

AGENDA
BOARD OF CITY COMMISSIONERS
June 20, 2011 AT 6:30 P.M.
COMMISSION CHAMBERS AT CITY HALL
SHAWNEE, OKLAHOMA

CALL TO ORDER

DECLARATION OF A QUORUM

INVOCATION

FLAG SALUTE

1. Consider approval of Agenda:
2. Consider approval of Consent Agenda:
 - a. Minutes from the June 6, 2011 regular meeting.
 - b. Budget Amendment – General Fund – to bring up compensated absences from fund balance to accommodate those who left
 - c. Budget Amendment – SMA – to adjust budget for compensated absences
 - d. Budget Amendment – General Fund – to adjust for overage in cost centers
 - e. Budget Amendment – Work Comp Self-Insurance Fund
 - f. Budget Amendment – SMA – to adjust departments
 - g. Acknowledge the following minutes and reports:
 - Shawnee Urban Renewal Authority minutes from April 5, 2011
 - Beautification Committee minutes from May 2, 2011
 - Project Payment Report for the month of May, 2011
 - License Payment Report for the month of May, 2011
 - h. Acknowledge annual budget for the Pioneer Library System FY 2011-2012.
 - i. Acknowledge Oklahoma Municipal Retirement Fund refund of contributions from the Defined Contribution plan for Kenneth Darren Harris.
 - j. Approve agreement with Pottawatomie County Commissioners to improve Coker Road.
 - k. Approve Lease Agreement with Project H.E.A.R.T., Inc.

3. Citizens Participation
(A three minute limit per person)
(A twelve minute limit per topic)
4. Consider Oklahoma Municipal Retirement Fund lump sum payment from Defined Benefit Plan and refund of contributions from the Defined Contribution Plan for Nancy Warren
5. Public hearing and consider a resolution adopting the budget for the City of Shawnee for the period of July 1, 2011 through June 30, 2012 finding all things requisite and necessary have been done in preparation and presentation of budget.
6. Acknowledge Sales Tax report received June, 2011.
7. Consider Bids:
 - a. Water Treatment Plant Chemical Building HVAC System Project No. SHA-10-02 (Award)
8. New Business
(Any matter not known about or which could not have been reasonably foreseen prior to the posting of the agenda)
9. Administrative Reports
10. Commissioners Comments
11. Consider an Executive Session to discuss possible mediation or settlement in the case of the City of Shawnee V. Shawnee Animal Hospital, Inc. et al., Case No. C-2009-1734; case filed in the District Court of Pottawatomie County, Oklahoma, as authorized by 25 O. S. §307 (B)(4).
12. Consider an Executive Session to discuss cases of Anthony J. Grasso V. City of Shawnee, Case No. CJ-2010-243; and David Block, Alan Gunter, Billy Mitchell, David Powell and Patricia Swinney V. City of Shawnee, Case No. CJ-10-721; cases filed in the District Court of Pottawatomie, County, Oklahoma, and workers compensation cases of Anthony J. Grasso (Case No. 2009-08537A), David Block (Case No. 2009-14594X), Alan Gunter (Case No. 2009-15678A), Billy Mitchell (Case No. 2010-13787H), David Powell (Case No. 2009-08538H), and Patricia Swinney (Case No. 2009-10858K), as authorized by 25 O. S. §307 (B)(4).
13. Consider an Executive Session to discuss status of Collective Bargaining Agreement with the IUPA, Local No. 3, for FY 2011-2012 as authorized by 25 O.S. §307(B)(2).
14. Consider an Executive Session to discuss status of Collective Bargaining Agreement with the IAFF, Local No. 203, for FY 2011-2012 as authorized by 25 O.S. §307(B)(2).
15. Consider matters discussed in Executive Session regarding pending litigation in the case of the City of Shawnee V. Shawnee Animal Hospital, Inc. et al. Case No. C-09-1734; case filed in the District Court of Pottawatomie County, Oklahoma, as authorized by 25 O. S. §307 (B)(4).

16. Consider matters discussed in Executive Session regarding cases of Anthony J. Grasso V. City of Shawnee, Case No. CJ-2010-243; and David Block, Alan Gunter, Billy Mitchell, David Powell and Patricia Swinney V. City of Shawnee, Case No. CJ-10-721; cases filed in the District Court of Pottawatomie, County, Oklahoma, and workers compensation cases of Anthony J. Grasso (Case No. 2009-08537A), David Block (Case No. 2009-14594X), Alan Gunter (Case No. 2009-15678A), Billy Mitchell (Case No. 2010-13787H), David Powell (Case No. 2009-08538H), and Patricia Swinney (Case No. 2009-10858K), as authorized by 25 O. S. §307 (B)(4).
17. Consider matters discussed in Executive Session regarding status of Collective Bargaining Agreement with the IUPA, Local No. 3 for FY 2011-2012 as authorized by O.S. §307(B)(2).
18. Consider matters discussed in Executive Session regarding status of Collective Bargaining Agreement with the IAFF, Local No. 203 for FY 2011-2012 as authorized by O.S. §307(B)(2).
19. Adjournment

Respectfully submitted

Phyllis Loftis, 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: 06/20/2011

Minutes 6-6-2011

Submitted By: Phyllis Loftis, Administration

Department: Administration

Information

Title of Item for Agenda

Minutes from the June 6, 2011 regular meeting.

Attachments

6-6-2011 minutes

BOARD OF CITY COMMISSIONERS PROCEEDINGS
JUNE 6, 2011 AT 6:30 P.M.

The Board of City Commissioners of the City of Shawnee, County of Pottawatomie, State of Oklahoma, met in Regular Session in the Commission Chambers at City Hall, 9th and Broadway, Shawnee, Oklahoma, Monday, June 6, 2011 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.

Absent

Mayor

Pam Stephens

Commissioner Ward 1

Frank Sims

Commissioner Ward 2

James Harrod

Commissioner Ward 3

Billy Collier

Commissioner Ward 4-Vice Mayor

Absent

Commissioner Ward 5

Steve Smith

Commissioner Ward 6

ABSENT: Linda Peterson, John Winterringer

INVOCATION

REV. PHIL THOMPSON

LIBERTY BAPTIST CHURCH

FLAG SALUTE

AGENDA ITEM NO. 1:

Consider approval of Agenda.

A motion was made by Commissioner Harrod, seconded by Commissioner Sims, to approve the Agenda. Motion carried 5-0.

AYE: Harrod, Sims, Collier, Smith, Stephens

NAY: None

AGENDA ITEM NO. 2:

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 20.
- b. Minutes from the May 16, 2011 regular meeting and minutes from the Emergency meeting May 27, 2011.
- c. Acknowledge the following minutes:
 - Traffic Commission minutes from January 25, 2011 and February 15, 2011
 - Shawnee Civic and Cultural Development Authority minutes from April 21, 2011
 - Planning Commission minutes from May 4, 2011
- d. Acknowledge Oklahoma Municipal Retirement Fund refund of contributions from the Defined Contribution for John Purdon.
- e. Acknowledge Oklahoma Municipal Retirement Fund refund of contributions from the Defined Contribution for Don Heaps.
- f. Acknowledge Oklahoma Municipal Retirement Fund refund of contributions from the Defined Contribution for Kevin Campbell.
- g. Authorize staff to advertise for bids for Contract COS-PW-11-01: Rehabilitate Runway 17/35; Grade Safety Areas; and Construct Connecting Taxiway.
- h. Authorize staff to advertise for RFP's for the Auditorium Heat and Air Project Design/Build.
- i. Approve agreement with the YMCA for lease of mower for maintenance of ball fields.
- j. Authorize staff to apply for EOC Grant from Federal Emergency Management Agency.
- k. Authorize Staff to do design work and prepare bids for repairing Expo parking lots as per approved landscaping plans accepted by SCCDA board.

1. Approve Community Service Contract Review Committee recommendations and agreements as follows:

- (1) Consider renewal of contract with Senior Citizens, Inc. for operation of the Municipal Auditorium for FY 2011-12

RECOMMENDATION: To approve the contract with Senior Citizens, Inc. for FY 2011-12 in the amount of \$72,100.

- (2) Consider renewal of contract with Central Oklahoma Community Action Agency/Central Oklahoma Transit for FY 2011-12.

RECOMMENDATION: To approve the contract with Central Oklahoma Community Action Agency/Central Oklahoma Transit for FY 2011-12 in the amount of \$58,500.00.

- (3) Consider renewal of contract with YMCA for operation of Shawnee Community Center for FY 2011-12.

RECOMMENDATION: To approve the contract with the YMCA for operation of the Community Center for FY 2011-12 in the amount of \$36,000.

m. Acknowledge Traffic Commission recommendations from February 15, 2011

- A. Consideration of request made by Shawnee Milling Company to close South Broadway from Farrell to 7th Street to the public.

BOARD RECOMMENDATION: Board recommends approval

STAFF RECOMMENDATION: Staff recommends approval

n. Approve Traffic Commission recommendations from April 26, 2011

- A. Consideration of request by staff to put up street light at the following locations:

- (1) 1800 block of North Union
- (2) Intersection of Industrial Way and Industrial Drive
- (3) Kickapoo & Hazel Del
- (4) Kickapoo & Garrett's Lake Road
- (5) Kickapoo & Moccasin Trail
- (6) Dewey & Leo at railroad tracks

BOARD RECOMMENDATION: Board recommends installation at all requested locations.

STAFF RECOMMENDATION: Staff recommends installation at all requested locations.

B. Consideration of request by Sustainable Shawnee and Justice Mission of Oklahoma Baptist University to put up light on existing pole on Wall between Park and Market.

BOARD RECOMMENDATION: Board recommends to deny this request.

STAFF RECOMMENDATION: Staff recommends to deny this request,.

C. Consideration of request by Gilbert Crook, 617 S. Louisa, to put up "Children at Play" sign on the 600 block of South Louisa

BOARD RECOMMENDATION: Board recommends to deny this request.

STAFF RECOMMENDATION: Staff recommends to deny this request.

D. Consideration of request by staff to lower speed limit on North Kickapoo North of 45th Street.

BOARD RECOMMENDATION: Board recommends to request ODOT to conduct a traffic speed study to lower speed limit on S.H. 3E (Kickapoo Street).

STAFF RECOMMENDATION: Staff recommends to request

ODOT to conduct a traffic speed study to lower speed limit on S.H. 3E (Kickapoo Street).

- o. Approve Lake Site Lease Transfers and Renewal:

Transfers:

Lot 16 Belcher Tract, 33312 Post Office Neck

From: J. Nicholson and M. Nicholson

To: J. Hays and C. Barks

Lot 1 Magnino A Tract, 17000 Magnino Road

From: W. Lohden

To: J. Mutz and S. Mutz

Lot 15 Magnino A Tract, 17316 Magnino Road

From: E. Hawkins

To: S. Shadid and N. Shadid

Renewal:

Lot 7 Green Tract, 32005 Hornbeck Road

L. Spencer and K. Spencer

- p. Approval of the CDBG FY 2011 – FY 2012 One (1) Year Action Plan for fiscal year beginning July 1, 2011 through June 30, 2012.
- q. Approve renewal of the following agreements for FY 2011-2012:
1. Independent School District No. 93 for maintenance of tennis courts.
 2. Pottawatomie County District Court to establish, develop and implement programs for juvenile misdemeanor offenders.
 3. Gordon Cooper Technology Center District No. 5 to provide repaving and repair of public roadways and parking lots used by students, faculty, employees and patrons of GCTC.
 4. Agreement with Youth and Family Resource Center, Inc. (Hope House) for Juvenile Services.
 5. Agreement to provide police officers for Shawnee High School and Middle School.

6. Governmental Services contract with the Shawnee Civic and Cultural Development Authority.
7. Animal shelter facility agreement with Town of McLoud.
8. Pottawatomie County Public Safety Center Jail Services Agreement.

A motion was made by Commissioner Harrod, seconded by Commissioner Sims, to approve the Consent Agenda Items a – q. Motion carried 5-0.

AYE: Harrod, Sims, Collier, Smith, Stephens

NAY: None

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

Ms. Cheryl Thomas encouraged the Commission to pass the ordinance and emergency clause regarding the issue of venting of garage storm shelters, which is on the agenda for Commission consideration.

AGENDA ITEM NO. 4: Presentation by City Manager of Employee
of the Month to Lisa Moody, Accounting.

City Manager Brian McDougal presented Employee of the Month honors to Lisa Moody, a 27 year City employee. Ms. Moody was present to accept.

AGENDA ITEM NO. 5: Presentation by City Manager of FEMA
Advanced Professional Series Certificate of
Completion to Butch Lutomski.

City Manager presented Butch Lutomski with the FEMA Advanced Professional Series Certificate of Completion. Mr. Lutomski was present to accept his award.

AGENDA ITEM NO. 6: Consider a resolution naming Jim Spurr as
Poet Laureate of Shawnee.

A motion was made by Commissioner Sims, seconded by Commissioner Stephens, to approve the Resolution naming Jim Spurr as Poet Laureate of Shawnee.

Resolution No. 6406 was introduced and the title read aloud.

A RESOLUTION RECOGNIZING JIM SPURR FOR HIS ACCOMPLISHMENTS AND NAMING HIM SHAWNEE'S POET LAUREATE; DIRECTING THAT SAID RESOLUTION BE SPREAD UPON THE OFFICIAL RECORDS OF THE CITY OF SHAWNEE, OKLAHOMA; AND AUTHORIZING A COPY BE PRESENTED TO THE SAID JIM SPURR.

Motion carried 5-0.

AYE: Sims, Stephens, Harrod, Collier, Smith

NAY: None

Mr. Spurr was present to accept the resolution and thanked the Commission for the honor.

AGENDA ITEM NO. 7: Presentation by Yale Oil Association, Inc. regarding drilling permit.

Representatives of Yale Oil Company, Candance Robinson, Frank Thompson and Darren Teeman were present to review Yale's application for a drilling permit and to assure Commissioners of the safeguards in place to protect our water supply.

AGENDA ITEM NO. 8: Consider request by Yale Oil Association, Inc. to drill an oil well on property located near 32010 Clearpond Road.

A motion was made by Commissioner Harrod, seconded by Commissioner Sims, to allow Yale Oil Association, Inc. to drill an oil well on property located near 32010 Clearpond Road. Motion carried 5-0.

AYE: Harrod, Sims, Collier, Smith, Stephens

NAY: None

AGENDA ITEM NO. 9:

Consider approval of an amendment to the Legacy Park P.U.D. to change the building height from 35 feet to 48 feet for property located at 1701 Airport Drive. Case #P07-11 Applicant: Landes Engineering, LLC

A motion was made by Commissioner Stephens, seconded by Commissioner Sims, to approve an amendment to the Legacy Park P.U.D. to change the building height from 35 feet to 48 feet for property located at 1701 Airport Drive contingent upon the following conditions being met:

1. Final infrastructure and site development plans shall be submitted by the applicant and approved by the City and the City Engineer prior to construction.
2. All other applicable City standards apply.
3. No other deviations from the approved PUD are approved.
4. A three-story structure up to 48 feet tall may be constructed on the subject site.
5. The two existing curb cuts located along Airport Drive shall be closed and curbed to City standards concurrent with site development.

Motion carried 5-0.

AYE: Stephens, Sims, Harrod, Collier, Smith

NAY: None

AGENDA ITEM NO. 10:

Consider approval of a preliminary and final plat for Legacy Park Second Addition located east side of Airport Road south of Saratoga. Case #S07-11 & S08-11 Applicant: Landes Engineering, LLC

A motion was made by Commissioner Stephens, seconded by Commissioner Sims, to approve the preliminary and final plat for Legacy Park Second Addition located east side of Airport Road south of Saratoga contingent upon the following conditions being met:

1. Final infrastructure and site development plans shall be submitted by the applicant and approved by the City and the City Engineer prior to construction.
2. All other applicable City standards apply.
3. No other deviations from the approved PUD are approved.
4. A three-story structure up to 48 feet tall may be constructed on the subject site.
5. The two existing curb cuts located along Airport Drive shall be closed and curbed to City standards concurrent with site development.

Motion carried 5-0.

AYE: Stephens, Sims, Harrod, Collier, Smith

NAY: None

AGENDA ITEM NO. 11:

Public hearing and consider an ordinance to rezone property located at 1905 N. Bryan from R-1; Residential and A-1; Agricultural to a Planned Unit Development (P.U.D.). Case #P08-11 Applicant: Landes Engineering, LLC

Vice-Mayor Collier declared a public hearing and asked for public comments from anyone in favor or in protest of this ordinance.

Mr. Richard Landes, applicant, came forward in favor of the project and asked if Commissioners had any questions regarding the project.

No other persons appeared and the public hearing was closed.

A motion was made by Commissioner Harrod, seconded by Commissioner Sims, to approve an ordinance to rezone property located at 1905 N. Bryan from R-1; Residential and A-1; Agricultural to a Planned Unit Development (P.U.D.) contingent upon the following conditions being met:

1. The three existing curb cuts along the Bryan Street shall be closed and curbed, in accordance with City standards concurrent with site development.
2. In accordance with the Shawnee Zoning Code, screening is required along the northern and eastern property lines.
3. The proposed sidewalks shown on the submitted site plan/preliminary plat shall be constructed along Bryan Street and Bradley Street.
4. A maximum building height of 51 feet is allowed for the main structure. Villa (townhouse/duplex) units shall not exceed 35 feet in height.
5. A detailed landscaping plan shall be submitted prior to building permit issuance.
6. A reduction in the number of required parking spaces is hereby approved, provided that a minimum of 87 spaces are constructed excluding the villa units.
7. All other applicable City standards apply.
8. All existing water wells shall be decommissioned as required in accordance with City code and State law.
9. All exterior lighting shall be oriented and shielded to prevent "light trespass" onto adjacent residential properties.
10. Unless otherwise conditioned by the City, all development shall be consistent with the Primrose Retirement Community Master Plan prepared by Landes Engineering and dated May 2011. Site design shall be substantially similar to submitted drawings, details, photographs and renderings.

The title of Ordinance No. 2455NS was then read into the record:

Ordinance No. 2455NS

AN ORDINANCE CONCERNING THE ZONING CLASSIFICATION OF THE FOLLOWING DESCRIBED PROPERTY LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY OF SHAWNEE, POTTAWATOMIE COUNTY, OKLAHOMA, TO-WIT: LOT FOURTEEN (14), CROSE'S ADDITION TO THE CITY OF SHAWNEE, LESS 1 ACRE IN THE NORTHWEST CORNER OF SAID LOT FOURTEEN (14) TO BE DETERMINED, POTTAWATOMIE COUNTY, OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF REZONING SAID PROPERTY FROM R-1; SINGLE FAMILY RESIDENTIAL AND A-1; AGRICULTURAL TO P.U.D.; PLANNED UNIT DEVELOPMENT; AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SHAWNEE ACCORDINGLY.

Motion carried 5-0.

AYE: Harrod, Sims, Collier, Smith, Stephens

NAY: None

AGENDA ITEM NO. 12:

Consider approval of a preliminary plat for Primrose Addition located at the Northeast corner of Bryan and Bradley. Case #S05-11 Applicant: Landes Engineering, LLC

A motion was made by Commissioner Sims, seconded by Commissioner Stephens, to approve the preliminary plat for Primrose Addition located at the Northeast corner of Bryan and Bradley. Motion carried 5-0.

AYE: Sims, Stephens, Harrod, Collier, Smith

NAY: None

AGENDA ITEM NO. 13:

Consider approval of a final plat for Primrose Addition located at the Northeast corner of Bryan and Bradley. Case #S06-11
Applicant: Landes Engineering, LLC

On the recommendation of Community Development Director Justin Erickson, a motion was made by Commissioner Harrod, seconded by Commissioner Sims, to defer consideration of the final plat for Primrose Addition located at the Northeast corner of Bryan and Bradley to the July 18, 2011 City Commission meeting. Motion carried 5-0.

AYE: Harrod, Sims, Collier, Smith, Stephens

NAY: None

AGENDA ITEM NO. 14:

Public hearing and consider an ordinance closing to public use a portion of Broadway Street between Seventh Street and Farrall.

Vice-Mayor Collier declared a public hearing and asked for public comments for anyone in favor or in protest of this ordinance.

Ms. Jeanetta Townes spoke in protest of the street closing, citing traffic flow on Bell Street.

Mr. Bill Ford spoke in favor of the closure stating it would be a great benefit for the future growth of Shawnee Milling Company

No other persons spoke and the public hearing was closed.

A motion was made by Commissioner Stephens, seconded by Commissioner Harrod, to approve an ordinance closing to public use a portion of Broadway Street between Seventh Street and Farrall.

The title of Ordinance No. 2456NS was then read into the record:

Ordinance No. 2456NS

AN ORDINANCE CLOSING TO PUBLIC USE A PORTION OF BROADWAY STREET IN THE CITY OF SHAWNEE, OKLAHOMA; SPECIFICALLY DESCRIBING SAID STREET;

RESERVING THE RIGHT TO REOPEN SAID STREET; RESERVING UTILITIES; AND DECLARING AN EMERGENCY.

Motion carried 5-0.

AYE: Stephens, Harrod, Collier, Smith, Sims

NAY: None

Thereupon Vice-Mayor Collier declared Ordinance No. 2456NS duly passed and adopted.

A motion was made by Commissioner Stephens, seconded by Commissioner Harrod, that the Emergency Clause be approved declaring that this ordinance shall be in full force and effect upon passage.

AYE: Stephens, Harrod, Collier, Smith, Sims

NAY: None

AGENDA ITEM NO. 15: Consider an ordinance relating to trespassing.

A motion was made by Commissioner Harrod, seconded by Commissioner Sims, to approve an ordinance relating to trespassing.

The title of Ordinance No. 2457NS was then read into the record:

Ordinance No. 2457NS

AN ORDINANCE RELATING TO TRESPASSING IN THE CITY OF SHAWNEE; AMENDING SUBSECTIONS (a) AND (b) AND CREATING A NEW SUBSECTION (c) OF SECTION 20-27 OF CHAPTER 20 OF THE CODE OF THE CITY OF SHAWNEE; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

Motion carried 5-0.

AYE: Harrod, Sims, Collier, Smith, Stephens

NAY: None

Thereupon Vice-Mayor Collier declared Ordinance No. 2457NS duly passed and adopted.

No motion was made on Section 9, the Emergency Clause, therefore the ordinance shall be in effect thirty (30) days from its passage and approval.

AGENDA ITEM NO. 16: Consider an ordinance relating to storm shelter venting.

A motion was made by Commissioner Sims, seconded by Commissioner Harrod, to approve an ordinance relating to storm shelter venting. The passage of this ordinance would not require venting of garage shelters, either pre-existing or new construction.

The title of Ordinance No. 2458NS was then read into the record:

Ordinance No. 2458NS

AN ORDINANCE RELATING TO VENTING OF STORM SHELTERS IN THE CITY OF SHAWNEE BY AMENDING SECTION R309 OF THE 2003 INTERNATIONAL RESIDENTIAL CODE, PROVIDING FOR SEVERABILITY AND DECLARING AN EMERGENCY.

Motion carried 5-0.

AYE: Sims, Harrod, Collier, Smith, Stephens

NAY: None

Thereupon Vice-Mayor Collier declared Ordinance No. 2458NS duly passed and adopted.

A motion was made by Commissioner Sims, seconded by Commissioner Harrod, that the Emergency Clause be approved declaring that this ordinance shall be in full force and effect upon passage.

AYE: Sims, Harrod, Collier, Smith, Stephens

NAY: None

AGENDA ITEM NO. 17:

Public hearing and presentation of the FY2011-2012 budget.

Vice-Mayor Collier opened the public hearing and asked if anyone present wished to speak in favor or against the FY2011-2012 budget. No one appeared and the public hearing was closed.

City Manager Brian McDougal gave a budget presentation and spoke in greater detail regarding the General Fund, Revenue Summary, SMA Funds – Revenues, General Fund Expenses, Airport Funds and Capital Funds.

SMA Capital projects included a \$500,000 pipe bursting plan, water line replacement and looping, sludge pond cleaning and an airport lift station.

Mr. McDougal further discussed a short-term \$3 million loan for some smaller general fund projects. Among those mentioned were the repairs to Expo parking, replacement of the library roof, repairs to the airport walking track, installation of wayfinding signage, a new cemetery building, the replacement of Fire Department Squad 1 vehicle and the replacement of City Hall phone system.

Regarding personnel, the budget proposal includes a 3% cost of living increase to non-union city employees. Further, it also proposes that insurance benefits be equalized for all uniform and non-uniform employees

AGENDA ITEM NO. 18:

Consider a resolution of support for economic development and affordable housing for the Absentee Shawnee Housing Authority.

A motion was made by Commissioner Sims, seconded by Commissioner Stephens, to approve the Resolution of support for economic development and affordable housing for the Absentee Shawnee Housing Authority.

Resolution No. 6407 was introduced and the title read aloud.

RESOLUTION NO. 6408

A RESOLUTION OF SUPPORT FOR ECONOMIC DEVELOPMENT AND AFFORDABLE HOUSING FOR THE BENEFIT OF THE CITIZENS OF SHAWNEE, OKLAHOMA; AND SUPPORT OF TAX CREDIT AWARD FOR THE CONSTRUCTION OF

AFFORDABLE HOUSING DEVELOPMENT IN
THE CITY OF SHAWNEE, OKLAHOMA.

Motion carried 5-0.

AYE: Sims, Stephens, Harrod, Collier, Smith

NAY: None

AGENDA ITEM NO. 19:

Consider a resolution setting the hours of opening and closing of City of Shawnee parks.

A motion was made by Commissioner Stephens, seconded by Commissioner Sims, to approve the Resolution setting hours of opening and closing of City of Shawnee parks.

Resolution No. 6408 was introduced and the title read aloud.

A RESOLUTION SETTING THE HOURS OF OPENING AND CLOSING OF PARKS UNDER THE JURISDICTION OF THE CITY OF SHAWNEE; DIRECTING THE CITY MANAGER TO CAUSE SIGNS TO BE ERECTED IN APPROPRIATE PLACES NOTIFYING THE PUBLIC OF SUCH HOURS; AUTHORIZING THE CITY MANAGER TO PERMIT VARIANCES FOR SPECIAL EVENTS OR CIRCUMSTANCES; AND REPEALING ALL RESOLUTIONS IN CONFLICT THEREWITH.

Motion carried 5-0.

AYE: Stephens, Sims, Harrod, Collier, Smith

NAY: None

AGENDA ITEM NO. 20:

Consider Bids:

- a. Water Treatment Plant Chemical Building HVAC System Project No. SHA-10-02 (Open)

BIDDER
M&J Contractors, LLC

AMOUNT
\$93,690.00

Ada, OK

Mechanical Concepts Inc. \$75,754.70
Heating & Air Conditioning
Oklahoma City, OK

All Phase Electric \$75,000.00
Shawnee, OK

Randy Brock read the bids into the record and requested that the bid award be deferred to the next meeting to allow staff to review and check references.

A motion was made by Commissioner Sims, seconded by Commissioner Stephens, to defer the bid award to the June 20, 2011 City Commission meeting. Motion carried 5-0.

AYE: Sims, Stephens, Harrod, Collier, Smith

NAY: None

b. One (1) 2011 Truck Mounted Sewer Jetter (Award)

Randy Brock announced that five bids were received and after review and consideration it was their recommendation to award the bid to J&R Equipment, LLC of Oklahoma City, Oklahoma in the amount of \$177,189.00.

A motion was made by Commissioner Harrod, seconded by Commissioner Sims, to accept staff's recommendation and award the bid to J&R Equipment, LLC in the amount of \$177,189.00. Motion carried 5-0.

AYE: Harrod, Sims, Collier, Smith, Stephens

NAY: None

AGENDA ITEM NO. 21:

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. 22:

Administrative Reports

There was no Administrative Reports.

AGENDA ITEM NO. 23:

Commissioners Comments

Commissioner Stephens congratulated Jim Spurr on his poet laureate designation and commented that she and Commissioner Sims had worked with Mr. Spurr many years ago on a Shawnee Little Theatre production.

Commissioner Stephens also had positive comments regarding the City's Blackboard Connect mass communication system. She was impressed how well it worked during the recent severe weather and a later water emergency.

Commissioner Sims thanked the water/utility crews for their quick response during the water emergency that caused our water towers to drain. The crews worked tirelessly to repair the problem and to lessen the impact to citizens.

AGENDA ITEM NO. 24:

Adjournment

There being no further business to be considered, a motion was made by Commissioner Stephens, seconded by Commissioner Sims, that the meeting be adjourned. Motion carried 5-0. (7:41 p.m.)

AYE: Stephens, Sims, Harrod, Collier, Smith

NAY: None

BILLY COLLIER, VICE-MAYOR

(SEAL)

ATTEST:

PHYLLIS LOFTIS,
CITY CLERK

Regular Board of Commissioners

2. b.

Meeting Date: 06/20/2011

Budget Amendment - General Fund

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Budget Amendment – General Fund – to bring up compensated absences from fund balance to accommodate those who left

Attachments

Budget Amendment General Fund

City of Shawnee
Budget Amendment
General Fund
June 15, 2011

Estimated Revenue, Fund Balance, or Transfers IN

| Fund Number | Account Number | Project Code | Line Item | Description | Balance Before Amendment | Amount of Amendment Increase (Decrease) | Balance After Amendment |
|-------------|----------------|--------------|-----------|--------------|--------------------------|---|-------------------------|
| 001 | 3001 | | | Fund Balance | | (47,388.17) | |
| | | | | | | | |
| | | | | | | | |
| | | | | Total | | | |

Appropriations

| Fund Number | Account Number | Project Code | Line Item | Description | Balance Before Amendment | Amount of Amendment Increase (Decrease) | Balance After Amendment |
|-------------|----------------|--------------|-----------|------------------|--------------------------|---|-------------------------|
| 001 | 5-0620-5101 | | | REGULAR SALARIES | 2,074,279.97 | 19,330.37 | 2,093,610.34 |
| 001 | 5-0630-5101 | | | REGULAR SALARIES | 294,354.00 | 7,576.05 | 301,930.05 |
| 001 | 5-0720-5101 | | | REGULAR SALARIES | 2,220,827.74 | 235.38 | 2,221,063.12 |
| 001 | 5-0920-5101 | | | REGULAR SALARIES | 315,318.87 | 1,050.02 | 316,368.89 |
| 001 | 5-0940-5101 | | | REGULAR SALARIES | 224,298.77 | 32.33 | 224,331.10 |
| 001 | 5-0950-5101 | | | REGULAR SALARIES | 109,348.52 | 189.89 | 109,538.41 |
| 001 | 5-1010-5101 | | | REGULAR SALARIES | 197,914.00 | 172.56 | 198,086.56 |
| 001 | 5-1030-5101 | | | REGULAR SALARIES | 317,693.00 | 544.68 | 318,237.68 |
| 001 | 5-1060-5101 | | | REGULAR SALARIES | 239,904.00 | 14,422.50 | 254,326.50 |
| 001 | 5-1070-5101 | | | REGULAR SALARIES | 175,990.32 | 695.30 | 176,685.62 |
| 001 | 5-1210-5101 | | | REGULAR SALARIES | 260,067.77 | 62.74 | 260,130.51 |
| 001 | 5-4020-5101 | | | REGULAR SALARIES | 20,324.00 | 1,381.37 | 21,705.37 |
| 001 | 5-0620-5112 | | | MEDICARE | 34,259.58 | 280.23 | 34,539.81 |
| 001 | 5-0720-5112 | | | MEDICARE | 33,720.73 | 3.41 | 33,724.14 |
| 001 | 5-0920-5112 | | | MEDICARE | 4,935.24 | 15.23 | 4,950.47 |
| 001 | 5-0940-5112 | | | MEDICARE | 3,325.15 | 0.47 | 3,325.62 |
| 001 | 5-0950-5112 | | | MEDICARE | 1,667.09 | 2.75 | 1,669.84 |
| 001 | 5-1010-5112 | | | MEDICARE | 2,927.00 | 2.50 | 2,929.50 |
| 001 | 5-1030-5112 | | | MEDICARE | 5,352.42 | 7.90 | 5,360.32 |
| 001 | 5-1060-5112 | | | MEDICARE | 4,116.00 | 209.13 | 4,325.13 |
| 001 | 5-1070-5112 | | | MEDICARE | 2,918.73 | 10.08 | 2,928.81 |
| 001 | 5-4020-5112 | | | MEDICARE | 295.00 | 19.45 | 314.45 |
| 001 | 5-0920-5111 | | | FICA | 21,268.60 | 65.10 | 21,333.70 |
| 001 | 5-0940-5111 | | | FICA | 14,338.11 | 2.00 | 14,340.11 |
| 001 | 5-0950-5111 | | | FICA | 7,185.90 | 11.77 | 7,197.67 |
| 001 | 5-1010-5111 | | | FICA | 12,616.00 | 10.70 | 12,626.70 |
| 001 | 5-1030-5111 | | | FICA | 23,044.42 | 33.77 | 23,078.19 |
| 001 | 5-1060-5111 | | | FICA | 17,741.00 | 894.20 | 18,635.20 |
| 001 | 5-1070-5111 | | | FICA | 12,578.68 | 43.11 | 12,621.79 |
| 001 | 5-4020-5111 | | | FICA | 1,270.00 | 83.18 | 1,353.18 |
| | | | | | - | - | - |
| | | | | | - | - | - |
| | | | | | - | - | - |
| | | | | | - | - | - |
| | | | | | | 47,388.17 | |

Approved by the City Commission this
June 15, 2011

Explanation of Budget Amendment:
To bring up compensated absences from fund balance to accommodate those who left

Approved:

Mayor

Attest:

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

City Clerk

Regular Board of Commissioners

2. c.

Meeting Date: 06/20/2011

Budget Amendment - SMA

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Budget Amendment – SMA – to adjust budget for compensated absences

Attachments

Budget Amendment SMA

Regular Board of Commissioners

2. d.

Meeting Date: 06/20/2011

Budget Amendment - General Fund

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Budget Amendment – General Fund – to adjust for overage in cost centers

Attachments

Budget Amend Cost Center

**City of Shawnee
Budget Amendment
General Fund
June 16, 2011**

Estimated Revenue, Fund Balance, or Transfers IN

| Fund Number | Account Number | Project Code | Line Item | Description | Balance Before Amendment | Amount of Amendment Increase (Decrease) | Balance After Amendment |
|-------------|----------------|--------------|-----------|-------------|--------------------------|---|-------------------------|
| 001 | 001 | | 4001 | SALES TAX | | 571,170.00 | |
| | | | | | | | |
| | | | | | | | |
| | | | | Total | | 571,170.00 | |

Appropriations

| Fund Number | Account Number | Project Code | Line Item | Description | Balance Before Amendment | Amount of Amendment Increase (Decrease) | Balance After Amendment |
|-------------|----------------|--------------|-----------|-----------------------------|--------------------------|---|-------------------------|
| 001 | 5.0130.5101 | | | REGULAR SALARIES | - | 22,000.00 | 22,000.00 |
| 001 | 5.0130.5111 | | | FICA | 2,273.00 | 1,000.00 | 3,273.00 |
| 001 | 5.0130.5112 | | | MEDICARE | 527.00 | 400.00 | 927.00 |
| 001 | 5.0130.5113 | | | HEALTH INSURANCE | - | 1,000.00 | 1,000.00 |
| 001 | 5.0130.5114 | | | LIFE INSURANCE | - | 10.00 | 10.00 |
| 001 | 5.0130.5115 | | | OMRF RETIREMENT | - | 5,000.00 | 5,000.00 |
| 001 | 5.0130.5155 | | | WORKER'S COMPENSATION | - | 2,000.00 | 2,000.00 |
| 001 | 5.0130.5201 | | | OFFICE & COMPUTER SUPPLIES | - | 1,500.00 | 1,500.00 |
| 001 | 5.0130.5325 | | | TELEPHONE | - | 500.00 | 500.00 |
| 001 | 5.0130.5328 | | | COPY USAGE EXPENSE | - | 500.00 | 500.00 |
| 001 | 5.0130.5329 | | | POSTAGE & SHIPPING | - | 10.00 | 10.00 |
| 001 | 5.0130.5340 | | | TRAINING CONFERENCES | - | 250.00 | 250.00 |
| 001 | 5.0130.5349 | | | BOOKS & SUBSCRIPTIONS | 3,500.00 | 2,000.00 | 5,500.00 |
| 001 | 5.0130.5378 | | | MISC. OTHER SERV. & CHG | - | 3,000.00 | 3,000.00 |
| 001 | 5.0230.5201 | | | OFFICE & COMPUTERS SUPPLIES | 5,000.00 | 10,000.00 | 15,000.00 |
| 001 | 5.0230.5220 | | | TOOLS & MINOR EQUIPMENT | 1,500.00 | 1,000.00 | 2,500.00 |
| 001 | 5.0320.5101 | | | REGULAR SALARIES | 133,255.00 | 45,000.00 | 178,255.00 |
| 001 | 5.0320.5102 | | | OVERTIME | 611.00 | 5,000.00 | 5,611.00 |
| 001 | 5.0320.5360 | | | BANK CHARGES | - | 18,000.00 | 18,000.00 |
| 001 | 5.0410.5310 | | | LEGAL SERVICES | 45,000.00 | 20,000.00 | 65,000.00 |
| 001 | 5.0410.5317 | | | MEDICAL SERVICES | 5,000.00 | 18,000.00 | 23,000.00 |
| 001 | 5.0510.5339 | | | OTHER CONTRACTUAL SERV | 55,000.00 | 37,000.00 | 92,000.00 |
| 001 | 5.0510.5351 | | | SOFTWARE SUPPORT CNTRC | - | 6,000.00 | 6,000.00 |
| 001 | 5.0510.5355 | | | INSURANCE | - | 2,500.00 | 2,500.00 |
| 001 | 5.0510.5357 | | | EQUIPMENT RENTAL | - | 4,500.00 | 4,500.00 |
| 001 | 5.0630.5103 | | | PART-TIME SALARIES | - | 5,000.00 | 5,000.00 |
| 001 | 5.0630.5113 | | | HEALTH INSURANCE | 32,862.00 | 3,000.00 | 35,862.00 |
| 001 | 5.0640.5145 | | | UNEMPLOYMENT COMPENSATION | - | 7,300.00 | 7,300.00 |
| 001 | 5.0660.5101 | | | REGULAR SALARIES | 286,360.00 | 2,800.00 | 289,160.00 |
| 001 | 5.0660.5102 | | | OVERTIME | 10,533.00 | 25,000.00 | 35,533.00 |
| 001 | 5.0660.5113 | | | HEALTH INSURANCE | 29,700.00 | 4,100.00 | 33,800.00 |
| 001 | 5.0660.5145 | | | UNEMPLOYMENT COMPENSATION | - | 16,000.00 | 16,000.00 |
| 001 | 5.0710.5302 | | | REPAIRS & MAINT. - BLDG | 5,000.00 | 3,000.00 | 8,000.00 |
| 001 | 5.0740.5303 | | | REPAIRS & MAINT. - EQUIP | 7,500.00 | 10,000.00 | 17,500.00 |
| 001 | 5.0740.5304 | | | REPAIRS & MAINT. - VEHICLE | 1,250.00 | 3,200.00 | 4,450.00 |
| 001 | 5.0740.5317 | | | MEDICAL SERVICES | 300.00 | 5,000.00 | 5,300.00 |
| 001 | 5.0740.5360 | | | MASS NOTIFICATION SYSTEM | - | 10,100.00 | 10,100.00 |
| 001 | 5.0930.5210 | | | FUEL, OIL & LUBRICANTS | 8,550.00 | 1,500.00 | 10,050.00 |
| 001 | 5.0930.5250 | | | OTHER MATERIALS & SUPPLIES | 1,800.00 | 4,500.00 | 6,300.00 |
| 001 | 5.0930.5304 | | | REPAIRS & MAINT. - VEHICLES | 2,700.00 | 4,000.00 | 6,700.00 |
| 001 | 5.1120.5355 | | | INSURANCE | - | 22,000.00 | 22,000.00 |
| 001 | 5.1130.5355 | | | INSURANCE | 1,200.00 | 5,000.00 | 6,200.00 |
| 001 | 5.1210.5355 | | | INSURANCE | - | 18,500.00 | 18,500.00 |
| 001 | 5.4020.5305 | | | REPAIR - PW BUILDING | 609,088.13 | 215,000.00 | 824,088.13 |
| | | | | | | 571,170.00 | |

Approved by the City Commission this

Explanation of Budget Amendment:

TO ADJUST FOR OVERAGE IN COST CENTERS

Approved:

Mayor

Attest:

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

Regular Board of Commissioners

2. e.

Meeting Date: 06/20/2011

Budget Amendment - Work Comp

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Budget Amendment – Work Comp Self-Insurance Fund

Attachments

Budget Amend Work Comp

Regular Board of Commissioners

2. f.

Meeting Date: 06/20/2011

Budget Amendment - SMA adjustments

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Budget Amendment – SMA – to adjust departments

Attachments

Budget Amend SMA

**City of Shawnee
Budget Amendment
Shawnee Municipal Authority
June 15, 2011**

Estimated Revenue, Fund Balance, or Transfers IN

| Fund Number | Account Number | Project Code | Line Item | Description | Balance Before Amendment | Amount of Amendment Increase (Decrease) | Balance After Amendment |
|-------------|----------------|--------------|-----------|--------------|--------------------------|---|-------------------------|
| 501 | 3001 | | | FUND BALANCE | | 538,300.00 | |
| | | | | | | | |
| | | | | Total | | 538,300.00 | |

Appropriations

| Fund Number | Account Number | Project Code | Line Item | Description | Balance Before Amendment | Amount of Amendment Increase (Decrease) | Balance After Amendment |
|-------------|----------------|--------------|-----------|------------------------------|--------------------------|---|-------------------------|
| 501 | 5.0310.5101 | | | REGULAR SALARIES | 196,313.93 | 30,000.00 | 30,000.00 |
| 501 | 5.0310.5210 | | | FUEL, OIL & LUBRICANTS | 7,500.00 | 8,000.00 | 15,500.00 |
| 501 | 5.0310.5360 | | | BANK CHARGES | - | 25,000.00 | 25,000.00 |
| 501 | 5.0310.5450 | | | CAPITAL OUTLAY - EQUIPMENT | - | 4,400.00 | 4,400.00 |
| 501 | 5.0870.5430 | | | CAPITAL OUTLAY - UTILITY | 500,000.00 | 50,000.00 | 550,000.00 |
| 501 | 5.1010.5101 | | | REGULAR SALARIES | 197,914.00 | 25,000.00 | 222,914.00 |
| 501 | 5.1010.5102 | | | OVERTIME | - | 2,000.00 | 2,000.00 |
| 501 | 5.1010.5113 | | | HEALTH INSURANCE | 19,500.00 | 2,500.00 | 22,000.00 |
| 501 | 5.1010.5301 | | | EQUIP. MAINT. CONTRACT | 3,000.00 | 75,000.00 | 78,000.00 |
| 501 | 5.1010.5302 | | | REPAIR & MAINT. - BLDG | 16,000.00 | 25,000.00 | 41,000.00 |
| 501 | 5.1010.5311 | | | AUDITING SERVICES | 9,000.00 | 12,000.00 | 21,000.00 |
| 501 | 5.1010.5339 | | | OTHER CONTRACTUAL SERVICES | 1,488,000.00 | 75,000.00 | 1,563,000.00 |
| 501 | 5.1030.5102 | | | OVERTIME | 43,447.00 | 25,000.00 | 68,447.00 |
| 501 | 5.1030.5145 | | | UNEMPLOYMENT COMPENSATION | - | 10,000.00 | 10,000.00 |
| 501 | 5.1030.5302 | | | REPAIRS & MAINT. - BLDG | 4,000.00 | 25,000.00 | 29,000.00 |
| 501 | 5.1030.5303 | | | REPAIRS & MAINT. - EQUIPMENT | 35,000.00 | 15,000.00 | 50,000.00 |
| 501 | 5.1030.5450 | | | CAPITAL OUTLAY - EQUIPMENT | 42,493.00 | 30,000.00 | 72,493.00 |
| 501 | 5.1040.5102 | | | OVERTIME | 37,138.00 | 5,000.00 | 42,138.00 |
| 501 | 5.1040.5235 | | | UTILITY MAINT. MATERIALS | 60,000.00 | 15,000.00 | 75,000.00 |
| 501 | 5.1050.5303 | | | REPAIRS & MAINT. - EQUIPMENT | 39,500.00 | 8,500.00 | 48,000.00 |
| 501 | 5.1050.5309 | | | REPAIRS & MAINT. - OTHER | 2,500.00 | 14,500.00 | 17,000.00 |
| 501 | 5.1050.5314 | | | INSPECTIONS & TESTING | 30,000.00 | 6,500.00 | 36,500.00 |
| 501 | 5.1050.5355 | | | INSURANCE | 16,000.00 | 5,900.00 | 21,900.00 |
| 501 | 5.1070.5450 | | | CAPITAL OUTLAY - EQUIPMENT | 157,000.00 | 44,000.00 | 201,000.00 |
| | | | | | | 538,300.00 | |

Approved by the City Commission this

Explanation of Budget Amendment:

TO ADJUST DEPTS -HOUSEKEEPING

Approved:

Mayor

Attest:

City Clerk

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

Regular Board of Commissioners

2. g.

Meeting Date: 06/20/2011

Minutes and Reports

Submitted By: Phyllis Loftis, Administration

Department: Administration

Information

Title of Item for Agenda

Acknowledge the following minutes and reports:

- Shawnee Urban Renewal Authority minutes from April 5, 2011
 - Beautification Committee minutes from May 2, 2011
 - Project Payment Report for the month of May, 2011
 - License Payment Report for the month of May, 2011
-

Attachments

SURA minutes

Beautification Comm mintues May 2 2011

Project Payment Report

License Payment Report

**SHAWNEE URBAN RENEWAL AUTHORITY
MINUTES OF APRIL 5, 2011**

The Board of Commissioners of the *Shawnee Urban Renewal Authority* met for a regular meeting Tuesday, April 5, 2011 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 | Patty L. Nida |
| Absent: | Commissioner | Monte Cockings |
| | Commissioner | Sim K. Sims |

Also present:

Justin Erickson, Program Director
Mike Wolf, Program Manager, SURA
Carla Clemons, Planning Assistant, SURA
Elaine Shrum, Administrative Specialist, SURA
Curtis Smith, Rehab Specialist, SURA

A quorum was declared.

AGENDA ITEM NO. 3

APPROVAL OF MINUTES:

A motion to approve the minutes of March 1, 2011 was made by **Commissioner Barrett**, seconded by **Commissioner Nida**. Motion carried with no abstentions.

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

**AGENDA ITEM NO. 4
APPROVAL OF CLAIMS:**

A motion to approve claims totaling \$ 48,730.29 was made by **Commissioner Barrett**, seconded by **Commissioner Nida**. Motion carried with no abstentions.

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

**AGENDA ITEM NO. 5
REQUEST FOR ASSISTANCE:**

Mike Wolf, Program Manager reported on the following requests for assistance:

a) Emergency Assistance: Sylvene Hillis, 2401 N. Union

Ms. Hillis is 76 years old and lives alone. She has lived in her home 25 years. She is on Social Security and is income qualified. Her home needs an electrical re-wire.

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

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

b) Emergency Assistance: Debra Kelley, 906 N. Park

Ms. Kelley is 56 years old and lives alone. She has lived in her home 24 years. She is on disability and is income qualified. Her home needs a new roof and has a leak in the gas line.

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

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

AGENDA ITEM NO. 6
BID OPENING:

- a) Deferred Payment Loan: Thomas Fast, 1417 E. Walnut
Cost Estimate: \$ 21,616.00

| <u>Contractor</u> | <u>Amount</u> |
|-------------------|---------------|
| LG Construction | \$ 31,811.00 |
| Hall & Co. | 23,000.00 |

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

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

AGENDA ITEM NO. 7
OLD BUSINESS:

Mike Wolf, Program Manager gave a recap of this past year's activities and money received and spent.

AGENDA ITEM NO. 8
NEW BUSINESS:

Mike Wolf, Program Manager reported that staff is working on the CAPER for HUD and preparing for this year's City of Shawnee annual audit.

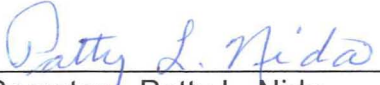
Carla Clemons, Planning Assistant reported that she is working with Family Promise and has submitted an application to ODOC for an Emergency Solution Grant.

Carla also reported that there will be a Public Hearing in the City Commission Chambers tomorrow at 10:00 a.m.

**AGENDA ITEM NO. 9
ADJOURNMENT**

There being no further business to come before the Board at this time, a motion to adjourn at 9:36 a.m. was made by **Commissioner Barrett**, seconded by **Commissioner Nida**. Motion carried with no abstentions.

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



Secretary, Patty L. Nida



Chairman, Stephen Rice

Mayor
LINDA PETERSON



The City of Shawnee
PO Box 1448
Shawnee Oklahoma 74802-1448
(405) 273-1250 Fax (405) 878-1581
www.ShawneeOK.org

Commissioners
PAM STEPHENS
FRANK SIMS
JAMES HARROD
BILLY COLLIER
JOHN WINTERRINGER
STEVE SMITH

Minutes
Shawnee Beautification Committee
May 2, 2011

The Shawnee Beautification Committee met in the EOC Room

The meeting was called to order at 1:30 pm

Roll Call was taken showing the following members present:

Chairman Vacant
Member Janet Turner
Member Linda Malley
Member Paul Malley
Member Tom Terry
Member Vacant

Commissioner

James Bryce, Interim Director of Operations

Justin Erickson, Planning and Code Enforcement Director

Absent: Member Nancy Ford

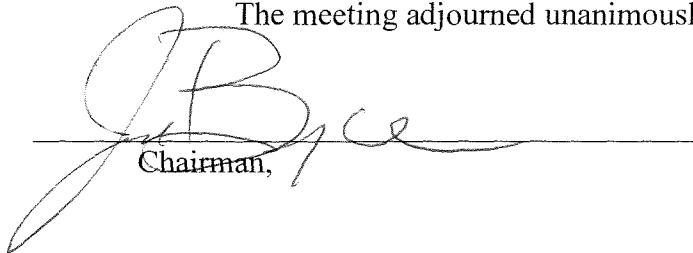
-
- AGENDA NO 2 Roll Call and Declaration of a Quorum.** Roll was called and a quorum was declared.
- AGENDA NO 3 Approved Minutes for January 2011.** The minutes for January 2011 were approved with a motion made by Tom Terry and 2nd by Janet Turner. The motion carried unanimously.
- AGENDA NO 4 Acknowledgement of resignation from Robert Cash, Chairperson.** Resignation was acknowledged.
- AGENDA NO 5 Discussion and possible action on new Chairperson.** Discussion was tabled until next meeting.
- AGENDA NO 6 Update on City Hall trees/planters.(James Bryce).** James Bryce reported that all trees were planted and planters have been purchased and received. It was discussed and suggestions were made as to what types of plants would grow best in the planters. Tom Terry advised he would do some research and follow up with discussion at the next meeting.
- AGENDA NO 7 Discuss property located next to I-40 exit 186 on Harrison.(Janet Turner)** Janet Turner discussed owner information and presented photographs of the property. She advised that the property was an eyesore and needed to be torn down or cleaned up. Justin Erickson advised the owner had already been notified of the property and that they were in the process of getting the issue resolved. Justin advised that any updates would be discussed at the next meeting.

AGENDA NO 8 **Discussion and possible action on revising the meeting dates and times for the Beautification Committee. (James Bryce)** New meeting dates were discussed and changed to the 2nd Thursday of each month at 4:00pm.

AGENDA NO 9 **Old Business.** None

AGENDA NO 13 **New Business.** James Bryce discussed a request made by the Veterans Committee for the Beautification Committee to replace the plants at the Veteran's Memorial. All agreed that would be a good idea, and they would decide which plant would work best for replanting. Janet Turner discussed the issue of a continuous garage sale at the corner of Bryan and 45th. Justin Erickson advised the owner had already been contacted and action had been taken to get the issue resolved.

AGENDA NO 14 **Adjournment**
The meeting adjourned unanimously at 1:50 pm.


Chairman,


Date

06/13/2011 2:28 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:
PROJECTS: THRU ZZZZZZZZZZ
PAYMENT DATES: 5/01/2011 TO 5/31/
SORTED BY: PRO

** GENERAL LEDGER DISTRIBUTION **

| FUND G/L ACCOUNT | ACCOUNT NAME | AMOUNT |
|------------------|-------------------------------|------------|
| 001-2133 | UBCC FEE PAYABLE | 368.00CR |
| 001-4202 | BUILDING PERMITS | 7,973.75CR |
| 001-4203 | PLUMBING PERMITS | 1,460.00CR |
| 001-4204 | ELECTRICAL PERMITS | 210.00CR |
| 001-4205 | ZONING PERMITS & APPLICATIONS | 1,902.00CR |
| 001-4206 | HEATING & A/C PERMITS | 2,000.00CR |
| 001-4249 | OTHER PERMITS | 800.00CR |
| 001-4822 | OTHER MISC. REVENUE | 46.00CR |
| 101-4249 | OTHER PERMITS | 100.00CR |
| 501-4510 | WATER TAPS | 1,350.00CR |
| 799-1023 | BANCFIRST GENERAL | 16,209.75 |

06/13/2011 2:28 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:
PROJECTS: THRU ZZZZZZZZZZ
PAYMENT DATES: 5/01/2011 TO 5/31/
SORTED BY: PRO

** SEGMENT CODE TOTALS **

| SEGMENT CODE | DESCRIPTION | TOTAL PAID |
|--------------|---------------------------|-------------|
| B1-NEW | BUILDING CONSTRUCTION NEW | 6,634.32CR |
| B2-ADD | BUILDING CONSTRUCTION ADD | 1,830.50CR |
| B3-REMODEL | BUILDING CONSTRUCTION REM | 1,203.13CR |
| B4-OTHER | BUILDING CAPORT/SHELTER | 690.80CR |
| E3-REMODEL | ELECTRICAL REMODEL/REPAIR | 250.50CR |
| M2-ADD | MECHANICAL ADDITION | 24.50CR |
| M3-REMODEL | MECHANICAL REMODEL/REPAIR | 2,092.50CR |
| P3-REMODEL | PLUMBING REMODEL | 661.50CR |
| P5-SEPTIC | SEPTIC PERMIT | 20.00CR |
| X-CURBCUT | CURBCUT/DRIVEWAY/SIDEWALK | 100.00CR |
| X-DEMO | DEMOLITION PERMIT | 50.00CR |
| X-MOVING | MOVING PERMIT | 50.00CR |
| X-PLATFIN | PLAT REVIEW FINAL | 656.00CR |
| X-PLATREV | PLAT REVIEW PRELIM | 456.00CR |
| X-SIGN | SIGN PERMIT | 475.00CR |
| Z-BOAAPP | BOA APPLICATION | 90.00CR |
| Z-OCCUP | OCCUPANCY PERMIT | 225.00CR |
| Z-REZONING | REZONING REQUEST | 700.00CR |
| | TOTAL | 16,209.75CR |

** FEE CODE TOTALS **

| FEE CODE | DESCRIPTION | FEE | PAYMENT DISTRIBUTION | | | TOTAL PAI |
|------------|-------------------------------|-----|----------------------|-----|----------|-----------|
| | | | PENALTY | TAX | INTEREST | |
| ALARM | BURGLAR/FIRE ALARM LICENSE | 17 | 425.00CR | | | 425.00 |
| AUCD | AUCTION LICENSE FEE ONE DAY | 1 | 10.00CR | | | 10.00 |
| BOATREG | BOAT REGULAR PERMIT | 107 | 2,782.00CR | | | 2,782.00 |
| ELEC1 | ELECTRICAL CONTRACTOR INITIAL | 2 | 200.00CR | | | 200.00 |
| ELEC2 | ELECTRICAL CONTRACTOR RENEW | 9 | 675.00CR | | | 675.00 |
| FISHANNUAL | FISHING ANNUAL FEE | 25 | 375.00CR | | | 375.00 |
| LAKE-IN | LAKE LEASE CITY RESIDENT | 9 | 1,233.35CR | | | 1,233.35 |
| LAKE-OUT | LAKE LEASE NON RESIDENT | 6 | 168.60CR | | | 168.60 |
| LAKEINSP | LAKE LEASE INSPECTION | 1 | 75.00CR | | | 75.00 |
| LAKELEASE | LAKE LEASE | 3 | 1,836.00CR | | | 1,836.00 |
| LAKEXFER | LAKE LEASE TRANSFER FEE | 1 | 1,000.00CR | | | 1,000.00 |
| MECH1 | MECHANICAL CONTRACTOR INTIAL | 1 | 100.00CR | | | 100.00 |
| MECH2 | MECHANICAL CONTRACTOR RENEW | 9 | 675.00CR | | | 675.00 |
| MIXER | MIXED BEVERAGE RENEWAL | 1 | 900.00CR | | | 900.00 |
| PLUM1 | PLUMBING CONTRACTOR INITIAL | 2 | 200.00CR | | | 200.00 |
| PLUM2 | PLUMBING CONTRACTOR RENEW | 5 | 375.00CR | | | 375.00 |
| REFUND | REFUND | 3 | 798.05CR | | | 798.05 |
| RESAL | RESIDENTIAL SALE | 137 | 1,370.00CR | | | 1,370.00 |
| SIGN | SIGN HANGERS LICENSE FEE | 2 | 150.00CR | | | 150.00 |
| SNOWC | SNOW CONE STAND LICENSE FEE | 1 | 25.00CR | | | 25.00 |
| SOLIC | SOLICITOR ANNUAL LICENSE | 1 | 50.00CR | | | 50.00 |
| TREE | TREE TRIMMING LICENSE FEE | 1 | 25.00CR | | | 25.00 |
| TOTAL | | | 13,448.00CR | | | 13,448.00 |

Regular Board of Commissioners

2. h.

Meeting Date: 06/20/2011

Library budget

Submitted By: Phyllis Loftis, Administration

Department: Administration

Information

Title of Item for Agenda

Acknowledge annual budget for the Pioneer Library System FY 2011-2012.

Attachments

Library Budget

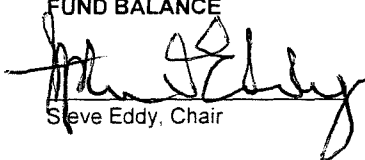
**PIONEER LIBRARY SYSTEM
BUDGET
JULY 1, 2011 - JUNE 30, 2012**

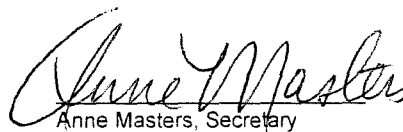
REVENUES

| | | | |
|--------------------------------------|------------------|------------------|---------------------|
| Ad Valorem Taxes | | | |
| Cleveland County | \$9,757,185 | | |
| McClain County | 1,266,552 | | |
| Pottawatomie County | <u>1,715,896</u> | | |
| Total Ad Valorem Taxes | | \$12,739,633 | |
| Oklahoma Department of Libraries | | | |
| State Aid | <u>\$166,291</u> | | |
| Total State Aid | | \$166,291 | |
| Other Revenue | <u>\$383,400</u> | | |
| | | <u>\$383,400</u> | |
| Subtotal All Revenue | | | \$13,289,324 |
| Use of Designated Fund Balance | | | \$955,684 |
| Fund Balance | | | |
| Designated Fund Balance Current Year | | | \$468,996 |
| Designated Fund Balance Carryover | | | \$400,000 |
| Undesignated Fund Balance Carryover | | | \$3,356,194 |
| Fund Balance Carryover | | | \$3,756,194 |
| Total Fund Balance | | | \$4,225,190 |
| TOTAL REVENUE | | | <u>\$18,470,198</u> |

EXPENDITURES

| | | | |
|--|----------------|--|---------------------|
| Personnel Services | \$8,344,683 | | |
| Personnel Services-South OKC | \$625,000 | | |
| Books and Other Materials | 2,180,000 | | |
| Books and Other Materials-South OKC | 600,000 | | |
| General & Administrative | 896,325 | | |
| Technology | 825,000 | | |
| Technology-South OKC | 150,000 | | |
| Virtual Library | 200,000 | | |
| System Services | <u>424,000</u> | | |
| (Home Services, Literacy, Programming, PIO, Outreach) | | | |
| Subtotal All Expenditures | | | \$14,245,008 |
| Fund Balance | | | |
| Designated Fund Balance Current Year | | | \$468,996 |
| Designated Fund Balance Carryover | | | \$400,000 |
| Undesignated Fund Balance Carryover | | | \$3,356,194 |
| Fund Balance Carryover | | | \$3,756,194 |
| Total Fund Balance | | | \$4,225,190 |
| TOTAL GENERAL FUND EXP & FUND BALANCE | | | <u>\$18,470,198</u> |


Steve Eddy, Chair


Anne Masters, Secretary

5/31/2011

| INCOME | January 2010/2011 Revised Budget | May 2011/2012 Budget | Change From 10/11 Budget |
|--------------------------------------|---|-------------------------------------|---|
| Cleveland Co. | \$9,757,185 | \$9,757,185 | \$0 |
| McClain Co. | \$1,266,552 | \$1,266,552 | \$0 |
| Pott Co. | \$1,715,896 | \$1,715,896 | \$0 |
| Total Ad Valorem | \$12,739,633 | \$12,739,633 | \$0 |
| State Revenue | | | |
| State Aid | \$166,291 | \$166,291 | \$0 |
| Miscellaneous | | | |
| Fines | \$222,000 | \$222,000 | \$0 |
| Reprographics | \$20,500 | \$20,500 | \$0 |
| Public Printers | \$33,000 | \$33,000 | \$0 |
| Promotional Sales | \$200 | \$200 | \$0 |
| Headphone Sales | \$1,100 | \$1,100 | \$0 |
| Lost Book Reimburs | \$10,000 | \$10,000 | \$0 |
| Non Resident Fees | \$2,100 | \$2,100 | \$0 |
| Fax Income | \$17,000 | \$17,000 | \$0 |
| Interest Income | \$49,000 | \$49,000 | \$0 |
| Miscellaneous | \$1,500 | \$1,500 | \$0 |
| Contractual Services | \$27,000 | \$27,000 | \$0 |
| Total Miscellaneous | \$383,400 | \$383,400 | \$0 |
| Subtotal All Revenue | \$13,289,324 | \$13,289,324 | \$0 |
| Use of Designated Fund Balance | \$1,587,004 | \$955,684 | (\$631,320) |
| Fund Balance | | | |
| Designated Fund Balance Current Year | \$468,996 | \$468,996 | \$0 |
| Designated Fund Balance Carryover | \$400,000 | \$400,000 | \$0 |
| Undesignated Fund Balance Carryover | \$3,356,194 | \$3,356,194 | \$0 |
| Fund Balance Carryover | \$3,756,194 | \$3,756,194 | \$0 |
| Total Fund Balance | \$4,225,190 | \$4,225,190 | \$0 |
| TOTAL REVENUE | \$19,101,518 | \$18,470,198 | (\$631,320) |

| EXPENSES | January 2010/2011 Revised Budget | May 2011/2012 Budget | Change From 10/11 Budget |
|---|--|----------------------------|--------------------------------|
| Personnel Services - South OKC | | | |
| Salaries - South OKC | \$625,000 | \$625,000 | \$0 |
| Total Personnel Services-South OKC | \$625,000 | \$625,000 | \$0 |
| Personnel Services | | | |
| Salaries | \$6,191,921 | \$6,191,921 | \$0 |
| Social security/medicare | \$473,682 | \$473,682 | \$0 |
| Recruitment | \$5,000 | \$5,000 | \$0 |
| Retirement Benefits | \$548,000 | \$548,000 | \$0 |
| Hospitalization Insurance | \$695,000 | \$933,180 | \$238,180 |
| Group Term Life Insurance | \$20,500 | \$20,500 | \$0 |
| Disability Insurance | \$22,300 | \$22,300 | \$0 |
| Employee Assistance Programs | \$15,800 | \$15,800 | \$0 |
| Workers Compensation | \$37,300 | \$37,300 | \$0 |
| Contract Labor | \$88,000 | \$88,000 | \$0 |
| Unemployment Insurance | \$2,000 | \$2,000 | \$0 |
| Scholarship | \$7,000 | \$7,000 | \$0 |
| Total Personnel Services | \$8,106,503 | \$8,344,683 | \$238,180 |
| Materials - South OKC | \$1,440,000 | \$600,000 | (\$840,000) |
| Materials | \$2,180,000 | \$2,180,000 | \$0 |
| Administrative Services | | | |
| Attorney Fees | \$40,000 | \$40,000 | \$0 |
| Continuing Education | \$110,000 | \$110,000 | \$0 |
| Equipment | \$150,000 | \$150,000 | \$0 |
| Equipment Repair & Maint. | \$5,000 | \$5,000 | \$0 |
| Insurance | \$45,000 | \$45,000 | \$0 |
| Membership | \$16,625 | \$16,625 | \$0 |
| Postage | \$65,000 | \$65,000 | \$0 |
| Supplies | \$67,000 | \$67,000 | \$0 |
| Telephone | \$42,000 | \$42,000 | \$0 |
| Travel | \$42,000 | \$42,000 | \$0 |
| Vehicles | \$70,000 | \$70,000 | \$0 |
| Audit | \$19,000 | \$19,500 | \$500 |
| Interest Expense | \$0 | \$0 | \$0 |
| Miscellaneous Expense | \$2,500 | \$2,500 | \$0 |
| Reprographics | \$70,000 | \$70,000 | \$0 |
| Sales Tax | \$5,500 | \$5,500 | \$0 |
| Data Processing | \$41,200 | \$41,200 | \$0 |
| Fine Collection Service | \$30,000 | \$30,000 | \$0 |
| Revaluation | \$70,000 | \$75,000 | \$5,000 |
| Budget Contingency | \$0 | \$0 | \$0 |
| Total G & A | \$890,825 | \$896,325 | \$5,500 |
| Technology - South OKC | \$235,000 | \$150,000 | (\$85,000) |
| Technology | \$825,000 | \$825,000 | \$0 |
| Virtual Library | \$200,000 | \$200,000 | \$0 |

| | | | |
|--|---------------------|---------------------|--------------------|
| System Services | | | |
| Development | \$30,000 | \$30,000 | \$0 |
| PLS Anniversary | \$0 | | |
| Events/Hospitality | \$3,000 | \$3,000 | \$0 |
| System Signage | \$20,000 | \$20,000 | \$0 |
| Public Information | \$75,000 | \$75,000 | \$0 |
| Programming | \$20,000 | \$20,000 | \$0 |
| Literacy | \$14,000 | \$14,000 | \$0 |
| System Facilities | \$110,000 | \$160,000 | \$50,000 |
| System Outreach | \$75,000 | \$75,000 | \$0 |
| Contractual Services | \$27,000 | \$27,000 | \$0 |
| Total System Services | \$374,000 | \$424,000 | \$50,000 |
| Subtotal GF Expenditures | \$14,876,328 | \$14,245,008 | (\$631,320) |
| Fund Balance | | | |
| Designated Fund Balance | | | |
| Cleveland County | \$345,000 | \$345,000 | \$0 |
| McClain County | \$123,996 | \$123,996 | \$0 |
| Pottawatomie County | \$0 | \$0 | \$0 |
| South OKC Branch | | | |
| Designated Fund Balance Current Year | \$468,996 | \$468,996 | \$0 |
| Designated Fund Balance Carryover | \$400,000 | \$400,000 | \$0 |
| Undesignated Fund Balance Carryover | \$3,356,194 | \$3,356,194 | \$0 |
| Fund Balance Carryover | \$3,756,194 | \$3,756,194 | \$0 |
| Total Fund Balance | \$4,225,190 | \$4,225,190 | \$0 |
| Total General Fund Expend. and Fund Balance | \$19,101,518 | \$18,470,198 | (\$631,320) |

Regular Board of Commissioners

2. i.

Meeting Date: 06/20/2011

OMRF refund

Submitted By: Phyllis Loftis, Administration

Department: Administration

Information

Title of Item for Agenda

Acknowledge Oklahoma Municipal Retirement Fund refund of contributions from the Defined Contribution plan for Kenneth Darren Harris.

Regular Board of Commissioners

2. j.

Meeting Date: 06/20/2011

Agreement Coker Road

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Approve agreement with Pottawatomie County Commissioners to improve Coker Road.

Attachments

Agreement with Pott Co for Coker Rd Improvement

INTERLOCAL AGREEMENT

WHEREAS, the City of Shawnee (hereinafter “City”), a municipal corporation and governmental agency within the State of Oklahoma, desires to enter into this Agreement (“hereinafter” Agreement”) with the Pottawatomie County Commissioners on behalf of the County of Pottawatomie, a governmental agency, (hereinafter “County”), regarding the paving of streets owned by the City as described below in Article 2 (hereinafter “streets”), and in consideration of the mutual benefit of the parties and for good and valuable consideration, the parties do hereby agree as follows, to wit:

WHEREAS, the City, acting in the best interests of the community and recognizing the general community benefit from the use of the County to provide paving to Coker Road within the City for the betterment of the City and to facilitate the growth of business within the City to further enlarge the tax base, desires to allow the County to provide paving to Coker Road, that serves the citizens of the County and the City.

WHEREAS, the City recognizes that it has limited funds and staff to provide these services and has determined that its available funds may be most efficiently administered by contracting for this service with the County pursuant to the Interlocal Cooperation Act, 74 O.S., section 101 *et seq.*

WHEREAS, the City recognizes that Coker Road is in need of repair and paving and in need of the County to provide the material to upgrade and refurbish the streets for the long term benefit of the City and for use of the County.

WHEREAS, the City shall provide the streets and manage the streets in accordance with the Agreement and the parties also agrees that no funds or transfers in lieu of funds concerning paving of these streets shall accrue directly or indirectly to the benefit of any private individual; the County shall account to the City for the use of said funds or transfers at such times and in such form as the City shall designate. The City agrees to pay one-half of total costs of paving Coker Road. The total estimated cost is \$87,956.98, of which the City agrees to pay the County \$43,978.49.

WHEREAS, the City and County agree that the City solely responsible for any repairs, alterations, additions, or improvements of the streets after paving and will hold the County harmless from any liability from same.

WHEREAS, the City and County agree that the City shall be responsible for compliance with all local zoning ordinances and other applicable state and federal mandates regarding the paving of public streets and will hold the County harmless from any liability from same.

WHEREAS, the City and County agree that the City shall not allow the streets to be used in any manner to further assist any plan or program of an organization that discriminates in violation of any applicable state and federal anti-discrimination laws, and shall hold the City harmless from any liability from same.

WHEREAS, the City and County agree that County shall have no financial obligations other than those identified in the Agreement (Article 2) and the City shall hold the County harmless from any financial liability, express or implied, arising out of the County's providing the services.

WHEREAS, the City and County agree that the County shall secure and maintain a general liability insurance policy covering single or multiple persons injured during the County's paving construction process and the County shall hold the City harmless from any liability arising from such personal injuries or claims arising from the construction process in preparing and laying the paving on the designated streets. The City shall assume liability for injuries by persons that use these designated streets after the County completes the construction process in preparing and laying the paving on the designated streets. The City shall assume liability for injuries by persons that use these designated streets after the County completes the construction process and deems the paving complete.

WHEREAS, in consideration of the mutual covenants and agreements herein contained, and in consideration of the mutual benefit to both parties and for good and valuable consideration, the parties do hereby agree to enter into a Lease for the premises under the following terms and conditions, to wit:

WITNESSETH:

ARTICLE 1. Parties. THIS Agreement shall begin on date set forth at the end of this Agreement for the paving of the streets identified in ARTICLE 2.

ARTICLE 2. Streets. That the City agrees to designate Coker Road between Hwy 177 and 45th Street within the City limits of Shawnee that is in need of repair by paving. The City further agrees to pay one-half of total costs of paving Coker Road. The total estimated cost is \$87,956.98, of which the City agrees to pay the County \$43,978.49.

ARTICLE 3. State of Repair. The City agrees to maintain the designate streets in a good state of repair, ordinary wear and tear excepted.

ARTICLE 4. Liability Insurance. County agrees that at all times during the paving process to carry public liability and property damage insurance coverage in an amount of not less than the potential property damage.

ARTICLE 5. Entire Agreement This Agreement represents the whole of the agreement between the parties and may not be altered or amended except in writing signed and executed by both. There are no other agreements, oral or written, precedent or contemporaneous. This Agreement shall be enforced under the laws of the State of Oklahoma.

(3)

This Agreement is entered into for good and sufficient consideration and both parties have executed the same of their own free will and for their mutual benefit and by the execution of the signatures of the duly authorized representatives of the respective parties hereto represent that the consideration is sufficient to bind them during the term of the Agreement.

IN WITNESS WHEREOF, the parties have executed this Agreement on the

14th day of June, 2011.

CITY OF SHAWNEE, OKLAHOMA

By _____
Mayor

Pottawatomie County Commissioners

By Melissa Dennis
Chairman

[Signature]
Commissioner

Commissioner



ATTEST:

Nancy Bruye
CITY CLERK

Regular Board of Commissioners

2. k.

Meeting Date: 06/20/2011

Project HEART lease

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Approve Lease Agreement with Project H.E.A.R.T., Inc.

Attachments

Project HEART

LEASE AGREEMENT

This Agreement is entered into this 1st day of July, 2011, by and between the City of Shawnee, Oklahoma, a municipal corporation acting by and through its City Manager, hereinafter "LESSOR", and PROJECT H.E.A.R.T., INC. hereinafter referred to as "LESSEE".

WITNESSETH:

WHEREAS, Project H.E.A.R.T., Inc. is a non-profit corporation organized to receive federal grants to carry on a program of providing meals for elderly persons; and

WHEREAS, in order to carry on the program of providing meals to elderly persons within the City of Shawnee, it is necessary for the LESSEE to have space for operation and utility services; and

WHEREAS, it is beneficial to the public health and welfare in the City of Shawnee for the LESSOR to provide such space and utility services to the LESSEE.

THEREFORE, it is hereby agreed that the LESSOR hereby leases to the LESSEE the non-exclusive right to occupy certain designated spaces at the Shawnee Municipal Auditorium for the purpose of preparing and serving meals to elderly persons for the term commencing the 1st day of July, 2011 and ending the 30th day of June, 2012. LESSEE agrees to pay LESSOR Five Hundred Dollars (\$500.00) per month rent, due by the 10th day of each month. The LESSOR agrees to furnish electric, gas and water utility services to the LESSEE at such location. The LESSOR'S City Manager shall have the right to inspect and approve all appliances used by the LESSEE at the site. The LESSEE agrees that it will not waste any utility services. Waste of utility service found by the City Manager or other representatives of the LESSOR shall be ground for immediate termination of the Lease Agreement. Any changes in operations equipment or appliances shall be subject to the approval of the City Manager.

The LESSEE shall supervise and manage the food service operation and shall interview and hire persons as site manager, part-time outreach worker and custodians and supervise the persons in their duties concerning the program.

The LESSEE shall provide meals for elderly persons. The LESSEE shall conduct health education and health screening. The LESSEE and LESSOR shall coordinate outreach services and referral services. The LESSEE agrees to provide food services of 100 meals per day for elderly persons in the City of Shawnee. Such meals shall be noon meals, five days a week, 250 days a year, excluding eleven (11) holidays and weekends at both sites, the Shawnee Municipal Auditorium.

Personal property owned by the LESSEE shall remain the property of the LESSEE. However, the LESSOR shall have the right to use the LESSEE'S tables and

chairs when they are not in use by LESSEE. Said tables and chairs are not to leave the premises.

LESSEE agrees that space shall be provided at the Shawnee Municipal Auditorium for a site manager six hours per day of each day of operation.

The LESSEE will contract with the Shawnee Senior Center, Inc., for janitorial services.

The LESSEE shall provide pest control and termite control, and minor maintenance at the site.

The LESSOR shall provide major repairs and exterior maintenance to City owned facilities as required.

The LESSEE shall provide keys to the LESSOR for all locks on all doors, which the LESSEE may lock at both sites. Failure to provide such keys shall be grounds for the LESSOR to have such locks opened and keys made by a locksmith at the LESSEE'S expense.

The LESSEE shall provide to the LESSOR the names of responsible parties for the site, and the name, address and telephone number of a person who may be contacted on a 24-hour basis.

The LESSOR agrees to provide to the LESSEE a schedule of activities during hours which the LESSEE is not operating its services at the site. The LESSOR shall have the exclusive right to schedule activities at the site during the hours that the LESSEE is not conducting its operations with the exception of the kitchen. It is understood that the Kiwanis Pancake Feed shall be conducted at the Municipal Auditor and that the kitchen therein shall be used in connection herewith.

This lease may be canceled by either party upon 60 days notice in writing to the other party. Notice to the LESSEE shall be addressed to the other party. Notice to the LESSEE shall be addressed to Project H.E.A.R.T., Inc., P.O. Box 3367, Shawnee, Oklahoma 74802-3367 and notice to the LESSOR shall be addressed to the City Manager, P.O. Box 1448, Shawnee, Oklahoma 74802-1448.

IN WITNESS WHEREOF, the said parties have caused this Agreement to be executed the day and year first above written.

LESSOR: CITY OF SHAWNEE, OKLAHOMA,
A municipal corporation,

(SEAL)

BRIAN MCDOUGAL, CITY MANAGER

ATTEST:

PHYLLIS LOFTIS, CITY CLERK

LESSEE: PROJECT H.E.A.R.T., INC.

BY: _____
President

Subscribed and sworn to before me this ____ day of _____, 2011.

NOTARY PUBLIC

My Commission Expires: _____

Regular Board of Commissioners

4.

Meeting Date: 06/20/2011

OMRF Retirement - Nancy Warren

Submitted By: Phyllis Loftis, Administration

Department: Administration

Information

Title of Item for Agenda

Consider Oklahoma Municipal Retirement Fund lump sum payment from Defined Benefit Plan and refund of contributions from the Defined Contribution Plan for Nancy Warren

Regular Board of Commissioners

5.

Meeting Date: 06/20/2011

Budget Resolution

Submitted By: Phyllis Loftis, Administration

Department: Administration

Information

Title of Item for Agenda

Public hearing and consider a resolution adopting the budget for the City of Shawnee for the period of July 1, 2011 through June 30, 2012 finding all things requisite and necessary have been done in preparation and presentation of budget.

Attachments

Budget Resolution

RESOLUTION NO. _____

A RESOLUTION APPROVING AND ADOPTING THE BUDGET FOR THE CITY OF SHAWNEE, OKLAHOMA FOR THE PERIOD JULY 1, 2011 THROUGH JUNE 30, 2012 FINDING ALL THINGS REQUISITE AND NECESSARY HAVE BEEN DONE IN PREPARATION AND PRESENTATION OF SAID BUDGET.

WHEREAS, the Charter of the City of Shawnee, Oklahoma, and statutes of the State of Oklahoma, require that an annual budget be prepared and presented to the City Commission of the City of Shawnee, Oklahoma, prior to the beginning of the fiscal year of said City, and that a public hearing be held thereon prior to the adoption of said budget; and

WHEREAS, the budget for the fiscal year July 1, 2011 through June 30, 2012, has heretofore been presented to the City Commission and due deliberation had thereon, and a public hearing having been held as required by Charter and/or statute, and all comments and objections have been considered; and

WHEREAS, the following is a summary of the anticipated sources of revenue, and of the amounts appropriated; to wit:

| | |
|--------------------------------|--------------|
| 001 GENERAL FUND | \$19,784,555 |
| 101 STREET & ALLEY FUND | 288,635 |
| 102 E-911 FUND | \$472,878 |
| 103 REVOLVING OIL & GAS FUND | \$237,529 |
| 104 ECONOMIC DEVELOPMENT FUND | \$398,258 |
| 105 SPAY/NEUTER FUND | \$16,598 |
| 106 HOTEL/MOTEL SURCHARGE FD | \$454,813 |
| 107 POLICE SALES TAX FUND | \$386,216 |
| 108 FIRE SALES TAX FUND | \$386,216 |
| 112 TAX INCREMENT FINANCE FUND | \$387,465 |
| 113 DRUG FORFEITURE FUND | \$465 |
| 201 DEBT SERVICE FUND | \$86,965 |
| 301 CAPITAL IMPROVEMENT FUND | \$3,777,590 |
| 302 STREET IMPROVEMENT FUND | \$7,959,287 |
| 501 SHAWNEE MUNICIPAL AUTH | \$15,204,575 |
| 511 SHAWNEE AIRPORT AUTHORITY | \$4,353,301 |
| 601 WORK COMP SELF-INSUR FUND | \$1,529,039 |
| 701 LIBRARY FUND | \$88,848 |
| 702 CEMETERY PERPETUAL FUND | \$232,568 |
| 704 SENIOR CITIZENS FUND | \$21,419 |
| 706 GIFTS & CONTRIBUTIONS | \$132,527 |
| 709 SISTER CITIES FUND | \$30,798 |
| | \$56,230,545 |

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

THAT the budget for the City of Shawnee, Oklahoma, now before the said City Commission for consideration, as herein above summarized, a complete copy of which is on file with the City Clerk, be, and the same is hereby adopted as the budget for the said City of Shawnee, Oklahoma, for the period of July 1, 2011 through June 30, 2012.

BE IT FURTHER RESOLVED, that the said City Commission finds, determines and declares that all things requisite and necessary to the presentation and adoption of said budget have been performed as required by Charter and/or statute.

BE IT FURTHER RESOLVED that the present General Fund budget contains a 8.2% Fund Balance and the SMA Fund contains a 13.88% Fund Balance to begin the process of the City's Budget ultimately reaching a Fund Balance of 10%.

Passed and approved this 20st day of June, AD., 2011.

City of Shawnee, Oklahoma
A Municipal Corporation

LINDA PETERSON, MAYOR

SEAL
ATTEST:

PHYLLIS LOFTIS, CITY CLERK

Regular Board of Commissioners

6.

Meeting Date: 06/20/2011

Sales Tax Report

Submitted By: Phyllis Loftis, Administration

Department: Administration

Information

Title of Item for Agenda

Acknowledge Sales Tax report received June, 2011.

Attachments

Sales Tax Report

City of Shawnee Memorandum



To: Mayor and City Commissioners
CC: Brian McDougal, City Manager
From: Cynthia R Sementelli, Finance Director
Date: June 9, 2011
Re: City Sales Tax Report

June 2011 Sales Tax receipts were down \$34,249 or 2.64% compared to last year receipts. The June sales tax amount received plus interest was \$1,263,777 which is approximately \$724,200 or 4.72% above year to date budget projections. Compared to 2008 figures we were down \$14,624 or 1.1%.



**CITY OF SHAWNEE
SALES TAX COLLECTIONS
July 2008 to June 2011**



- *— July 2008 through June 2009
- July 2009 through June 2010
- ▲— July 2010 through June 2011

| | July 2008 | July 2009 | July 2010 | Increase (Decrease) | |
|-----------|------------|------------|------------|---------------------|------------|
| | through | through | through | Over Prior Year | |
| Month | June 2009 | June 2010 | June 2011 | Amount | Percentage |
| July | 1,355,973 | 1,393,065 | 1,336,599 | (56,467) | (4.05%) |
| August | 1,305,415 | 1,265,208 | 1,390,086 | 124,877 | 9.87% |
| September | 1,349,769 | 1,281,234 | 1,389,702 | 108,468 | 8.47% |
| October | 1,345,662 | 1,281,416 | 1,386,987 | 105,571 | 8.24% |
| November | 1,227,640 | 1,130,651 | 1,235,390 | 104,739 | 9.26% |
| December | 1,311,389 | 1,218,404 | 1,248,649 | 30,244 | 2.48% |
| January | 1,489,243 | 1,341,370 | 1,476,824 | 135,453 | 10.10% |
| February | 1,464,546 | 1,372,608 | 1,448,966 | 76,358 | 5.56% |
| March | 1,230,951 | 1,165,927 | 1,256,430 | 90,503 | 7.76% |
| April | 1,322,381 | 1,308,463 | 1,311,387 | 2,924 | 0.22% |
| May | 1,265,208 | 1,317,167 | 1,337,029 | 19,861 | 1.51% |
| June | 1,278,401 | 1,298,026 | 1,263,777 | (34,249) | (2.64%) |
| . | 15,946,576 | 15,373,540 | 16,081,822 | 708,282 | 4.61% |

| Period | Prior Year Actual | Current Year Actual | Increase (Decrease) | Over Prior Year |
|---------------------|-------------------|---------------------|---------------------|-----------------|
| Fiscal Year to Date | 15,373,540 | 16,081,822 | 708,282 | 4.61% |

Fiscal Year to Date Budget corrected to consider weighted average of monthly receipts

| Period | Current Year Budget | Current Year Actual | Budget Variance Favorable (Unfavorable) |
|---------------------|---------------------|---------------------|---|
| Fiscal Year to Date | 15,357,622 | 16,081,822 | \$724,200 4.72% |

Regular Board of Commissioners

7. a.

Meeting Date: 06/20/2011

Bid award

Submitted By: Phyllis Loftis, Administration

Department: Administration

Information

Title of Item for Agenda

Water Treatment Plant Chemical Building HVAC System Project No. SHA-10-02 (Award)

Attachments

HVAC award

Notice HVAC

HVAC bid list

Jim Bierd
Director

Donna Uranga
Administrative Assistant
Phone: 405-273-1960
Fax: 405-878-1550



Randy Brock
Operations Manager
405-878-1723

Greg Price
Special Projects Manager
405-878-1662

111 S. Kickapoo, Shawnee, OK 74801

MEMORANDUM

To: City Commission
From: Jim Bierd, Utility Director
CC: Brian McDougal, City Manager
Date: June 14, 2011
Re: HVAC at Water Treatment Plant

Staff would like to recommend the HVAC project at the Water Treatment Plant be awarded to All Phase Electric in the amount of \$75,000 as the lowest and best bid. There is \$96,000 available in the budget for this project.

Thank You

NOTICE TO BIDDERS

Sealed BIDS will be received by the Shawnee Municipal Authority/City of Shawnee, Beneficiary, 16 W. 9th Street, P.O. Box 1448, Shawnee, Oklahoma 74802-1448, until 4:00 p.m., Monday, June 6, 2011, for:

PROJECT NO. SHA-10-02
WATER TREATMENT PLANT CHEMICAL
BUILDING HVAC SYSTEM

Instructions and BID documents are available to qualified bidders at the office of the Utility Director, 111 S. Kickapoo, Shawnee, Oklahoma 74801.

A mandatory Pre-Bid meeting will be held May 25th, 2011 at 1:30 pm at Public Works Service Center, located at 111 S. Kickapoo.

A BID FORM will be issued by the Shawnee Municipal Authority/City of Shawnee, Beneficiary. Each BID shall be filed in a sealed envelope. On the front of each envelope shall be written the following words to the left of the address:

BID: PROJECT NO. SHA-10-02
WATER TREATMENT PLANT CHEMICAL
BUILDING HVAC SYSTEM
JUNE 6TH, 2011

Construction of the Water Treatment Plant Chemical Building HVAC – Furnish and Install an HVAC System and controls for the Shawnee Water Treatment Plant Chemical Building. BIDDERS must obtain Bid Documents directly from the Shawnee Municipal Authority/City of Shawnee, Beneficiary in order for Bids to be acknowledged.

The ORIGINAL BID shall be filed with the City Clerk of the City of Shawnee, together with a sworn anti-collusion affidavit in writing that the BIDDER has not entered into any agreement, expressed or implied, with any other bidder, or bidders, for the purpose of limiting the bid, or bidders or parcel out to any bidder, or bidders or any other persons, any part of the contract or subject matter of the bid.

The BIDS filed with the City Clerk will be opened and considered by the Board of City Commissioners at a Public Meeting in the City Hall Commission Chambers, at 16 W. 9th Street, Shawnee, Oklahoma, at 6:30 p.m., Monday, June 6, 2011.

The Shawnee Municipal Authority/City of Shawnee, Beneficiary, reserves the right to reject any or all BIDS.

SHAWNEE MUNICIPAL AUTHORITY
CITY OF SHAWNEE, BENEFICIARY
A MUNICIPAL CORPORATION

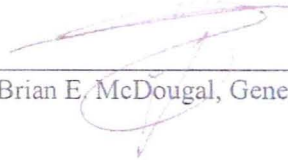


ATTEST:



Phyllis Loftis, Authority Secretary

By: _____


Brian E. McDougal, General Manager

Bid List

Water Treatment Plant Chemical Building HVAC System

Project No. SHA-10-02

- 1) Watkins Heat and Air
21205 Bethel Rd.
Tecumseh, Oklahoma 74873
- 2) Sparks Heating and Air
128 Summit Dr.
Shawnee, Oklahoma 74801
- 3) Kizzia Heat & Air
624 Kickapoo Spur St.
Shawnee, Oklahoma 74081
- 4) Love's HVAC Refrigeration Co., Inc.
18804 Brangus Rd.
Shawnee, Oklahoma 74801
- 5) Jared S. Marical
16759 County Road 3520
Ada, Oklahoma 74820
- 6) All Day Plumbing Heat & Air
1316 Ridgeway Dr.
Moore, Oklahoma 73160
- 7) Gary Hobbs
212 W. Main St.
Shawnee, Oklahoma 74801
- 8) Davis Air Conditioning
P.O. Box 3195
Shawnee, Oklahoma 74802
- 9) Mechanical Concepts
3916 Harvard Ave.
Oklahoma City, Oklahoma 73122
10. McGraw-Hill Construction Plan
605 NW 13th St, Ste B
Oklahoma City, Ok. 73103

Regular Board of Commissioners

11.

Meeting Date: 06/20/2011

Executive Session

Submitted By: Phyllis Loftis, Administration

Department: Administration

Information

Title of Item for Agenda

Consider an Executive Session to discuss possible mediation or settlement in the case of the City of Shawnee V. Shawnee Animal Hospital, Inc. et al., Case No. C-2009-1734; case filed in the District Court of Pottawatomie County, Oklahoma, as authorized by 25 O. S. §307 (B)(4).

Regular Board of Commissioners

12.

Meeting Date: 06/20/2011

Exec Session - Grasso

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Consider an Executive Session to discuss cases of Anthony J. Grasso V. City of Shawnee, Case No. CJ-2010-243; and David Block, Alan Gunter, Billy Mitchell, David Powell and Patricia Swinney V. City of Shawnee, Case No. CJ-10-721; cases filed in the District Court of Pottawatomie, County, Oklahoma, and workers compensation cases of Anthony J. Grasso (Case No. 2009-08537A), David Block (Case No. 2009-14594X), Alan Gunter (Case No. 2009-15678A), Billy Mitchell (Case No. 2010-13787H), David Powell (Case No. 2009-08538H), and Patricia Swinney (Case No. 2009-10858K), as authorized by 25 O. S. §307 (B)(4).

Regular Board of Commissioners

13.

Meeting Date: 06/20/2011

Exec Session IUPA

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Consider an Executive Session to discuss status of Collective Bargaining Agreement with the IUPA, Local No. 3, for FY 2011-2012 as authorized by 25 O.S. §307(B)(2).

Regular Board of Commissioners

14.

Meeting Date: 06/20/2011

Exec Session IAFF

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Consider an Executive Session to discuss status of Collective Bargaining Agreement with the IAFF, Local No. 203, for FY 2011-2012 as authorized by 25 O.S. §307(B)(2).

Regular Board of Commissioners

15.

Meeting Date: 06/20/2011

Executive Session Action

Submitted By: Phyllis Loftis, Administration

Department: Administration

Information

Title of Item for Agenda

Consider matters discussed in Executive Session regarding pending litigation in the case of the City of Shawnee V. Shawnee Animal Hospital, Inc. et al. Case No. C-09-1734; case filed in the District Court of Pottawatomie County, Oklahoma, as authorized by 25 O. S. §307 (B)(4).

Regular Board of Commissioners

16.

Meeting Date: 06/20/2011

Consider matters Exec Session Grasso

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Consider matters discussed in Executive Session regarding cases of Anthony J. Grasso V. City of Shawnee, Case No. CJ-2010-243; and David Block, Alan Gunter, Billy Mitchell, David Powell and Patricia Swinney V. City of Shawnee, Case No. CJ-10-721; cases filed in the District Court of Pottawatomie, County, Oklahoma, and workers compensation cases of Anthony J. Grasso (Case No. 2009-08537A), David Block (Case No. 2009-14594X), Alan Gunter (Case No. 2009-15678A), Billy Mitchell (Case No. 2010-13787H), David Powell (Case No. 2009-08538H), and Patricia Swinney (Case No. 2009-10858K), as authorized by 25 O. S. §307 (B)(4).
