

BOARD OF CITY COMMISSIONERS PROCEEDINGS
DECEMBER 20, 2021 AT 6:00 P.M.

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, December 20, 2021 at 6:00 p.m., pursuant to notice duly posted as prescribed by law at 4:01 p.m. on December 16, 2021. Mayor Bolt presided and called the meeting to order. Upon roll call, the following members were in attendance.

Ed Bolt
Mayor

Daniel Matthews
Commissioner Ward 1

Cami Engles
Commissioner Ward 2

Travis Flood
Commissioner Ward 3

Darren Rutherford
Commissioner Ward 4-Vice Mayor

Mark Sehorn
Commissioner Ward 5

Ben Salter
Commissioner Ward 6

ABSENT: None

INVOCATION

Commissioner Flood

FLAG SALUTE

AGENDA ITEM NO. 1:

Citizens Participation
(A three-minute limit per person)
(A twelve-minute limit per topic)

Mr. Rob Morris provided a handout to the Mayor and Commissioners. He spoke regarding, but not limited to, the following: a recent downtown fire and the Christmas parade.

Ms. LaDonna Jones Bryce yielded her time to Mr. Rob Morris.

Mr. Rob Morris spoke regarding, but not limited to, Mayor appointments, Agenda Item Nos. 9 and 12.

Mr. Steve Norwood, Chief Operating Officer for Red Rock Behavioral Health advised he would be available for any questions regarding Agenda Item No. 9.

Ms. Amy Camarata passed out a handout with three pictures of the kayak launch at Shawnee Twin Lakes No. 2. She requested that the Commission reject Agenda Item Nos. 8 and 12(b).

Mr. Wolf Gugler requested the Commission reject Agenda Item No. 8.

Mr. Dell Kerbs, State Representative, stated he works with the Oklahoma Pork Council. He challenged the Mayor and Commissioners to provide a ham to charity for a family in need during the holidays.

AGENDA ITEM NO. 2:

Consider approval of Consent Agenda:

- a. Minutes from the December 6, 2021 Special Call and December 6, 2021 Regular meetings.
- b. Acknowledge the following reports and minutes:
 - License Payment Report for November 2021
 - Project Payment Report for November 2021
 - Shawnee Parks and Recreation Committee Minutes from the August 12, 2021 regular meeting
 - Zoning Board of Adjustment Minutes from the August 19, 2021 regular meeting
 - Planning Commission Minutes from the November 3, 2021 regular meeting
- c. Acknowledge the resignation of Wanda Hill from the Senior Citizens of Shawnee Board.
- d. Acknowledge the resignation of Clif Harden from the Shawnee Community Beautification Committee.

e. Mayor's Appointments:

Planning Commission

Mindy Mew-Palmer 1st Partial Term Expires: June 1, 2024

Replaces Walter "Jay" Lester – Resigned

Shawnee Civic and Cultural Development Authority

Tim Barrick 3rd Full Term Expires: December 31, 2025

Reappointment

Shawnee Housing Authority

Holly Gordon 1st Full Term Expires: February 1, 2025

Reappointment

Mike Vorndran 2nd Full Term Expires: February 1, 2025

Reappointment

Traffic Commission

Reuben Peltier 2nd Full Term Expires: January 1, 2025

Reappointment

Jeanne Swinney 1st Partial Term Expires: January 1, 2024

Replaces Steve Reese – Resigned

- f. Acknowledge and approve a Collective Bargaining Agreement with International Union of Police Association (IUPA) Local No. 3 for Fiscal Year 2021-2022.
- g. Acknowledge and approve a Collective Bargaining Agreement with International Union of Police Association (IUPA) Local No. 3 for Fiscal Year 2022-2023.
- h. Acknowledge and approve a Collective Bargaining Agreement with International Association of Fire Fighters (IAFF) Local No. 206 for Fiscal Year 2021-2022.
- i. Acknowledge and approve a Collective Bargaining Agreement with International Association of Fire Fighters (IAFF) Local No. 206 for Fiscal Year 2022-2023.

- j. Acknowledge and approve a Memorandum of Understanding with International Association of Fire Fighters (IAFF) Local No. 206 for Fiscal Years 2021-2022 and 2022-2023.
- k. Consideration of the City Manager's hiring of Rian Harkins as Community Development Director.

A motion was made by Vice Mayor Rutherford, seconded by Commissioner Sehorn, to approve Consent Agenda Item Nos. 2(a-k). Motion carried 7-0.

AYE: Rutherford, Sehorn, Salter, Matthews, Engles, Flood, Bolt
NAY: None

AGENDA ITEM NO. 3: Presentation by Animal Control to present the Pet of the Week.

There was no Pet of the Week.

AGENDA ITEM NO. 4: Presentation by Randy Smith, Executive Vice President for Business and Administrative Services, Oklahoma Baptist University.

Mr. Randy Smith, Executive Vice President for Business and Administrative Services, Oklahoma Baptist University provided information regarding the Oklahoma Baptist University Authority. He explained how it was established and its purpose.

AGENDA ITEM NO. 5: Consideration of Mayor's Appointment:

Oklahoma Baptist University Authority

Rachael Melot 1st Full Term Expires: December 21, 2027

Effective: January 1, 2022

Replaces Tom Terry – Termed Out

A motion was made by Mayor Bolt, seconded by Vice Mayor Rutherford, to approve the Mayor's appointment of Ms. Rachel Melot to the Oklahoma Baptist University Authority. Motion carried 7-0.

AYE: Bolt, Rutherford, Sehorn, Salter, Matthews, Engles, Flood
NAY: None

AGENDA ITEM NO. 6:

Consideration of a Final Plat of the Hyatt Addition, Section 4 subdivision, located near North Harrison Avenue and East 45th Street. Case No. PL06-21, Applicant: Richard Whitecotton for Cotton Homes, LLC.

City Planner Rachel Clyne provided a Staff report. Ms. Clyne advised the Planning Commission and Staff recommended approval.

A motion was made by Commissioner Sehorn, seconded by Vice Mayor Rutherford, to approve a Final Plat of the Hyatt Addition, Section 4 subdivision, located near North Harrison Avenue and East 45th Street. Motion carried 7-0.

AYE: Sehorn, Rutherford, Salter, Matthews, Engles, Flood, Bolt
NAY: None

AGENDA ITEM NO. 7:

Consideration of a Final Plat for Wolverine Industrial Park subdivision, located west of North Harrison Avenue on Wolverine Road. Case No. PL07-21, Applicant: Stephen Landes for Landes Engineering, LLC.

City Planner Rachel Clyne provided a Staff report. Ms. Clyne advised the Planning Commission and Staff recommended approval.

A motion was made by Commissioner Matthews, seconded by Commissioner Engles, to approve a Final Plat for Wolverine Industrial Park subdivision, located west of North Harrison Avenue on Wolverine Road. Motion carried 7-0.

AYE: Matthews, Engles, Flood, Bolt, Rutherford, Sehorn, Salter
NAY: None

AGENDA ITEM NO. 8:

Public hearing and consideration of an ordinance to rezone property located at 15413 Nickens Road from A-1 (Rural Agricultural District) to A-1 (Rural Agricultural District) with LPZ (Lake Protection Zone) overlay and a CUP (Conditional Use Permit) for the purpose of operating a Bed and Breakfast/Airbnb. Case No. CUP03-21, Applicants: Zachary and Jennifer Grinnell and Sheri and Greg Rhodes.

City Planner Rachel Clyne provided a Staff report. Ms. Clyne advised that the Planning Commission and Staff recommend denial of the request as City code does not currently allow for this type of request. The property is subject to a lake lot lease. The lease does not allow for properties to be sublet.

Mayor Bolt declared a public hearing in session to consider an ordinance rezoning property located at 15413 Nickens Road from A-1 (Rural Agricultural District) to A-1 (Rural Agricultural District) with LPZ (Lake Protection Zone) overlay and a CUP (Conditional Use Permit). No one appeared in favor of said rezoning. Mr. Jay Murphy appeared against said rezoning. The public hearing was closed.

A motion was made by Commissioner Matthews, seconded by Commissioner Engles, to deny the application to rezone property located at 15413 Nickens Road from A-1 (Rural Agricultural District) to A-1 (Rural Agricultural District) with LPZ (Lake Protection Zone) overlay and a CUP (Conditional Use Permit). Motion carried 7-0.

AYE: Matthews, Engles, Flood, Bolt, Rutherford, Sehorn, Salter

NAY: None

AGENDA ITEM NO. 9:

Public hearing and consideration of an ordinance to rezone property located at 1420 North Harrison Avenue from R-3 (Multi-Family Residential District) to C-3 (Commercial Highway District) with a PUD (Planned Unit Development) for the purpose of an Adult Crisis and Urgent Recovery Clinic. Case No. PUD02-21, Applicant: Terry Pollack for STP Solutions, Inc.

City Planner Rachel Clyne provided a Staff report. Ms. Clyne advised the Planning Commission and Staff recommended approval.

Mayor Bolt declared a public hearing in session to consider an ordinance rezoning property located at 1420 North Harrison Avenue from R-3 (Multi-Family Residential District) to C-3 (Commercial Highway District) with a PUD (Planned Unit Development). Mr. Terry Pollock, Ms. Nelmon Brauning, and Mr. Steve Norwood appeared in favor of said rezoning. Mr. Rob Morris appeared against said rezoning. Ms. LaDonna Bryce asked what counties the facility would primarily be serving. The public hearing was closed.

A motion was made by Commissioner Matthews, seconded by Commissioner Flood, to approve the ordinance rezoning property located at 1420 North Harrison Avenue from R-3 (Multi-Family Residential District) to C-3 (Commercial Highway District) with a PUD (Planned Unit Development).

Ordinance No. 2737NS 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 151.15 FEET NORTH OF THE SE CORNER OF BLOCK 4 YATES ADDITION TO CITY OF SHAWNEE, THENCE WEST 150 FEET; THENCE NORTH 151.15 FEET; THENCE EAST TO THE WEST SIDE OF HARRISON AVENUE; THENCE SOUTH ALONG THE EAST LINE OF SAID LOT TO PLACE OF BEGINNING, FROM ZONING CLASSIFICATION R-3 (MULTI-FAMILY RESIDENTIAL DISTRICT) TO C-3 (COMMERCIAL HIGHWAY DISTRICT) WITH A PUD (PLANNED UNIT DEVELOPMENT) AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SHAWNEE ACCORDINGLY.

Motion carried 5-2.

AYE: Matthews, Flood, Bolt, Rutherford, Engles

NAY: Sehorn, Salter

Ordinance No. 2737NS was adopted by the City Commission.

AGENDA ITEM NO. 10:

Consideration of an ordinance creating, amending, and providing for repealer of certain portions of Chapter 8, Article VI (Businesses, Permits and Licenses; Residential (Garage/Yard) Sales), of the Code of Ordinances of the City of Shawnee; providing for severability; and declaring an emergency.

City Attorney Joe Vorndran provided a Staff report.

A motion was made by Commissioner Sehorn, seconded by Vice Mayor Rutherford, to approve the ordinance creating, amending, and providing for repealer of certain portions of Chapter 8, Article VI (Businesses, Permits and Licenses; Residential (Garage/Yard) Sales), of the Code of Ordinances of the City of Shawnee; providing for severability.

Ordinance No. 2738NS was introduced.

AN ORDINANCE CREATING, AMENDING, AND PROVIDING FOR REPEALER OF CERTAIN PORTIONS OF CHAPTER 8, ARTICLE VI (BUSINESSES, PERMITS AND LICENSES; RESIDENTIAL SALES), OF THE CODE OF ORDINANCES OF THE CITY OF SHAWNEE; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

Motion carried 7-0.

AYE: Sehorn, Rutherford, Salter, Matthews, Engles, Flood, Bolt
NAY: None

Ordinance No. 2738NS was adopted by the City Commission.

A motion was made by Vice Mayor Rutherford, seconded by Commissioner Matthews, to approve the emergency clause relating to Ordinance No. 2738NS.
Motion carried 7-0.

AYE: Rutherford, Matthews, Engles, Flood, Bolt, Sehorn Salter
NAY: None

AGENDA ITEM NO. 11:

Consideration of a resolution of the Mayor and City Commission of the City of Shawnee, Oklahoma that repeals certain fees associated with Residential (Garage/Yard) Sales; and providing for the re-adoption of the City Fee Schedule in whole.

A motion was made by Commissioner Matthews, seconded by Commissioner Engles, to approve a resolution of the Mayor and City Commission of the City of Shawnee, Oklahoma that repeals certain fees associated with Residential (Garage/Yard) Sales; and providing for the re-adoption of the City Fee Schedule in whole.

Resolution No. 6649 was introduced.

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF SHAWNEE, OKLAHOMA THAT REPEALS CERTAIN FEES ASSOCIATED WITH RESIDENTIAL SALES; AND PROVIDING FOR THE RE-ADOPTION OF THE CITY FEE SCHEDULE IN WHOLE.

Motion carried 7-0.

AYE: Matthews, Engles, Flood, Bolt, Rutherford, Sehorn, Salter
NAY: None

RECESS CITY COMMISSION MEETING BY THE POWER OF THE CHAIR
(7:17 p.m.)

RECONVENE CITY COMMISSION MEETING BY THE POWER OF THE CHAIR (7:22 p.m.)

AGENDA ITEM NO. 12:

Consideration of the following Budget Amendments for Fiscal Year 2021 – 2022:

- a. Fund 001 General Fund – For adjustments associated with Fiscal Year 2022 Union Agreements and Community Development department adjustments.
- b. Fund 001 General Fund – To fund projects (Uniform Development Code, Kayak area improvements, Mausoleum Restoration), previously approved tractor purchase, Union Contract Bonuses.

Assistant Finance Director Jacob Bussell provided a Staff report. Mr. Bussell answered questions from the Mayor and Commissioners.

A motion was made by Vice Mayor Rutherford, seconded by Commissioner Sehorn, to approve the budget amendments for Fiscal Year 2021-2022. Motion carried 7-0.

AYE: Rutherford, Sehorn, Salter, Matthews, Engles Flood, Bolt

NAY: None

AGENDA ITEM NO. 13: Acknowledge monthly Sales Tax and Budget Reports.

Assistant Finance Director Jacob Bussell reported sales tax is up \$1,752,755.00, or 16.34%, over the projected budget year-to-date. He stated that use tax collections are up approximately \$282,242.00, or 22.54%, over the projected budget year-to-date.

AGENDA ITEM NO. 14: Administrative Report

- a. City Manager Update – Andrea Weckmueller-Behringer, City Manager

City Manager Andrea Weckmueller-Behringer provided a presentation regarding the kayak area improvements on the Shawnee Twin Lakes. She spoke regarding the donations, potential locations and anticipated timeline.

AGENDA ITEM NO. 15: 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.

AGENDA ITEM NO. 16: Commissioners Comments

The Mayor and Commissioners wished everyone a Merry Christmas.

Commissioner Matthews advised he will accept Mr. Kerbs' challenge to provide a ham to a charitable organization.

Commissioner Engles advised that the presentations provided answers to her questions. She asked everyone to shop local for the holidays.

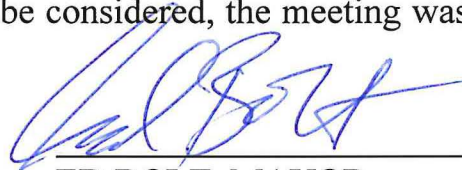
Commissioner Sehorn stated that he believes the kayak dock needs to be finished.

Mayor Bolt stated that when someone sends an email to the Mayor and Commissioners, that they cannot respond as it may violate the Open Meetings Act. He requested that any emails be sent separately to the Mayor and Commissioners. That will allow them to respond with risking violating of the Open Meetings Act.

AGENDA ITEM NO. 17:

Adjournment

There being no further business to be considered, the meeting was adjourned by power of the Chair. (7:45 p.m.)



ED BOLT, MAYOR

ATTEST:



LISA LASYONE, CMC, CITY CLERK