

BOARD OF CITY COMMISSIONERS PROCEEDINGS

OCTOBER 4, 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, October 4, 2021 at 6:00 p.m., pursuant to notice duly posted as prescribed by law at 10:39 a.m. on October 1, 2021. Mayor Bolt presided called the meeting to order. Upon roll call, the following members were in attendance.

Ed Bolt

Mayor

Daniel Matthews

Commissioner Ward 1

Vacant

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

Mr. John Bobb-Semple

FLAG SALUTE

AGENDA ITEM NO. 1:

Citizens Participation

(A three-minute limit per person)

(A twelve-minute limit per topic)

Mr. Eric Benson stated he would like to give his last paycheck back to the community. On behalf of the City Commission, Mr. Benson provided a check to Mr. Josh Trimble, Chief of Foundation Management for The Children's Center Rehabilitation Hospital. On behalf of the City of Shawnee employees, Mr. Benson provided a check to Commissioner Travis Flood, Friendship House Coordinator, for Community Renewal of Pottawatomie County Kids Club.

Mr. Rich Rudebock, President of the Twin Lakes Homeowners Association, provided a handout to the Commission. He discussed a proposed solution to install two new buoys on Shawnee Twin Lake No. 1.

Ms. Devra Waterman asked if there could be a resolution to getting questions presented by citizens answered by the Commission or Staff.

Ms. Loida Haffener Salmond, Red Cross Executive Director of South Central and Southeast Oklahoma Chapter, stated she would like to schedule meetings to share different programs the Red Cross has to offer our community. Ms. Haffener Salmond also announced a Blood Drive on November 11, 2021 at Emmanuel Episcopal Church.

Ms. Theresa Cody provided a handout to the Commission. She asked for clarification on the proposed resolution establishing the City Manager's compensation.

Mr. Rob Morris spoke regarding the Lake Advisory Committee, Shawnee Aligned, and the Open Meeting Act.

AGENDA ITEM NO. 2:

Consider approval of Consent Agenda:

- a. Minutes from the September 20, 2021 Special Call meeting, September 20, 2021 regular meeting, and the September 21, 2021 Special Call meeting.
- b. Acknowledge the following minutes:
 - Shawnee Community Beautification Committee Minutes from the May 20, 2021 regular meeting.
- c. Lake Lease Transfers:

TRANSFERS:

Lot 11 Belcher Tract, 15609 Nickens Road
From: Bob and Kellianne Weaver
To: Mark H. and Mary Jane Cannon

Lot 1 Magnino A Tract, 16816 Magnino Road
From: Jose and Jennifer Massey
To: Sutton Ryan Petz Irrevocable Trust C/O Jordan Monk Reber, PC

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

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

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

Animal Control Officer Spoon and Officer Miller introduced Machete, an 8-week-old domestic short kitten. His adoption fee is \$5.00 with a \$25.00 neuter deposit and a \$10.00 City tag if the owner resides in the City Limits.

AGENDA ITEM NO. 4: Discussion and consideration of a contract with Andrea Weckmueller-Behringer as City Manager.

A motion was made by Commissioner Sehorn, seconded by Vice Mayor Rutherford, to approve a contract with Andrea Weckmueller-Behringer as City Manager. Motion carried 6-0.

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

AGENDA ITEM NO. 5: 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 addressed Ms. Theresa Cody's inquiry regarding said resolution by explaining there may be times when Mrs. Weckmueller-Behringer will be on vacation and will require someone to fulfill her duties as Acting City Manager.

A motion was made by Commissioner Matthews, seconded by Commissioner Flood, 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. 6646 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.

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

NAY: None

AGENDA ITEM NO. 6:

Swearing in of Andrea Weckmueller-Behringer as City Manager. *(This item only occurs if a contract is approved during Agenda Item No. 4.)*

Andrea Weckmueller-Behringer was sworn in as City Manager by City Clerk Lisa Lasyone.

AGENDA ITEM NO. 7:

Presentation by Peggy Cook, Pioneer Library Systems, regarding a Story Walk at Boy Scout Park.

Ms. Peggy Cook, Pioneer Library Systems, gave a presentation regarding the Story Walk installation at Boy Scout Park.

AGENDA ITEM NO. 8:

Discussion and consideration of a contract with Meshek & Associates, LLC for the Right-of-Way Acquisition for the following projects:

- Kickapoo Street
- Independence Street
- Highland Street

City Engineer Seth Barkhimer explained Meshek & Associates, LLC are the same consultants that preformed the Kickapoo Street and MacArthur Street right-of-way acquisitions. The proposed contract includes 65 different parcels.

A motion was made by Commissioner Flood, seconded by Commissioner Sehorn, to approve a contract with Meshek & Associates, LLC for the Right-of-Way Acquisition for the Kickapoo Street, Independence Street, and Highland Street projects. Motion carried 6-0.

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

NAY: None

AGENDA ITEM NO. 9:

Discussion and consideration of a Real Property Exchange Agreement and approval of deeds ancillary thereto, between Shawnee Public Schools (Independent School District No. 93) and the City of Shawnee; and authorizing the Mayor to execute the Real Property Exchange Agreement and Deeds on behalf of the City of Shawnee.

City Manager Andrea Weckmueller-Behringer explained the City of Shawnee and Shawnee Public Schools (SPS) requests approval to enter into a Real Property Exchange Agreement. The City owns property at the corner of North Kickapoo Avenue and West Dill Street and SPS owns property located at 214 South Pennsylvania Avenue. The two entities wish to exchange said property with a closing date set on or before October 14th.

A motion was made by Mayor Bolt, seconded by Commissioner Flood, to approve a Real Property Exchange Agreement and approval of deeds ancillary thereto, between Shawnee Public Schools (Independent School District No. 93) and the City of Shawnee; and authorizing the Mayor to execute the Real Property Exchange Agreement and Deeds on behalf of the City of Shawnee. Motion carried 4-1-1.

AYE: Bolt, Flood, Rutherford, Matthews

NAY: Sehorn

ABSTAIN: Salter

AGENDA ITEM NO. 10:

Discussion and consideration of an ordinance relating to shopping carts, amending Chapter 8 of the Shawnee Municipal Code by creating Article XI of Chapter 8, shopping carts; providing for repeal; providing for severability; providing for codification; and providing for emergency clause. *(Deferred from the September 20, 2021 City Commission meeting.)*

Interim City Manager Eric Benson explained the penalty had been removed from the original draft presented to the Commission on September 20, 2021. He stated that this proposed ordinance would be a tool for the Police Department to investigate each circumstance.

A motion was made by Vice Mayor Rutherford, seconded by Commissioner Matthews, to defer this item to a future City Commission meeting. Motion carried 5-1.

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

AGENDA ITEM NO. 11:

Consideration of the following budget amendments for Fiscal Year 2021-2022:

- a. Fund 001 General Fund – To fund Lake Survey contract.
- b. Fund 001 General Fund – To fund Radio Maintenance contract.
- c. Fund 706 Gifts and Contributions – To fund expenditures for Fire Clown Program using prior year donations.

Assistant Finance Director Jacob Bussell explained each budget amendment.

A motion was made by Commissioner Flood, seconded by Commissioner Sehorn, to approve the budget amendments for Fiscal Year 2021-2022. Motion carried 6-0.

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

AGENDA ITEM NO. 12:

Consider Bids:

- a. Fence Removal and Replacement Project Heart of Oklahoma Exposition Center Project No. C-21-03D1 (Award)

The Heart of Oklahoma Exposition Center General Manager Katy Fleming announced that one (1) bid was received. After review and consideration, it was Ms. Fleming's recommendation to award the bid to RJ Fence of Wellston, Oklahoma in the total amount of \$266,032.50.

A motion was made by Vice Mayor Rutherford, seconded by Commissioner Matthews, to award the bid to RJ Fence in the total amount of \$266,032.50. Motion carried 6-0.

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

NAY: None

AGENDA ITEM NO. 13:

Administrative Report

- a. Heart of Oklahoma Exposition Center Progress – Katy Fleming, Heart of Oklahoma Exposition Center General Manager

The Heart of Oklahoma Exposition Center General Manager Katy Fleming gave an update on progress at the Heart of Oklahoma Exposition Center (Expo) since her arrival.

AGENDA ITEM NO. 14:

Discussion and presentations of City Commissioner Ward 2 applicants:

- Cami Engles – Ms. Engles was present and addressed the Commission.
- Elliot Shuler – Mr. Shuler was present and addressed the Commission.
- Frank Sims – Mr. Sims was present and addressed the Commission.

AGENDA ITEM NO. 15:

Discussion, consideration, and possible action to appoint a City Commissioner to the Ward 2 position to fill the open position left by the resignation of Ward 2 Commissioner Bob Weaver, to complete the remainder of term, expiring 2024.

After Commission discussion, a motion was made by Mayor Bolt, seconded by Commissioner Flood, to appoint Ms. Cami Engles to the Ward 2 City Commission position. Motion carried 5-0-1.

AYE: Bolt, Flood, Rutherford, Sehorn, Matthews

NAY: None

ABSTAIN: Salter

AGENDA ITEM NO. 16:

Swearing in of Ward 2 Commissioner. *(This item only occurs if a Commissioner for Ward 2 is appointed during Agenda Item No. 15.)*

Cami Engles was sworn in as Ward 2 City Commissioner by City Clerk Lisa Lasyone.

AGENDA ITEM NO. 17:

Discussion and consideration of Mayor's appointments to the Lake Advisory Committee.

Mayor Bolt stated that Commissioner Engles is currently on the Lake Advisory Committee and as a citizen appointment. Due her appointment as Commissioner replacing Bob Weaver, she will now serve on the Committee as a City Commissioner member. Mayor Bolt offered to appoint Ms. Amy Camarata as a citizen member to the Lake Advisory Committee.

A motion was made by Commissioner Matthews, seconded by Commissioner Flood, to approve the Mayor's appointment of Ms. Amy Camarata to the Lake Advisory Committee. Motion carried 7-0.

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

NAY: None

AGENDA ITEM NO. 18:

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. 19:

Commissioners Comments

The Mayor and Commissioners thanked Interim City Manger for his time spent serving the City of Shawnee. They welcomed City Manager Andrea Weckmueller-Behringer and Ward 2 City Commissioner Cami Engles.

Commissioner Salter spoke regarding the exciting things happening within the City of Shawnee.

Commissioner Sehorn spoke regarding the proposed shopping cart ordinance.

Commissioner Flood addressed Ms. Waterman's concerns from Citizens Participation.

Commissioner Engles stated she was humbled to have been selected to serve as Ward 2 Commissioner.

Commissioner Matthews addressed Ms. Waterman's concerns from Citizens Participation. He also addressed Shawnee Aligned.

Mayor Bolt thanked Mr. Shuler and Mr. Sims for applying to serve as Ward 2 City Commissioner.

Mayor Bolt addressed Ms. Waterman and Mr. Morris' concerns from Citizens Participation.

AGENDA ITEM NO. 20:

Adjournment

There being no further business to be considered, the meeting was adjourned by power of the Chair. (7:54 p.m.)



ED BOLT, MAYOR

ATTEST:



Lisa Laszoni
LISA LASYONE, CMC, CITY CLERK