussed included:

- Problem with Vacant Structures
- Tracking
- Notice Must be Posted on Building
- Timeline
- Sample Forms
  - Identification Form
  - Trespass Authorization Form

#### 14. 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.

## 15. Commissioners Comments

Commissioner Richter commented on sales tax, Capital Improvement Plan (CIP) items moving forward, and the vacant structure ordinance.

Commissioner Sehorn commented on sales tax and downtown Shawnee.

Commissioner Fichtner commented on the new Chambers layout and safety.

Mayor Stephens commented on sales tax and comments regarding Citizens Participation.

Commissioner Odneal commented on animal shelter construction, downtown Shawnee, and the vacant structure ordinance. He invited everyone to Pedal Palooza at Boy Scout Park on Saturday, September 20, 2025.

Commissioner Schuler commented on downtown Shawnee and Main Street.

RECESS CITY COMMISSION MEETING BY THE POWER OF THE CHAIR  
TO CONVENE SHAWNEE AIRPORT AUTHORITY AND SHAWNEE  
MUNICIPAL AUTHORITY (7:11 P.M.)

RECONVENE CITY COMMISSION MEETING BY THE POWER OF THE  
CHAIR (7:17 P.M.)

16. Consideration, discussion, and possible action to enter into executive session to hold confidential communications between the City Commission of the City of Shawnee and its counsel concerning the settling of certain claims in pending litigation (*City of Shawnee v. Purdue Pharma L.P., et al.*, Case No. 1:19-op-46155-DAP, pending in the United States District Court for the Northern District of Ohio, and related litigation), including potential resolution of certain claims against Purdue Pharma LP and its affiliated entities in Purdue Pharma LP's bankruptcy case (Case No. 7:19-bk-23649 pending in the United States Bankruptcy Court for the Southern District of New York), members of the Sackler family (the "Sackler's"), Alvogen, Inc., Amneal Pharmaceuticals, Inc., Apotex, Inc., Hikma Pharmaceuticals USA, Inc., Indivior Inc., Mylan Pharmacetucials Inc., Sun Pharmaceutical Industries, Inc., and Zydus Pharmaceuticals, related to lawsuits against pharmaceutical supply chain participants of opioid prescription drugs, and taking appropriate action in open session, including possible authorization to settle claims, the disclosure of which may seriously impair the litigation if known by public disclosure as allowed by 25 O.S. § 307(B)(4).

A motion was made by Commissioner Odneal, seconded by Mayor Stephens, to approve to enter into executive session to hold confidential communications

between the City Commission of the City of Shawnee and its counsel concerning the settling of certain claims in pending litigation (*City of Shawnee v. Purdue Pharma L.P., et al.*, Case No. 1:19-op-46155-DAP, pending in the United States District Court for the Northern District of Ohio, and related litigation), including potential resolution of certain claims against Purdue Pharma LP and its affiliated entities in Purdue Pharma LP's bankruptcy case (Case No. 7:19-bk-23649 pending in the United States Bankruptcy Court for the Southern District of New York), members of the Sackler family (the "Sackler's"), Alvogen, Inc., Amneal Pharmaceuticals, Inc., Apotex, Inc., Hikma Pharmaceuticals USA, Inc., Indivior Inc., Mylan Pharmacetucials Inc., Sun Pharmaceutical Industries, Inc., and Zydus Pharmaceuticals, related to lawsuits against pharmaceutical supply chain participants of opioid prescription drugs, and taking appropriate action in open session, including possible authorization to settle claims, the disclosure of which may seriously impair the litigation if known by public disclosure as allowed by 25 O.S. § 307(B)(4). Motion carried 6-0-0.

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

NAY: None

ABSTAIN: None

COMMISSION ENTERED INTO EXECUTIVE SESSION AT 7:20 P.M. WITH ALL MEMBERS PRESENT.

COMMISSION RECONVENED FROM EXECUTIVE SESSION AT 7:53 P.M. WITH ALL MEMBERS PRESENT.

17. Consider approval of a resolution, to include (a) approving voting to accept the Thirteenth Amended Joint Chapter 11 Plan of Reorganization of Purdue and Its Affiliated Debtors in Participation in Case No. 19-23649 pending in the United States Bankruptcy Court for the Southern District of New York, and authorizing and directing its legal counsel vote to accept the Plan via master ballot or otherwise, (b) approving voting to accept and participate in the Governmental Entities Settlement Agreement (the "GESA") dated June 17, 2025, and authorizing the Mayor of the City of Shawnee, or the Mayor's designee, to execute the Subdivision Participation Form for the City of Shawnee's participation in the GESA, and approval of the Purdue State-Subdivision Agreement as it pertains to the Plan and the GESA, and (c) approving voting to accept and participate in the settlement agreements with Alvogen, Inc., Amneal Pharmaceuticals, Inc., Apotex, Inc., Hikma

Pharmaceuticals USA, Inc., Indivior Inc., Mylan Pharmaceuticals Inc., Sun Pharmaceutical Industries, Inc., and Zydus Pharmaceuticals, and authorizing the Mayor of the City of Shawnee, or the Mayor's designee, to execute the Subdivision Participation Form for the City of Shawnee's participation in the settlements with Alvogen, Inc., Amneal Pharmaceuticals, Inc., Apotex, Inc., Hikma Pharmaceuticals USA, Inc., Indivior Inc., Mylan Pharmaceuticals Inc., Sun Pharmaceutical Industries, Inc., and Zydus Pharmaceuticals, and (d) authorizing Litigation Counsel in the opioid litigation to negotiate and enter into a State-Subdivision Agreement with the State through the Attorney General on behalf of City of Shawnee with respect to the Generic/Small/Secondary Manufacturer Settlements.

A motion was made by Commissioner Odneal, seconded by Commissioner Shuler, to approve a resolution, to include (a) approving voting to accept the Thirteenth Amended Joint Chapter 11 Plan of Reorganization of Purdue and Its Affiliated Debtors in Participation in Case No. 19-23649 pending in the United States Bankruptcy Court for the Southern District of New York, and authorizing and directing its legal counsel vote to accept the Plan via master ballot or otherwise, (b) approving voting to accept and participate in the Governmental Entities Settlement Agreement (the "GESA") dated June 17, 2025, and authorizing the Mayor of the City of Shawnee, or the Mayor's designee, to execute the Subdivision Participation Form for the City of Shawnee's participation in the GESA, and approval of the Purdue State-Subdivision Agreement as it pertains to the Plan and the GESA, and (c) approving voting to accept and participate in the settlement agreements with Alvogen, Inc., Amneal Pharmaceuticals, Inc., Apotex, Inc., Hikma Pharmaceuticals USA, Inc., Indivior Inc., Mylan Pharmaceuticals Inc., Sun Pharmaceutical Industries, Inc., and Zydus Pharmaceuticals, and authorizing the Mayor of the City of Shawnee, or the Mayor's designee, to execute the Subdivision Participation Form for the City of Shawnee's participation in the settlements with Alvogen, Inc., Amneal Pharmaceuticals, Inc., Apotex, Inc., Hikma Pharmaceuticals USA, Inc., Indivior Inc., Mylan Pharmaceuticals Inc., Sun Pharmaceutical Industries, Inc., and Zydus Pharmaceuticals, and (d) authorizing Litigation Counsel in the opioid litigation to negotiate and enter into a State-Subdivision Agreement with the State through the Attorney General on behalf of City of Shawnee with respect to the Generic/Small/Secondary Manufacturer Settlements.

Resolution No. 6777 was introduced.

A RESOLUTION TO APPROVE PARTICIPATION IN SETTLEMENTS WITH PURDUE PHARMA LP, MEMBERS OF THE SACKLER FAMILY, ALVOGEN, INC., AMNEAL PHARMACEUTICALS, INC., APOTEX, INC., HIKMA PHARMACEUTICALS USA, INC., INDIVIOR, INC., MYLAN PHARMACEUTICALS INC., SUN PHARMACEUTICAL INDUSTRIES, INC., AND ZYDUS PHARMACEUTICALS.

Motion carried 6-0-0.

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

NAY: None

ABSTAIN: None

### 18. Adjournment

There being no further business to be considered, the meeting was adjourned by power of the Chair. (7:56 p.m.)



ERIC STEPHENS, MAYOR

ATTEST:



LISA LASYONE, MMC  
CITY CLERK