

AGENDA
BOARD OF CITY COMMISSIONERS
September 17, 2012 AT 6:30 P.M.
COMMISSION CHAMBERS AT CITY HALL
SHAWNEE, OKLAHOMA

CALL TO ORDER

DECLARATION OF A QUORUM

INVOCATION

REV. RAY BELFORD
FIRST CHRISTIAN CHURCH

FLAG SALUTE

1. Consider approval of Agenda:
2. Consider approval of Consent Agenda:
 - a. Acknowledge staff will proceed in the instant meeting with the opening and consideration of bids/proposals as set forth in Agenda Item Number 13.
 - b. Minutes from the September 4, 2012 regular meeting.
 - c. Budget Amendment Capital Fund 301
Amend Budget for grant money received from Grant Transportation Enhancement Program
 - d. Acknowledge the following minutes and reports:
 - Shawnee Urban Renewal Authority minutes from August 7, 2012
 - Planning Commission minutes from June 6, 2012
 - Sister Cities Council minutes from July 10, 2012
 - Project Payment Report for August 2012
 - License Payment Report for August 2012
 - e. Approve agreement with Housing Authority of the City of Shawnee for supplemental police services.
 - f. Approve agreement with Housing Authority of the City of Shawnee for fingerprint services with the Police Department.
3. Citizens Participation

(A three minute limit per person)
(A twelve minute limit per topic)
4. City Manager's presentation of Employee of the Month to Abel Esparza, Animal Control.

5. A public hearing and consideration of rezoning property located at 204 N. Louisa from C-3; Automotive, Commercial and Recreation to C-4; Central Business with a conditional use permit. Case No. P13-12
(Deferred by the Planning Commission to a special meeting October 10, 2012. No action to be taken until Planning Commission presents their recommendation after the special meeting)
6. Consider a resolution authorizing approval of an Intergovernmental Agreement by and Between the Oklahoma Department of Transportation and the City of Shawnee.
7. Consider offer from Texoma Land Consultants, Inc. to lease mineral rights on approximately 16.5366 mineral acres located in Section 14, Township 10N, Range 2E.
8. Consideration and possible action on a request by Ryan and Melanie Boyd for an extension of their Conditional Use Permit to temporarily utilize a mobile home at 15305 Patterson Road.
9. Discussion, consideration and possible action on an ordinance to repeal Ordinance No. 2487NS which replaced the Tourism Advisory Committee with a Tourism Advisory Board.
10. Discussion, consideration and possible action on an ordinance to amend Ordinance No. 2487 NS which replaced the Tourism Advisory Committee with a Tourism Advisory Board to change its effective date.
11. Consider Mayor's appointment of the following as an advisory committee for improvements to the Shawnee Municipal Pool:
 - Terry West
 - Richard Finley
 - Nancy Ford
 - John Ayers
 - John Winterringer
 - James Bryce
12. Acknowledge Sales Tax report received September, 2012.
13. Consider Bids:
 - a. Removal of Snow and Ice from streets (Open)
14. New Business

(Any matter not known about or which could not have been reasonably foreseen prior to the posting of the agenda)
15. Administrative Reports
16. Commissioners Comments
17. 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

2. a.

Meeting Date: 09/17/2012

Open Bid Documents

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Acknowledge staff will proceed in the instant meeting with the opening and consideration of bids/proposals as set forth in Agenda Item Number 13.

Regular Board of Commissioners

2. b.

Meeting Date: 09/17/2012

Minutes

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Minutes from the September 4, 2012 regular meeting.

Attachments

Minues 9-04-12

BOARD OF CITY COMMISSIONERS PROCEEDINGS
SEPTEMBER 4, 2012 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 4, 2012 at 6:30 p.m., pursuant to notice duly posted as prescribed by law. Mayor Peterson presided and called the meeting to order. Upon roll call, the following members were in attendance.

Linda Peterson

Mayor

Pam Stephens

Commissioner Ward 1

Frank Sims

Commissioner Ward 2

James Harrod

Commissioner Ward 3

Billy Collier

Commissioner Ward 4-Vice Mayor

John Winterringer

Commissioner Ward 5

Steve Smith

Commissioner Ward 6

ABSENT: None

INVOCATION

Rev. Amy Perkins
United Presbyterian

FLAG SALUTE

AGENDA ITEM NO. 1:

Consider approval of minutes of the Special Called meeting of August 16, 2012 and the regular August 20, 2012 meeting.

A motion was made by Commissioner Sims, seconded by Commissioner Harrod, to approve the Agenda. Motion carried 7-0.

AYE: Sims, Harrod, Peterson, Collier, Winterringer, Smith, Stephens

NAY: None

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

RECONVENE CITY COMMISSION MEETING BY THE POWER OF THE
CHAIR (6:32 p.m.)

AGENDA ITEM NO. 2:

Consider Resolution of Appreciation to
Linda Peterson, Mayor City of Shawnee.

Resolution No. 6430 was introduced and the title read aloud.

A RESOLUTION EXPRESSING APPRECIATION
FOR THE OUTSTANDING SERVICE OF LINDA
PETERSON 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 SAID LINDA
PETERSON.

A motion was made by Commissioner Winterringer, seconded by
Commissioner Smith, to approve the Resolution of Appreciation to Linda Peterson,
Mayor City of Shawnee. Motion carried 7-0.

AYE: Winterringer, Smith, Stephens, Sims, Harrod, Collier

NAY: None

ABSTAIN: Peterson

AGENDA ITEM NO. 3:

Consider Resolution of Appreciation to
Frank Sims, Commissioner Ward Two of
the City of Shawnee.

Resolution No. 6432 was introduced and the title read aloud.

A RESOLUTION EXPRESSING APPRECIATION
FOR THE OUTSTANDING SERVICE OF FRANK
SIMS AS CITY 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 SAID FRANK SIMS.

A motion was made by Commissioner Smith, seconded by Commissioner Winterringer, to approve the Resolution of Appreciation to Frank Sims, Commissioner Ward Two of the City of Shawnee. Motion carried 7-0.

AYE: Smith, Winterringer, Stephens, Harrod, Peterson, Collier

NAY: None

ABSTAIN: Sims

AGENDA ITEM NO. 4:

Consider Resolution of Appreciation to Billy Collier, Vice-Mayor and Commissioner of Ward Four of the City of Shawnee.

Resolution No. 6431 was introduced and the title read aloud.

A RESOLUTION EXPRESSING APPRECIATION FOR THE OUTSTANDING SERVICE OF BILLY COLLIER AS CITY COMMISSIONER OF WARD IV 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 SAID BILLY COLLIER.

A motion was made by Commissioner Smith, seconded by Commissioner Stephens, to approve the Resolution of Appreciation to Billy Collier, Vice-Mayor and Commissioner of Ward Four of the City of Shawnee. Motion carried 7-0.

AYE: Smith, Stephens, Sims, Harrod, Peterson, Winterringer

NAY: None

ABSTAIN: Collier

AGENDA ITEM NO. 5:

Presentation of Resolutions of Appreciation and plaques to Mayor Linda Peterson, Vice-Mayor Billy Collier, and Commissioner Frank Sims.

Vice-Mayor Billy Collier presented the Resolution of Appreciation and

plaque to Mayor Linda Peterson.

Mayor Linda Peterson presented the Resolution of Appreciation and plaque to Vice-Mayor Billy Collier.

Mayor Linda Peterson presented the Resolution of Appreciation and plaque to Commissioner Frank Sims.

AGENDA ITEM NO. 6:

Swearing in of Mayor Wes Mainord, Ward II Commissioner Linda Agee, Ward III Commissioner James Harrod and Ward IV Commissioner Keith Hall by Municipal Judge Robert H. Jones and presentation of Certificates of Election.

Municipal Judge Robert H. Jones swore in Ward II Commissioner Linda Agee, Ward III Commissioner James Harrod and Ward IV Commissioner Keith Hall.

Municipal Judge Robert H. Jones swore in Mayor Wes Mainord.

BY THE POWER OF THE CHAIR RECESS FOR RECEPTION FOR OUTGOING AND INCOMING MAYOR AND COMMISSIONERS AT 6:45 P.M.

BY THE POWER OF THE CHAIR THE COMMISSION RECONVENES AT 7:00 P.M.

AGENDA ITEM NO. 7:

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

A motion was made by Commissioner Agee, seconded by Commissioner Smith, to appoint Commissioner James Harrod as Vice Mayor. Motion carried 6-0-1.

AYE: Agee, Smith, Stephens, Mainord, Hall, Winterringer

NAY: None

ABSTAIN: Harrod

AGENDA ITEM NO. 8:

Consider approval of Agenda.

A motion was made by Vice-Mayor Harrod, seconded by Commissioner Winterringer, to approve the Agenda. Motion carried 7-0.

AYE: Harrod, Winterringer, Smith, Stephens, Agee, Mainord, Hall

NAY: None

AGENDA ITEM NO. 9:

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 Number 2 on the Shawnee Municipal Authority Agenda.
- b. Acknowledge the following minutes:
 - Traffic Commission minutes from June 26, 2012 and July 24, 2012
- c. Traffic Commission Recommendations
July 24, 2012

A. Consideration of request by Katherine K. Walters to place Deer Crossing signs on Bryan Road just north of Grove School.

Discussion: Katherine (3520 N. Bryan) saw last year five (5) deer killed by her home. She called police to get statistics. Since the road is getting busier she requests a Deer Crossing Sign to be placed on Bryan. Taffe recommended to approve due to witnessing deer as well.

STAFF RECOMMENDATION: Staff recommends approval of request

BOARD RECOMMENDATION: Board agrees with the Staff recommendation to add a Deer Crossing Sign on Bryan Street

B. Consideration of request by Tina Hanna to designate the east side of the 100 block of north Louisa and just south of 9th as a no parking zone.

Discussion: Tina Hanna discussed locations of no parking zones now. She states people with disabilities can not access the building some days. The cars that park there block the parking sites at her business. The homeless shelter keeps it busy. Michael Ludi Discussed there is a house on the corner and that it would cause people who live there to not have parking at their house. Ardrey wants resident contacted before making a final decision. Taffe agreed

Motion was made by Cody, seconded by Ardrey to contact resident and put on another agenda.

STAFF RECOMMENDATION: Staff recommends denying request because there is a house on the corner and that it would cause people who live there to not have parking at their house.

BOARD RECOMMENDATION: Board recommends contacting resident and put on another Agenda

C. Consideration of request by Dr. Robert J Barnard to take down the stop signs at 7th street at Broadway on the East and West sides .

Discussion: Dr. Barnard states going South on Broadway there is no stop sign at 7th street. The Milling Company will be closing the street but Dr Barnard believes without a stop sign no one will pay attention. Taffe asked about the closing. Ludi states it is closed but doesn't know where the gate will be. Keith Mangus states it will be about three (3) weeks before gates go in. Ludi states (staff) recommendations would be to add the stop sign at Broadway and keep the signs in place on 7th street since we don't know exactly how the Mill will use the intersection till they are done.

STAFF RECOMMENDATION: Staff recommends denying request, recommendations would be to keep the signs in place on 7th street since we don't know exactly how the Mill will use the intersection till they are done.

BOARD RECOMMENDATION: Board agrees with Staff recommendation to deny request

D. Consideration of request by Dr. Robert J Barnard to place a stop sign for southbound traffic on Broadway at 7th Street.

Discussion: Same as above

STAFF RECOMMENDATION: Staff recommends approval of request

BOARD RECOMMENDATION: Board agrees with Staff recommendation to place a stop sign for southbound traffic on Broadway at 7th Street.

Traffic Commission Board Recommendations
August 28, 2012

- A. **Consideration of request by Joseph W. Ford to establish two (2) crosswalks across Bell Street directly on the North and South sides of the newly repaired rail tracks.**

STAFF RECOMMENDATION: Staff recommends approval of request Michael Ludi states crosswalks were previously at this location. Staff recommends repainting crosswalks in this location. The City currently has signs in that area for pedestrian crossing which is about 1200 feet therefore the signage is already up for this area. The City would just need to call attention to this specific area.

BOARD RECOMMENDATION: Board agrees with the Staff recommendation to approve two (2) crosswalks across Bell Street directly on the North and South sides of the newly repaired rail tracks

- B. **Consideration of request by Joseph W. Ford to place additional stop signs on Bell Street at the requested crosswalk locations.**

STAFF RECOMMENDATION: Staff recommends denying request Michael Ludi reports our staff recommendation is to deny this request for stop signs. Instead of stopping traffic all the time, the staff recommends to place 36" x 36" Yield here for Pedestrians sign. This would draw attention to the crosswalk. After studying the area there are only certain times of the day the crosswalks would be used and we feel it is unnecessary to stop traffic all the time at this location but we did think it was necessary to call attention to the crosswalk at this location. These signs are not at any other location in town but are an approved traffic control device sign.

BOARD RECOMMENDATION: Board agrees with the Staff recommendation to deny the stop sign request and place a yield sign at that location instead.

- C. **Consideration of request by Tina Hanna to designate the east side of the 100 block of north Louisa and just south of 9th as a no parking zone.**

STAFF RECOMMENDATION: Staff recommends approval of request Michael Ludi states this item was a carryover from the last meeting. There is a resident living on this street that would not have parking at their house if this was made no parking zone. Ludi states he spoke with the resident Margaret Buckles and she stated she has the same issues with the parking in that area and would like this to be a no parking zone. Ms. Buckles wrote a letter stating the request for the no parking zone and gave it to Tina Hanna. Staff would recommend at this time to approve the designation of the east side of the 100 block of North Louisa and just south of 9th street as a no parking zone.

BOARD RECOMMENDATION: Board agrees with the Staff to designate the east side of the 100 block of North Louisa and just south of 9th street as a no parking zone.

A motion was made by Vice-Mayor Harrod, seconded by Commissioner Agee, to approve the Consent Agenda Items a-c. Motion carried 7-0.

AYE: Harrod, Agee, Mainord, Hall, Winterringer, Smith, Stephens

NAY: None

AGENDA ITEM NO. 10:

Citizens Participation

(A three minute limit per person)

(A twelve minute limit per topic)

Arnold Davis congratulated the new Mayor and Commissioners and wished them the best of luck.

AGENDA ITEM NO. 11:

Mayor's Presentation of Oklahoma Certified

Emergency Manager credentials to

Raymond J. “Butch” Lutomski.

Mayor Wes Mainord presented the Oklahoma Certified Emergency Manager credentials to Raymond J. “Butch” Lutomski.

AGENDA ITEM NO. 12:

Consider setting the official “Trick or Treat”

night for Halloween.

Police Chief Russell Frantz recommended the official “Trick or Treat” night be Wednesday, October 31st. Chief Frantz said that the City usually sets trick or treat for October 31st unless that date falls on a Sunday, then October 30th is the designated night.

A motion was made by Vice-Mayor Harrod, seconded by Commissioner Agee, to approve setting the official “Trick or Treat” night for Halloween on Wednesday, October 31, 2012. Motion carried 7-0.

AYE: Harrod, Agee, Mainord, Hall, Winterringer, Smith, Stephens

NAY: None

AGENDA ITEM NO. 13:

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. 14:

Administrative Reports

Emergency Management Director Don Lynch provided an update on securing alternate tornado shelter facilities. He stated that he expects to bring an agreement to the Commission for the use of a new facility at the October 15th City Commission meeting, to be followed by an agreement for a second facility at the November 5th meeting. Mr. Lynch said that the current facilities will be fully operational until the transition to new facilities is made.

RECESS CITY COMMISSION MEETING BY THE POWER OF THE CHAIR
TO RECONVENE SHAWNEE MUNICIPAL AUTHORITY AND SHAWNEE
AIRPORT AUTHORITY AT 7:18 P.M.

RECONVENE CITY COMMISSION MEETING BY THE POWER OF THE
CHAIR AT 7:31 P.M.

AGENDA ITEM NO. 15:

Commissioners Comments

Vice-Mayor Harrod complimented the Parks Dept. on the work done at Boy Scout Park.

Vice-Mayor Harrod also questioned Community Development Director Justin Erickson on the status of the demolition of the Al & James building. Mr. Erickson responded that asbestos removal was completed last week and demolition is expected to be completed within ten days.

Commissioner Smith welcomed the Mayor and new Commissioners to the City Commission board.

AGENDA ITEM NO. 16:

Consider an Executive Session to discuss potential claims, litigation or other options regarding encroachment into City's utility service area by other entities as authorized by 25 O.S. §307(B)(4).

A motion was made by Vice-Mayor Harrod, seconded by Commissioner Winterringer, to enter into Executive Session to discuss potential claims, litigation or other options regarding encroachment into City's utility service area by other entities as authorized by 25 O.S. §307(B)(4). Motion carried 7-0.

AYE: Harrod, Winterringer, Smith, Stephens, Agee, Mainord, Hall

NAY: None

AGENDA ITEM NO. 17:

Consider an Executive Session for discussion and possible action on any litigation pending against the City of Shawnee by the Shawnee Area Chamber of Commerce as authorized by 25 O. S. §307 (B)(4) on the recommendation of counsel that public discussion would impair the ability of the City Attorney to adequately defend the City.

A motion was made by Vice-Mayor Harrod, seconded by Commissioner Hall, to enter into Executive Session for discussion and possible action on any litigation pending against the City of Shawnee by the Shawnee Area Chamber of Commerce as authorized by 25 O. S. §307 (B)(4) on the recommendation of counsel that public discussion would impair the ability of the City Attorney to adequately defend the City. Motion carried 7-0.

AYE: Harrod, Hall, Winterringer, Smith, Stephens, Agee, Mainord

NAY: None

COMMISSION ENTERS EXECUTIVE SESSION AT 7:37 P.M.

COMMISSION RETURNS FROM EXECUTIVE SESSION WITH ALL COMMISSIONERS PRESENT AT 9:36 P.M.

AGENDA ITEM NO. 18:

Consideration and possible action on matters discussed in Executive Session regarding potential claims, litigation or other options regarding encroachment into City's utility service area by other entities as authorized by 25 O.S. §307(B)(4).

No action taken.

AGENDA ITEM NO. 19:

Consideration and possible action on matters discussed in Executive Session regarding any litigation pending against the City of Shawnee by the Shawnee Area Chamber of Commerce as authorized by 25 O. S. §307 (B)(4) on the recommendation of counsel that public discussion would impair the ability of the City Attorney to adequately defend the City.

A motion was made by Vice-Mayor Harrod, seconded by Commissioner Hall, to accept staff's recommendation to form a subcommittee to reopen negotiations with the Shawnee Area Chamber of Commerce to amend the contract for operating the Convention and Visitors Bureau, with the City Manager and City Attorney to participate in the negotiations. Motion carried 7-0.

AYE: Harrod, Hall, Winterringer, Smith, Stephens, Agee, Mainord

NAY: None

A motion was made by Vice-Mayor Harrod, seconded by Commissioner Hall, to appoint Mayor Wes Mainord and Commissioner Steve Smith to the subcommittee to reopen negotiations with the Shawnee Area Chamber of Commerce to amend the contract for operating the Convention and Visitors Bureau. Motion carried 6-0-1.

AYE: Harrod, Hall, Winterringer, Stephens, Agee, Mainord

NAY: None

ABSTAIN: Smith

AGENDA ITEM NO. 20:

Adjournment

There being no further business to be considered, a motion was made by Vice-Mayor Harrod, seconded by Commissioner Winterringer, that the meeting be adjourned. Motion carried 7-0. (9:41 p.m.)

AYE: Harrod, Winterringer, Smith, Stephens, Agee, Mainord, Hall

NAY: None

WES MAINORD, MAYOR

ATTEST:

PHYLLIS LOFTIS, CMC, CITY CLERK

Regular Board of Commissioners

2. c.

Meeting Date: 09/17/2012

Budget Amendment

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Budget Amendment Capital Fund 301

AmendBudget for grant money received from Grant Transportation Enhancement Program

Attachments

Budget Amendment

Estimated Revenue, Fund Balance, or Transfers IN

Appropriations

Posted By _____ Date _____ BA# _____ Pkt.# _____

Regular Board of Commissioners

2. d.

Meeting Date: 09/17/2012

Board Minutes and Reports

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Acknowledge the following minutes and reports:

- Shawnee Urban Renewal Authority minutes from August 7, 2012
- Planning Commission minutes from June 6, 2012
- Sister Cities Council minutes from July 10, 2012
- Project Payment Report for August 2012
- License Payment Report for August 2012

Attachments

SURA Minutes

Planning Commission Minutes

Sister Cities Minutes

Project Payment

License Payment

SHAWNEE URBAN RENEWAL AUTHORITY MINUTES OF AUGUST 7, 2012

The Board of Commissioners of the **Shawnee Urban Renewal Authority** met for a regular meeting Tuesday, August 7, 2012 at 9:00 a.m. in the 4th Floor Conference Room, Masonic Building, 23 E. 9th, Room 440, Shawnee, Oklahoma.

Chairman Stephen Rice called the meeting to order at 9:00 a.m.

AGENDA ITEM NO. 2 ROLL CALL:

Roll call was taken showing the following members present:

Chairman	Stephen Rice
Commissioner	Tiffany Barrett
Commissioner	Monte Cockings
Commissioner	Ron Henderson
Commissioner	Patty L. Nida

Also present:

Mike Wolf, Program Manager, SURA

Carla Clemons, Planning Assistant, SURA

Elaine Shrum, Administrative Specialist, SURA

A quorum was declared.

AGENDA ITEM NO. 3 APPROVAL OF MINUTES:

A motion to approve the minutes of July 3, 2012 was made by **Commissioner Cockings** seconded by **Commissioner Henderson**. Motion carried with no abstentions.

VOTING YES: Rice, Barrett, Cockings, Henderson and Nida

VOTING NO: None

AGENDA ITEM NO. 4 APPROVAL OF CLAIMS:

A motion to approve claims totaling \$ 1,878.58 was made by **Commissioner Barrett**, seconded by **Commissioner Nida**. Motion carried with no abstentions.

VOTING YES: Rice, Barrett, Cockings, Henderson and Nida
VOTING NO: None

AGENDA ITEM NO. 5
REQUEST FOR ASSISTANCE:

Mike Wolf, Program Manager reported on the following requests:

a) Deferred Payment Loan: Bonnie Middleton, 3901 Marie Dr.

Ms. Middleton is 67 years old and has lived in her home for 15 years. She is income qualified. The kitchen floor is falling in and the furnace needs replacing.

A motion to approve the request for assistance was made by **Commissioner Henderson**, seconded by **Commissioner Cockings**. Motion carried with no abstentions.

VOTING YES: Rice, Barrett, Cockings, Henderson and Nida
VOTING NO: None

b) Emergency Assistance: Dorothy Ingram, 622 W. Kirk

Ms. Ingram is 76 years old and has lived in her home for 20 years. She is income qualified. The home needs an electrical rewire.

A motion to approve the request for assistance was made by **Commissioner Barrett**, seconded by **Commissioner Cockings**. Motion carried with no abstentions.

VOTING YES: Rice, Barrett, Cockings, Henderson and Nida
VOTING NO: None

AGENDA ITEM NO. 6
BID OPENING:

a) Emergency Assistance: Dean & Michelle Ferdig, 326 N. Aydelotte
Cost Estimate: \$ 13,300.00

<u>Contractor</u>	<u>Amount</u>
LG Construction:	\$ 14,960.00
Kingworks, LLC:	\$ 17,900.00

A motion to refer bids to staff for review and award was made by **Commissioner Cockings**, seconded by **Commissioner Nida**. Motion carried with no abstentions.

VOTING YES: Rice, Barrett, Cockings, Henderson and Nida
VOTING NO: None

**AGENDA ITEM NO. 7
OLD BUSINESS:**

Mike Wolf, Program Manager reported that COCAA and Native American Housing received approval to build duplexes on the lots that SURA donated to them. The deeds have been executed.

Mike also reported the owner of 808 N. Hobson quit making payments then moved out of the house. She has deeded the property back to SURA.

**AGENDA ITEM NO. 8
NEW BUSINESS:**

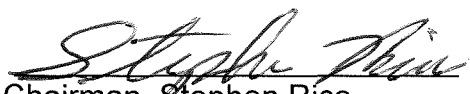
There was no new business.

**AGENDA ITEM NO. 9
ADJOURNMENT**

There being no further business to come before the Board at this time, a motion to adjourn at 9:21 a.m. was made by **Commissioner Cockings**, seconded by **Commissioner Barrett**. Motion carried with no abstentions.

VOTING YES: Rice, Barrett, Cockings, Henderson and Nida
VOTING NO: None


Secretary, Patty L. Nida


Chairman, Stephen Rice

PLANNING COMMISSION MINUTES

DATE: June 6, 2012

The Planning Commission of the City of Shawnee, County of Pottawatomie, State of Oklahoma, met in Commission Chambers, at City Hall, 9th and Broadway, on Wednesday, June 6, 2012 at 1:30 p.m., pursuant to notice duly posted as prescribed by law. Justin Erickson, Planning Director for the City of Shawnee, presented the staff reports. Staff reports are available upon request.

AGENDA ITEM NO. 1: Roll Call

Upon roll call the following members were present:

Carl Holt, Brad Carter, Kirk Hoster, Shawna Turner, Taylor Prince

Not Present: Chris Silvia, Ben Salter

A quorum was declared present and the meeting was called to order.

AGENDA ITEM NO. 2: Approval of the minutes from the May 2, 2012 Planning Commission Meeting.

Shawna Turner asked for a motion, Commissioner Holt made a motion seconded by Commissioner Hoster to approve the May 2, 2012 minutes.

Motion carried:

AYE: Holt, Hoster, Turner, Prince, Carter

NAY:

ABSTAIN:

AGENDA ITEM NO. 3: Citizens' Participation (A three minute limit per person) (A twelve minute limit per topic)

Shawna Turner opened the Citizens' Participation and asked if anyone would like to speak. No one came forward.

AGENDA ITEM NO. 4: Case # P09-12- A Public Hearing for consideration of approval to rezone property located at 2015 N. Harrison from CP; Planned Shopping Center to C-3; Automotive, Commercial & Recreation. Applicant: Joe Covey

Shawna Turner asked for the staff report. Justin Erickson presented the staff report and recommended approval to rezone property to C-3.

Shawna Turner opened the public hearing asking if anyone was for the proposal. Joe Covey, representative for the Wall family, came forward and stated they wanted to rezone the property to C-3 to have flexibility to redevelop the site.

Shawna Turner asked if anyone was against the proposal. No one came forward.

Shawna Turner asked for a motion, Commissioner Carter made a motion, seconded by Commissioner Prince to approve rezoning 2015 N. Harrison to C-3, Automotive, Commercial & Recreation.

Motion carried:

AYE: Carter, Prince, Holt, Hoster, Turner

NAY:

ABSTAIN:

AGENDA ITEM NO. 5:

**Case # S08-12 – Consideration of approval of the Shawnee Mission Plaza Section 8 final plat located at the SE corner of N. Kickapoo & Plaza Dr.
Applicant: Burger Engineering LLC (deferred from May 2 meeting)**

Shawna Turner asked for the staff report. Justin Erickson presented the staff report and recommended approval subject to 4 conditions:

1. The signing and recording of the final plat shall not occur until all floodplain requirements have been met to the satisfaction of the City's Floodplain Administrator and in accordance with all Federal and FEMA requirements.
2. Final infrastructure and construction plans (including an engineered drainage plan) shall be submitted by the applicant and approved by the City and the City Engineer prior to construction.
3. Sidewalks are required and shall be included on all submitted improvement plans in accordance with the City's sidewalk ordinance.
4. All other applicable City standards apply

Shawna Turner asked if anyone was present that would like to speak in favor of the proposal. Bryan Burger, civil engineer for the project came forward and stated they are working with FEMA regarding the floodplain.

Shawna Turner asked if anyone was against the proposal. No one came forward.

Shawna Turner asked for a motion, Commissioner Hoster made a motion, seconded by Commissioner Prince to approve the Shawnee Mission Plaza Section 8 final plat subject to the 4 conditions as outlined by staff.

Motion carried:

AYE: Hoster, Prince, Holt, Carter, Turner

NAY:

ABSTAIN:

AGENDA ITEM NO. 6:

Case # S09-12 & S10-12 – Consideration of approval of the Shawnee Bible Church Addition preliminary & final plats located in the 1700 block of E. 45th.

Applicant: Landes Engineering.

Shawna Turner asked for the staff report. Justin Erickson presented the staff report and recommended approval of the Shawnee Bible Church preliminary & final plats subject to 4 conditions:

1. Final improvements plans shall be approved by the City Engineer prior to construction.
2. Prior to filing (recording) the final plat, the applicant shall commence with making the required and proposed private and public site improvements in accordance with construction plans approved by the City Engineer or otherwise bond the project in accordance with City code.
3. Sidewalks shall be installed in accordance with the City's sidewalk ordinance.
4. All other applicable City standards apply.

Shawna Turner asked about drainage. Justin Erickson stated the applicant submitted a floodplain drainage report that has been reviewed by the City Engineer.

Shawna Turner asked if anyone was for or against the proposal. No one came forward.

Shawna Turner asked for a motion, Commissioner Prince made a motion, seconded by Commissioner Holt to approve the Shawnee Bible Church Addition preliminary & final plats subject to the 4 conditions as outlined by staff.

Motion carried:

AYE: Prince, Holt, Carter, Hoster, Turner

NAY:

ABSTAIN:

AGENDA ITEM NO. 7: **Presentation of the results for the United Way
Community Survey**

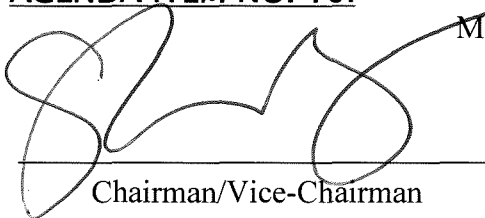
A slide presentation on the United Way of Pottawatomie County Community Survey 2011 was given by Audrey Seeliger & Michael Affentranger.

AGENDA ITEM NO. 8: **Planning Director's Report**

Justin Erickson reminded the Commission about the workshop to be held on June 20. He also reminded them the July Planning Commission meeting will be held on July 5 because of the Holiday.

AGENDA ITEM NO. 9: **New Business/Commissioner Comments**

AGENDA ITEM NO. 10: **Adjournment**
Meeting was adjourned.



Chairman/Vice-Chairman

Karen Drain
Karen Drain, Planning Commission Secretary

Minutes

Sister Cities Council July 10, 2012 at 7:00 PM Commission Chambers at City Hall Shawnee, Oklahoma

Chair Taren Taylor presided and called the meeting to order at 7:02pm declaring a quorum of members present.

Officers Present:

Taren Taylor	Chair
Rod Taylor	Vice Chair
Shana Hibler	Treasurer
David Hibler	Secretary

Members Present:

Pam Hamman
Joe Cowden
Cheryl Cowden
Mike France

Guests Present:

None

The invocation was given by Shana Hibler.

The flag salute was given by Taren Taylor.

Agenda Item 1 Consider minutes of May 8, 2012.

Discussion: None.

Motion: Approve the minutes of May 8, 2012 as printed.

Motion Made By: Pam Hamman

Motion Seconded By: Rod Taylor

Motion Results: Carried

Aye: 8

Nay: 0

Agenda Item 2 Consider treasurer's report for the month of May 2012.

Discussion: Shana Hibler reported that the balance at CFO is \$13,479.43 and the balance at the City of Shawnee is \$1,100.00.

Motion: Approve the financial report for the month of May 2012.

Motion Made By: Rod Taylor
Motion Seconded By: David Hibler
Motion Results: Carried
Aye: 8
Nay: 0

Agenda Item 3 Acknowledge Correspondence.

The Council considered and acknowledged the following correspondence: (All correspondence between the sister cities is by e-mail unless otherwise noted.)

- May 7, 2012 from Makiko Hatakeyama to David Hibler requesting pairings of delegates and the mode of transportation being taken in Japan, plane or train. David Hibler responded with the pairings of delegates and informed Ms. Hatakeyama that we were still discussing how we would travel in Japan from Tokyo to Akita.
- May 30, 2012 from Makiko Hatakeyama to David Hibler requesting delegate profiles and asking about the flight information. David Hibler sent the delegate profiles and informed Ms. Hatakeyama that the flights were in the process of being booked.
- June 26, 2012 from Makiko Hatakeyama to David Hibler requesting confirmation on the arrival time and the bullet train. David Hibler responded with the flight information and confirming that the students are taking the bullet train from Tokyo to Akita.

Agenda Item 4 Discuss Shawnee Delegation Visiting Nikaho any Related Items.

Discussion: We are purchasing rail passes for the delegates and get a pen set for Yoshi for his many years of service to the organization. The business cards still need to be printed. David was asked to confirm with Nikaho regarding the expenses needed in both Tokyo and Nikaho and confirming that the hotel in Tokyo was booked.

Agenda Item 5

Committee Reports

Taren Taylor reported that the kids are ready and their routine is well polished.

Agenda Item 6

Public Comments

There were no public comments.

Agenda Item 7

New Business

There was no new business.

Agenda Item 8

Adjournment

Discussion:

None

Motion:

To adjourn the meeting at 7:56pm since there was no other business to discuss.

Motion Made By:

David Hibler

Motion Seconded By:

Joe Cowden

Motion Results:

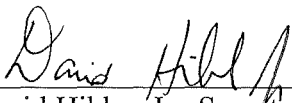
Carried

Aye: 8

Nay: 0



Taren Taylor, Chair



David Hibler, Jr., Secretary

P R O J E C T P A Y M E N T R E P O R T

** SEGMENT CODE TOTALS **

SEGMENT CODE	DESCRIPTION	TOTAL PAID
B1-NEW	BUILDING CONSTRUCTION NEW	10,420.03CR
B3-REMODEL	BUILDING CONSTRUCTION REM	2,603.72CR
B4-OTHER	BUILDING CAPORT/SHELTER	2,165.43CR
E3-REMODEL	ELECTRICAL REMODEL/REPAIR	318.50CR
M3-REMODEL	MECHANICAL REMODEL/REPAIR	1,520.00CR
P3-REMODEL	PLUMBING REMODEL	1,095.00CR
P4-WELL	WELL PERMIT	100.00CR
P5-SEPTIC	SEPTIC PERMIT	20.00CR
X-BORE/CUT	BORING & PAVING CUT PERMI	250.00CR
X-CURBCUT	CURBCUT/DRIVEWAY/SIDEWALK	50.00CR
X-DEMO	DEMOLITION PERMIT	300.00CR
X-PLATREV	PLAT REVIEW PRELIM	252.00CR
X-SIGN	SIGN PERMIT	175.00CR
X-SWIMPOOL	SWIMMING POOL PERMIT	34.50CR
Z-OCCUP	OCCUPANCY PERMIT	125.00CR
Z-REZONING	REZONING REQUEST	560.00CR
TOTAL		19,989.18CR

09/10/2012 1:47 PM
STATUS: ALL
SEGMENT CODES: All
FEE CODES: All

P R O J E C T P A Y M E N T R E P O R T

PAGE: 6
PROJECTS: THRU ZZZZZZZZZZ
PAYMENT DATES: 8/01/2012 TO 8/31/2012
SORTED BY: PROJECT

** GENERAL LEDGER DISTRIBUTION **

FUND G/L ACCOUNT	ACCOUNT NAME	AMOUNT
001-2133	UBCC FEE PAYABLE	364.00CR
001-4202	BUILDING PERMITS	13,267.68CR
001-4203	PLUMBING PERMITS	1,380.00CR
001-4204	ELECTRICAL PERMITS	260.00CR
001-4205	ZONING PERMITS & APPLICATIONS	812.00CR
001-4206	HEATING & A/C PERMITS	1,430.00CR
001-4249	OTHER PERMITS	630.00CR
001-4822	OTHER MISC. REVENUE	45.50CR
101-4249	OTHER PERMITS	300.00CR
501-4510	WATER TAPS	1,500.00CR
799-1023	BANCFIRST GENERAL	19,989.18

9/06/2012 3:44 PM
LICENSES: THRU ZZZZZZZZZZ

L I C E N S E P A Y M E N T R E P O R T
SORTED BY: CODE

PAGE:
PAYMENT DATES: 8/01/2012 TO 8/31/2012

** FEE CODE TOTALS **

FEE CODE	DESCRIPTION		FEE	=====	PAYMENT DISTRIBUTION	=====	TOTAL PAI
				PENALTY	TAX	INTEREST	
ALARM	BURGLAR/FIRE ALARM LICENSE	14	350.00CR				350.00
ALARMRENEW	BURGLAR/FIRE ALARM RENEW	6	90.00CR				90.00
BEER1	BEER CONSUMPTION ON PREMISE	2	40.00CR				40.00
BEER2	BEER PACKAGE FEE	1	10.00CR				10.00
BOATREG	BOAT REGULAR PERMIT	14	364.00CR				364.00
ELEC1	ELECTRICAL CONTRACTOR INITIAL	4	400.00CR				400.00
ELEC2	ELECTRICAL CONTRACTOR RENEW	10	825.00CR				825.00
FISHANNUAL	FISHING ANNUAL FEE	1	15.00CR				15.00
LAKE-IN	LAKE LEASE CITY RESIDENT	8	1,600.00CR				1,600.00
LAKE-OUT	LAKE LEASE NON RESIDENT	3	1,200.00CR				1,200.00
LAKEINSP	LAKE LEASE INSPECTION	7	525.00CR				525.00
LAKELEASE	LAKE LEASE	8	4,992.00CR				4,992.00
LAKEXFER	LAKE LEASE TRANSFER FEE	1	1,000.00CR				1,000.00
LAKEXSCHOO	LAKE SCHOOL SPECIAL LEASE	1	200.00CR				200.00
LIQR	RETAIL LIQUOR OCCUPATIONAL TAX	1	600.00CR				600.00
MECH1	MECHANICAL CONTRACTOR INTIAL	2	200.00CR				200.00
MECH2	MECHANICAL CONTRACTOR RENEW	10	775.00CR				775.00
PLUM1	PLUMBING CONTRACTOR INITIAL	3	300.00CR				300.00
PLUM2	PLUMBING CONTRACTOR RENEW	7	525.00CR				525.00
RESAL	RESIDENTIAL SALE	123	1,250.00CR				1,250.00
TOTAL			15,261.00CR				15,261.00

Regular Board of Commissioners

2. e.

Meeting Date: 09/17/2012

Housing Authority Supplemental Police

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Approve agreement with Housing Authority of the City of Shawnee for supplemental police services.

Attachments

Housing Authority Supplement Police

HOUSING AUTHORITY OF THE CITY OF SHAWNEE, OKLAHOMA CONTRACT FOR THE PROVISION OF SUPPLEMENTAL POLICE SERVICES

This Contract, made and entered into this 1st day of November, 2012, by and between the Housing Authority of the City of Shawnee, Oklahoma, (hereinafter called the "Authority") and the City of Shawnee, Oklahoma, (hereinafter called the "City") is for the provision of specific police services associated with the Authority's security programs.

WHEREAS, the Authority desires to contract with the City for additional police services to create a drug-and crime-free environment and to provide for the safety and protection of the residents in its public housing developments; and

WHEREAS, the City, by and through its police department, desires to assist in the effort by providing effective police services at all Authority locations;

NOW, THEREFORE, the Authority and the City agree as follows:

ARTICLE I Scope of Services

SECTION ONE: SERVICES PROVIDED BY THE CITY

The City agrees that the services rendered by the Assigned Personnel (police and civilian) under this Contract are in addition to baseline police services. The City agrees that it will not reduce its current level of police services to the public housing developments, particularly in the areas of community policing, patrol, criminal investigations, records, dispatch and special operations.

The manner and method of performance of services is specified in Article IV, Plan of Operations.

The duties and extent of services of the Assigned Personnel shall include, but shall not be limited to:

- A. The City, by and through its police department, will provide a minimum of one police officer(s) to perform specialized patrols to enforce all state and local laws and the Housing Authority Rules specified in this Contract. Sworn officer(s) shall at all times remain part of, subject to and in direct relationship with the police department's chain of command and under police department rules, regulations and standard operating procedures.
- B. The City agrees to assign police officer(s) to targeted areas during specific periods of time identified by the Authority and agreed upon by the City as high crime or high workload periods (directed patrol), such as 6:00 p.m. to 2:00 a.m. in certain areas, to maintain a police patrol presence.
- C. The City agrees that the police department will employ a community policing concept and that the police department's Crime Prevention Unit (or other unit whose primary responsibility is to develop and maintain communications with residents) will assist in developing or enhancing crime prevention programs in the public housing communities.

- D. The City agrees to collect and provide workload data in public housing developments.
- E. It is further agreed that to the extent necessary, the Assigned Personnel will appear as witnesses in the Authority's administrative grievance procedure, civil dispossession hearings, or other civil or court proceedings where the issue includes criminal or quasi-criminal conduct in or near public housing developments involving any resident, member or a resident's household, or any guest or guests of a resident or household member.
- F. Without limiting any of the foregoing, the City agrees that with respect to the services to be performed by any police personnel in accordance with this Contract, the appropriate police department personnel will meet with resident leadership and management representatives of the Authority on a routine basis for the purposes of reviewing the enforcement and prevention efforts and planning for future changes or modifications anticipated by this Contract. These meetings shall occur at least semiannually.
- G. The City agrees that a policy manual exists to regulate police officer(s)' conduct and activities; all police officer(s) have been provided a copy of the policy manual; the department has a signed receipt from each officer that he/she has received and understands the contents of the manual; and the personnel have been trained on the regulations and orders within the manual.
- H. The City agrees that it will provide the Assigned Personnel with such basic equipment as may be necessary and reasonable in order to allow the police officer(s) to carry out the duties anticipated under this Contract. Any additional automobiles, motor vehicles, bicycles or other equipment requested by the Authority will be furnished at the expense of and shall remain the property of the Authority. The Authority and City may mutually agree to lease equipment or vehicles.
- I. The police department will provide to officer(s) a minimum of sixteen (16) hours of training on community relations and interpersonal communication skills within a year of accepting an HA assignment.
- J. The City agrees to provide, at a minimal cost to the Authority, criminal background checks of proposed applicants. This information will be provided in a manner consistent with all applicable National Crime Information Center or State laws and regulations.
- K. The police department shall designate a command officer as the Administrative Liaison Officer, who will work in concert with the Executive Director of the Authority or that official's designate.

The Administrative Liaison Officer will ensure that the Assigned Personnel perform the following duties:

1. Coordinate the dissemination and processing of police and security reports and coordinate in resolving problems or in carrying out the provisions of this Contract;
2. Establish and maintain an ongoing line of communication with Beat/Zone Commanders and other police personnel;
3. Prepare semiannual progress reports and evaluations of services requested and provided under this Contract for review by the Executive Director, the Police Chief, appropriate Deputy Chiefs and Beat/Zone Commanders and identified community representatives; and political leadership, e.g. mayor and council members.

4. Initiate and monitor ongoing lines of communication with resident leaders to effectively employ the community policing concept and to address in a timely manner concerns raised by community leaders.
 5. Attend a minimum of one Resident Advisory Board meeting each year;
 6. Coordinate security workshops and training seminars for residents and Authority staff;
 7. Assist or advise the planning and implementation of other grant-funded security programs within the Authority; and
 8. Meet on a weekly basis with Authority staff to address problems and needs in Authority areas.
- L. In the event that a Housing Authority provides its own police/security services, the City shall provide the dispatch function for Housing Authority Police patrol units. The Housing Authority will provide specifications of the performance requirements to meet the communications needs.
- M. The City will at all times provide supervision, control and direction of work activities and assignments of police personnel, including disciplinary actions. It is expressly understood that the police department shall be responsible for the compensation of the officer(s) and all employee benefits, as well as any injury to officer(s), their property, or the City's property while on the Authority's property.
- N. The Assigned Personnel shall possess and maintain CLEET Certification.
- O. The City will waive deposits required to acquire animal traps through the Animal Control Department for use by Housing Authority residents. The Authority will assume responsibility for lost or damaged traps.

SECTION TWO: SERVICES PROVIDED BY THE AUTHORITY

- A. The Authority will provide training of residents, Authority on-site management staff and the Assigned Personnel with information on community policing and crime prevention issues associated with public housing. This shall include, but not be limited to, training in the following:
1. Crime prevention and security responsibilities;
 2. Community organization/mobilization against the causes of and precursors to crime;
 3. Drug awareness and control;
 4. Orientation and familiarization with the public housing communities for the assigned officer(s); and
 5. Orientation to the lease contract, and lease compliance enforcement procedures and policies.
- B. The Authority will provide the following in-kind accommodations, services and equipment:

1. Accommodations – The Authority will provide suitable space to be used as a satellite office at each site targeted for additional police services.
 2. Services – Each satellite office will be supplied with utilities (water, heat, electricity) and routine and extraordinary maintenance by personnel of the Housing Authority.
 3. Equipment – Each satellite office is to be supplied with any other additional equipment mutually agreed upon in connection with the performance of this Contract.
 4. Modification/Damage – The Authority will make reasonable modifications, including minor structural, electrical and mechanical changes to the accommodations provided in order to meet the City’s operational needs. Any damage to the unit or equipment provided by the Housing Authority for City employees, which the Authority determines to be above the normal wear for the item or accommodation, shall be repaired or replaced by the City at the discretion of the Authority.
- C. The Authority shall provide a semi-annual assessment of the results achieved, as measured against the performance objectives specified in the Plan of Operations listed in Article IV of this Contract.
- D. The Authority shall reserve the right to reasonably request the police department to replace any Assigned Personnel for the following reasons:
1. Neglect or non-performance of duties;
 2. Disorderly conduct, use of abusive or offensive language, or fighting;
 3. Criminal action;
 4. Selling, consuming, possessing or being under the influence of intoxicants, including alcohol or illegal substances, while on assignment to the Authority;
 5. Inadequate punctuality or attendance; or
 6. Substantiated complaints from public housing residents or management.
- The Authority shall provide a written enumeration of the reasons for the request for replacement of the Assigned Personnel, including documentation and witnesses to the alleged behaviors.
- E. The Authority will provide the City with a Public Housing Police Report Form(s) for assigned officer(s) to complete. These forms are not to replace police reports utilized by the City.
- F. The Authority will provide the City with the applicable Authority rules and regulations for compliance with this Contract.
- G. The Authority will work with the police department to subsidize housing or rent costs for volunteer police officer(s) to reside in a public housing development selected by the Authority.

ARTICLE II

Enforcement of Rules and Regulations

A. The City, through its police officer(s), is hereby empowered to enforce the following Authority rules and regulations:

1. Unauthorized visitors in unoccupied structures of the Authority shall be removed.
2. Unauthorized visitors creating disturbance or otherwise interfering with the peaceful enjoyment of lessees on Authority property shall be removed.
3. Unauthorized visitors destroying, defacing or removing Authority property shall be removed and/or criminal enforcement actions shall be taken.

With Regard to the foregoing rules and regulations, the City's police officer(s) are hereby authorized to give criminal trespass warnings to any persons found in violation of said rules or regulations, i.e., to give notice to any violators that their entry on the property or premises is forbidden, and to arrest or cause the arrest and prosecution of any violators, when appropriate.

B. The City, through its police officer(s), is hereby empowered to enforce Authority rules or regulations.

C. The City, through its police officer(s), is hereby empowered to enforce such additional Authority rules and regulations and perform such other duties as shall be specified in any addenda attached hereto or incorporated herein now or in the future.

D. Nothing herein contained shall be construed as permitting or authorizing police officer(s) to use any method or to act in any manner in violation of law or of their sworn obligation as police officer(s).

ARTICLE III Communications, Reporting and Evaluation

A. Communications

1. Access to Information

The City agrees that the Authority will have unrestricted access to all public information which in any way deals with the criminal activity in any of the Authority's communities. It is further agreed that the City police department will provide the Authority copies of such incident reports, arrest reports or other public documents which document or substantiate actual or potential criminal activity in or connected with the public housing developments. This information will be provided at no cost by the City police department on a regular basis in accordance with specific procedures that have been or will be established.

Existing procedures should be included as an Addendum to this Contract.

B. Reporting

1. Forms

The police department will require all Assigned Personnel (police officer(s)) to complete incident reports provided by the Authority at the conclusion of each week and forward

the original report to the Authority's designee. This report will include, but not be limited to, data as follows:

- a. Hours worked: foot, bicycle, motorized, other
- b. Calls/requests for service
- c. Suspicious persons - name and description
- d. Vehicles abandoned/towed/stolen
- e. Drug paraphernalia confiscated/found
- f. Arrests/citations of both residents and outsiders to include age, sex, ethnicity
- g. Property recovered/stolen
- h. Counseling of residents and visitors
- i. Broken lights/sidewalks & safety issues
- j. Graffiti & vandalism
- k. Vehicle license number of suspicious persons
- l. Weapons violations/seized
- m. Workshops, seminars, and any community policing events

2. Media Coordination

The police department will relay to the Executive Director or his designee information related to any major crime or incident that occurs on Authority property, preferably before the media is informed, or as soon as possible.

C. Evaluation

The City and the Authority agree that any evaluation shall include:

1. Hours worked by police officer(s) for:
 - a. Foot patrol
 - b. Bicycle patrol
 - c. Motorized patrol
 - d. K-9 patrol
 - e. Special operations
2. Response time to targeted communities by City-paid officer(s) and Authority-paid officer(s) by Priority I (emergency), Priority II (non-emergency), and Priority III (if utilized)
3. Comparison of crime and workload in the targeted communities for 2008, 2009, 2010, 2011 and the period of the Contract
4. Arrests (to include drug violations)
5. Vehicles towed
6. Positive contacts
7. Referrals
8. Trespassers removed

9. All UCR or NIBRS Reports
10. Calls for service
11. Weapons seized
12. Property stolen/recovered
13. Community feedback
14. K-9 use log

It is further agreed that the City will provide comparable crime information for the City as a whole to facilitate the evaluation to include what proportion of activities City-wide occur on Authority property.

ARTICLE IV Plan of Operations

- A. The City and the Authority shall prepare a detailed plan of operations for use in eliminating crime. The purpose of the plan is to specify the manner and method of performance by which each of the services identified is to be administered.

The plan of operations will minimally specify the following:

1. Service goals and minimum performance criteria (e.g., a definition of what is to be achieved and the expected benefits or outcomes that will be derived);
 2. Staffing levels;
 3. Responsibilities of key personnel;
 4. Organization and resources, to include personnel, equipment, in-kind support, etc.;
 5. Hours of operation, to encompass schedules of major tasks and activities; and
 6. Community interface to evidence the methodology by which resident involvement will be gained and maintained during the term of this Contract.
- B. The plan of operations will be prepared for review and acceptance within thirty (30) days from the date of execution of this Contract by both parties. It is understood that the Authority may request reasonable modification to the initial plan of operations as it deems appropriate. The Authority must approve the plan in order for payment to begin.
- C. If during the term of the Contract either party desires to amend the scope of the plan of operations, either party may request such an amendment via written notification. The Executive Director of the Authority and/or the Chief of Police shall provide final determinations regarding the establishment of an amendment to the plan of operations.

ARTICLE V Term of Contract

The term of this Contract shall be for one (1) year(s) beginning on the date approved by both parties.

ARTICLE VI
Compensation to the City

- A. All compensation to the City will be made on a cost reimbursement basis. The Authority will reimburse the City for services specified in this Contract in a total amount not to exceed Fifty thousand dollars and no cents (\$ 50,000.00), in the following expense categories:

Expense Category	Amount
Assigned Personnel Salaries (Reimbursement of Law Enforcement over and above the baseline of services.)	<u>\$ 50,000.00</u>
Administrative Liaison Officer Prorated Salary and Benefits	<u>\$ 0.00</u>
Communications/Other Miscellaneous Expenses/Equipment	<u>\$ 0.00</u>

- B. The Authority shall reimburse the police department on a monthly basis, upon receipt of performance of the proposed services and evidence of authorized expenditures. Total reimbursement shall not exceed \$50,000.00 for one full time officer for one year and is contingent on receiving funding.
- C. The percent of overtime authorized under this Contract for court appearances or other hearings is 15%.
- D. The City shall provide the following documentation in requesting reimbursement:
1. Copies of Certified Payroll Time Reports documenting names, employee identification, hours worked in public housing developments, supervisory approval of the report, and supervisory verification of the necessity for any overtime worked.
 2. Copies of receipts for other allowable communications and other miscellaneous expenses shall be subject to pre-approval, and shall be accompanied, at the time of reimbursement request, by a brief explanation of the expense incurred.
- E. All requests for reimbursement are subject to the approval of the Executive Director, or that official's designee, and the Authority shall thereafter make payment of the approved amount within thirty days of receipt of the request for reimbursement.

ARTICLE VII
Termination

- A. The Authority may terminate this Contract upon the provision of thirty (30) days written notice to the City. Such notice shall be delivered by Certified Mail, Return Receipt Requested to the address specified in Article VIII.
- B. The City may terminate this Contract upon the provision of thirty (30) days written notice to the Authority. Such notice shall be delivered by Certified Mail, Return Receipt Requested to the address specified in Article VIII.

ARTICLE VIII
Notices

Any notices required pursuant to the terms of this Contract shall be sent by United States Certified Mail to the principal place of business of each of the parties hereto, as specified below:

Authority: Housing Authority of the City of Shawnee, OK
 601 West 7th Street
 P.O. Box 3427
 Shawnee, OK 74802-3427

City: City of Shawnee
 Shawnee Police Department
 P.O. Box 1448
 Shawnee, OK 74802-1448

ARTICLE IX
Construction of Laws

This Contract is made and entered into in the City. Any and all questions of law arising hereunder shall be construed in accordance with the laws of the State in which the City is located.

ARTICLE X
Entire Contract

The Contract shall consist of the following component parts:

- (a) This Contract;
- (b) Any subsequent addenda agreed to by both parties.

ATTEST:

Grant Coordinator
Housing Authority of the City
of Shawnee, OK

Executive Director
Housing Authority of the City
of Shawnee, OK

ATTEST:

Municipal Clerk
City of Shawnee, OK

Mayor
City of Shawnee, OK

APPROVED AS TO FORM:

Police Chief
City of Shawnee, OK

City Manager
City of Shawnee, OK

City Attorney
City of Shawnee, OK

This contract is contingent upon receiving 2011 fiscal year Public Housing Capital Fund Program funds from the Department of Housing and Urban Development. If Capital Fund funds are not received this contract is null and void.

Regular Board of Commissioners

2. f.

Meeting Date: 09/17/2012

Housing Authority Fingerprint Service

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Approve agreement with Housing Authority of the City of Shawnee for fingerprint services with the Police Department.

Attachments

Housing Authority Fingerprint

AGREEMENT FOR FINGERPRINTING SERVICES

Beginning July 1, 2012, the City of Shawnee Police Department will provide fingerprinting services for the The Housing Authority of the City of Shawnee in the following manner:

Shawnee Police Department will charge a monthly bulk rate of \$150.00 for up to 15 (fifteen) individuals from your agency for which we provide fingerprinting services. A charge of \$12.00 (Twelve Dollars) per individual in addition to the \$150.00 bulk rate will be charged for any prints taken after the first 15 (fifteen).

The monthly fee in the amount of \$150.00 will be due and payable on or before the 25th of each month. If the number of individuals fingerprinted exceeds the total of 15 (fifteen), \$12.00 per individual will be added to invoice.

This agreement will be in force beginning **July 1, 2012 thru June 30, 2013**. Either party may dissolve this agreement for any reason after providing a 30 day written notice.

REQUIREMENTS

Fingerprinting services will be provided each week on **Tuesdays and Thursdays from 10 a.m. to 3 p.m.** except on City Holidays. The Housing Authority is required to inform applicants of these times.

I, _____, being authorized to act on behalf of The Housing Authority of the City of Shawnee have read the above agreement for fingerprinting services provided by the City of Shawnee Police Department. I accept this agreement and all the provisions herein.

Housing Authority authorized signature

Date

Shawnee Police Department

Date

Regular Board of Commissioners

4.

Meeting Date: 09/17/2012

Employee of the Month

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

City Manager's presentation of Employee of the Month to Abel Esparza, Animal Control.

Regular Board of Commissioners

5.

Meeting Date: 09/17/2012

Rezone 204 N Louisa

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

A public hearing and consideration of rezoning property located at 204 N. Louisa from C-3; Automotive, Commercial and Recreation to C-4; Central Business with a conditional use permit. Case No. P13-12
(Deferred by the Planning Commission to a special meeting October 10, 2012. No action to be taken until Planning Commission presents their recommendation after the special meeting)

Attachments

Rezone 204 N Louisa

RECOMMENDATION TO:

MAYOR
BOARD OF CITY COMMISSIONERS
CITY OF SHAWNEE

RECOMMENDATION FROM:

CITY OF SHAWNEE
PLANNING COMMISSION

SUBJECT:

APPLICANT: Mike Little Construction
FOR: Rezone With Conditional Use Permit
LOCATION: 204 North Louisa
PROJECT#: 120874 Case# P13-12

LEGAL DESCRIPTION:

SEE OWNERSHIP LIST

CURRENT CLASSIFICATION: C3; Automotive, Commercial and Recreation
REQUESTED CLASSIFICATION: C4; Central Business with a Conditional Use Permit
PROPOSED PROPERTY USE: For a Boarding House or Rooming House Homeless Shelter (34 bed, plus three family units), food pantry, dining hall (soup kitchen), office, other services for property

PLANNING COMMISSION MEETING DATE: September 5, 2012

PLANNING COMMISSION RECOMMENDATION: Continued to special called meeting October 10, 2012

VOTE OF THE PLANNING COMMISSION:

MEMBERS PRESENT: 6

MEMBERS:	1ST	2ND	AYE	NAY	ABSTAIN	COMMENTS
CARTER			X			
HOSTER			X			
TURNER (CHAIRMAN)			X			
SILVIA (VICE-CHAIRMAN)		X	X			
PRINCE	X		X			
SALTER			X			

RESPECTFULLY SUBMITTED,

LINDA BURG

SECRETARY, PLANNING COMMISSION

ACTION BY CITY COMMISSION:

PUBLIC HEARING SET: _____

DATE OF ACTION: _____

ADOPTED _____ DENIED _____

ORDINANCE NO. _____



City of Shawnee
Community Development Department
222 N. Broadway
Shawnee, OK 74801
(405) 878-1665 Fax (405) 878-1587
www.ShawneeOK.org

STAFF REPORT
REZONE AND CONDITIONAL USE PERMIT REQUEST
CASE #P13-12

TO: Shawnee Planning Commission

AGENDA: September 5, 2012

REPORT DATE: August 31, 2012

RE: CASE #P13-12; 204 N. Louisa Street – Shawnee Rescue Mission

I. PROPOSAL

The Shawnee Rescue Mission, requests approval of a Rezone Application and the issuance of a Conditional Use Permit to facilitate the establishment of a homeless shelter and associated social services (see Exhibit 1). The proposed uses would occur within an existing 26,931 square-foot building (approximate) located at 204 N. Louisa Street. The site is presently zoned C-3: Highway Commercial and the proposed zoning is C-4: Central Business District. The project also includes the development of a parking lot with 30 spaces and a community and recreation area. The planned improvements will be completed through a multi-year phased effort.

II. GENERAL INFORMATION

Applicant	Mike Little Construction, Bill Thurman
Owner	Shawnee Rescue Mission
Site Location/Address	204 N. Louisa <i>See Figure 1</i>
Current Site Zoning	C-3
Parcel Size	26,931 sq. ft. (building) 22,140 square feet (parking and open space)
Proposed Use	Homeless Shelter, Food Pantry, Soup Kitchen, Misc. Services

Comprehensive Plan Designation	Commercial/Public/Residential
Existing Land Use	Office/Warehouse Note: The Shawnee Rescue Mission does operate a food pantry and office out of the facility at present.
Surrounding Proposed Land Use	<u>North</u> : Residential <u>South</u> : Residential <u>West</u> : Residential/Public/Commercial <u>East</u> : Residential/Public/Commercial
Surrounding Zoning	<u>North</u> : R-3 <u>South</u> : C-4 <u>West</u> : I-1 <u>East</u> : R-3

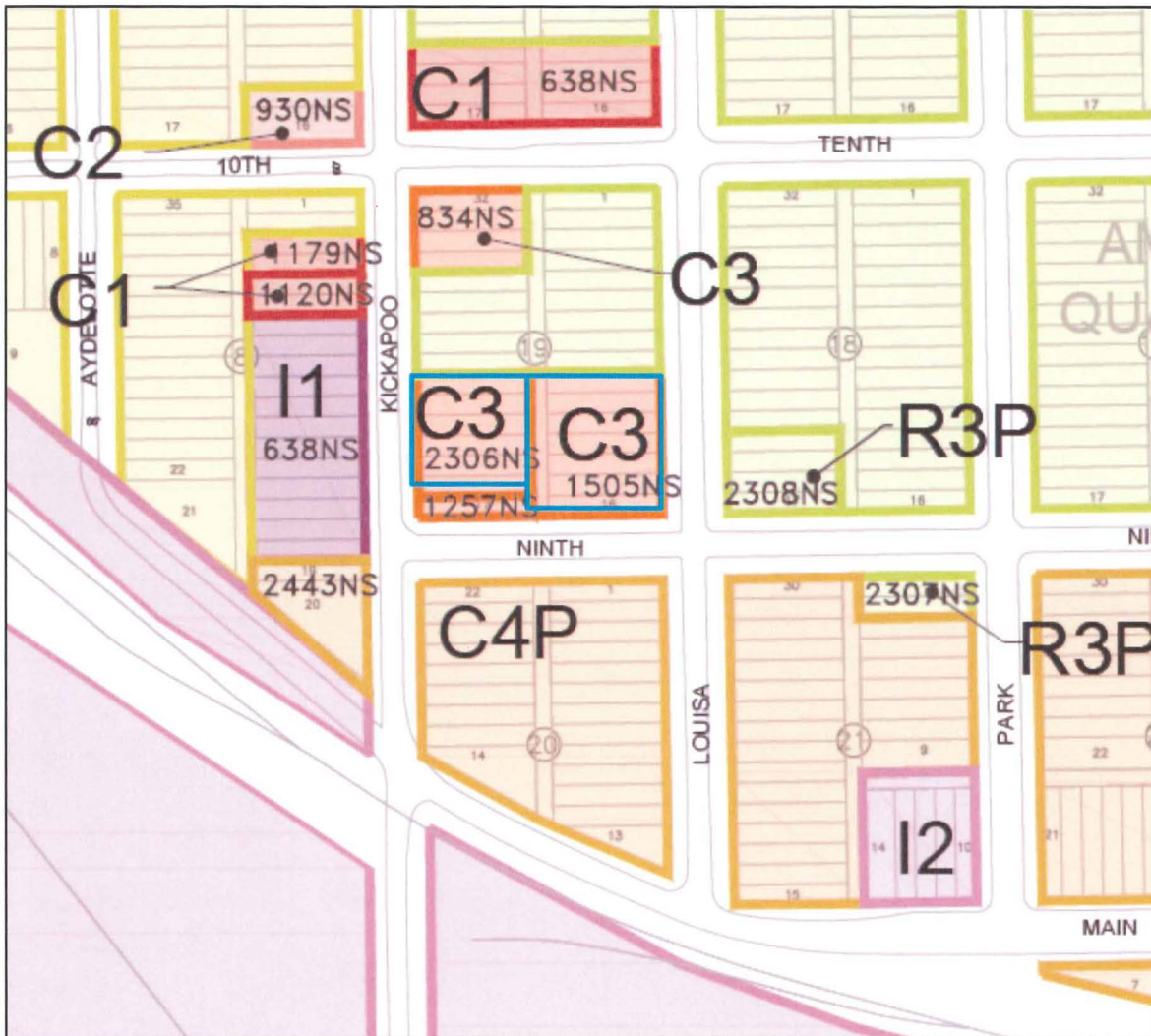


Figure 1: Zoning Map, with site outlined in blue.

III. STAFF ANALYSIS AND REVIEW

This property at 204 N. Louisa is currently zoned C-3 and was previously used as a commercial use for office space and warehousing before being purchased by Shawnee Rescue Mission (see Exhibit 2 for photographs of site). The building is utilized at present as a storage facility for the food pantry operation by the Shawnee Rescue Mission and as office space. The site was rezoned from R-3 to C-3 in 1989 when the building was used for warehousing/offices. The building was constructed in 1950 according to the Pottawatomie County Assessor. Extensive remodeling is proposed to bring the facility into compliance with the applicable Building and Fire Codes.

The current proposal request is for the property to be zoned C-4 Central Business District (CBD) and for a Conditional Use Permit to be granted to allow for the use of a homeless shelter (“boarding or rooming house”) on the property. The owner is requesting permission to convert the existing commercial building into a facility that will provide an overnight emergency shelter, day shelter, food pantry and other services aimed at supporting the homeless and indigent population within the City of Shawnee like medical, job services and other social services. The owner explains in detail what additional services will be supplied in the “Statement of Operations and Services” (Exhibit 3).

In an effort to provide clear information, Staff has organized the remaining portions of this section into the following subsections:

- A. Specifics of Development Proposal
- B. Zoning Code and Conditional Use Permit Requirements
- C. Analysis of Surrounding Neighborhood
- D. Shawnee Rescue Mission
- E. Homelessness in the United States
- F. Conditional Use Permit Considerations

A. Specifics of Development Proposal

The proposed plan for the property includes a full service shelter that combines men, women and family overnight emergency sheltering; a day shelter, soup kitchen, food pantry, clothing closet, medical clinic and general office space. To handle parking, the site proposes a new parking lot on the West side of the building with 30 additional parking spaces. The site currently includes both on and off-street parking. To the North of the proposed parking area, the owner intends to use the open space for a community and recreation area which will include a community garden. The owner will work toward the remodeling of the facility in phases as noted in Exhibit 4. As shown in Exhibits 5-6, the Site Plan and Renovation Plan indicate that improvements will include:

- 11 beds for women;
- 23 beds for men;
- 9 beds for families (3 family units);
- A 180-seat dining hall;
- 8 general purpose offices;
- A two-bedroom apartment use for on-site staff;

- A day shelter;
- A food pantry and clothing closet; and
- Other miscellaneous uses as shown on the plan.

According to State of Operations and Services, 30 residents may be served in the overnight shelter. However, the Renovation Plan, indicates a total bed count of 43. The length of stay is limited to 30 days and residents are screened for health problems and a background investigation is completed.

B. Zoning Code and Conditional Use Permit Requirements

The purpose of C-4 zoning, according to Section 605.1 of the City of Shawnee Zoning Regulations, “is designed for the conduct of personal and business services and the general retail trade of the community. It is designed to accommodate a wide variety of commercial uses in the Central Business District or areas of mixed business enterprises.” The request to allow a zone change to allow for a Conditional Use Request for a homeless shelter is permitted under those regulations. Without the addition of an emergency shelter, the site would not require a Conditional Use Permit, just a zone change as the other requested uses are permitted within the C-4 zoning and actually most if not all are permissible under the existing C-3 designation.

According to Section 605.4 of the City of Shawnee Zoning Regulations, a “request for C-4 CBD zoning shall only be granted as an extension of the existing CBD zoning district. To be eligible for rezoning to this district, a parcel shall abut or be adjacent across from a street or ally from the existing CBD district.” The property at 204 N. Louisa is connected to the CBD to the South and the Southeast (Figure 1). The fact that the property is contiguous to other land zoned C-4, allows the property to be rezoned to C-4 CBD as per the regulations. Such a request is also compatible with the Shawnee Comprehensive Plan (Figure 2).

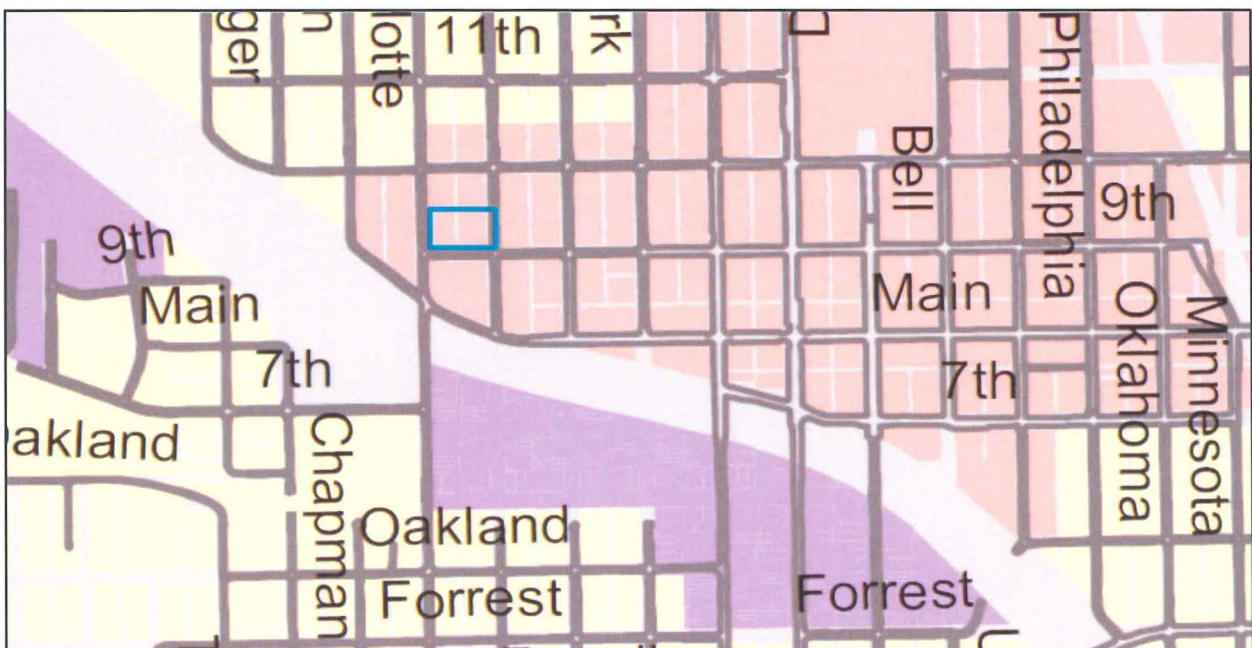


Figure 2: Future Land Use Map, with site outlined in blue (Residential/Public/Commercial).

C. Analysis of Surrounding Neighborhood

If there are negative impacts associated with the proposed use, those impacts will most greatly be felt by those individuals living or working within close proximity to the property. The surrounding neighborhood of the proposed emergency shelter is made up of both businesses and residents, with six different zoning classifications within a few blocks. The uses within the area are not just residential or commercial, but a mix of both uses that are typical within or near downtown areas.

Staff collected Census Tract data from the 2010 U.S. Census Bureau. Because Block data (2010) for the City of Shawnee is not available at this time, Staff had to review the larger Census Tract data which covers a much larger surrounding area than what might be directly impacted by the actual site.

Within the Tract area, there is a population of 3,275 residents and 1,579 total households. Of those households, 1,302 houses are occupied with 277 vacant. Of the total number of houses occupied, there is an owner-occupied rate of 31.8% and a renter-occupied housing unit rate of 68.2%.

Due to the surrounding rates of vacant housing, and renter occupied housing, there has been a decrease in the general upkeep of homes causing several homes to suffer damage and become dilapidated structures from lack of care. One structure was demolished in early 2012 by the City and one structure was demolished in August 2012 by the owner.

As shown in Figure 3, the existing land uses in the immediate vicinity of the site are predominately single-family residential (to the north, west and east) and commercial/warehouse/non-residential uses to the south and west. South Central Industries, which provides vocational training and employment opportunities for the developmentally challenged is located immediately south. They also own two homes to the east, which house some of those in its training program.



Figure 3: Existing land use (subject property outlined in blue).

D. Shawnee Rescue Mission

The Shawnee Rescue Mission is a 501(c)(3) charitable organization (nonprofit) as per the Secretary of State's office and has been so since 2010. The organization currently relies on funding from individuals, churches and other business donors within the community and surrounding areas. Information regarding the shelter and organizational goals may be found in the "Statement of Operations and Services" (Exhibit 2). They also maintain a website with additional information: <http://www.shawneerescuemission.com/>.

Renovations to the facility are being paid for by grant funding, with funding in place for Phase 1 of the project. It is Staff's understanding that additional fundraising efforts will be undertaken to fund further improvements and to pay for ongoing operational expenses. Staffing the completed

building and shelter is addressed in the Operations Plan and in a document entitled “Funding and Budget Issues” (Exhibit 7). Pursuant to these documents, the following positions will be in place to serve the community:

1. Resident Director (2), live onsite
2. Security (2), to provide 24-hour security
3. Secretary
4. Daytime Client Registrar
5. Case Managers
6. Cook
7. Custodian
8. Job Placement Director
9. Food Pantry Coordinator
10. Clothing Distribution Coordinator
11. Director of Development
12. Bridges to Life Interns

Most of the above positions are shown as volunteer positions and as having no personnel costs associated with them.

The proposed operating budgets for the next five years are shown as:

- 2012: \$120,000
- 2013: \$125,000
- 2014: \$150,000
- 2015: \$200,000
- 2016: \$250,000

The projected capital campaign is to raise \$750,000 over the next five years.

E. Homelessness in the United States

A thorough discussion of the merits of the subject request would not be complete without a look at the broader issue of homelessness in the United States. Contained below are the results of a factual investigation concerning the state of homelessness in the United States, the State of Oklahoma and locally in Shawnee. The U.S. Department of Housing and Urban Development’s definition of *homelessness* contained in the Homeless Emergency Assistance and Rapid Transition to Housing Act is as follows:

1. People who are living in a place not meant for human habitation, in emergency shelter, in transitional housing, or are exiting an institution where they temporarily resided if they were in shelter or a place not meant for human habitation before entering the institution.
2. People who are losing their primary nighttime residence, which may include a motel or hotel or a doubled up situation, within 14 days and lack resources or support networks to remain in housing.

3. Families with children or unaccompanied youth who are unstably housed and likely to continue in that state. This applies to families with children or unaccompanied youth (up to age 24) who have not had a lease or ownership interest in a housing unit in the last 60 or more days, have had two or more moves in the last 60 days, and who are likely to continue to be unstably housed because of disability or multiple barriers to employment.
4. People who are fleeing or attempting to flee domestic violence, dating violence, sexual assault, stalking, or other dangerous or life-threatening situations related to violence; have no other residence; and lack the resources or support networks to obtain other permanent housing.

Types of Shelters and Applicable Definitions

Homeless individuals are often defined as either being “sheltered” or “unsheltered.” The following definitions provide accepted definitions for each and are followed by definitions relevant to the type of shelter:

Sheltered: A homeless person who is in an emergency shelter or transitional housing program for homeless persons.

Unsheltered: A homeless person who is living in a place not meant for human habitation, such as the streets, abandoned buildings, vehicles and parks.

Emergency Shelter: Any facility with overnight sleeping accommodations, the primary purpose of which is to provide temporary shelter for the homeless in general or for specific populations of the homeless.

Transitional Shelter: Intended to facilitate the movement of homeless individuals and families to permanent housing. Homeless persons may live in transitional housing programs for up to 24 months and receive supportive services that enable them to live more independently.

Chronic Homelessness: An unaccompanied homeless individual with a disabling condition who has either been continually homeless for a year or more or has had at least four episodes of homelessness in the past three years.

Permanent Supportive Housing: Long-term, community-based housing that has supportive services for homeless persons with disabilities. This type of supportive housing enables special needs populations to live as independently as possible in a permanent setting. The supportive services may be provided by the organization managing the housing or coordinated by the applicant and provided by other public or private service agencies. Permanent housing can be provided in one structure or several structures at one site or in multiple structures at scattered sites. There is no definite length of stay.

Application Review Note: Based on the information provided, the Shawnee Rescue Mission is proposing an Emergency Shelter.

Homeless Counts

The U.S. Department of Housing and Urban Development requires communities to conduct a “Point-in-Time Count” annually. The count is utilized to calculate funding for housing and supportive services. According to the Department’s 2010 Annual Homeless Assessment Report to Congress, there were 649,917 sheltered (62%) and unsheltered (38%) homeless persons nationwide as of January 2010. Additionally, about 1.59 million people used an emergency shelter or a transitional housing program at least one night during the 2010 reporting period. Most users of homeless shelters used only emergency shelter (78.7%), while 17% used only transitional housing, and less than 5% used both. Use of a shelter is typically brief. Sixty percent of emergency shelter stays lasted less than one month, with one-third of those lasting less than one week.

National homeless characteristics from the count are as follows:

- 78% of sheltered homeless are adults
- 62% of adults are male
- 58% of members of a minority group
- 37% are between 31-50 years of age
- 63% are in one-person households
- 37% have a disability
- 26% of a serious mental illness
- 35% suffer from substance abuse
- 12% are domestic violence survivors

Housing Unit Count and Length of Stay

In 2010, the U.S. had an estimated 661,230 beds to house homeless individuals. The breakdown as to type is: Emergency Shelter (30%), Transitional Housing (35%), and Permanent Supportive Housing (34%). Individuals in Permanent supportive housing are no longer considered homeless because they have a permanent residence. Approximately 86% of emergency shelter beds were occupied on an average night during the study period. The average length of stay for emergency shelters is:

- 1 week or less – 34%
- Less than 1 month – 27%
- 1-6 months – 33%

Homelessness in Oklahoma

In 2010, Oklahoma had an estimated homeless population of 5,229 (Point-In-Time Count). The rate of homelessness for Oklahoma and neighboring states is: Oklahoma (0.13%), Arkansas (0.10%), Texas (0.15%), and Kansas (0.07%).

Regionally, Oklahoma City is the primary location for most homeless services and sheltering. The cities of Midwest City, Moore and Edmond do not have emergency shelters. The City of Norman does have emergency shelters, including one provided by the Salvation Army. According to the Oklahoma City 2012 Point in Time Count, there were 1,303 homeless counted. Of those, 630 were sheltered, 312 were in transitional housing and 361 were unsheltered. The chronically homeless make up around 18-19% of homeless population of Oklahoma City. Of the 230 chronically homeless individuals counted in 2012, 76% were staying in an unsheltered environment. Veterans make up approximately 12% of Oklahoma City's homeless population and 11% of the homeless population nationally. Homeless families currently make up 12% of the total homeless in Oklahoma City. Approximately 79% of all respondents reported having one or more disabling conditions. Like the national trends, many suffer from mental illness and/or substance abuse. Oklahoma City has the following capacity to meet the homeless housing needs:

- Emergency Shelter – 975 units
- Transitional Housing – 266 units
- Permanent Supportive Housing – 598 units

Homelessness in Shawnee

Shawnee is part of the Oklahoma Northwest Continuum of Care and conducts annual Point in Time Counts like Oklahoma City and other communities in the State. The following counts are for Pottawatomie County, although it can be assumed that all or most of the counted individuals were within the Shawnee city limits:

Table 1: Official homeless counts for Pottawatomie County, 2010-2011.

Year	Homeless Count	Unsheltered
2012	94	5
2011	122	23
2010	101	17

Note: Official count done in January of each year

As shown in the above table, the majority of homeless individuals in the City are sheltered in some manner.

The Salvation Army has operated a shelter in Shawnee for approximately 25 years. The shelter has 30 beds and they accept single men and women. According to the Program Director (phone conversations: August 22, 2012, August 30, 2012), they are seldom full.

Poverty Levels

Poverty is linked to homelessness in that individuals living below poverty are more susceptible to becoming homeless if for no other fact that a much higher percentage of their monthly income is spent on housing. The U.S. Census Bureau uses a set of income thresholds that vary by family size and composition to determine poverty levels. If a family's total income is less than the family's threshold, then that family and every individual in it is considered to be in poverty. The official poverty thresholds do not vary geographically, but they are updated for inflation using Consumer Price Index data.

Per the most recent U.S. Census Data, the following are poverty levels at the national, state and local level:

Table 2: Percentage of Individuals in Poverty, 2012

Geographical Unit	Percent of Individuals in Poverty
United States	13.8%
Oklahoma	16.2%
Pottawatomie County	17.3%
City of Shawnee	22.3%

Source: U.S. Census Bureau: QuickFacts: <http://quickfacts.census.gov>

Note: Poverty rates vary slightly based on U.S. Census data source

F. Conditional Use Permit Considerations

According to the Zoning Regulations in 1401.10(C), the Planning Commission is tasked with considering the following in regards to Conditional Use Permits, “the effect of such proposed building or use upon the character of the neighborhood, traffic congestion, public utilities and other matters pertaining to the general welfare” of the community. It is Staff’s opinion, that the proposed use will have impacts on the character of the neighborhood, traffic congestion and the general welfare of the community. The question then becomes, can such impacts be appropriately mitigated to lessen the impact to an acceptable level and/or does the benefit provided by the proposed use outweigh the negative externalities? Staff does not have enough information to answer this critical question at this time.

The Conditional Use Permit process, allows the Commission to grant a use – subject to conditions. There are a number of conditions that could be placed on the proposed overnight shelter that would help to mitigate some of the concerns expressed. For instance, the Commission can require 24-hour security, annual inspections and audits, parking improvements, certain operational functions and other requirements that are reasonably related to protecting public health, safety and welfare.

To date, the City has received numerous letters of protest concerning the proposed request (see Exhibits 8-14). Many of the concerns center around impacts to the surrounding neighborhood especially as it relates to crime, security, parking, vandalism, theft and other activity. Several letters are from owners of rental property within close proximity to the subject property. The Shawnee Rescue Mission supplied a response to concerns raised by some of the letters (Exhibit 15). Staff does have significant concerns with the subject proposal, as more specifically enumerated below:

Staff Concerns

Specific Staff concerns are as follows:

1. ***Demonstration of Need.*** Because of the potential negative impacts to the surrounding neighborhood and the City at large, it is Staff's recommendation to only permit a facility that meets an existing need. The proposed facility is designed for 43 beds (or 30 depending on the exhibit). The Salvation Army emergency shelter holds 30 individuals and is seldom full and the official Point-In-Time homeless count indicates that the "unsheltered" homeless population is substantially less than the size of the proposed facility (this in true in years 2010-2012). The Shawnee Rescue Mission has not provided any demonstration of need or a clear justification for 43 or 30 beds.
2. ***Neighborhood Impact.*** The Shawnee Rescue Mission has operated a food pantry, provided meals, clothing and other assistance for some time at various locations in the City of Shawnee. Based on letters from the public, the current limited operations at the facility (204 N. Louisa) appear to have had major impacts on the neighborhood. Overnight sheltering will result in a large concentration of individuals with mental health and substance abuse issues in the neighborhood. Staff recommends that the Shawnee Rescue Mission hold a community meeting (not associated with the City process) to hear from the public and seek ways to address neighborhood concerns.
3. ***Staffing Levels.*** The proposed staffing plan relies heavily on unpaid volunteers. Based on the size of the shelter and the full array of service planned, it seems unlikely that such an effort could be untaken primarily by volunteer labor. To Staff's knowledge, none of the staff, board members, or volunteers have any experience operating a homeless shelter. If the organization plans on utilizing a mentor organization or partner agency with such experience, such information should be shared in detail with the Planning Commission.

Simply providing 24-hour security will cost somewhere between \$87,600 and \$175,000 annually depending on the level provided. This alone, represents all or most of the anticipated operational expense over the next five years. Case managers are certified by the State of Oklahoma and require extensive training – Staff is not aware of any shelters that utilize volunteers in this capacity. The same is true for mental health professionals and substance abuse counselors. Most homeless individuals have mental health and substance about issues and most volunteers are unprepared and untrained to handle such individuals.

In Staff's opinion, there is substantial risk in creating an organizational structure that relies almost entirely on volunteer labor. The homeless are a vulnerable population with substantial needs. Their service and care is high and without the ability to hire and retain qualified staff, their basic welfare is at risk. If key positions such as Resident Directors, Case Managers and others are unpaid positions, what happens if those individuals depart service from the Shawnee Rescue Mission and suitable volunteers cannot be found? If such situations were to occur and the shelter was at capacity with 30-43 beds occupied, a serious public health emergency would occur.

Staff recommends that the Shawnee Rescue Mission provide specific examples of other facilities that operate with an operational budget similar to what is proposed and/or provide evidence that other successful shelters operate primarily on volunteer labor. Expert testimony and/or exhibits from shelter operators are needed to protect the public and ensure that the proposed shelter is adhering to best practices.

4. ***Duplication of Services.*** Staff has surveyed other homeless shelters and organizations in the OKC Metro area and all those surveyed have an extensive partnership network in place. Within Shawnee, many resources exist including the Salvation Army, Red Rock Behavioral Health Services, Gateway to Prevention and Recovery, Family Promise and others.

The materials from Shawnee Rescue Mission do not note any partnerships and the services provided appear to be a duplication of some services already available in the community. Staff recommends that the Shawnee Rescue Mission provide letters from other service providers noting partnership agreements and/or submit more information detailing the existing gaps in service that they seek to fill in the community.

5. ***Phasing Schedule.*** The submitted phasing schedule does not include a budget or specific dates of anticipated completion. Further, there is no phasing schedule associated with the operational aspects of the proposal (when is the proposed shelter planned to open?). Additional details are needed.

IV. FINDINGS

At this time, Staff reserves findings for a future date (see below).

V. RECOMMENDATION

Staff recommends that the Planning Commission continue the Public Hearing on Case #P13-12 to a future date, preferably at a special meeting. At this time, not enough information is known to issue a recommendation or to set conditions and Staff feels it pertinent to hear the testimony at the public hearing in order to better formulate a recommendation. It is also likely that the owner may be asked by the Commission for more information based on your review and on testimony received.

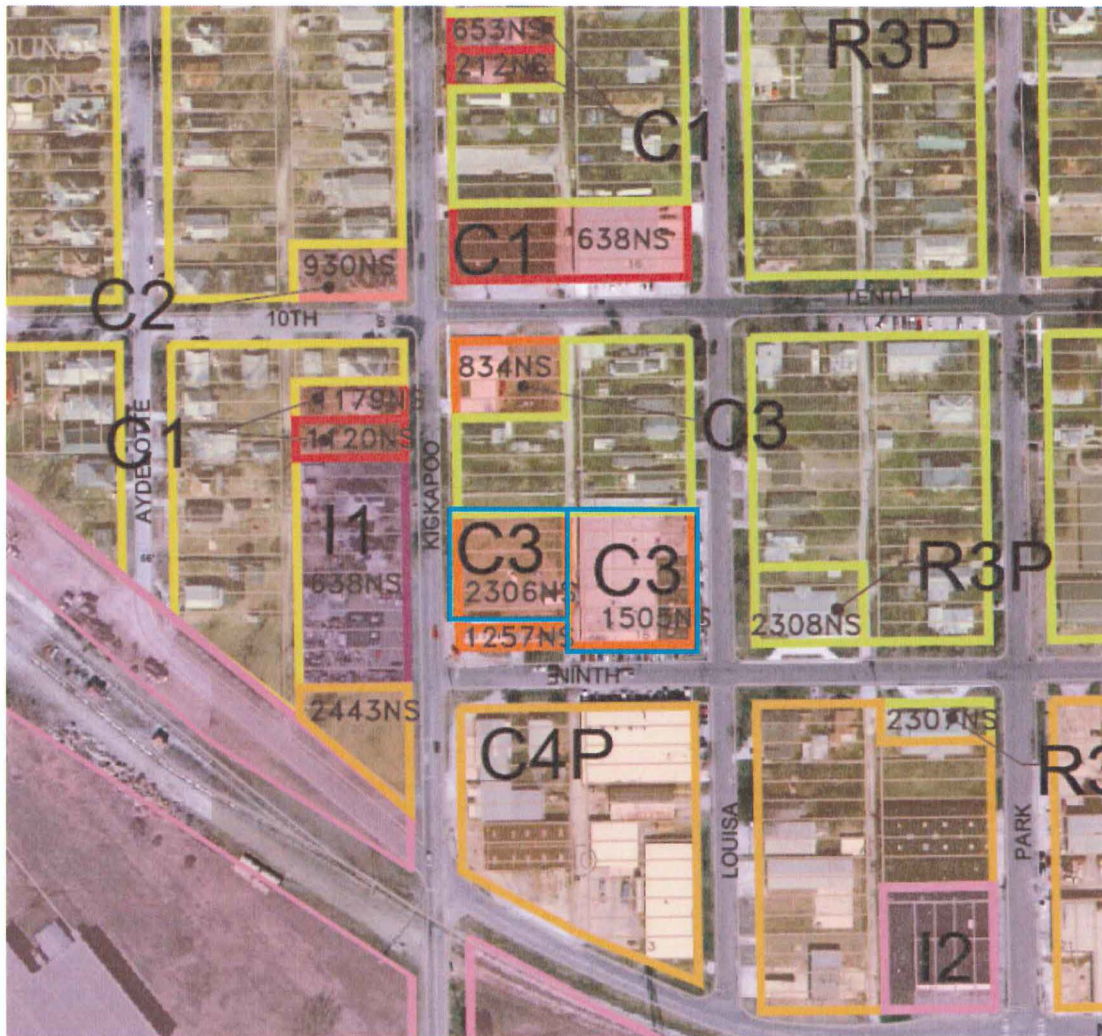
At a later date, Staff can bring forward a recommendation on this issue based on the additional information received and as directed by the Planning Commission. An addendum to this Staff Report will be issued at that time.

VI. EXHIBITS

1. Rezone w/Conditional Use Permit Application Form (July 20, 2012).
2. Series of Photographs of the Subject Site (August 15 and August 24, 2012).
3. Statement of Operations and Services, prepared by the Shawnee Rescue Mission.
4. Project Phasing – Preliminary, prepared by Mike D. Little Construction (received August 29, 2012).
5. Site Plan, Dated July 2, 2012, prepared by Richmond Group.
6. Building Renovations plan, Dated May 30, 2012, prepared by Richmond Group.
7. Funding and Budget Issues document, prepared by the Shawnee Rescue Mission (received August 29, 2012).
8. Letter from James Dudley (received August 20, 2012).
9. Letter from South Central Industries, Inc. dated August 20, 2012 (received August 22, 2012).
10. Letter from South Central Housing dated August 20, 2012 (received August 22, 2012).
11. Letter from Executive Home Rentals, LLC dated August 19, 2012 (received August 22, 2012).
12. Letter from Emmet Wilson dated August 27, 2012 (received August 28, 2012).
13. Letter from Holly Gordon dated August 29, 2012 (received August 29, 2012).
14. Letter from Mrz Lizzies Home Rentals dated August 22, 2012 (received August 29, 2012).
15. Letter from Shawnee Rescue Mission dated August 29, 2012 (received August 29, 2012).

Zoning Map

Figure 1 – Zoning Map- Property in question is highlighted in blue.



Location Map

Figure 2 – Location Map- Property in question is highlighted in blue.



Location Map

Figure 3 – Location Map- Property in question is highlighted in blue.



CITY OF SHAWNEE
PUBLIC HEARING NOTICE
CASE #P13-12

Notice is hereby given that the City of Shawnee, Oklahoma, will conduct a public hearing on an application for a Rezone with a Conditional Use Permit on property located within the City of Shawnee.

The applicant requests a rezone with a conditional use permit for the following described property:

The South Fifteen (15) feet of Lot Nine (9) and all Lots Ten (10), Eleven (11), Twelve (12), Thirteen (13), Fourteen (14), Fifteen (15) and Sixteen (16) and the North Fifteen (15) feet of Lot Eighteen (18), and all Lots Nineteen (19), Twenty (20), Twenty-one (21), Twenty-two (22), Twenty-three (23) and Twenty-four (24), Block Nineteen (19), AMENDED PLAT to the City of Shawnee, Pottawatomie County, Oklahoma, according to the recorded plat thereof.

General Location Known As:	<u>204 N Louisa</u>
Current Zoning Classification:	<u>C-3; Automotive, Commercial and Recreation</u>
Requested Zoning Classification:	<u>C-4; Central Business District with a conditional use permit for a Boarding or Rooming House</u>
Proposed Use of Property:	<u>Homeless Shelter (34 beds, plus three family units) food pantry, dining hall (soup kitchen), office, other services</u>
Owner:	<u>Shawnee Rescue Mission</u>
Applicant:	<u>Mike Little Construction</u>

The "Zoning Map of the City of Shawnee, Oklahoma" will be amended accordingly to reflect such change if approved by the City Commission.

The public hearings will be held in the City Commission Chambers in City Hall, 16 W. 9th St. Shawnee, Oklahoma, as follows:

September 5, 2012	AT 1:30 P.M.:	CITY OF SHAWNEE PLANNING COMMISSION
September 17, 2012	AT 6:30 P.M.:	CITY OF SHAWNEE CITY COMMISSION

At this time any interested citizen of Shawnee, Oklahoma will have the opportunity to appear and be heard with regard to the rezone with a conditional use permit. The Commission reserves the right to limit discussion and debate on the proposed rezone with a conditional use permit in the public hearing, in which event those persons appearing in support or opposition of the proposed rezone with a conditional use permit will be allotted equal time. Any formal protest concerning the rezone must be filed in writing with the City Clerk during normal working hours before 5:00 p.m. a minimum of three (3) days prior to the hearing. If there are any questions about the proposal, or you need additional information prior to the public hearing, please contact the Planning Department at 878-1616. A copy of the application is available for public inspection during normal working hours in the Planning Secretary's office at 222 N. Broadway.

Witness my hand this 15th day of August, 2012.

Phyllis Loftis, City Clerk

CITY OF SHAWNEE
222 N. BROADWAY
SHAWNEE, OK 74801

PLANNING DEPARTMENT
PHONE: (405) 878-1666
FAX: (405) 878-1587

PLANNING COMMISSION APPLICATION
PROJECT NO. 120874 CASE NO. P-13-12

REQUEST:

Rezoning _____ Rezoning w/Conditional Use Permit X Conditional Use Permit _____
Planned Unit Development _____

I, the undersigned, do hereby respectfully make application and petition to the City Commission to amend the zoning map, and to change the zoning district of the Shawnee area, from C3 District to C4 District, as hereinafter requested, and in support of this application, the following facts are shown:

PROPERTY LOCATION (STREET ADDRESS): 204 N. Louisa

LEGAL DESCRIPTION: see Exhibit "A" attached

PROPERTY OWNER (S): Shawnee Rescue Mission, Inc.

EXHIBIT "A"

PROPERTY AGENT (APPLICANT): Mike Little Construction, Attention Bill Thurman

APPLICANT'S ADDRESS: 1901 N. Kickapoo

CITY: Shawnee **STATE:** OK **ZIP:** 74804

EMAIL ADDRESS: westchester.bill@att.net

TELEPHONE NUMBER: (405) 273-4471 **CONTACT NUMBER: cell** (405) 229-8958

DIMENSIONS OF PROPERTY: AREA _____ WIDTH _____

See Plans Attached LENGTH _____ FRONTAGE _____

CURRENT ZONING: C3 **CURRENT USE:** Automotive & Commercial Recreation District

PROPOSED ZONING: C4 **PROPOSED USE:** Homeless Shelter & Service Provider

With the filing of this application, I acknowledge that I have been informed of off-street parking, fencing and paving requirements in regard to the zoning I have requested as witnessed by my signature.

W. Thurman

SIGNATURE OF APPLICANT

(FOR STAFF USE ONLY)

Filed in the office of the Planning Department, 222 N. Broadway, this 20 day of July, 2012

Linda Burg

PLANNING COMMISSION SECRETARY

REZONING &/OR C.U.P FEE \$ 280.00

PLANNED UNIT DEVELOPMENT FEE \$ 550.00

RECEIPT NO. 01362008

SIGN DEPOSIT \$ 50.00

(Refundable if Applicant returns 48 hrs. after City Commission Meeting)

PLANNING COMMISSION ACTION: _____ **DATE:** _____

CITY COMMISSION ACTION: _____ **DATE:** _____

PLACE ON ZONING MAP: _____ **ORDINANCE NO.:** _____

Photos of Site

EXHIBIT "2"



Photo 1 - 8/24/12: Eastern side of site.



Photo 2- 8/24/12: South Eastern side of site.



Photo 3- 8/24/12: South side of site.



Photo 4- 8/24/12: South side of site.



Photo 5- 8/24/12: Site facing South. South-central Plastics



Photo 6- 8/24/12: Site facing South. South-central Plastics



Photo 7- 8/24/12: South side of Site



Photo 8- 8/24/12: Property to the South of Site.



Photo 9- 3/24/12: North side of Site.



Photo 1- 3/24/12: Proposed Parking and Community area.



Photo 2- 8/24/12: West side of site.



Photo 3- 8/24/12: Proposed parking lot and community area.

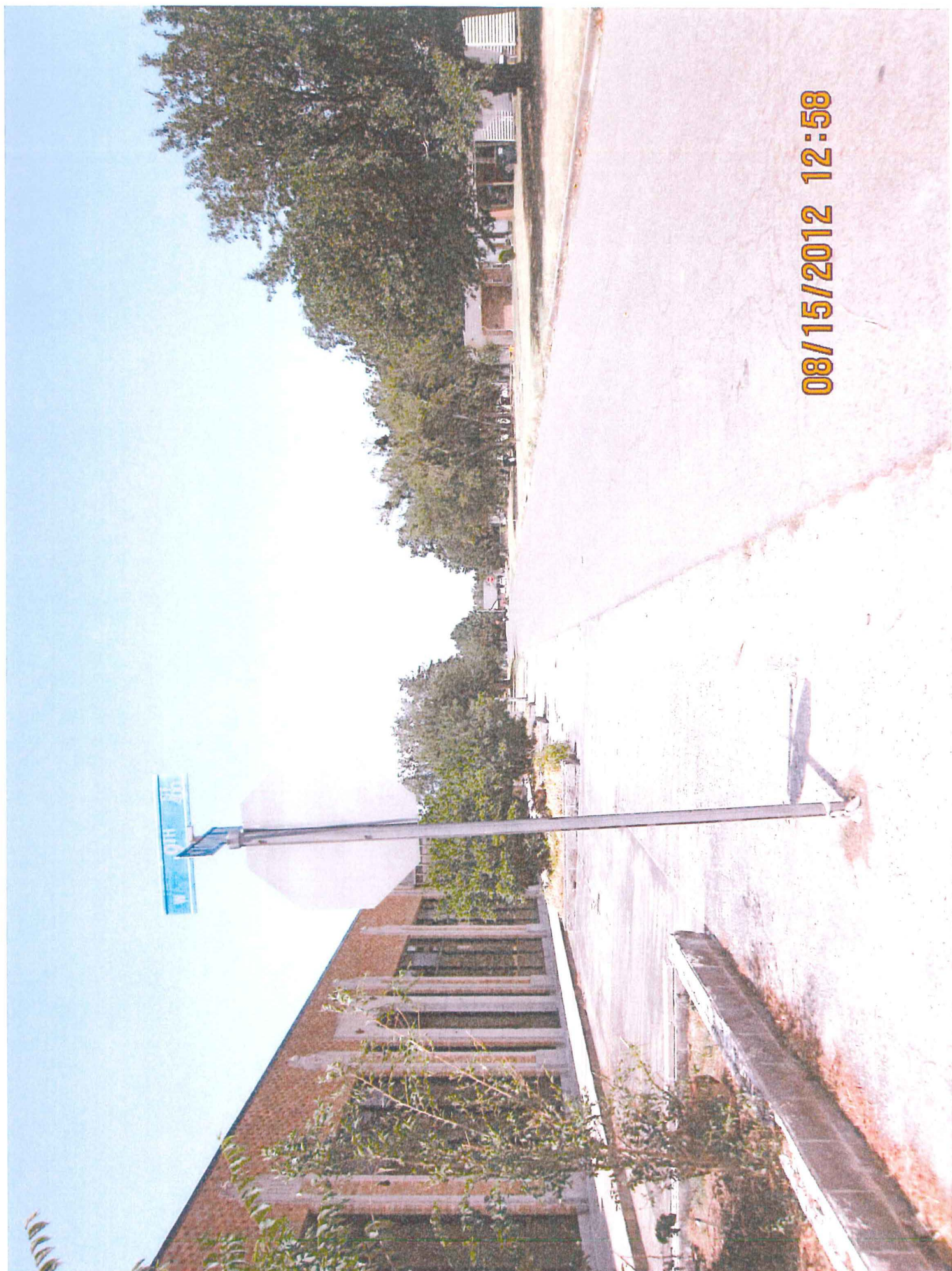


Photo 4- 8/24/12: Structures to the North of proposed site.



Photo 5- 8/24/12: Rear of proposed site on the North side.





08/15/2012 12:58

Shawnee Rescue Mission
Statement of Operations and Services
For the Purpose of Zoning Application to the City of Shawnee, OK

1. Explanation of what documentation is needed from the State for approval of a homeless shelter.

Homeless shelters must acquire 501 (c) (3) status to show they are a charitable organization. Shawnee Rescue Mission has acquired this status. Physical inspections of the building by the health department and the fire marshall are needed to ensure the safety and welfare of both staff and the clients being served. All existing and renovated areas of the building will be subject to building code requirements.

2. Explanation of what services will be offered and the targeted clientele.

Shawnee Rescue Mission is a faith-based non-profit organization whose mission is to combat poverty and homelessness. The targeted clientele of the mission are homeless and severely impoverished men, women, and families.

Services to be provided include an overnight shelter designed to provide emergency housing for homeless men, women, and families. In addition, a dayshelter will be open during the daytime hours where clients can find shelter from the elements and meals will be served. Restroom, shower, and laundry facilities will be available for client use.

During the day, clients will also be given the opportunity to receive educational and career services such as GED preparation, reading and writing classes, computer literacy classes, parenting classes, money management classes, skills workshops such as furniture refurbishing, and job screening/testing and placement.

In an effort to combat drug and alcohol addiction, Celebrate Recovery, a 12 step program, will be offered. Voluntary attendance at Bible study and faith-based chapel services will also be offered.

EXHIBIT " 3 "

An Emergency Resource Center will be maintained at the mission where clients can acquire clothing, toiletries, emergency food boxes, utility assistance, and gas cards. Clients will be able to get information about connecting with social agencies such as DHS, The Housing Authority, and Social Security.

Transportation to and from employment, and social service and medical appointments will be available.

3. What is the number of residents to be served?

30 residents may be served in the overnight shelter.

4. What will be the living arrangements?

The overnight shelter will include 30 beds for resident clients. The men's dorm will be located on one side of the shelter and the women's dorm and 3 family units will be on the opposite side of the shelter—in an area separated from the men's dorm. Each dorm area will have restrooms and showers for use by the residents. A common eating area in the multi-purpose room will be provided for meals. A resident director's apartment will be located in the building near the dorms.

In addition to the on-site resident directors, security personnel will be present overnight to monitor the shelter. Monitored security cameras will also be in use throughout the mission facility.

5. What will be the average length of stay? How will that be monitored?

Residents may stay in the shelter for up to 30 consecutive nights. After that time, they will be given the option to enter a recovery program.

Clients will be checked into the mission by a case manager who will monitor their status through a software tracking system.

6. What will be the house rules?

- No Loitering on or around the shelter grounds.
- No drugs or alcohol on premises.
- No smoking inside the building and only in designated outside areas.
- No weapons of any kind.
- No fighting or violence.
- No bullying
- No profanity
- No exiting the overnight shelter after 9 PM curfew except for employment and then only with a prior written permit from the shelter director.
- Lockdown and lights out by 10 PM.
- Men, Women, and Families must stay in their own dorm areas overnight.
- During the day, men, women, and families may visit together in the big open multi-purpose room.
- Residents must be fully clothed when not in their room. Dress must be modest in keeping with Christian moral standards.
- Food may be eaten only in designated areas.
- Clients are expected to clean up behind themselves—trash, laundry, etc.
- Complete chores as assigned.
- Keep your possessions locked in your locker.
- SRM may conduct searches of client's person or belongings for weapons, drugs, and alcohol.
- Residents who sign out to leave the shelter during the day, must sign back in if they return for the overnight shelter.

7. How are residents screened?

Residents will be checked against the Sex Offender Registry and a background check will be done to check for a violent criminal record . TB, Hepatitis, and HIV testing will be required.

Residents will be screened through a client intake form where an interview will be conducted by a case manager who will assess their biographical, physical and mental health status.

8. Number and positions of Staff including the Staff to resident ratio.

The staff at SRM will include:

- 2 Full-time Resident Directors
- 1 Daytime and 1 Nighttime Security Guard
- Mission Secretary
- Daytime Client Registrar
- Case Manager
- Cook
- Custodian
- Job Placement Director
- Food Pantry Director
- Clothing Distribution Coordinator
- Director of Development
- Bridges to Life Interns

The staff to client ratio will be 1 staff person to 5 clients in the overnight shelter.

9. How will security be handled?

- There will be 1 Daytime and 1 Nighttime Security Guard monitoring the building and grounds.
- Security cameras will be installed both inside and outside of the building.
- An alarm/security system will have a direct line to the police and fire departments.
- Clients will check in and out at the registration desk.
- Exterior doors will be the crashbar type that remain locked at all times and allow people to always get out of the building but they cannot re-enter from the outside without a key or being let in.
- Main entrance door on the west side of the building will be unlocked during the day.

10. How will staff handle disease/virus control (ie. UV lights for TB, TB tests, cleaning practices for viruses/colds, etc.

- Residents will be required to undergo TB, Hepatitis, and HIV testing.
- Staff will receive workshop training on how to prevent the spread of infectious diseases—ie. washing hands, wearing gloves when providing first aid or cleaning up any bodily fluids such as blood, urine, feces, or vomit.
- UV lights will be installed to help prevent the spread of TB.
- Clients with a persistent cough will be sent for medical care.
- Clients who appear to be sick and running a fever will be isolated and medical care will be sought.
- Surfaces in the kitchen, dining area, and bathrooms will regularly be cleaned with anti-microbial/anti-bacterial agents.
- Regular inspections will be conducted by the health department to ensure our food handling practices and kitchen procedures are kept up to code.
- Staff and Clients will be trained on importance of regular handwashing, use of hand-sanitizer, and covering their mouth and nose when sneezing or coughing.
- Hand-sanitizer dispensers will be placed throughout the shelter & mission.
- Tissues will be readily available during cold and flu season.
- Bedding will be laundered regularly and always changed when one client moves out and another moves in.
- Transportation to the emergency room, free clinic, and other health care will be provided as needed.
- Efforts will be made to partner with the medical community to set up free flu and pneumonia vaccinations.

11. Written documentation of what type of Good Neighbor Policies will be in place.

A. How will loitering on adjacent property be dealt with?

There will be no loitering whatsoever on Louisa or 9th Streets or around surrounding residences and businesses. The on-site Security Guard will regularly monitor these areas for such activity and call the police as needed.

B. How will disruptive residents be dealt with?

If residents refuse to comply with the request to cease disruptive behavior, the police will be called to remove them from the premises. The resident will be banned from the services of SRM for incremental lengths of time based on the severity of the offense.

C. How will noise be controlled?

Residents must be inside the building and in their dorm rooms by the 9 PM nightly curfew. No loud or disruptive music or noises will be allowed on the premises. Failure to comply will result in the resident being escorted from the premises.

D. What are the hours of operation and how will those hours keep from disrupting the general feel of the neighborhood?

The overnight portion of the shelter will be operational 24 hours a day. However, residents who stay overnight in the shelter must be in their dorm rooms by 9 PM. Lights out will be by 10 PM. Residents will not be allowed to leave the building between the lockdown hours of 9 PM and 6 AM unless they must leave the building for employment reasons. In such case, a permit signed by the director would be issued ahead of time.

Both dayshelter and overnight clients arrive primarily on foot or by bicycle and will enter the building on the west side of the building, away from the residential and business areas on 9th and Louisa Streets. Parking will be limited on the residential street sides of the building. Loitering outside will not be tolerated.

While in and around the building, clients at the shelter during the day should typically be engaged in some productive activity such as housekeeping chores, gardening, or maintaining the landscaping, attending classes, helping with processing donations, assisting with the processing of emergency food boxes, etc.

12. What type of outdoor lighting, if any, will be added to the facility?

Adequate outdoor lighting is already in place.

13. Site plan and floor plan of the facility drawn to scale.

See Attachment.

14. What facilities will be available on site?

The one existing building will be renovated to house an overnight shelter with separate men's and women's residential dorm rooms, 3 family residential units and a resident director's apartment.

The building will also house a dayshelter, and an emergency resource center. A commercial kitchen will be included and will be used for preparing and serving meals to shelter clients.

The multi-purpose room will be used as the common dining and seating area as well as a place for conducting faith-based chapel services. Laundry facilities and restrooms with showers for the client's use will be included in the building.

The mission administrative offices and conference room will remain housed in their current location on the east side of the building.

15. What other services will be offered on site?

- The Emergency Resource Center will be maintained at the mission where clients can acquire clothing, toiletries, emergency food boxes, and utility assistance.
- Clients will also be able to get information about connecting with social agencies such as DHS, The Housing Authority, and Social Security.

- Transportation to and from employment, social service agencies, and medical appointments will be available.
- Gas cards and need-based-travelers-aid will be provided to assist homeless and impoverished clients who are stranded and need to relocate to other cities or states for jobs or to return home to their families.
- Clients will have the opportunity to receive educational and career services such as GED preparation, reading and writing classes, computer literacy classes, parenting classes, money management classes, skills workshops such as furniture refurbishing, and job screening and placement.
- The Celebrate Recovery 12 step drug and alcohol program will be offered.
- Voluntary attendance at Bible study and faith-based chapel services will also be offered.
- A landline phone is provided at the mission for client use.

16. Will there be a partnership with other social services?

SRM would like to keep an open dialogue between other non-profits offering similar services in the Shawnee area and to share resources as appropriate. Long range goals would include inviting representatives from agencies such as Social Security, The Housing Authority, and DHS to join our efforts to combat poverty and homelessness. Having on-site or guest representatives from these organizations come to SRM to provide information to help connect our clients to assistance that is available within our community would be invaluable. Our vision is to bring wrap-around services to Shawnee, whereby our clients can get the most complete services available to ensure long-term stability in their lives.

17. How will residents arrive at the shelter?

The majority of our shelter residents will be arriving by walking or riding bicycles. A few may have a vehicle. We will not be going out to “round up” potential clients.

18. What public transportation options will be available?

SRM will provide transportation for our shelter residents to help them get to and from employment, needed social services, and medical appointments.

Organizations such as CPN offer transportation that is subject to availability and is on an appointment basis. COCAA offers rides through their COTS program. Local churches or other social agencies may also provide volunteers to assist with transportation of clients.

19. What are your funding sources and how will those be maintained.

SRM primarily relies on contributions from individuals, churches/religious organizations, and business donors. Our Board of Directors has been very actively involved in raising money through an Annual Fund Campaign.

We are very fortunate to have a professional Director of Development on our Board who has 30 years of successful experience in the field of institutional and non-profit fundraising. He and a team of volunteers are gearing up to move us into phase two of our Bridging the Gap Annual Fund Campaign.

On an annual basis, volunteers will be enlisted who are trained and assigned donor solicitation responsibilities. Currently, approximately forty (40) volunteers are being recruited. They will be responsible for making financial commitments to our annual fund campaign and making gift solicitations.

Efforts are also currently underway to research, make contact with, and solicit funds from charitable foundations. Foundation support will be extremely beneficial to funding for Capital needs.

A Direct Mail campaign is also in the future. We will also continue to maintain a presence through newsletters, and social media, such as facebook, where invitations and requests for support are made on a routine basis.

We continue to secure food and other supplies from Feed the Children at no cost and from the Oklahoma Food Bank for "pennies on the dollar."

In an effort to show good stewardship of funds and to maintain transparency of our finances, annual audits will be done and will be made available to anyone interested in reviewing our financial records.

MIKE D. LITTLE CONSTRUCTION COMPANY, INC.

1901 N. Kickapoo
Shawnee, OK 74804
405-273-4471

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AUG 29 2012

Page 1 of 2
PLANNING / CODE

8-29-12 REV

----- PROJECT PHASING - PRELIMINARY -----

SHAWNEE RESCUE MISSION
204 N. Louisa
Shawnee, OK

Phase 1

Scope of work:

1. Parking lot
2. Fire sprinkler
3. Underground fire line to City main
4. Plumbing rough-in & tie-ins to City main (one water & two sanitary sewer tie-ins),
5. Demolition of existing paint room (NW corner of Men's Unit)
6. Demolition of south wall at apartment (to allow plumbing rough-in at this area)
7. Structural steel & concrete footings for the removed structural walls at items 5 & 6
8. Demolition of existing drywall partitions in the north warehouse
9. Move main entrance from 9th Street to the alley
10. Build drywall partition at the north end of the pantry
11. Raise floor in the apartment to accommodate plumbing rough-in

Phase 2

Scope of work:

1. Repair deteriorated paving areas in alley
2. Repair CMU planters in existing parking lot
4. Demolition not already performed in phase 1
5. Misc. metals
6. Framing, blocking, misc. rough carpentry
7. Millwork such as security counters, cabinets at serving corridor, vanities, etc.
8. EIFS at removed overhead doors
9. Doors, finish hardware, bi-fold doors, and overhead doors

EXHIBIT "4"

10. Drywall & ceilings

Page 2 of 2 EXHIBIT " _ "

- 11. Finishes such as paint & vinyl tile flooring in living units & dining hall
- 12. Toilet compartments, urinal screens, toilet accessories, fire extinguishers
- 13. HVAC, plumbing, & electrical systems

Excluded are the following:

- 1. Apartment interior walls, doors, finishes, etc.
- 2. Dining hall ceilings & HVAC ductwork.

Phase 3

Kitchen food service equipment, cabinets, etc.

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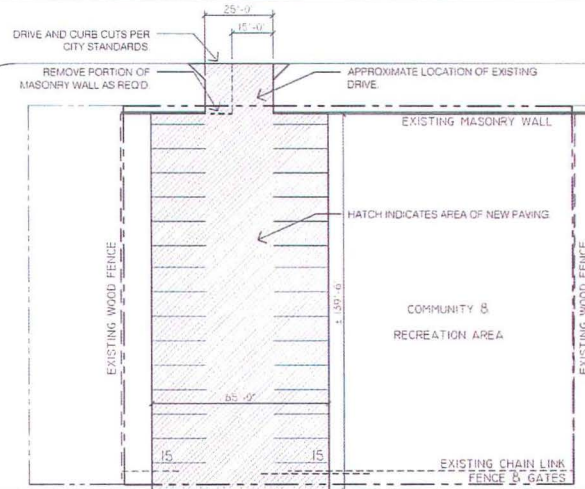
AUG 29 2012

PLANNING / CODE

WEST 9TH STREET

NORTH KICKAPOO STREET

WEST 10TH STREET



NORTH LOUISA AVENUE **EXHIBIT # 5**



SHAWNEE
RESCUE MISSION
SHAWNEE, OKLAHOMA

RICHMOND GROUP
ARCHITECTURE & PLANNING

1000 STEPHENS FREEMAN, STE. 317, DALLAS, TEXAS 75204
PHONE 214.481.8107 FAX 214.481.8661 - RICHMOND GROUP

RG

REVISION	
PROJECT NUMBER	2111
DATE	2 JULY 2012
SHEET	EXISTING SITE PLAN
A 10	
2000 FILE	PART SCALE

All drawings and written material herein constitute the original and copyrighted work of the Architect, and the same may not be distributed, used or displayed without the written consent of the Architect.



RICHMOND GROUP
ARCHITECTURE & PLANNING
12200 STEMMONS FREEWAY, STE. 317, DALLAS, TEXAS 75234
PHONE: 972.484.5977 • FAX: 972.484.8641 • RG@RG-RICH.COM

NINTH & LOUISA STREETS, SHAWNEE, OKLAHOMA

SHAWNEE RESCUE MISSION

AUG 29 2012

FUNDING AND BUDGET ISSUES:

PLANNING / CODE

DETAILED INFORMATION REGARDING QUESTION 8: PROJECTED STAFFING FOR THE SHAWNEE RESCUE MISSION:

We would like to address concerns regarding funding for the projected staff for the Shawnee Rescue Mission. We anticipate that the staff will be phased in gradually and no new staff will be in place any earlier than January 2014:

2 Full-Time Resident Directors: Currently Glenn and Melissa Blankenship direct the work of the Shawnee Rescue Mission and are not paid. When the current facility is remodeled, they plan to serve, at no compensation, as Resident Directors and will live in the apartment that will be part of the remodel.

1 Daytime and 1 Nighttime Security Guard: We are currently exploring hiring part-time security from the OBU and St Gregory's security force to staff these positions.

Mission Secretary: Volunteers will staff this position. Currently, we have 3 individuals who already voluntarily provide various secretarial services. These individuals plan to continue doing so following the renovation and reopening of the shelter.

Daytime Client Registrar: A person who voluntarily served in this capacity when our day shelter was open will initially serve in this position along with their volunteer assistant. In year two of operation, we anticipate using a client to help with this position who will receive a minimum salary to include lodging and meals as part of the compensation package.

Case Managers: Initially we plan to utilize capable individuals among our slate of volunteers from the Shawnee Community who are willing to receive training specific to their serving as Case Managers. Some of these individuals are retired teachers who are already well aware of the need for confidentiality and have done assessment and evaluations of students for years. We also plan to utilize selected Interns from City Rescue Mission to provide assistance. In year three of operations, our plan is to secure a part-time psychologist to manage the volunteer staff. Anticipated part-time salary range for this person, to be budgeted: \$25,000.

Cook: Again, we plan to use volunteers to initially staff this position. Both Individuals and Church groups have already demonstrated their ability to work in this capacity when our day shelter was open and serving meals. Select clients will be used to assist in food preparation and will be used as long as they are able to meet health code standards. All food preparation will be subject to safe food handling practices and inspections by the health department.

Custodian: Initially, Bridges to Life Interns from City Rescue Mission and volunteers from both the community and our client base will ensure that the building is cleaned. We also anticipate using persons who are assigned to SRM to do community service. This has worked very well in the past.

EXHIBIT " — " 10

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Job Placement Director: This person is already voluntarily serving in this capacity. He is a highly qualified professional who has already successfully placed numerous clients in jobs by providing screening and preparing them for job interviews.

Food Pantry Coordinator: A qualified and very experienced individual, who plans to continue in this capacity, already voluntarily staffs this position. An army of volunteers assists in this operation.

Clothing Distribution Coordinator: A volunteer coordinator already heads up this work and is regularly assisted by community volunteer workers. Clients will also be used to assist with this work.

Director of Development: Currently, the SRM Board Chairman serves in this capacity as a volunteer and plans to serve voluntarily in the future. He has thirty plus years experience as a successful development professional at the university, private consultant, and non-profit levels.

Bridges to Life Interns: As a fulfillment of their requirements to complete the Bridges to Life Program at City Rescue Mission, these individuals will serve in various volunteer capacities at Shawnee Rescue Mission.

Projected Budget for Shawnee Rescue Mission:

2012:	Operating Budget:	\$120,000
2013:	Operating Budget	\$125,000
2014:	Operating Budget	\$150,000
2015:	Operating Budget	\$200,000
2016:	Operating Budget	\$250,000

Projected Capital Campaign: To raise \$750,000 over the next five years.
\$250,000 from individuals in the Shawnee area and \$500,000 from Charitable Foundations;

August 27, 2012

To: Phylis Loftis, Shawnee City Clerk

City of Shawnee, Oklahoma

RE: 204 N. Louisa (case # P 13-12)

Rezone: C-4, conditional use permit for a boarding or rooming house.

As per your letter dated August 15, 2012, I am writing this formal protest to rezone with a conditional use permit on the above mentioned property.

I own the two adjacent rental houses to the north side of 204 N. Louisa (218 & 220 N. Louisa). Based upon the renters experiences in this block since the mission opened has been very problematic. My tenant who lives at 220 N. Louisa and others have told me there has been a personal assault made to a male tenant, trash thrown down the street, and into the front yards, and in the alley. Driveways, have been blocked by vehicles and trespassing into people's yards. None of these issues ever existed until the mission began a couple of years ago.

The question proposed to me by the people living in that area is this: How would you like to live next to a facility that has "clients" that are rude, disrespectful, and sometimes violent?? I know I would not like it and you probably wouldn't like it either.

It's also my opinion the house values will dramatically drop and the area could turn out to be a very dangerous and undesirable place for people to live.

Sincerely,

Emmet L. Wilson

May Beth Wilson

*I agree with this letter of protest.
Holly Gordon 303 N. Louisa
585-3032 cell phone*

RECEIVED CITY CLERK'S OFFICE

Date 08-28-2012 Time 3:00pm

September 3, 2012

City of Shawnee
City Clerk
16 W. 9th Street
Shawnee, OK 74801

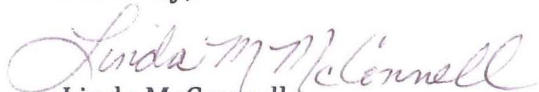
To The City of Shawnee Planning Commission and City Commissioners

Re: Shawnee Rescue Mission
Letter of Support

The efforts to combat poverty and homelessness in Shawnee by the Shawnee Rescue Mission should be allowed to move ahead. Granting the requested rezoning is the right step to take so that expanded services can be provided to underprivileged citizens of Shawnee.

Take this opportunity to come together in a caring and compassionate manner. Open your hearts and minds. Reach out to those in need. It's the right thing to do!

Sincerely,



Linda McConnell
Shawnee Resident
Retired Educator

RECEIVED CITY CLERK'S OFFICE

Date 09-05-12 Time 10:05 AM

Phyllis Loftis

From: landon@faithco.org
Sent: Sunday, September 02, 2012 11:30 PM
To: Phyllis Loftis
Subject: From COS Web: Shawnee Rescue Mission

RECEIVED CITY CLERK'S OFFICE

Date 9/4/12 Time 8:55 AM

SUBJECT: Shawnee Rescue Mission

I am writing this email to express my full support for the Shawnee Rescue Mission! I have personally served in and witnessed this amazing organization change the lives of so many in our city!

It is exciting to hear about the opportunity in front of the SRM, and I hope you will allow this organization to access the facilities needed to continue their great work! In my years of working closely with individuals and families in need, I have never once had a negative experience!

I have never felt threatened, or have I heard anyone in the surrounding area downtown share any negative feed back about certain people being in or around their facilities or place of business.

I have only experienced a city that has taken upon themselves to make sure that each person is taken care of in the best way possible! I believe that with these new facilities, SRM will be able to lead even a greater charge in seeing lives changed that will transform our city for the good! This city will respond and unite because we all have received a helping hand at one point in our lives!

The question is, is it more difficult to fight for the new facility, or is it more difficult to be at peace with ourselves knowing we could've done more but chose not to?

A supporter of SRM, thank you!

Landon Middleton
(405) 973 8002
landon@faithco.org

This message has been initiated through the City of Shawnee Website You should be able to reply directly to this email by using the REPLY option This will only work if the sender used a valid email address when submitting



Don Dudley
Development & Investments

RECEIVED CITY CLERK'S OFFICE

2102 North Beard, Shawnee, OK 74804
405-275-5673

Date 8/20/12 Time Aug 16, 2012

City Clerk
City of Shawnee
16 West 9th
Shawnee, OK 74801

Re: Shawnee Rescue Mission Zoning
Request

I am responding to the Zoning
Request by the Shawnee Rescue Mission
which I oppose. As a property owner
and manager of homes in this area of
Shawnee I have experienced numerous
times homes being broken into by
homeless persons and items disappearing.
The homeless people spend the night.

Please Note: Does this request
which if enacted will only compound
the problems.

Thank you.

Sincerely,

James D. Dudley
2102 N. Beard

Shawnee, OK 74804-3502
275-5673

Acreages • Farms • Residential • Industrial • Mineral Properties



EXHIBIT "8"



•South Central Industries, Inc. •

South Central Industries, Inc.

Whistle while you work!

EXHIBIT "9"

August 20, 2012

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AUG 22 2012

CITY CLERK

City of Shawnee
City Clerk
16 W. 9th
Shawnee, OK 74801

To The City of Shawnee Planning Commission & City Commissioners:

Please accept this letter as a formal protest from South Central Industries, Inc. concerning the proposed rezoning of the Shawnee Rescue Mission, Case #P13-12.

South Central Industries, Inc. is located directly across the street at 130 N. Louisa from the Shawnee Rescue Mission. South Central was established in 1981 as a non-profit sheltered workshop to provide vocational training and employment opportunities to individuals with developmental disabilities. Currently we have over 50 clients with diagnosis ranging from Down's Syndrome, Autism, Cerebral Palsy, Blindness and Deafness who are served by South Central on a daily basis Monday through Friday.

South Central has been a supporter of Shawnee Rescue Mission by donating labor, fork lift services and a commercial freezer to the project. We have attempted to be a good neighbor but circumstances have deteriorated to a point that we no longer can support the activities and behaviors associated with Shawnee Rescue Mission.

Following are a list of concerns that South Central maintains:

1. **Public sexual activities being performed outside of the Rescue Mission.**
South Central staff on three separate occasions have witnessed Rescue Mission clients on the south, west and east sides of the Mission engaging in public sexual activities. South Central clients have also reported seeing other sexual activities occurring. Both South Central staff and clients have been solicited to join the activity.
2. **Panhandling of South Central clients by Rescue Mission clients.**
Rescue Mission clients continuously panhandle South Central clients and staff. South Central can no longer leave our bay doors open to provide fresh air for our clients because of inappropriate interaction of Rescue Mission

EXHIBIT

clients demanding money and/or cigarettes. On numerous occasions, South Central female staff have been escorted to their vehicles by South Central male staff because of severe panhandling activities occurring as the work day ends.

3. **Trespassing of South Central properties by Rescue Mission clients.**
South Central has now had to place a staff member on patrol to keep Rescue Mission clients out of our facilities. On numerous occasions South Central staff has discovered Rescue Mission clients in our kitchen taking food, in our clients' lockers, and in our bathrooms.
4. **Attempted arson.**
Rescue Mission clients have camped/moved into South Central's Recycling building and on two separate occasions South Central had to extinguish fires that were set in this building by the interloper.
5. **Theft of property.**
See number 3. After escorting the Rescue Mission clients from South Central property, South Central belongings and client belongings have been missing.
6. **Inebriation, Drug Use and Offensive Language.**
On numerous occasions Rescue Mission clients have approached South Central clients in an apparently very inebriated or drug-induced state and asked for money or cigarettes. Many times our clients have complied but if a South Central staff is with our clients we explain to the Rescue Mission clients that South Central clients can not give them money or cigarettes. Following these explanations the Rescue Mission clients have proceeded to use offensive language and shout racial and sexual derogatory terms to both South Central staff and clients. These inappropriate comments also are uttered when South Central asks the Rescue Mission clients to not park in South Central's clearly marked "No Parking" zones.
On another occasion South Central Staff had to call the police concerning a Rescue Mission client using a crack-pipe on South Central property and becoming physically aggressive when asked to leave.
7. **Vandalism.**
Following episodes of unpleasant interaction with Rescue Mission clients, South Central has been the victim of vandalism to property and vehicles. South Central staff has personally witnessed Rescue Mission clients attempting to break into our facilities and to defecate in South Central bushes and doorsteps. Police were called and an arrest was made.
8. **Litter.**
Following events at the Rescue Mission, South Central staff has to spend

EXHIBIT "A"

inordinate amounts of time picking up litter in our parking lots, our flower beds and around our dumpsters. South Central dumpsters are repeatedly overflowed with belongings and waste that is not South Central's.

9. **Inadequate parking spaces.**

South Central Industries is a business that operates Monday through Friday from 7:30am-4:00pm. South Central has clients who arrive or are picked up during this timeframe and require additional specialized assistance. In addition, South Central has business clients that come to our physical address to conduct business and DHS staff are frequently at South Central. When the Rescue Mission is having an event, South Central has to constantly ask the Rescue Mission clients to move their vehicles. Because of threats and verbal abuse made repeatedly by Rescue Mission clients, South Central has had to call towing services to address the unauthorized vehicles.

10. **Safety concerns.**

When the Rescue Mission hosts events their clients illegally park all throughout 9th street, Louisa street and other adjoining streets. The blockage and congestion of vehicles on these main arteries have resulted in dangerous situations when South Central has had to call in emergency response vehicles for assistance with our clients. These emergency response vehicles have been delayed due to the illegal blockage in the street.

South Central Industries, respectfully requests that the City of Shawnee Planning Commission and the City of Shawnee City Commissioners deny Shawnee Rescue Mission's request for re-zoning due to the adverse effects their activities cause. The new proposed re-zoning would proportionately increase the problems that South Central and our neighbors already bear because of the Shawnee Rescue Mission's proximity.

South Central would be happy to provide further information addressing our concerns. Please feel free to contact our offices at 405-275-3851. Thank you for your attention to this matter.

Sincerely,
South Central Industries Board of Directors

South Central Industries Staff Members

Cc: Justin Erickson
City of Shawnee City Commissioners
City of Shawnee Planning Commission

**SOUTH CENTRAL HOUSING
301 & 314 W. 9TH
SHAWNEE, OK 74801
405-275-3851**

RECEIVED

AUG 22 2012

CITY CLERK

August 20, 2012

City of Shawnee
City Clerk
16 W. 9th
Shawnee, OK 74801

To City of Shawnee Planning Commissioners and City Commissioners:

Please accept this letter as a formal protest from South Central Housing concerning the proposed re-zoning of the Shawnee Rescue Mission, Case #P13-12.

South Central Housing Group Homes are located at 314 W. 9th and 301 W. 9th which is one block from the Shawnee Rescue Mission. South Central Group Homes were established in 2010 as a non-profit residential Group Home setting to provide residential services to individuals with developmental disabilities. Currently we have 10 clients with diagnosis ranging from Down's Syndrome, Autism, Cerebral Palsy, Dementia and mental retardation who are served by South Central Housing seven days a week, 24 hours a day.

Following are a list of concerns that South Central Housing maintains against the Shawnee Rescue Missions' request:

1. **Public sexual activities being performed outside of the Rescue Mission.**
South Central staff on three separate occasions have witnessed Rescue Mission clients on the south, west and east sides of the Mission engaging in inappropriate sexual activities. South Central clients have reported seeing other sexual activities and being solicited to join the activity.
2. **Panhandling of South Central clients and staff by Rescue Mission clients.**
South Central Housing's residents can no longer sit on the benches provided in the front of the homes because of inappropriate interaction of Rescue Mission clients demanding money or cigarettes.
3. **Trespassing of South Central properties by Rescue Mission clients.**
South Central Housing has now had to place a staff member on patrol to keep

Rescue Mission clients out of our facilities. On numerous occasions South Central staff has located Rescue Missions clients in our homes and in our fenced backyards.

4. **Inebriation, Drug Use and Offensive Language.**

On numerous occasions Rescue Mission clients have approached South Central clients in an apparently very inebriated or drug-induced state and asked for money or cigarettes. Many times our clients have complied but if a South Central staff is with our clients we explain to the Rescue Mission clients that South Central clients can not give them money or cigarettes. Following these explanations the Rescue Mission clients have proceeded to use offensive language and shout racial and sexual derogatory terms to both South Central staff and clients. These inappropriate comments also are uttered when South Central staff asks the Rescue Mission clients to not park in South Central's clearly marked "No Parking" zones.

5. **Vandalism.**

Following episodes of unpleasant interaction with Rescue Mission clients, South Central has been the victim of vandalism to property and vehicles. South Central staff has personally witnessed Rescue Mission clients attempting to break into our facilities and to defecate in South Central bushes and doorsteps. Police have been called and an arrest was made.

6. **Inadequate parking spaces.**

South Central Housing Group Homes are residential facilities that provide for all the medical, social, vocational and educational needs of our clients. South Central has assigned vehicles and assigned parking for our vehicles. When the Rescue Mission is having an event, South Central has to constantly ask the Rescue Mission clients to move their vehicles that are blocking our driveways and in our driveways. Because of threats and verbal abuse made repeatedly by Rescue Mission clients, South Central has had to resort to calling towing services to address the unauthorized vehicles.

7. **Safety concerns.**

When the Rescue Mission hosts events their clients illegally park all throughout 9th street, Louisa street and other adjoining streets. The blockage and congestion of vehicles on these main arteries have resulted in dangerous situations when South Central has had to call in emergency response vehicles for assistance with our clients and these response vehicles have had difficulty getting down the street.

South Central Housing, respectfully requests that the City of Shawnee Planning Commission and the City of Shawnee City Commissioners deny Shawnee Rescue Mission's request for re-zoning due to the adverse effects their activities cause. The new

~~EXHIBIT~~

proposed re-zoning would proportionately increase the problems that South Central and our neighbors already bear because of the Shawnee Rescue Mission's proximity.

South Central would be happy to provide further information addressing our concerns. Please feel free to contact our offices at 405-275-3851. Thank you for your attention to this matter.

Sincerely,
South Central Housing Board of Directors

South Central Housing Staff Members

Cc: Justin Erickson
City of Shawnee City Commissioners
City of Shawnee Planning Commission



Executive Home Rentals, L.L.C.

Kevin & Tina Hanna
P.O. Box 3861
Shawnee, OK 74801
(405) 820-0752

August 18, 2012

RECEIVED
AUG 22 2012
CITY CLERK

Justin Erickson
City of Shawnee, Planning
16th W. 9th
Shawnee, OK 74801

Dear Justin:

My name is Kevin Hanna and I am a property owner of several rental homes surrounding the Shawnee Rescue Mission. I am writing to formally oppose the re-zoning appeal from the Shawnee Rescue Mission (Case #P13-12).

It has become excessively more difficult to rent our properties around the 9th and Louisa streets because of the type of individuals that are constantly roaming this part of town and the activities that they are engaged in. The tenants that do rent from us near the SRM are constantly complaining of theft, vandalism, being approached for money, drugs, liquor and cigarettes and witnessing inappropriate sex acts in alleyways and sides of homes.

This activity has exponentially increased since the SRM relocated to 9th & Louisa. I am very fearful of what the effects will be if the SRM becomes a full-time shelter that provides housing.

In addition, parking has become a huge issue on days that the Rescue Mission is having a food pantry or other event. The homeless clients park their cars all up and down the street and in the yards of my properties, in the driveways of my properties and block my tenants' vehicles. My tenants repeatedly report that the homeless clients shout obscenities and make lewd remarks and actions toward my tenants when the tenants ask them to remove their vehicles.

My tenants report that they no longer feel safe in their homes or especially outside their homes after dark.

I would ask that the Shawnee Planning Committee and City Commissioners please think long and hard about encouraging and increasing this program. I believe it is admirable that Shawnee is reaching out to serve its homeless citizens who are trying to help

EXHIBIT "11"



Executive Home Rentals, L.L.C.

Kevin & Tina Hanna
P.O. Box 3861
Shawnee, OK 74801
(405) 820-0752

themselves but I fear that we are receiving a large number of citizens from other jurisdictions that are only wanting a hand-out.

I am available for additional discussion at 405-878-6404.

Sincerely,

Kevin Hanna
Owner/Manager

~~EXHIBIT " "~~

August 27, 2012

To: Phylis Loftis, Shawnee City Clerk

City of Shawnee, Oklahoma

RE: 204 N. Louisa (case # P 13-12)

Rezone: C-4, conditional use permit for a boarding or rooming house.

As per your letter dated August 15, 2012, I am writing this formal protest to rezone with a conditional use permit on the above mentioned property.

I own the two adjacent rental houses to the north side of 204 N. Louisa (218 & 220 N. Louisa). Based upon the renters experiences in this block since the mission opened has been very problematic. My tenant who lives at 220 N. Louisa and others have told me there has been a personal assault made to a male tenant, trash thrown down the street, and into the front yards, and in the alley. Driveways, have been blocked by vehicles and trespassing into people's yards. None of these issues ever existed until the mission began a couple of years ago.

The question proposed to me by the people living in that area is this: How would you like to live next to a facility that has "clients" that are rude, disrespectful, and sometimes violent?? I know I would not like it and you probably wouldn't like it either.

It's also my opinion the house values will dramatically drop and the area could turn out to be a very dangerous and undesirable place for people to live.

Sincerely,


Emmet L. Wilson


Mary Beth Wilson

I agree with this letter of protest.
Holly Gordon 303 N. Louisa
585-3032 cell phone

RECEIVED CITY CLERK'S OFFICE

Date 08-28-2012 Time 3:00 pm

EXHIBIT "12"

Holly Gordon
303 N. Louisa Ave.
Shawnee, OK 74801

RECEIVED CITY CLERK'S OFFICE

Date 08-29-12 Time 4:35pm

August 29, 2012

To Whom It May Concern:

I have lived in the Downtown Shawnee area where the Shawnee Rescue Mission is located for more than seven years. I believe the proposed rezoning is a huge injustice to the homeless and to the residents who live in the neighborhood. This is a residential area; with very little for shelter residents to do during the day, let alone the resources needed for job seeking, mental health/substance abuse services or other social services that a resident would require. While there is a social desire to want to provide shelter for those in need, I do not believe that this residential area is the prime location for that shelter. This quiet neighborhood has children playing outside, senior citizens who enjoy working in their gardens, and families who like to ride their bikes or take family walks after dinner.

I have spent the last two years watching new "faces" walking the neighborhood, looking for something to do. After working through my own fear of these unknown people, I began engaging in conversation. I quickly discovered many of the new people were arriving in Shawnee from other cities in Oklahoma. They told me they had been sent to Shawnee, as it was seen as the new "Utopia for the homeless". When asked who was sending them, I was told, from every person I spoke to in the last 2 years, my case worker. I fear for the safety of the people in my neighborhood, and I no longer feel safe spending time on my front porch with my family.

The Salvation Army is an established shelter, providing resources, counseling in Shawnee, and has been successful in their efforts for many years. Why must Shawnee have a proposed duplication of services, especially without the backing of an organization such as the Salvation Army?

I have some grave concerns if this rezoning is approved:

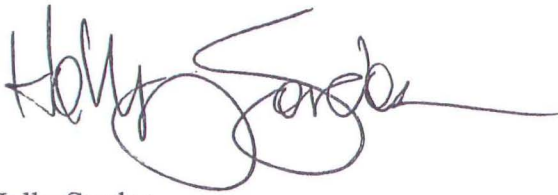
1. Does the City of Shawnee have enough personnel in the Police Department, and Fire Departments to support the influx of chronic homeless people who are being relocated to our community? Will those officers on duty be available to spend much of their time in the downtown area patrolling?
2. If there is currently an 18 – 24 month wait for public housing, according to the Shawnee Housing Authority, will residents be allowed to stay at the shelter until housing is granted? Will this strain an already stressed resource for actual residents of the community?

EXHIBIT "13"

3. Will residents be asked to vacate the shelter during the day? Where do they go during the day? The Shawnee Public Library? Downtown Shawnee, where as a community, we are trying to build our Downtown area as a destination? That is not good business planning for growing the area.
4. How will the Shawnee Rescue Mission ensure the safety of the neighborhood residents and property from the chronic homeless housed at their facility if rezoning is granted?
5. How will the Shawnee Rescue Mission provide mental health/substance abuse?
According to the Federal Agency, Substance Abuse & Mental Health Services Administration, over 60% of chronic homeless are dealing with some sort of mental health issue, while over 80% are experiencing alcohol or drug addiction.
6. What is the financial sustainable plan of the Shawnee Rescue Mission? By that, I mean, if an organization invites the masses of chronic homeless to Shawnee, and much of the day to day working capital is donations, how do Shawnee residents continue to financially support the cause? Is that fiscally sustainable? I do not believe so.

These are a few of my concerns, I strongly protest having a homeless shelter at my home, and I am very much looking forward to discussing this issue further with those who are in decision making positions.

Thank you for your time,

A handwritten signature in black ink, appearing to read 'Holly Gordon', with a long horizontal flourish extending to the right.

Holly Gordon

Mrz Lizzies Home Rentals
1303 West Farrall
Shawnee, OK 74801

RECEIVED
AUG 29 2012
CITY CLERK

August 22, 2012

City of Shawnee
Attn: Justin Erickson
16th W 9th
Shawnee, OK 74801

Dear Justin and Planning commissioners:

I own and manage Mrz Lizzies Home Rentals. Recently, I received the notice regarding the Shawnee Rescue Mission rezoning application #p13-12.

Please note that I am writing to oppose the rezoning appeal from Shawnee Rescue Mission request.

I have been a strong supporter financially to the Shawnee Rescue Mission during its inception and recent past. However, I have ceased my support of the Rescue Mission because of issues that continue to go unaddressed. Since the operation relocated to its current location on 9th & Louisa Street crime rates have increased tremendously. I have visited with Glen and Melissa Blankenship about setting rules and guidelines regarding their clients' drug & alcohol abuse, and mental illness concerns but I have not seen any attempts to address these concerns or issues.

My real estate properties located near the Rescue Mission have been vandalized on five different occasions. (Police reports were filed) I had never had any crime violations at these properties purchased in 1993 until the Rescue Mission relocated to its present locale. I have worked hard to provide nice, clean, affordable remodeled homes to this area. Mrz Lizzies has invested \$425,000 to \$450,000 within 300 feet of the Mission and now property values have plummeted. Recently my tenants have moved out due to their fears and not feeling safe and secure in their homes both day and night. Other tenants of mine have notified me that when their lease expires they will no longer be staying in this area.

I have served on the Shawnee Downtown Association, Beautification Committee of downtown and the Chamber of Commerce since 1993. My desire was to assist in providing a cleaner, safer, and more beautiful area for residents and businesses of our downtown community. I believe that great strides were made to strengthen our downtown area before the relocation of the Rescue Mission.

EXHIBIT "14"

Since the Shawnee Rescue Mission came to our area their clients have continually walked the streets looking inside my tenants' windows and knocking on their doors asking for money, alcohol, cigarettes and sex. Other problems include increased litter, limited parking spaces, broken windows in my tenants' cars and homes, theft and vandalism of property

I do understand a fine group of individuals and church groups are promoting the mission rezoning. I too have searched my spiritual heart and soul regarding this problem of assisting the homeless. However, I truly believe that we should not put our law abiding, hardworking productive citizens and businesses at risk. I simply would ask all supporters, one question: Would you want these hundreds of homeless with drug, alcohol, mental illness issues living within 300 feet of your families, homes, businesses, churches and property? I am sure there is a need but a center such as this should be placed outside the city limits of Shawnee. Our planning commissioners would not be promoting Shawnee as a place to be! We would be promoting all homeless to come to Shawnee and receive free room and board. The Shawnee Downtown area will never be a safe, vital downtown area with good housing and thriving businesses if the rezoning is granted.

As an active member of Salvation Army Auxiliary since 1993, a Project Safe board member and Project Safe Auxiliary President, Red Rock advisory board member and supporter of Angel Acre's Housing complex and Gateway Prevention, I am very aware of the needed emergency and treatment shelters. The above organizations do provide strict care and supervision for the homeless with ample guidelines, rules and staffing in place to accommodate their needs.

Thank you for the opportunity to share my concerns with you.

Remember would **YOU** want the shelter 300 feet of your families, home, property, church or business.

Sincerely,

A handwritten signature in cursive script that reads "Kaye Steele Harrod". The signature is written in dark ink and is positioned above the printed name.

Kaye Steele Harrod

SHAWNEE RESCUE MISSION**RECEIVED****AUG 31 2012**

August 29, 2012

PLANNING / CODE**EXHIBIT "16"**

City of Shawnee
City Clerk
16 W. 9th Street
Shawnee, OK 74801

To The City of Shawnee Planning Commission and City Commissioners:

Please accept this letter as a response to the letters submitted by South Central Industries, Executive Home Rentals, LLC and Don Dudley Development and Investments concerning their protests of the request for the rezoning of the property known as Shawnee Rescue Mission.

Shawnee Rescue Mission is a faith-based non-profit whose mission is to combat poverty and homelessness. The Mission building is located at 204 N Louisa. The surrounding neighborhood includes private homes, single and multi-family rental properties, businesses, and other non-profit agencies.

The primary mission of SRM is to provide food, shelter (where needed) and services and training programs that will enable our clients to ultimately achieve rehabilitation and stability in their lives and assist them in becoming functioning members of society. The heart of our ministry centers on the Biblical teachings of Jesus, which commands that we love our neighbor as ourselves.

In keeping with that mandate from Christ, we desire to serve our clients, and the community at-large, in an atmosphere that fosters a caring and compassionate cooperation among those who come to us seeking assistance and those whose homes or businesses surround our property. It is our sincere desire to work cooperatively to ensure that the services we provide do not adversely infringe upon our business or residential neighbors. We would like for any property owner to feel they can come to us and air any complaints or issues they feel need to be addressed. It is our desire, in so far as we are able, to address any issues brought to our attention in a timely manner, and in a way, which would be agreeable to our neighbors.

You have been a refuge for the poor, a refuge for the needy in distress, a shelter from the storm, and a shade from the heat.
Isaiah 25:4

While we are concerned about all of the complaints listed in the letters of protest, we are particularly saddened by the incidents reportedly directed toward the especially vulnerable clients of South Central Industries. Until reading the letter of protest, we were unaware that such incidents were occurring because we never saw them happen firsthand and they were never reported to us. Many of the clients of South Central Industries are also clients of Shawnee Rescue Mission and regularly come into the Mission seeking meals, food boxes, clothing, friendship, or even desiring to serve in some capacity as volunteers. These individuals are precious to us and we love them dearly and frequently try to show Christ's love to them by various acts of kindness such as celebrating their birthdays and spending holidays such as Thanksgiving and Christmas with them. We too, desire to protect them from the harshness of the world and from witnessing, or being solicited to engage in, acts of lewd behavior. However, in order to better try to prevent such issues from happening, or escalating, we must be informed immediately if such incidents are occurring. Our heart's desire is to work with South Central Industries, not against them.

Many of the issues of complaint raised in the letters of protest will actually be addressed by the rezoning of the SRM property. Plans are drawn up which will move the entrance and subsequent traffic flow to the west side of the building. The lots immediately to the west and northwest of the Mission building will be utilized for parking. Traffic flow will move through the lot onto Kickapoo Street. Most of our homeless clients arrive on foot, or by bicycle, rather than cars, and will also enter and exit on the west side of the building. Once the renovations are complete, our plan includes providing security personnel who will monitor the building and Mission property 24 hours a day. Plans also include security cameras installed both inside and outside of the building. Smoking will be in a designated outside area on the northwest side of the building. Loitering on Louisa or 9th streets will not be tolerated. The onsite security personnel will monitor these areas for inappropriate activity and the police will be called as needed.

Following the rezoning and renovation of the building, clients who will stay in the proposed overnight shelter will be required to be in the building by 9 PM nightly, with lights out by 10PM. The shelter will be locked down between the hours of 9PM and 6AM. Clients will not be allowed to leave the building during the night except in cases of employment and only with a signed permit. During the day, clients in the day shelter will be expected to engage in productive activities such as educational or job training, attending classes, housekeeping chores, gardening, maintaining the landscaping, cleaning up litter around the premises, helping process donations, and assisting with the processing of emergency food boxes.

You have been a refuge for the poor, a refuge for the needy in distress, a shelter from the storm, and a shade from the heat.
Isaiah 25:4

In an effort to immediately address issues with traffic and parking during our current twice-monthly food pantry distribution, we have changed the hours from 5 – 7 PM to 1 – 7 PM. This change has already helped decrease the number of people arriving at any one time at the Mission. We are also working to streamline our distribution process to speed the process. We have also begun positioning individuals to serve as parking monitors on the south side of 9th Street to prevent clients with cars from parking in the South Central Industries parking lot.

Although we provide assistance and services to numerous people from the homeless population in our community, far more of the clients we serve are actually impoverished residents who either own or rent homes in the neighborhoods immediately surrounding Shawnee Rescue Mission. Unfortunately, among both the homeless and impoverished residential population, there are those who engage in substance abuse and immoral behavior. Rest assured, no one would like to alleviate those kinds of behaviors more than Shawnee Rescue Mission. Such behaviors are completely in opposition to the Biblical principles on which we base our ministry.

Located immediately to the west of the South Central Industries property is a house wherein 6 – 10 people have resided. It has been known for housing individuals who engage in criminal and immoral activity and it has also been known as a “crack house.” It has recently been closed down, boarded up, and is set for demolition. The owner is in jail, awaiting prison sentencing. We are confident that the removal of this structure and its’ occupants will help alleviate some of the criminal and undesirable behavior in the neighborhood immediately surrounding the Rescue Mission. Unfortunately, farther north on Louisa and Kickapoo streets are residents who are reportedly engaged in substance abuse, prostitution, and probable criminal activity. We too, would like to see these individuals brought to justice.

Some have speculated that SRM is bringing homeless people into Shawnee. Nothing could be further from the truth. Our goal is always to move clients out of their homeless condition and on toward lives that are more stable and productive. We have frequently been able to provide transportation or other assistance to enable homeless clients to go to other towns, other states, or to reunite with family, or move on to jobs, or get into life-changing rehab programs. We also routinely take homeless clients to Church to show them the love of God, the path to redemption, and the way to a changed life.

You have been a refuge for the poor, a refuge for the needy in distress, a shelter from the storm, and a shade from the heat.
Isaiah 25:4

We believe it is critical for Shawnee Rescue Mission to continue providing services for the homeless and severely impoverished population in the community of Shawnee. Eliminating Shawnee Rescue Mission, or the proposed overnight shelter, will not cause homelessness, or the problems associated with that segment of society, to go away. Homelessness and severe poverty is rampant all across America. It will never completely go away. The Bible tells us in the book of Deuteronomy: *"For there will never cease to be poor in the land. Therefore I command you, 'You shall open wide your hand to your brother, to the needy and to the poor, in your land.'"* We live in a world that is broken—a world that is in need of the love and the saving grace of Jesus. We believe it is clear that all that we are and all that we have is because God has allowed it. Likewise, we believe that He has commanded all of us to use what we have been given to look after the *least of these, our brethren*.

We would like to ask our business and residential neighbors to work in cooperation with us in following that commandment to reach out to those in our community who are broken and hurting. We believe if we can keep an open dialogue going about issues of concern, we can address them before they become full-fledged problems. Join us in being a part of the solution. We can be reached by calling 878-8700.

Sincerely,



Melissa Blankenship, SRM Executive Director

Shawnee Rescue Mission Board of Directors:

Bill W. Holley, Chairman
Dr. Ryan Aldrich, Vice-Chairman
Eric Winegardner, Secretary
Glenn Blankenship
Carey Humphrey
Brian Koons
Jack Moore
Don Orr
Pam Vallandingham

cc: Justin Erickson
City of Shawnee Commissioners
City of Shawnee Planning Commission
South Central Industries Board of Directors
Executive Home Rentals, LLC
Don Dudley Investments and Development

You have been a refuge for the poor, a refuge for the needy in distress, a shelter from the storm, and a shade from the heat.
Isaiah 25:4

RECEIVED CITY CLERK'S OFFICE

Date 9-4-12 Time 9:40 AM

Margaret Buckles

323 N. 9th St.

Shawnee, Ok. 74801

30 Aug., 2012

EXHIBIT "17"

To Whom it may concern,

I found this house, got a mortgage and moved in in 1983. At that time, this was a very quiet neighborhood. After the kids left the T & I building (which is what the building on the NW corner of Levisa & 9th was at the time) and the businesses closed downtown, it was very quiet and pleasant around here.

I always enjoyed working in my yard. Since Shawnee Rescue Mission has gone in, I cannot go outside of my fence without being approached and asked for either money or food. After talking to my neighbors, on either side, I have learned that they have had people coming up to them begging also.

I was a single parent and liked this neighborhood for my family. Now I live alone and do not like going out after dark. There are people loitering around here and I feel it will only be worse if S.R.M. is allowed to expand.

I bought my property looking forward to a peaceful retirement. I was diagnosed with terminal lung cancer in 2007. I have since gone through rock treatments and I am now in remission. Because of the diagnosis, I had to retire early. Now I am on a limited income. My property values have also been affected and I cannot afford to move, if I wanted to.

Thank you for your consideration.

Margaret Buckler

P.S. I forgot to mention that my shed was broken into a few months ago. The only time in 29 years.



EXHIBIT "18"

August 31, 2012

I write in support of the Shawnee Rescue Mission with respect to the proposed location of the SRM Homeless Shelter at 204 North Louisa. I also write in response to some of the fear and hateful rhetoric about people who are homeless that has been expressed by the community regarding this facility. My home is in Shawnee and I have called Shawnee my home since 1976. I do not view the proposed location of the SRM Homeless Shelter as a threat to my family's safety or to anyone in the proposed area.

The shelter has to go somewhere. It is my understanding that SRM believe that this is the best location for this facility in our town. The Pottawatomie County Bar Association is committed to giving back to SRM. Yuko Hirose was visiting from Japan and he said this "You don't see this in Japan, it's cool to see people doing this kind of work in their own backyard." There are countless organizations that give to Shawnee Rescue Mission and we should support them.

I have every confidence that SRM will continue to work with community partners and surrounding neighborhoods to mitigate any potential negative impact. I have every confidence that the Shawnee Police Department will continue to enforce existing town ordinances and other regulations that address some of the real concerns that have been expressed about locating the shelter in a residential and business area. It is my hope that you will not allow misunderstanding and fear to derail the presence of a well-managed shelter in Shawnee, which will benefit the community as well as individuals and families who are homeless.

The individuals who are contacting you to express fear and hateful rhetoric do not speak for me or my family. I invite the community and its leaders who speak against the SRM and the proposed site to consider how they might feel if it were their son, sister or mother who was without resource and in need of shelter. I believe that it is by grace that it is not me or my loved one currently in need. I am grateful to the Shawnee Rescue Mission for providing an absolutely critical array of services in offer of assistance to those families and individuals who are homeless or at-risk of homelessness.

Volunteer with this organization – spend time there

Sincerely

Tiffany Barrett, Coordinator
Citizen Potawatomi Nation
Family Violence House of Hope Program

RECEIVED

SEP 04 2012

PLANNING / CODE

RECEIVED

SEP 04 2012

PLANNING / CODE

EXHIBIT "19"

City of Shawnee
City Clerk
City Planner
16 W. 9th St.
Shawnee, OK74801

September 1, 2012

To: City of Shawnee Planning Commission and City Commissioners

A LETTER OF SUPPORT FOR THE SHAWNEE RESCUE MISSION

I am quite sure that each of you is aware that we live in an area where social problems of all kinds are burgeoning. Throughout our neighborhoods, community and our entire tri-county area, we need not look far to find a neighbor in need. On a daily basis we have citizens who simply find life a struggle. Whether they are underemployed, unemployed, addicted to a vice, or battle mental illness, they need people and places where they can turn to find assistance, friendship and rest.

Proverbs 19:17 tells us that *"He who has pity on the poor lends to the Lord, and He will pay back what he has given."* Psalm 82:3 states *"Give justice to the weak and the fatherless; maintain the right of the afflicted and the destitute."* These are simply two of numerous verses that we could have chosen throughout scripture that urge us to care for those less fortunate or needy. In our opinion, the caring people who operate and oversee the Shawnee Rescue Mission live these commands passionately on a daily basis.

In recent years, we have had the opportunity to get to know Glenn & Melissa Blankenship professionally and have found them to be loving, honest and reasonable people. Likewise, they have a board of well-respected leaders within our community whom we are certain can oversee the business of the mission more than adequately.

Unfortunately there are times when a handful of strong voices of opposition are allowed to carry more weight than the many positive, less vocal voices. With this in mind, we find it necessary to share just a couple of the many positive ways that Shawnee Rescue Mission is impacting our community.

During the 2011-2012 school year, as a reward, over thirty-two Bethel Public Schools second grade Students of the Month served food to the homeless and less fortunate at the Shawnee Rescue Mission. This experience allowed these children to further their education by learning of differing dynamics within our society. The children were also taught about causes of poverty including homelessness. Following the children's experience at the mission, the vast majority of them expressed appreciation for the valuable learning experience and a desire to serve again at the mission with their family. Many of them also shared that they felt good knowing that they had taken time to help others. We believe that this experience allows children to learn the value of serving others at an early age. Bethel Lower Elementary already has plans for the 2012-2013 school year to continue to reward its second grade Students of the Month by working with the Shawnee Rescue Mission.

We have also served with Shawnee Rescue Mission alongside many others in our church on multiple occasions and have always found the environment to be one where real outreach to needy individuals happens with sincere care and concern. During these times of serving, we have also brought along our daughter who is currently six years old and have never felt it to be a threatening environment for her but rather one where she can learn that there are people and places where the needs of others are put above the needs of one's self. We are indeed proud of the work being done at the Shawnee Rescue Mission and proud to consider ourselves associated with the mission in volunteer roles.

As you consider the rezoning request of the Shawnee Rescue Mission, we wish to assure you that the voices of opposition you may have heard do not represent our feelings nor of the majority of others with whom we associate. We encourage you to grant the rezoning request and allow the Shawnee Rescue Mission to further serve its clients with a greater array of much needed services in our community.

Respectfully,

 & 

Michael & Jenny Affentranger
4709 Gracelann
Shawnee, OK 74804

Phyllis Loftis

From: landon@faithco.org
Sent: Sunday, September 02, 2012 11:30 PM
To: Phyllis Loftis
Subject: From COS Web: Shawnee Rescue Mission

RECEIVED CITY CLERK'S OFFICE

Date 9/4/12 Time 8:55 AM

SUBJECT: Shawnee Rescue Mission

I am writing this email to express my full support for the Shawnee Rescue Mission! I have personally served in and witnessed this amazing organization change the lives of so many in our city!

It is exciting to hear about the opportunity in front of the SRM, and I hope you will allow this organization to access the facilities needed to continue their great work! In my years of working closely with individuals and families in need, I have never once had a negative experience!

I have never felt threatened, or have I heard anyone in the surrounding area downtown share any negative feed back about certain people being in or around their facilities or place of business.

I have only experienced a city that has taken upon themselves to make sure that each person is taken care of in the best way possible! I believe that with these new facilities, SRM will be able to lead even a greater charge in seeing lives changed that will transform our city for the good! This city will respond and unite because we all have received a helping hand at one point in our lives!

The question is, is it more difficult to fight for the new facility, or is it more difficult to be at peace with ourselves knowing we could've done more but chose not to?

A supporter of SRM, thank you!

Landon Middleton
(405) 973 8002
landon@faithco.org

This message has been initiated through the City of Shawnee Website You should be able to reply directly to this email by using the REPLY option This will only work if the sender used a valid email address when submitting

EXHIBIT "20"

EXHIBIT " 21 "

To Whom It May Concern:
September 2nd 2012

I am taking the time to address the City of Shawnee Planning Committee. My name is JR Kidney, I have been in law enforcement in Pottawatomie County for the last 18 years. I have had to help many people over the years find shelter, whether it is for a victim of domestic abuse or a homeless family. I have used the Ministerial Alliance many times if it was just for a night or so. There are times when we are unable to get people the help they need at the facilities that are currently in place. Many times we cannot use those facilities for reasons due to their rules, no room etc. Please keep in mind I am not speaking badly of those facilities. Here is an example of a situation that the current facilities would not be able to accommodate someone in need of help: A homeless mother, or a mother escaping a situation of domestic abuse with a male child would not want to be separated from her son overnight. Under the current facility's rules and regulations, she would be forced to send her child, regardless of his age into the male living quarters. Another example; under the current facilities, the people in that shelter are required to leave during the day. This causes a lot of people to turn to the public library for daytime shelter from extreme temperatures. The City of Shawnee Library has now hired security because of this. The municipal swimming pool has implemented evening security for the last 2 summers to help with the same issue. With the current shelters in place, you still see many people sleeping on the streets, in the parks and in their cars. There is a need for more places that are willing to help, like the Shawnee Rescue Mission. I have volunteered at the Shawnee Rescue Mission and seen first hand the impact it has on the people and the volunteers. My Church has helped at Shawnee Rescue Mission in many ways from helping to feed the needy, stocking shelves, or at the park providing food and clothing to those in need. When I am at the Mission, many times I bring my own children to help serve. I have never witnessed a problem at Shawnee Rescue Mission. There are people that the Mission helps, that I've dealt with in law enforcement, that have come up to me and said "thank you, it means a lot that you are here, God bless". Shawnee has a need for a day shelter that will give the homeless a place to spend the day so the park, library, and streets will not be the hangouts. Shawnee Rescue Mission also helps those in need get back on their feet, obtain their drivers license, find jobs, pay their utility bills, so many good things. The night shelter at Shawnee Rescue Mission would provide a place for many to rest, feel safe and not have to be separated from their children. They wouldn't have to sleep in their cars, on the streets, and in the parks. I have known Glenn Blankenship for many years. I know that Glenn, as well as his board members have a good heart and want to help the people in need.

Thank you for your time and God Bless you.

J.R. Kidney



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SEP 04 2012

PLANNING / CODE

September 3, 2012

EXHIBIT "22"

To: Shawnee Planning Commission

Ref: Shawnee Rescue Mission Rezoning

Please consider approving the rezoning request from the Shawnee Rescue Mission. Glenn and Melissa Blankenship are my neighbors and their character is above reproach. They are dedicating their life to providing opportunities and a safe haven for people who have lost all.

The criticisms I read regarding the current configuration of the mission seem a little far fetched to me. The mission seldom has anyone outside when I drive by the facility. The mission is there to give people a hand up not to perpetuate their misery. Yes, some of their clients have very little hope of making positive changes but many have both that hope and have also made positive changes and are now tax paying Shawnee citizens.

Other facilities in Shawnee are often full. I understand that the Salvation Army has a limit to the number of days a homeless person can stay. That limit does not help those people change their situation, it only helps them end up in the emergency room because of exposure. Family Promise usually has a waiting list and the changes the Blankenships are working hard to enact will provide help to families as well as individuals.

The "Not In My Back Yard" protesters need to understand that the Mission wants to lift up the current very depressed neighborhood. They are planning on putting in a garden for their clients to grow some of their own food. The rental units in this area are often run down and the yards are unkempt. Because of the current condition of those rentals, I can't imagine how the neighborhood could be damaged by a clean, functioning, classic art deco brick building that provides supervised shelter for the unfortunate.

Best Regards,

Jo Davis
16712 Magnino Rd
Shawnee, Ok 74801

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SEP 04 2012

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Monday September 3, 2012

To: City of Shawnee, Ok
Planning Dept.

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From: Raymond H. Mullen Sr.

EXHIBIT "23"

RE: Rezoning For Shawnee Rescue Mission

I was surprised to learn of the opposition against the zoning request submitted by the Shawnee Rescue Mission, especially with the fact that the city has such a great need for their services.

Several years ago I worked with the Salvation Army here in town where, as a volunteer I was very involved in the homeless shelter for quite some time. I worked many evenings until 10:00 pm and occasionally spent overnight. My duties were to process intakes, provide meals, offer a bed, get them introduced to social Services in the area and just generally to help them with their immediate and long term needs.

Even at that time, I soon realized the weak point of the program was the fact that every morning each and all clients had to leave the shelter and 'go it alone' all day regardless of the weather or any other conditions they were exposed to.

Homelessness and need are not just 'after dark' problems. The need is there 24 hours a day, seven days a week.

The Salvation Army and its' programs are a vital asset to Shawnee, but there simply is too much need for one organization to cover all the problems of the needy and homeless in our area.

Shawnee Rescue Mission has been committed to helping meet the needs of some of our most impoverished and down trodden residents long enough to make it apparent to any that want to see, they *are* making an impact.

At this point I would like to comment of a few of the arguments against the expansion of the mission and its' effect on Shawnee.

1. The reason you may see folks loitering around the library and our city parks is simple. They have nowhere else to go during the day. Remember, most are homeless. If SRM were allowed to have their doors open during the day, much of that problem would be alleviated. Of course, that would benefit the community, businesses *and* those in need.
2. I have spent some time at SRM as a volunteer and frankly have seen little or no negative impact on that neighborhood. This is not a suburban type, single family neighborhood that would suffer in any way because of the location of the shelter.
3. The Salvation Army has nothing but 'on street' parking. SRM has property that can easily be used to alleviate any parking issues around that facility.
4. The SRM day/night shelter would *not* be a 'duplication of services'. It would simply add to the solution of a city with inadequate facilities for single as well as family shelter and programs.

In summary, I would like to add just a few personal comments. All the time I volunteered at the Salvation Army shelter, security was *not* an issue. The clients had to adhere to a strictly enforced curfew and 'lock down' each night.

SRM has already offered day and night security on the premises as well as security cameras. Most homeless people are NOT trouble makers. They are simply tired and hungry. Did you know that on any given day, up to 40% of the male homeless population are Veterans? Don't we owe them *all* the help we can possibly give? Don't we owe this to *all* of our unfortunate brothers and sisters?

Missions like SRM have always been run largely by volunteers. That does not make them inadequate in any way. When volunteers help run such a facility, more money is able to be funneled into the area of need.

Given the functions of SRM, I really do not understand why any community would not welcome the expansion of its' services. I feel the minimal opposition speaks for itself. You must ask yourself this question. "Does the opposition of a few overpower the needs of many?"


Respectfully, Raymond H. Mullen Sr. 405 241-6740

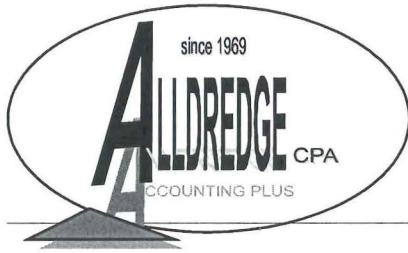


EXHIBIT "24"

Lynn Alldredge, CPA PLLC

105 N. Hudson Suite 200
Oklahoma City, OK 73102

... Visit us

@ <http://www.cpaokc.com>

Phone (405) 232-8600
Fax (405) 236-0484

In Shawnee....
PO Box 3886
Shawnee, OK 74802-3886

September 4, 2012

City of Shawnee
City Clerk
16 W. 9th Street
Shawnee, Oklahoma 74801

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To: The City of Shawnee Planning Commission and City Commissioners.

Allow me to speak on behalf of one very large group of people regarding the upcoming zoning of Shawnee Rescue Mission. That group is the VOLUNTEERS who serve this community through the Shawnee Rescue Mission.

We are volunteering for more than two years now, which gives us a constant view of the happenings at the mission. This is a unique experience. There is nothing comparable to what we see week after week among the volunteers. Perhaps the sheer number of volunteers, coming to help from perhaps every church in Shawnee and from many other civic organizations and even from surrounding communities would be sufficient to impress the need and the acceptance of this Mission. It is highly significant that this task results in a unity, community and citizenship to a degree that everyone in Shawnee should support and accept. Simply said, Shawnee Rescue Mission is good. It is good for Shawnee.

We love Shawnee. I am a sixth generation resident of Shawnee, going all the way back to 1890. From homestead farming to the Rock Island Shops to today's professionals, we have lived in Shawnee through it all. From this perspective, we see the people of Shawnee helping the people of Shawnee. Not outsiders alone who are helping, but our own people. It's about people. Some people do bad and some do good. We cannot let the bad actions outweigh the good. The few who might not see good in the Mission should not stop the unity, the community and the good citizenship of the Mission. We are making a difference. We are helping people with real needs live a better life in Shawnee.

GRACE FELLOWSHIP NEW TESTAMENT CHURCH
1108 N. Kickapoo
SHAWNEE, OKLAHOMA 74801
405-273-0884 or 405-214-6170

EXHIBIT "25"

City of Shawnee
Planning Commission

Subject: Rezoning of Shawnee Rescue Mission

Dear Sirs:

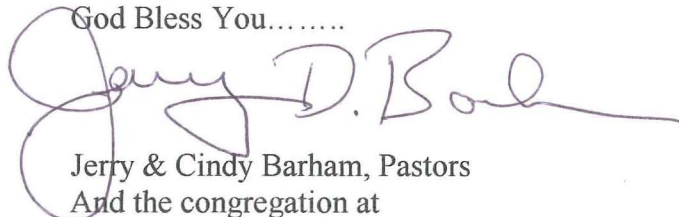
We are writing this letter in support of Shawnee Rescue Mission. We have known Glenn and Melissa Blankenship for more than twenty years, and know what kind of heart that they have for the poor and disadvantaged citizens of Shawnee, OK.

We fully support the effort of Shawnee Rescue Mission and what it means to this great city. They strive to meet the basic needs of people who cant otherwise provide some things for themselves. We provide food, clothing, laundry supplies, soap, toothpaste and many other items.. With the money that they save, maybe they can pay the water bill or the electric bill.

We know from history in other cities, there will always be opposition to a homeless shelter. People always say,"we love what a homeless shelter provides, but we don't want it in our neighborhood." Lets be different in Shawnee, lets not follow that pattern in our town.

With this letter, I am urging the City Planning Commission to approve this rezoning request. Together we can help ease the homeless population and provide some much needed relief at no cost to the taxpayers!

Thank you, and
God Bless You.....



Jerry & Cindy Barham, Pastors
And the congregation at
Grace Fellowship New Testament Church

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SEP 04 2012

PLANNING / CODE

September 4, 2012

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SEP 04 2012

PLANNING / CODE

EXHIBIT "26"

Mr. Justin Erickson
City of Shawnee
16 W. 9th Street
Shawnee, OK 74801

Dear Mr. Erickson:

On behalf of South Central Industries, Inc. and South Central Housing, we would like to address some inconsistencies in the Shawnee Rescue Mission letter dated August 29, 2012. In order to make our responses easier to follow, please refer to SRM's letter by paragraph number 1-13.

In Paragraph 5, SRM indicates that the issues addressed in South Central Industries' letter "were never reported to us." South Central takes extreme offense to this statement. In January of 2011, South Central staff Tina Hanna, Executive Director, and Sherill Manderfeld, Assistant Director, met with Glen Blankenship and a gentleman named Angel. South Central was told that Glen was the Executive Director and Angel was the Assistant Director for Shawnee Rescue Mission. Hanna and Manderfeld began to discuss the issues that were present even back in January of 2011 with Blankenship and Angel. These issues are outlined in the South Central Industries' letter dated August 20, 2012. Blankenship assured South Central that these issues would be resolved immediately. Blankenship also provided Manderfeld with his personal cell phone number and instructed her to contact him with any concerns. If Blankenship's cell phone records were examined from January 2011 through present you would find ample phone calls from Manderfeld to Blankenship. A majority of these calls related to the issues/concerns outlined in SCI's August 20th letter. Blankenship always assured Manderfeld that the issue would be taken care of but the issues never ceased.

In Paragraph 5, SRM also states that "Until reading the letter of protest, we were unaware that such incidents were occurring..." Unfortunately, this is also false. On days when SRM held their events, South Central was forced to place big orange cones around its parking spaces and bay doors where SCI clients were transported to and from. Manderfeld approached Blankenship repeatedly asking for assistance to manage his clients' improper parking. No assistance was ever offered by SRM from January 2011 through July 2012. Finally, when the parking situation became a major safety concern and problem for South Central business and DHS clients, South Central had to resort to posting "NO PARKING" signs. When Manderfeld pointed out the signs to Blankenship

he responded that most of his people would not be able to read. Again, no assistance from SRM was offered. In August of 2012, South Central was forced to begin enforcing their “NO PARKING” signs and tow trucks were dispatched. Immediately SRM sent out volunteers in yellow vests to help divert the traffic. Unfortunately, as these volunteers attempted to stop the improper parking they were repeatedly overheard by South Central staff as making derogatory comments about South Central.

Also, Manderfeld relates information about one of the public sexual encounters that Glen Blankenship personally witnessed as he drove by the SRM. When Blankenship returned to SRM Manderfeld approached him about the incident. Blankenship thanked Manderfeld for the information and reported that he would have his people keep an eye out.

Paragraph 6 states “Most of our homeless clients arrive on foot, or by bicycle, rather than cars...” South Central’s experience with SRM clients who arrive at the shelter from 7:30am-4pm is that the large majority travel by car. SRM’s statement is contradictory to the abundant parking issues that take place every time an event is held at SRM. Another statement in paragraph 6 states, “Loitering on Louisa or 9th streets will not be tolerated.” South Central’s response to this is why has it not been handled already?

In Paragraph 7, SRM’s letter indicates “... clients who will stay in the proposed overnight shelter will be required to be in the building by 9pm nightly...” A major concern of South Central’s is what happens to the overflow of individuals who show up to receive shelter and then are turned away because of capacity ordinances. Past experience would show that these individuals remain in the vicinity and cause numerous incidents (again see South Central’s letter dated August 20th).

Paragraph 8 addresses the fact that SRM has changed their hours “from 5-7pm to 1-7pm.” They state that this was done to address the traffic and parking issues (although their clients arrive on foot). However, the change in hours has created a larger traffic and parking problem because their clients now begin arriving around 11:30am-12:00pm and South Central is forced to work around the problems for a larger majority of our work day.

Paragraph 8 also states “We have begun positioning individuals to serve as parking monitors on the south side of 9th street to prevent clients with cars from parking in the South Central parking lot.” Again, this recent change only came about after police were called and towing services were contacted by South Central. All previous attempts by South Central to have SRM address this issue were unheeded.

Paragraph 10 which talks about the house located west of South Central that had “6-10 people residing” and “the owner is in jail..” is false. The owner, Anne Nappa, resides in Austin, Texas. South Central has been in communication with Anne and visited with her about her property. Anne shared that the abuse the SRM clients have directed at her property forced her to have it demolished. Anne’s sister, who resided at 419 W. 9th was relocated to Griffin Memorial. Following numerous break-ins and other illegal activity, Anne had the home boarded up to stop the trespassing. When the trespassing

continued following Anne's best efforts, the decision was made to demolish the property to stop the illegal activity. This illegal activity was not the result of the homeowner's but began occurring following the relocation of SRM to across the street from this home.

Paragraph 12 states, "Eliminating Shawnee Rescue Mission, or the proposed overnight shelter, will not cause homelessness, or the problems associated with that segment of society, to go away." South Central agrees that eliminating SRM will not cause homelessness to go away but we do strongly believe that it would reduce the criminal activity in this area. Our major concern is the safety and well-being of our clients with developmental disabilities.

Following the front page article in Sunday, September 2nd's Shawnee News-Star, expressing South Central Industries' opposition to the Shawnee Rescue Mission, South Central became the victim of vandalism and an attempted break-in. South Central's "No Parking" signs were completely mangled and our overhead bay door that faces SRM was significantly damaged where an attempt to break-in had occurred. It is a sad commentary when this is the response to differences in opinion and further exemplifies the state of condition in the block of 9th and Louisa. South Central is extremely concerned about on-going retribution as our concerns become more public.

Thank you very much for taking the time to read through our addresses of the errors we believe were scripted in Shawnee Rescue Mission's letter.

Sincerely,
South Central Industries, Inc.
South Central Housing

THERSA CODY

115 E., Main
Shawnee, Oklahoma 74801
Phone (405) 273-7985
Uthreadstlc@yahoo.com

September 5, 2012

Shawnee Planning Commission
City of Shawnee
23 E. 9th Street, Room 319
Shawnee, Oklahoma 74801

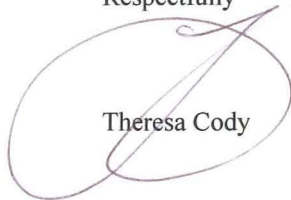
EXHIBIT " 27 "

Commission Members

I am currently a business owner in the Shawnee Downtown Retail District. In the papers attached to this letter is a copy of a letter I presented to the Shawnee Urban Renewal Authority in 2010 addressing some of the concerns. Many of these concerns have become a reality. I have also attached a list of the organizations that The United Way currently support. I agree with the South Central Shelter Workshop, Shawnee does not need this facility especially in the Downtown Retail District. It will create a concentration of services in one area.

I ask please don't let **your Downtown Retail District** become strictly an impoverished area?
It is time for our city to take control of this matter and put ordinances in place to police some of the issues that have come to light here today.

Respectfully



Theresa Cody

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SEP 04 2012

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THERESA CODY

115 East Main Street
Shawnee, Oklahoma 74801
Phone: (405) 273-7985
Uthreadstlc@yahoo.com

April 20, 2010

Shawnee Urban Renewal Authority
City of Shawnee
23 E. 9th Street
Shawnee, Oklahoma 74801

Sirs:

I have been a business owner in the Shawnee Downtown Retail District for eighteen years. As such I have interacted with my fellow retailers and business persons in the downtown area and we share many of the same issues. Our businesses service not only our local customer base, but extend to other cities, counties and even other states. We create jobs and tax revenues.

It has recently been brought to my attention that several organizations wish to locate additional homeless shelters in the downtown retail district. If all of these organizations are allowed to do so, it will create a concentration of homeless people into one area and may certainly have a negative impact on the Shawnee retail district.

The City of Shawnee once had a vision of creating a downtown area of diversity, creating a safe, vibrant, prosperous downtown, with a mix of retail, theatre, arts and restaurants in a revitalization program which would attract new businesses and shoppers, all bringing more tax dollars into the city. It is of great concern that turning this same area into "Homeless Central", will reverse any progress which has been made.

I recently read over the City of Shawnee 2010-2014 Consolidated Plan and attended their meeting. The facts and figures that have been published show that the community's homeless needs are being met by current organizations and churches. Additionally, according to the facts and figures, it does not show there to be a need for more homeless shelters, and from appearances those studies would seem to be correct.

Another point I would like to address, the figures that are stated on page 43 of the report state that on October 30, 2009, that there were 3,000 people fed in the park. I have no doubt there were that many people fed that day, but how many were homeless? October 30th was the day that BOO ON BELL a locally and nationally published event took place bringing on average between 5,000 to 7,000 people to town. Many of those people would have gladly taken a free meal in the park.

For the most part, the organizaions in Shawnee are generous and open hearted, however sometimes their approach may actually create new problems. Currently, during operating hours, most of the homeless seem to gather at the public library. Since some of the organizations are feeding the homeless there it has become a greater issue. Many of the citizenry now feel it uncomfortable and unsafe to go to the library.

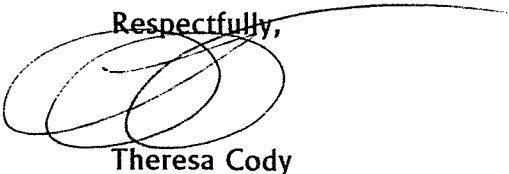
I believe it is our duty to meet the needs of the homeless in a professional, discreet manner, where they can be treated with dignity and given a hand up, not just a handout.

Our city, organizations and citizens have made great strides in helping people find housing, food and clothing, of which we may be proud. We must though, as good stewards of the community, not negatively impact others in doing so. We must also protect and serve those citizens who work, shop and live in our business district and who have the right to be safe and secure in Shawnee.

Finally, I feel it important to take time to get a more accurate picture of the actual need for additional services in Shawnee, what they may be and where those services should be located so as not to heavily impact one geographical area of the city. We want to also make sure that these shelters are not designed to "import" homeless from Oklahoma City or other large cities.

In conclusion, I would ask that the building of homeless shelters in Shawnee be placed on hold for a minimum of six months so that more research can be done and also making sure that those wishing to do the projects are indeed qualified to do so.

Respectfully,

A handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke extending to the right.

Theresa Cody



Community

Impact Areas

- Successful Children & Youth
- Independent & Active Seniors
- Strong & Safe Families
- Healthy Community
- Basic & Emergency Needs

Whether you donate your time or give through your employer's annual United Way campaign, your United Way contribution is an investment in your community.

Give through your employer's annual United Way campaign.

The easiest and most powerful way to invest in your community.
Fair Share Giving = 1 Hour pay per month.

Volunteer.

Share your time and talents during United Way Day of Caring. Or volunteer at one of our many community partner agencies. For a list of volunteer opportunities visit our website at www.unitedwaypottco.org.

Give Where You Live.

*United Way of Pottawatomie County
#7200*

*United Way of Central Oklahoma #7000
United Way of Norman #7100*

United Way Mission: To improve lives by mobilizing the caring power of our community.

Vision: Build a stronger America by mobilizing our community to improve people's lives.

***Your United Way Dollars
Stay Local in the Community!***



- 99 cents of every dollar you give stays local in the community
- The local United Way administrative cost is 10%.
- All funds are audited by an independent auditing firm.
- Local volunteers decide how funds are allocated.



www.unitedwaypottco.org

United Way of Pottawatomie County Pledge Dollars at work 52 weeks a year!



American Red Cross #3001
Big Brothers Big Sisters #7007

Boy Scouts #7018
Crossroads Smart Start
Family Promise #7222
Family Resource Center, Seminole
Gateway to Prevention & Recovery #7203
Girl Scouts #7029
Heartline 211
Legal Aid Services #7019
Mission Shawnee

Pott County 4-H
Project Safe #7205
R.S.V.P. #7206

South Central Industries

The Salvation Army #7207

The Salvation Army Boys & Girls Club
Volunteer Health Center

Y.M.C.A. #7226
Youth & Family #7227

Local Disaster Services, Health & Safety Services (405) 273-8800
Provides Community & School Based Mentoring to local children
(405) 275-3553

Provides Youth Development for local youth (405) 840-1114
Provides properly installed car seats to local families (405) 214-4323
Provides support for local homeless families (405) 273-0161

Domestic Violence Shelter Services (405) 382-5979
Shawnee & Seminole Youth Coalition (405) 273-1170

Girl Scout Leadership Experience at COJC (405) 528-3537
211 24/7 Information and Referral Services (Dial 211)

Provides civil non-criminal legal services free of charge (405) 275-6870
Sheperd Kid's Café Summer Lunch Program, Assistance (405) 273-2248
to Families, Food Pantry

Sends local students on leadership Trips and Camps (405) 273-8014
Freedom House Emergency Shelter for Domestic Violence (405) 273-9953
Delivers over 7,000 Meals on Wheels to local homebound (405) 275-7910
individuals

School of Learning Program for those with Developmental Disabilities
(405) 275-3851

Provides Basic & Emergency Needs including (405) 273-2243
over 21,000 meals through the Soup Kitchen
After school and summer program mentorship for kids (405) 273-1470
Provides over 4,900 prescriptions free of charge to those in need
(405) 273-2157

Provides scholarships to participate in Y activities (405) 273-4386
Hope House shelters children ages 0-17 (405) 273-3340

Employee ID # _____

Name: _____

Address: _____

City/State/Zip: _____

☐ I authorize my employer
to take \$ _____
per pay period for 12 months. For a total
pledge of \$ _____

☐ **Fairshare Giving**
I authorize my employer to take \$ _____
(one hour of pay per month for 12 months)
For a total pledge of \$ _____

☐ One Time Amount \$ _____

☐ Check/Cash Enclosed \$ _____

☐ Bill me \$ _____

Signed _____ Date _____

Agency Designation _____



United Way of Pottawatomie County

23 E. 9th Street, Suite 333

P. O. Box 697

Shawnee, OK 74802-0697

405-273-4012

www.unitedwaypottco.org

September 3, 2012

EXHIBIT "28"

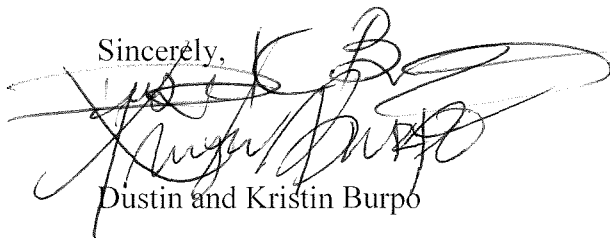
To: City of Shawnee Planning Commission and City Commissioners

A LETTER OF SUPPORT FOR THE SHAWNEE RESCUE MISSION

My wife and I have not lived her long and yet we have already seen how much of an impact the Shawnee Rescue Mission has on this community. They are willing to help out in any way possible when we need. It is wonderful knowing that there are people that actually care about us in the Community.

As you are looking at the rezoning request of the Shawnee Rescue Mission, we would like to let you know that we are in support of them. We encourage you to grant them the rezoning request to allow them to further serve this community.

Sincerely,

A handwritten signature in black ink, appearing to read "Dustin and Kristin Burpo", is written over a horizontal line. The signature is stylized and cursive.

Dustin and Kristin Burpo

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September 3, 2012

City of Shawnee
Planning Commission and City Commissioners
222 N. Broadway
Shawnee, OK 74801

EXHIBIT " 29 "

Mr. Justin Erickson, Planning Commission Members, and City Commissioners:

I am writing to voice my support for the rezoning of the property known as Shawnee Rescue Mission to allow for the renovation of the building to include an overnight shelter.

Because I have given hundreds of hours of volunteer service to Shawnee Rescue Mission over the past year and a half, I have seen firsthand pretty much every aspect of the work being done there. I would like to address some of the main issues raised by those in opposition to the rezoning of the Mission.

(1.) Demonstration of Need

(2.) Duplication of Services

Since these two concerns are so related, I will address them together. The question has been raised as to why we need another overnight shelter, when the Salvation Army has empty beds. To me, that is kind of like saying that if one Baptist church in town has empty pews on Sunday, (which would be easy enough to find, by the way) that a new one wanting to locate across town could not build their building because there was still room for more people to fit into the pews in the first church. Obviously, that kind of scenario is not likely to happen because we all understand that there are different styles of worship and different needs being met in various churches, even if they are of the same denomination and are in the same town. Likewise, assuming that there is no need for another shelter because we already have one in town that is not full, is an inaccurate assumption. The services to be offered by the two shelters will be different. It does not mean that one shelter will be better than the other, simply that each will address different needs.

Shawnee Rescue Mission intends to include family units in their shelter, which would allow more families in crisis to stay together during their time of crisis. It is a need I have personally witnessed on more than one occasion. It is heartbreaking to see a family torn apart when their child has to be taken away because there are not enough places in our town for families such as this to be sheltered together. Clients will also be able to stay in the day shelter during the day rather than be sent back out on the street. This is something that is not an option at this time with any agency in town. This will keep the homeless out of extreme weather conditions and offer a place for them to go rather than having to hang out on the street, in the park, or particularly in and around the library. I am aware of at least 2 clients who had severe heat strokes this summer from being outside in the heat too long and both are now suffering from long-term physical complications. Those clients who would be in the day shelter would also be expected to participate in productive activities in the shelter such as housekeeping, processing donated goods, educational classes, training opportunities, and recovery programs which will aid in bringing some structure, stability, and meaning to their lives.

Another service to be included in the planned renovation is the continuation of the food pantry, which currently provides emergency food boxes to between 300 and 500 families every time the pantry is open. Obviously there is a great need for such a service. While other non-profits offer food pantry ministries, there is still a tremendous need. In order to just survive, a family in crisis who waits in line for a couple of hours to get a food box that will likely only last a very few days, depending on the size of the family, will likely need assistance from more than one agency. The agencies in Shawnee must work together to effectively meet the needs of these vulnerable and at-risk people. SRM desires to do that and has recently joined the Charity Tracker program sponsored by United Way to aid in that process.

3. Impact on Neighborhood

Having seen the plans for the renovation of the Rescue Mission, it is clear that the problems with parking and loitering in the neighborhood are being addressed by moving the entrance to the west side of the building and by having traffic flow in and out of the mission through the new west parking lots onto Kickapoo. Likewise, the stated plans to provide a day and night security guard, plus the plans for security cameras would address the concern about activity around the outside of the building. The overnight shelter would go into lockdown mode overnight with no clients entering or exiting the building at that time. The plan to keep day shelter clients involved in productive activity during the day will also have a positive impact on the loitering problem.

While most of the people in the neighborhood are law-abiding citizens, there are people who live on the streets surrounding that area who are reported to engage in less than desirable behaviors—ie substance abuse and prostitution. Those individuals are not just lurking in the neighborhood because of their coming to the Mission, they actually live in the neighborhood. It seems that perhaps those issues of unlawful behavior among certain residents should be investigated by the city in order to provide a safer environment for the rest of the neighborhood around the Mission.

In the year and a half that I have been a volunteer at the Mission, I have never seen or heard of any activity or area of concern that would make me feel that the Mission was neglecting to address inappropriate behaviors such as sexual solicitation or activities on the mission property. My personal experiences in working closely with Glenn and Melissa Blankenship makes me confident that, had they been made aware of any inappropriate behaviors, they would have immediately dealt with the problem.

I personally have never been threatened, nor have I been solicited while I have worked there. I have had personal, one-on-one contact with literally hundreds of clients in the time I have volunteered. What I have witnessed, however, is how much the Mission is having a positive impact on the clients it serves. I have seen clients who were so overcome with emotion that they literally broke down and cried when they have been able to be helped. I cannot count the number of times someone has personally, and very genuinely, told me “thank you for helping me.” People who come to volunteer leave feeling like they have been the ones blessed.

4. Concerns Over The Mission Being Run By Volunteers

There seems to be concern about whether the Mission will be able to sustain a program, on the scale being planned, with a mostly volunteer staff, rather than having mostly paid positions. It has been noted that no other shelter of this size is running solely by volunteers. Because I have spent so much time volunteering at the mission, I have seen firsthand that people can and do actually make commitments to work and provide services for a ministry such as this without being monetarily compensated. Just because someone is not being paid, does not mean they are not reliable or capable of

performing the job. I'm sure one of the major concerns is whether there will be difficulty in finding enough capable volunteers to perform the work. It has been amazing to see how many people, of various walks of life, come to the Mission to volunteer. In my hundreds of hours of volunteer work at SRM, I have worked in the food pantry, in the former day shelter, in the clothing ministry, in the prayer ministry, and in the client intake area of the mission where I have been able to see firsthand how volunteers have already run the day-to-day operations of SRM. Even the directors of the Mission, Glenn and Melissa Blankenship, and Sarah Inselman, the very committed and capable director of the food pantry, have always worked without a salary. I think the difference in our perspective is that we all see this as a ministry and feel called by God to perform the jobs as a service. It is not about us making a living. It is about us serving others.

I would urge the Planning Commission and City Commissioners to trust that the very professional, and capable Board of Directors of Shawnee Rescue Mission, are capable of directing the work of the Mission. It will take months for the construction to be completed, once the rezoning takes place, and I have every confidence that this board will use that time to make sound decisions about needed staff members, the budget, the programs, and services. These board members are all very successful and highly respected people who live and work in Shawnee and none of them want to jeopardize their own careers or businesses by making hasty or irresponsible decisions. Likewise, they all are committed Christians who are likewise committed to the ministry of Shawnee Rescue Mission. Every one of them volunteers at the Mission, makes a financial commitment to the work, and is responsible to raise funds for the ongoing operation. That is part of what they readily agreed to do when they came on the Board of Directors. The board includes: a highly regarded physician; a pharmacist who owns his own business; a partner with a major, highly respected CPA firm; a former banker who has also had strong leadership roles in the oil and healthcare industries and currently assists a university president in strategic partnerships and special projects; a vice-president of a family-owned software company; a very successful realtor; an owner of a thriving small business; a president of a development company with 30 years of successful professional fundraising; and a retired member of the FBI. These people all have excellent decision-making skills and financial resources to ensure the Mission is successful in its' work. Given the chance, they can be trusted to do the right and responsible thing in running Shawnee Rescue Mission.

Shawnee Rescue Mission has a 501 (c) (3) status as a church. As such, we believe that we are called to serve God by helping the homeless population. We believe that the rezoning of SRM will enable us to build a program that will change the lives of so many people for the better. You too, can be a part of that positive influence by recommending the rezoning of SRM. Though you may feel unsure of what action to take, I urge you all to see the rezoning of this project through the lens of your heart.

Respectfully,



Linda Holley, Retired Teacher and SRM Volunteer

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SEP 04 2012

PLANNING / CODE

September 3, 2012

City of Shawnee
Planning Commission and City Commissioners
222 N. Broadway
Shawnee, OK 74801

EXHIBIT "30"

To Whom It May Concern:

Thank you for the opportunity to share my heart with you today. My name is Sarah Inselman. I'm 50 years old and Shawnee has always been my home. I am very involved with the ministry at Shawnee Rescue Mission.

I'm glad to see that we are finally working toward a solution for the homeless and impoverished in our community, so the homeless may have a place to call home for this season they are going through in their life, and the impoverished can have a little relief in their budget.

Many of the problems that we are concerned with today are brought about because the people we are trying to help are living their lives outside. With the exception of illegal activities, which should not be accepted or tolerated, these people are no different than you and me. They are, however, exposed to the elements 24/7. They're hot in summer and cold in winter. They're hungry, they want to take a shower, they want to be able to lay in bed at night, and to have a door to shut, and to know they won't be attacked before morning. They just want a safe place. They have the same desires as you and me.

The homeless want a place to call home during the day, a place to have a cup of coffee, and not have to spend their day on a park bench where they know they are not wanted, wondering where can I go when I need to go to the bathroom or where can I go to just get a drink of water today. They have no chance to brush their teeth, no breakfast, no lunch, just another hot or cold day at the park, waiting for 5 o'clock to come so they can get at least one meal at the "Sally" which is only available Monday – Friday. And that's not to mention what the weekends hold, where their only hope is that some church might have a meal at the park for the homeless on Saturday or Sunday.

I don't think we can even imagine the stressful, hopeless, and dangerous life they live. Their hope for a job is so removed. They have no address, no transportation, and no clean clothes to even begin to look for a job that they know will be needed to bring about a change in their lives.

These are all basic things that Shawnee Rescue Mission will be able to bring into their lives. We already have Pastor Jerry Barham available one day a week helping people with job applications and resumes, job placement, and training and transportation for interviews. This is something we want to be available on a daily basis.

Do we need a facility of this size?

This will be a facility that will be here for many years to come. It's our hope that it is never full to its' capacity. There are certain times of the year (holidays, extreme heat and extreme cold) when the need is greater than others. One sad example of the need is when we got the news this summer that Allen, a homeless man living under the river bridge, was murdered. He had visited SRM only the day before. The only thing we had to offer him was our backpack of food for the homeless. Then, there is the fact that at least 3 homeless that we know of have suffered heat strokes this summer, with one man, about 53 years old, who was left in such a condition that he will likely spend the rest of his life in a nursing home.

There are the stories, from different ones living in tents on "The Hill," of how their tents get sliced up and all their belongings are stolen while they are gone to eat or trying to work. Then, there are the times I've heard of how the police came through the park at 2 & 3 o'clock in the morning, and ran people out of the park. It goes to show the tremendous need for an overnight shelter, with a day center facility, and soup kitchen, and the many other services that SRM can bring to our community.

Do we have finances for such a facility?

God has generously provided finances to buy this awesome building, and the thousands upon thousands of dollars by way of private donations for daily operations. Millions of dollars worth of items have been given to SRM to give freely to the people in the community. And now, knowing that He has provided \$450,000.00 in this grant for the remodel of the shelter should show us all that God's provision is more than enough.

I am excited to think that we (the people of Shawnee) are getting closer to having a place where we can come together as the Body of Christ and minister to the needs of people.

As I know God has given you the authority to grant, or not grant, Shawnee Rescue Mission the rezoning, it's my prayer that you prayerfully consider your decision.

And again, thank you for your time in reading my letter.

May God Bless you.

A handwritten signature in cursive script that reads "Sarah Inselman". The ink is dark and the signature is fluid, with a long, sweeping underline.

Sarah Inselman

City of Shawnee
City Clerk
City Planer
16 W. 9th St.
Shawnee, OK. 74801

EXHIBIT "31"

September 4, 2012

A Letter to Support the actions of the Shawnee Rescue Mission

The Shawnee Rescue mission is perhaps the greatest answer to the physical, mental, and emotional needs of the people in this city. The SRM has helped many people throughout its years in service. It has gained the trust and respect of the people within this city. It is a foundation for many who are going through a hard time, no matter what it may be. On a daily basis, there are citizens who need help, support, and love.

I personally have had the opportunity to work along side Glenn and Melissa Blankenship. They have a real passion for the service they provide. They love this city and the people within it. They have a well-educated and respected board of leaders who are very well qualified to oversee the business of the rescue mission.

In the time I have spent serving at the rescue mission, I was able to see what a place of restoration it truly is. Every volunteer takes what they do very seriously and each individual is greeted with an attitude of love and care. Each volunteer truly learns the attitude of serving. The SRM is a place to truly put one's needs ahead of your own. Apart from providing the physical need, emotional needs are met. New friendships are made everyday and I believe that is truly what makes the SRM unique. They care about the people that walk through those doors daily, they want to take the time to get to know them, and build a relationship with them.

Our church, on several occasions, has received donations from the rescue mission. I am a children's pastor at Praise Assembly and whenever I need candy for kid's church, they are more than willing to lend a helping hand. They have really helped our church with a lot of our fundraisers, which is a big reason they were successful.

As you consider the rezoning request of the Shawnee Rescue Mission, we want you to know that the voices of the oppositions are not the only one's present within this community. We encourage you to grant the rezoning request and allow the Shawnee Rescue Mission to continually serve in the greatest way possible.

God Bless,

John Michael Sullivan
Praise Assembly



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SEP 04 2012

PLANNING / CODE

City of Shawnee
City Clerk
City Planner
16 W. 9th St.
Shawnee, OK 74801

EXHIBIT "32"

September 4, 2012

To: City of Shawnee Planning Commission and City Commissioners

SUPPORT FOR THE SHAWNEE RESCUE MISSION

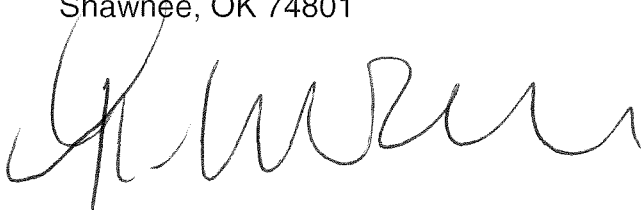
I have had the privilege to work with the Rescue Mission the past couple of years, getting to know Glenn and Melissa Blankenship on a professional level. I have found them to be an outstanding couple who are reasonable, caring and honest. Also, they have a board of leaders whom are well respected and over see the business of the mission more then adequately.

Since 2010 Praise Assembly of Gods' youth group has had the privilege in being able to volunteer at the mission by helping distribute clothing, groceries, hot meals and Christmas presents to the less fortunate. During this experience the teens involved expressed gratitude, and were eager to serve at the mission again. These experiences were able to open their eyes to the world around them showing them tangible ways that they could help those in need.

I am proud of the work being done by the Shawnee Rescue Mission and consider it an honor to stand beside them as they reach out to the less fortunate in our community. As you read this I pray that you carefully consider the rezoning request of the Shawnee Rescue Mission and allow them to impact our community in a greater way.

Sincerely,

Rachael DuVall
328 N. Bryan
Shawnee, OK 74801



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SEP 04 2012

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City of Shawnee
City Clerk
City Planner
16 W. 9th St. Shawnee, OK 74801

EXHIBIT " 33 "

September 4, 2012

To: City of Shawnee Planning Commission and City Commissioners

A LETTER OF SUPPORT FOR THE SHAWNEE RESCUE MISSION

We are sure you are aware that we live in an area where social problems of all kinds are escalating. Throughout our neighborhoods, community and our entire tri-county area, we need not look far to find a neighbor in need. On a daily basis we have citizens who simply find life a struggle. Whether they are underemployed, unemployed, addicted to a vice, or battle mental illness, they need people and places where they can turn to find assistance, friendship and rest.

In recent years, we have had the opportunity to get to know Glenn & Melissa Blankenship personally and have found them to be loving, honest and reasonable people. Likewise, they have a board of well-respected leaders within our community whom we are certain can oversee the business of the mission more than adequately.

Sadly there are times when a handful of strong voices of opposition are allowed to carry more weight than the many positive, less vocal voices. With this in mind, we find it necessary to share just a couple of the many positive ways that Shawnee Rescue Mission is impacting our community.

We have served with Shawnee Rescue Mission alongside many others in our church on multiple occasions and have always found the environment to be one where real outreach to needy individuals happens with sincere care and love. During these times of serving, we have also brought along our children 13, 10, 9 & 4 and have never felt it to be a threatening environment for her but rather one where they can learn that there are people and places where the needs of others are put above the needs of one's self.

We are proud of the work being done at the Shawnee Rescue Mission and proud to consider ourselves associated with the mission in volunteer roles.

Proverbs 19:17 tells us that *"He who has pity on the poor lends to the Lord, and He will pay back what he has given."* Psalm 82:3 states *"Give justice to the weak and the fatherless; maintain the right of the afflicted and the destitute."* These are simply two of numerous verses that we could have chosen throughout scripture that urge us to care for those less fortunate or needy. In our opinion, the caring people who operate and oversee the Shawnee Rescue Mission live these commands passionately on a daily basis.

As you consider the rezoning request of the Shawnee Rescue Mission, I wish to assure you that the voices of opposition you may have heard do not represent our feelings nor of the majority of others with whom we associate. I encourage you to grant the rezoning request and allow the Shawnee Rescue Mission to further serve its clients with a greater array of much needed services in our community.

Respectfully,

Kevin & Krissy Sue Jennings
Lead Pastor Praise Assembly of God

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SEP 04 2012
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To the City of Shawnee Commission and City Commissioner

My name is Lecil Cole and I am in support of the Shawnee Rescue Mission. And I know of the need that is there for the people of Shawnee. The Shawnee Rescue Mission is willing to provide shelter and make food for the people in need. I think this is a great service to the people of Shawnee. There is a number of people here at this Mission that really care for the community. Look at the volunteers? These people are helping because they can, not because they are getting paid to help. How much more love is there for a person to work and sacrifice for a stranger in need. The Shawnee Rescue Mission has been around for some time now and they are getting more and more support. The number of families showing up to receive food is growing, and I believe it is because they can tell that the workers at the Mission really do care about them. There are a lot of people willing to help and work at the Mission and for the homeless people of Shawnee, please let them help. Please don't stop these people from getting the help they need.

In love 

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SEP 04 2012

PLANNING / CODE

Justin Erickson

From: mwright@immanuelshawnee.org
Sent: Wednesday, September 05, 2012 9:44 AM
To: Justin Erickson
Subject: From COS Web: Planning Commission Meeting- re: Shawnee Rescue Mission

SUBJECT: Planning Commission Meeting- re: Shawnee Rescue Mission

Please accept this statement as one in support of Shawnee Rescue Mission. As a minister here in Shawnee for the past 14 years I have seen the need for a facility such as this. We can not turn a blind eye to the needs of those here in Shawnee who are destitute with no place to go and say, "let some other organization or community take care of them." I believe Shawnee Rescue Mission is the best answer for meeting this critical need in our area.

My wife and I and many members of our church have been personally involved in donating resources and our time in assisting with the daily operations at the mission. We believe that this ministry needs to be expanded to provide overnight lodging for the homeless. I realize there are other organizations here in Shawnee that provide similar resources to those in need such as Salvation Army and Family Promise. However these organizations can not meet all the needs of those in our community. Shawnee Rescue Mission and its leadership has proven to be a reputable and a legitimate organization that is willing to help those who can not help themselves. Please allow them to continue this ministry that is so desperately needed in our community.

Thank You,
Mark Wright
Associate Pastor
Immanuel Baptist Church

EXHIBIT " — "

This message has been initiated through the City of Shawnee Website You should be able to reply directly to this email by using the REPLY option This will only work if the sender used a valid email address when submitting

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SEP 05 2012

PLANNING / CODE

September 3, 2012

City of Shawnee
City Clerk
16 W. 9th Street
Shawnee, OK 74801

EXHIBIT " — "

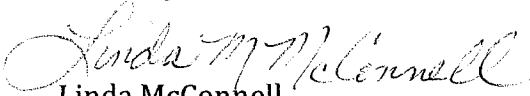
To The City of Shawnee Planning Commission and City Commissioners

Re: Shawnee Rescue Mission
Letter of Support

The efforts to combat poverty and homelessness in Shawnee by the Shawnee Rescue Mission should be allowed to move ahead. Granting the requested rezoning is the right step to take so that expanded services can be provided to underprivileged citizens of Shawnee.

Take this opportunity to come together in a caring and compassionate manner. Open your hearts and minds. Reach out to those in need. It's the right thing to do!

Sincerely,


Linda McConnell
Shawnee Resident
Retired Educator

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SEP 05 2012
PLANNING / CODE

RECEIVED CITY CLERK'S OFFICE
Date 09-05-12 Time 10:05 am

Justin Erickson

From: elizabeth.young@gmail.com
Sent: Wednesday, September 05, 2012 11:10 AM
To: Justin Erickson
Subject: From COS Web: Shawnee Rescue Mission

SUBJECT: Shawnee Rescue Mission

Good morning,

I am writing in support of the proposal to rezone 204 N. Louisa from C-3 to C-4.

I believe our city greatly needs this resource for those less fortunate. I also believe that working together, our city officials, law enforcement and shelter directors can initiate and enforce a plan to keep vulnerable area residents safe.

Thank you for your consideration.

Sincerely,

Liz Young

This message has been initiated through the City of Shawnee Website You should be able to reply directly to this email by using the REPLY option This will only work if the sender used a valid email address when submitting

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SEP 05 2012

PLANNING / CODE

STATE OF OKLAHOMA)
) SS:
COUNTY OF POTTAWATOMIE)

-: AFFIDAVIT OF BONDED ABSTRACTOR :-

The undersigned Bonded Abstractor in and for the aforesaid County and State does hereby certify that the following Ownership is true and correct according to the current year's tax rolls in the Office of the County Treasurer of Pottawatomie County, Oklahoma, as updated by the records of the County Clerk of Pottawatomie County, Oklahoma; that the owners, as reflected by said records, are based on the last conveyance or final decree of record of certain properties located within 300 feet in all directions of the following described lands:

The South Fifteen (15) feet of Lot Nine (9) and all Lots Ten (10), Eleven (11), Twelve (12), Thirteen (13), Fourteen (14), Fifteen (15) and Sixteen (16) and the North Fifteen (15) feet of Lot Eighteen (18), and all Lots Nineteen (19), Twenty (20), Twenty-one (21), Twenty-two (22), Twenty-three (23) and Twenty-four (24), Block Nineteen (19), AMENDED PLAT to the City of Shawnee, Pottawatomie County, Oklahoma, according to the recorded plat thereof.

and find the following owners, addresses and brief legal descriptions on the attached pages numbered from One (1) to Four (4), both inclusive.

The Abstractor makes no representation or warranty, either expressed or implied, regarding the accuracy of the information contained in this report. The Abstractor does not guarantee the validity of the title of such parties nor is this report intended to guarantee title thereof. The liability of the Abstractor shall be based solely on contract and shall be limited to the price paid for the report by the customer. The parties agree that the Abstractor shall not be liable for consequential damages. Acceptance of the instrument constitutes acceptance of this limitation on liability.

EXECUTED at Shawnee, Oklahoma, this 16th day of May, 2012.

FIRST AMERICAN TITLE AND TRUST COMPANY

By *Teresa Southard*
Teresa Southard, Licensed Abstractor #264

Order No. 1700485-SH99

Ownership List

Order No. 1700485-SH99

Date May 16, 2012

Page No. 1

OWNER

BRIEF LEGAL:

Carty Enterprises, LLC – 1701 Pennington Way, Nichols Hills, OK 73116
Lots 13 thru 16, Block 6, AMENDED PLAT to Shawnee

Mikeal Ray Mankin and Jackline Mankin – 44604 River Road, Shawnee, OK 74801
Lots 17 thru 21, Block 6, AMENDED PLAT to Shawnee

Holly Jean Gordon – 303 N. Louisa, Shawnee, OK 74801
Lots 17 & 18, Block 7, AMENDED PLAT to Shawnee

Henry Anadon, Sr. and Sylvia H. Anadon – 11 W. Midland, Shawnee, OK 74804
Lots 19 & 20, Block 7, AMENDED PLAT to Shawnee

Cole S. Thompson – P.O. Box 133, Shawnee, OK 74802-0133
Lots 1 thru 3, Block 18, AMENDED PLAT to Shawnee

Clyde D. Bachuss – 226 N. Park, Shawnee, OK 74801
Lots 4 & 5, Block 18, AMENDED PLAT to Shawnee

Kaye Harrod Steele Family Trust – 1303 W. Farrall, Shawnee, OK 74801
Lots 6 thru 10,...LESS S 10' Lot 10, Block 18, AMENDED PLAT to Shawnee

LeeAnn Huling and Donald W. Huling – 212 N. Park, Shawnee, OK 74801
Lots 11 & 12 & S 10' Lot 10, Block 18, AMENDED PLAT to Shawnee

Jo Ellen Watson Trust – 305 E. Federal, Shawnee, OK 74804
Lots 13 & 14, Block 18, AMENDED PLAT to Shawnee

Leslie R. Redwine and Nancy Redwine – 202 N. Park, Shawnee, OK 74801
Lots 15 & 16, Block 18, AMENDED PLAT to Shawnee

South Central Housing, Inc. – P.O. Box 3766, Shawnee, OK 74802-3766
Lots 17 thru 19, Block 18, AMENDED PLAT to Shawnee

Amber Patat – 209 N. Louisa, Shawnee, OK 74801
Lots 20 thru 22, Block 18, AMENDED PLAT to Shawnee

Crystal L. Marfil – 215 N. Louisa, Shawnee, OK 74801
Lots 23 & 24, Block 18, AMENDED PLAT to Shawnee

Housing Authority of the Absentee Shawnee Tribe – P.O. Box 425, Shawnee, OK 74802-0425
Lots 25 & 26, Block 18, AMENDED PLAT to Shawnee

William S. Buoy – P.O. Box 926, Meeker, OK 74855
Lots 27 & 28 & S/2 Lot 29, Block 18, AMENDED PLAT to Shawnee

Pottco Trust – P.O. Box 1244, Shawnee, OK 74802-1244
E 50' of W 95' of N/2 Lot 29 & E 50' of W 95' of Lots 30 thru 32, Block 18, AMENDED
PLAT to Shawnee & Lots 15 & 16, Block 7, FAIRGROUNDS ADDITION to Shawnee

Dale Pound – P.O. Box 59, Meeker, OK 74855
W 45' of N/2 Lot 29 & W 45' Lots 30 thru 32, Block 18, AMENDED PLAT to Shawnee

Ownership List

Order No. 1700485-SH99

Date May 16, 2012

Page No. 2

OWNER

BRIEF LEGAL:

Boyd D. Smart and Gwendolyn M. Smart – 311 W. 10th, Shawnee, OK 74801

E 45' of N/2 Lot 29 & E 45' Lots 30 thru 32, Block 18, AMENDED PLAT to Shawnee

Michael Lynn Mayes and Cathy Marie Mayes – 15110 Bethel Road, Shawnee, OK 74801

Lots 1 & 2, Block 19, AMENDED PLAT to Shawnee

Allen Rider and Bobbie C. Rider – 1205 Cambridge Dr., Shawnee, OK 74804

Lots 3 & 4, Block 19, AMENDED PLAT to Shawnee...LESS Beg. 138' W NE/C Lot 3; thence S 10'; thence W 12'; thence N 10'; thence E 12' to beg.

David W. Comerate – P.O. Box 379, Newalla, OK 74857

Lot 5 & N 20' Lot 6, Block 19, AMENDED PLAT to Shawnee

Emmett L. Wilson and Mary Beth Wilson – P.O. Box 591, Shawnee, OK 74802-0591

S 5' Lot 6 & All Lots 7 & 8 & N 10' Lot 9, Block 19, AMENDED PLAT to Shawnee

Shawnee Rescue Mission, Inc. – 204 N. Louisa, Shawnee, OK 74801

Lots 10 thru 16 and S 15' Lot 9 & Lots 19 thru 22 & N 15' Lot 18 & Lots 23 & 24, Block 19, AMENDED PLAT to Shawnee

Industrial Battery of Oklahoma, Inc. – 514 SW 25th, Oklahoma City, OK 73109

Lot 17 & S 10' Lot 18, Block 19, AMENDED PLAT to Shawnee

Probate Services of Oklahoma, LLC – 10022 E. 40th St., Tulsa, OK 74146

Lots 25 & 26, Block 19, AMENDED PLAT to Shawnee

Joyce McClarty – 225 N. Kickapoo, Shawnee, OK 74801

Lots 27 & 28, Block 19, AMENDED PLAT to Shawnee

Jerry L. Templeton – 33501 Hardesty Road, Shawnee, OK 74801

Lots 29 thru 32, Block 19, AMENDED PLAT to Shawnee

Oklahoma Natural Gas – 4901 N. Santa Fe Ave., Oklahoma City, OK 73118

Beg. 138' W NE/C Lot 3, Block 19, AMENDED PLAT to Shawnee; thence S 10'; thence W 12'; thence N 10'; thence E 12' to beg.

South Central Sheltered Workshop – 130 N. Louisa, Shawnee, OK 74801

Lots 1 thru 13, Block 20, AMENDED PLAT to Shawnee

George L. Davis and Marilyn K. Davis – P.O. Box 3583, Shawnee, OK 74802-3583

Lots 14 thru 16, Block 20, AMENDED PLAT to Shawnee

James D. Lyday Trust – 1936 N. Minnesota, Shawnee, OK 74804

Lots 17 & 18 & W/2 Lots 19 thru 22, Block 20, AMENDED PLAT to Shawnee

Anne Namette Nappa – 5001 Convict Hill Road #212, Austin, TX 78749-2219

E/2 Lots 19 thru 22, Block 20, AMENDED PLAT to Shawnee

Ownership List

Order No. 1700485-SH99

Date May 16, 2012

Page No. 3

OWNER

BRIEF LEGAL:

South Central Housing, Inc. – P.O. Box 3766, Shawnee, OK 74802-3766

Lots 1 thru 3, Block 21, AMENDED PLAT to Shawnee

Robert L. Pourchot Trust & Phillip M. Pourchot – P.O. Box 3399, Shawnee, OK 74802-3399

Lots 4 thru 14, Block 21, AMENDED PLAT to Shawnee

G. Randy Cowden and Joye E. Cowden – 1810 Henson Court, Shawnee, OK 74804

Lots 19 thru 22, Block 21, AMENDED PLAT to Shawnee

Eric Stephens and Stefanie Stephens – 1621 N. Union, Shawnee, OK 74804

Lots 23 & 24, Block 21, AMENDED PLAT to Shawnee

Jeffrey J. Culwell – 121 N. Louisa, Shawnee, OK 74801

Lot 25, Block 21, AMENDED PLAT to Shawnee

Welcome Home Rentals, LLC – P.O. Box 3861, Shawnee, OK 74802-3861

E 63.6' Lots 28 thru 30, Block 21, AMENDED PLAT to Shawnee

Margaret E. Buckles – 323 W. 9th, Shawnee, OK 74801

Lots 26 & 27 & W 76.4' Lots 28 thru 30, Block 21, AMENDED PLAT to Shawnee

Donald Grove and Catherine Grove – 11 W. Midland, Shawnee, OK 74804

Lots 13 & 14, Block 7, FAIRGROUNDS ADDITION to Shawnee

Earl Broyles – 514 W. 10th, Shawnee, OK 74801

E 50' Lot 17, Block 7, FAIRGROUNDS ADDITION to Shawnee

Brenda E. Keith – P.O. Box 3049, Shawnee, OK 74802-3049

Lots 1 & 2, Block 8, FAIRGROUNDS ADDITION to Shawnee

Benjamin Lee McCullar – 228 N. Broadway, Shawnee, OK 74801

Lots 3 thru 6, Block 8, FAIRGROUNDS ADDITION to Shawnee

Wade D. Sumpter, Scarlett Sumpter and Shae Lyn Lawler – 218 N. Kickapoo, Shawnee, OK 74801

Lots 7 thru 10, Block 8, FAIRGROUNDS ADDITION to Shawnee

A. Bruce Lilley and Mary Katherine Lilley – 400 E. Pulaski, Shawnee, OK 74801

Lots 13 thru 18, Block 8, FAIRGROUNDS ADDITION to Shawnee

Minh Dang – 205 N. Aydelotte, Shawnee, OK 74801

Lots 19 thru 23 & S 20' Lot 24, Block 8, FAIRGROUNDS ADDITION to Shawnee

Mary Francine Anderson – 211 N. Aydelotte, Shawnee, OK 74801

Lots 25 thru 27 & N 5' Lot 24, Block 8, FAIRGROUNDS ADDITION to Shawnee

Carl J. Whited, Sr., Trustee Whited Joint Trust – c/o Connie Dill – 2504 Mason Drive, Shawnee, OK 74804

Lots 28 & 29, Block 8, FAIRGROUNDS ADDITION to Shawnee

Ownership List

Order No. 1700485-SH99

Date May 16, 2012

Page No. 4

OWNER

BRIEF LEGAL:

Wilma Douglas and Alton Douglas – 219 N. Aydelotte, Shawnee, OK 74801

Lots 30 & 31, Block 8, FAIRGROUNDS ADDITION to Shawnee

Jerry L. Loader – 3905 Pine Ridge Road, Shawnee, OK 74804

Lots 32 & 33, Block 8, FAIRGROUNDS ADDITION to Shawnee

Kenneth W. Boyd and Elizabeth J. Boyd – 1821 N. Bryan, Shawnee, OK 74804

Lots 34 & 35, Block 8, FAIRGROUNDS ADDITION to Shawnee

Regular Board of Commissioners

6.

Meeting Date: 09/17/2012

ODOT Agreement and Resolution

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Consider a resolution authorizing approval of an Intergovernmental Agreement by and Between the Oklahoma Department of Transportation and the City of Shawnee.

Attachments

ODOT Agreement

ODOT Resolution

**INTERGOVERNMENTAL AGREEMENT
BY AND BETWEEN
THE OKLAHOMA DEPARTMENT OF TRANSPORTATION
AND
THE CITY OF SHAWNEE**

This Agreement made the day and year last written below, by and between the Oklahoma Department of Transportation (hereinafter called the "DEPARTMENT") and the City of Shawnee, (hereinafter "CITY") for the following intents and purposes:

WITNESSETH

WHEREAS, the DEPARTMENT is charged under the laws of the State of Oklahoma with the construction and maintenance of highways which are designated as a part of the State Highway System; and,

WHEREAS, the DEPARTMENT endeavors to define maintenance responsibilities within cities and towns in order to reduce inconsistencies across the state as defined by Commission Rules, Oklahoma Administrative Code, Title 730; and,

WHEREAS, the DEPARTMENT, pursuant to Title 69 Oklahoma Statutes § 901, shall not pay the cost of mowing the right-of-way; drainage systems and facilities; or curbs, sidewalks or driveways of any street within cities and towns which such street is the continuation of a State or Federal highway.

NOW, THEREFORE, for and in consideration of the mutual covenants contained herein, the DEPARTMENT and the CITY do hereby mutually promise and agree as follows:

SECTION 1 **Purpose of the Agreement**

The DEPARTMENT and the CITY hereby agree that the DEPARTMENT will perform all routine maintenance of State or Federal highways within the corporate limits of such CITY from curb line to curb line or where no curb exists from shoulder line to shoulder line when such State or Federal highways are continued as CITY streets within the corporate limits of such CITY. The DEPARTMENT and the CITY hereby agree that the CITY will perform all remaining maintenance of State or Federal highways within the corporate limits of such CITY outside the limits maintained by the DEPARTMENT.

SECTION 2 **Non-Compensable Maintenance**

The DEPARTMENT shall not compensate the CITY for costs incurred in mowing right-of-way or for striping for parking and miscellaneous markings, nor shall the DEPARTMENT pay for any maintenance on drainage systems and facilities, curbs, sidewalks or driveways, for any damage

caused by drainage systems or utilities or for any maintenance performed outside of the curb or shoulder line on any roadway without curbs on any state or federal highway which is continued as a municipal street within the CITY.

SECTION 3 **Major Repairs**

The DEPARTMENT will perform major reconstruction or repair such as milling and overlay/resurfacing widening, reconstructing, realignment and bridge structure repair on State and Federal highways continued as municipal streets within the CITY.

SECTION 4 **Reserved Maintenance**

The DEPARTMENT will maintain all permanent signing adjacent to and roadway striping on the driving surface of municipal streets which are continuations of State or Federal highways within the CITY.

SECTION 5 **Utilities**

Roadway restoration necessitated by installation or repair of underground utilities is not maintenance within the contemplation of this Agreement and is not compensable. Utility permits must be obtained from the DEPARTMENT for all utility associated work performed within the right-of-way limits before such work may commence.

SECTION 6 **Authorization to Execute Agreement**

The CITY agrees that it will, by resolution of its governing body, duly authorizes the execution of this Agreement by proper officials, and will attach copies of such resolution to this Agreement.

SECTION 7 **Prior Understanding**

This Agreement incorporates and reduces to writing all prior understandings, promises, agreements, commitments, covenants, or conditions, and constitutes the full and complete understanding and contractual relationship of the parties.

SECTION 8 **Amendments and Modification of Agreement**

No changes, revisions, amendments or alterations in the manner, scope, or type of work or compensation to be paid by DEPARTMENT shall be effective unless reduced to writing and executed by the parties with same formalities as are observed in the execution of this Agreement.

SECTION 9 **Governing Law and Regulations**

This Agreement shall be governed and construed in accordance with the laws of the State of Oklahoma and the applicable rules, regulations, policies, and procedures of the Oklahoma Transportation Commission.

SECTION 10 **Notices**

All notices, demands, requests, or other communications which may be or are required to be given, served or sent by either party to the other pursuant to the Agreement shall be in writing and shall be deemed to have been properly given or sent:

(a) if intended for the DEPARTMENT, by mailing by first class mail or, if sender prefers, by registered or certified mail, return receipt requested, with postage prepaid, addressed to State at:

Oklahoma Department of Transportation
Division THREE
12844 State Highway 3W
Ada, Oklahoma 74820-0284

(b) if intended for the CITY, by mailing by first class mail or, if sender prefers, by registered or certified mail, return receipt requested, with postage prepaid addressed to the CITY at:

City Manager
City of Shawnee
16 W 9th
Shawnee, Oklahoma 74802-1448

SECTION 11 **Headings**

Article headings used in this Agreement are inserted for convenience of reference only and shall not be deemed a part of this Agreement for any purpose.

SECTION 12 **Binding Effect**

This Agreement shall be binding upon and insure to the benefit of the DEPARTMENT and the CITY and shall be binding upon their successors and assigns subject to the limitations of Oklahoma law.

SECTION 13 **Severability**

If any provision, clause, or paragraph of this Agreement or any document incorporated by reference shall be determined invalid by a court of competent jurisdiction, such determination shall not affect the other provisions, clauses, or paragraphs of this Agreement which are not affected by

the determination. The provisions, clauses, or paragraphs of this Agreement and any documents incorporated by reference are declared severable.

SECTION 14 **Effective Date**

This Agreement shall become effective on the date of execution by DEPARTMENT'S, Chief Engineer.

IN WITNESS WHEREOF, _____ of the city/town of Shawnee, Oklahoma, has set his hand and seal this ____ day of _____, 20__.

CITY/TOWN OF SHAWNEE

Mayor Pro-Tem

ATTESTED:

**APPROVED AS TO FORM AND
LEGALITY:**

CITY/TOWN Clerk

CITY/TOWN Attorney

(Seal)

OKLAHOMA DEPARTMENT OF TRANSPORTATION

RECOMMENDED APPROVAL:



PAUL RACHEL, P.E.
Division Engineer - Division Three

KEVIN BLOSS, P.E.
State Maintenance Engineer

CASEY SHELL, P.E.
Director of Operations

APPROVED AS TO FORM AND LEGALITY:

DAVID A. MILEY, Esquire
Assistant General Counsel

APPROVED:

GARY EVANS, P.E.
Chief Engineer

RESOLUTION NO. _____

A RESOLUTION APPROVING THE EXECUTION OF AN INTERGOVERNMENTAL AGREEMENT BY AND BETWEEN THE OKLAHOMA DEPARTMENT OF TRANSPORTATION AND THE CITY OF SHAWNEE REGARDING CONSTRUCTION AND MAINTENANCE OF HIGHWAYS WHICH ARE DESIGNATED AS A PART OF THE STATE HIGHWAY SYSTEM AND ARE WITHIN THE CITY LIMITS OF THE CITY OF SHAWNEE.

WHEREAS, it appears reasonable and necessary for the City of Shawnee, Pottawatomie County, Oklahoma, to execute an intergovernmental agreement with the Oklahoma Department of Transportation to define maintenance responsibilities within the City of Shawnee on State Highways and Right-of-Ways.

NOW, THEREFORE, BE IT RESOLVED by the City of Shawnee, Pottawatomie County, Oklahoma, sitting in regular session, that such contract be entered into and that a copy of same be hereto attached and made a part hereof by reference, all as provided by law.

PASSED AND APPROVED at a regular meeting of the City Commission and duly signed by the Mayor this 17th day of September, 2012.

WES MAINORD, MAYOR

(SEAL)

ATTEST:

PHYLLIS LOFTIS, CMC, CITY CLERK

Regular Board of Commissioners

7.

Meeting Date: 09/17/2012

Mineral Lease

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Consider offer from Texoma Land Consultants, Inc. to lease mineral rights on approximately 16.5366 mineral acres located in Section 14, Township 10N, Range 2E.

Attachments

Mineral Lease

City of Shawnee Memorandum

To: Honorable Mayor and City Commission Members

Through: Brian McDougal, City Manager

From: Donald D. Lynch, Oil and Gas Inspector *D.D.L.*

Date: September 12, 2012

Re: Offer from Texoma Land Consultants



I am writing to request your consideration on the attached offer from Texoma Land Consultants concerning leasing mineral rights on tracts of property the City owns in Section 14, Township 10north, Range 2East.

The contract terms are the same as two previous agreements the Commission approved.

Thank you for your consideration of this matter.



TEXHOMA LAND CONSULTANTS, INC.

COPY

Telephone (405) 650-0007 FAX (405) 330-4616
Email: jroberts319@aol.com

August 27, 2012

City of Shawnee, OK
Attn: Brian McDougal, City Mgr.
Attn: Don Lynch, Director Emergency Management
16 W. 9th
Shawnee, OK 74801

Re: Oil & Gas Lease;
New Added Tracts in Section 14, 10N-02E
In Pottawatomie County, Oklahoma

Dear Sirs:

Texhoma Land Consultants, Inc. has been authorized to add additional tracts to our current oil & gas play area as referenced above. As a result of this action, Texhoma Land Consultants, Inc. hereby offers to lease all of the City's approximate 16.5366 net mineral acres for the following terms:

\$200.00 per net acre for a 3 year lease and a 3/16th royalty in the event of production

A detail of these total acres appears in the Total Net Acres Summary located on pages two and three of this letter. Please place our item of business on the September 4th City Commission Meeting docket.

Please feel free to contact me with any additional questions or concerns. I am available any time on my cell at 405-650-0007. We look forward to including the City's mineral interests in the added land tracts for this current oil and gas play.

Sincerely,

Jim W. Roberts
Land Agent for Texhoma Land Consultants, Inc.
405-650-0007



TEXHOMA LAND CONSULTANTS, INC.

Telephone (405) 650-0007 FAX (405) 330-4616

Email: jroberts319@aol.com

TOTAL NET ACRES SUMMARY

(All Tracts are in Section 14, T10N-R02E in Pottawatomie County, Oklahoma)

Tract #1; E/2 NE/4 NE/4 SE/4, 5.0000 gross acres
50.0000% interest.....2.50000 net acres

Tract #2; W/2 NE/4 NE/4 SE/4, 5.0000 gross acres
50.0000% interest.....2.50000 net acres

Tract #3; NE/4 NW/4 NE/4 SE/4, 2.5000 gross acres
50.0000% interest.....1.25000 net acres

Tract #4; NW/4 NW/4 NE/4 SE/4, 2.5000 gross acres
50.0000% interest.....1.25000 net acres

Tract #5; NE/4 NE/4 NW/4 SE/4, 2.5000 gross acres
50.0000% interest.....1.25000 net acres

Tract #6; NW/4 NE/4 NW/4 SE/4, 2.5000 gross acres
50.0000% interest.....1.25000 net acres

Tract #7; Beginning at a point 2279.37 feet West and 2300 feet North of the SEC
of Section 14, T10N-R2E, Pottawatomie County, OK; thence East 325
feet ; thence West 325 feet; thence South 330 feet to pob, containing
2.46210 gross acres, mol.
50.0000% interest.....1.23105 net acres

Tract #8; Beginning at a point 2605 feet West amd 878 feet North of the SEC of
Section 14, T10N-R2E, Pottawatomie County, OK; thence South 53° East
407 feet ; thence North 611 feet; thence North 51° 05' West 419.5 feet,
Thence South 625 feet to pob containing 0.48580 acres, mol
50.0000% interest.....0.24290 net acres

Tract #9; Beginning at a point 2605 feet West and 878 feet North of the SEC of
Section 14, T10N-R2E, Pottawatomie, County, OK; thence South 53°
East 407 feet; thence North 611 feet; thence North 51° 05' West 419.5
feet; thence South 625 feet to pob containing 4.13530 acres mol
50.0000% interest.....2.06765 net acres

Tract #10; Beginning at a point 2279.37 feet West, and 633 feet North of the SEC
of Section 14, T10N-R2E, Pottawatomie County, OK; thence Soth 53°
East 407 feet; thence North 520.9 feet; thence North 22° 20' West 108
feet ; thence North 51° 05' West 365.5'; thence South 611 feet to pob
containing 4.44290 gross acres, mol
50.0000% interest.....2.22145 net acres



TEXHOMA LAND CONSULTANTS, INC.

Telephone (405) 650-0007 FAX (405) 330-4616

Email: jroberts319@aol.com

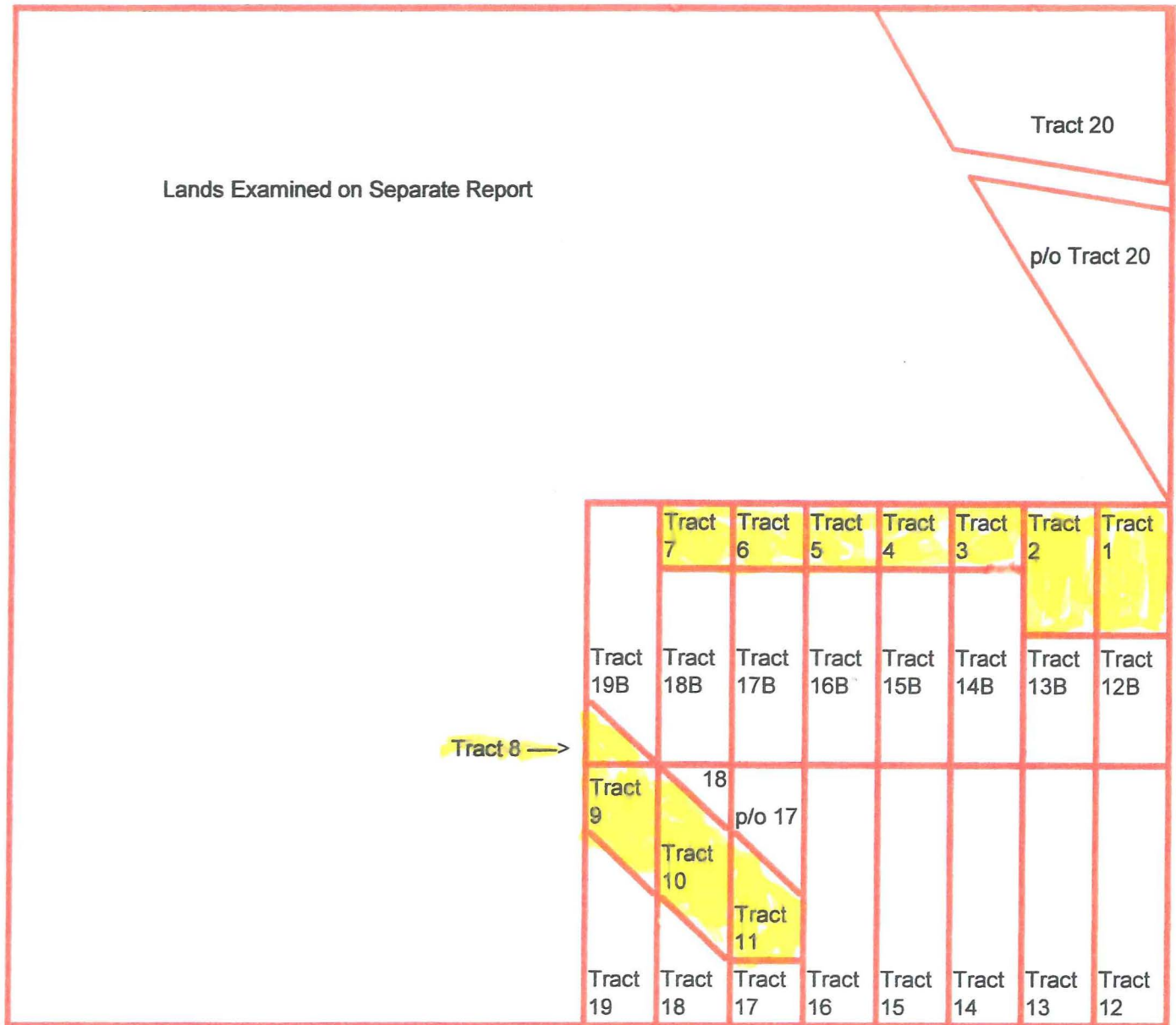
Tract#11; A tract of land beginning at a point 1953.75 feet West and 388 feet North
of the SEc thence South 53° East a distance of 131 feet, thence North 77°
East a distance of 132 feet, thence North 22° 20' West a distance of 617
feet, thence South 520 feet to the pob, containing 1.54710 acres, mol
50.0000% interest.....0.77355 net acres

TOTAL.....**16.5366 net acres**

Tecumseh Deep Prospect

Section 14-10N-02E

Pottawatomie County, Ok



TRACT	GROSS ACRES	NET OPEN ACRES
1	5.00000	5.00000
2	5.00000	5.00000
3	2.50000	2.50000
4	2.50000	2.50000
5	2.50000	2.50000
6	2.50000	2.50000
7	2.46210	2.46210
8	0.48580	0.48580
9	4.13530	4.13530
10	4.44290	4.44290
11	1.54710	1.54710
12	10.00000	10.00000
12B	5.00000	5.00000
13	10.00000	10.00000
13B	5.00000	5.00000

OIL AND GAS LEASE (PAID UP)

AGREEMENT, Made and entered into this 4th day of September, 2012, by and between **The City Of Shawnee Oklahoma, a Municipal Corporation**, 16 West 9th, P.O. Box 1448, Shawnee, Oklahoma 74801, party of the first part, hereinafter called lessor (whether one or more), and **Texhoma Land Consultants, Inc.**, 770 West Rock Creek Road, Suite 117, Norman, OK 73069, party of the second part, hereinafter called lessee.

1. WITNESSETH. That the said lessor, for and in consideration of ONE OR MORE DOLLARS, cash in hand paid, receipt of which is hereby acknowledged and of the covenants and agreements hereinafter contained on the part of lessee to be paid, kept and performed, has granted, demised, leased and let and by these presents does grant, demise, lease and let unto the said lessee, for the purpose of investigating, exploring, by geophysical or other means, prospecting, drilling, and operating for and producing oil and all gas of whatsoever nature or kind, including all associated hydrocarbons produced in a liquid or gaseous form, also including sulphur produced in association with oil or gas, hereinafter sometimes collectively referred to as "oil and gas", injecting gas, waters, other fluids, air and other gaseous substances into subsurface strata, laying pipelines, storing oil, building tanks, power stations, telephone lines and other structures and things hereon to produce, save, take care of, treat, process, store and transport said oil and gas and other products manufactured therefrom, the following described land, together with any reversionary rights, riparian rights and after-acquired interest, therein situated; in the County of Pottawatomie State of Oklahoma, to-wit:

SEE EXHIBIT "A" LEGAL DESCRIPTIONS

of Section 14, Township 10 North, Range 02 East, and containing 198.47 acres, more or less.

It is agreed that this lease shall remain in force for a term of three (3) years from date (herein called primary term) and as long thereafter as oil and gas, or either of them, is produced or capable of being produced from said land by the lessee.

In consideration of the premises the said lessee covenants and agrees:

1st. To deliver to the credit of lessor free of cost, in the pipe line to which it may connect its wells, the 3/16 part of all oil (including but not limited to condensate and distillate) produced and saved from the leased premises.

2nd. To pay lessor for gas (including casinghead gas) and all other substances covered hereby, a royalty of 3/16 of the net proceeds realized by lessee from the sale thereof, less a proportionate part of the production, severance and other excise taxes and the cost incurred by lessee in delivering, processing, compressing, transporting, or otherwise making such gas or other substances merchantable, said payments to be made monthly. If gas from any well or wells on the premises capable of producing gas in commercial quantities is not sold or used off the premises or in the manufacture of gas for a period of one (1) year or more, during which time there is no other production from the leased premises, then lessee shall pay or tender as royalty for such annual period a sum of one dollar (\$1.00) per net acre within ninety (90) days after the end of such annual period.

If, at the expiration of the primary term, lessee is conducting operations for drilling, completing or reworking a well, this lease nevertheless shall continue as long as such operations are prosecuted or additional operations are commenced and prosecuted (whether on the same or successive wells) with no cessation of more than 90 days, and if production is discovered, this lease shall continue as long thereafter as oil or gas, are produced. In addition, if at any time or times after the primary term, there is a total cessation of all production, for any cause (subject to the force majeure provisions), this lease shall not terminate if lessee commences or resumes any drilling or reworking operations, or production, within ninety (90) days after such cessation. Drilling operations or mining operations shall be deemed to be commenced when the first material is placed on the leased premises or when the first work, other than surveying or staking the location, is started thereon which is necessary for such operations.

Lessee shall not be liable for delays or defaults in its performance of any agreement or covenant hereunder due to force majeure. The term "force majeure" as employed herein shall mean any act of God including but not limited to storms, floods, washouts, landslides, and lightning. If Lessee is requested, required, ordered or directed by any Federal, state, municipal or other governmental authority, law, executive order, rule or regulation enacted or promulgated under color of authority to cease drilling operations, reworking operations or producing operations on the land covered by this lease or on a unit in which this land is included, or if Lessee by operation of force majeure or by acts or omissions of other persons or entities or by reason of scarcity of or inability to obtain or use equipment or material is prevented from conducting drilling operations, reworking operations or producing operations, then until such time as such law, order, or in the case of scarcity of or inability to obtain or use equipment or material, and such equipment or material becomes readily available and useable, rule, regulation, request or force majeure or acts or omissions is terminated and for a period of ninety (90) days after such termination each and every provision of this lease or implied covenant arising hereunder that might operate to terminate this lease or the estate conveyed by it shall be suspended and inoperative and this lease shall continue in full force and lessee shall not be liable in damages, anything in this lease to the contrary notwithstanding.

Lessee is hereby granted the right at any time and from time to time to unitize the leased premises or any portion or portions thereof, as to all strata or any stratum or strata, with any other lands as to all strata or any stratum or strata, for the production primarily of oil or primarily of gas with or without distillate. However, no unit for the production primarily of oil shall embrace more than 160 acres, or for the production primarily of gas with or without distillate more than 640 acres; provided that if any governmental regulation shall prescribe a spacing pattern for the development of the field or allocate a producing allowable based on acreage per well, then any such unit may embrace as much additional acreage as may be so prescribed or as may be used in such allocation of allowable. In the absence of governmentally prescribed spacing, lessee shall file written unit designations in the county in which the leased premises are located. Operations upon and production from the unit shall be treated as if such operations were upon or such production were from the leased premises whether or not the well or wells are located thereon. The entire acreage within a unit shall be treated for all purposes as if it were covered by and included in this lease except that the royalty on production the unit shall be as below provided, and except that in calculating the amount of any shut in gas royalties, only the part of the acreage originally leased and then actually embraced by this lease shall be counted. In respect to production from the unit, lessee shall pay lessor, in lieu of other royalties thereon, only such proportion of the royalties stipulated herein as the amount of this acreage placed in the unit, or his royalty interest therein on an acreage basis, bears to the total acreage in the unit.

If said lessor owns a less interest in the above described land than the entire and undivided fee simple estate therein whether stated hereinabove as whole or partial interest, then the royalties herein provided shall be paid to the lessor only in the proportion which his interest bears to the whole undivided fee.

Lessee shall have the right to use, free of cost, gas, oil and water produced on said land for its operations thereon, except water from wells of lessor.

When requested by the lessor, lessee shall bury his pipelines below plow depth.

No well shall be drilled nearer than 500 feet to the house, lake or barn now on said premises, without the written consent of the lessor.

Lessee shall pay for all damages caused by its operations to growing crops on said land.

Lessee shall have the right at any time to remove all machinery and fixtures placed on said premises, including the right to draw and remove casing.

Any structures and facilities placed on the lease premises by lessee for operations hereunder and any well or wells on the leased premises drilled or used for the injection of salt water or other fluids may also be used for lessee's operations on other lands in the same area.

If the estate of either party hereto is assigned, and the privilege of assigning in whole or in part is expressly allowed, the covenants hereof shall extend to their heirs, executors, administrators, successors or assigns. However, no change or division in ownership of the land or royalties shall enlarge the obligations or diminish the rights of lessee. No change in ownership of the land or royalties shall be binding on the lessee until after the lessee has been furnished with a written transfer or assignment or a true copy thereof. In case lessee assigns this lease, in whole or in part, lessee shall be relieved of all obligations with respect to the assigned portion arising subsequent to the date of assignment.

All express or implied covenants of this lease shall be subject to all Federal and State Laws, Executive Orders, Rules and Regulations, and this lease shall not be terminated, in whole or in part, nor lessee held liable in damages, for failure to comply therewith, if compliance is prevented by, or such failure is the result of any such Law, Order, Rule or Regulations.

This lease shall be effective as to each lessor on execution hereof as to his or her interest and shall be binding on those signing, notwithstanding some of the lessors above named may not join in the execution hereof. The word "Lessor" as used in this lease means the party or parties who execute this lease as lessor, whether or not named above.

Lessee may at any time and from time to time, surrender this lease as to any part or parts of the leased premises by delivering or mailing a release thereof to lessor, or by placing a release of record in the proper County.

Lessor hereby warrants and agrees to defend the title to the lands herein described, and agrees that the lessee shall have the right at any time to redeem for lessor by payment, any mortgages, taxes or other liens on the above described lands, in the event of default of payment by lessor, and be subrogated to the rights of the holder thereof.

This is a paid-up lease. In consideration of the cash payment acknowledged above, lessor agrees that lessee is not obligated to commence or continue any operations during the primary term.

If at any time within the primary term of this lease or any extension of the primary term as provided herein, and while the same remains in force and effect, lessor receives any bona fide offer acceptable to lessor, to grant an additional lease (top lease) covering all or part of the leased premises, lessee shall have the continuing option by meeting any such offer to acquire such top lease. Any offer must be in writing, and must set forth the proposed lessee's name, bonus consideration and royalty consideration to be paid for such lease, and include a copy of the lease form to be utilized which form should reflect all pertinent and relevant terms and conditions of the top lease. Lessee shall have fifteen (15) days after receipt, from lessor, of a complete copy of any such offer to advise lessor in writing of its election to enter into an oil and gas lease with lessor on equivalent terms and conditions. If lessee fails to notify lessor within the aforesaid fifteen (15) day period of its election to meet any such bona fide offer, lessor shall have the right to accept said offer.

In the event lessor considers that the lessee has failed to comply with any obligation hereunder, express or implied, lessor shall notify lessee in writing, specifying in what respect lessor claims lessee has breached this lease. The service of such notice and elapse of sixty (60) days without lessee meeting or commencing to meet the alleged breaches shall be a condition precedent to any action by lessor for any cause. If, within sixty (60) days after the receipt of such notice lessee shall meet or commence to meet the breaches alleged by lessor, lessee shall not be deemed to be in default hereunder.

It is agreed between the Lessor and Lessee that, notwithstanding any language herein to the contrary, all oil, gas or other proceeds accruing to the Lessor under this lease or by state law shall be without deduction for the cost of producing, gathering, storing separating, treating, dehydrating, compressing, processing, transporting, and marketing the oil, gas and other products produced hereunder to transform the product into marketable form; however, any such costs which result in enhancing the value of the marketable oil, gas or other products to receive a better price may be deducted from Lessor's share of production so long as they are based on Lessee's actual cost of such enhancements. However, in no event shall Lessor receive a price that is less than, or more than, the price received by Lessee.

In the event this lease is perpetuated by a producing well or wells, this oil and gas lease will expire as to all depths 100 feet below the stratigraphic equivalent of the base of the deepest formation penetrated in any well drilled and completed during the primary term or in any well which is commenced during the primary term and completed after the primary term. If Lessee is in the process of drilling or completing a well at the end of the primary term of this lease, this clause shall become effective upon conclusion of such operations.

IN TESTIMONY WHEREOF, we sign this the _____ day of September, 2012.

LESSOR: The City of Shawnee, Oklahoma

By: Brian McDougal, City Manager

STATE OF OKLAHOMA	}	
	} ss.	(ACKNOWLEDGMENT)
COUNTY OF POTTAWATOMIE	}	

The foregoing instrument was acknowledged before me this _____ day of September, 2012, by Brian McDougal, City Manager of the City of Shawnee, Oklahoma.

My commission expires _____

Notary Public

EXHIBIT "A"

Section 14, Township 10N, Range 02E

- Tract #1..... E/2 NE/4 NE/4 SE/4, 5.0000 gross acres
- Tract #2..... W/2 NE/4 NE/4 SE/4, 5.0000 gross acres
- Tract #3..... NE/4 NW/4 NE/4 SE/4, 2.5000 gross acres
- Tract #4..... NW/4 NW/4 NE/4 SE/4, 2.5000 gross acres
- Tract #5..... NE/4 NE/4 NW/4 SE/4, 2.5000 gross acres
- Tract #6..... NW/4 NE/4 NW/4 SE/4, 2.5000 gross acres
- Tract #7..... Beginning at a point 2279.37 feet West and 2300 feet North of the SEC of Section 14, T10N-R2E, Pottawatomie County, OK; thence East 325 feet ; thence West 325 feet; thence South 330 feet to pob, containing 2.46210 gross acres, mol.
- Tract #8..... Beginning at a point 2605 feet West and 878 feet North of the SEC of Section 14, T10N-R2E, Pottawatomie County, OK; thence South 53° East 407 feet ; thence North 611 feet; thence North 51° 05' West 419.5 feet, Thence South 625 feet to pob containing 0.48580 acres, mol
- Tract #9..... Beginning at a point 2605 feet West and 878 feet North of the SEC of Section 14, T10N-R2E, Pottawatomie County, OK; thence South 53° East 407 feet; thence North 611 feet; thence North 51° 05' West 419.5 feet; thence South 625 feet to pob containing 4.13530 acres mol
- Tract #10..... Beginning at a point 2279.37 feet West, and 633 feet North of the SEC of Section 14, T10N-R2E, Pottawatomie County, OK; thence South 53° East 407 feet; thence North 520.9 feet; thence North 22° 20' West 108 feet ; thence North 51° 05' West 365.5'; thence South 611 feet to pob containing 4.44290 gross acres, mol
- Tract#11..... A tract of land beginning at a point 1953.75 feet West and 388 feet North of the SEC thence South 53° East a distance of 131 feet, thence North 77° East a distance of 132 feet, thence North 22° 20' West a distance of 617 feet, thence South 520 feet to the pob, containing 1.54710 acres, mol

Regular Board of Commissioners

8.

Meeting Date: 09/17/2012

Conditional Use Permit Extension Request

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Consideration and possible action on a request by Ryan and Melanie Boyd for an extension of their Conditional Use Permit to temporarily utilize a mobile home at 15305 Patterson Road.

Attachments

Conditional Use Permit Request



City of Shawnee
Community Development Department
222 N. Broadway
Shawnee, OK 74801
(405) 878-1665 Fax (405) 878-1587
www.ShawneeOK.org

MEMORANDUM

AGENDA: September 17, 2012

TO: Shawnee City Commission

FROM: Justin Erickson, Planning Director

RE: Request for Conditional Use Permit Extension
Boyd Residence, 15305 Patterson Road

SUMMARY

Ryan and Melanie Boyd own 15 acres at 15305 Patterson Road in the Twin Lakes area. On April 19, 2010 the City Commission approved a Conditional Use Permit and allowed them to place a mobile home on the property temporarily while the Boyd's construct a single-family home. The home was to be completed by October 19, 2012 and the mobile home was to be removed 30 days after home completion. As indicated in the attached letter, the Boyd's are requesting a two-year extension to complete their home.

As noted in a previous staff report (also attached), the subject property is 15 acres in size, greatly exceeding the five-acre minimum lot size in the A-1 Zone. Staff also notes that there are numerous mobile homes on one-acre lots (approximate size of lake lot leases) around Shawnee Twin Lake No. 1.

That said, there was some concern expressed in 2010 by neighboring properties regarding the impact of the mobile home on adjacent properties. Attached, are petitions and letters of support that the Boyd's obtained from neighboring property owners and other supporters. An updated aerial photo is also included which shows the mobile home (Figure 1).

The Boyd's do have a City of Shawnee building permit and have done the necessary inspections to date.



Figure 1: Outline of Boyd property. Arrow indicates mobile home.

RECOMMENDATION

Staff originally (in 2010) recommended that the applicant be allowed three years to complete the residence. Staff has no objection to the granting of an extension for twelve (12) months. Staff further finds that an extension of up to 24 months may be appropriate given the size of the property and distance to adjacent residences, should the Commission concur with the Boyd's request.

Attachments



From: Ryan and Melanie Boyd

TO: City of Shawnee
Community Development Department
Shawnee Planning Commission
Board of Commissioners of the City of Shawnee

Re: Conditional Use Permit
Ordinance No. 2429NS
Permit No: 000477
Ryan and Melanie Boyd

It is with understanding that our conditional use permit is about to expire on the use of the mobile home at 15305 Patterson Rd, that we are formally requesting an extension of two years to complete construction of our permanent residence.

We have contacted neighbors that would be affected by this request and have multiple signatures from those not opposed to an extension of the conditional use permit.

We have attached copies of the signatures and letter that was signed .

Also included are letters signed by individuals helping us in achieving our goal to finish the construction of our permanent residence.

Thank you for your time and consideration in this matter.

Sincerely,


Melanie Boyd

PETITION FOR ADDITIONAL TIME TO CONSTRUCT RESIDENCE

To: Shawnee City Council & Shawnee Planning Commission

From: Ryan & Melanie Boyd

Date: August 2, 2012

RE: Construction & Completion of personal residence located at 15305 Patterson Road,
Shawnee, OK 74801-3472

I, the undersigned do hereby state that my present place of residence is truly stated opposite my signature hereto, and that I do hereby petition the City of Shawnee regarding the following matter:

Petition Preamble:

Construction of a personal residence located at 15305 Patterson Road, Shawnee, OK is well underway. The foundation and related plumbing have been completed and the framing lumber is in the process of being purchased. Also, a construction loan with Bank of Oklahoma has been submitted and is being processed currently.

Petition:

We are petitioning for additional time to complete the construction of this residence. Due to the facts that the petitioner started a new business two years ago and therefore has not had sufficient income or employment records to obtain financing, the completion of the construction of this residence has been stalled. All work completed to date has been paid for utilizing personal savings. At this time the bank has indicated they would be interested in financing the construction loan, which would speed the construction of the residence significantly. We are requesting as much time as the city will allow for the completion of this project. Until such completion and issuance of an occupancy permit we are requesting to be allowed to continue to live in the mobile home located at 15305 Patterson Road, Shawnee, OK.

Date	Signature	Residence Address	City	State
8/8/12	David Olson	32303 Hornbeck	Shawnee	OK
8/8/12	David Olson	32303 Hornbeck	Shawnee	OK
8/8/12	David Olson	32001 Hornbeck	Shawnee	OK
8/8/12	Chris Spears	15500 Patterson rd	Shawnee	OK
8-8-12	Michael Wilson	15496 Patterson rd	Shawnee	OK

Date	Signature	Residence Address	City	State
8-8-12	Joseph E Izella	32101 Hornbeck Rd.	Shawnee	OK
8-8-12	Renee Byrnes	32101 Hornbeck Rd	Shawnee	OK
8-18-12	Rilla Napier	15403 Patterson Rd.	Shawnee	OK 74801

I swear that each individual whose name appears on this petition signed it in my presence.

8-8 thru 8-18-12	Joseph E Izella
Date	Signature

All assistance the city can provide in allowing this request will be greatly appreciated.

WJG & Associates, P.L.L.C.

3101 Northwest Expressway
Oklahoma City, Oklahoma 73112



(405) 843-1986
Fax (405) 840-5637

TO: City of Shawnee
Community Development Department
Shawnee Planning Commission
Board of Commissioners of the City of Shawnee

Re: Conditional Use Permit
Ordinance No. 2429NS
Permit No: 000477
Ryan and Melanie Boyd

On behalf of Ryan and Melanie Boyd, I the undersigned have worked, or personally know the aforementioned persons and of their efforts to construct a family home.

I have worked with Mr. Boyd with two financial institutions in an attempt to obtain permanent financing for the constructing of his permanent residence and will continue to assist in their attempt to obtain permanent financing. As I am sure you aware, currently obtaining permanent real estate financing for self employed individuals is an arduous task.

It is in support of the Boyd family in their efforts to get an extension of their conditional use permit for them to remain living on the land they own and maintain while constructing a permanent residence that I am signing this document.

I the undersigned truly believe it is in the City's best interest, Community's, and the Neighbors best interest to consider extending the Boyd family's temporary use permit.

Thank you for your time and consideration in this matter.

Sincerely,

William J. Garner, CPA
WJG & Associates, PLLC

CC: Mr. Ryan Boyd
15305 Patterson Rd.
Shawnee, OK 74801

TO: City of Shawnee
Community Development Department
Shawnee Planning Commission
Board of Commissioners of the City of Shawnee

Re: Conditional Use Permit
Ordinance No. 2429NS
Permit No: 000477
Ryan and Melanie Boyd

On behalf of Ryan and Melanie Boyd, I the undersigned have worked, or personally know the aforementioned persons and of their efforts to construct a family home.

It is in support of the Boyd family in their efforts to get an extension of their conditional use permit for them to remain living on the land they own and maintain while constructing a permanent residence that I am signing this document.

I the undersigned truly believe it is in the City's best interest, Community's, and the Neighbors best interest to consider extending the Boyd family's temporary use permit.

Thank you for your time and consideration in this matter.

Steve Martin
Print Name

Additional comments

I have known Ryan for several years,
He has done several jobs for me during
that time & I have always known him to be
A very responsible, dependable, & good person

Signature: 

RECOMMENDATION TO:

MAYOR

BOARD OF CITY COMMISSIONERS

CITY OF SHAWNEE

RECOMMENDATION FROM:

CITY OF SHAWNEE

PLANNING COMMISSION

SUBJECT:

APPLICANT: Ryan & Melanie Boyd & Max Hutchinson

FOR: Conditional Use Permit to allow for a mobile home

LOCATION: 15305 Patterson Rd.

PROJECT#: 000178 Case# P04-10

LEGAL DESCRIPTION:

SEE OWNERSHIP LIST

CURRENT CLASSIFICATION:

A-1

REQUESTED CLASSIFICATION:

A-1 with a Conditional Use Permit to allow for a mobile home.

PROPOSED PROPERTY USE:

Residence

PLANNING COMMISSION MEETING DATE: April 7, 2010

PLANNING COMMISSION RECOMMENDATION: Approval with the following conditions:

1. The mobile home shall be allowed on a temporary basis, while the applicant constructs a single-family residence.
2. The applicant shall commence construction of the single family residence within twelve (6) months of the date of permit approval and complete construction within three (2) years from the date of permit approval.
3. The mobile home shall be removed within 30 days of completion of the residence.
4. All A-1 setback requirements apply.

VOTE OF THE PLANNING COMMISSION:

MEMBERS PRESENT: 6

MEMBERS:	1ST	2ND	AYE	NAY	ABSTAIN	COMMENTS
NICKLES						ABSENT
HOSTER		X	X			
CARTER			X			
MALTOS (CHAIRMAN)				X		
TURNER (V-CHAIR)			X			
SILVIA	X		X			
SALTER				X		

RESPECTFULLY SUBMITTED,

Karen Drain

SECRETARY, PLANNING COMMISSION

ACTION BY CITY COMMISSION:

PUBLIC HEARING SET: _____

DATE OF ACTION: 4-19-10

ADOPTED X DENIED _____

ORDINANCE NO. 2429 NS

AN ORDINANCE CONCERNING THE ZONING CLASSIFICATION OF THE FOLLOWING DESCRIBED PROPERTY LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY OF SHAWNEE, OKLAHOMA, TO-WIT: A TRACT OF LAND IN THE NORTHWEST QUARTER (NW/4) OF SECTION FIFTEEN (15), TOWNSHIP TEN (10) NORTH, RANGE TWO (2) EAST OF THE INDIAN MERIDIAN, POTTAWATOMIE COUNTY, OKLAHOMA, FURTHER DESCRIBED AS: BEGINNING AT A POINT 1303.75 FEET S00°00'00"W OF THE NORTHWEST CORNER OF SAID NORTHWEST QUARTER (NW/4); THENCE N89°57'04"E A DISTANCE OF 1330.40 FEET; THENCE S00°00'00"W A DISTANCE OF 494.90 FEET; THENCE S89°57'04"W A DISTANCE OF 1330.40 FEET; THENCE N00°00'00"E A DISTANCE OF 494.40 FEET TO THE POINT OF BEGINNING, REZONING SAID PROPERTY FROM A-1; AGRICULTURAL TO A-1P AGRICULTURAL WITH A CONDITIONAL USE PERMIT AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SHAWNEE ACCORDINGLY.

WHEREAS, pursuant to notice duly given as required by law, a public hearing was conducted by the Board of Commissioners of the City of Shawnee, Oklahoma on the 19th day of April, 2010, upon an application to grant a permissive use permit on property located in the City of Shawnee, Oklahoma to A-1P; Agricultural with a Conditional Use Permit and,

WHEREAS, the Planning Commission of the City of Shawnee has conducted one or more public hearings on said application pursuant to notice as required by law and has submitted its final report and recommendation upon said application to the Board of Commissioners; and

WHEREAS, it appears to be in the best interest of the City of Shawnee and the inhabitants thereof, for said property to be rezoned as A-1P; Agriculture with a Conditional Use Permit.

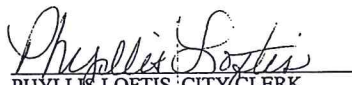
NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF SHAWNEE, OKLAHOMA:

Section 1: That the following described property located in the City of Shawnee, Oklahoma, to-wit: A tract of land in the Northwest Quarter (NW/4) of Section Fifteen (15), Township Ten (10) North, Range Two (2) East of the Indian Meridian, Pottawatomie County, Oklahoma, further described as: Beginning at a point 1303.75 feet S00°00'00"W of the Northwest Corner of said Northwest Quarter (NW/4); thence N89°57'04"E a distance of 1330.40 feet; thence S00°00'00"W a distance of 494.90 feet; thence S89°57'04"W a distance of 1330.40 feet; thence N00°00'00"E a distance of 494.40 feet to the point of beginning, according to the recorded plat thereof, be and the same is hereby rezoned to A-1P; Agricultural with a Conditional Use Permit.

PASSED AND APPROVED this 19th day of April, 2010


LINDA PETERSON, MAYOR

ATTEST:


PHYLLIS LOFTIS, CITY CLERK

**BOARD OF CITY COMMISSIONERS PROCEEDINGS
APRIL 19, 2010 AT 6:30 P.M.**

AGENDA ITEM NO. 8: Public hearing and consideration of ordinance for Conditional Use Permit to allow for a manufactured home in A-1 zoning district for property located at 15305 Patterson Road. (Applicant: Ryan and Melanie Boyd and Max Hutchinson Case #P04-10)

Mayor Peterson declared a public hearing in session to consider an ordinance for Conditional Use Permit to allow for a manufactured home for property located at 15305 Patterson Road.

Mayor Peterson asked if any person wished to appear in favor of or in protest.

Attorney Neal Martin appears on behalf of protestor Jack Smith. Mr. Martin expressed his client's concern that a house will never be built on the subject site. Mr. Martin also asked that the conditions recommended by the Planning Commission be included in the ordinance and that the applicant provide proof of financing before the mobile home be allowed to be moved onto the property.

Mr. Max Hutchison appeared as one of the applicants. He stated that his goal is to build a home to live in and work out of. He stated that they had been in contact with a builder, although they would be doing some of the construction themselves. He stated that he will remove the mobile home after the construction of the house is completed.

Staff report was given and it was noted that the subject property is 15 acres in size and is expected to be used on a short-term basis, while the applicants construct a single-family residence. Staff recommends approval of the requested Conditional Use Permit to allow for the placement of a mobile home on the subject property, subject to the following four (4) conditions:

1. The mobile home shall be allowed on a temporary basis, while the applicant constructs a single-family residence.
2. The applicant shall commence construction of the single family residence within six (6) months of the date of permit approval and complete construction within two (2) years from the date of permit approval.
3. The mobile home shall be removed within 30 days of completion of the residence.
4. All A-1 setback requirements apply.

This request was approved by the Planning Commission.

A motion was made by Commissioner Harrod, seconded by Commissioner Sims, to approve Ordinance No. 2429NS with the four (4) conditions as listed above and with the added condition requiring applicants to provide proof of construction financing to the Planning Department prior to moving the mobile home onto property.

Ordinance No. 2429NS was introduced and read aloud.

ORDINANCE NO. 2429NS ENTITLED "AN ORDINANCE CONCERNING THE ZONING CLASSIFICATION OF THE FOLLOWING DESCRIBED PROPERTY LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY OF SHAWNEE, OKLAHOMA, TO-WIT: A TRACT OF LAND IN THE NORTHWEST QUARTER (NW/4) OF SECTION FIFTEEN (15), TOWNSHIP TEN (10) NORTH, RANGE TWO (2) EAST OF THE INDIAN MERIDIAN, POTTAWATOMIE COUNTY, OKLAHOMA, FURTHER DESCRIBED AS: BEGINNING AT A POINT 1303.75 FEET S00°00'00"W OF THE NORTHWEST CORNER OF SAID NORTHWEST QUARTER (NW/4); THENCE N89°57'04"E A DISTANCE OF 1330.40 FEET; THENCE S00°00'00"W A DISTANCE OF 494.90 FEET; THENCE S89°57'04"W A DISTANCE OF 1330.40 FEET; THENCE N00°00'00"E A DISTANCE OF 494.40 FEET TO THE POINT OF BEGINNING, REZONING SAID PROPERTY FROM A-1; AGRICULTURAL TO A-1P AGRICULTURAL WITH A

CONDITIONAL USE PERMIT AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SHAWNEE
ACCORDINGLY.”

Motion carried 6-1.

AYE: Harrod, Sims, Peterson, Collier, Winterringer, Stephens

NAY: Holt



City of Shawnee
Community Development Department
222 N. Broadway
Shawnee, OK 74801
(405) 878-1665 Fax (405) 878-1587
www.ShawneeOK.org

STAFF REPORT
Case #P04-10

TO: Shawnee Planning Commission

AGENDA: April 7, 2010

RE: CASE #P04-10; Consideration of a ***Conditional Use Permit*** to allow for the placement of a mobile home on agriculturally-zoned property.

PROPOSAL

The applicant requests approval of a Conditional Use Permit to allow for the placement of a mobile home on agriculturally-zoned property. The subject property is located at 15305 Patterson Road, near Shawnee Twin Lakes, Lake No. 1. It is Staff's understanding that the applicant intends to use the mobile home on a temporary basis, while they construct a single-family home.

GENERAL INFORMATION

Owner/Applicant	Boyd, Hutchinson
Site Location/Address	15305 Patterson Rd.
Current Site Zoning	Agricultural (A-1)
Parcel Size	15 acres
Proposed Zoning	Same
Proposed Use	Agricultural, rural residential
Comprehensive Plan Designation	Agricultural
Existing Land Use	Agricultural
Surrounding Land Use	<u>North</u> : Rural residential <u>South</u> : Rural residential <u>West</u> : Rural residential <u>East</u> : Rural residential

Surrounding Zoning	<u>North:</u> A-1 <u>South:</u> A-1 <u>West:</u> A-1 <u>East:</u> A-1
---------------------------	--

STAFF ANALYSIS AND FINDINGS

The subject property is surrounded by large parcels and is in a rural residential setting. Section 1401.10 of the Shawnee Zoning Code (see Section C) details the Planning Commission's task in reviewing Conditional Use Permit requests. Considerations include the character of the neighborhood, traffic congestion, public utilities and other matters pertaining to the general welfare.

As of the date of this report, Staff has received three (3) letters of protest with respect to the subject application. Concerns expressed include impacts on property values, the number of mobile homes proposed and a variety of other issues. Staff notes that only one mobile home is proposed at this time. Any additional mobile homes would be required to go through the conditional use permit process as well and would have to sit on a minimum of five (5) acres.

The subject property is 15 acres in size, which is considerably larger than the minimum lot size of 5 acres. Staff also notes that according to the applicant, the mobile home is expected to be used on a short-term basis, which they construct a single-family residence. Staff also notes that there are numerous mobile homes on one acre lots (approximate) all around Shawnee Twin Lake No. 1.

RECOMMENDATION

Staff recommends **approval** of the requested Conditional Use Permit to allow for the placement of a mobile home on the subject property, subject to the following conditions:

1. The mobile home shall be allowed on a temporary basis, while the applicant constructs a single-family residence.
2. The applicant shall commence construction of the single family residence within twelve (12) months of the date of permit approval and complete construction within three (3) years from the date of permit approval.
3. The mobile home shall be removed within 30 days of completion of the residence.
4. All A-1 setback requirements apply.

ZONING MAP

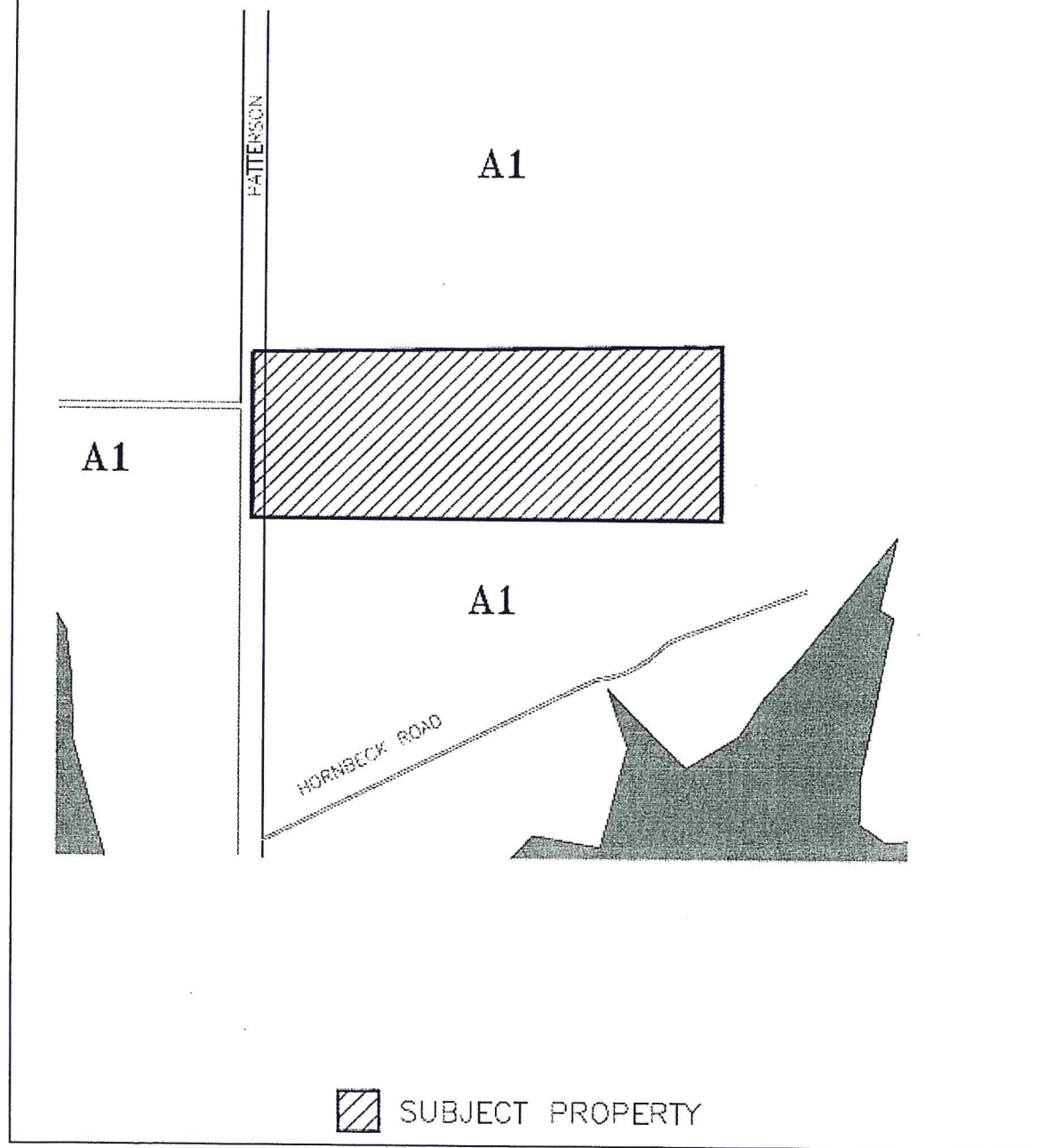


Figure 1: Location and zoning map.

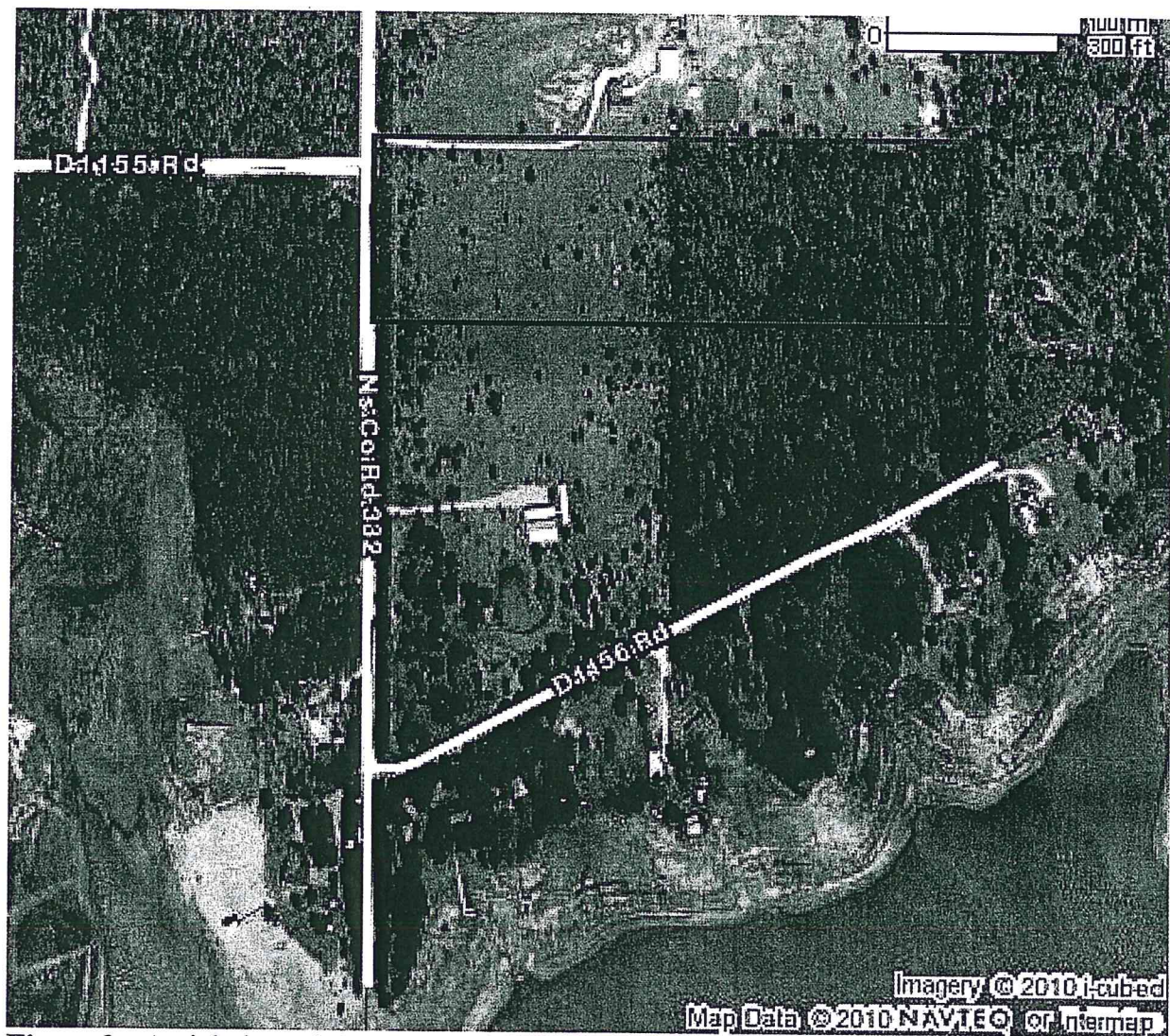


Figure 2: Aerial view of site and surrounding area (site outlined in red).

Regular Board of Commissioners

9.

Meeting Date: 09/17/2012

Consider repeal of Ordinance 2487NS

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Discussion, consideration and possible action on an ordinance to repeal Ordinance No. 2487NS which replaced the Tourism Advisory Committee with a Tourism Advisory Board.

Attachments

Memo

Ordinance Repeal

MEMORANDUM

**TO: Mayor and City Commissioners
Brian McDougal, City Manager**

FROM: Mary Ann Karns, City Attorney

**RE: Ordinance 2487 NS, passed August 20, creating
Tourism Advisory Board**

DATE: September 12, 2012

On August 20, 2012, the Commission passed Ordinance 2487, which set aside the current Tourism Advisory Committee and created a Tourism Advisory Board with a different method of appointment and membership. The emergency clause did not pass, and the Ordinance becomes effective September 19, 2012. The Ordinance was not affected by the temporary injunction issued by Judge Ferrell Ashwood.

The Ordinance sets out that the Mayor, with approval of the Commission, makes the first four appointments, and those four then appoint three additional members. In order to have the new Tourism Advisory Board ready to perform its tasks, those appointments should be made at your meeting September 17.

The City and the Chamber have begun negotiations for settlement of litigation; included in that negotiations is a new contract for operation of the CVB by the Chamber. The Chamber has expressed concern about changing the makeup of the current advisory group at this point in negotiations.

You have these options:

1. Make the appointments
2. Do nothing. On September 17 and for an indeterminate period of time, there would be no advisory entity.
3. Repeal Ordinance 2487.
4. Delay implementation of Ordinance 2487.

Your packet contains an Ordinance repealing 2487 and one delaying its implementation. You may pass either or neither.

ORDINANCE NO. _____

**An Ordinance Repealing Ordinance No. 2487NS, which Created a
Tourism Advisory Board, and Declaring an Emergency**

WHEREAS, the promotion and fostering of tourism and creating Shawnee as a destination city is a valuable project to strengthen the economy of the City of Shawnee; and

WHEREAS, the Mayor and City Commissioners, on August 20, 2012, passed Ordinance No. 2487 NS which created a Tourism Advisory Board to replace the Tourism Advisory Committee; and

WHEREAS, the Mayor and City Commissioners have determined that such change should not be made;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COMMISSIONERS OF THE CITY OF SHAWNEE, OKLAHOMA:

Section 1. Repealed. Ordinance No. 2487NS is hereby repealed in its entirety.

Section 2. Emergency. It being necessary for the protection of the public health, safety and welfare, an emergency is hereby declared to exist and this ordinance shall be effective immediately upon its passage and publication.

PASSED AND APPROVED this ____ day of _____, 2012.

WES MAINORD, MAYOR

ATTEST:

PHYLLIS LOFTIS, CITY CLERK

EMERGENCY SEPARATELY MOVED AND APPROVED this ____ day of _____, 2012.

WES MAINORD, MAYOR

ATTEST:

PHYLLIS LOFTIS, CITY CLERK

APPROVED AS TO FORM AND LEGALITY this ____ day of _____, 2012.

MARY ANN KARNs, CITY ATTORNEY

Regular Board of Commissioners

10.

Meeting Date: 09/17/2012

Consider Amending Ordinance 2487NS

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Discussion, consideration and possible action on an ordinance to amend Ordinance No. 2487 NS which replaced the Tourism Advisory Committee with a Tourism Advisory Board to change its effective date.

Attachments

Ordinance Delay

ORDINANCE NO. _____

**An Ordinance Delaying the Implementation of Ordinance No. 2487NS,
which Created a Tourism Advisory Board, and Declaring an
Emergency**

WHEREAS, the promotion and fostering of tourism and creating Shawnee as a destination city is a valuable project to strengthen the economy of the City of Shawnee; and

WHEREAS, the Mayor and City Commissioners, on August 20, 2012, passed Ordinance No. 2487 NS which created a Tourism Advisory Board to replace the Tourism Advisory Committee; and

WHEREAS, the Ordinance is to take effect September 19, 2012; and

WHEREAS, the Mayor and City Commissioners have determined that due to negotiations pending between the City and the Chamber of Commerce for the operation of a Convention and Visitors Bureau, the implementation of Ordinance 2487 NS should be delayed;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COMMISSIONERS OF THE CITY OF SHAWNEE, OKLAHOMA:

Section 1. Effective Date. Ordinance No. 2487NS will not take effect until the ____ day of _____, 20__.

Section 2. Emergency. It being necessary for the protection of the public health, safety and welfare, an emergency is hereby declared to exist and this ordinance shall be effective immediately upon its passage and publication.

PASSED AND APPROVED this ____ day of _____, 2012.

WES MAINORD, MAYOR

ATTEST:

PHYLLIS LOFTIS, CITY CLERK

EMERGENCY SEPARATELY MOVED AND APPROVED this ____ day of _____, 2012.

WES MAINORD, MAYOR

ATTEST:

PHYLLIS LOFTIS, CITY CLERK

APPROVED AS TO FORM AND LEGALITY this ____ day of _____, 2012.

MARY ANN KARNs, CITY ATTORNEY

Regular Board of Commissioners

11.

Meeting Date: 09/17/2012

Shawnee Municipal Pool Advisory Committee

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Consider Mayor's appointment of the following as an advisory committee for improvements to the Shawnee Municipal Pool:

- Terry West
 - Richard Finley
 - Nancy Ford
 - John Ayers
 - John Winterringer
 - James Bryce
-

Regular Board of Commissioners

12.

Meeting Date: 09/17/2012

Sales Tax

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Acknowledge Sales Tax report received September, 2012.

Attachments

Sales Tax

City of Shawnee Memorandum

To: Mayor and City Commissioners
CC: Brian McDougal, City Manager
From: Cynthia R Sementelli, Finance Director
Date: September 7, 2012
Re: City Sales Tax Report



September Sales Tax receipts were up \$18,862 or 1.42% compared to last year receipts. The September Sales tax amount received plus interest was \$1,349,282 which accumulatively for the fiscal year we are down \$100,542 or 2.39%. Compared to September 2010 figures we were down by \$40,420 or 2.9%.



	October 2009	October 2010	October 2011	Increase (Decrease)	
	through	through	through	Over Prior Year	
Month	September 2010	September 2011	September 2012	Amount	Percentage
October	1,281,416	1,386,987	1,309,924	(77,063)	(5.56%)
November	1,130,651	1,235,390	1,289,143	53,754	4.35%
December	1,218,404	1,248,649	1,262,401	13,752	1.10%
January	1,341,370	1,476,824	1,491,647	14,824	1.00%
February	1,372,608	1,448,966	1,624,568	175,602	12.12%
March	1,165,927	1,256,430	1,256,806	376	0.03%
April	1,308,463	1,311,387	1,417,533	106,146	8.09%
May	1,317,167	1,337,029	1,452,759	115,731	8.66%
June	1,298,026	1,276,542	1,284,872	8,330	0.65%
July	1,336,599	1,361,273	1,422,363	61,090	4.49%
August	1,390,086	1,417,308	1,339,539	(77,769)	(5.49%)
Sept	1,389,702	1,330,420	1,349,282	18,862	1.42%
Total	15,550,418	16,087,203	16,500,838	413,635	2.57%

Period	Prior Year Actual	Current Year Actual	Increase (Decrease) Over Prior Year	
Fiscal Year to Date	4,109,001	4,111,184	\$2,183	0.05%

Fiscal Year to Date Budget based on last year actual plus 2.5%

Period	Current Year Budget	Current Year Actual	Budget Variance Favorable (Unfavorable)	
Fiscal Year to Date	4,211,726	4,111,184	(\$100,542)	(2.39%)

**CITY OF SHAWNEE
SALES TAX COLLECTIONS
Oct 2009-Sept 2012**



- x— October 2009 through September 2010
- October 2010 through September 2011
- ▲— October 2011 through September 2012

Regular Board of Commissioners

13. a.

Meeting Date: 09/17/2012

Removal of Snow and Ice from Streets

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Removal of Snow and Ice from streets (Open)

Attachments

Notice to Bidders

Bidders List

CITY OF SHAWNEE OKLAHOMA

NOTICE TO PROSPECTIVE CONTRACTORS FOR THE REMOVAL OF SNOW AND ICE FROM THE STREETS OF THE CITY OF SHAWNEE

Notice is hereby given that the City of Shawnee desires to receive proposals for the removal of snow and ice from city streets within the City of Shawnee. The intent of this project is to augment City streets crews.

Prospective contractors may obtain Proposal Documents in the Office of the City Clerk, City Hall Building, 16 W. 9th, Shawnee, Oklahoma 74801, and shall sign the Proposal Documents Receipt List.

A mandatory Pre-Proposal Conference is scheduled for 10:00 AM on August 31 at the City Commission Chambers located in Shawnee City Hall, 16 West 9th Street, Shawnee, OK 74801.

Proposals shall be based upon the Plans and Specifications and other documents in the Proposal Documents Package. Proposals will be received in the Office of the City Clerk, 16 W. 9th, Shawnee, Oklahoma 74801, by no later than 4:00 P.M. on Monday, September 17, 2012. All proposals timely received will be opened and reviewed by the City Engineer. The City Engineer reserves the right to recommend that the City Commission of the City of Shawnee reject any or all proposals and to recommend that the Commission waive immaterial defects and irregularities.

The City Engineer may issue addenda as may be necessary in the best interest of the public and the City of Shawnee. Addenda may amend the date and/or time for receipt of proposals or any specification, item, document or requirement in the Proposal Documents

The Point of Contact for this project is Frank Loman, City Street Superintendent who may be reached at telephone number 1-405-650-8602. Contractors are encouraged to visit with the Street Superintendent to obtain all details needed prior to submitting their proposal so that their proposal is complete and total.

The successful contractor shall deliver the executed Contract and the certificates of insurance to the City prior to the commencement of work and shall deliver the executed bonds within ten (10) calendar days following the City's notification of its intent to award Contract, unless that time is extended by the City Engineer.

The Contractor shall use the Proposal Forms and Affidavits provided in the Proposal Documents or photocopies thereof. All forms must be signed and all affidavits sworn to and notarized. All proposals shall be typewritten or legibly printed in ink. Contractor shall file the proposal in a sealed envelope. Each envelope shall bear a legible notation thereon that it is a proposal upon the project proposed.



Signed: *Brian McDougal*
Brian McDougal
City Manager

Date: _____

Phyllis Loftis
Phyllis Loftis, CMC
City Clerk

Potential Vendor List

Snow & Ice Removal

Haskell Lemon Construction Co
3800 SW 10th Street
OKC, OK 73147
405-947-6069

Markwell Paving Co
1020 SW 21st Street
OKC, OK 73108
405-634-5353

Schwartz Paving Co
8251 West Reno
OKC, OK 73127
405-789-7203

Shell Construction Co
336 Falcon Dr
OKC, OK 73127
405-495-2063

CP Integrated Services
3800 Beacon Dr
OKC, OK 73179
405-823-2147

Silver Star Construction Co
2401 S Broadway
Moore, OK 73160
405-793-1725

Nash Construction Co
700 South Irving
OKC, OK 73129
405-672-2792

Rudy Construction Co
3101 NE 63rd
OKC, OK 73121
405-478-9900

Shawnee Sand & Select
43008 Benson Park Rd
Shawnee, OK 74801

Gilbert & Sons Trucking
40610 Benson Park Rd
Tecumseh, OK 74873

Michael's Dirty Deeds, LLC
49600 Highway 3E
Earlsboro, OK 74840

BDC Homes
1210 Gordon Cooper Drive
Shawnee, OK 74801
405-273-6217