

AGENDA  
BOARD OF CITY COMMISSIONERS  
October 3, 2016 AT 6:30 P.M.  
COMMISSION CHAMBERS AT CITY HALL  
SHAWNEE, OKLAHOMA

CALL TO ORDER

DECLARATION OF A QUORUM

INVOCATION

FLAG SALUTE

All motions will be made in the affirmative. The fact that a commissioner makes or offers a second to a motion does not mean that the commissioner must vote in favor of passage.

1. Consider approval of Consent Agenda:
  - a. Acknowledge staff will proceed in the instant meeting with the opening and consideration of bids as set forth in Agenda Item No. 7.
  - b. Minutes from the September 6, 2016 (*deferred from September 19, 2016 meeting*) and September 19, 2016 regular meetings.
  - c. Mayor's Appointments  
Traffic Commission  
Reuben Peltier                      1st Partial Term    Expires 1/1/2019  
*Replaces Ronald Gillham, Sr. – Resigned*
2. Citizens Participation  

(A three minute limit per person)  
(A twelve minute limit per topic)
3. Mayor's Proclamation:  
"Fire Prevention Week"  
October 9-15, 2016
4. Consider a resolution to declare two carbon monoxide euthanasia systems (Serial Numbers 31540601308 and 3841090168) at the Animal Shelter surplus property and authorizing its disposal.
5. Discussion, consideration and possible action to grant a partial easement release to the State of Oklahoma, Commissioners of the Land Office in Section 16, T10N, R2E, IM.

6. Discussion, consideration and possible action to approve the transfer of property owned by the City of Shawnee in Section 16, T10N, R2E, IM in exchange for the granting of an easement in the North Half, Section 36, T11N, R3E, IM by the State of Oklahoma, Commissioners of the Land Office.
7. Consider Bids/Request for Qualifications (RFQ):
  - a. Park Design RFQ (Open)
8. Administrative Reports
  - a. Dru Tischer, Fire Chief – Fire Prevention Week (October 10-14, 2016)
9. City Manager Report
10. New Business

(Any matter not known about or which could not have been reasonably foreseen prior to the posting of the agenda)
11. Commissioners Comments
12. Adjournment

Respectfully submitted

Phyllis Loftis, CMC, City Clerk

The City of Shawnee encourages participation from its citizens in public meetings. If participation is not possible due to a disability, notify the City Clerk, in writing, at least forty-eight hours prior to the scheduled meeting and necessary accommodations will be made. (ADA 28 CFR/36)

**Regular Board of Commissioners**

**1. b.**

Meeting Date: 10/03/2016

CC Minutes

Submitted By: Lisa Lasyone, City Clerk

Department: City Clerk

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Information

Title of Item for Agenda

Minutes from the September 6, 2016 (*deferred from September 19, 2016 meeting*) and September 19, 2016 regular meetings.

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Attachments

CC Minutes 09-06-2016

CC Minutes 09-19-2016

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**BOARD OF CITY COMMISSIONERS PROCEEDINGS**  
**SEPTEMBER 6, 2016 AT 6:30 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, 9th and Broadway, Shawnee, Oklahoma, Tuesday, September 6, 2016 at 6:30 p.m., pursuant to notice duly posted as prescribed by law. Mayor Mainord presided and called the meeting to order. Upon roll call, the following members were in attendance.

Wes Mainord  
Mayor

Dub Bushong  
Commissioner Ward 1

Ron Gillham  
Commissioner Ward 2

James Harrod  
Commissioner Ward 3-Vice Mayor

Keith Hall  
Commissioner Ward 4

Lesa Shaw  
Commissioner Ward 5

Absent  
Commissioner Ward 6

ABSENT: Micheal Dykstra

INVOCATION

Reverend Ken Kerbo

FLAG SALUTE

AGENDA ITEM NO. 1:

Consider approval of minutes of the regular meeting of August 15, 2016.

A motion was made by Vice Mayor Harrod, seconded by Commissioner Shaw, to approve the minutes from the regular meeting of August 15, 2016. Motion carried 6-0.

AYE: Harrod, Shaw, Mainord, Hall, Bushong, Gillham

NAY: None

RECESS CITY COMMISSION MEETING BY THE POWER OF THE CHAIR  
TO CONVENE SHAWNEE AIRPORT AUTHORITY AND SHAWNEE  
MUNICIPAL AUTHORITY (6:31 P.M.)

RECONVENE CITY COMMISSION MEETING BY THE POWER OF THE  
CHAIR (6:32 P.M.)

AGENDA ITEM NO. 2:

Consider Resolution of Appreciation to Wes  
Mainord, Mayor of the City of Shawnee.

Resolution No. 6521 was introduced.

A RESOLUTION EXPRESSING APPRECIATION FOR THE OUTSTANDING SERVICE OF WES  
MAINORD AS MAYOR OF THE CITY OF SHAWNEE, OKLAHOMA; PROVIDING THAT SAID  
RESOLUTION BE SPREAD UPON THE OFFICIAL RECORDS OF THE CITY OF SHAWNEE,  
OKLAHOMA; AND PROVIDING THAT A COPY HEREOF BE PRESENTED TO THE SAID WES  
MAINORD.

A motion was made by Vice Mayor Harrod, seconded by Commissioner  
Hall, to approve a Resolution of Appreciation to Wes Mainord, Mayor of the City  
of Shawnee. Motion carried 5-0-1.

AYE: Harrod, Hall, Bushong, Gillham, Mainord

NAY: None

ABSTAIN: Shaw

AGENDA ITEM NO. 3:

Consider Resolution of Appreciation to  
Linda Agee, Commissioner Ward II of the  
City of Shawnee.

Resolution No. 6522 was introduced.

A RESOLUTION EXPRESSING APPRECIATION FOR THE OUTSTANDING SERVICE OF LINDA  
AGEE AS COMMISSIONER OF WARD TWO OF THE CITY OF SHAWNEE, OKLAHOMA;  
PROVIDING THAT SAID RESOLUTION BE SPREAD UPON THE OFFICIAL RECORDS OF THE  
CITY OF SHAWNEE, OKLAHOMA; AND PROVIDING THAT A COPY HEREOF BE PRESENTED  
TO THE SAID LINDA AGEE.

A motion was made by Vice Mayor Harrod, seconded by Commissioner  
Shaw, to approve a Resolution of Appreciation to Linda Agee, Commissioner of  
Ward II of the City of Shawnee. Motion carried 6-0.

AYE: Harrod, Shaw, Bushong, Gillham, Mainord, Hall

NAY: None

AGENDA ITEM NO. 4:

Consider Resolution of Appreciation to Keith Hall, Commissioner of Ward IV of the City of Shawnee.

Resolution No. 6523 was introduced.

A RESOLUTION EXPRESSING APPRECIATION FOR THE OUTSTANDING SERVICE OF KEITH HALL AS COMMISSIONER OF WARD FOUR OF THE CITY OF SHAWNEE, OKLAHOMA; PROVIDING THAT SAID RESOLUTION BE SPREAD UPON THE OFFICIAL RECORDS OF THE CITY OF SHAWNEE, OKLAHOMA; AND PROVIDING THAT A COPY HEREOF BE PRESENTED TO THE SAID KEITH HALL.

A motion was made by Commissioner Gillham, seconded by Vice Mayor Harrod, to approve a Resolution of Appreciation to Keith Hall, Commissioner of Ward IV of the City of Shawnee. Motion carried 4-0-2.

AYE: Gillham, Harrod, Bushong, Mainord

NAY: None

ABSTAIN: Hall, Shaw

AGENDA ITEM NO. 5:

Presentation of Resolutions of Appreciation and plaques to Mayor Wes Mainord, Commissioner Linda Agee and Commissioner Keith Hall.

Mayor Wes Mainord presented the Resolution of Appreciation and plaque to Commissioner Keith Hall.

Vice Mayor James Harrod presented the Resolution of Appreciation and plaque to Mayor Wes Mainord.

Linda Agee was not present to accept her resolution and plaque.

AGENDA ITEM NO. 6:

Swearing in of Mayor Richard Finley, Ward I Commissioner Dub Bushong, Ward II Commissioner Ron Gillham, Sr., Ward III Commissioner James Harrod, and Ward IV Commissioner Darren Rutherford.

Municipal Judge Randall Wiley swore in Mayor Richard Finley, Ward I Commissioner Dub Bushong, Ward II Commissioner Ron Gillham, Sr., Ward III Commissioner James Harrod, and Ward IV Commissioner Darren Rutherford.

AGENDA ITEM NO. 7:

Presentation of Certificates of Election to Mayor Richard Finley, Ward I Commissioner Dub Bushong, Ward II Commissioner Ron Gillham, Sr., Ward III Commissioner James Harrod and Ward IV Commissioner Darren Rutherford.

Municipal Judge Randall Wiley presented Certificates of Election to Mayor Richard Finley, Ward I Commissioner Dub Bushong, Ward II Commissioner Ron Gillham, Sr., Ward III Commissioner James Harrod and Ward IV Commissioner Darren Rutherford.

RECESS CITY COMMISSION MEETING BY THE POWER OF THE CHAIR FOR RECEPTION FOR OUTGOING AND INCOMING COMMISSIONERS (6:44 P.M.)

RECONVENE CITY COMMISSION MEETING BY THE POWER OF THE CHAIR (7:00 P.M.)

AGENDA ITEM NO. 8:

Inaugural address by Mayor Richard Finley.

Mayor Richard Finley began his address by expressing his appreciation for City staff and encouraging them to take pride in their jobs and community. He spoke of the need for a public storm shelter, looking for a solution to the homeless situation downtown and consideration of an annual utility rate increase. He also discussed the City's image, public perception and the plan to design a reporting system where the board can keep the public better informed of City issues. Further, he intends to reach out to mend relationships with area stakeholders such as Shawnee Public Schools, dependent school districts, tribal partners, local industry and downtown businesses. Mayor Finley also noted the Commission's role is to set policy and to support staff to help them accomplish their jobs.

AGENDA ITEM NO. 9:

Commission Appointment of a Vice Mayor  
(per Article III, Section 6 of City Charter)

A motion was made by Commissioner Gillham, seconded by Commissioner Rutherford, to appoint Commissioner James Harrod as Vice Mayor. Motion carried 4-1-1.

AYE: Gillham, Rutherford, Bushong, Finley

NAY: Shaw

ABSTAIN: Harrod

AGENDA ITEM NO. 10:

Consider approval of Consent Agenda:

- a. Authorize staff to apply for sub-grant of FFY 2017 Emergency Management Performance Grant funds from Oklahoma Department of Emergency Management.
- b. Lake Lease Transfer:

TRANSFER:

- Lot 14 Magnino A Tract, 17312 Magnino Rd  
To: Dylan Sigman  
From: Ronald and Marcie Mitchell
- c. Budget Amendment – Fund 706 Gifts and Contributions  
*Move money from Gifts and Contributions for headset for Fire Department*
  - d. Acceptance of public improvements, i.e. storm and paving, sanitary sewer, and water line for Timbers East Addition Phase III and placing maintenance bonds into effect, authorizing obtainment of signatures and recording of the final plat.
  - e. Acceptance of a letter of credit in lieu of completion of public improvements for Shawnee Park Addition, authorizing obtainment of signatures and recording of final plat.

A motion was made by Vice Mayor Harrod, seconded by Commissioner Shaw, to approve the Consent Agenda Item Nos. 1(a-e). Motion carried 6-0.

AYE: Harrod, Shaw, Bushong, Gillham, Finley, Rutherford

NAY: None

AGENDA ITEM NO. 11

Citizens Participation

(A three minute limit per person)

(A twelve minute limit per topic)

Ms. Karen Bays-Winslow, Shawnee Public Library Branch Manager, informed the Commission of an art mural dedication on Monday, September 19, 2016 at 5:00 p.m. at the Shawnee Public Library.

Mr. Mike Little gave a brief update on the Timbers addition, noting that one hundred and nine (109) lots will soon be dedicated. Mr. Little also offered his services to the Commission to assist with the public storm shelter if needed.

Governor Edwina Butler-Wolfe of the Absentee Shawnee Tribe stated that she was pleased to hear the Mayor say he wants to work with the local tribes. She invited the Mayor and Commissioners to visit with her and said that her door is always open.

AGENDA ITEM NO. 12:

Discussion, consideration and possible action on Clara and Juan Guerrero's appeal of an Administrative Order requiring the demolition of the residential structure located at 420 South Park Street.

City Manager Justin Erickson explained the condition of the property and stated that staff has no objection to deferring the item until the City Commission meeting on October 17, 2016 to allow time for the property owners to obtain a permit.

A motion was made by Commissioner Shaw, seconded by Vice Mayor Harrod, to approve staff's recommendation and allow the property owners a thirty (30) day extension. Motion carried 6-0.

AYE: Shaw, Harrod, Bushong, Gillham, Finley, Rutherford

NAY: None

AGENDA ITEM NO. 13:

Consider a resolution to declare a 1989 Ford 7610 Tractor (Asset No. 1469) and 2000 New Holland LB115 Backhoe (Asset No. 1607) surplus property and authorizing staff to trade-in both toward purchase of 2016 New Holland T4.90 Tractor.

Resolution No. 6524 was introduced.

A RESOLUTION DECLARING CERTAIN ITEMS OF PERSONAL PROPERTY SURPLUS AND NO LONGER NEEDED FOR CITY PURPOSES; DESCRIBING SAID ITEMS; AND AUTHORIZING THE TRADE-IN OF SAID ITEMS TOWARD PURCHASE OF 2016 NEW HOLLAND T4.90 TRACTOR.

A motion was made by Commissioner Shaw, seconded by Vice Mayor Harrod, to approve a resolution to declare a 1989 Ford 7610 Tractor (Asset No. 1469) and 2000 New Holland LB115 Backhoe (Asset No. 1607) surplus property and authorizing staff to trade-in both toward purchase of 2016 New Holland T4.90 Tractor. Motion carried 6-0.

AYE: Shaw, Harrod, Bushong, Gillham, Finley, Rutherford  
NAY: None

AGENDA ITEM NO. 14:

Discussion, consideration and possible action to authorize staff to purchase 2016 New Holland T4.90 Tractor from the state bid in the amount of \$36,000.00 (after trading in 1989 Ford 7610 Tractor, COS Asset No. 1469 and 2000 New Holland LB115 Backhoe, COS Asset No. 1607).

A motion was made by Vice Mayor Harrod, seconded by Commissioner Rutherford, to authorize staff to purchase 2016 New Holland T4.90 Tractor from the state bid in the amount of \$36,000.00. Motion carried 6-0.

AYE: Harrod, Rutherford, Shaw, Bushong, Gillham, Finley  
NAY: None

AGENDA ITEM NO. 15:

Consider a resolution approving a Transportation Enhancement Project Agreement with the Oklahoma Department of Transportation (ODOT) for the Main Street Streetscape Enhancement Project Phase II. (State Job No. 28812(04); F.A. Project No. STP-163E(358)EH)

Resolution No. 6525 was introduced.

A RESOLUTION APPROVING A TRANSPORTATION ENHANCEMENT PROJECT AGREEMENT WITH THE OKLAHOMA DEPARTMENT OF TRANSPORTATION FOR THE MAIN STREET STREETScape ENHANCEMENT PROJECT PHASE II.

City Engineer John Krywicki spoke regarding this item. He explained that the Oklahoma Department of Transportation (ODOT) was requesting that this agreement be approved by the Commission. It was noted that the project, and ODOT's involvement in the project, is well underway and this agreement is needed to complete their file.

A motion was made by Commissioner Shaw, seconded by Commissioner Bushong, to approve a resolution approving a Transportation Enhancement Project Agreement with the Oklahoma Department of Transportation for the Main Street Streetscape Enhancement Project Phase II. Motion carried 6-0.

AYE: Shaw, Bushong, Gillham, Harrod, Finely, Rutherford

NAY: None

AGENDA ITEM NO. 16:

City Manager Report

City Manager Justin Erickson gave updates on the following city issues:

- a) The sidewalk on Union Street from MacArthur to the Middle School was completed in time for the first day of school;
- b) Shawnee Mall Drive will be milled and overlaid;
- c) The trail lighting at the Airport Track is now lit on the west side;
- d) Wayfinding has submitted rebranding plans to the Oklahoma Department of Transportation (ODOT) for approval; and

- e) Staff will be meeting with architects to finalize plans on Fire Station No. 2 and will be going out for bids in October.

AGENDA ITEM NO. 17:

New Business (Any matter not known about or which could not have been reasonably foreseen prior to the posting of the agenda)

There was no New Business.

AGENDA ITEM NO. 18:

Commissioners Comments

Commissioner Gillham said he is impressed with all the current happenings in the city and is looking forward to working with the new Commission.

Vice Mayor Harrod stated that he appreciates working with the new Commission and the comments made by Mayor Finley.

Vice Mayor Harrod mentioned a lot of progress going on in the City of Shawnee.

Commissioner Shaw welcomed each new Commissioner and said she appreciated the Mayor's statement and agreed that City Manager Justin Erickson and Finance Director Cindy Arnold are doing a great job.

Commissioner Shaw also encouraged citizens to apply for open positions on city boards.

Commissioner Shaw stated that she would like the City to look at the current ward boundaries.

Commissioner Shaw congratulated the Shawnee Public Library on the good job they are doing.

Mayor Finley said he will be looking at reducing the number of City Commission meetings whenever possible.

AGENDA ITEM NO. 19:

Adjournment

There being no further business to be considered, the meeting was adjourned by power of the Chair. (7:42 p.m.)

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RICHARD FINLEY, MAYOR

ATTEST:

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PHYLLIS LOFTIS, CMC, CITY CLERK

**BOARD OF CITY COMMISSIONERS PROCEEDINGS**  
**SEPTEMBER 19, 2016 AT 6:30 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, 9th and Broadway, Shawnee, Oklahoma, Monday, September 19, 2016 at 6:30 p.m., pursuant to notice duly posted as prescribed by law. Mayor Finley presided and called the meeting to order. Upon roll call, the following members were in attendance.

Richard Finley  
Mayor

Dub Bushong  
Commissioner Ward 1

Ron Gillham  
Commissioner Ward 2

James Harrod  
Commissioner Ward 3-Vice Mayor

Darren Rutherford  
Commissioner Ward 4

Lesa Shaw  
Commissioner Ward 5

Micheal Dykstra  
Commissioner Ward 6

ABSENT: None

INVOCATION

The Lord's Prayer

FLAG SALUTE

AGENDA ITEM NO. 1:

Consider approval of Consent Agenda:

- a. Minutes from the September 6, 2016 regular meeting.
- b. Acknowledge the following reports and minutes:
  - License Payment Report for August 2016
  - Project Payment Report for August 2016
  - Planning Commission Minutes from the August 3, 2016 meeting
- c. Acknowledge receipt of Pioneer Library System Revised Budget for July 1, 2016 through June 30, 2017.

- d. Authorize staff to solicit Request for Qualifications for landscape architect firms for Park Planning and Design.
- e. Acknowledge waiving Sections 8-431 and 8-434 of the Code of the City of Shawnee involving Garage Sale licenses and fees for the days of September 30 – October 2, 2016.

Commissioner Shaw asked that Agenda Item No. 1(a) be pulled for separate consideration.

A motion was made by Vice Mayor Harrod, seconded by Commissioner Dykstra, to approve Consent Agenda Item Nos. 1(a-e), less item 1(a). Motion carried 7-0.

AYE: Harrod, Dykstra, Bushong, Gillham, Finley, Rutherford, Shaw

NAY: None

Regarding Agenda Item No. 1(a), Commissioner Shaw asked that the City Clerk review item Number 15 on the September 6, 2016 Minutes (Oklahoma Department of Transportation Agreement) and include additional information as discussed at that City Commission meeting.

A motion was made by Commissioner Dykstra, seconded by Commissioner Shaw, to defer this item until the October 3, 2016 City Commission meeting. Motion carried 7-0.

AYE: Dykstra, Shaw, Bushong, Gillham, Harrod, Finley, Rutherford

NAY: None

#### AGENDA ITEM NO. 2:

Citizens Participation

(A three minute limit per person)

(A twelve minute limit per topic)

Mr. Buck Day, City Manager of McCloud, came before the Commission in regard to the management of Wes Watkins Lake. He invited the Commission to contact him if there were any issues regarding the lake.

Ms. Shelby Bronson with Friends of Shawnee Animals spoke regarding the animal shelter. She expressed concern about the euthanasia rate increasing within the last few weeks. She asked that rescue groups be given more opportunity to find foster homes for the animals. She also requested that potential foster families be allowed to interact with the animals.

Ms. Holly Gordon expressed her enthusiasm with the Downtown Shawnee area. She stated that she had bought a home in the area eleven years ago and will also be opening an art studio Downtown on October 1.

AGENDA ITEM NO. 3: Presentation by City Manager to Employee of the Month, Brittney Burton, Planning Department.

Ms. Brittney Burton was present to accept the Employee of the Month Certificate presented by City Manager Justin Erickson.

AGENDA ITEM NO. 4: Presentation by Michelle Briggs, President/CEO of the Avedis Foundation.

Michelle Briggs, President/CEO of the Avedis Foundation announced that the Avedis Foundation will be partnering with the city and county to provide a \$440,000.00 matching grant to the Heart of Oklahoma Exposition Center for remodeling and enhancing of the Conference Center. The project is anticipated to be completed by the 2017 International Finals Youth Rodeo.

City Manager Justin Erickson spoke about partnering with Pottawatomie County to raise the matching funds

AGENDA ITEM NO. 5: Discussion, consideration and possible action to authorize the City Manager to enter into an agreement with the National Research Center to conduct a citizen survey.

City Manager Justin Erickson explained the details of a proposed quality of life citizen survey to be conducted by the National Research Center. The survey will be sent to approximately 1,000 random households in the community and should take approximately ninety days to complete. Mr. Erickson stated that this survey would not only benefit the community but also assist the Commission and city staff with future plans and endeavors.

A motion was made by Vice Mayor Harrod, seconded by Commissioner Shaw, to authorize the City Manager to enter into an agreement with the National Research Center to conduct a citizen survey. Motion carried 7-0.

AYE: Harrod, Shaw, Dykstra, Bushong, Gillham, Finley, Rutherford

NAY: None

AGENDA ITEM NO. 6:

Public hearing and consideration of an ordinance to rezone property located at 3922 North Kickapoo Avenue from C-1; Neighborhood Commercial to C-3; Highway Commercial. Case No. P07-16; Applicant: Nelmon Brauning

Community Development Director Justin DeBruin gave a staff report explaining the rezoning and stated that staff recommends approval.

A motion was made by Vice Mayor Harrod, seconded by Commissioner Gillham, to approve an ordinance to rezone property located at 3922 North Kickapoo Avenue from C-1; Neighborhood Commercial to C-3; Highway Commercial.

Ordinance No. 2586NS 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: LOT FOUR (4), BLOCK ONE (1), COLLEGE VIEW ADDITION, TO THE CITY OF SHAWNEE, POTTAWATOMIE COUNTY, OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF REZONING SAID PROPERTY FROM C-1; NEIGHBORHOOD COMMERCIAL DISTRICT TO C-3; HIGHWAY COMMERCIAL DISTRICT AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SHAWNEE ACCORDINGLY.

Motion carried 7-0.

AYE: Harrod, Gillham, Finley, Rutherford, Shaw, Dykstra, Bushong

NAY: None

Ordinance No. 2586NS was adopted by the City Commission

AGENDA ITEM NO. 7:

Consideration of a Final Plat for Belmont Park, LLC located on the northeast corner of MacArthur Street and Acme Road. Case No. S16-16. Applicant: Belmont Park, LLC

A staff report was given by Community development Director Justin DeBruin.

A motion was made by Vice Mayor Harrod, seconded by Commissioner Bushong, to approve the Final Plat for Belmont Park, LLC located on the northeast corner of MacArthur Street and Acme Road. Motion carried 7-0.

AYE: Harrod, Bushong, Gillham, Finley, Rutherford, Shaw, Dykstra

NAY: None

AGENDA ITEM NO. 8:

Acknowledge Sales Tax Report received September 2016.

Finance Director Cynthia Arnold reported that September sales tax collected was \$1,490,836.34, which is down 0.23% from September 2015. Ms. Arnold also gave a brief presentation showing sales tax collected from the top revenue generators and gave comparisons with the previous fiscal year.

AGENDA ITEM NO. 9:

New Business (Any matter not known about or which could not have been reasonably foreseen prior to the posting of the agenda)

There was no New Business.

AGENDA ITEM NO. 10:

Commissioners Comments

Vice Mayor Harrod asked if staff knew why the Dollar General Store at Farrall and Beard had not been reopened. Staff did not know.

Commissioner Shaw said that the recent cyber security training provided by IT staff was very beneficial.

Commissioner Shaw stated that she attended a great event at the Shawnee Public Library where artwork by Lisa Howard was donated and drawings from children were displayed.

Commissioner Shaw mentioned that the Absentee Shawnee Tribe will be hosting the FAST Act Department of Transportation Rule-Making Committee. The event for is scheduled for mid-October.

Commissioner Dykstra encouraged the citizens who receive the quality of life survey to participate.

Commissioner Dykstra also stated that he is impressed with the construction going on within the City.

Mayor Finley said the Oklahoma Municipal League conference was very interesting, noting that cities share problems that are not unique to Shawnee.

Mayor Finley advised that a commission retreat would be scheduled for October or November. He requested if Commissioners have any feedback regarding this to contact the City Manager's office.

AGENDA ITEM NO. 11:                      Adjournment

There being no further business to be considered, the meeting was adjourned by power of the Chair. (7:13 p.m.)

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RICHARD FINLEY, MAYOR

ATTEST:

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PHYLLIS LOFTIS, CMC, CITY CLERK

**Regular Board of Commissioners**

**1. c.**

Meeting Date: 10/03/2016

Mayors Appts

Submitted By: Lisa Lasyone, City Clerk

Department: City Clerk

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Information

Title of Item for Agenda

Mayor's Appointments

Traffic Commission

Reuben Peltier                      1<sup>st</sup> Partial Term   Expires 1/1/2019

*Replaces Ronald Gillham, Sr. – Resigned*

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Attachments

Peltier Board Appl

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RECEIVED  
SEP 23 2016  
CITY CLERK

## CITY OF SHAWNEE

### APPLICATION TO SERVE

#### Boards, Committees, and Commissions

|                                                        |                                                 |
|--------------------------------------------------------|-------------------------------------------------|
| Name: <u>Reuben m. Peltier</u>                         | Application Date: <u>09-12-16</u>               |
| Address: <u>2412 Winged Footway Shawnee OK 74801</u>   |                                                 |
| Mailing Address: <u>P.O. Box 3071 Shawnee OK 74802</u> |                                                 |
| Daytime Phone: <u>(405) 410-2647</u>                   | Fax: _____ Email: <u>PLT_Serviced@yahoo.com</u> |
| Profession: <u>Self Employed</u>                       |                                                 |
| Business Name: _____                                   |                                                 |
| Business Address: _____                                |                                                 |
| Business Phone: _____                                  | Fax: _____ Email: _____                         |

Do you live within the City Limits of the City of Shawnee? ☒ Yes or ☐ No (please circle)

Do you currently serve on a City board or committee? Yes or ☒ No (please circle)

How many years have you lived in Shawnee? 46

Select the Board/Committee/Commission you are interested in serving on. (please check)

|                                                                                  |                                                                      |
|----------------------------------------------------------------------------------|----------------------------------------------------------------------|
| <input type="checkbox"/> Airport Advisory Board                                  | <input type="checkbox"/> Library Board                               |
| <input type="checkbox"/> Beautification Committee                                | <input type="checkbox"/> Oklahoma Baptist University Trust Authority |
| <input type="checkbox"/> Board of Adjustment (Zoning)                            | <input type="checkbox"/> Planning Commission                         |
| <input type="checkbox"/> Cable TV Advisory Committee                             | <input type="checkbox"/> Regional Park Oversight Committee           |
| <input type="checkbox"/> Civic and Cultural Development Authority                | <input type="checkbox"/> Shawnee Hospital Authority                  |
| <input type="checkbox"/> Community Service Contracts Review Committee            | <input type="checkbox"/> Shawnee Urban Renewal Authority             |
| <input type="checkbox"/> Economic Development Foundation, Inc. Board of Trustees | <input type="checkbox"/> Tourism Advisory Committee                  |
| <input type="checkbox"/> Housing Authority                                       | <input checked="" type="checkbox"/> Traffic Commission               |
|                                                                                  | <input type="checkbox"/> Building Code Board of Appeals              |
|                                                                                  | <input type="checkbox"/> Other: _____                                |

Why are you interested in serving on the Board/Committee/Commission selected above?

There are vacant seats

What will make you a good board member and what skills or knowledge do you have that would be relevant to this board/committee/commission?

Wanting to be involved

What civic or volunteer activities (if any) are you currently involved in?

Neighboring 101

List education, including degree(s) earned:

High School

Have you ever served on a City-appointed board/committee/commission before? If so, which ones and for how long did you serve?

Traffic Commission / 3 years

Please include up to three personal or professional references:

| Name          | Relationship | Phone Number   |
|---------------|--------------|----------------|
| Chuck Mills   | Friend       | (405) 388-1600 |
| Jim Kirby     | friend       | (405) 476-5831 |
| Jerry Oconner | friend       | (405) 659-8434 |

PLEASE READ CAREFULLY:

Appointment by the Commission is for one term and individuals may not serve more than two consecutive full terms. Appointment to a second term remains at the discretion of the City Commission.

My signature affirms that all information contained herein is true to the best of my knowledge, and that I understand that any misstatement of fact or misrepresentation of credentials may result in disqualification from further consideration.

Signature Debra Ann Dobb Date 09-17-16

Applications are retained on file for one (1) year. Applicants are encouraged to include a letter of interest with this application. Thank you for your interest in serving Shawnee.

Send application form to:

Shawnee City Clerk  
PO Box 1448  
Shawnee, OK 74802  
878-1605 (phone)  
878-1581 (fax)

[ShawneeOK.org](http://ShawneeOK.org)

**Regular Board of Commissioners**

**3.**

Meeting Date: 10/03/2016

Mayors Proclamation

Submitted By: Lisa Lasyone, City Clerk

Department: City Clerk

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Information

Title of Item for Agenda

Mayor's Proclamation:

"Fire Prevention Week"

October 9-15, 2016

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Attachments

Fire Prev Week Procl

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## Proclamation

### “FIRE PREVENTION WEEK”

*Whereas*, the City of Shawnee is committed to ensuring the safety and security of all those living in and visiting our city. Fire is a serious public safety concern both locally and nationally, and homes are where people are at greatest risk from fire; and

*Whereas*, U.S. fire departments responded to 369,500 home fires in 2014, according to the National Fire Protection Association (NFPA). U.S. home fires resulted in 2,745 civilian deaths in 2014, representing the majority (84 percent) of all U.S. fire deaths; and

*Whereas*, in one-fifth of all homes with smoke alarms, the smoke alarms are not working. Three out of five home fire deaths result from fires in properties without smoke alarms (38 percent) or with no working smoke alarms (21 percent). Working smoke alarms cut the risk of dying in reported home fires in half; and

*Whereas*, many Americans don’t know how old the smoke alarms in their homes are, or how often they need to be replaced. All smoke alarms should be replaced at least once every ten years. The age of a smoke alarm can be determined by the date of its manufacture, which is marked on the back of the smoke alarm;

*Whereas*, Shawnee’s first responders are dedicated to reducing the occurrence of home fires and home fire injuries through prevention and protection education; and

*Whereas*, Shawnee’s residents are responsive to public education measures and are able to take personal steps to increase their safety from fire, especially in their homes; and

*Whereas*, the 2016 Fire Prevention Week theme, “Don’t Wait – Check the Date! Replace Smoke Alarms Every 10 Years” effectively serves to educate the public about the vital importance of replacing the smoke alarms in their homes at least every ten years, and to determine the age of their smoke alarms by checking the date of manufacture on the back of the alarms.

*Now, Therefore, I, Richard Finley*, Mayor of the City of Shawnee, Oklahoma by the authority vested in me, do hereby proclaim October 9-15, 2016, to be

### “FIRE PREVENTION WEEK”

In the City of Shawnee, Oklahoma  
Dated this 3<sup>rd</sup> day of October, 2016

---

Richard Finley, Mayor

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Phyllis Loftis, CMC, City Clerk



**Regular Board of Commissioners**

**4.**

Meeting Date: 10/03/2016

CO2 Sys Surplus

Submitted By: Lisa Lasyone, City Clerk

Department: City Clerk

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**Information**

Title of Item for Agenda

Consider a resolution to declare two carbon monoxide euthanasia systems (Serial Numbers 31540601308 and 3841090168) at the Animal Shelter surplus property and authorizing its disposal.

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**Attachments**

CO2 Surplus Memo

CO2 Surplus Disposal Forms

CO2 Surplus Reso

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# Shawnee Police Department

**Chief Mason Wilson**

P.O. Box 1448

Shawnee, Oklahoma 74802

Office (405)878-1680 or 1681\*Fax (405)878-1520



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TO : Mayor and City Commission  
CC : Justin Erickson, City Manager

FROM : **Mason Wilson, Chief of Police**

SUBJECT : Equipment Disposal Request

DATE : September 27, 2016

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Request disposal of two (2) carbon monoxide euthanasia systems housed at Animal Shelter.  
No longer in use have contracted with local veterinaries for service.



## Capital Asset Disposal Form

Auction Tag Number \_\_\_\_\_

Fixed Asset Number \_\_\_\_\_  
Bar Coded Tag not Metal Tag

GFA ☐ SMA ☐ Airport ☐

Item: Carbon Monoxide Euthanasia System

Description: \_\_\_\_\_

Purchased From - AAI Equipment Sales

Brand Name: \_\_\_\_\_

Serial/VIN Number: 31540601308

Model: \_\_\_\_\_

Unit Number: \_\_\_\_\_ Mileage: \_\_\_\_\_

Approved by: Mason Wilkins

Must be signed by the Department head

### DISPOSITION

Date Declared Surplus by the City Commission: \_\_\_\_\_

Scrapped ( ☐ ) If scrapped, please explain why in notes below.

Auctioned ( ☐ ) Date Auctioned: \_\_\_\_\_

7UDGH,Q Salvage Value: \_\_\_\_\_

Book Value: \_\_\_\_\_

Depreciation Value: \_\_\_\_\_

Gain/Loss of Value: \_\_\_\_\_

Notes: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



## Capital Asset Disposal Form

Auction Tag Number \_\_\_\_\_

Fixed Asset Number \_\_\_\_\_

Bar Coded Tag not Metal Tag

Item: \_\_\_\_\_  
GFA ☐ SMA ☐ Airport ☐

Description: \_\_\_\_\_

Purchased from - AAI Equipment Sales  
Brand Name: \_\_\_\_\_

Serial/VIN Number: 3841090168

Model: \_\_\_\_\_

Unit Number: \_\_\_\_\_ Mileage: \_\_\_\_\_

Approved by: [Signature]

Must be signed by the Department head

### DISPOSITION

Date Declared Surplus by the City Commission \_\_\_\_\_

Scrapped ( ☐ ) If scrapped, please explain why in notes below.

Auctioned ( ☐ ) Date Auctioned: \_\_\_\_\_

7UDGH,Q Salvage Value: \_\_\_\_\_

Book Value: \_\_\_\_\_

Depreciation Value: \_\_\_\_\_

Gain/Loss of Value: \_\_\_\_\_

Notes: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION DECLARING CERTAIN ITEMS OF PERSONAL PROPERTY SURPLUS AND NO LONGER NEEDED FOR CITY PURPOSES; DESCRIBING SAID ITEMS; AND AUTHORIZING THE DISPOSAL OF SAID ITEMS.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF SHAWNEE, OKLAHOMA:

That the items of personal property are described as:

1. Carbon Monoxide Euthanasia System  
Serial No. 31540601308
2. Carbon Monoxide Euthanasia System  
Serial No. 3841090168

Said property is hereby declared city owned items which are surplus and no longer needed for city purposes; that the City of Shawnee is authorized to dispose of said items.

Adopted this 3<sup>rd</sup> day of October, 2016

\_\_\_\_\_  
RICHARD FINLEY, MAYOR

(SEAL)

ATTEST:

\_\_\_\_\_  
PHYLLIS LOFTIS, CMC, CITY CLERK

**Regular Board of Commissioners**

**5.**

Meeting Date: 10/03/2016

CLO Partial Easement Release

Submitted By: Lisa Lasyone, City Clerk

Department: City Clerk

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**Information**

Title of Item for Agenda

Discussion, consideration and possible action to grant a partial easement release to the State of Oklahoma, Commissioners of the Land Office in Section 16, T10N, R2E, IM.

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**Attachments**

CLO Easement & Transfer Memo

CLO Easement & Transfer Ex A

CLO Easement Release & Transfer Ex B

CLO Easement & Transfer Ex C

CLO Easement & Transfer Ex D

CLO Easement & Transfer Ex E

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Office of the City Manager

AGENDA: October 3, 2016

TO: Honorable Mayor and Members of the City Commission

FROM: *Justin Erickson*  
Justin Erickson, City Manager

RE: **Shawnee Twin Lakes – State of Oklahoma CLO Land Sale and Easements**

**SUMMARY AND BACKGROUND**

There are two agenda items (#5 and #6) that concern actions related to land owned or leased by the City of Shawnee and the State of Oklahoma Commissioners of the Land Office (CLO). Approval of these actions will facilitate the transfer of the CLO lake lot leases (Figures 1-2, Exhibit A) to private individuals and provide the City with certain assurances and a needed easement for sewer extension (Exhibit B) in another part of the City on land owned by the CLO.

The first action would clarify an easement for a portion of Shawnee Lake No. 1 that the City has from the CLO, helping to facilitate title transfer of the platted lots. The original easement is from 1935 (Exhibit C) and refers to “an easement or right-of-way for reservoir for City water-works purposes,” but does not clearly define the area or an elevation. The new easement refers to the FEMA Base Flood Elevation of 1077.3 feet (Exhibit D). The dam spillway is 1075 feet, so the easement level provides some additional storage space during heavy rainfall and seasonally high water levels and is tied to a scientifically-established elevation.

The second action would approve an exchange of property between the City and the CLO. There is one lake property (Rudebock) that has split ownership, where approximately two-thirds of the site is located on CLO property and one-third on City land (Figure 3, Exhibit E). The residence is on CLO land and the lessee has been paying the CLO for the lease, not the City. In exchange for deeding 0.31 acres to the CLO, the City will receive a much needed sewer easement in another part of the City that is of similar value. The location of the sewer easement is North of I-40, West of Kickapoo Street and South of Westech Road. This easement will allow for a sewer extension to 160 acres that the City owns (regional park site). It will also help facilitate surrounding development.

The CLO is not proposing any additional lake lots, so development and density will not change from the status quo. These actions simply allow for private ownership of the lake lots already established.

## **BUDGETARY IMPACTS**

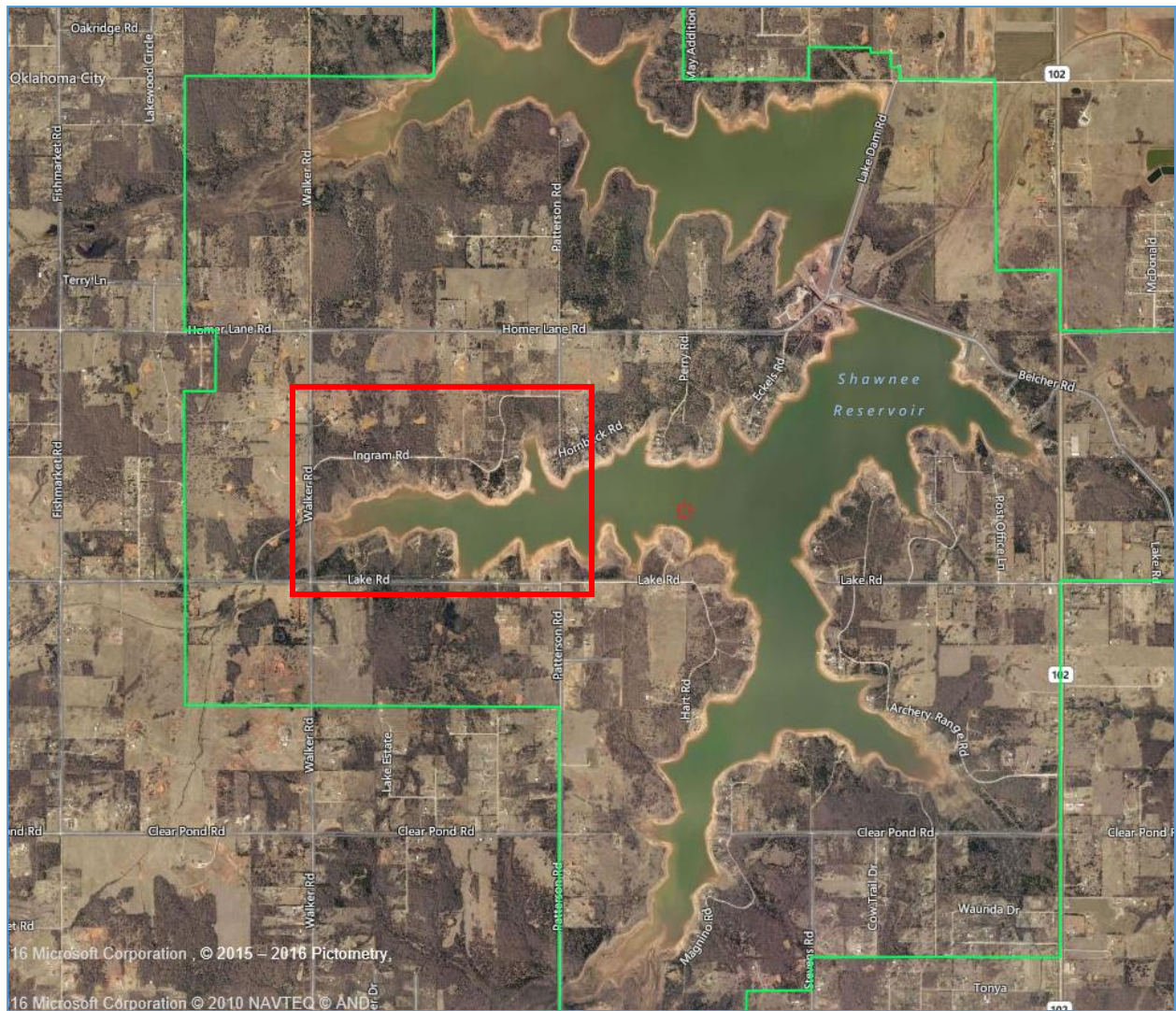
There are no budgetary impacts associated with this proposal. The City is not receiving any revenue from the CLO property or from the Rudebock lease site. The City would have had to purchase a sewerline easement from the CLO to extend sewer to Westech Road, so approval of these actions will actually save the City money in the future. In addition, once the properties transfer from the CLO to individual lot owners, property taxes will be levied for the first time, which will increase revenues to the various taxing entities in the County.

## **RECOMMENDATION**

Staff recommends approval of both agenda items.

## **Attachments**

- Exhibit A: Final Plat of Shawnee School Land (2010)
- Exhibit B: Proposed sewer easement to City from CLO
- Exhibit C: 1935 Lake Easement
- Exhibit D: Proposed Revised Lake Easement and Easement Release
- Exhibit E: Rudebock Boundary Survey (City property) and Quick Claim Deed



**Figure 1:** Overview of Shawnee Twin Lakes and land owned by the State of Oklahoma CLO (in red).



**Figure 2:** Detail of State of Oklahoma CLO property at Shawnee Lake Number 1.

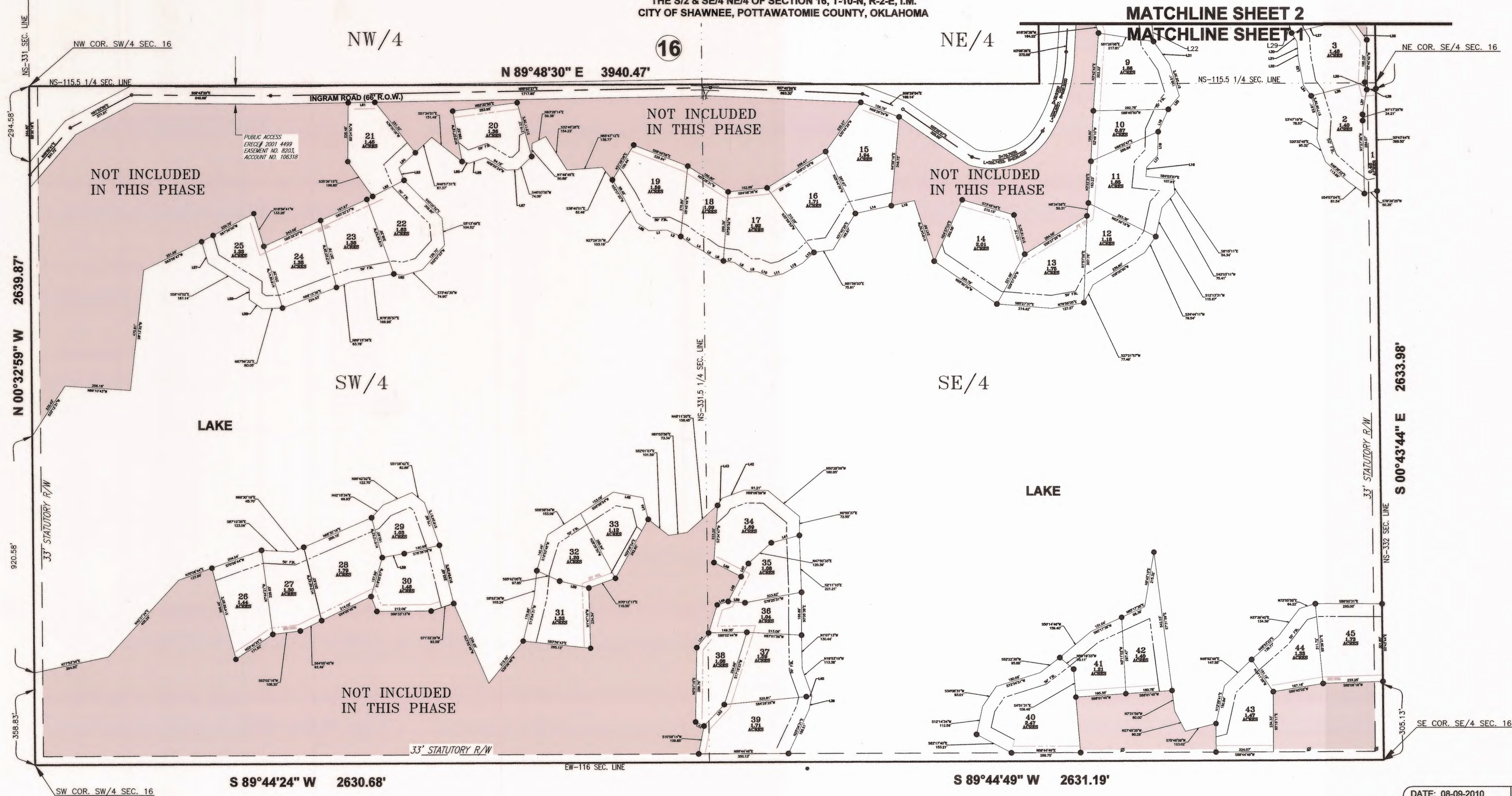


**Figure 3:** Rudebock lease shown (approximate), which is split between City (on right) and CLO property.



THE S/2 & SE/4 NE/4 OF SECTION 16, T-10-N, R-2-E, I.M.  
CITY OF SHAWNEE, POTTAWATOMIE COUNTY, OKLAHOMA

THE S/2 & SE/4 NE/4 OF SECTION 16, T-10-N, R-2-E, I.M.  
CITY OF SHAWNEE, POTTAWATOMIE COUNTY, OKLAHOMA



|                                                   |                |  |
|---------------------------------------------------|----------------|--|
| DATE: 08-09-2010                                  | REVISION DATES |  |
| SCALE: 1"=200' (FULL)                             |                |  |
| DRAWN BY: TW                                      | 08-09-2010     |  |
| CHECKED BY: DMS                                   | 10-20-2010     |  |
| FILE NAME:09076 01-01 SHAWNEE RESERVOIR FINAL.DWG |                |  |

|                                   |                         |
|-----------------------------------|-------------------------|
| PROJECT NAME: SHAWNEE SCHOOL LAND | COBB #: 09047.07        |
| ADDRESS:                          | CITY: SHAWNEE STATE: OK |

**COBB**  
ENGINEERING

4516 N.W. 36TH STREET OKLAHOMA  
CITY, OKLAHOMA 73122 PHONE:  
(405)415-9400  
FAX: (405) 415-9410

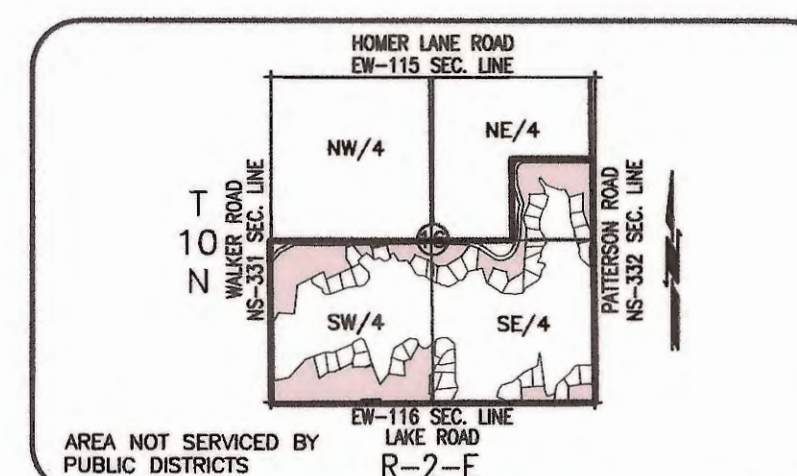
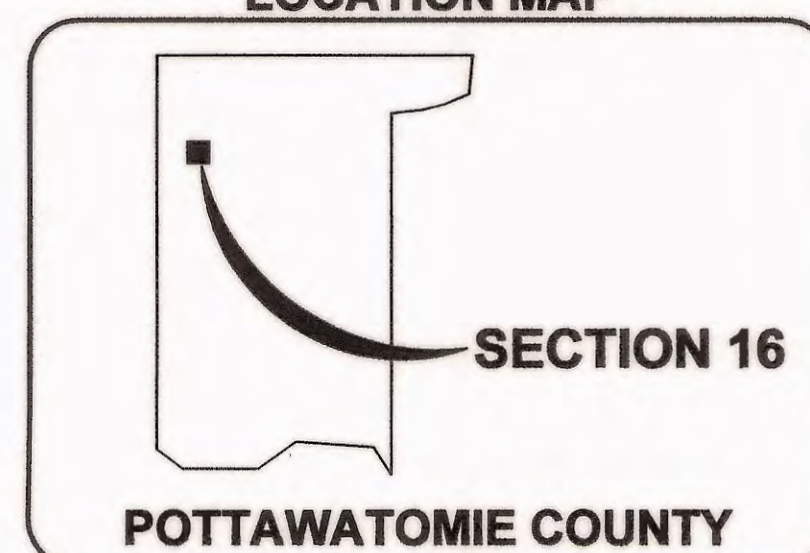
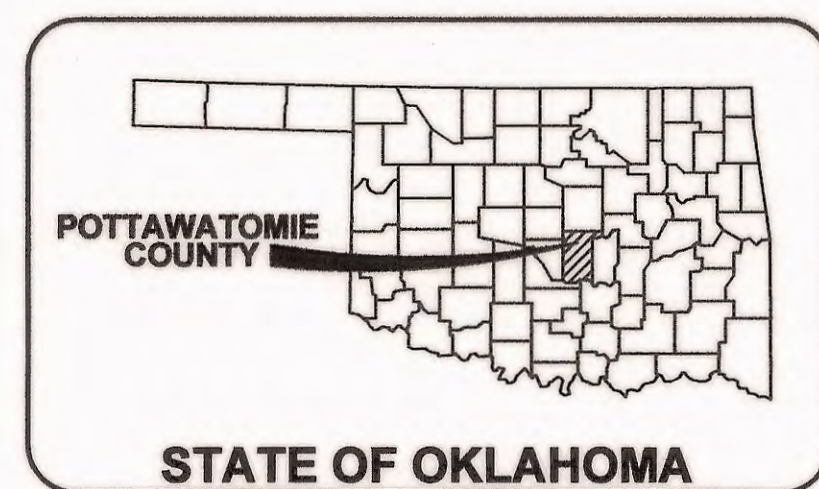
CA-32 Expires: 6-30-2012

SHEET 1 OF 2

# GRID NORTH BASED ON GPS OBSERVATION

0' 100' 200' 400'

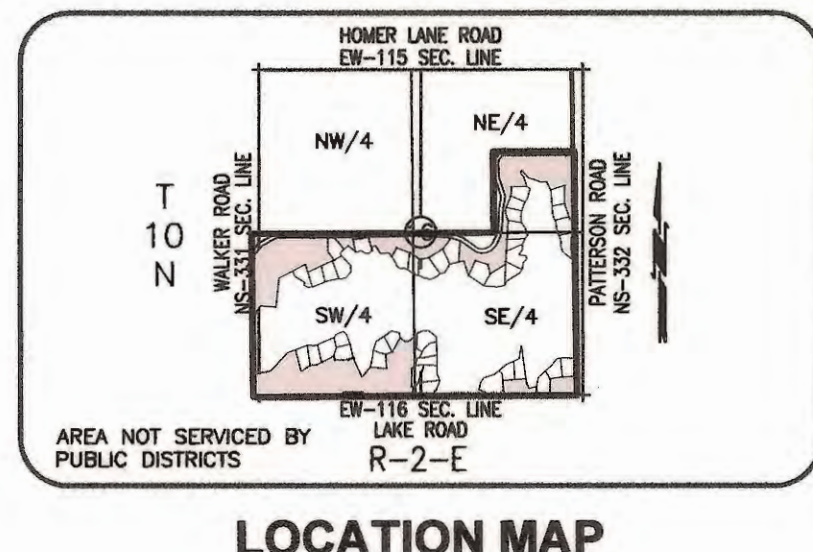
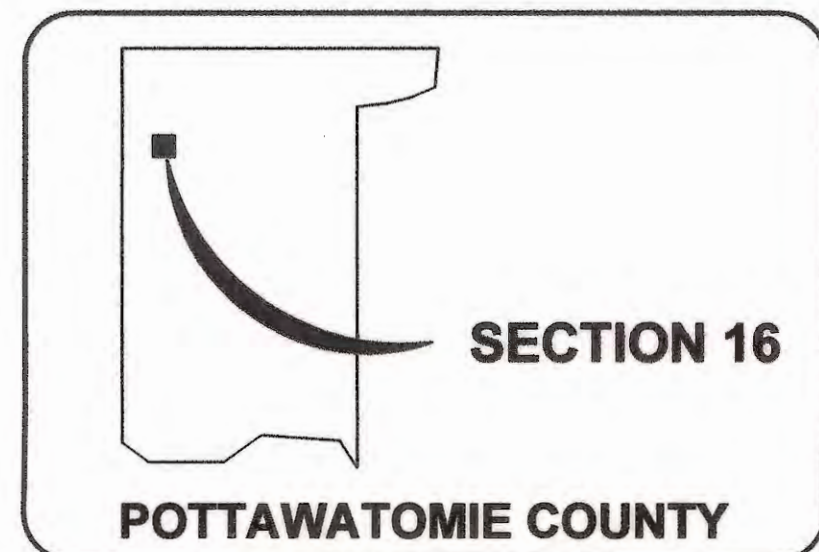
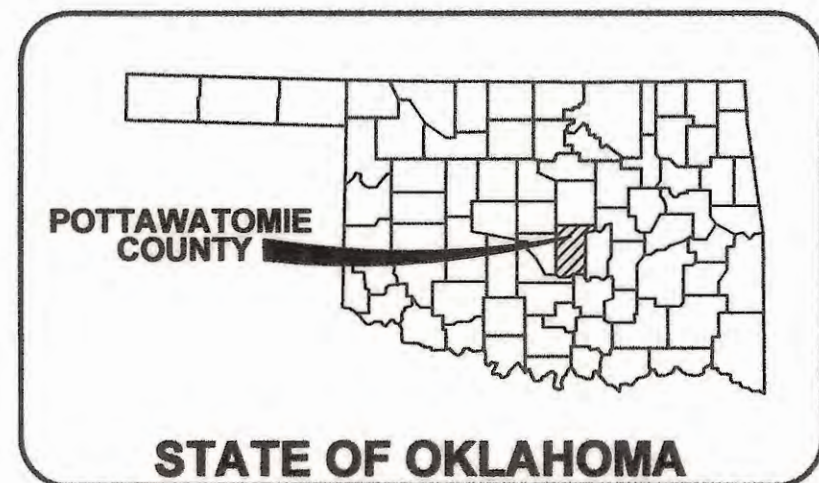
## LOCATION MAP



No investigation or independent search for easements of record, encumbrances, restrictive covenants ownership title evidence or any other facts which an accurate and current title search may disclose, was made. Environmental and subsurface conditions were not examined as part of this survey.

# FINAL PLAT OF SHAWNEE SCHOOL LAND

THE S/2 & SE/4 NE/4 OF SECTION 16, T-10-N, R-2-E, I.M.  
CITY OF SHAWNEE, POTTAWATOMIE COUNTY, OKLAHOMA



## LEGAL DESCRIPTION

THE SOUTHEAST QUARTER (SE/4), THE SOUTHWEST QUARTER (SW/4) AND THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (SE/4 NE/4) OF SECTION SIXTEEN (16), TOWNSHIP TEN (10) NORTH, RANGE TWO (2) EAST OF THE INDIAN MERIDIAN, CITY OF SHAWNEE, POTTAWATOMIE COUNTY, OKLAHOMA AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2" IRON PIN AT THE SOUTHEAST CORNER OF SAID SOUTHEAST QUARTER (SE/4); THENCE S 89°44'49" W ON THE SOUTH LINE OF THE SOUTHEAST QUARTER (SE/4) A DISTANCE OF 2,631.19 FEET TO A 3/8" IRON PIN AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER (SE/4); THENCE S 89°44'24" W ON THE SOUTH LINE OF THE SOUTHWEST QUARTER (SW/4) A DISTANCE OF 2,630.68 FEET TO A 3/8" IRON PIN AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER (SW/4); THENCE N 00°32'59" W ON THE WEST LINE OF THE SOUTHWEST QUARTER (SW/4) A DISTANCE OF 2,639.87 FEET TO A 3/8" IRON PIN AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER (SW/4); THENCE N 89°48'30" E ON THE NORTH LINE OF THE SOUTHWEST QUARTER (SW/4) AND THE SOUTHEAST QUARTER (SE/4) A DISTANCE OF 3,940.47 FEET TO A 3/8" IRON PIN AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (SE/4 NE/4); THENCE N 00°42'31" W ON THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (SE/4 NE/4) A DISTANCE OF 1,317.58 FEET TO A 5/8" IRON PIN W/ D. SMITH CAP AT THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (SE/4 NE/4); THENCE N 89°50'46" E ON THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (SE/4 NE/4) A DISTANCE OF 1,312.74 FEET TO A 5/8" IRON PIN W/ D. SMITH CAP AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (SE/4 NE/4); THENCE S 00°43'42" E ON THE EAST LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (SE/4 NE/4) A DISTANCE OF 1,316.70 FEET TO A 3/8" IRON PIN AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (SE/4 NE/4); THENCE S 00°43'44" E ON THE EAST LINE OF THE SOUTHEAST QUARTER (SE/4) A DISTANCE OF 2,633.98 FEET TO THE POINT OR PLACE OF BEGINNING. SAID TRACT CONTAINS 357.96 ACRES AS DESCRIBED.

## SURVEYOR'S CERTIFICATE

I, Darren M. Smith, a Professional Land Surveyor do hereby certify that the adjoining plat of SHAWNEE SCHOOL LAND, an addition to the County of Pottawatomie, Oklahoma is a true and correct representation of said property as described in the legal description shown on the right. I further certify that all monuments shown are correctly established and indicated. Survey completed:

*Darren M. Smith*  
Darren M. Smith  
Professional Land Surveyor L.S. No. 1552

STATE OF OKLAHOMA) SS  
COUNTY OF POTTAWATOMIE)

Before me, the undersigned, a Notary Public on and for said County and State on this 20th day of October, 2010, personally appeared the State of Oklahoma to me known to be the identical person who executed the above instrument and acknowledge to me that he executed the same as their free and voluntary act and deed.

Given under my hand and seal the day and year last above written. *Marie Wilson*

My commission expires: 06/19/2011

## OWNER'S CERTIFICATE AND DEDICATION

Know all men by these presents that the State of Oklahoma hereby certify that they are the owner of and the only person who have right title or interest to the land shown and described on the adjacent plat of SHAWNEE SCHOOL LAND being the southeast quarter (SE/4), the southwest Quarter (SW/4), and the southeast quarter of the northeast quarter (SE/4 NE/4) of Section Sixteen (16), Township Ten (10) North, Range Two (2) East of the Indian Meridian, to the City of Shawnee, Oklahoma, County of Pottawatomie, Oklahoma. Further that they have caused the same to be surveyed and platted into lots, streets and easements as shown on the adjacent plat to the use of the public for public highways, streets, drainage and utility easements for their heirs, executors, administrators, successors and assigns forever and have caused the same to be released from encumbrances so that the title is clear except as shown on the Bonded Abstractor's Certificate. In witness whereof the undersigned has caused this instrument to be executed

on this 16 day of Nov., 2010.

*Douglas B. Allen* Owner  
Douglas B. Allen Secretary of the Commissioners of the Land Office

STATE OF OKLAHOMA) SS  
COUNTY OF POTTAWATOMIE)  
OKLAHOMA

Before me, the undersigned, a Notary Public on and for said County and State on this 16th day of Nov., 2010, personally appeared the State of Oklahoma to me known to be the identical person who executed the above instrument and acknowledge to me that he executed the same as their free and voluntary act and deed.

Given under my hand and seal the day and year last above written. *Patricia Sheldon*

My commission expires: 11/30/13

## COUNTY TREASURER'S CERTIFICATE

I, Michelle Pecore, do hereby certify that I am duly qualified and acting County Treasurer of Pottawatomie County, Oklahoma and that the tax records of said county show all taxes for the year 2010 and prior years are paid on the adjoining plat of SHAWNEE SCHOOL LAND, an addition to Pottawatomie County, Oklahoma and that the required statutory security has been deposited in the office of the County Treasurer guaranteeing the current years taxes. In witness whereof said County Treasurer has caused this instrument to be

executed this 30th day of November, 2010

*Wendy Magnus*  
Michelle Pecore COUNTY TREASURER

## CITY PLANNING COMMISSION APPROVAL

CITY PLANNING COMMISSION APPROVAL

I, *Louis A. Matos*, Chairman of City Planning Commission for the City Shawnee, Pottawatomie County, Oklahoma, do hereby certify that the said commission duly approved the annexed plat on this 16 day of October, 2010.

## BONDED ABSTRACTOR'S CERTIFICATE

STATE OF OKLAHOMA) ss:  
County of Pottawatomie)

Before me the undersigned duly qualified and bonded abstractor, in and for said County on this 20th day of October, 2010, hereby certifies that, according to the records of said County, title to said land shown hereon as a portion of the Original Grant Land, Oklahoma Enabling Act, Grant for Schools, Sulphur Springs reservation, Pottawatomie County, June 16, 1906, No: 7452, lying in Section 16, Township 10, Range 2 East appears to be vested to the State of Oklahoma, unencumbered by pending actions, judgement liens, taxes or other encumbrances except minerals previously conveyed and mortgages and easements of records. Executed this 20th day of October, 2010.

Attest.

Secretary

President

## ACCEPTANCE OF DEDICATION BY CITY COMMISSION

BE IT RESOLVED by the council of the City of Shawnee, Oklahoma, that the dedication shown on the annexed plat are hereby accepted. Adopted by council of the City of Shawnee, Oklahoma on this 18th day of Oct., 2010.

*Phyllis Lefler*  
MAYOR  
CITY CLERK

## LEGEND

- PROPERTY CORNER - SET 1/2" IRON PIN W/D. SMITH CAP

## EASEMENTS

1. CERTIFICATION OF RECORDS #7452: SIX (6) INCH PIPELINE, TELEPHONE & TELEGRAPH ESMT. "THROUGH THE SOUTHEAST QUARTER (SE/4) OF SECTION SIXTEEN (16), TOWNSHIP (10) NORTH, RANGE TWO (2) EAST, POTTAWATOMIE COUNTY" ESMT. NO: 157 AFFECTS SAID PROPERTY: NOT FIELD VERIFIED.

2. CERTIFICATION OF RECORDS #7452: RESERVOIR FOR CITY WATER-WORKS: "THE SOUTH HALF-; AND THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION SIXTEEN (16), TOWNSHIP TEN (10) NORTH OF RANGE TWO (2) EAST OF THE INDIAN MERIDIAN, POTTAWATOMIE COUNTY" ESMT. NO: 313 RECORDED AS EASEMENT 3439-35 AFFECTS SAID PROPERTY: NOT FIELD VERIFIED.

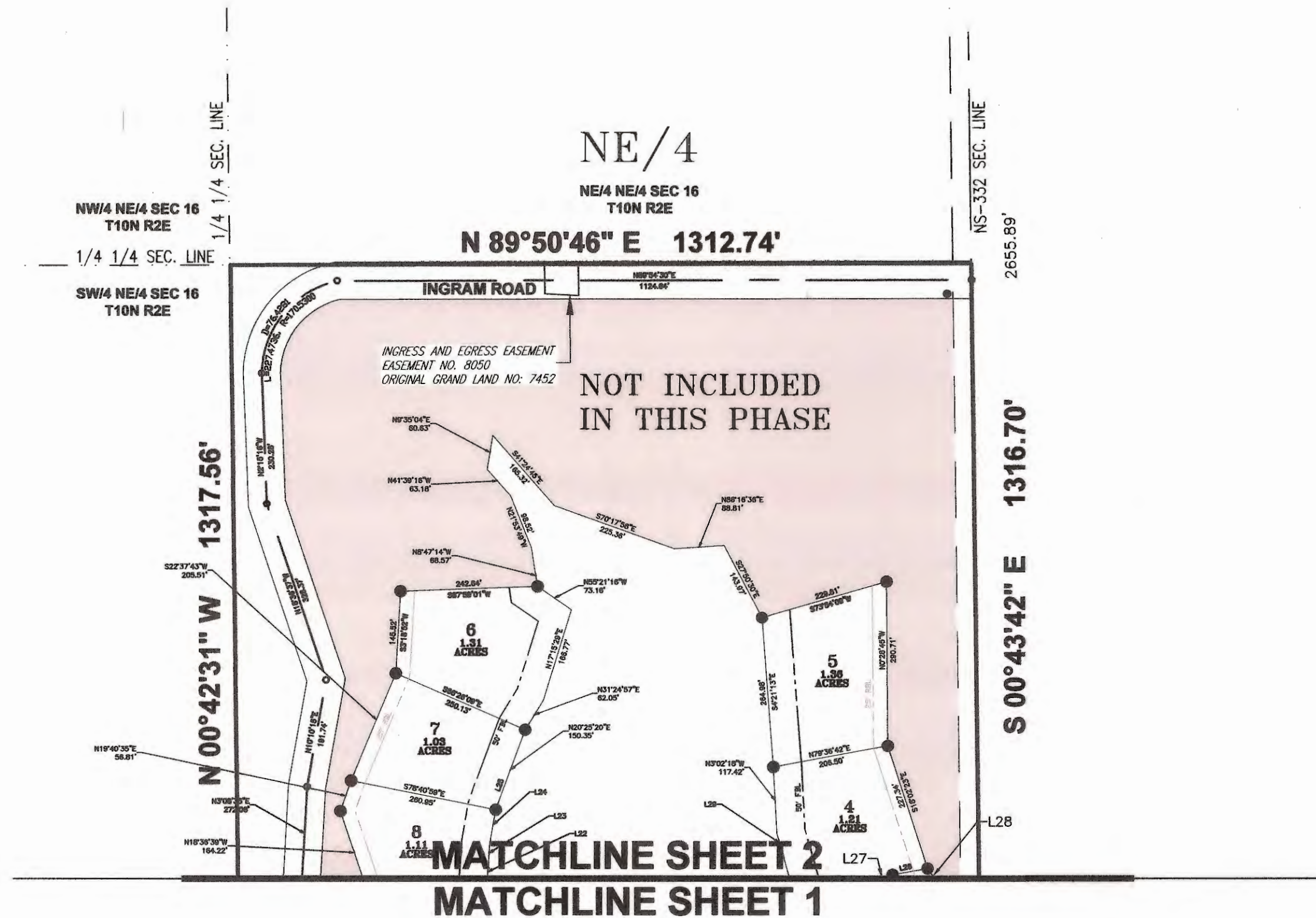
3. CERTIFICATION OF RECORDS #7452: (BLANKET) ACCESS EASEMENT FOR 5 DRIVEWAYS "NW/4SE/4 & SE/4NE/4 SEC 16-T10N R2EIM" ESMT. NO: 8206, ACCOUNT NO. 106318, VOL. 6

## FLOOD INSURANCE INFORMATION

The property shown above is located in Zones "X" and "A" as indicated by the Flood Insurance Rate Map, Panel 100 of 275, Map Number 40125X0100 D with an effective date of April 2, 1992.

## NOTES

- All lots have a fifty (50) foot setback from the lake shoreline for principal residence, and a twenty five (25) foot setback from the rear of the lot, for accessory structures.
- Current zoning for Shawnee School Land is Agricultural (A1) and will be adopted as Lake Protection Zone (LPZ) upon plat conveyance.
- Cobb Engineering Company does not attest to the location or design of any existing structures, utilities or improvements.



| Lot Table |             |  |
|-----------|-------------|--|
| Lot #     | Size (acre) |  |
| 1         | 0.46        |  |
| 2         | 1.40        |  |
| 3         | 1.48        |  |
| 4         | 1.21        |  |
| 5         | 1.36        |  |
| 6         | 1.31        |  |
| 7         | 1.03        |  |
| 8         | 1.11        |  |
| 9         | 1.86        |  |
| 10        | 0.87        |  |
| 11        | 1.85        |  |
| 12        | 1.18        |  |
| 13        | 1.75        |  |
| 14        | 2.01        |  |
| 15        | 1.94        |  |
| 16        | 1.71        |  |
| 17        | 1.92        |  |
| 18        | 1.09        |  |
| 19        | 1.59        |  |
| 20        | 1.36        |  |
| 21        | 1.45        |  |
| 22        | 1.63        |  |
| 23        | 1.38        |  |
| 24        | 1.38        |  |
| 25        | 1.33        |  |
| 26        | 1.44        |  |
| 27        | 1.30        |  |
| 28        | 1.79        |  |
| 29        | 1.03        |  |
| 30        | 1.46        |  |
| 31        | 1.33        |  |
| 32        | 1.20        |  |
| 33        | 1.12        |  |
| 34        | 1.69        |  |
| 35        | 1.08        |  |
| 36        | 1.04        |  |
| 37        | 1.59        |  |
| 38        | 1.08        |  |
| 39        | 1.71        |  |
| 40        | 2.47        |  |
| 41        | 1.21        |  |
| 42        | 1.40        |  |
| 43        | 1.47        |  |
| 44        | 1.33        |  |
| 45        | 1.73        |  |

| Line Table |          |                  |
|------------|----------|------------------|
| Line #     | Length   | Bearing          |
| L1         | 71.9577  | S88° 24' 36.18"W |
| L2         | 58.4273  | N64° 57' 10.64"W |
| L3         | 60.2122  | S53° 30' 20.02"E |
| L4         | 42.2136  | S63° 04' 39.94"E |
| L5         | 48.6673  | S54° 39' 05.01"E |
| L6         | 42.6181  | S74° 11' 02.94"E |
| L7         | 42.1219  | S82° 08' 47.85"E |
| L8         | 64.5314  | S55° 55' 46.18"E |
| L9         | 37.2626  | N89° 44' 02.85"E |
| L10        | 52.4193  | S67° 55' 29.12"E |
| L11        | 53.1503  | N77° 11' 42.98"E |
| L12        | 87.3772  | N61° 22' 31.39"E |
| L13        | 59.6546  | N46° 11' 37.86"E |
| L14        | 143.9492 | N77° 38' 24.67"E |
| L15        | 92.1926  | S77° 38' 24.67"W |
| L16        | 37.6282  | S5° 24' 57.09"W  |
| L17        | 61.6005  | S43° 06' 40.90"W |
| L18        | 91.7975  | S1° 20' 22.61"W  |
| L19        | 95.5910  | N24° 28' 43.17"E |
| L20        | 67.6879  | S39° 25' 08.99"W |
| L21        | 108.6011 | S34° 54' 33.93"E |
| L22        | 55.4301  | S3° 13' 23.20"W  |
| L23        | 55.4301  | S3° 13' 23.20"W  |
| L24        | 65.4177  | S9° 43' 38.51"W  |
| L25        | 150.3507 | N20° 25' 19.85"E |
| L27        | 177.5476 | N76° 17' 48.40"E |
| L28        | 99.2466  | S36° 26' 02.26"E |
| L29        | 119.4186 | N16° 00' 22.26"W |

| Line Table |          |                  |
|------------|----------|------------------|
| Line #     | Length   | Bearing          |
| L30        | 39.6525  | N32° 19' 24.47"W |
| L31        | 66.2578  | N4° 03' 52.44"W  |
| L32        | 66.2578  | N4° 03' 52.44"W  |
| L33        | 106.8400 | N11° 11' 40.90"W |
| L34        | 50.2827  | N36° 54' 22.19"W |
| L35        | 215.3272 | S75° 48' 13.28"W |
| L36        | 29.4926  | N14° 38' 42.85"W |
| L37        | 97.8809  | N9° 39' 15.79"E  |
| L38        | 35.8474  | N84° 01' 15.42"E |
| L39        | 54.0219  | N12° 19' 11.89"E |
| L40        | 22.3850  | N84° 26' 24.83"E |
| L41        | 112.9225 | N75° 05' 16.34"E |
| L42        | 93.2641  | S69° 54' 44.02"W |
| L43        | 32.5134  | S31° 48' 40.01"W |
| L44        | 86.9081  | N13° 32' 12.25"W |
| L45        | 117.7805 | N79° 28' 06.66"W |
| L46        | 119.0816 | S62° 45' 09.26"E |
| L47        | 58.3396  | N29° 23' 18.23"E |
| L48        | 108.5006 | N27° 34' 51.82"E |
| L49        | 44.7880  | N72° 38' 58.21"E |
| L50        | 66.0541  | S85° 27' 46.22"E |
| L51        | 113.9959 | N17° 03' 22.99"E |
| L52        | 36.7609  | N64° 13' 23.03"W |
| L53        | 115.3417 | S43° 16' 26.16"W |
| L54        | 73.4293  | N38° 58' 05.49"E |
| L55        | 117.3641 | N76° 52' 23.71"W |
| L56        | 87.1507  | S79° 36' 31.46"W |
| L57        | 87.4683  | S16° 41' 59.82"E |

| Line Table |          |                  |
|------------|----------|------------------|
| Line #     | Length   | Bearing          |
| L58        | 42.5929  | S0° 00' 00.00"E  |
| L59        | 61.1770  | S54° 55' 26.71"E |
| L60        | 39.2582  | N82° 26' 36.96"W |
| L61        | 104.0977 | S88° 53' 27.38"W |
| L62        | 137.6887 | N62° 49' 30.65"E |
| L63        | 52.1110  | N22° 13' 03.11"W |
| L64        | 87.3653  | N46° 57' 30.82"E |
| L65        | 28.3526  | N75° 37' 56.76"W |
| L66        | 67.8717  | S70° 37' 21.63"W |
| L67        | 46.2542  | S87° 38' 26.64"W |
| L68        | 56.7755  | N56° 26' 53.57"W |

GRID NORTH BASED ON  
GPS OBSERVATION

0' 100' 200' 400'

OWNER: COMMISSIONERS OF THE LAND OFFICE  
ADDRESS: 120 N. ROBINSON, SUITE 1000W  
OKLAHOMA CITY, OK 73102  
PHONE: 405-521-4626

SURVEYOR: DARREN SMITH, P.L.S.  
ENGINEER: BRYAN RICHARDS, P.E.  
COBB ENGINEERING  
ADDRESS: 4516 N.W. 36TH STREET  
OKLAHOMA CITY, OKLAHOMA 73122  
PHONE: 405-415-9400

|                                                    |  |                |  |
|----------------------------------------------------|--|----------------|--|
| DATE: 08-09-2010                                   |  | REVISION DATES |  |
| SCALE: 1"=200' (FULL)                              |  |                |  |
| DRAWN BY: TW                                       |  | 08-09-2010     |  |
| CHECKED BY: DMS                                    |  | 10-20-2010     |  |
| FILE NAME: 09076 01-01 SHAWNEE RESERVOIR FINAL.DWG |  |                |  |

|                                   |  |                         |  |
|-----------------------------------|--|-------------------------|--|
| PROJECT NAME: SHAWNEE SCHOOL LAND |  | COBB #: 09047.07        |  |
| ADDRESS:                          |  | CITY: SHAWNEE STATE: OK |  |

**COBB**  
ENGINEERING  
Cobb Engineering Company CO.

4516 N.W. 36TH STREET OKLAHOMA  
CITY, OKLAHOMA 73122 PHONE:  
(405)415-9400  
FAX: (405) 415-9410

CA-32 Expires: 6-30-2012

SHEET 2 OF 2

## **EXHIBIT B**

Exhibit B is under review by the City Attorney. A modified version may be substituted at the October 3 City Commission Meeting.

he

**COMMISSIONERS OF THE LAND OFFICE  
STATE OF OKLAHOMA  
EASEMENT**

Easement No. 9695  
Account No. 100293, 100294

**THIS EASEMENT** made and entered into the 24th day of August 2016, by and between the Commissioners of the Land Office of the State of Oklahoma, Grantor, (CLO) and The City of Shawnee (**GRANTEE**), 16 W. 9<sup>th</sup> St., Shawnee, OK 74801:

**WITNESSETH:** The CLO by power vested in them by the Constitution and laws of the State of Oklahoma grant and convey unto the **Grantee** the right to the uninterrupted access and enjoyment of a Continuous Easement for **sewer line** purposes only, covering land situated in **Pottawatomie** County, State of Oklahoma, described as follows:

**N/2 SEC 36-T11N-R3EIM**

The easement described is shown on the attached PLAT and the plat is part of this Agreement. The easement is **179.94 rods in length and 20' in width** and contains **1.36** acres, more or less.

This Easement shall not be transferred in whole or in part except by operation of law while legal title to the land remains in the State without written approval of CLO and payment of transfer fee. Should **Grantee**, its successors, heirs or assigns cease to use the land for the purposes granted for a period of more than one (1) year, the same shall revert to the State of Oklahoma or its assigns, and all rights and privileges granted shall cease and terminate. It is understood and agreed that such cessation of usage of the above described premises for a period of one (1) year or more shall constitute abandonment. In consideration of the execution of this easement, **Grantee** does grant, bargain, sell and convey all of its right, title and interest in the premises to CLO, its successors and assigns, in the event of abandonment.

It is expressly understood and agreed **Grantee** shall settle with the surface lessee of the land for any damages caused by the gross negligence or willful misconduct of the **Grantee** to improvements and/or crops by reason of construction or use of the right-of-way or Easement, with the further understanding that the CLO is neither entitled to nor responsible for payment of the proceeds of such settlement.

**IN WITNESS WHEREOF**, the Commissioners of the Land Office of the State of Oklahoma have authorized this easement to be executed by their Secretary.

BY: \_\_\_\_\_  
Harry W. Birdwell, Secretary  
Commissioners of the Land Office

STATE OF OKLAHOMA     )  
                                      ) ss.  
COUNTY OF OKLAHOMA    )

**ACKNOWLEDGEMENT**

On this \_\_\_\_ day of \_\_\_\_\_, 2016, before me, the undersigned, a Notary Public in and for said county and state, personally appeared to me Harry W. Birdwell, known to be the person who executed the foregoing instrument as its Secretary and acknowledged to me that he executed the same as his free and voluntary act and deed for the uses and purposes set forth.

\_\_\_\_\_  
My Commission Expires:  
Commission #:

ACCEPTED by the City Manager of The City of Shawnee this \_\_\_\_ day of \_\_\_\_\_,  
2016.

\_\_\_\_\_  
City Manager

APPROVED AS TO FORM AND LEGALITY:

\_\_\_\_\_  
Asst. Municipal Counselor, City of Shawnee  
Per Asst. Municipal Counselor

# EXHIBIT 'A'



COMMISSIONERS OF THE LAND OFFICE

STATE OF OKLAHOMA

GRANT OF EASEMENT OR RIGHT-OF-WAY

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:-

THIS INDENTURE, made and entered into this 11th  
day of February, 19 35, by and between the Commissioners of  
the Land Office of the State of Oklahoma, hereinafter called the Parties of  
the first part, and The City of Shawnee, Pottawatomie County, Oklahoma,  
hereinafter called the party of the second part:

WITNESSETH: That in consideration of the sum of  
Three Thousand Sixty and NO/100 Dollars (\$ 3,060.00) the receipt  
of which is hereby acknowledged, the Parties of the first part, by virtue  
of the power vested in them by the Constitution and Laws of the State of  
Oklahoma, hereby grant and convey unto the Party of the second part, its  
heirs or assigns, the full and free right to the uninterrupted access and  
enjoyment of an Easement or right-of-way for Reservoir for City  
Water-works purposes, across the following State  
School Lease land, described:

The South Half -; and The Southeast Quarter of the Northeast  
Quarter of Section Sixteen (16), Township Ten (10) North of  
Range Two (2) East of the Indian Meridian, Pottawatomie County,  
State of Oklahoma

SEE PLAT ATTACHED, WHICH IS HEREBY ADOPTED IN AID OF THIS DESCRIPTION.

Should said Easement or right-of-way cease to be used  
for the purposes herein granted, the same shall revert to the State of  
Oklahoma or assigns and all rights and privileges herein granted shall  
thereupon cease and terminate.

It is hereby expressly understood and agreed that the  
Party of the second part shall settle with the agricultural lessee of said  
land for any damages that may sustain to their improvements and crops, by  
reason of construction on said right-of-way.

IN WITNESS WHEREOF, The Commissioners of the Land Office  
of the State of Oklahoma have caused these presents to be executed by their  
Chairman and attested by their Secretary on the date first above written.

COMMISSIONERS OF THE LAND OFFICE OF  
THE STATE OF OKLAHOMA.

Attest:

By

John T. Taylor  
Chairman.

John T. Taylor  
Secretary.

**CITY OF SHAWNEE, POTTAWATOMIE COUNTY  
STATE OF OKLAHOMA**

**CITY OF SHAWNEE'S PARTIAL RELEASE OF EASEMENT DATED  
FEBRUARY 11, 1935, GRANTED BY THE COMMISSIONERS OF  
THE LAND OFFICE**

On February 11, 1935, the Commissioners of the Land Office of the State of Oklahoma granted the City of Shawnee, Pottawatomie County, Oklahoma, an **easement** ("original CLO easement" herein) to, over, under, through and across the following described land:

The South Half, and the Southeast Quarter of the Northeast Quarter of Section Sixteen (16), Township Ten (10) North of Range Two (2) East of the Indian Meridian, Pottawatomie County, State of Oklahoma.

A copy of the original CLO easement and the Plat to the City of Shawnee Reservoir, are attached to this Partial Release and marked as Exhibit 1 and 1A.

It is the purpose of this document to release certain areas of the original easement that are not and have never been used for the intended purpose of the easement.

The City of Shawnee now desires to **release** and relinquish a portion of the original CLO easement, and the Commissioners of the Land Office of the State of Oklahoma desire to take back that portion of the easement relinquished by the City of Shawnee, all consistent with the Survey consisting of two (2) pages, prepared by Darren Smith, F.L.S., and engineer Brian Smith, P.E. of Cobb Engineering, 4516 N.W. 36<sup>th</sup> Street, Oklahoma City, OK 73122, dated 08-09-2010, attached and marked as Exhibit 2.

NOW, THEREFORE, the City of Shawnee, Pottawatomie County, Oklahoma ("City" herein) does hereby quitclaim, **release**, relinquish, and surrender to the Commissioners of the Land Office of the State of Oklahoma ("CLO" herein) its right, title and interest to a portion of the **easement** and right of way, as set forth below to the following described lands:

All elevated area including the lots shown on the Survey which are above the survey line surrounding the Shawnee Reservoir, as shown on the Survey attached and marked as Exhibit 2 and above to the FEMA base flood elevation level, as determined from time to time by FEMA, however in no event shall the easement extend above the maximum elevation of 1077.3 ft., irrespective of the elevation determination of FEMA, all located in the South Half, and the Southeast Quarter of the Northeast Quarter of Section Sixteen (16), Township Ten (10) North of Range Two (2) East of the Indian Meridian, Pottawatomie County, State of Oklahoma.

In Witness Whereof, the City of Shawnee by and through its Mayor, Richard Finley, executed this Partial Release on the day and year written below.

Executed on \_\_\_ day of October, 2016 the City of Shawnee,

[Seal]

By:

\_\_\_\_\_  
Name: Richard Finley

Title: Mayor

Address: 16 West 9<sup>th</sup> Street, Shawnee, OK 74801

**ATTEST:**

\_\_\_\_\_  
PHYLLIS LOFTIS, CMC, CITY CLERK

### INDIVIDUAL ACKNOWLEDGEMENT

STATE OF OKLAHOMA,                    )  
COUNTY OF POTTAWATOMIE,    )SS

Before me, a Notary Public, in and for the County of Pottawatomie, State of Oklahoma on the \_\_\_ day of October, 2016, personally appeared Richard Finley, the Mayor of the City of Shawnee to me known to be the identical person who executed the foregoing instrument and acknowledged to me he executed the same as his free and voluntary act and deed for the uses and purposes therein set forth the day and year last written above.

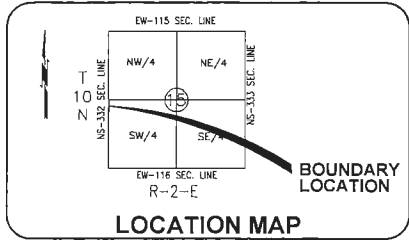
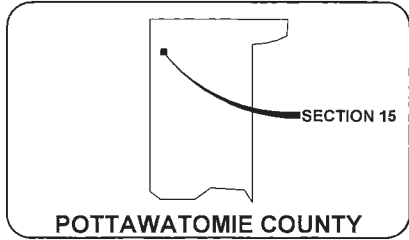
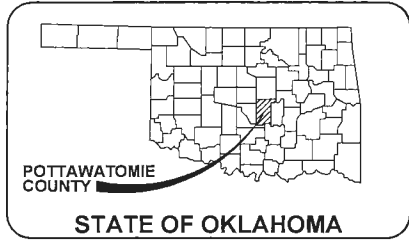
\_\_\_\_\_  
(Notary Public)

My Commission Expires: \_\_\_\_\_

Accepted by the Commissioners of the Land Office

By: \_\_\_\_\_  
Harry W. Birdwell, Secretary  
Commissioners of the Land Office

Subscribed and sworn before me on this \_\_\_ day of October, 2016



**NOTES:**  
-THERE IS A 33.0' STATUTORY RIGHT-OF-WAY ON BOTH SIDES OF ALL SECTION LINES, NO DOCUMENTATION WAS PROVIDED OR RESEARCHED INDICATING VACATION OF SAID RIGHT-OF-WAY  
-ALL POSSIBLE EASEMENTS AND UTILITIES CROSSING SUBJECT PROPERTY WERE NOT RESEARCHED OR FIELD VERIFIED

THIS IS TO CERTIFY THAT THIS SURVEY WAS DONE BY THE UNDERSIGNED, THAT THE SURVEY WAS DONE ON THE GROUND IN ACCORDANCE WITH THE MOST RECENT MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS, AS SET FORTH BY THE STATE OF OKLAHOMA, BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS, AND THAT THE ACCURACY SPECIFICATION AND POSITION TOLERANCE ARE IN ACCORDANCE WITH THE LAND OR BOUNDARY SURVEYS.

*Tanner J. Wentworth*  
TANNER J. WENTWORTH  
PROFESSIONAL LAND SURVEYOR # 1871



5/8" IRON PIN W/ CAP  
BOUNDARY CORNER  
FENCE

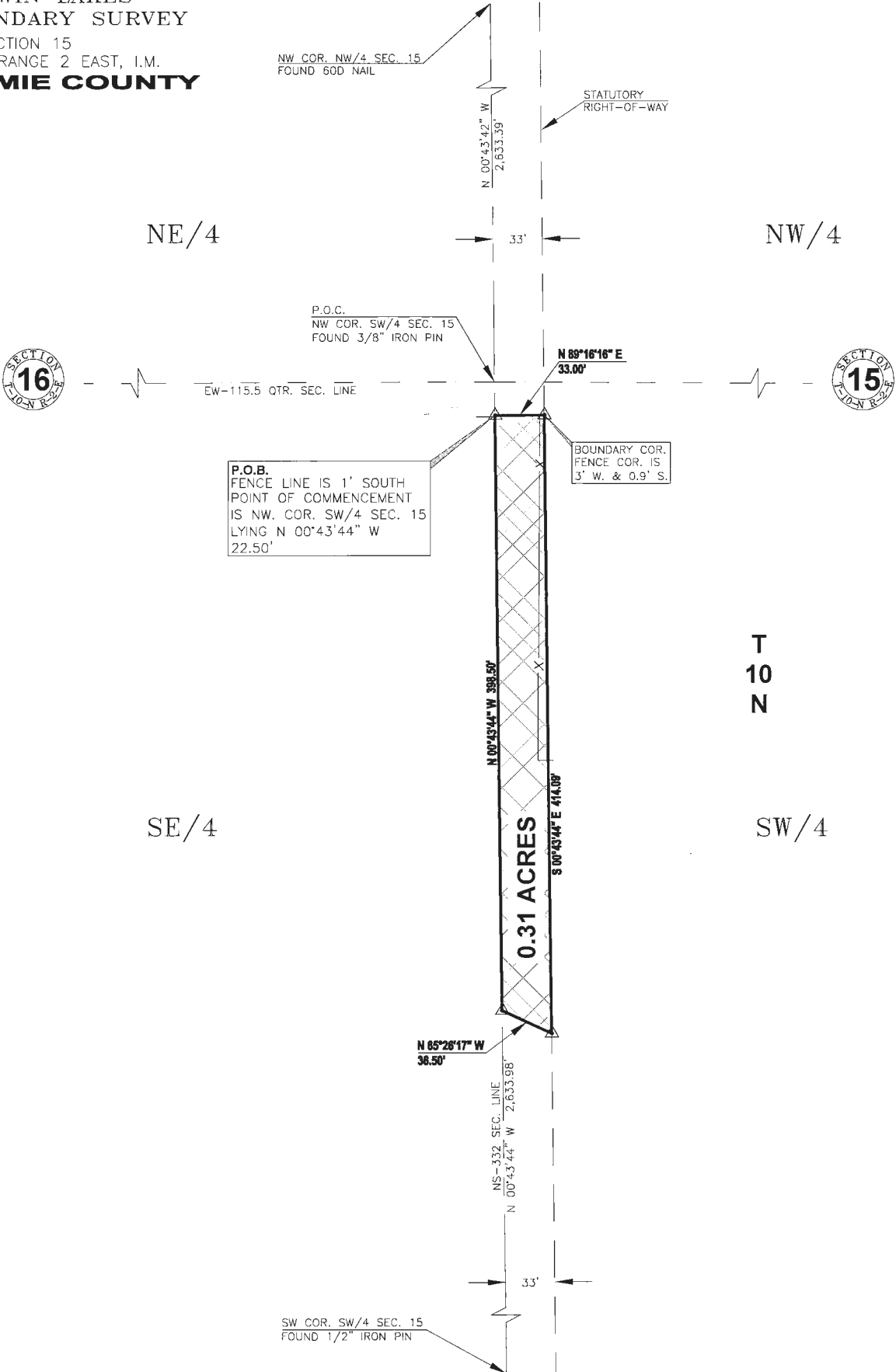
LEGEND

COMMISSIONERS OF THE LAND OFFICE  
SHAWNEE TWIN LAKES  
RUDEBOCK BOUNDARY SURVEY  
PART OF SECTION 15  
TOWNSHIP 10 NORTH, RANGE 2 EAST, I.M.  
POTTAWATOMIE COUNTY

LEGAL DESCRIPTION

A TRACT OF LAND LYING IN SECTION FIFTEEN (15), TOWNSHIP TEN (10) NORTH, RANGE TWO (2) EAST, OF THE INDIAN MERIDIAN, POTTAWATOMIE COUNTY, OKLAHOMA, SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER (SW/4) OF SECTION FIFTEEN (15), SAID POINT BEING A 3/8" IRON PIN WITH PLASTIC CAP;  
THENCE S 00°43'44" E ON THE WEST LINE OF SAID SOUTHWEST QUARTER (SW/4) A DISTANCE OF 22.50 FEET TO A 5/8" IRON PIN WITH PLASTIC CAP, SAID POINT BEING THE POINT OR PLACE OF BEGINNING;  
THENCE N 89°16'16" E A DISTANCE OF 33.00 FEET TO A 5/8" IRON PIN WITH PLASTIC CAP;  
THENCE S 00°43'44" E ON A LINE PARALLEL TO AND 33.00 FEET EAST OF THE WEST LINE OF SAID SOUTHWEST QUARTER (SW/4) A DISTANCE OF 414.09 FEET TO A 5/8" IRON PIN WITH PLASTIC CAP;  
THENCE N 65°26'17" W A DISTANCE OF 36.50 FEET TO A POINT ON THE WEST LINE OF SAID SOUTHWEST QUARTER (SW/4), SAID POINT BEING A 5/8" IRON PIN WITH PLASTIC CAP;  
THENCE N 00°43'44" W ALONG SAID WEST LINE A DISTANCE OF 398.50 FEET TO THE POINT OR PLACE OF BEGINNING;  
SAID TRACT CONTAINS 0.31 ACRES AS DESCRIBED.



CA 32  
EXP. 6-30-2018  
FIELD: 09-07-2016  
DATE: 09-12-2016  
REV. DATE:  
PARTY CHIEF: TJW  
DRAWN BY: RLR  
REVIEWED BY: TJW  
FILE NAME: Shawnee Twin Lakes Lot 1-plot.dwg

CEC CORPORATION  
SURVEYING AND MAPPING DIVISION

4555 W. MEMORIAL ROAD  
OKLAHOMA CITY, OKLAHOMA 73142  
(405) 753-4200

SHEET NO.

1 OF 1

CEC NO.

16153.02

## QUITCLAIM DEED

KNOW ALL MEN BY THESE PRESENTS: THAT

The CITY OF SHAWNEE, OK, 16 W. 9<sup>th</sup> St., Shawnee, OK 74801 (the "City" or "Grantor"), in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, does hereby grant, bargain, sell, convey and quitclaim, unto the COMMISSIONERS OF THE LAND OFFICE OF THE STATE OF OKLAHOMA, (the "CLO" or "Grantee"), real property situated in Pottawatomie County, Oklahoma, as more fully described as follows:

A tract of land lying in Section Fifteen (15), Township Ten (10) North, Range Two (2) East of the Indian Meridian, Pottawatomie County, Oklahoma said tract being more particularly described as follows:

Commencing at the Northwest Corner of the Southwest Quarter (SW/4) of Section Fifteen (15), said point being a 3/8" iron pin with plastic cap; thence S 00°43'44" E on the West line of said Southwest Quarter (SW/4) a distance of 22.50 feet to a 5/8" iron pin with plastic cap, said point being the point or place of beginning;

Thence N 89°16'16" E a distance of 33.00 feet to a 5/8" iron pin with plastic cap;

Thence S 00°43'44" E on line parallel to and 33.00 feet east of the west line of said Southwest Quarter (SW/4) a distance of 414.09 feet to a 5/8" iron pin with plastic cap;

Thence N 65°26'17" W a distance of 36.50 feet to a point on the west line of said Southwest Quarter (SW/4), said point being a 5/8" iron pin with plastic cap;

Thence N 00°43'44" W along said west line a distance of 398.50 feet to the point or place of beginning.

Said tract contains 0.31 acres as described.

Together with all the improvements thereon and appurtenances thereunto belonging. Less and Except any and all oil, gas, or other minerals.

**This property conveyance is made in conjunction, and consideration, with a separate property transfer from the CLO to the City of Shawnee, OK, not a part of this Quitclaim Deed, but filed independently the same.**

TO HAVE AND TO HOLD said described premises unto the Grantee, and Grantee's successors and assigns forever.

SIGNED AND DELIVERED this \_\_\_\_\_ day of October 2016.

\_\_\_\_\_  
RICHARD FINLEY, MAYOR,  
CITY OF SHAWNEE, OKLAHOMA

**ATTEST:**

\_\_\_\_\_  
PHYLLIS LOFTIS, CMC, CITY CLERK

STATE OF OKLAHOMA                    )  
                                                  )       SS:  
COUNTY OF POTTAWATOMIE        )

Before me, the undersigned, a Notary Public in and for said County and State on this \_\_\_\_\_ day of October, 2016, personally appeared, RICHARD FINLEY, MAYOR OF THE CITY OF SHAWNEE, OKLAHOMA, as Grantor, to me known to be the identical persons who executed the within and foregoing Quitclaim Deed and acknowledged to me that they executed the same as their free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal of office the day and year last above written.

\_\_\_\_\_  
NOTARY PUBLIC

[SEAL]

My commission expires: \_\_\_\_\_

My commission number: \_\_\_\_\_

**Regular Board of Commissioners**

**6.**

Meeting Date: 10/03/2016

CLO Transfer of Property

Submitted By: Lisa Lasyone, City Clerk

Department: City Clerk

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**Information**

Title of Item for Agenda

Discussion, consideration and possible action to approve the transfer of property owned by the City of Shawnee in Section 16, T10N, R2E, IM in exchange for the granting of an easement in the North Half, Section 36, T11N, R3E, IM by the State of Oklahoma, Commissioners of the Land Office.

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**Attachments**

*No file(s) attached.*

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**Regular Board of Commissioners****7. a.**

Meeting Date: 10/03/2016

Bids Park Design RFQ

Submitted By: Lisa Lasyone, City Clerk

Department: City Clerk

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**Information**

Title of Item for Agenda

Park Design RFQ (Open)

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**Attachments**

Parks Design RFQ Notice

Parks Design RFQ Plan Holders List

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## Request for Qualifications

The City of Shawnee is requesting Statements of Qualifications from Qualified Landscape Architect firms for Municipal Park planning & Design. Interested qualified design firms shall submit required material to the City of Shawnee, 9th & Broadway, P. O. Box 1448, Shawnee, Oklahoma, by 4:00 p.m., Monday, October 3, 2016.

**Instructions and bid documents are available to qualified bidders at the Fairview Cemetery Office, (405) 878-1529, located at 1400 north Center Street Shawnee, Oklahoma 74801 from 8:00 am to 4:00 pm Monday – Friday.**

Each submittal shall be filed in a sealed envelope/box. On the front of each envelope/box shall be written the following words to the left of the address:

## Park Design RFQ October 3, 2016

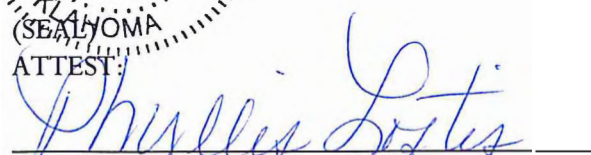
The ORIGINAL bid shall be filed with the City Clerk of the City of Shawnee at **16 W. 9<sup>th</sup> Street**, together with a sworn non-collusion affidavit in writing that the bidder has not entered into any agreement, expressed or implied, with any other bidder, or bidders, for the purpose of limiting the bid, or bidders or parcel out to any bidder, or bidders or any other persons, any part of the contract or subject matter of the bid.

Bids will be opened and considered by the Board of City Commissioners at a Public Meeting in the City Hall Commission Chambers, 16 W. 9<sup>th</sup> Street Shawnee, Oklahoma 74801, at 6:30 p.m., Monday, October 3, 2016.

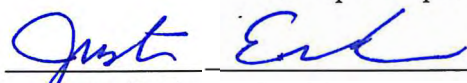
The City of Shawnee reserves the right to reject any or all bids.



ATTEST:

  
Phyllis Loftis, CMC, City Clerk

CITY OF SHAWNEE, A Municipal Corporation

By   
Justin Erickson, City Manager

## Plan Holders list

### Park Planning and Design

Howard – Fairbairn Site Design, Inc.

3100 NW 149<sup>th</sup>

Oklahoma City, Ok 73134

Guernsey

5555 North Grand BLVD

Oklahoma City, OK 73112

LAUD Studio

2426 N. Classen BLVD

Oklahoma City, OK 73106

CLS and Associates

825 N. Broadway, Suite 315

Oklahoma City, OK 73102

Crafton Tull & Associates

214 E. Main St.

Oklahoma City, OK 73104

Attn: David Knowles, ASLA

E Plan

4115 S Providence Rd., Suite 105

Columbia, MO 65203

Phone: (573)447-7130

Attn: Sharon Picard

Shafer, Kline, and Warren, Inc.

11250 Corporate Avenue

Lenexa, KS 66219

**Regular Board of Commissioners**

**8. a.**

Meeting Date: 10/03/2016

Admin Rpt Tischer

Submitted By: Lisa Lasyone, City Clerk

Department: City Clerk

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Information

Title of Item for Agenda

Dru Tischer, Fire Chief – Fire Prevention Week (October 10-14, 2016)

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Attachments

*No file(s) attached.*

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**Regular Board of Commissioners**

**9.**

Meeting Date: 10/03/2016

CM Report

Submitted By: Lisa Lasyone, City Clerk

Department: City Clerk

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Information

Title of Item for Agenda

City Manager Report

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Attachments

CM Report 09-2016

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# City Manager Report

September 2016



## City Manager September Highlights

### EXPO Grant

The Avedis Foundation announced major funding for the Shawnee EXPO Conference Center on September 19. The \$440,000 matching grant will be used to remodel the Center. Pottawatomie County will partner with the City of Shawnee on the matching funds. Thank you Avedis and Pottawatomie County!

### Wayfinding

City staff has submitted the final Wayfinding Plan to the Oklahoma Department of Transportation for review and approval. A project agreement will have to be signed by both parties. The project should be bid out in November and completed approximately 90 days after a contractor is selected.

### Other News

- The Shawnee Splash Aquatics Center is official closed to the public for the season. Thank you for making our first full season so memorable and successful.
- Presentations were made to the Kiwanis Club and the Shawnee Homebuilders Association in September.

### EXPO Operations

September was a very busy month for the EXPO. The Pottawatomie County free fair was held September 6-9. The facility also hosted a rodeo (see Page 5) and an RV rally among other events.

For a complete listing of scheduled EXPO events, please see:  
<http://www.shawneexpo.org/calendar.html>

## OTHER UPDATES BY DEPARTMENT

### Finance/Treasurer Report

Sales Tax. A full sales tax report was presented to the Shawnee City Commission on September 19. Sales tax was flat year-over-year for the month of September.

### *Meetings and Noteworthy Items*

City Commission – October 3 & 17

Planning Commission – October 5

Beautification Meeting – October 13

Traffic Commission – October 25

Note: Meetings are subject to addition, cancellation and change. Agendas are posted on [www.shawneeok.org](http://www.shawneeok.org)

### *Other Important Dates*

Planes, Trains, and Automobiles @ Shawnee Regional Airport and Santa Fe Depot: October 1

Boo on Bell: October 20-22

Third Friday Downtown Block Party: October 21

Bison Stampede: November 12

### *Other Events:*

[www.visitshawnee.com/Calendar](http://www.visitshawnee.com/Calendar)

<http://www.shawneexpo.org/calendar.html>

### *Board Openings*

Beautification Committee

Traffic Commission

**Note:** Applications can be obtained:  
[www.shawneeok.org/gov/Boards/](http://www.shawneeok.org/gov/Boards/)

# City Manager Report

September 2016



## Shawnee Municipal Authority

Master Plan Implementation. In 2014, the SMA adopted a Comprehensive Water and Wastewater Master Plan which evaluated all water supply, water treatment, collection systems and wastewater treatment facilities. The Plan included a Capital Improvement Plan (CIP) with recommendations for prioritization and phasing of the recommended short term (0-5 years and 5-10 years) and long term (10-20 years) Capital Improvements Plan (CIP) projects.

The projects to be considered for this RFQ are short term recommendations of the Master Plan. Interested Engineers and SMA staff met for site visits at each Plant on July 21, 2016. The City Commission authorized staff to enter into contract negotiations with Burns & McDonnell for engineering services on 08/15/2016. Staff is still in the negotiation phase.

Bathymetry Study. The City of Shawnee has entered into a joint-funding agreement with the U.S. Geological Survey to conduct a bathymetry study. The total cost of the project is \$46,000 and the City's share is \$15,500. Bathymetric data can be used for a myriad of purposes ranging from determination of the elevation, area, and capacity of a body of water, to sediment deposition patterns. The objective of this project will be to conduct complete bathymetric surveys of the Twin Lakes. The study will be completed in 2017. An initial kickoff Meeting was held on May 12, 2016. As of June 27, 2016, USGS advised the field work is almost complete. Maps are being generated and USGS is currently looking for data holes. USGS will be presenting to staff on September 27, 2016.

## Operations Department

Auditorium HVAC Design. Ninety percent of the equipment is installed, crews are working on running ducts and Freon lines. The electrician received the last bit of equipment they were expecting and have it in place. OG&E had some rerouting work they are doing and are nearing completion on.

Parks Landscape and Feature Redesign. Staff will be busy going through the RFQs that come in for the Parks Design project over the next few weeks. It is expected that the selected firm will help with the redesign of key park facilities.

City Hall Exterior Painting. Fire Department doors and retaining wall are painted and all that is left are the eaves and pillars, which should be complete in early October.

## Engineering and Streets

Downtown Streetscape. Project awarded to CGC, LLC in the bid amount of \$3,156,371.50. Construction on Phase I started January 19. Phase 1 was open to the public on July 15. Phase 2 work begun on July 18 and all three blocks are closed to traffic. The first portion of this phase will be demo and removals, followed by installation of the water and Stormwater lines. The sidewalks will be handled in the same manner as the previous phase, by leaving 7 feet of walkable space next to the buildings until it's time to construct the new sidewalks. This will ensure that patrons to businesses have clear and safe access to all businesses.

For Phase 2, the contractor will have 180 days by contract to complete that section, and is expected to be completed in January 2017. With the completion date pushing past Boo-on-Bell and the Christmas Parade,

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our plans are to begin the reconstruction at Bell St. and move east. This will allow us to have the largest area of the project opened as possible for these events. On September 29, curbing was installed, which will allow installation of the concrete road surface starting in October.

Avedis Sidewalk Projects. The Union Street sidewalk was opened in time for the first day of school. The new sidewalk runs along Union Street from MacArthur Street to Shawnee Middle School. A few minor details remain to be completed.

Rehab Asphalt Streets Project. Shawnee Mall Drive is to be milled and overlaid the first week of October. This one mile project should take approximately three weeks to complete barring any unforeseen weather delays. Other smaller overlay projects will follow.

Concrete Streets Rehab. The Park and Chicago intersection is now open. All curb and gutter and paving is in place on Chicago between Kickapoo and Park. Saw cutting and removal of panels on Park between Chicago and Pulaski is underway.

Sidewalk/ADA Handicap Ramps Project. The first intersection to be addressed are along Dewey between Beard and Louisa. The Dewey and Market intersection is complete. Work on the Dewey and Park intersection is 75% complete.

## Planning Department

Clean-up Efforts. The Action Center maintains a very active caseload during the growing season, with many complaints related to tall grass and weeds coming in daily. For a complete list of Action Center cases or to submit a complaint online, see: <http://www.shawneeok.org/actioncenter/default.asp>

Transportation Alternatives Program. The City was notified in August that its application to the Oklahoma Department of Transportation for a Transportation Alternatives Program grant was approved. The planned sidewalk will bridge a critical missing gap along MacArthur Street east of Harrison. The Avedis Foundation has agreed to provide matching funds equal to ten percent of the project cost. Staff is working with ODOT on scheduling of this project.

The Planning Commission has an active docket. Complete agendas are posted here: <http://www.shawneeok.org/Documents/>

## Fire Department

Station 2 Rehab/Renovation. Chief Tischer met with representatives from Fritz Baily along with our owner's representative and with COS Engineering on September 13. During this meeting, input was received from COS Building Inspection and the SFD Fire Marshal's Office on some final code questions. The group was able to finalize the design portion of the design development phase. Chief Tischer received an updated construction cost estimate based on that meeting from Fritz Baily in late September and is currently reviewing that document.

Fire Prevention Week 2016. Our Fire Department Clowns are hard at work preparing for this year's program. During the week of October 3–7, they will visit every grade school in our response area to put

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on three fire prevention and life safety programs per day along with one evening, community performance on Thursday, October 6. In addition, Chief Tischer is working with the Fire Marshal to plan some fire and life safety training opportunities for adults on October 8, and during the week of October 10–14.

Currently, he is working to schedule a mass smoke detector installation to be conducted on the southeast side of Shawnee on Saturday, October 8. This will be done via a partnership between Shawnee Fire department and the local Red Cross chapter and we are hoping to install 500 detectors that day. He is also planning to make fire and life safety education presentations at the Senior Center and during an Open House/Fire and Life Safety Education opportunity we are planning to host at Station 1 on Thursday, October 13.

## Police Department

Administrative. Recently promoted Captains, Lieutenants and Sergeants ceremony has been set for October 13 in the Commission Chambers. Background checks are almost completed on record technician position, when completed staff will start going through and setting interviews. Byrnes Grant is shared with the Sheriff's Office in the amount of \$21,531, and should be received in the next week. The Citizen Police Academy is going very well and has a large participation.

Patrol. Actively working Main Street using AG Grant. Making regular walk through at Library. Bike patrol working train and automobile show at Santa Fe. Sentinels will be helping with air show.

Animal Welfare. Sgt. Mike Laughlin has been assigned to oversee Animal Control Division. Construction continues on kennel expansion project.

Dispatch. Communication Manager Chrissy Brown has received ACOG OK dispatcher of the year award, awards presentation will be next Tuesday at Embassy Suites in OKC. Three dispatchers still in training.

## Emergency Management

North Radio Tower Site. Midwest Underground Technologies has installed the equipment and hardware for the antenna system. Motorola technicians will be on site to adjust and optimize the radios. Anticipated completion date is October 7.

EOC Remodel. Re-installation of furniture, computers, televisions and communications equipment in Operations and Radio rooms continues as time allows. Re-Installation of Smart Board in Operations Room is scheduled for October 5.

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A junior and senior high school rodeo was held at the EXPO, September 10-11.