

BOARD OF CITY COMMISSIONERS PROCEEDINGS

December 7, 2020 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, Monday, December 7, 2020 at 6:00 p.m., pursuant to notice duly posted as prescribed by law at 3:37 p.m. on December 4, 2020. Mayor Bolt presided and Mr. Darrell Booker called the meeting to order. Upon roll call, the following members were in attendance.

Ed Bolt
Mayor

Daniel Matthews
Commissioner Ward 1

Bob Weaver
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 Travis Flood

FLAG SALUTE

AGENDA ITEM NO. 1:

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

Mr. Ken Stafford provided a handout to the Commission. He explained his property at 1018 West Benedict Street had recently been presented to the Planning Commission and City Commission for consideration of a rezoning. Mr. Stafford expressed concerns with the process in which the rezoning was handled. He asked the Commissioners to revisit the item.

Mr. Rob Morris provided a handout to the Commission. He expressed concerns with the Shawnee Forward small business relief program, Safe Events for Families (SEFF), and Spectra.

AGENDA ITEM NO. 2:

Consider approval of Consent Agenda:

- a. Minutes from the November 16, 2020 regular meeting.
- b. Acknowledge the following reports and minutes:
 - Parks and Recreation Committee Minutes from the October 8, 2020 regular meeting
 - Shawnee Community Beautification Committee Minutes from the October 15, 2020 regular meeting

- c. Mayor's Appointments:

Shawnee Community Beautification Committee

Clif Harden 1st Full Term Expires: January 1, 2024
Replaces Tom Terry – Termed out effective January 1, 2021

Ian Hayes 1st Full Term Expires: January 1, 2024
Replaces Joe Harbeson – Termed out effective January 1, 2021

React Ambulance Authority

Fire Chief Anthony Wittmann No Term Expiration
Replaces Rodney Foster – Resigned

- d. Approve Change Order No. 2 for Shawnee Police Department Architect's Project No. 1811, 912 East Independence, Shawnee, Oklahoma 74801.

A motion was made by Commissioner Weaver, seconded by Commissioner Matthews, to approve the Consent Agenda Item Nos. 2 (a-d). Motion carried 7-0.

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

NAY: None

AGENDA ITEM NO. 3:

Presentation by Animal Control to present the Pet of the Week.

Animal Control Officer Spoon presented Sheba, a two-year-old pocket-bully. Sheba has been altered and is available for adoption.

AGENDA ITEM NO. 4:

Mayor's Proclamation:
"SSM Health St. Anthony Hospital –
Shawnee Healthcare Heroes Appreciation
Week" December 13-19, 2020

Ms. Angi Mohr accepted the Mayor's Proclamation for "SSM Health St. Anthony Hospital – Shawnee Healthcare Heroes Appreciation Week" presented by Mayor Bolt.

Ms. Kathy Laster, Avedis Foundation, invited the community to show appreciation to all the local Healthcare Heroes during the week of December 13-19, 2020.

Ms. Angi Mohr, President of SSM Health St. Anthony Hospital, thanked Mayor Bolt and the City of Shawnee for the Proclamation. She stated that the hospital staff have a heavy workload and asked that the community may show their support in many ways, such as kind words, wearing masks in public, hand hygiene and social distancing.

AGENDA ITEM NO. 5:

Discussion and consideration to use Cares Act Funds for Shawnee Forward to administer a small business relief program.

City Manager Chance Allison explained that Shawnee Forward was working on a program to establish a small business relief fund. Mr. Allison introduced Rachael Melot, Shawnee Forward CEO.

Ms. Melot explained they had reached out to various communities in the area to create this program. She detailed the application process, qualifications, and draft rubric that Shawnee Forward would be using for the grant. The Pottawatomie County Commissioners have donated \$100,000.00 of Cares Act Funds to the relief program.

Ms. Melot answered questions from the Commission regarding who would be on the task force evaluating the applicants and how money would be distributed. It was discussed that funds donated by the City of Shawnee would not be limited to Shawnee businesses only, because Shawnee also benefits from commerce outside the Shawnee City Limits.

A motion was made by Commissioner Weaver, seconded by Commissioner Matthews, to contribute \$50,000.00 of Cares Act Funds for Shawnee Forward to administer a small business relief program. Motion carried 7-0.

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

AGENDA ITEM NO. 6:

Discussion and consideration to provide financial assistance for Shawnee Civic and Cultural Development Authority to assist with the International Finals Youth Rodeo (IFYR).

City Manager Chance Allison explained Shawnee Civic and Cultural Development Authority (SCCDA) owns the International Finals Youth Rodeo (IFYR), which is hosted at the Heart of Oklahoma Exposition Center annually. Mr. Allison introduced Mr. Randy Gilbert, Chairman of SCCDA.

Mr. Gilbert thanked the Commissioners and announced that 2021 will be the 28th annual IFYR, which is scheduled to be held July 11-16, 2021. Mr. Gilbert explained that there were no donations from the 2020 year since the rodeo had been cancelled due to the global pandemic. He stated many annual sponsors are struggling.

A motion was made by Commissioner Matthews, seconded by Vice Mayor Rutherford, to provide financial assistance for Shawnee Civic and Cultural Development Authority in the amount of \$50,000.00 to assist with the International Finals Youth Rodeo (IFYR). Motion carried 7-0.

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

COMMISSIONER WEAVER LEFT THE CITY COMMISSION CHAMBERS
AT 7:05 P.M.

AGENDA ITEM NO. 7:

Discussion and consideration to enter into a professional service contract for building cleaning services.

A staff report was given by James Bryce, Director of Operations. Mr. Bryce explained staff recommends hiring a professional janitorial company to clean the Library, Senior Citizen Center, Planning and Engineering building, and City Hall. Currently there are only two staff members cleaning each the various municipal buildings. By hiring an outside firm, said buildings will be consistency cleaned each night. The City of Shawnee staff members will be available to address emergency maintenance calls, maintain janitorial supplies, clean municipal buildings that have less outside foot traffic, and assist with light building maintenance.

COMMISSIONER WEAVER RETURNED TO THE CITY COMMISSION CHAMBERS AT 7:08 P.M.

A motion was made by Commissioner Flood, seconded by Commissioner Sehorn, to enter into a professional service contract with Jani-King for building cleaning services. Motion carried 7-0.

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

AGENDA ITEM NO. 8: Consideration of the following budget amendments:

- a. Fund 102 E-911 Fund – Adjust budget for laptops and dispatch furniture for the new police station.
- b. Fund 190 Community Development Block Grants (CDBG) Fund – Budget for expenditure of Home and NSP Grant Funds.
- c. Fund 198 ODOC NSP Program Fund – Budget for expenditure of NSP Grant Funds.
- d. Fund 199 Home Rehabilitation Program Income Fund – Budget for expenditure of Home Grant Funds.
- e. Fund 301 Capital Improvement Fund – Adjusts budget for additional city garage equipment, building maintenance and parks capital needs, and heater replacement for Fire Station No. 3.

Finance Director Ashley Neel explained these budget amendments are a continuation of the budget amendments that have been brought before the Commission as a mid-year review of the budget.

A motion was made by Commissioner Matthews, seconded by Commissioner Weaver, to approve the budget amendments listed in Agenda Item Nos. 8 (a-e). Motion carried 7-0.

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

AGENDA ITEM NO. 9: Public hearing and consideration of an ordinance to rezone property located on the southeast corner of North Kickapoo Avenue and West 10th Street, containing 1.79-acres, from C-3 (Highway Commercial District)

and R-3 (Multifamily Residential District) to C-4 (Central Business District) for the purpose of a warehouse. Case No. P19-20; Applicant: South Central Industries, Inc.

Planning Director Rebecca Blaine explained this rezoning is comprised of six separate lots adjoining the existing South Central Industries Campus.

Mayor Bolt declared a public hearing in session to consider an ordinance to rezone property located on the southeast corner of North Kickapoo Avenue and West 10th Street, containing 1.79-acres, from C-3 (Highway Commercial District) and R-3 (Multifamily Residential District) to C-4 (Central Business District). Ms. Tina Hanna spoke in favor of the rezoning. No one appeared against said rezoning. The public hearing was closed.

A motion was made by Commissioner Weaver, seconded by Commissioner Matthews, to approve an ordinance to rezone property located on the southeast corner of North Kickapoo Avenue and West 10th Street, containing 1.79-acres, from C-3 (Highway Commercial District) and R-3 (Multifamily Residential District) to C-4 (Central Business District).

Ordinance No. 2706NS 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: THE NORTH 15 FEET OF LOT 18 AND ALL OF LOTS 19 THROUGH 32 OF SAID BLOCK 19 FROM ZONING CLASSIFICATION C-3 (HIGHWAY COMMERCIAL DISTRICT) AND R-3 (MULTIFAMILY RESIDENTIAL DISTRICT) TO C-4 (CENTRAL BUSINESS DISTRICT) AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SHAWNEE ACCORDINGLY.

Motion carried 7-0.

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

NAY: None

Ordinance No. 2706NS was adopted by the City Commission.

AGENDA ITEM NO. 10:

Public hearing and consideration of an ordinance to rezone property located on the north side of Wolverine Road west of North Harrison Avenue, containing 80-acres, from A-1 (Rural Agricultural District) to I-3

(Heavy Industrial District) for the purpose of future industry. Case No. P20-20; Applicant: Carruth Family Partnership 1992.

Planning Director Rebecca Blaine gave a staff report explaining this property is being rezoned to allow for future industrial growth.

Mayor Bolt declared a public hearing in session to consider an ordinance to rezone property located on the north side of Wolverine Road west of North Harrison Avenue, containing 80-acres, from A-1 (Rural Agricultural District) to I-3 (Heavy Industrial District). No one appeared in favor or against said rezoning. The public hearing was closed.

A motion was made by Commissioner Weaver, seconded by Commissioner Flood, to approve an ordinance to rezone property located on the north side of Wolverine Road west of North Harrison Avenue, containing 80-acres, from A-1 (Rural Agricultural District) to I-3 (Heavy Industrial District).

Ordinance No. 2707NS 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: THE EAST HALF (E/2) OF THE SOUTHWEST QUARTER (SW/4), OF SECTION 18, TOWNSHIP 11 NORTH, RANGE 4 EAST, OF THE INDIAN MERIDIAN, POTTAWATOMIE COUNTY OKLAHOMA FROM ZONING CLASSIFICATION A-1 (RURAL AGRICULTURAL DISTRICT) TO I-3 (HEAVY INDUSTRIAL DISTRICT) AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SHAWNEE ACCORDINGLY.

Motion carried 7-0.

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

NAY: None

Ordinance No. 2707NS was adopted by the City Commission.

AGENDA ITEM NO. 11:

Public hearing and consideration to amend the 2040 Comprehensive Plan and consideration of an ordinance to rezone property located approximately 1100 feet east of Harrison Avenue on East 39th Street, containing 13.49-acres, from A-1 (Rural Agricultural District) to R-1 (Single Family

Residential District). Case No. CPA01-20;
Applicant: David Ray.

Planning Director Rebecca Blaine gave a staff report. She explained this item will require two separate motions; the first regarding the amendment of the Comprehensive Plan and the second regarding the rezoning.

Mayor Bolt declared a public hearing in session to consider an ordinance to rezone property located approximately 1100 feet east of Harrison Avenue on East 39th Street, containing 13.49-acres, from A-1 (Rural Agricultural District) to R-1 (Single Family Residential District). Mr. Jon Flowers and Mr. Rob Morris appeared in favor of said rezoning. No one appeared against said rezoning. The public hearing was closed.

A motion was made by Commissioner Matthews, seconded by Vice Mayor Rutherford, to amend the 2040 Comprehensive Plan to change this particular tract of land from R-3 (Multi-family Residential District) to R-1 (Single Family Residential District) and to direct the Planning Commission to reallocate thirteen to fifteen acres within the City Limits to R-3 (Multi-family Residential District) at their annual Comprehensive Plan review; with this action places no obligation on the developer. Motion carried 7-0.

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

A motion was made by Commissioner Matthews, seconded by Commissioner Sehorn, to approve an ordinance to rezone property located approximately 1100 feet east of Harrison Avenue on East 39th Street, containing 13.49-acres, from A-1 (Rural Agricultural District) to R-1 (Single Family Residential District).

Ordinance No. 2708NS 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 LYING THE EAST HALF OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER (E/2 SW/4 NW/4) OF SECTION FIVE (5), TOWNSHIP TEN (10) NORTH, RANGE FOUR (4) EAST OF THE INDIAN MERIDIAN, POTTAWATOMIE COUNTY, OKLAHOMA AND FURTHER DESCRIBED AS: COMMENCING AT THE NORTHWEST CORNER OF SAID E/2 SW/4 NW/4; THENCE N89°18'40"E ALONG THE NORTH LINE OF SAID E/2 SW/4 NW/4 A DISTANCE OF 550.25 FEET; THENCE S00°41'18"E A DISTANCE OF 343.28 FEET TO THE POINT OF BEGINNING; THENCE N89°18'40"E A DISTANCE OF 115.79 FEET TO THE EAST LINE OF SAID E/2 SW/4NW/4; THENCE S01°39'18"E ALONG SAID EAST LINE A DISTANCE OF 376.20 FEET; THENCE

S89°18'40"W A DISTANCE OF 115.79 FEET; THENCE N01°39'18"W A DISTANCE OF 375.20 FEET TO THE POINT OF BEGINNING AND A TRACT OF LAND DESCRIBED AS BEGINNING AT THE NORTHWEST CORNER OF THE EAST HALF OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER (NW/4 E/2 SW/4 NW/4) OF SECTION 5, TOWNSHIP 10 NORTH, RANGE 4 EAST OF THE INDIAN MERIDIAN, POTTAWATOMIE COUNTY, OKLAHOMA; THENCE N89°18'40"E ALONG THE NORTH LINE OF SAID E/2 SW/4 NW/4 A DISTANCE OF 128.96 FEET; THENCE S00°41'18"E A DISTANCE OF 343.28 FEET; THENCE N89°18'40"E A DISTANCE OF 421.29 FEET; THENCE S01°39'18"E A DISTANCE OF 376.20 FEET; THENCE N89°18'40"E A DISTANCE OF 115.79 FEET TO THE EAST LINE OF SAID E/2 SW/4 NW/4; THENCE S01°39'18"E ALONG SAID EAST LINE A DISTANCE OF 607.74 FEET TO THE SOUTH LINE OF SAID E/2 SW/4 NW/4; THENCE S89°17'32"W ALONG SAID SOUTH LINE A DISTANCE OF 411.86 FEET; THENCE N01°35'06"W A DISTANCE OF 250.00 FEET TO THE WEST LINE OF SAID E/2 SW/4 NW/4; THENCE N01°35'06"W ALONG WEST LINE A DISTANCE OF 1077.50 FEET TO THE POINT OF BEGINNING FROM ZONING CLASSIFICATION A-1 (RURAL AGRICULTURAL DISTRICT) TO R-1 (SINGLE FAMILY RESIDENTIAL DISTRICT) AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SHAWNEE ACCORDINGLY.

Motion carried 7-0.

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

Ordinance No. 2708NS was adopted by the City Commission.

AGENDA ITEM NO. 12:

Consider Statements of Qualification for Professional Services:

- a. Independence Street Sidewalk Design Project from Kickapoo Avenue to Harrison Avenue (Award/Contract Negotiation)
- b. Highland Street Sidewalk Design Project from Harrison Avenue to Bryan Avenue (Award/Contract Negotiation)
- c. Kickapoo Street Sidewalk Design Project from Interstate 40 to MacArthur Street (Award/Contract Negotiation)

City Engineer Seth Barkhimer explained in 2017 the City was awarded a dollar-for-dollar Avedis Foundation Grant for sidewalk construction. Staff compiled a list of projects that would have a high impact on the Comprehensive Plan and the Safe Routes to Schools Masterplan. A Request for Qualifications (RFQ) for five sidewalk design projects was released in September. Thirteen firms submitted qualifications. Staff reviewed and interviewed respondents with the highest rankings. Staff is requesting authorization to begin negotiations with CEC, Co., Crafton Tull, and Olsson, Inc. to develop contracts for professional design

services. Said contracts would be brought back before the City Commission for final approval. Staff recommends negotiations with the following firms:

- a. Independence Street Sidewalk Design Project from Kickapoo Avenue to Harrison Avenue – CEC, Co.
- b. Highland Street Sidewalk Design Project from Harrison Avenue to Bryan Avenue - Crafton Tull
- c. Kickapoo Street Sidewalk Design Project from Interstate 40 to MacArthur Street - Olsson, Inc.

A motion was made by Commissioner Weaver, seconded by Commissioner Flood, to authorize staff to begin negotiations for professional design services regarding the following sidewalk projects and recommended firms:

- a. Independence Street Sidewalk Design Project from Kickapoo Avenue to Harrison Avenue – CEC, Co.
- b. Highland Street Sidewalk Design Project from Harrison Avenue to Bryan Avenue - Crafton Tull
- c. Kickapoo Street Sidewalk Design Project from Interstate 40 to MacArthur Street - Olsson, Inc.

Motion carried 7-0.

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

NAY: None

RECESS CITY COMMISSION MEETING BY THE POWER OF THE CHAIR
TO CONVENE SHAWNEE AIRPORT AUTHORITY AND SHAWNEE
MUNICIPAL AUTHORITY (7:48 P.M.)

RECONVENE CITY COMMISSION MEETING BY THE POWER OF THE
CHAIR (8:00 P.M.)

AGENDA ITEM NO. 13:

Consider and take action with respect to a resolution of the Board of Commissioners of the City of Shawnee, Oklahoma (the "City") approving action taken by the Shawnee Municipal Authority (the "Authority") authorizing issuance, sale and delivery of its Clean Water SRF Promissory Note to the

Oklahoma Water Resources Board; ratifying and confirming a Lease Agreement and Operation and Maintenance Contract, as amended, whereby the City leases its water and sanitary sewer systems to the Authority; and containing other provisions related thereto.

Staff explained this item is a partner item to Shawnee Municipal Authority Agenda Item No. 3 regarding a Clean Water SRF Loan from Oklahoma Water Resources Board.

Resolution No. 6623 was introduced.

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF SHAWNEE, OKLAHOMA (THE "CITY") APPROVING ACTION TAKEN BY THE SHAWNEE MUNICIPAL AUTHORITY (THE "AUTHORITY") AUTHORIZING ISSUANCE, SALE AND DELIVERY OF ITS CLEAN WATER SRF PROMISSORY NOTE TO THE OKLAHOMA WATER RESOURCES BOARD; RATIFYING AND CONFIRMING A LEASE AGREEMENT AND OPERATION AND MAINTENANCE CONTRACT, AS AMENDED, WHEREBY THE CITY LEASED ITS WATER AND SANITARY SEWER SYSTEMS TO THE AUTHORITY; AND CONTAINING OTHER PROVISIONS RELATED THERETO.

A motion was made by Commissioner Matthews, seconded by Commissioner Weaver, to approve a resolution of the Board of Commissioners of the City of Shawnee, Oklahoma (the "City") approving action taken by the Shawnee Municipal Authority (the "Authority") authorizing issuance, sale and delivery of its Clean Water SRF Promissory Note to the Oklahoma Water Resources Board; ratifying and confirming a Lease Agreement and Operation and Maintenance Contract, as amended, whereby the City leases its water and sanitary sewer systems to the Authority; and containing other provisions related thereto. Motion carried 7-0.

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

NAY: None

AGENDA ITEM NO. 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.

AGENDA ITEM NO. 15:

Commissioners Comments

Commissioner Sehorn expressed how critical water and sewer infrastructure was for the City of Shawnee.

Vice Mayor Rutherford echoed Commissioner Sehorn's comments regarding water and sewer. He also stated he was glad to hear about Shawnee Forward's small business relief program.

Commissioner Flood thanked the Pottawatomie County Commissioners for their contribution to Shawnee Forward's small business relief program.

Commissioner Weaver stated that he was researching the Spectra contract to be more educated on it. He said that it was a contract approved by the previous Commission.

Commissioner Weaver announced that the recently vacated JCPenney building in the Shawnee Mall would be occupied by a furniture store.

Commissioner Matthews complimented Staff for their work regarding the amendment process for the 2040 Comprehensive Plan. He also thanked Staff for the work regarding the Clean Water SRF Loan. Commissioner Matthews expressed his appreciation of Shawnee Forward and their work on the small business relief program.

Commissioner Matthews also addressed concerns with Safe Events for Families (SEFF) and Spectra.

Mayor Bolt reminded citizens to take precautions regarding the current COVID-19 pandemic to help alleviate the workload of the hospital staff.

Mayor Bolt addressed comments heard during Citizens Participation.

AGENDA ITEM NO. 16:

Adjournment

There being no further business to be considered, the meeting was adjourned by power of the Chair. (7:31 p.m.)


ED BOLT, MAYOR

ATTEST:

Kacie Eck
KACIE ECK,
SENIOR DEPUTY CITY CLERK

