

REVISED AGENDA
BOARD OF CITY COMMISSIONERS
January 21, 2014 AT 6:30 P.M.
COMMISSION CHAMBERS AT CITY HALL
SHAWNEE, OKLAHOMA

CALL TO ORDER

DECLARATION OF A QUORUM

INVOCATION
REV. AMY BUSSE
UNITED PRESBYTERIAN

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 as set forth in Agenda Item No. 11 and SMA Agenda Item No. 2-a
 - b. Minutes from the December 16, 2013 regular meeting.
 - c. Budget Amendment – Capital Fund 301
To adjust for insurance money received due to vehicles in accidents
 - d. Budget Amendment – General Fund
To adjust fire department budget for the SAFR Grant
 - e. Acknowledge the following minutes and reports:
 - Shawnee Civic and Cultural Development Authority minutes from October 21, 2013 and November 21, 2013
 - Planning Commission minutes from December 4, 2013
 - Beautification Committee minutes from December 12, 2013
 - License Payment Report for December 2013
 - Project Payment Report for December 2013
 - f. Authorize staff to execute agreement with Oklahoma Department of Emergency Management for the subgrant of Emergency Management Performance Grant funds.
 - g. Acknowledge Oklahoma Municipal Retirement Fund refund of contributions from the Defined Contribution plan and Defined Benefit Plan for Marsha Martin.
 - h. Acknowledge Oklahoma Municipal Retirement Fund refund of contributions from the Defined Contribution plan and Defined Benefit Plan for Guadalupe Deleon, Jr.

i. Approve recommendation of staff to update the City's workers compensation leave policy (non-Union employees only).

j. Mayor's Appointments:

Traffic Commission

Re-appointments

Wayne Ardrey	Expires 1/01/17 2nd Term
Ronald Taffe	Expires 1/01/17 2nd Term
Rebecca E Dolan	Expires 1/01/17 2nd Term

Shawnee Housing Authority Commissioners

Re-appointments

Donna Houston	Expires 2/04/17 2nd Term
Rebecca K. Carter	Expires 2/04/17 2nd Term
T. Clarice Stone	Expires 2/04/17 2nd Term

3. Commissioners Comments

4. Citizens Participation

(A three minute limit per person)

(A twelve minute limit per topic)

5. Public hearing and consideration of an ordinance to approve rezoning of property located at 3720 N. Bryan from A-1; Agricultural to R-1; Single Family Residential. Case #P01-14
Applicant: Janice Percell

6. Consideration of an ordinance repealing and amending Chapter 10 of the Shawnee Municipal Code, Cemeteries.

7. Consideration of a resolution adopting rules and regulations for the operations of Cemeteries.

8. Consideration of an ordinance repealing and amending Chapter 11 of the Shawnee Municipal Code, Emergency Management.

9. Acknowledge Sales Tax Report received January 2014.

10. City Manager's Report

11. Consider Bids/Proposals:

a. Police Firing Range Tower Project (Award)

b. City Hall ADA, Family Restroom Project (Award)

c. Cutting and Mowing of Rank Weeds, and the Clean-up of Trash and/or Debris (Open and Possible Award)

d. RFP's for Professional Consultant Services to Develop a Parks Master Plan (Open and Possible Award)

12. New Business
(Any matter not known about or which could not have been reasonably foreseen prior to the posting of the agenda)
13. Administrative Reports
14. Discussion, consideration and possible action for an executive session pursuant to 25 O.S. §307 (C) (10), for the purpose of conferring on matters pertaining to economic development, including the transfer of property, financing, or the creation of a proposal to entice a business to remain or to locate Shawnee due to advice from the City Attorney and City Manager that public disclosure of the matter would interfere with the development and would violate the confidentiality of the business, specifically a retail development on North Kickapoo (Hunt Properties, Inc.).
15. Discussion, consideration and possible action for an executive session pursuant to 25 O.S. §307 (B) (04) to discuss appeal of arbitration award #FMCS 130513 – 55757 – 1.
16. Discussion, consideration and possible action on matters from executive session pursuant to 25 O.S. §307 (C) (10), for the purpose of conferring on matters pertaining to economic development, including the transfer of property, financing, or the creation of a proposal to entice a business to remain or to locate Shawnee due to advice from the City Attorney and City Manager that public disclosure of the matter would interfere with the development and would violate the confidentiality of the business, specifically a retail development on North Kickapoo (Hunt Properties, Inc.)
17. Discussion, consideration and possible action on matters discussed in executive session pursuant to 25 O.S. §307 (B) (04) regarding appeal of arbitration award #FMCS 130513 – 55757 – 1.
18. 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: 01/21/2014

Open Bids Received

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 as set forth in Agenda Item No. 11 and SMA Agenda Item No. 2-a

Regular Board of Commissioners

2. b.

Meeting Date: 01/21/2014

Minutes

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Minutes from the December 16, 2013 regular meeting.

Attachments

Minutes

BOARD OF CITY COMMISSIONERS PROCEEDINGS
DECEMBER 16, 2013 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, December 16, 2013 at 6:30 p.m., pursuant to notice duly posted as prescribed by law. Mayor Mainord presided and called the meeting to order. Upon roll call, the following members were in attendance.

Wes Mainord

Mayor

Absent
Commissioner Ward 1

Linda Agee
Commissioner Ward 2

James Harrod
Commissioner Ward 3-Vice Mayor

Keith Hall
Commissioner Ward 4

John Winterringer
Commissioner Ward 5

Absent
Commissioner Ward 6

ABSENT: Pam Stephens, Steve Smith

INVOCATION

Lord's Prayer led by Mayor Mainord

FLAG SALUTE

Led by Commissioner Hall

COMMISSIONER SMITH ARRIVED AT 6:31 P.M.

AGENDA ITEM NO. 1:

Election of Vice-Mayor.

A motion was made by Commissioner Agee, seconded by Commissioner Hall, to appoint Commissioner Harrod as Vice Mayor. Motion carried 5-0-1.

AYE: Agee, Hall, Winterringer, Smith, Mainord

NAY: None

ABSTAIN: Harrod

AGENDA ITEM NO. 2:

Consider approval of Agenda.

A motion was made by Vice Mayor Harrod, seconded by Commissioner Hall, to approve the Agenda. Motion carried 6-0.

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

NAY: None

AGENDA ITEM NO. 3:

Consider approval of Consent Agenda:

- a. Acknowledge staff will proceed in the instant meeting with the opening and consideration of bids as set forth in Agenda Item No. 10
- b. Minutes from the December 2, 2013 regular meeting.
- c. Acknowledge the following minutes and reports:
 - Planning Commission minutes from the November 6, 2013 meeting
 - License Payment Report for November 2013
 - Project Payment Report for November 2013
- d. Authorize staff to advertise Request for Proposals for Shawnee Parks Master Plan
- e. Acknowledge Oklahoma Municipal Retirement Fund refund of contributions from the Defined Contribution plan for Cynthia Johnson
- f. Approve amendment to contract with Central Disposal, LLC for recycling program

A motion was made by Commissioner Hall, seconded by Commissioner Winterringer, to approve the Consent Agenda Item Nos. 3(a-f). Motion carried 6-0.

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

NAY: None

AGENDA ITEM NO. 4:

Commissioners Comments

Commissioner Agee said it was a great Christmas parade and she thanked the citizens for coming out.

AGENDA ITEM NO. 5: Citizens Participation
(A three minute limit per person)
(A twelve minute limit per topic)

There was no Citizens Participation.

AGENDA ITEM NO. 6: Mayor's presentation of Beautification Committee Awards.

The following were presented with Beautification Committee Awards by Mayor Mainord:

- Church: Wesley United Methodist Church
- Civic Group: Shawnee Lions Club
- Business: Plaza East Labyrinth Park
- Business: GrowthLines, LLC.

AGENDA ITEM NO. 7: Consider a resolution of support for Zimmerman Properties in pursuit of an 84-unit affordable housing development located off Transportation Parkway.

Resolution No. 6459 was introduced.

RESOLUTION OF LOCAL SUPPORT FOR AFFORDABLE HOUSING DEVELOPMENT LOCATED IN THE CITY OF SHAWNEE, OKLAHOMA.

Community Development Director Justin Erickson gave a staff report. Mr. Ben Mitchell, representative for Zimmerman Properties advised that the proposed development is on ten (10) acres more or less and will consist of 84 two and three bedroom apartments. The project will be financed, in part, by affordable housing tax credits. All residents of this apartment complex will be income qualified, initially and annually, to comply with the financial requirements. Mr. Mitchell also reported that the complex will have a brick façade on 60% of the exterior. Mr. Erickson stated the developer of the property would be responsible for water and sewer extensions to the site; further, that the property is correctly zoned for this project. Mr. Erickson's recommendation is for approval of the resolution.

A motion was made by Commissioner Agee, seconded by Commissioner Smith, to approve a resolution of support for Zimmerman Properties in pursuit of an 84-unit affordable housing development located off Transportation Parkway. Motion carried 4-2.

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

Resolution No. 6459 was adopted by the City Commission.

AGENDA ITEM NO. 8: Acknowledge Sales Tax Report received December 2013.

Diane Smith, Assistant to Finance Director, reported that the December Sales Tax receipts were down \$34,433.00. Last month the city was up \$246,000.00 and there was an issue of \$94,000.00 that Cynthia Sementelli, Finance Director, thought was submitted to Shawnee in error. It turned out that an error was made and the overpayment was withheld from this month's revenue check. So while our revenue amount this month is down, removing the \$94,000.00 amount sent in error, still shows sales tax is up by \$59,566.00. Year to date we are up \$442,843.00 or 5.47%. December sales tax received was \$1,315,025.00.

AGENDA ITEM NO. 9: City Manager's Report.

City Manager Brian McDougal reported on the following:

1. Pension choice. Sixty percent (60%) of employees chose the Defined Benefit Plan (pension) and forty percent (40%) chose the Defined Contribution Plan. The savings to the City is being determined and information will be provided to Commissioners soon regarding the amount.
2. Wellness. He is working with the YMCA regarding offering wellness memberships to City employees.
3. The travel and uniform policies will be reviewed. The travel policy is outdated.
4. Oklahoma Gas & Electric (OG&E) energy savings network. Looking into costs savings and could also be utilized in the future for AMR (Automatic Meter Reading).
5. Work Force is still assisting with cleanup in area creeks.
6. The Avedis Foundation is interested in the city/county 911 Center.

7. City staff will be attending a conference to obtain information regarding alternative fuel sources.

AGENDA ITEM NO. 10:

Consider Bids/Proposals:

- a. Police Firing Range Tower Project (Open and possible Award)

<u>BIDDER</u>	<u>AMOUNT</u>
W.L. McNatt & Company Oklahoma City, OK	\$277,450.00
Diversified Construction Edmond, OK	\$275,000.00
RFD Co LTD Sulphur, OK	\$246,000.00

Police Chief Russell Frantz 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 Vice Mayor Harrod, seconded by Commissioner Hall, to defer the bid award to the January 21, 2014 City Commission meeting. Motion carried 6-0.

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

NAY: None

- b. City Hall ADA, Family Restroom Project (Open and possible Award)

<u>BIDDER</u>	<u>AMOUNT</u>
Oklahoma Construction LLC Shawnee, OK	\$31,984.92

Director of Operation James Bryce read the bid 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 Vice Mayor Harrod, seconded by Commissioner Winterringer, to defer the bid award to the January 21, 2014 City Commission meeting. Motion carried 6-0.

AYE: Harrod, Winterringer, Smith, Agee, Mainord, Hall
 NAY: None

c. Proposals for Snow and Ice Removal Assistance (Award)

BID/PROPSAL: Silver Star Construction, Inc.
Moore, OK

Emergency Management Director Don Lynch announced that one bid was received and after review and consideration it was staff's recommendation to award the bid to Silver Star Construction of Moore, Oklahoma in the total amount as follows:

Equipment & Operators	Number Available	Total Cost to Operate per hour including labor, maintenance, fuel, tire, etc. 8 am to 5 pm Mon -Fri	Total Cost to Operate per hour including labor, maintenance, fuel, tire, etc. 5 pm to 8 am Mon – Fri	Total Cost to Operate per hour including labor, maintenance, fuel, tire, etc. Saturdays & Sundays	Total Cost to Operate per hour including labor, maintenance, fuel, tire, etc. Holidays	Total Cost to Operate per hour for Equipment on Stand-by, staged at Public Works Stand by Equip Staging
Truck with 8 foot snow plow, salt spreader and Operator	5	\$135.00	\$145.00	\$160.00	\$160.00	Same with 6 hour minimum
Road Grader		\$145.00	\$175.00	\$190.00	\$190.00	Same plus \$375 mobilization fee w/6 hour minimum
Front End Loader		\$115.00	\$128.00	\$145.00	\$145.00	Same plus \$375 mobilization fee w/6 hour minimum

Notes: 1) Mobilization fee covers trucking and delivery fee

- 2) Vendor is only available as a secondary provider in the event that equipment is not needed for service in other jurisdictions where they are already contracted to be a service provider.

A motion was made by Vice Mayor Harrod, seconded by Commissioner Hall, to accept staff's recommendation and award the bid to Silver Star Construction, Inc. in the total amount as follows:

Equipment & Operators	Number Available	Total Cost to Operate per hour including labor, maintenance, fuel, tire, etc. 8 am to 5 pm Mon -Fri	Total Cost to Operate per hour including labor, maintenance, fuel, tire, etc. 5 pm to 8 am Mon – Fri	Total Cost to Operate per hour including labor, maintenance, fuel, tire, etc. Saturdays & Sundays	Total Cost to Operate per hour including labor, maintenance, fuel, tire, etc. Holidays	Total Cost to Operate per hour for Equipment on Stand-by, staged at Public Works Stand by Equip Staging
Truck with 8 foot snow plow, salt spreader and Operator	5	\$135.00	\$145.00	\$160.00	\$160.00	Same with 6 hour minimum
Road Grader		\$145.00	\$175.00	\$190.00	\$190.00	Same plus \$375 mobilization fee w/6 hour minimum
Front End Loader		\$115.00	\$128.00	\$145.00	\$145.00	Same plus \$375 mobilization fee w/6 hour minimum

- Notes:
- 1) Mobilization fee covers trucking and delivery fee
 - 2) Vendor is only available as a secondary provider in the event that equipment is not needed for service in other jurisdictions where they are already contracted to be a service provider.

Motion carried 6-0.

AYE: Harrod, Hall, Winterringer, Smith, Agee, Mainord
 NAY: None

AGENDA ITEM NO. 11:

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. 12:

Administrative Reports

There was no Administrative Reports.

AGENDA ITEM NO. 13:

Adjournment

There being no further business to be considered, the meeting was adjourned by power of the Chair. (7:26 p.m.)

WES MAINORD, MAYOR

ATTEST:

PHYLLIS LOFTIS, CMC, CITY CLERK

Regular Board of Commissioners

2. c.

Meeting Date: 01/21/2014

Budget Amendment Fund 301

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Budget Amendment – Capital Fund 301

To adjust for insurance money received due to vehicles in accidents

Attachments

Budget Amendment 301

**City of Shawnee
Budget Amendment
Capital Fund 301
January 21, 2014**

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
301	4804			insurance recovery	-	43,509.53	43,509.53
				Total		43,509.53	

Appropriations

Fund Number	Account Number	Project Code	Line Item	Description	Balance Before Amendment	Amount of Amendment Increase (Decrease)	Balance After Amendment
301	5-0610-5450			police admin- equipment	200,000.00	43,509.53	243,509.53
					-	-	-
					-	-	-
					200,000.00	43,509.53	243,509.53

Approved by the City Commission this

Explanation of Budget Amendment:
to adjust for insurance money we received due to vehicles in accidents

Approved:

Mayor
Attest:

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

City Clerk

Regular Board of Commissioners

2. d.

Meeting Date: 01/21/2014

Budget Amendment General Fund

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Budget Amendment – General Fund

To adjust fire department budget for the SAFR Grant

Attachments

Budget Amendment General

City of Shawnee
Budget Amendment
general fund
January 21, 2014

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	4140			SAFR Grant	-	253,451.25	253,451.25
				Total		253,451.25	

Appropriations

Fund Number	Account Number	Project Code	Line Item	Description	Balance Before Amendment	Amount of Amendment Increase (Decrease)	Balance After Amendment
001	5-0720-5101			regular salaries	2,011,543.00	173,426.00	2,184,969.00
001	5-0720-5102			overtime	450,000.00	20,285.71	470,285.71
001	5-0720-5111			medicare	35,727.00	7,283.90	43,010.90
001	5-0720-5113			health insurance	253,621.00	27,000.00	280,621.00
001	5-0720-5114			life insurance	4,224.00	1,176.00	5,400.00
001	5-0720-5117			retirement	344,952.00	24,279.64	369,231.64
					-	-	-
					-	-	-
					3,100,067.00	253,451.25	3,353,518.25

Approved by the City Commission this _____

Explanation of Budget Amendment:
to adjust fire department budget for the SAFR Grant

Approved:

Mayor

Attest:

City Clerk

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

Regular Board of Commissioners

2. e.

Meeting Date: 01/21/2014

Minutes and Reports

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Acknowledge the following minutes and reports:

- Shawnee Civic and Cultural Development Authority minutes from October 21, 2013 and November 21, 2013
 - Planning Commission minutes from December 4, 2013
 - Beautification Committee minutes from December 12, 2013
 - License Payment Report for December 2013
 - Project Payment Report for December 2013
-

Attachments

[Minutes SCCDA Oct 2013](#)

[Minutes SCCDA Nov 2013](#)

[Minutes Planning](#)

[Minutes Beautification](#)

[Report License Payment](#)

[Report Project Payment](#)

A MEETING OF THE SHAWNEE
CIVIC AND CULTURAL DEVELOPMENT AUTHORITY
OCTOBER 21, 2013
12:30 P.M.
HEART OF OKLAHOMA EXPOSITION CENTER

THE TRUSTEES OF THE SHAWNEE CIVIC AND CULTURAL DEVELOPMENT AUTHORITY MET FOR THEIR RE-SCHEDULED MEETING THURSDAY, OCTOBER 21, 2013 AT 12:30 PM AT HEART OF OKLAHOMA EXPOSITION CENTER, PURSUANT TO NOTICE DULY POSTED AS PRESCRIBED BY LAW. NOTICE WAS FILED AT CITY HALL ON 10/17/2013 AT 10:00AM.

AGENDA ITEM NO.1

CALL TO ORDER.

THE MEETING WAS CALLED TO ORDER AT 12:40 PM BY MR. KARL KOZEL, CHAIRMAN.

AGENDA ITEM NO.2

ROLL CALL

TRUSTEES PRESENT: MR. KARL KOZEL
MRS. RANDY GILBERT
MR. CARL PACKWOOD
MR. DAVID HARMON
MR. BRIAN MCDUGAL

TRUSTEES ABSENT: MR. CASEY BELL
MRS. SUSAN HAVENS

ALSO IN ATTENDANCE: MICHAEL JACKSON, OPERATIONS MANAGER; MIKE CLOYER, STUART & CLOYER, MICHAEL MCCORMICK OF THE SHAWNEE NEWS STAR AND SHELLY WELCH OF FINLEY & COOK.

AGENDA ITEM NO.3

DECLARATION OF A QUORUM

CHAIRMAN MR. KARL KOZEL, DECLARED A QUORUM.

AGENDA ITEM NO.4

APPROVAL OF MINUTES OF SEPTEMBER 2013 MEETING

THE MOTION MADE BY TRUSTEE GILBERT, SECONDED BY TRUSTEE PACKWOOD TO APPROVE THE MINUTES OF THE SEPTEMBER 2013 MEETING. MOTION CARRIED.

AYE: GILBERT, PACKWOOD, HARMON, MCDUGAL, KOZEL
NAY: NONE
ABSTAIN:

AGENDA ITEM NO.6
SEPTEMBER

APPROVAL OF MONTHLY FINANCIAL REPORT

THE MOTION MADE BY TRUSTEE GILBERT, SECONDED BY TRUSTEE HARMON TO APPROVE THE MONTHLY FINANCIAL REPORT. MOTION CARRIED.

AYE: GILBERT, PACKWOOD, HARMON, MCDUGAL, KOZEL
NAY: NONE
ABSTAIN:

AGENDA ITEM NO.7

APPROVAL OF GENERAL CLAIMS.

THE MOTION MADE BY TRUSTEE GILBERT, SECONDED BY TRUSTEE HARMON TO APPROVE THE GENERAL CLAIMS. MOTION CARRIED.

AYE: GILBERT, PACKWOOD, HARMON, MCDUGAL, KOZEL
NAY: NONE
ABSTAIN:

General Claims

A.	Banker Credit Card Service	Monthly Charges	\$5,325.30
B.	Arvest Bank	Monthly Payment	\$502.69
C.	Pitney Bowes- Lease	Equipment	\$153.00
D.	OG&E	Monthly Utilities	\$26,602.53
E.	ONG	Monthly Utilities	\$734.13
F.	Constellation Energy	Monthly Utilities	\$103.88
G.	A-1 Rooter	Bldg& Grounds Maintenance	\$307.00
H.	Express	Temp Labor	\$5,928.66
I.	Buford Whites	Grounds Maintenance	\$64.98
J.	Grimsley's	Supplies	\$1,429.32
K.	INS	Computer Maintenance	\$665.00
L.	Staples	Supplies	\$194.61
M.	Fred's Tire & Battery	Equipment Maintenance	\$58.59
N.	Stewart Wholesale	Equipment Maintenance	\$150.00
O.	Vision Bank	Monthly Payments	\$1031.02
P.	Sparks Heat & Air	Equipment Maintenance	\$2,264.61
Q.	Sign Factory	Event Support	\$837.50
R.	Bill Veazey's	Event Support	\$1,433.30
S.	Shawnee Office Systems	Equipment Maintenance	\$81.43
T.	Cintas	Uniform Services	\$318.52
U.	24 Hour Lockout Service	Lock Services	\$200.50
V.	AT&T	Monthly Service	\$2,102.93
W.	Winkler Door Co	Bldg Maintenance	\$186.00
X.	Grimsley's	Supplies	\$166.58
Y.	Communication Services	Monthly Services	\$75.00
Z.	AT&T Mobility	Monthly Services	\$46.22
AA.	Fresh Filtered Air	Bldg Maintenance	\$650.00

BB.	Express Services	Temp Labor	\$345.60
CC.	Armstrong Pest Control	Bldg Maintenance	\$125.00
DD.	Allegiance Communications	Equipment Maintenance	\$199.95
EE.	Shawnee Lighting Systems	Grounds Maintenance	\$270.00
FF.	City of Shawnee- Water	Utilities	\$2,459.71
GG.	Finley & Cook	Accounting Services	\$525.00
HH.	Chuck Jones	Supplies	\$250.00
II.	Fuelman	Monthly Service	\$1426.51
JJ.	OK Tax Commission	Sales Tax	\$3,289.85
KK.	City of Shawnee- Surcharge	Monthly Surcharge	\$2,517.00
LL.	Stuart Clover Duran Thomas & Vorndran	Legal Fees	\$325.00
MM.	Express Services	Temp Labor	\$472.50

AGENDA ITEM NO. 8

APPROVAL OF SPECIAL EVENT CLAIMS

THE MOTION MADE BY TRUSTEE PACKWOOD, SECONDED BY TRUSTEE HARMON THAT THE SPECIAL EVENT CLAIMS BE APPROVED. MOTION CARRIED.

AYE: GILBERT, PACKWOOD, HARMON, MCDUGAL, KOZEL
 NAY: NONE
 ABSTAIN:

Special Events IFYR 2013 Claims

A. Mike McCormick IFYR Media Director \$300.00

AGENDA ITEM NO.9

APPROVAL OF SHAVINGS CLAIMS

THE MOTION MADE BY TRUSTEE HARMON, SECONDED BY TRUSTEE PACKWOOD THAT THE SHAVINGS CLAIMS BE APPROVED. MOTION CARRIED.

AYE: GILBERT, PACKWOOD, HARMON, MCDUGAL, KOZEL
 NAY: NONE
 ABSTAIN:

Shavings Claims

A. Xylo of OK Shavings \$3,780.00

AGENDA ITEM NO.10

DISCUSSION CONSIDERATION AND POSSIBLE ACTION TO APPROVE TO APPROVE 2014 SC&CDA MEETING DATES.

THE MOTION MADE BY TRUSTEE GILBERT, SECONDED BY TRUSTEE PACKWOOD THAT THE PRESENTED SC&CDA MEETING DATES BE APPROVED AND NOTE BE MADE THAT THERE WILL BE NO SCHEDULED JULY MEETING, MOTION CARRIED.

AYE: GILBERT, PACKWOOD, HARMON, MCDUGAL, KOZEL
NAY: NONE
ABSTAIN:

AGENDA ITEM NO.11

DISCUSSION ON RE-CARPETING THE CONF. CENTER AT SOME POINT IN THE FUTURE.

CARPET FLAWS AND ISSUES WERE BROUGHT UP AND DISCUSSED- SOME OPTIONS WERE TOSSED AROUND.

AGENDA ITEM NO.12

DISCUSSION ON HEART OF OK EXPO CENTERS LONG RANGE PLAN-

WHERE DO WE GO FROM HERE? HOW DO WE KEEP FROM BECOMING OBSOLETE WHEN NEWER FACILITIES ARE POPPING UP EVERYWHERE.

AGENDA ITEM NO.13, 14, 15 & 16

IFYR UP-DATE, OLD BUSINESS, NEW BUSINESS, PUBLIC & TRUSTEE COMMENTS-

NONE

AGENDA ITEM NO.17

ADJOURNMENT

THE MOTION MADE BY TRUSTEE PACKWOOD, SECONDED BY TRUSTEE HARMON TO ADJOURN MEETING, MOTION CARRIED.

AYE: GILBERT, PACKWOOD, HARMON, MCDUGAL, KOZEL
NAY: NONE
ABSTAIN: NONE



CHAIRMAN: MR. KARL KOZEL



SECRETARY: MR. BRIAN MCDUGAL

A MEETING OF THE SHAWNEE
CIVIC AND CULTURAL DEVELOPMENT AUTHORITY
NOVEMBER 21, 2013
12:30 P.M.
HEART OF OKLAHOMA EXPOSITION CENTER

THE TRUSTEES OF THE SHAWNEE CIVIC AND CULTURAL DEVELOPMENT AUTHORITY MET FOR THEIR REGULAR SCHEDULED MEETING THURSDAY, NOVEMBER 21, 2013 AT 12:30 PM AT HEART OF OKLAHOMA EXPOSITION CENTER, PURSUANT TO NOTICE DULY POSTED AS PRESCRIBED BY LAW. NOTICE WAS FILED AT CITY HALL ON 11/18/2013 AT 11:30AM.

AGENDA ITEM NO.1

CALL TO ORDER.

THE MEETING WAS CALLED TO ORDER AT 12:40 PM BY MR. KARL KOZEL, CHAIRMAN.

AGENDA ITEM NO.2

ROLL CALL

TRUSTEES PRESENT: MR. KARL KOZEL
MRS. RANDY GILBERT
MR. CARL PACKWOOD
MRS. SUSAN HAVENS

TRUSTEES ABSENT: MR. CASEY BELL
MR. DAVID HARMON
MR. BRIAN MCDUGAL

ALSO IN ATTENDANCE: MICHAEL JACKSON, OPERATIONS MANAGER; MIKE CLOVER, STUART & CLOVER, MICHAEL MCCORMICK OF THE SHAWNEE NEWS STAR AND SHELLY WELCH OF FINLEY & COOK.

AGENDA ITEM NO.3

DECLARATION OF A QUORUM

CHAIRMAN MR. KARL KOZEL, DECLARED A QUORUM.

AGENDA ITEM NO.4

APPROVAL OF MINUTES OF OCTOBER 2013 MEETING

THE MOTION MADE BY TRUSTEE GILBERT, SECONDED BY TRUSTEE PACKWOOD TO APPROVE THE MINUTES OF THE OCTOBER 2013 MEETING. MOTION CARRIED.

AYE: GILBERT, PACKWOOD, HAVENS, KOZEL
NAY: NONE
ABSTAIN:

AGENDA ITEM NO.6
SEPTEMBER

APPROVAL OF MONTHLY FINANCIAL REPORT

THE MOTION MADE BY TRUSTEE GILBERT, SECONDED BY TRUSTEE PACKWOOD TO APPROVE THE MONTHLY FINANCIAL REPORT. MOTION CARRIED.

AYE: GILBERT, PACKWOOD, HAVENS, KOZEL
NAY: NONE
ABSTAIN:

AGENDA ITEM NO.7

APPROVAL OF GENERAL CLAIMS.

THE MOTION MADE BY TRUSTEE PACKWOOD, SECONDED BY TRUSTEE GILBERT TO APPROVE THE GENERAL CLAIMS. MOTION CARRIED.

AYE: GILBERT, PACKWOOD, HAVENS, KOZEL
NAY: NONE
ABSTAIN:

General Claims

A.	Vann & Associates Web Site	\$750.00
B.	Cintas Uniforms	\$247.93
C.	Express Temp Labor	\$172.80
D.	OG&E Utilities Due	\$35,488.47
E.	Arvest Loan Payment	\$502.69
F.	INS Computer Maintenance	\$665.00
G.	Oklahoma Natural Gas Monthly Utilities	\$775.96
H.	Armstrong Pest Control Bldg & Grnds Maintenance	\$125.00
I.	Shawnee Office Systems Equipment Maintenance	\$61.26
J.	Titan Security Llama Show	\$300.00
K.	Vision Bank Payments Due	\$1,031.02
L.	Constellation Energy Monthly Utilities	\$130.32
M.	Hertz Equipment Rental	\$409.00
N.	Staples Office Equipment	\$147.45
O.	AT&T Mobility Monthly Utility	\$46.22
P.	Bobcat of OKC Equipment Maintenance	\$31.05
Q.	OK Tax Commission Taxes Due	\$5,259.46
R.	City of Shawnee — Water Utilities	\$1,474.42

S.	Chuck Jones Grounds Maintenance	\$1,430.00
T.	Shawnee Lighting Systems Grounds Maintenance	\$5,393.16
U.	Day's Diesel Service Supplies	\$1,895.38
V.	Cintas Uniforms	\$60.77
W.	Finley & Cook Accounting Services	\$525.00
X.	NAPA Equipment Maintenance	\$23.99
Y.	Allegiance Communications Equipment Maintenance	\$199.95
Z.	Locke Supply Grounds Maintenance	\$23.29
AA.	AT&T Monthly Utility	\$2,101.13
BB.	Ask About Windows Bldg Maintenance	\$463.00
CC.	Yorts Alternator Service Equipment Maintenance	\$690.00
DD.	Arrowhead Machinery Equipment Maintenance	\$1,981.25
EE.	City of Shawnee- Surcharge Monthly Surcharge	\$3,371.00
FF.	Buford Whites Bldg & Grnds Maintenance	\$14.99
GG.	Arvest Monthly Payment	\$502.69
HH.	Stuart, Clover, Duran, Vondran & Thomas Legal Fees	\$312.50

Add On's

General Claims:

A.	Michelle Martinez RV Refund	\$150.00
B.	Jacob Lirette RV Refund	\$150.00

C.	Michael McCormick IFYR Media Director	\$300.00
D.	Allen Rogers RV Refund	\$150.00
E.	Automatic Fire Control Equipment Maintenance	\$1,580.80
F.	OG&E Monthly Utility	\$30,209.73
G.	Fuelman Monthly Utility	\$1,180.15
H.	Grimsleys Supplies	\$345.50
I.	ONG Monthly Utility	\$328.36
J.	Constellation Energy Monthly Utility	\$639.00
K.	Back 40 Equipment Maintenance	\$50.00
L.	City Grease Trap Bldg/Equipment Maintenance	\$200.00
M.	Express Services Temp Labor	\$92.16
N.	Vision Bank Payment Due	\$1,031.02

AGENDA ITEM NO. 8

APPROVAL OF SPECIAL EVENT CLAIMS

THE MOTION MADE BY TRUSTEE PACKWOOD, SECONDED BY TRUSTEE HAVENS THAT THE SPECIAL EVENT CLAIMS BE APPROVED. MOTION CARRIED.

AYE: GILBERT, PACKWOOD, HAVENS, KOZEL

NAY: NONE

ABSTAIN:

Special Events IFYR 2013 Claims

A. Mike McCormick IFYR Media Director \$300.00

AGENDA ITEM NO.9

APPROVAL OF SHAVINGS CLAIMS

NONE

AGENDA ITEM NO.10

DISCUSSION CONSIDERATION AND POSSIBLE ACTION TO APPROVE CHANGING THE CREDIT CARD MACHINE DEPOSIT SET UP.

THE MOTION MADE BY TRUSTEE PACKWOOD, SECONDED BY TRUSTEE HAVENS THAT THE CREDIT CARD SET UP BE CHANGED TO BE SEPARATED AS THEY COME IN TO GO INTO ARVEST AND FIRST UNITED. MOTION CARRIED.

AYE: GILBERT, PACKWOOD, HAVENS, KOZEL
NAY: NONE
ABSTAIN:

AGENDA ITEM NO.11, 12, 13, 14, 15 & 16

IF/YR UP-DATE, OLD BUSINESS, NEW BUSINESS, COMMITTEE REPORTS, PUBLIC & TRUSTEE COMMENTS-

NONE

AGENDA ITEM NO.17

ADJOURNMENT

THE MOTION MADE BY TRUSTEE PACKWOOD, SECONDED BY TRUSTEE HAVENS TO ADJOURN MEETING. MOTION CARRIED.

AYE: GILBERT, PACKWOOD, HAVENS, KOZEL
NAY: NONE
ABSTAIN: NONE



CHAIRMAN: MR. KARL KOZEL



SECRETARY: MR. BRIAN MCDUGAL

PLANNING COMMISSION MINUTES

DATE: December 4, 2013

The Planning Commission of the City of Shawnee, County of Pottawatomie, State of Oklahoma, met in the Commission Chambers, at City Hall, 9th and Broadway, on Wednesday, December 4, 2013 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:

Present: Bergsten, Carter, Hoster, Turner, Silvia, Cowen, Salter

Absent:

The meeting was called to order.

AGENDA ITEM NO. 2: **Approval of the minutes from the November 6, 2013 Planning Commission Meeting**

Chairman Turner asked for a motion. Commissioner Hoster made the motion seconded by Commissioner Bergsten to approve the November 6, 2013 minutes.

Motion passed:

AYE: Bergsten, Carter, Hoster, Silvia, Cowen, Salter

NAY:

ABSTAIN: Turner

AGENDA ITEM NO. 3: **Citizens Participation**

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

AGENDA ITEM NO. 4: **Workshop: Commercial Zoning**

Justin Erickson turned the presentation over to Justin Debruin. Chairman Silvia brought up ideas about chicken ordinances passed in other cities. After this brief discussion, the attention moved to C-4 zoning to allow the use of food trucks, snow cone stands, etc. Justin Erickson acknowledged that he would like to look more into this ordinance. There was also discussion regarding outdoor sales in C-4 and the use of additional standards and regulations. Conditional use permits and basic child care were brought up as well, along with specialized care. Justin Erickson discussed there are more residential complaints than commercial. The workshop also discussed brick façades on the front of buildings with metal construction. The workshop also included discussion on the shopping center district and design standards.

AGENDA ITEM NO. 5: **Planning Director's Report**

There was no report.

AGENDA ITEM NO. 6: **Comments/New Business**

There were no comments.

AGENDA ITEM NO. 7: **Adjournment**

Meeting was adjourned.



Chairman/Vice-Chairman

Cheyenne Lincoln

Planning Commission Secretary

Mayor
WES MAINORD



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

Commissioners
PAM STEPHENS
LINDA AGEE
JAMES HARROD
KEITH HALL
JOHN WINTERRINGER
STEVE SMITH

Minutes

Shawnee Beautification Committee

DECEMBER 12, 2013

The Shawnee Beautification Committee met in the EOC Room

The meeting was called to order at 4:00 pm

Roll Call was taken showing the following members present:

		Present	Absent
Member	Robert Cash, Chairman	<u> X </u>	_____
Member	Paul Malley, Vice Chairman	<u> X </u>	_____
Member	Nancy Ford	<u> X </u>	_____
Member	Janet Turner	<u> X </u>	_____
Member	Tom Terry	<u> X </u>	_____
Member	Linda Malley	<u> X </u>	_____
City Staff	James Bryce	<u> X </u>	_____
City Staff	Whisper Peace	<u> X </u>	_____
City Staff	Justin Erickson	<u> X </u>	_____
Visitor			
Visitor			
Visitor			

- AGENDA NO 2** **Roll Call and Declaration of a Quorum.** Roll was called and a quorum was declared.

- AGENDA NO 3** **Approved Minutes for NOVEMBER 2013.** The minutes for November 2013 were approved with a motion made by Tom Terry and 2nd by Paul Malley. The motion carried unanimously.

- AGENDA NO 4.** **Discussion and Update on Harrison Street Median and Kickapoo Street Median Flowerbed.** (Robert Cash) Robert shared information and charts showing the plants that are alive and the dead plants that will need to be replaced. The group discussed methods for cleaning out the dead plants and maintaining the flower bed in the future.

- AGENDA NO 5** **Discussion of Beautification Awards.** (Janet Turner) Janet informed the group that the Beautification Contest Awards were complete and ready to be given to the winners at the next Commission Meeting.

- AGENDA NO 6** **Discussion and summary of all the things the Beautification Committee has accomplished this year.** (Janet Turner) The group discussed the Raised flowerbed at I-40 Harrison exit, replacing the Bell street planters, Beautification Award Contest, continued support of the City of Shawnee Code Enforcement in the demolition of condemned structures within the City.

AGENDA NO 7 Old Business. No Old Business.

AGENDA NO 8 New Business. No New Business.

AGENDA NO 9 Comments.

AGENDA NO 10 Adjournment. Committee adjourned at 5:10 pm

Robert Cash
Chairman, Robert Cash

1-9-14
Date

** FEE CODE TOTALS **

FEE CODE	DESCRIPTION	FEE	PAYMENT DISTRIBUTION			TOTAL PAID
			PENALTY	TAX	INTEREST	
ALARMRENEW	BURGLAR/FIRE ALARM RENEW	19	285.00CR			285.00
AMB	AMBULANCE LICENSE FEE	1	25.00CR			25.00
BOATREG	BOAT REGULAR PERMIT	8	208.00CR			208.00
BOWL	BOWLING LANE	1	50.00CR			50.00
DEMOL	DEMOLITION LICENSE FEE	4	300.00CR			300.00
ELEC1	ELECTRICAL CONTRACTOR INITIAL	1	100.00CR			100.00
ELEC2	ELECTRICAL CONTRACTOR RENEW	4	300.00CR			300.00
EXT	EXTERMINATOR LICENSE FEE	3	75.00CR			75.00
FISHANNUAL	FISHING ANNUAL FEE	4	60.00CR			60.00
HUNT2	MIGRATORY FOWL	6	48.00CR			48.00
LAKE-IN	LAKE LEASE CITY RESIDENT	1	200.00CR			200.00
LAKE-OUT	LAKE LEASE NON RESIDENT	2	800.00CR			800.00
LAKEINSP	LAKE LEASE INSPECTION	1	75.00CR			75.00
LAKELEASE	LAKE LEASE	5	3,197.00CR			3,197.00
LAKEXFER	LAKE LEASE TRANFER FEE	2	2,000.00CR			2,000.00
MECH2	MECHANICAL CONTRACTOR RENEW	7	525.00CR			525.00
PAWN	PAWN BROKERS LICENSE FEE	3	75.00CR			75.00
PLUM1	PLUMBING CONTRACTOR INITIAL	3	300.00CR			300.00
PLUM2	PLUMBING CONTRACTOR RENEW	5	375.00CR			375.00
RESAL	RESIDENTIAL SALE	4	40.00CR			40.00
SALVG	SALVAGE OPERATOR LICENSE FEE	1	25.00CR			25.00
SIGN	SIGN HANGERS LICENSE FEE	8	600.00CR			600.00
STORM	STORM CELLAR LICENSE FEE	6	450.00CR			450.00
TREE	TREE TRIMMING LICENSE FEE	5	125.00CR			125.00
TOTAL			10,238.00CR			10,238.00

STATUS: ALL

SEGMENT CODES: All

FEE CODES: All

PROJECTS: THRU ZZZZZZZZZZ

PAYMENT DATES: 12/01/2013 TO 12/31/2013

SORTED BY: PROJECT

** SEGMENT CODE TOTALS **

SEGMENT CODE	DESCRIPTION	TOTAL PAID
B1-NEW	BUILDING CONSTRUCTION NEW	723.73CR
B3-REMODEL	BUILDING CONSTRUCTION REM	973.42CR
B4-OTHER	BUILDING CAPORT/SHELTER	248.50CR
E3-REMODEL	ELECTRICAL REMODEL/REPAIR	491.50CR
M3-REMODEL	MECHANICAL REMODEL/REPAIR	422.50CR
P3-REMODEL	PLUMBING REMODEL	588.00CR
X-BORE/CUT	BORING & PAVING CUT PERMI	50.00CR
X-DEMO	DEMOLITION PERMIT	50.00CR
X-MOVING	MOVING PERMIT	50.00CR
X-SIGN	SIGN PERMIT	100.00CR
Z-OCCUP	OCCUPANCY PERMIT	50.00CR
TOTAL		3,747.65CR

Regular Board of Commissioners

2. f.

Meeting Date: 01/21/2014

Emergency Management Performance Grant Funds

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Authorize staff to execute agreement with Oklahoma Department of Emergency Management for the subgrant of Emergency Management Performance Grant funds.

Attachments

Emer Mgmt Sub-Grant

City of Shawnee Memorandum



To: Honorable Mayor and City Commissioners
Through: Brian McDougal, City Manager *D.S.*
From: Donald D. Lynch, Emergency Management Director
Date: January 13, 2014
Re: Contract with State Emergency Management for Sub-Grant

NATURE OF THE REQUEST:

I am writing to request your approval for staff to execute an agreement with the Oklahoma Department of Emergency Management for the sub-grant of Emergency Management Performance Grant funds. A copy of the Agreement is attached for your reference.

STAFF ANALYSIS /CONSIDERATIONS:

This is the annual grant we apply for to reimburse the City for part of the cost of administration for our Emergency Management program.

The City Commission authorized staff to apply for this grant at its September 16, 2013 meeting.

The City Attorney has reviewed the documents and approved them as to form.

RECOMMENDATION:

Staff recommends approval.

BUDGET CONSIDERATION:

This will provide \$44,834.00 for Federal Fiscal Year 2014. This amount is level funding from what we received in FFY 2013.

Thank you for your favorable attention to this request.

**AGREEMENT FOR THE SUB-GRANT OF
EMERGENCY MANAGEMENT PERFORMANCE
GRANT PROGRAM FUNDS**

This agreement is entered into by and between **The State of Oklahoma Department of Emergency Management**, hereinafter referred to as OEM, and The City of Shawnee, Oklahoma, hereinafter referred to as the Political Subdivision. **Witnesses that** OEM and the Political Subdivision for the considerations named agree as follows:

Article 1. Eligibility Criteria

To be eligible for an Emergency Management Performance (SLA) Sub-grant, a local jurisdiction must meet the following eligibility requirements:

1. Have an emergency management agency established in accordance with Title 63 O.S 683.1 et seq (In its entirety).
2. Employ a salaried, full-time (40 hours a week) or part-time (20 hours a week) Emergency Management Director whose duties/responsibilities fulfill tasks related to comprehensive emergency management; who shall provide coordination for the jurisdiction's elected or appointed officials during an emergency; and by virtue of the authority of the chief executive/administrative officer, coordinate all functions of emergency management by the jurisdiction (i.e. mitigation, preparedness, response, and recovery)
3. Have local funds allocated to cover the entire cost of the jurisdictions emergency management office, independent of any sub-grant money.

4. Have an Emergency Operations Plan that has been formally adopted by the jurisdiction and current within one year on file with the OEM.
5. Establish and maintain a designated 24 hour point of contact.
6. On a form provided by OEM, identify a designated agent, an alternate, and the designated agent's official mailing address. (Not a home address.) The designated agent will serve as the political sub-divisions official point of contact (POC), responsible for reporting on, or responding to, inquiries regarding the four (4) phases of emergency management (mitigation, preparedness, response and recovery) to include incident reporting (see section entitled "Incident Reporting"). In addition, on the form, indicate to whom **all** official OEM correspondence and state warrants will be sent if different from designated agent.
7. Be in compliance with Title VI of the Civil Rights Act of 1964.
8. Have adopted NIMS and have met the minimum requirements as evidenced by: a copy of the Oklahoma Office of Homeland Security's (OKOHS) NIMS Certificate or other recognized documentation. A copy of either of these documents will need to be inserted in Part 4 of the Application.
9. All personnel being paid with grant funds must have completed or in the process of completing the following courses or equivalents:

IS-100, IS-200, IS-700, IS-800, EM-101 or IS-1a, IS-235, IS-240, IS-241, IS-242, and IS-244.

Article 2. Authorized Representatives

The Director of OEM shall be the representative for the agency authorized to complete work and negotiate changes to this agreement. The Director of Emergency Management for the Political Subdivision shall be the representative for the Political Subdivision authorized to complete work

and negotiate changes to this agreement. The Political Subdivision will, on a form provided by OEM, identify a Director of Emergency Management for the Political Subdivision, an alternate, and the Director of Emergency Management for the Political Subdivision's official mailing address. The Director of Emergency Management for the Political Subdivision will serve as the Political Subdivision's official point of contact (POC), responsible for reporting on, or responding to inquiries regarding the four (4) phases of emergency management (mitigation, preparedness, response and recovery) to include incident reporting.

Article 3. Duration

This agreement shall be in full force and effective at 12:01 a.m. on October 1, 2013 by both parties and terminating at 12:00 p.m. on September 30, 2014, unless terminated by either party prior to that time, in writing.

The OEM may extend the term of this Agreement by giving written notice to the Political Subdivision 30 days prior to the end of this Agreement.

If the OEM exercises this option, the extended Agreement shall be considered to include this option provision.

The total duration of this Agreement, including the exercise of any options under this clause, shall not exceed three years.

Article 4. Purpose

The purpose of this agreement is to provide a 50/50 sub-grant with a portion of the funds awarded to the State of Oklahoma under the Federal Emergency Management Agency (FEMA)'s Emergency Management Performance Grant (EMPG) program. The EMPG program encourages the development of comprehensive emergency preparedness system for all hazards by the State and local governments.

Article 5. Authorities

The authorities for this award are:

The Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended, 42 U.S.C. § 5121 et. Seq. (the Stafford Act); Title 44, Code of Federal Regulations (CFR), Part 302, et. Seq.; U.S. Department of Homeland Security Presidential Directive 5 (HSPD-5); Oklahoma Emergency Management Act 2003, 63 O.S. 683. 1 et. Seq.; State Administrative Plan adopted by the Oklahoma Department of Emergency Management.

Article 6. Trafficking in Persons

A. Provisions applicable to a recipient that is a private entity.

1. You as the recipient, your employees, subrecipients under this award, and subrecipients' employees may not:
 - a. Engage in sever forms of trafficking in persons during the period of time that the award is in effect;
 - b. Procure a commercial sex act during the period of time that the award is in effect;
or
 - c. Use forced labor in the performance of the award or subawards under the award.
2. We as the State awarding agency may unilaterally terminate this award, without penalty, if you or a subrecipient that is a private entity:
 - a. Is determined to have violated a prohibition in paragraph A.1 of this award term;
or
 - b. Has an employee who is determined by the agency official authorized to terminate the award to have violated a prohibition in paragraph A.1 of this award term through conduct that is either;

- i. Associated with performance under this award; or
- ii. Imputed to you or the subrecipient using the standards and due process for imputing the conduct of an individual to an organization that are provided in 2 CFR Part 180, “OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Non-procurement),” as implemented by our agency at 2 CFR Part 3000.

B. Provisions applicable to a recipient other than a private entity. We as the State awarding agency may unilaterally terminate this award, without penalty, if a subrecipient that is a private entity:

1. Is determined to have violated an applicable prohibition in paragraph A.1 of this award term; or
2. Has an employee who is determined by the agency official authorized to terminate the award to have violated an applicable prohibition in paragraph A.1 of this award term through conduct that is either:
 - a. Associated with performance under this award; or
 - b. Imputed to the subrecipient using the standards and due process for imputing the conduct of an individual to an organization that are provided in 2 CFR part 180, “OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Non-procurement),” as implemented by our agency at 2 CFR part 3000.

C. Provisions applicable to any recipient.

1. You must inform us immediately of any information you receive from any source alleging a violation of a prohibition in paragraph A.1 of this award term.
2. Our right to terminate unilaterally that is described in paragraph A.2 or B of this section:

- a. Implements section 106(g) of the Trafficking Victims Protection Act 2000 (TVPA), as amended (22 U.S.C. 7104(g), and
 - b. Is in addition to all other remedies for noncompliance that are available to us under this award.
3. You must include the requirements of paragraph A.1 of this award term in any subaward you make to a private entity.

D. Definitions. For purposes of this award term:

1. "Employee" means either:
 - a. An individual employed by you or a subrecipient who is engaged in the performance of the project or program under this award; or
 - b. Another person engaged in the performance of the project or program under this award and not compensated by you including, but not limited to, a volunteer or individual whose services are contributed by a third party as an in-kind contribution toward cost sharing or matching requirements.
2. "Forced labor" means labor obtaining by any of the following methods: the recruitment, harboring, transportation, provisions, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.
3. "Private entity" means:
 - a. Any entity other than a State, local government, Indian Tribe, or foreign public entity, as those terms are, defined in 2 CFR 175.25.
 - b. Includes:
 - i. A nonprofit organization, including any nonprofit institution of higher education, hospital, or tribal organization other than one included in the definition of Indian Tribe at 2 CFR 175.25(b).

- ii. A for-profit organization.
4. “Severe forms of trafficking in person,” “commercial sex act,” and “coercion” have the meaning given at section 103 of the TVPA, as amended (22 U.S.C. 7102).

Article 7. National Environmental Policy Act (NEPA)

The recipient shall comply with all applicable Federal, State, and local environment and historic preservation (EHP) requirements and shall provide any information requested by FEMA to ensure compliance with applicable laws including: National Environment Policy Act, National Historic Preservation Act, Endangered Species Act, and Executive Orders on Floodplains (11990) and Environmental Justice (12898). Failure of the recipient to meet Federal, State, and local EHP requirements and obtain applicable permits may jeopardize Federal funding.

Recipients shall not undertake any project having the potential to impact EHP resources without the prior approval of FEMA, including but not limited to communications towers, physical security enhancements, new construction, and modifications to buildings that are 50 years old or greater. Recipient must comply with all conditions placed on the project as the result of the EHP review. Any change to the approved project scope of work will require re-evaluation for compliance with these EHP requirements. If ground disturbance activities occur during project implementation, the recipient must ensure monitoring of ground disturbance and if any potential archeological resources are discovered, the recipient will immediately cease construction in that area and notify FEMA and the appropriate State Historic Preservation Office. Any construction activities that have been initiated prior to the full environmental and historic preservation review could result in non-compliance finding. For your convenience, here is the screening form link:

(The Screening Form is available at:

www.fema.gov/doc/government/grant/bulletins/infor329_final_screening_memo.doc). For

these types of projects, grantees must complete the FEMA EHP Screening Form (OMB Number

1660-0115/FEMA Form 024-0-01) and submit it, with all supporting documentation, to OEM. Grantees should submit the FEMA EHP Screening Form for each project as soon as possible upon receiving their grant award.

Article 8. Scope of Work Priority for FY 2014

Advancing “*Whole Community*” *Security and Emergency Management*. As the county experiences threats of terrorism attacks (foreign and domestic) and natural disasters, communities are challenged to develop collective, local abilities to withstand the potential impacts of these events, respond quickly, and recover in a way that sustains or improves the community’s overall well being. Achieving this collective capacity calls for innovative approaches across the community. This includes emergency management building up existing practices, institutions, and organizations that help make local communities successful, and that can leverage this infrastructure if and when an incident occurs.

Minimum Task/Activity Requirements

To address the priorities the following activities are the minimum task requirements that shall be completed by the Political Subdivision:

- A. **ANNUAL WORK PLAN:** The Annual Emergency Management Work Plan shall be submitted to Oklahoma Department of Emergency Management via WebEOC as part of the Grant Application. This Annual Work Plan defines what the Political Subdivision shall accomplish during each quarter to obtain their quarterly grant payment. Changes to the Annual Work Plan may be requested in writing by either party and must be agreed upon by both parties.

Measurement Method:

The Political Subdivision will submit progress reports to OEM on the completions of their Annual Emergency Management Work Plan.

Reporting:

The Political Subdivision will enter quarterly progress reports on completion of their Annual Work Plan to WebEOC.

If changes are needed, the Political Subdivision will make the changes approved by OEM to their Annual Work Plan on WebEOC.

Standardized Reporting through the WebEOC Work Plan Template: The Work Plan Template has been modified to standardize data collection for improved analysis and reporting. The Work Plan Template includes 6 components: a EOP Data Table, a Training and Exercise Plan Data Table, LEPC Data Table, a Training Data Table, an Exercise Data Table, and a Preparedness Data Table.

- B. **EMERGENCY OPERATIONS PLAN.** In the process of updating the Emergency Operations Plan (EOP) the Political Subdivision shall enlist representatives of the whole community to form an Emergency Management (EM) Planning Group. The EM Planning Group should include County and City leadership or appointees. Members of Fire, Police, EMS and Sheriff Departments, Public Works, Utilities, Health, LEPC, VOAD, Tribes, Public Schools and Universities, Jurisdiction's legal counsel and members of the public who may be able to contribute should be included in the Planning Group. Keeping in mind that all EOPs must be updated at least once every two years utilizing FEMA's Comprehensive Preparedness Guide CPG 101 v2 which can be found at http://www.fema.gov/pdf/about/divisions/npd/CPG_101_V2.pdf

Measurement Method:

The Political Subdivision shall report progress toward making their EOPs compliant with CPG 101 v.2 by completing the “Plan Analysis Tool” available at <http://www.fema.gov/prepared/plan.shtm>

Reporting:

Grantees are required to submit the above referenced Plan Analysis Tool annually and include quarterly updates on percentage completion of CPG 101 v2 compliance to OEM via WebEOC.

Grantees are required to submit Sign-in sheets for all meetings, promulgation sheets for each part of the EOP, and an approval page signed by the chief elected official/s to OEM via WebEOC.

The Political Subdivision shall distribute changes, and a new Approval Page to all who have copies of the plan and provide OEM with an electronic format of the EOP uploaded to WebEOC.

- C. **HAZARD MITIGATION PLAN:** The Hazard Mitigation Plan will be updated.

Measurement Methods

A FEMA approved Hazard Mitigation Plan.

Reporting

Political Subdivision shall submit their Hazard Mitigation Plan to OEM.

- D. **TRAINING AND EXERCISES:** The Political Subdivision shall develop and maintain multi-year training and exercise plans (TEPs).

1. Political Subdivisions are required to conduct an annual Training and Exercise Plan Workshop (TEPW). All Political Subdivisions are required to develop a Multi-

Year TEP and update it annually. Specifically, TEPs should include the following requirements:

- a. All State and Local Assistance (SLA) Grant Political Subdivisions will develop and maintain a progressive exercise program consistent with the National Exercise Program base plan, to include no less than four exercises of any type (e.g. Drills, Tabletop Exercises, Functional), and one full-scale exercise within a 12-month period. The Political Subdivision will not use the same repetitive drills (i.e. WebEOC Exercises or Communications Drills) as more than one exercise per year toward meeting this requirement. If a federally declared disaster occurs within the Political Subdivision's jurisdiction, and the local Emergency Management participates, this participation can be used as one of the annual any type exercises. However, the Emergency Management Director must complete and upload an After Action Report-Improvement Plan (AAR-IP) to Web-EOC.
- b. In addition, an After Action Report/Improvement Plan (AAR/IP) shall be completed for each exercise and uploaded to WebEOC. A summary of all collected corrective action items and a tracking of their implementation shall be reported as part of the SLA Grant quarterly reporting.

Measurement Methods

All exercises should comply with the minimum standards as set forth by the Department of Homeland Security (DHS). For All Exercises the Political Subdivision will:

- a. Notify the Area Coordinator of the date of the initial exercise planning meeting so they can make arrangements to attend.

- b. Two weeks before the exercise date, provide the Area Coordinator with a copy of the Exercise Plan that includes the scenario, timelines, maps etc.
- c. Develop an exercise evaluation form that contains at a minimum, instructions for evaluating the jurisdiction's Alert/Notification, Communications, Coordination and Control, Resource Management and Warning functions.
- d. Following the exercise, conduct a post exercise After Action Review and develop an After Action Report and Improvement Plan (AAR/IP). The AAR/IP shall be uploaded to WebEOC.

Political Subdivisions may receive credit for participation in a multi-jurisdiction full-scale exercise.

For Full-Scale Exercises the Political Subdivision will:

- a. The Jurisdiction's Emergency Operations Center (EOC) or alternate EOC **must** be activated as a part of the exercise. An EOC is defined as a designated facility from which key elected and appointed officials and liaisons from supporting organizations can direct and control a community's operating forces, disseminate official public information, and allow for face-to-face coordination among personnel. Jurisdictions may utilize mobile or transportable EOCs, which are capable of performing the same critical functions as the fixed EOC. A "Command Post" vehicle cannot serve as an EOC although it can serve in conjunction with the alternate EOC.

Reporting

The Political Subdivision must report quarterly to OEM utilizing WebEOC the number and type of exercises that the Political Subdivision conducted.

2. Training activities with SLA Grant funds should align to the Multi-Year TEP. All SLA Grant funded personnel shall complete the following training requirements and record proof of completion within 12 months of employment. National Incident Management System (NIMS) Training: IS 100; IS 200; IS 700; and IS 800; FEMA Professional Development Series: EM 101 or IS 1a, IS 139; IS 230.a; IS 235; IS 240.a; IS 241.a; IS 242 and IS 244. The SLA Grant personnel must attend the Emergency Manager Academy hosted by OEM in Oklahoma City, an appropriate Regional Workshop, and the Emergency Management Conference. In lieu of the Emergency Manager Academy the Emergency Management Director may attend Emergency Management Courses to reach a total of 32 hours of classroom time. Courses substituted for the Emergency Manager Academy must be oriented to Emergency Management to be eligible. Final decision of eligibility of these substitute courses is held by OEM.

Measurement Methods

The Political Subdivision will submit an updated TEP to OEM by uploading it in WebEOC.

The percentage of completion of the required courses and academy as listed above.

Certificates of Completion or sign in sheets for both the Workshop and Conference

Reporting

The Political Subdivision is required to share with OEM a TEP that includes a progressive exercise plan and schedule, and a plan for training personnel.

The Political Subdivision will submit a list of courses supplied, as well as a list of courses and academies attended, and the EMPG (SLA) funded personnel that completed training, in their quarterly report on WebEOC.

The Political Subdivision shall supply documentation of activities to OEM by uploading scanned documents to WebEOC.

Information related to TEPs and TEPWs can be found on the HSEEP website at <https://hseep.dhs.gov>

- E. COMMUNITY PREPAREDNESS:** The Political Subdivision is to conduct at least one Community Preparedness item per quarter. Activities could include, newspaper articles, talks on preparedness to schools and or civic groups, programming weather radios etc. Remember to include all the Emergency Response Agencies'/Organizations' preparedness efforts in the reports.

Measurement Methods

Copies of articles, agendas, sign in sheets, pictures, journal of actions taken depending on community preparedness action taken.

Reporting

List activities and supply documentation of activities to OEM by entering information and uploading scanned documents to WebEOC.

- F. LEPC:** The Political Subdivision shall participate in a County-wide Local Emergency Planning Committee (LEPC) or help establish one if none is currently functional.

Measurement Methods

Agendas, minutes of meetings, copy of sign-in sheets.

Reporting

The Political Subdivision shall supply documentation of activities to OEM by uploading scanned documents to WebEOC.

Article 9: Sub-Grant Administration

Beginning with the first quarter, each SLA-Political Subdivision will be visited a minimum of twice each year by an Area Coordinator (AC) or other representative of OEM. However, a minimum of one (1) progress report will be prepared and filed each quarter by the Political Subdivision by utilizing WebEOC.

The jurisdiction, if it elects to, may attach additional year-to-date accomplishments or activity summaries to the file and to WebEOC.

The Field Visits shall be conducted at a mutually agreed date, time and location during the quarter:

- 1st Quarter: October 1, 2013 – December 30, 2013
- 2nd Quarter: January 1, 2014 – March 31, 2014
- 3rd Quarter: April 1, 2014 – June 30, 2014
- 4th Quarter (Closeout): July 1, 2014 – September 30, 2014

A. A record of each field visit will be recorded on the Political Subdivision's WebEOC SLA entry page by the Area Coordinator with the Closeout being printed and signed by the AC.

B. Other duties as assigned. Any tasking which OEM receives from Department of Homeland Security (DHS), FEMA or any other federal agency and which is emergency management related and which requires the assistance of the Political Subdivision shall also be considered as part of the required tasking elements under the sub-grant.

- C. Audit Letter. If the Political Subdivision receives \$500,000 or more in Federal funds in Federal Fiscal Year 2014, they are responsible for compliance with the provisions of the Single Audit Act Amendments of 1996. That Political Subdivision shall submit a copy of their audit letter signed by the auditor for Federal Fiscal Year 2014 to OEM.

Article 10: Time of Completion

All work shall be completed by the Political Subdivision during Federal Fiscal Year 2014, with the exception that the auditor's opinion letter which accompanies the jurisdictions annual audit must be submitted as soon as the audit is completed.

Article 11: Suspension of Sub-Grant/Debarment from future awards

If the Political Subdivision fails to complete the agreed scope of work they may be barred from participation in the sub-grant program for the following Federal Fiscal Year.

Article 12: General Provisions

- A. All work shall be completed in a professional manner and in compliance with all applicable laws.
- B. To the extent required by law, individuals duly licensed and authorized by law to do so shall perform all work.
- C. The Political Subdivision warrants that it is adequately insured for injury to its employees and others incurring loss or injury as a result of the acts of the Political Subdivision or its employees or agents.
- D. The Political Subdivision agrees that neither it nor its employees or agents are covered under insurance paid for by the State of Oklahoma, and are not authorized to obligate the State of Oklahoma, its employees or agents.

E. The Standard Assurances for Federal Funds submitted by the Political Subdivision, as part of their application package, are hereby referenced and incorporated into this agreement.

Article 13: The Contract Price and Payment Terms

A. OEM shall pay the Political Subdivision for the work performed under this agreement the sum of 44,834.00 Dollars subject to the following terms and conditions:

1. Payment in the amount of 25% will be made by OEM for the First Quarter after January 15, 2014 following receipt of the fully executed agreement.
2. Payment in the amount of 25% will be made for the Second Quarter after April 15, 2014.
3. Payment in the amount of 25% will be made for the Third Quarter after July 15, 2014.
4. Following October 15, 2014, Project close-out documentation will be retained for a period consistent with the jurisdictions records retention policy but not for a period of less than three (3) years.
5. Final payment will be contingent on the Area Coordinators close-out review upon closeout. Project close-out documentation will be retained for a period consistent with the jurisdictions records retention policy but not for a period of less than three (3) years.

B. OEM shall provide to the Political Subdivision technical assistance in fulfilling this agreement to the extent resources are available.

Article 14: Funding Guidelines

SLA Grant funds can only be used for the purpose set forth in this contract. All SLA Grant fund expenditures must be accounted for and follow this funding guidance. Grant funds may not be

used for matching funds for Federal grants/cooperative agreements, lobbying, or intervention in Federal regulatory or adjudicatory proceedings. In addition, SLA grant funds may not be used to sue the Federal government or any other government entity.

OEM will require that the Political Subdivision account for all SLA expenditures and matching funds.

A. The EMPG Program Requires a Cost Match

The SLA Grant funds that are used towards the SLA Program shall not exceed 50 percent of the total Emergency Management budget. The Political Subdivision must cost match (cash or in-kind) the Federal contribution according to the *Robert T. Stafford Disaster Relief and Emergency Assistance Act* (Public Law 93-288), as amended, 42 U.S.C. 5121-5207, specifically, Title VI, sections 611(j) and 613. Unless otherwise authorized by law, Federal funds cannot be matched with other Federal funds. The documentation of the cost match and actual expenditures of the Grant Funds shall be supplied to OEM.

B. Allowable Costs

Planning

FY 2014 SLA Grant funds may be used for a range of emergency management planning activities.

Planning activities may include, but are not limited to, the following:

- Twenty-five percent (25%) of the SLA Grant monies must be spent toward planning.
- Community-based planning to advance “whole community” security and emergency management.
- Conducting hazard analysis and risk assessment.

- Development of HIRA that reflects a representative make up and composition of the jurisdiction.
- Maintaining a current Hazard Mitigation Plan that includes the HIRA.
- Maintaining a current EOP that conforms to the guidelines outlined in CPG 101v.2.
- Developing/enhancing comprehensive emergency management plans.

Training

FY 2014 SLA Grant funds may be used for a range of emergency management-related training activities to enhance the capabilities of local emergency management personnel through the establishment, support, conduct, and attendance of training. Training activities should align to a current, Multi-Year TEP developed through an annual TEPW.

Allowable training related costs include the following:

- Funds used to develop, deliver and evaluate training,
- Overtime,
- Travel,
- Hiring of full or part-time staff or contractors/consultants, and
- Certification/recertification of Instructors.

Exercises

Exercises implemented with grant funds should evaluate performance of the capabilities required to respond to the exercise scenario. Exercises should align to the current, Multi-Year TEP developed through the annual TEPW. Political Subdivision is encouraged to develop exercises that test their EOPs.

Allowable exercise-related costs include:

- Funds used to design, develop, conduct and evaluate an exercise,

- Hiring full or part-time staff or contractors/consultants,
- Travel,
- Supplies, and
- Other items.

Unauthorized exercise-related costs include:

- Reimbursement for the maintenance and/or wear and tear costs of general use vehicles (e.g., construction vehicles) and emergency response apparatus (e.g., fire trucks, ambulances). The only vehicle costs that are reimbursable are fuel/gasoline or mileage.
- Equipment that is purchased for permanent installation and/or use beyond the scope of exercise conduct (e.g., electronic messaging signs).

Durable and non-durable goods purchased for installation and/or use beyond the scope of exercise conduct.

Organization

The SLA Grant is a 50/50 matching Grant.

SLA Grant funds may be used for all-hazards emergency management operations, staffing, and other day-to-day activities in support of emergency management.

Personnel costs, including salary, overtime, compensatory time off, and associated fringe benefits, are allowable costs.

Equipment

In accordance with 44 CFR 13.32, allowable equipment categories for the Fiscal Year 2014 EMPG Program are listed on the web-based version of the Authorized Equipment List (AEL) on the Responder Knowledge Base (RKB), which is sponsored by FEMA at <http://www.rkb.us>. Unless otherwise stated, equipment must meet all mandatory

regulatory and/or FEMA-adopted standards to be eligible for purchase using these funds. In addition, agencies will be responsible for obtaining and maintaining all necessary certifications and licenses for the requested equipment.

The select allowable equipment includes equipment from the following AEL categories.

- Information Technology (Category 4)
- Cyber-Security Enhancement Equipment (Category 5)
- Detection Equipment (Category 7)
- Power Equipment (Category 10)
- Chemical, Biological, Radiological, Nuclear, and Explosive (CBRNE) Reference Materials (Category 11)
- Physical Security Enhancement Equipment (Category 14)
- Other Authorized Equipment (Category 21)

C. Unallowable Costs

- Expenditures for weapons and ammunition,
- Costs to support the hiring of sworn safety officers (sworn law enforcement officers),
- Activities unrelated to the completion and implementation of the SLA Grant, and
- Other items not in accordance with the portions of the allowable costs listed above.

Article 15: Amendments

Any alterations or deviations to this agreement shall be executed only upon written agreement of both parties, and if there is a change to the agreement award for such alteration or deviation, it shall be noted.

Article 16: Waiver of Scope of Work Line Items

During the performance period of the Sub-Grant, only (1) waiver relieving the jurisdiction from having to complete a basic scope of work line item (I-VIII) may be approved. In no case will a Sub-Grant recipient be permitted to request a waiver for the same scope of work line item in two consecutive years.

Article 17: Termination

This agreement may be cancelled by either party by providing 15 days notice in writing to the other party.

Article 18: Audit Clause

In accepting this agreement, the Political Subdivision agrees to this audit clause which provides that books, records, documents, accounting procedures, practices, or any other items of the Political Subdivision relevant to the agreement are subject to examination by FEMA, OEM, the State of Oklahoma and the State Auditor and Inspector.

Article 19: Non-Collusion

In accepting this agreement, the Political Subdivision acknowledges that they have not paid, given, or donated or agreed to pay, give, or donate to any officer or employee of the State of Oklahoma any money or other thing of value, either directly or indirectly, in procuring this agreement.

Article 20: Attachments

The SLA Sub-Grant Application is incorporated by references a part of this agreement. As proof of compliance with Federal regulations, the following documents as contained in Part 4,

Standard Assurances, of the sub-grant application is incorporated by reference as part of this agreement:

- A. Completed FEMA Form 20-16, Summary Sheet for Assurances and Certification,
- B. Completed FEMA Form 20-16A, Assurances for Non-Construction Programs,
- C. Completed FEMA Form 20-16C Certifications Regarding Lobbying; Debarment, Suspension, and Other Responsibility Matters; and Drug-Free Workplace Requirements,
- D. Completed Standard Form LLL, Disclosure of Lobbying Activities.

Approved by OEM this 9th Day of December, 2013 by:

Director, Oklahoma Emergency Management

Approved by the Governing body of the The City of Shawnee, Oklahoma

this _____ day of _____, 2014.

Signed:

Chief Elected Official

Regular Board of Commissioners

2. g.

Meeting Date: 01/21/2014

Refund contributions from DC and DB for Martin

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Acknowledge Oklahoma Municipal Retirement Fund refund of contributions from the Defined Contribution plan and Defined Benefit Plan for Marsha Martin.

Regular Board of Commissioners

2. h.

Meeting Date: 01/21/2014

Refund of contributions to DC and DB for Deleon

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Acknowledge Oklahoma Municipal Retirement Fund refund of contributions from the Defined Contribution plan and Defined Benefit Plan for Guadalupe Deleon, Jr.

Regular Board of Commissioners

2. i.

Meeting Date: 01/21/2014

Workers Comp Changes

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Approve recommendation of staff to update the City's workers compensation leave policy (non-Union employees only).

Attachments

Workers Comp Changes

City of Shawnee

Human Resources Department

memo

To: Mayor, City Commissioners, Brian McDougal, City Manager

From: Tamera Johnson, HR Director

Date: January 15, 2014

RE: Change to Workman's Comp policy

Nature of the Request:

On October 17, 2011, the commission approved to pay the first 5 working days of the 7-day waiting period for worker's compensation claims for non-union employees due to workers compensation law changes. Recent law changes have amended this to a 3-day waiting period effective 2/1/2014.

Staff Analysis, Considerations:

The Police and Fire employees are paid at full pay for 6-months by statute. For the Non-Union employees, they would have no pay for the first 3 days of a worker's compensation claim or have to take leave if they were unable to return to work from a work-related injury.

Recommendation:

Staff's recommendation is to pay the non-union employees full pay for the first 3 days of a work related accident if they are unable to return to work. After that, the employee would be paid TTD (Temporary Total Disability). It is my recommendation that we pay the injured non-union employee full pay for the first 3 working days that an employee is off, after which time (TTD) Temporary Total Disability) which is 70% of 70% of the state's average weekly wage until the employee is released to work or reaches MMI (Maximum Medical Improvement).

Budget Consideration:

Virtually none—we are currently paying the first 5 working days out of the first 7 days that an employee is off on a work-related injury.



Oklahoma Workers' Compensation Court

1915 North Stiles Avenue • Oklahoma City, OK 73105-4918
210 Kerr State Office Building, 440 South Houston, Suite 210 • Tulsa, OK 74127
(405) 522-8600 • OKC (918) 581-2714 • TU (800) 522-8210 • In-state Toll Free

STATE AVERAGE WEEKLY WAGE AND MAXIMUMS FOR WORK-RELATED INJURIES, ILLNESSES AND DEATHS

To: Workers' Compensation Insurance Carriers, Self-Insured Employers, Group Self-Insurance Associations, CompSource Oklahoma, Third Party Administrators, Injured Workers, Attorneys, Other Interested Parties

Date: August 20, 2013

Due to an INCREASE in the State Average Weekly Wage (SAWW) reported by the Oklahoma Employment Security Commission and pursuant to benefit rate law changes effective February 1, 2014, the **MAXIMUM** compensation benefit rate for injury, illness or death has changed as follows:

- For Temporary Total Disability (TTD), the maximum rate is **\$801** per week for work-related injury and illness occurring during the period **beginning November 1, 2013 and ending January 31, 2014**. *85 O.S. 2011, §332(A)*. For work-related injury or illness occurring during the period **beginning February 1, 2014 and ending October 31, 2014**, the maximum TTD rate is **\$561** per week. *85A O.S. Supp. 2013, §45(A)*.
- For Permanent Total Disability (PTD) and Death, the maximum rate is **\$801** per week for work-related injury, illness or death occurring during the period beginning November 1, 2013 and ending October 31, 2014. *See, 85 O.S. 2011, §336(A) and 85A O.S. Supp. 2013, §45(D) regarding PTD, and 85 O.S., §337(D) and 85A O.S. Supp. 2013, §47 regarding death.*
- For Permanent Partial Impairment and Permanent Partial Disability (PPI/PPD), the maximum compensation benefit rate remains unchanged at **\$323** per week for work-related injury and illness occurring on or after August 27, 2010. *See, 85 O.S. Supp. 2010, §22(3)(e), 85 O.S. 2011, §333(F) and 85A O.S. Supp. 2013, §45(C)*. NOTE: The \$150 minimum compensation benefit rate for PPD/PPI provided for in 85 O.S., 2011, §333(F) is repealed effective February 1, 2014. *See, §171, SB 1062 (2013)*.

Look for revised benefit charts on the Court's website or contact the Workers' Compensation Court's Counselor/Ombudsman Program for more information at 800-522-8210 (in-state toll free) • 405-522-8760 (OKC) • 918-581-2714 (TU) • Counselors@owcc.state.ok.us (electronic mail).

SECTION 45. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 45 of Title 85A, unless there is created a duplication in numbering, reads as follows:

A. Temporary Total Disability.

1. If the injured employee is temporarily unable to perform his or her job or any alternative work offered by the employer, he or she shall be entitled to receive compensation equal to seventy percent (70%) of the injured employee's average weekly wage, but not to exceed seventy percent (70%) of the state average weekly wage, for one hundred four (104) weeks. Provided, there shall be no payment for the first three (3) days of the initial period of temporary total disability. If an administrative law judge finds that a consequential injury has occurred and that additional time is needed to reach maximum medical improvement, temporary total disability may continue for a period of not more than an additional fifty-two (52) weeks. Such finding shall be based upon a showing of medical necessity by clear and convincing evidence.

2. When the injured employee is released from active medical treatment by the treating physician for all body parts found by the Commission to be injured, or in the event that the employee, without a valid excuse, misses three consecutive medical treatment appointments, fails to comply with medical orders of the treating physician, or otherwise abandons medical care, the employer shall be entitled to terminate temporary total disability by notifying the employee, or if represented, his or her counsel. If, however, an objection to the termination is filed by the employee within ten (10) days of termination, the Commission shall set the matter within twenty (20) days for a determination if temporary total disability compensation shall be reinstated. The temporary total disability shall remain terminated unless the employee proves the existence of a valid excuse for his or her failure to comply with medical orders of the treating physician or his or her abandonment of medical care. The administrative law judge may appoint an independent medical examiner to determine if further medical treatment is reasonable and necessary. The independent medical examiner shall not provide treatment to the injured worker, unless agreed upon by the parties.

B. Temporary Partial Disability.

Regular Board of Commissioners

2. j.

Meeting Date: 01/21/2014

Mayor's Appointments

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Mayor's Appointments:

Traffic Commission

Re-appointments

Wayne Ardrey	Expires 1/01/17 2nd Term
Ronald Taffe	Expires 1/01/17 2nd Term
Rebecca E Dolan	Expires 1/01/17 2nd Term

Shawnee Housing Authority Commissioners

Re-appointments

Donna Houston	Expires 2/04/17 2nd Term
Rebecca K. Carter	Expires 2/04/17 2nd Term
T. Clarice Stone	Expires 2/04/17 2nd Term

Regular Board of Commissioners

5.

Meeting Date: 01/21/2014

Rezone 3720 N Bryan

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Public hearing and consideration of an ordinance to approve rezoning of property located at 3720 N. Bryan from A-1; Agricultural to R-1; Single Family Residential. Case #P01-14 Applicant: Janice Percell

Attachments

Rezone P01-14

Ordinance P01-14

RECOMMENDATION TO:

MAYOR
BOARD OF CITY COMMISSIONERS
CITY OF SHAWNEE

RECOMMENDATION FROM:

CITY OF SHAWNEE
PLANNING COMMISSION

SUBJECT:

APPLICANT: Janice Percell

FOR: Rezone

LOCATION: 3720 N Bryan, Shawnee, Ok

PROJECT NUMBER 131475 CASE NUMBER P01-14

PLANNING COMMISSION MEETING DATE: 01-08-2014

PLANNING COMMISSION RECOMMENDATION: Approval

VOTE OF THE PLANNING COMMISSION: **MEMBERS PRESENT: 7**

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

RESPECTFULLY SUBMITTED,

Cheyenne Lincoln

SECRETARY, PLANNING COMMISSION

ACTION BY CITY COMMISSION:

PUBLIC HEARING SET: _____

DATE OF ACTION: _____

ADOPTED _____ DENIED _____



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
CASE #P01-14

TO: Shawnee Planning Commission

AGENDA: January 8, 2014

RE: Case #P01-14; Rezone Request, A-1 to R-1

PROPOSAL

The applicant is requesting to rezone the subject site of six (6) acres to facilitate the construction of a residential home. The property is located north of MacArthur Street on Bryan Street. The property is currently zoned A-1 (Agricultural) and the requested zoning classification is R-1 (Single Family Residential). This subject property currently has one residential structure on it. The applicant would like to do a lot split in order to construct an additional residential home along Bryan Street.

GENERAL INFORMATION

Applicant	Janice Percell
Owner	Mary V. Hames 2004 Revocable Trust
Site Location/Address	3720 N. Bryan St.
Current Site Zoning	A-1: Agricultural
Proposed Zoning	R-1: Single Family Residential
Property Area	6.00 Acres
Proposed Use	Residential Use
Comprehensive Plan Designation	Residential

Existing Land Use	Residential
Surrounding Land Use	North – Agricultural South – Agricultural West – Agricultural East – Residential / Agricultural
Surrounding Zoning	Varies – please see zoning map. (<i>Figure 1</i>)

STAFF REVIEW AND ANALYSIS

The subject property is of six (6) acres in size and its currently one lot. The applicant is requesting approval for a zone change to facilitate a split of the lot to produce an additional one (1) acre or greater lot, with the intention to construct a residential home on the new lot. As the land is currently zoned Agricultural, rezoning to Residential will be necessary for such a process.

The property is currently served by water utilities, but not a sanitary sewer system. For this reason, the site will use and maintain a septic system in its place that will be in conformance to the requirements of the Oklahoma State Department of Health.

Based on the size and configuration of the proposed lots, all residential regulations and requirements can be met.

Though the subject property is neighbored almost entirely by A-1 (Agricultural) zoned land, the surrounding areas are zoned primarily Residential, making this rezone request consistent with surrounding uses. Also, this rezoning request is consistent with the Shawnee Comprehensive Plan (Figure 4.2 in the Shawnee Comprehensive plan), as this area and the surrounding areas have been designated for Residential use.

Although an RE (Residential Estate) zoning classification is an appropriate alternative, the requirements for lot configuration are less restrictive in R-1 (Single Family Residential), relieving any potential concerns for meeting minimum street frontage standards.

Staff does hereby recommend the proposed zone change as it is consistent with the comprehensive plan and surrounding land uses.

STAFF RECOMMENDATION

Staff recommends **approval** of the proposed rezone from *A-1: Agricultural* to *R-1: Single Family Residential* for the subject property.

Attachments

1. Figure 1: Zoning map
2. Figure 2: Aerial view of site

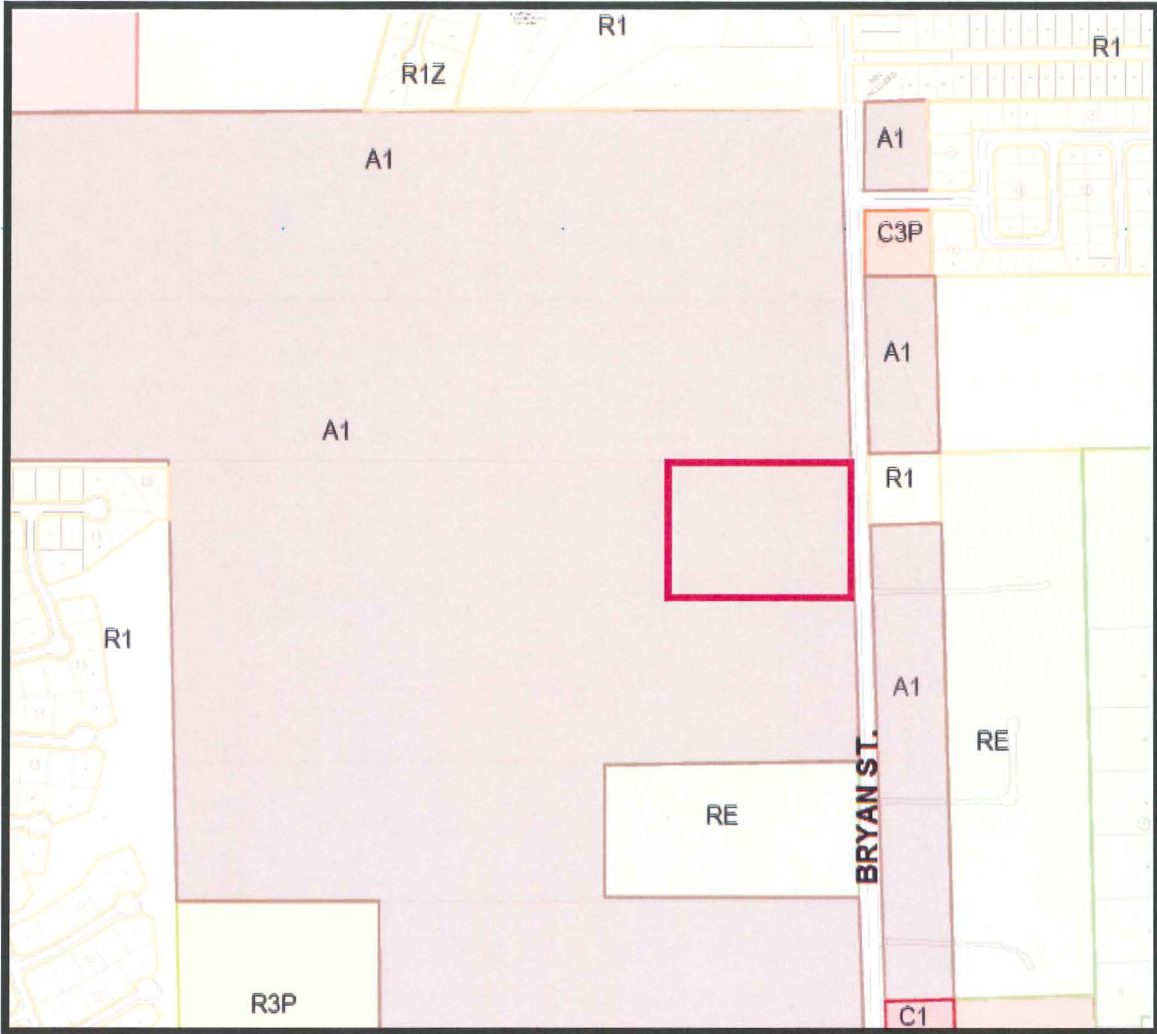


Figure 1: Zoning Map of site – approximate total area outlined in red.



Figure 2: Aerial view of the site – approximate total area outlined in red.

CITY OF SHAWNEE
PUBLIC HEARING NOTICE
CASE #P01-14

Notice is hereby given that the City of Shawnee, Oklahoma, will conduct a public hearing on a proposed Rezone of property located within the City of Shawnee.

The property requesting rezoning is described as follows:

A tract of land described as beginning at a point 12.0 feet South of the Northeast Corner of the Southeast Quarter (SE/4) of Section Five (5), Township Ten (10) North, Range Four (4) East of the Indian Meridian, Pottawatomie County, Oklahoma; thence South 392.03 feet; thence West 666.68 feet; thence North 392.03 feet; thence East 666.68 feet to the point of beginning.

General Location Known As:	<u>3720 N. Bryan</u>
Current Zoning Classification:	<u>A-1; Agricultural</u>
Requested Zoning Classification:	<u>R-1; Single Family</u>
Proposed Use of Property:	<u>Residential</u>
Applicant:	<u>Janice Percell</u>

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

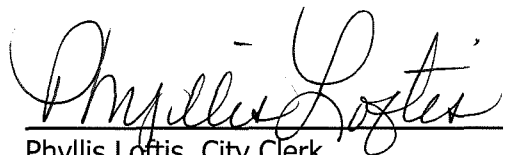
The public hearings will be held in the City Commission Chambers in City Hall, 16 W. 9th St. Shawnee, Oklahoma, as follows:

Date January 8, 2014	AT 1:30 P.M.:	CITY OF SHAWNEE PLANNING COMMISSION
Date January 21, 2014	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. The Commission reserves the right to limit discussion and debate on the proposed rezone in the public hearing, in which event those persons appearing in support or opposition of the proposed rezone will be allotted equal time. Any formal protest 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 18 day of December, 2013.




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. 131475 CASE NO. PDI-14

REQUEST:

Rezoning X Rezoning w/Conditional Use Permit _____ 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 _____ District to _____ District, as hereinafter requested, and in support of this application, the following facts are shown:

PROPERTY LOCATION (STREET ADDRESS): 3720 N. Bryan Ave., Shawnee, Ok 74804

LEGAL DESCRIPTION: _____

PROPERTY OWNER (S): Mary V. Hames 2004 Revocable Trust

PROPERTY AGENT (APPLICANT): Janice Percell, Trustee

APPLICANT'S ADDRESS: 3720 N. Bryan Ave.

CITY: Shawnee STATE OK ZIP 74804

EMAIL ADDRESS: mpercella@spcglobal.net

TELEPHONE NUMBER: (405) 275-2422 CONTACT NUMBER: (405) 640-3931

DIMENSIONS OF PROPERTY: AREA 6 Acres WIDTH 392.03'
LENGTH 666.68' FRONTAGE 392.03'

CURRENT ZONING: Agricultural **CURRENT USE:** Residential

PROPOSED ZONING: Residential **PROPOSED USE:** Residential

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.

Janice Percell
SIGNATURE OF APPLICANT

(FOR STAFF USE ONLY)

Filed in the office of the Planning Department, 222 N. Broadway, this 22nd day of, November 20 13

Cheryl Jenson
PLANNING COMMISSION SECRETARY

REZONING &/OR C.U.P FEE \$ 280.00
RECEIPT NO. 01342095

PLANNED UNIT DEVELOPMENT FEE \$ 550.00
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.:** _____

STATE OF OKLAHOMA)
) SS:
COUNTY OF POTTAWATOMIE)

-: AFFIDAVIT OF BONDED ABTRACTOR :-

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 Office 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:

A tract of land described as beginning at a point 12.0 feet South of the Northeast Corner of the Southeast Quarter (SE/4) of Section Five (5), Township Ten (10) North, Range Four (4) East of the Indian Meridian, Pottawatomie County, Oklahoma; thence South 392.03 feet; thence West 666.68 feet; thence North 392.03 feet; thence East 666.68 feet to the point of beginning.

and find the following owners, addresses and brief legal descriptions on the attached pages numbered from One (1) to Two (2), 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 13th day of November, 2013.

FIRST AMERICAN TITLE AND TRUST COMPANY

By 
Teresa Southard, Licensed Abstractor #264

Order No. 1885638-SH99

Ownership List

Order No. 1885638-SH99

Date November 13, 2013

Page No. 1

OWNER

BRIEF LEGAL:

Michael G. Percell and Janice R. Percell – 3720 N. Bryan, Shawnee, OK 74804

Beg. NE/C SE/4 Section 5, Township 10 North, Range 4 East; thence W 1320'; thence S 404.3'; thence E 653.32'; thence N 392.03'; thence E 666.68'; thence N 12' to beg.

Mary V. Hames, Trustee of the Mary V. Hames 2004 Revocable Trust – 3720 N. Bryan, Shawnee, OK 74804

Beg. 12' S NE/C SE/4 Section 5, Township 10 North, Range 4 East; thence S 392.03'; thence W 666.68'; thence N 392.03'; thence E 666.68' to beg.

Samuel W. Walters and Katherine K. Walters – P.O. Box 1386, Shawnee, OK 74802-1386

Beg. 602'3" S NE/C SE/4 Section 5, Township 10 North, Range 4 East; thence W 1320'; thence S 206'3"; thence E 1320'; thence N 206'3" to beg.

Belterre Development Company – 1901 N. Kickapoo, Shawnee, OK 74804

S/2 NE/4 Section 5, Township 10 North, Range 4 East

Carlos Doyle Reese and Sonja J. Reese – 3710 N. Bryan, Shawnee, OK 74804

Beg. 554' S NE/C NE/4 SE/4 Section 5, Township 10 North, Range 4 East; thence W 290'; thence N 150'; thence W 1029'; thence S 198'; thence E 1320'; thence N 48' to beg.

Carlos D. Reese – 3710 N. Bryan, Shawnee, OK 74804

Beg. 404' S NE/C SE/4 Section 5, Township 10 North, Range 4 East; thence S 150'; thence W 290'; thence N 150'; thence E 290.4' to beg.

Dawn Ridge, LLC – 1307 Cielo Vista Dr., Keller, TX 76248

S/2 S/2 NW/4 Section 4, Township 10 North, Range 4 East; LESS Beg. NW/C S/2 S/2 NW/4; thence S 265'; thence E 493.2'; thence N 265'; thence W 493.2' to beg.

Billy W. Grider and Christine E. Grider – 3711 N. Bryan, Shawnee, OK 74804

Beg. 253' S NW/C SW/4 Section 4, Township 10 North, Range 4 East; thence E 265.5'; thence S 275'; thence W 265.5'; thence N 275' to beg.

Sara J. Skaggs and Brandon G. Skaggs – 3715 N. Bryan, Shawnee, OK 74804

Beg. NW/C SW/4 Section 4, Township 10 North, Range 4 East; thence E 265.5'; thence S 253'; thence W 265.5'; thence N 253' to beg.

Jerry G. Williamson and Sheri L. Williamson – 3519 N. Bryan Ave., Shawnee, OK 74804

Beg. 528' S NW/C SW/4 Section 4, Township 10 North, Range 4 East; thence S 350'; thence E 178'; thence N 350'; thence W 178' to beg.

Kent R. Bowlan and Deborah A. Bowlan – 1 Terra Lane, Shawnee, OK 74804

Beg. 528' S & 162' E NW/C SW/4 Section 4, Township 10 North, Range 4 East; thence E 170'; thence S 350'; thence W 170'; thence N 350' to beg.

Dale Edmonds – 2424 N. Harrison, Shawnee, OK 74804

Beg. NW/C S/2 S/2 NW/4 Section 4, Township 10 North, Range 4 East; thence S 265'; thence E 493.20'; thence N 265'; thence W 493.20' to beg.

Ownership List

Order No. 1885638-SH99

Date November 13, 2013

Page No. 2

OWNER

BRIEF LEGAL:

Bryce Holland and Julia Holland – 5 Terra Lane, Shawnee, OK 74804

Beg. 265.5' E NW/C SW/4 Section 4, Township 10 North, Range 4 East; thence S 528';
thence E 247.5'; thence N 528'; thence W 247.5' to beg.

ORDINANCE NO. _____

AN ORDINANCE CONCERNING THE ZONING CLASSIFICATION OF THE FOLLOWING DESCRIBED PROPERTY LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY OF SHAWNEE, POTTAWATOMIE COUNTY, OKLAHOMA: A TRACT OF LAND DESCRIBED AS BEGINNING AT A POINT 12.0 FEET SOUTH OF THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER (SE/4) OF SECTION FIVE (5), TOWNSHIP TEN (10) NORTH, RANGE FOUR (4) EAST OF THE INDIAN MERIDIAN, POTTAWATOMIE COUNTY, OKLAHOMA; THENCE SOUTH 392.03 FEET; THENCE WEST 666.68 FEET; THENCE NORTH 392.03 FEET; THENCE EAST 666.68 FEET TO THE POINT OF BEGINNING; FROM A-1; AGRICULTURAL TO R-1; SINGLE FAMILY RESIDENTIAL; AND 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 21st day of January, 2014 upon an application to rezone certain property located in the City of Shawnee, Oklahoma from zoning classification A-1; Agricultural to R-1; Single Family Residential.

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 zoned as considered.

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 described as beginning at a point 12.0 feet South of the Northeast Corner of the Southeast Quarter (SE/4) of Section Five (5), Township Ten (10) North, Range Four (4) East of the Indian Meridian, Pottawatomie County, Oklahoma; thence South 392.03 feet; thence West 666.68 feet; thence North 392.03 feet; thence East 666.68 feet to the point of beginning, be and the same is hereby rezoned from A-1; Agricultural to R-1; Single Family Residential and the official zoning map heretofore adopted is hereby amended so as to include said property as R-1; Single Family Residential.

PASSED AND APPROVED this 21st day of January, 2014.

WES MAINORD, MAYOR

(SEAL)

ATTEST:

PHYLLIS LOFTIS, CMC, CITY CLERK

Regular Board of Commissioners

6.

Meeting Date: 01/21/2014

Ordinance - Cemetery Changes

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Consideration of an ordinance repealing and amending Chapter 10 of the Shawnee Municipal Code, Cemeteries.

Attachments

Memo Cemetery Changes

Ordinance Cemetery Changes

MEMORANDUM

To: Mayor and City Commissioners

**From: Mary Ann Karns, City Attorney
Brian McDougal, City Manager
James Bryce, Operations Director**

Re: Amendment of ordinance governing Cemetery

Date: January 16, 2014

Included in your packet are an ordinance and a resolution regulating Fairview Cemetery, prepared in connection with the recodification of the Shawnee Municipal Code.

There are no real substantive changes to the Code, except that fees and regulations have been removed from the ordinance and transferred to the resolution. We are making these changes throughout the Code so that the items that are subject to change can be made more easily and with less expense.

Some duties have been removed from the City Clerk's office and transferred to the Cemetery Office.

The new Code will have a link to the regulations and fees.

The regulations are very similar to the present regulations, with some updating for efficiency.

Staff recommends approval of both the ordinance and the resolution.

ORDINANCE NO _____

AN ORDINANCE AMENDING CHAPTER 10, CEMETERIES, OF THE CODE OF ORDINANCES OF THE CITY OF SHAWNEE, OKLAHOMA, BY PROVIDING FOR THE SETTING OF FINES AND FEES BY RESOLUTION OF THE CITY COMMISSION; PROVIDING FOR THE SETTING OF LANDSCAPE PLANS, RESTRICTIONS FOR MONUMENTS, MARKERS AND STRUCTURES, ORNAMENTS, DECORATIONS, AND PLANTS TO BE DONE BY RESOLUTION OF THE CITY COMMISSION; PROVIDING FOR REPEAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND DECLARING AN EMERGENCY

WHEREAS, the Mayor and City Commissioners, in accordance with law, have determined that a review and recodification of the Shawnee Municipal Code of Ordinances should be conducted; and

WHEREAS, the Shawnee Municipal Code needs updates in order to comply with state and federal law and to provide more efficient administration of city departments; and

WHEREAS, the Mayor and City Commissioners wish to implement those changes:

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COMMISSIONERS OF THE CITY OF SHAWNEE, OKLAHOMA:

Section 1: Section 10-1, Violations, is hereby repealed and amended as follows:

Sec. 10-1. Violations. Any person who will violate any section of this chapter, either by doing that which is prohibited or by failing or refusing to do that which is commanded, upon conviction, will be punished by a fine in the amount provided in the city fine schedule, plus costs. Each day of such violation will be a separate offense.

Section 2: Section 10-2, subsections (a) through (g), inclusive, is repealed and amended as follows:

Sec. 10-2. Supervision of Cemetery. The City Manager will appoint an individual to exercise supervision of the cemetery, insuring that all rules, regulations and ordinances are enforced and maintaining the cemetery premises in good conditions. Wherever the term "cemetery sexton" appears in this code, it will mean that individual or his designee.

Section 3: Section 10-7, Care of grounds and property generally, subsection (c), is amended as follows:

Sec. 10-7. (c) All work and special care other than that which is done by the owner will be performed by the city and paid for at the rates set out the City's fee schedule. No city employee will receive any money or other fee or consideration for any services performed in or upon the municipal cemetery; all fees and considerations for special services will be paid to the city at the business office of the cemetery.

Section 4. Section 10-9, Sale of Lots, is amended as follows:

Section 10-9. Sale of lots. The business office of the cemetery will keep a file of all lots in the cemetery showing the lots by plat, together with the cost for which each lot will be sold. The price for lots will be as set forth in the city fee schedule. Such lots will be sold on the same equal terms to applicants upon request to the business office of the cemetery and upon payment of the price fixed for the lots without discrimination. Lots and grave plots in the municipal cemetery will be conveyed to the purchaser by proper conveyance subject to the rules and regulations of the city in reference to such cemetery and the laws of the state. All lots and plots in the municipal cemetery will be held in accordance with and subject to the rules and regulations of the city and state.

Section 5. Section 10-11, Preparation and closing of graves; fees, is amended as follows:

Section 10-11, Preparation and closing of graves; fees. Only those persons with whom the city contracts will open and close graves in a municipal cemetery. However, the city may open and close graves and provide chapel or graveside services when the city deems it expedient to do so. If the city elects to provide such services, it will charge applicable fees in the amount provided in the city fee schedule.

Section 6: Sections 10-13, Monuments, markers and structures; 10-14, Ornaments and decorations; and 10-15, Trees, shrubs and flowers are repealed.

Section 7: The City Commission will adopt, by Resolution, such standards, rules and regulations for the setting of markers, monuments and other structures, for ornaments, decorations, trees, shrubs and flowers as it may determine necessary from time to time. The Resolution will be on file in the office of the city clerk; in the business office of the cemetery; and the office of the sexton.

Section 8: Repealer. All sections, subsections, clauses, and sentences of existing law in conflict with this ordinance are repealed.

Section 9: Severability. The provisions of this ordinance are severable and, if any sentence, provision, or other part of this Ordinance will be held invalid, the decision of the court so holding will not affect or impair any of the remaining parts or provisions of this ordinance.

Section 10: Codification. This Ordinance will be codified in the Shawnee Municipal Code, and the codifier is authorized to set out the ordinance as appropriate.

Section 11: Emergency. Because it is necessary for the protection of the public's health, safety, and welfare, an emergency is declared to exist. This ordinance will be effective immediately upon its passage and publication.

PASSED AND APPROVED this _____ day of _____, 2014.

WES MAINORD, MAYOR

ATTEST:

PHYLLIS LOFTIS, CMC, CITY CLERK

(SEAL)

Emergency separately approved this ____ day of _____, 2014:

WES MAINORD, MAYOR

ATTEST:

PHYLLIS LOFTIS, CMC, CITY CLERK

APPROVED AS TO FORM AND LEGALITY THIS _____ day of _____,
2014.

MARY ANN KARNIS
CITY ATTORNEY

Regular Board of Commissioners

7.

Meeting Date: 01/21/2014

Resolution - Rules Cemetery

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Consideration of a resolution adopting rules and regulations for the operations of Cemeteries.

Attachments

Resolution Cemetery Rules and Regulations

RESOLUTION NO. _____

A Resolution by the Mayor and City Commissioners of the City of Shawnee, Oklahoma, to Adopt Rules and Regulations for the Operation of Fairview Cemetery and Setting Fees for Services.

WHEREAS, the City of Shawnee owns and operates Fairview Cemetery; and

WHEREAS, Rules and Regulations for the Cemetery are to be set by Resolution; and

WHEREAS, fees for services at the Cemetery and prices for lots are to be set by Resolution;

Now Therefore, Be it Resolved by the Mayor and the City Commissioners of The City of Shawnee, Oklahoma:

SECTION 1: Monuments, markers, and structures

- a) Any memorial structure 18 inches high or more in the cemetery shall be considered a monument. A marker is a stone placed at the head of a grave to indicate the location of the individual grave.
- b) All lots in the municipal cemetery shall be marked with corner stakes by the cemetery sexton when sold, without extra charge.
- c) All lots shall be so arranged so that in addition to the monument there is room for one marker for each burial space. Single flat markers shall be not less than ten inches or over 12 inches in width, and not less than 18 inches or over 24 inches in length of surface measurement and double flat markers shall be no more than 16 inches in width and 62 inches in length. All flat markers shall be set flat with the surface of the ground, except on lots in the old sections of the cemetery where new markers may be made to conform with those already erected. Only one flat marker shall be allowed at each grave or one double-flat marker for two graves and all markers shall be placed at the head of the grave or graves.
- d) Only one monument shall be permitted on a lot 100 square feet or larger. No monument shall be placed on any lot of less than 100 square feet in area. All monuments and markers erected in sections 9, 12, 13 and 14 and on any other new sections that may be added to the municipal cemetery shall be of granite or bronze.

- e) No person shall place any monument or marker on any lot in the municipal cemetery without first obtaining a permit from the cemetery sexton, who shall charge a fee for the permit, the amount being set by the city manager. The cemetery sexton shall supervise and approve all foundations for all monuments and markers and shall also supervise the setting in place of all monuments and markers.
- f) Plans for all monuments shall be submitted to the cemetery sexton for approval before being contracted for by the lot owner and before being brought into the cemetery. The erection of all monuments shall be under the supervision of the cemetery sexton.
- g) No vault, tomb, catacomb or other structure partly or wholly above or below the ground will be permitted, and any such structure in the cemetery which from neglect or faulty construction has become dangerous or offensive shall be removed by the cemetery and the bodies therein placed in the same lot.
- h) All monuments and markers shall be placed so that the inscription will face the front of the lot.
- i) Each monument shall be placed upon the center of the lot except upon a lot 25 feet deep or more and adjoining a drive, in which case the monument shall be placed near the rear line.
- j) No monument or marker shall be placed until the lot or space is paid for.
- k) The City of Shawnee Fairview Cemetery will not set steel vaults.

SECTION 2: Ornaments and decorations

- a) Fences, coping, hedges or other enclosures will not be allowed around lots or graves in the municipal cemetery.
- b) Wood or iron markers, trellises, chairs, settees, urns or vases will not be permitted around lots or graves.
- c) Ornaments, glass caves, artificial flowers, toys, shells or other material shall not be placed on or around any grave. Seasonal artificial flowers are permitted.
- d) Gravel, stone or other material or walks or steps of any kind shall not be placed or erected on or around graves.
- e) The grave mound shall never be raised above the uniform grade of four inches, and any that do not correspond to this grade shall be brought to the grade.

SECTION 3: Trees, Shrubs, and Flowers

- a) The cemetery sexton shall do or supervise all planting, transplanting, pruning and spraying of trees, shrubs and plants in the municipal cemetery. No other person shall be allowed to do such things. Flowers, shrubs, trees and plants will not be allowed to be planted on the actual grave space.
- b) Only one receptacle for cut flowers will be permitted on any grave, which shall be placed at the head of the grave and inserted so that the top will be level with the ground.
- c) The cemetery sexton shall remove all dead flowers and plants and other articles from graves and lots when necessary for the good and respectable appearance of the lot.

SECTION 4: Setting of Fees

Fairview Cemetery Fee Schedule:

Adult Grave Site	\$400
Adult Open and Closing Fee	\$400
Use of Chapel	\$0
Use of a Tent	\$100
Infant Gave Site	\$200
Infant Open and Closing Fee	\$200
Use of the Chapel	\$0
Use of a Tent	\$100
Cremation Open and Closing Fee	\$100
Use of Chapel	\$0
Use of Tent	\$100
Dis-interment	\$600
Re-interment	\$400
Setting fee (per foot) for all monuments/markers	\$5
Setting fee for all Military Markers	\$0

After hour charges to be added to above fees:

Weekdays after 4:00 pm	\$250
Saturday before noon	\$350
Saturday after noon	\$450
Holiday	\$400

SECTION 5: Hours of Operation/Notification

- a) Office hours are Monday thru Friday 8:00 am to 5:00 pm. Closed noon to 1:00 pm for lunch. Phone (405) 878-1529 Fax (405) 878-1593
- b) The cemetery office must be notified at least 24 hours prior to making any burial arrangements.

WES MAINORD, MAYOR

ATTEST:

PHYLLIS LOFTIS, CMC, CITY CLERK

(SEAL)

Regular Board of Commissioners

8.

Meeting Date: 01/21/2014

Ordinance - Emergency Management Changes

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Consideration of an ordinance repealing and amending Chapter 11 of the Shawnee Municipal Code, Emergency Management.

Attachments

Memo Emer Mgmt Ordinance

Emergency Management Changes

MEMORANDUM

To: Mayor and City Commissioners

**From: Mary Ann Karns, City Attorney
Brian McDougal, City Manager
Don Lynch, Emergency Management Director**

Re: Recodification: Emergency Management

Date: January 16, 2014

As part of the recodification of the Shawnee Municipal Code, staff is recommending some changes to the Emergency Management section.

The article has been rearranged into what we believe is a more logical order.

We have clarified the “succession” in the event of the unavailability of certain officials.

We have specified powers and duties of the City Manager and the Emergency Management Director so that we have legal authority to support our request for assistance and reimbursement from FEMA or others.

We have adopted state ordinances that make clear that a number of violations or orders of the city manager can be punished by a fine.

We have prepared a section that would authorize the City Manager (with concurrence of City Commission) to bring a civil suit against anyone found to be “price gouging” as defined in state statutes. (No criminal penalties are available.)

We had added provisions for an advisory committee for the Emergency Management Director that will serve as a “working group” during an emergency or throughout the year as the need may arise.

As always, we learned a number of organizational lessons during the May tornado and its aftermath. Don Lynch and Mary Ann Karns both attended training sessions; Mary Ann made two presentations, one for the Oklahoma Municipal League and one for the Oklahoma Association of Municipal Attorneys. Don has also been involved in presentations throughout the area. A new Emergency Disaster Plan is almost completed. All of these things have been factored into the changes.

Staff recommends approval of the ordinance.

ORDINANCE NO. _____

AN ORDINANCE REPEALING ARTICLE II OF CHAPTER 11 OF THE SHAWNEE MUNICIPAL CODE, "EMERGENCY MANAGEMENT", PROVIDING FOR INTENT AND PURPOSE, SETTING FORTH: DEFINITIONS, ORGANIZATION AND APPOINTMENTS, EMERGENCY POWERS AND DUTIES OF CITY MANAGER, DUTIES AND EMERGENCY POWERS OF THE EMERGENCY MANAGEMENT DIRECTOR, EMERGENCY AND DISASTER OPERATIONS PLAN, AUTHORITY OF SHELTER MANAGERS DURING EMERGENCIES, AMENDMENTS TO EMERGENCY AND DISASTER OPERATIONS PLAN, ASSISTANCE OF PERSONS OUTSIDE CITY GOVERNMENT, NO MUNICIPAL OR PRIVATE LIABILITY, VIOLATION OF REGULATIONS, PENALTY, PROHIBITED ACTS, VIOLATION OF EMERGENCY PRICE STABILIZATION ACT, EMERGENCY MANAGEMENT ADVISORY COMMITTEE; PROVIDING FOR REPEAL; PROVIDING FOR CODIFICATION, PROVIDING FOR SEVERABILITY, AND DECLARING AN EMERGENCY:

WHEREAS, the City Commission finds it is necessary to update and revise the ordinances of the City with regard to Emergency Management; and

WHEREAS, a new Disaster and Emergency Operations Plan is necessary for compliance with various state and federal regulations; and

WHEREAS, City Officials, pursuant to recent emergency operations, recommend changes in the City's Ordinances; and

WHEREAS, the City Commission finds it is necessary for the public health, safety and welfare to adopt these changes,

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COMMISSIONERS OF THE CITY OF SHAWNEE THAT CHAPTER 11, ARTICLE II OF THE MUNICIPAL CODE BE REPEALED IN ITS ENTIRETY AND BE AMENDED AS FOLLOWS:

Sec. 11-26 – Intent, Purpose, and Authority.

- (a) **Intent and Purpose.** The purpose of this Chapter is to create a Department of Emergency Management for the City of Shawnee to aid in mitigation and preparedness before a disaster and to alleviate injury or damage through a coordinated response and recovery from damages resulting from disaster, nuclear or conventional weapons attack, sabotage or other hostile action, or by other disaster or major emergency as defined herein, and to protect the lives and health of the citizens of Shawnee, their property and property rights, whether public or private, in any emergency or disaster event endangering the lives and property of the people of the City of Shawnee.
- (b) **Authority.** Nothing in this Chapter shall be construed as power or authority to abridge or lessen the legislative and administrative powers of the Mayor and City Commission, unless such is specifically granted herein.

Sec. 11-27 – Definitions.

The following definitions shall apply in the interpretation of this Article:

- (a) **"Emergency Management"** shall mean the preparation for and the carrying out of all emergency functions of the Emergency Management Department and other City departments through a coordinated use of existing organized governmental functions and to provide other necessary governmental and non-governmental functions, as listed herein, to

mitigate, prepare, respond, and otherwise aid the Citizens of the City of Shawnee to recover from injury and damages caused by the effects of unusual natural or man-made disaster(s) caused by fire, flood, tornado, earthquake, or other "Acts of God"; the effects of a technological accident; the effects of any acts of war; and the effects of any riot or insurrection developing to such an extent as to cause an extreme emergency situation to arise which by declaration of the Mayor jeopardizes the welfare of the citizens of the City of Shawnee.

- (b) "**Civil Defense**" shall mean the preparation for and the carrying out of all emergency functions pertaining to enemy attack or sabotage, other than functions for which the military services are primarily responsible. Those functions included without limitation: air raid warning service, radiological, chemical and other special weapons of defense, evacuations of persons from stricken areas, and emergency welfare services.
- (c) "**Enemy Attack**" shall mean a direct or indirect assault against the City of Shawnee, its government, its environs, or of the nation, by the forces of a hostile nation or the agents thereof, including assault by bombing, radiological, chemical, or biological warfare, sabotage, or terrorism.
- (d) "**Disaster**" includes but is not limited to actual or threatened enemy attack, sabotage, any man-made or natural fire, flood, severe storm, epidemic, earthquake or explosion within the City limits resulting in the death or injury of persons or the destruction of property to such an extent that extraordinary measure must be taken to protect the public health, safety, and welfare.
- (e) "**Civil Emergency**" shall mean a riot or unlawful assembly characterized by the use of actual force or violence or any threat to use force if accompanied by immediate power to execute by three or more persons acting together. All powers, duties, and regulations relating to a Disaster shall also apply to a Civil Emergency.
- (f) "**Curfew**" means a prohibition against any person or persons walking, running, loitering, standing, or motoring upon any alley, street, highway, public property, or vacant premises within the corporate limits of the City of Shawnee, except persons officially designated to duty with reference to the civil emergency.
- (g) "**Disaster Area**" shall mean the scene or location of any disaster or civil emergency.
- (h) "**Emergency Management Forces**" shall mean the employees, equipment, and facilities of all City institutions and commissions; and, in addition, it shall include all volunteer personnel, equipment, and facilities contributed by, or obtained from, volunteer persons or agencies.
- (i) "**Authorized Persons**" means all state, county and municipal police and fire personnel; hospital and ambulance crews; national guard, and civil defense personnel ordered into a disaster area by proper authority; federal civil and military personnel on official business; persons who enter a disaster area to maintain or restore facilities for the provision of water, electricity, communications or transportation to the public; and such other officials as have valid reason to enter a disaster area.
- (j) "**Volunteer**" shall mean the contribution of a service, equipment, or facilities to the Emergency Management system and assigned for use in a disaster/exercise activity.

- (k) **“Emergency Management Volunteer”** shall mean any person duly registered, trained, identified, and appointed by the Director and assigned to participate in the disaster activity.
- (l) **“Oklahoma Department of Emergency Management”** (“OEM”) shall mean the Department of Emergency Management as created in 63 O.S. § 683.4.
- (m) **“Regulations”** shall include plans, programs, and other emergency procedures deemed essential to Emergency Management.
- (n) **“Public Shelter Managers”** shall mean those persons appointed by the Emergency Management Director to supervise public shelters.
- (o) **“Emergency Management Director”** (“Director”) shall mean the individual appointed by the City Manager to carry out the functions set out in this Ordinance.

Sec. 11-28 – Organization and Appointments.

- (a) The City Manager is authorized and directed to create an organization for Emergency Management utilizing to the fullest extent the existing agencies within the City of Shawnee. The City Manager, as executive head of the municipal government, shall be the supervisor of the Emergency Management forces of this City and shall be responsible for their organization, administration, and operations. The organization shall consist of the following:
 - (1) The City Manager shall appoint an “Emergency Management Director” to be a head of the Emergency Management Department and such assistants and other employees as are deemed necessary for the proper functioning of the organization. The Director shall be a person trained in planning operations involving the activities of many different agencies which will operate to protect the public health, safety, and welfare in the event of danger from enemy action or disaster as defined in this Ordinance. The Director shall meet the qualifications promulgated by the Oklahoma Department of Emergency Management (“OEM”).
 - (2) The employees, equipment, and facilities of all City departments, boards, institutions, and commissions will participate in Emergency Management/Civil Defense activity as needed. Duties assigned to a City department shall be the same or similar to the normal duties of the department.
 - (3) Volunteer persons and agencies offering services to, and accepted by, the City.

Sec. 11-29 – Emergency Powers and Duties of City Manager.

- (a) The City Manager may exercise the emergency power and authority necessary to fulfill his general powers and duties as defined in Article V of the City Charter. When in the judgment of the City Manager it is necessary to invoke the emergency powers provided herein, he shall immediately seek the concurrence of the Mayor, who shall make the decision whether or not to declare an emergency. If the Mayor is not available, the decision shall be made by the Vice Mayor; if he is not available, the decision shall be made by the Senior Commissioner available. In the event the Mayor and City Commission are not available to act, then the City Manager shall be the sole criteria necessary to invoke the powers provided herein. In the

absence of the City Manager as the final judge of an Emergency Declaration, the Emergency Management Director shall make the determination. Whether the Mayor, the Deputy Mayor, a Commissioner, the City Manager or the Director declares an emergency, such action shall not be construed as abridging or curtailing the powers or restrictions of the Mayor and City Commission as defined in the Charter of the City of Shawnee. Thereafter the Mayor and City Commission may convene to perform their legislative and administrative powers, and shall receive reports relative to Emergency Management activities.

- (b) During any period when disaster threatens or when the City of Shawnee has been struck by disaster or major emergency, within the definition of this Ordinance, the City Manager may promulgate such regulations as he deems necessary to protect life and property and preserve critical resources. Such regulations may include, but shall not be limited to, the following:
- (1) Regulations prohibiting or restricting the movement of vehicles to facilitate the work of emergency forces or the mass movement of persons from critical areas within or without the City of Shawnee.
 - (2) Regulations pertaining to the movement of persons from areas deemed to be hazardous or vulnerable to disaster.
 - (3) Regulations restricting the movement of persons upon the streets at particular times of days and in particular areas.
 - (4) Such other regulations necessary to preserve public peace, health, and safety.
 - (5) Regulations promulgated in accordance with the authority above will be given widespread circulation by proclamations published and uttered by newspaper, television, and radio. These regulations will have the force of Ordinance when duly filed with the City Clerk and violations will be subject to the penalties provided in this Chapter.
 - (6) The City Manager shall order Emergency forces to the aid of other communities when required in accordance with the statutes of the State, and he may request the State, as a political subdivision of the State, to send aid to the City of Shawnee in case of disaster or emergency when conditions in the City of Shawnee are beyond the control of the local emergency forces.
 - (7) The City Manager may obtain vital supplies, and equipment needed for the protection of health, life and property of the people. When obtaining formal approval would result in delay of attack-relief activity, the City Manager may, until the Mayor and City Commission convene, waive procedures and formalities otherwise required pertaining to the performance of public works, entering into contracts, the incurring of obligations, the employment of temporary workers, the rental of equipment, the purchase and distribution of supplies, materials, facilities, and expenditures of existing funds. The Mayor and City Commission are also empowered to waive any such procedures and formalities.
 - (8) Whenever the City Manager finds that any condition in the City of Shawnee has attained, or threatens to attain, the proportions of a disaster or emergency, he may assemble and utilize emergency management forces and may prescribe the manner and conditions of their use. When he deems it in the public interest, may send defense emergency forces of the City of Shawnee to the aid of other communities stricken by disaster or emergency when such

disaster or emergency is affecting the health, welfare, or security of the stricken community; however, after the Mayor and City Commission convene, the further continuance of any such relief and the period thereof shall be subject to their action and approval.

- (9) After proclamation of an emergency, the City Manager may order a general curfew applicable to such geographical areas of the City of Shawnee or to the City as a whole, as he deems advisable, and the curfew shall be applicable during such house of the day or night as he deems necessary in the interest of the public safety and welfare. After the Mayor and City Commission convene, such order is subject to their approval.
- (10) After the proclamation of an emergency, the City Manager may also, in the interest of public safety and welfare, make any or all of orders he deems necessary, including without limitation the following orders:
 - (a) Any person being on the public streets, or in the public parks or at any other public place during the hours declared by the City Manager to be a period of curfew;
 - (b) A designated number of persons, as designated by the City Manager, from assembling or gathering on the public streets, parks, or other open areas of this state, either public or private;
 - (c) The manufacture, transfer, use, possession or transportation of a molotov cocktail or any other device, instrument or object designed to explode or produce uncontained combustion;
 - (d) The transporting, possessing or using of gasoline, kerosene, or combustible, flammable, or explosive liquids or materials in a glass or uncapped container of any kind except in connection with the normal operation of motor vehicles, normal home use or legitimate commercial use;
 - (e) The sale, purchase or dispensing of alcoholic beverages;
 - (f) The sale, purchase or dispensing of other commodities or goods, as the City Manager reasonably believes should be prohibited to help preserve and maintain life, health, property or the public peace;
 - (g) The use of certain streets, highways or public ways by the public;
 - (h) The sale, ownership, possession, transportation, carrying, transfer and storage of firearms, ammunition and ammunition accessories during a declared state of emergency unless such is otherwise legal under state law;
 - (i) Impersonation of a city official or emergency management volunteer;
 - (j) Unauthorized use of any insignia of the City of Shawnee;
 - (k) Unauthorized entry into any disaster area;
 - (l) Following an emergency or disaster vehicle, or purposely driving to any location on or near a roadway where a disaster or emergency area exists;

(m) Proceeding to or remaining at a disaster area for the purpose of being a bystander, spectator, sightseer, or souvenir hunter, or disturbing any material objects, equipment, or thing directly or indirectly relating to or pertaining to the disaster;

(n) Obstructing, hindering, or delaying any public official, shelter manager, or other authorized individual in the enforcement of any rules, regulations, or executive orders issued pursuant to the authority contained in this chapter;

(o) Failing to obey rules, regulations, or official orders within a shelter;

(p) Failing to obey any executive order issued under this Chapter;

(q) Unauthorized use of a siren or other devices so as to simulate any alert or take-cover signal or the termination of an alert or take-cover signal; and

(r) Such other activities as the City Manager reasonably believes should be prohibited to help preserve and maintain life, health, property or the public peace;

(iii) The closing of any establishment engaged in the above activities;

(11) After the Mayor and City Commission convene, all orders are subject to their approval.

(12) The City Manager may require emergency services of any City officer or employees. If regular City forces are determined inadequate, the City Manager may require the services of such other personnel as he can obtain that are available, including citizen volunteers. All duly authorized persons rendering emergency services shall be entitled to the privileges and immunities as are provided by State law, the City Charter and Ordinances for regular City employees and other registered and identified emergency management and disaster workers and, upon demand, may receive appropriate compensation for their emergency employment.

(13) The City Manager will cause to be prepared by the Emergency Management Director a Basic Emergency and Disaster Operations Plan herein referred to and to exercise his ordinary powers as City Manager, all of the special powers conferred upon him by the City Charter and the Ordinance Code of the City of Shawnee, all powers conferred upon him by any statute, or any other lawful authority.

(14) The City Manager shall be empowered to accept any gifts, grants and loans from the Federal Government, from the State of Oklahoma or from any person, firm or corporation, as set out in the Oklahoma Civil Defense and Emergency Resources Management Act of 1967, as it may be amended from time to time.

(15) In the event the City Manager is unable to assume emergency duties for any reason, the normal succession as designated in the emergency and disaster plan by the City Manager shall take effect. In the event those individuals are unable to assume the City Manager duties, the Mayor and City Commission shall designate an acting City Manager.

Sec. 11-30 – Duties and Emergency Powers of the Emergency Management Director.

The Emergency Management Director shall be responsible to the City Manager in regard to all phases of Emergency Management or disaster activity. Under the supervision of the City Manager, he/she shall be responsible for the planning, coordination, and operation of emergency management/civil defense activity (disaster services) in the City of Shawnee. Under the supervision of the City Manager, he/she shall maintain liaison with the State and Federal authorities and the authorities of other nearby political subdivisions as to insure the most effective operations of the emergency management program. His/her duties shall include, but not be limited to, the following:

- (a) Coordinate the recruitment of volunteer personnel and agencies to augment the personnel and facilities of the City of Shawnee for disaster purposes;
- (b) Development and coordination of plans for the immediate use of all of the facilities, equipment, manpower, and other resources of the City of Shawnee for the purpose of minimizing or preventing damage to persons and property; protecting and restoring to usefulness governmental services and public utilities necessary for public health; safety and welfare;
- (c) Coordinate the recruitment of volunteer personnel and agencies to augment the personnel and facilities of the City of Shawnee for disaster purposes;
- (d) Negotiating and concluding agreements with owners or persons in control of buildings or other property for the use of such buildings or other property for emergency purposes and designating suitable buildings as public shelters;
- (e) Through public informational programs, educating the civilian population as to actions necessary and required for the protection of their persons and property in case of enemy attack, or disaster, as defined herein, either impending or present;
- (f) Conducting practice exercises to insure the efficient operation of emergency and disaster forces and to familiarize disaster workers and residents with disaster regulations, procedures and operations;
- (g) Coordinating the activity of all other public and private agencies engaged in any disaster activity, real or implied; and
- (h) Assuming such authority and conducting such activity as the City Manager may direct to promote and execute the Emergency and Disaster Plan.

Sec. 11-31 – Emergency and Disaster Operations Plan.

- (a) A comprehensive Emergency and Disaster Operations Plan shall be adopted and maintained by resolution of the City Commission upon the recommendations of the City Manager. In the preparation of this Plan as it pertains to City organization, it is the intent that the services, equipment, facilities, and personnel of all existing departments and agencies shall be utilized to the fullest extent. When approved, it shall be the duty of all municipal departments and agencies to perform the functions assigned by the Plan and to maintain their portion of the Plan in a current state of readiness at all times. The Emergency and Disaster Plan shall be considered supplementary as to this Chapter and have the effect of law whenever a disaster, as defined in this Chapter, has been proclaimed.

- (b) The Emergency Management Director shall prescribe in the Plan those positions within the disaster organization, in addition to his own, for which lines of succession are necessary. In each instance, the responsible person will designate and keep on file with the Emergency Manager a current list of three persons as successors to their position. The list will be in order of succession and will as nearly as possible designate persons capable of carrying out all assigned duties and functions.
- (c) Each service chief and department head assigned responsibility in the Plan shall be responsible for carrying out all duties and functions assigned therein. Duties will include the organization and training of assigned city employees and volunteers. Each chief or department head shall formulate the standard operating procedures and guidelines necessary to carry out the assigned duties and functions.

Sec. 11-32 – Authority of Shelter Managers During Emergencies.

- (a) In time of emergency or when an emergency is threatened as determined by the Emergency Management Director, the Director shall appoint public shelter managers, who shall:
 - (1) Open public shelters;
 - (2) Take charge of all stocks of food, water, and other supplies stored in such shelters;
 - (3) Admit the public according to the city's shelter use plan; and
 - (4) Take whatever control measures are necessary for the protection and safety of the occupants. Shelter managers are authorized to use reasonable restraint against those who refuse to cooperate with the routine of shelter living under emergency conditions. No person shall refuse to carry out the orders of the shelter manager and his appointed staff.

Sec. 11-33 – Amendments to Emergency and Disaster Operations Plan.

Amendments to the Emergency and Disaster Operations Plan shall be submitted to the City Manager. If approved, the City Manager will submit the amendments to the City Commission with his recommendation for their approval. Following City Commission approval, such amendments shall take effect thirty (30) days from the date of approval unless an emergency exists and declared at which time the approved amendments shall become effective immediately. If action is taken by the City Commission's disapproving a part of the City Manager's submission or in the event an amendment is pending at the time a disaster is proclaimed under provisions of this Chapter, and the terms of the amendment are critical to that specific disaster operations by the City Manager, the amendment may be considered immediately and will remain effective until specifically revoked by the City Commission until termination of the disaster declaration. Further consideration by the City Commission of the amendment would then occur through normal process of law.

Sec. 11-34 – Assistance of Persons Outside City Government.

When a required competency or skill for a disaster function is not available within the city government, the appropriate Department Head in consultation with the City Manager is authorized to seek assistance from persons outside of government. The assignment of duties, when of a supervisory nature, shall also grant authority for the persons so assigned to carry out such duties prior to, during and after the occurrence of a disaster until revoked by the City Manager. Such services from persons outside of government may be accepted by the City of Shawnee on a volunteer basis or through charges agreeable to the City of Shawnee and contractor. Volunteers obtained to fill said needs shall be enrolled as emergency management volunteers in cooperation with the heads of City Departments affected.

Sec. 11-35 – No Municipal or Private Liability.

- (a) This Ordinance is an exercise by the City of Shawnee through its governmental functions for the protection of the public peace, health, and safety and neither the City of Shawnee nor its agents and representatives or any individual, receiver, firm, partnership, corporation, association, or trustee, or any of the agents thereof, in good faith carrying out, complying with or attempting to comply with any order, rule or regulation promulgated pursuant to the provisions of this Ordinance, shall be liable for any damage sustained to persons or property as the result of said activity.
- (b) Any person owning or controlling real estate or other premises who voluntarily and without compensation grants the City of Shawnee the right to inspect, designate and use the whole or any part or parts of such real estate or premises for the purpose of sheltering persons during an actual, impending or practice enemy attack or disaster shall not be civilly liable for the death of, or injury to, any persons on or about such real estate or premises under such license, privilege or other permission, or for loss of, or damage to, the property of such person.

Sec. 11-36 – Violation of Regulations.

It shall be unlawful for any person to violate any of the provisions of this Ordinance or of the regulations or plans issued pursuant to the authority contained herein, or to willfully obstruct, hinder or delay any member of the Emergency Management organization as herein defined in the enforcement of the provisions of this Chapter or any regulation or plan issued thereunder.

Sec. 11-37 – Penalty.

Any person, firm or corporation violating any provisions of this ordinance or any rule or regulation promulgated thereunder, upon conviction thereof, will be assessed a fine in an amount set in the Fine Schedule of the City.

Sec. 11-38 – Violation of Emergency Price Stabilization Act

The city manager, upon the concurrence of a majority of the City Commission, shall bring an action against any person, firm or individual that violates the Emergency Price Stabilization Act as outlined in 15 O.S. 777.1, *et seq.*

Sec. 11-38 – Emergency Management Advisory Committee

There is hereby created an Emergency Management Advisory Committee composed of the Emergency Management Director, the Fire Chief, the Police Chief, the City Attorney, the Community Development Director, the Utilities Director, and the Floodplain Administrator for the City. The purpose for the Emergency Management Advisory Committee shall be to provide advice and guidance to the Emergency Management Director and City Manager on emergency management issues and to facilitate coordination of programs and policies concerning emergency management.

Sec. 11-39: REPEALER. All sections, subsections, clauses, and sentences of existing law in conflict with this ordinance are repealed.

Sec. 11-40: CODIFICATION. This Ordinance shall be codified in the Shawnee Municipal Code, and the codifier is authorized to set out the ordinance as appropriate.

Sec. 11-41: SEVERABILITY. The provisions of this ordinance are severable and, if any sentence, provision, or other part of this Ordinance shall be held invalid, the decision of

the court so holding shall not affect or impair any of the remaining parts or provisions of this ordinance.

Sec. 11-42: EMERGENCY. Because it is necessary for the protection of the public's health, safety, and welfare, an emergency is declared to exist. This ordinance shall be effective immediately upon its passage and publication.

PASSED AND APPROVED this _____ day of _____, 2014.

WES MAINORD, MAYOR

ATTEST:

PHYLLIS LOFTIS, CMC, CITY CLERK

(SEAL)

Emergency separately approved this ____ day of _____, 2014:

WES MAINORD, MAYOR

ATTEST:

PHYLLIS LOFTIS, CMC, CITY CLERK

APPROVED AS TO FORM AND LEGALITY THIS _____ day of _____, 2014.

MARY ANN KARNIS
CITY ATTORNEY

Regular Board of Commissioners

9.

Meeting Date: 01/21/2014

Sales Tax

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Acknowledge Sales Tax Report received January 2014.

Attachments

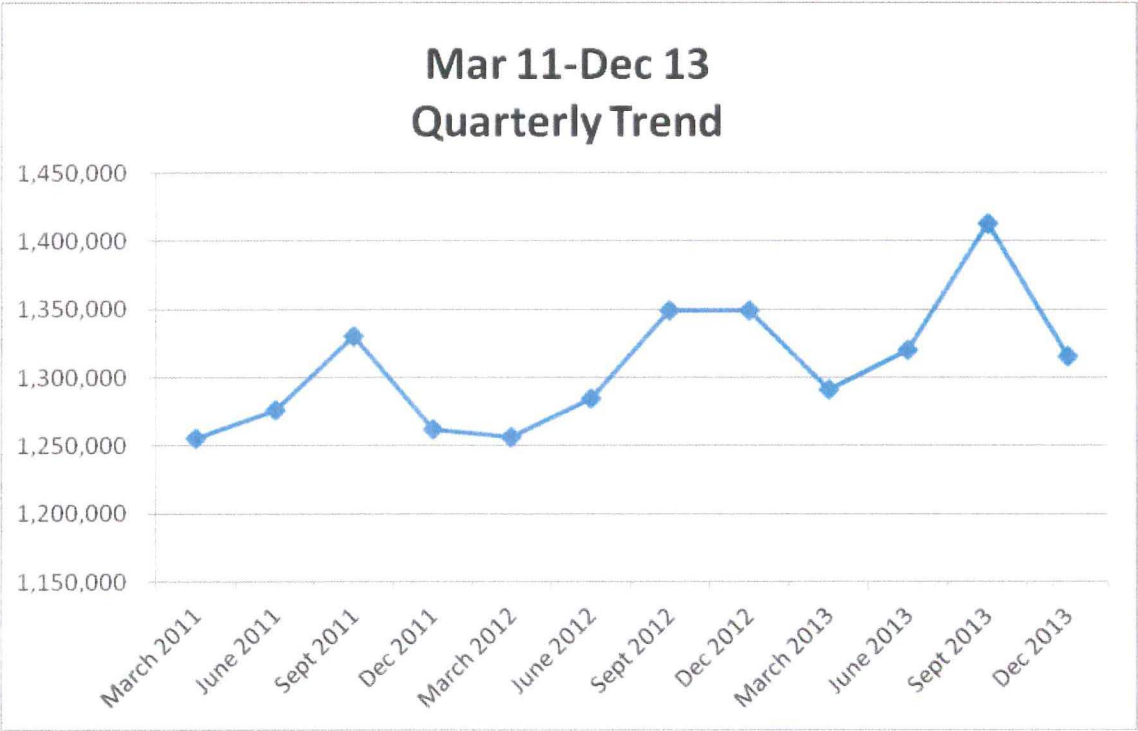
Sales Tax

City of Shawnee Memorandum

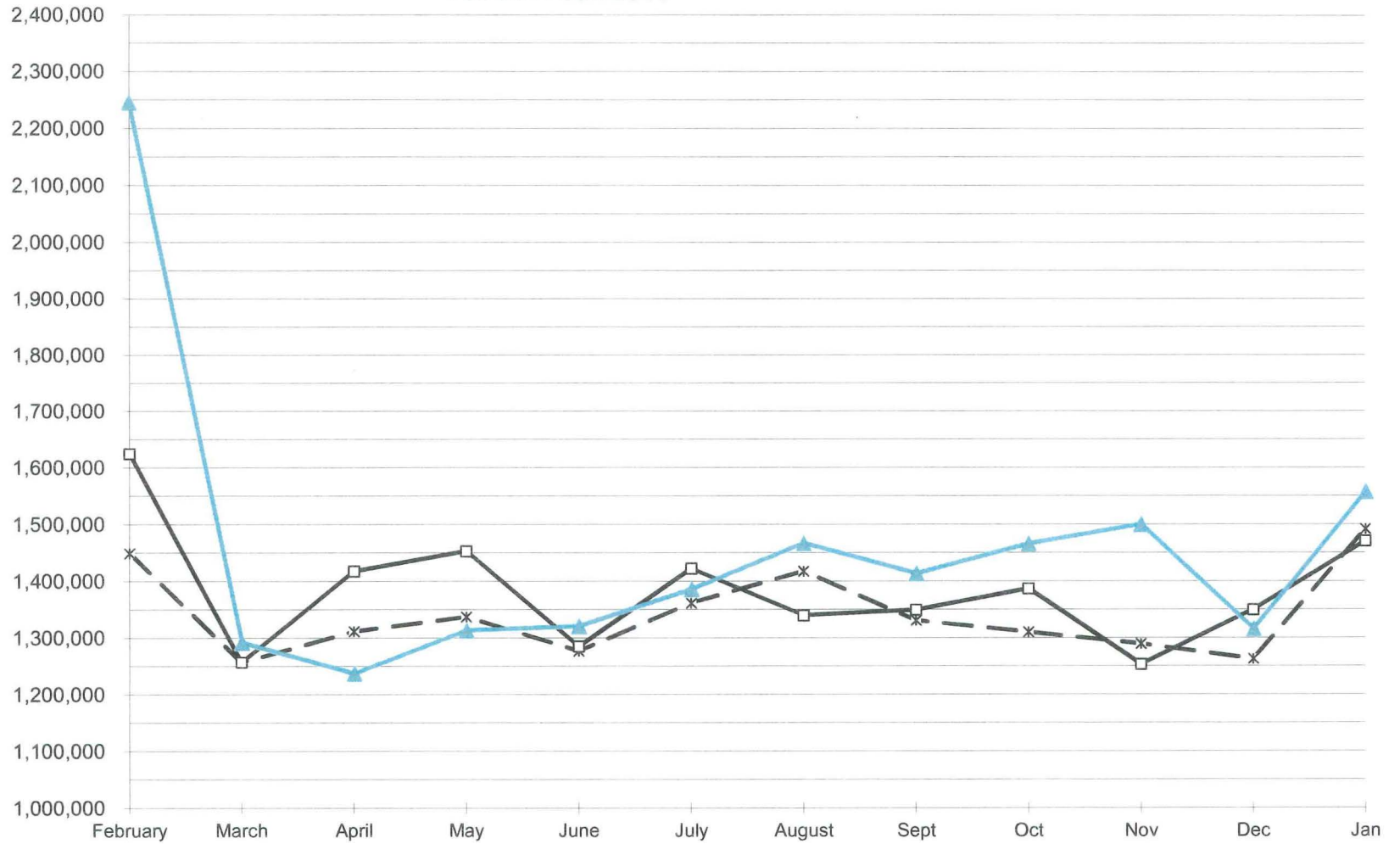


To: Mayor and City Commissioners
CC: Brian McDougal, City Manager
From: Cynthia R Sementelli, Finance Director
Date: January 13, 2014
Re: City Sales Tax Report

January sales tax is up \$86,051 from the previous year. Total collected for the month of January was \$1,556,616. Since the beginning of the fiscal year we are up a total of \$528,895 or 5.53% over what was budgeted. Sales tax has been strong the last few months so hopefully we will see the trend continue upward.



**CITY OF SHAWNEE
SALES TAX COLLECTIONS
Feb 2011-Jan 2014**



- *— February 2011 through January 2012
- February 2012 through January 2013
- ▲— February 2013 through January 2014

	February 2011	February 2012	February 2013	Increase (Decrease)	
	through	through	through	Over Prior Year	
Month	January 2012	January 2013	January 2014	Amount	Percentage
February	1,448,966	1,624,568	2,245,070	620,503	38.19%
March	1,256,430	1,256,806	1,291,532	34,726	2.76%
April	1,311,387	1,417,533	1,236,564	(180,969)	(12.77%)
May	1,337,029	1,452,759	1,312,710	(140,049)	(9.64%)
June	1,276,542	1,284,872	1,319,813	34,941	2.72%
July	1,361,273	1,422,363	1,385,055	(37,309)	(2.62%)
August	1,417,308	1,339,539	1,466,250	126,711	9.46%
Sept	1,330,420	1,349,282	1,412,708	63,426	4.70%
Oct	1,309,924	1,386,657	1,465,063	78,406	5.65%
Nov	1,289,143	1,253,140	1,499,183	246,043	19.63%
Dec	1,262,401	1,349,459	1,315,025	(34,433)	(2.55%)
Jan	1,491,647	1,470,565	1,556,616	86,051	5.85%
Total	16,092,470	16,607,543	17,505,589	898,046	5.41%
		Prior Year	Current Year	Increase (Decrease)	
Period		Actual	Actual	Over Prior Year	
Fiscal Year to Date		9,571,005	10,099,900	\$528,895	5.53%
Fiscal Year to Date Budget based					
		Current Year	Current Year	Budget Variance	
Period		Budget	Actual	Favorable (Unfavorable)	
Fiscal Year to Date		9,571,005	10,099,900	\$528,895	5.53%

Regular Board of Commissioners

10.

Meeting Date: 01/21/2014

City Manager Report

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

City Manager's Report

Regular Board of Commissioners

11. a.

Meeting Date: 01/21/2014

Police Firing Range

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Police Firing Range Tower Project (Award)

Attachments

Memo Firing Range

Bids Info Firing Range



Shawnee Police Department

Chief Russell Frantz

16 W 9th

Shawnee, Oklahoma 74801

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

E-Mail: rfrantz@shawneeok.org



FROM : Russell Frantz
Chief of Police

TO : City Commissioners

CC : Brian McDougal, City Manager
Phyllis Loftis, City Clerk

SUBJECT : Range Tower Project Bids

DATE : 15 January 2014

After reviewing the bids for the range tower project, it is my recommendation that we reject all the bids that came in 16 December 2013, due to fact that they were all over budget limits. Only three contractors bid on the project. I believe that the holidays impacted other contractors' ability to bid or meet the bid deadlines. I ask that we rebid the project in hopes that the more contractors will bid on the project and that they are able to come in under budget requirements or meet budget requirements.

NOTICE TO BIDDERS

Sealed bids will be received by the City of Shawnee, 9th & Broadway, P. O. Box 1448, Shawnee, Oklahoma, up to 4:00pm, Monday, 16 December 2013.

Instructions and bid documents are available to qualified bidders via electronic mail. Bidders should write David M. Robinson at david@k-a-studio.com. Additionally, an original set of instructions and bid documents is available for review at the offices of Director of Operations, 1400 N. Center Street, Shawnee, Oklahoma 74801 from 8:00 am to 4:00 pm Monday – Friday.

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:

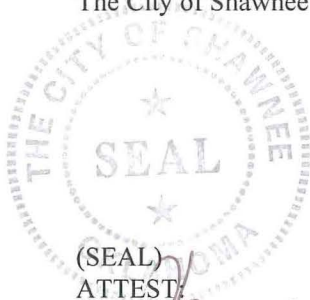
BID – Police Firing Range Tower Project December 16, 2013

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

A mandatory pre-bid conference will be held on Wednesday, November 27, 2013, at 9:00 a.m. This will be held at the project site, 10500 N. Kickapoo Street, Shawnee, Oklahoma 74804. The bidder is encouraged to invite relevant sub-contractors.

Bids will be opened and considered by the Board of City Commissioners at a Public Meeting in the City Hall Commission Chambers, 16 W. 9th Street Shawnee, Oklahoma 74801, at 6:30 p.m., Monday, December 16, 2013.

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



(SEAL)
ATTEST

By: Phyllis Loftis
Phyllis Loftis, CMC, City Clerk

CITY OF SHAWNEE, A Municipal Corporation

By: _____
Brian E. Mcdougal, City Manager

A handwritten signature in blue ink, appearing to read "Brian E. Mcdougal", is written over a horizontal line.

BIDDER'S LIST FOR
POLICE FIRING RANGE TOWER PROJECT

DATE TO BE OPENED: 12-16-2013

Business Name: Diversified Construction of Oklahoma, Inc.

Contact: Chris Bright

Address: 6288 Boucher Drive

Edmond, OK 73034-9257

Telephone: (405) 340-3164

E-Mail: chrisb@divconst.net

Business Name: W.L. McNatt & Company

Contact: Jason Masterson

Address: 217 E. Sheridan

Oklahoma City, OK 73104

Telephone: (405) 232-7245

E-Mail: jason@wlmcnatt.com

Business Name: Eagle Vision Construction

Contact: Mitch Gregory

Address: PO Box 1225

Shawnee, OK 74802

Telephone: (405) 249-8057

E-Mail: mitchwgregory@gmail.com

Business Name: RFD Construction
Contact: Larry Sloan
Address: PO Box 480
Sulphur, OK 73086
Telephone: (580) 622-3104
E-Mail: rfdconst@brightok.net

Business Name: _____
Contact: _____
Address: _____

Telephone: _____
E-Mail: _____

Business Name: _____
Contact: _____
Address: _____

Telephone: _____
E-Mail: _____

Business Name: _____
Contact: _____
Address: _____

Telephone: _____
E-Mail: _____

PLAN HOLDERS LIST FOR
POLICE FIRING RANGE TOWER PROJECT

DATE TO BE OPENED: 12-16-2013

Business Name: Empire Acoustics

Contact: Garland Bell

Address: 1728 Britton Rd

Oklahoma City, OK 74120

Telephone: (405) 340-3164

Fax: (405) 216-4925

E-Mail: gb@empireacoustics.com

Business Name: ePlan

Contact: Jacob Corbin

Address: 4115 S. Providence, Suite 105

Columbia, MO 65203

Telephone: (573) 447-7130

Fax: (573) 355-5404

E-Mail: eplan@eplanbidding.com

Business Name: Bidnews/iSqFt

Contact: Selena Heckler

Address: 5727 South Garnett Road, Suite H

Tulsa, OK 74146

Telephone: (918) 877-1200 x8620

Fax: (918) 877-1203

E-Mail: project@bidnews.com

Business Name: BidClerk
Contact: Grant Cordes
Address: 28 N Clark Street, Suite 450
Chicago, IL 60602
Telephone: (312) 380-4804
Fax: (312) 275-7197
E-Mail: gcordes@bidclerk.com

Business Name: Reed Construction Data
Contact: Stephanie Besson
Address: 30 Technology Parkway South, Ste 100
Norcross, GA 30092-2912
Telephone: (770) 209-3355
Fax: (800) 303-8629
E-Mail: stephanie.besson@reedbusiness.com

Business Name: McGraw-Hill Construction
Contact: Marsha Martin
Address: _____

Telephone: (866) 222-5073
Fax: (800) 768-5594
E-Mail: marsha.martin@mhfi.com

Business Name: _____
Contact: _____
Address: _____

Telephone: _____
Fax: _____
E-Mail: _____

BID TABULATION SHEET

POLICE FIRING RANGE TOWER PROJECT

DECEMBER 16, 2013

BIDDER

AMOUNT

W. L. McNATT & COMPANY
Oklahoma City, OK

277,450⁰⁰

DIVERSIFIED COSTRUCTION
Edmond, OK

275,000⁰⁰

RFD CO LTD
Sulphur, OK

246,000⁰⁰

Regular Board of Commissioners

11. b.

Meeting Date: 01/21/2014

City Hall ADA Restroom

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

City Hall ADA, Family Restroom Project (Award)

Attachments

Memo ADA Restroom

City Hall ADA Restroom

Mayor
WES MAINORD



The City of Shawnee
Office of the Director of Operations

P.O. Box 1448
Shawnee, Oklahoma 74802-1448
(405) 878-1529 Fax (405) 878-1593
www.ShawneeOK.org

Commissioners

PAM STEPHENS
LINDA AGEE
JAMES HARROD
KEITH HALL
JOHN WINTERRINGER
STEVE SMITH

Date: 01/15/2014
To: Mayor and City Commissioners
From: James Bryce, Director of Operations
RE: City Hall ADA/Family Restroom Project Award

Nature of the Request:

Award the bid for the City Hall ADA/Family Restroom Project.

Staff Analysis, Considerations:

Staff has reviewed the bid submitted and opened in the Commission meeting on December 16, 2013. Project is to remodel the upstairs men's restroom in City Hall to comply with ADA mandates and create a restroom that will not only meet ADA requirements but also create a space that caters to those with young children and providing a baby changing table.

Recommendation:

It is Staff's recommendation that the project be awarded to Oklahoma Construction LLC in the amount of \$31,984.92.

Budget Consideration:

Funds are budgeted in Third Penny Sales Tax Capital Outlay account #301 5-4020-5450 409 4020-52 ADA Restroom in the amount of \$33,000.00.

NOTICE TO BIDDERS

Sealed bids will be received by the City of Shawnee, 9th & Broadway, P. O. Box 1448, Shawnee, Oklahoma, up to 4:00 p.m., Monday, December 16, 2013, for:

**City Hall ADA, Family Restroom Project
16 W. 9th Street
Shawnee, Oklahoma**

Instructions and bid documents are available to qualified bidders at the Fairview Cemetery office located at 1400 N. Center Street Shawnee, Oklahoma 74801 from 8:00 am to 4:00 pm Monday – Friday.

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 – City Hall ADA, Family Restroom Project
December 16, 2013**

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

Bids will be opened and considered by the Board of City Commissioners at a Public Meeting in the City Hall Commission Chambers, 16 W. 9th Street Shawnee, Oklahoma 74801, at 6:30 p.m., Monday, December 16, 2013.

All inquiries for bid information can be made to jbryce@shawneek.org.

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



(SEAL)
ATTEST:

By: Phyllis Loftis
Phyllis Loftis, CMC, City Clerk

CITY OF SHAWNEE, A Municipal Corporation

By: Brian E. Mcdougal
Brian E. Mcdougal, City Manager

Bidders List

City Hall ADA, Family Restroom Project

Quality Homes, LLC.

PO Box 30137

OKC, Ok 73140

bids@bidocean.com

bids3@prime-vendor.com

eplan@eplanbidding.com

sheckler@ISQFT.com

project@bidnews.com

Reed Construction Data

30 Technology Parkway S

Suite 500

Norcross, GA 30092

joe.schremser@reedbusiness.com

Brandon Columbus.

Oklahoma Construction LLC

405-520-9687

bcokconstruction@hotmail.com

Garner Construction

127 N. Minnesota

Shawnee, Oklahoma 74801

Garnerco03@hotmail.com

McCown Plumbing

(405) 273-4533

Advertised twice in the Shawnee News Star

City of Shawnee web site/twitter/facebook

BID TABULATION SHEET

CITY HALL ADA / FAMILY RESTROOM

DECEMBER 16, 2013

BIDDER

AMOUNT

OKLAHOMA CONSTRUCTION LLC
Shawnee, OK

\$31,984⁹²

Regular Board of Commissioners

11. c.

Meeting Date: 01/21/2014

Mowing and Clean-up

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Cutting and Mowing of Rank Weeds, and the Clean-up of Trash and/or Debris (Open and Possible Award)

Attachments

Bid Mowing and Cleanup

NOTICE TO BIDDERS

Sealed bids will be received by the City of Shawnee, 16 W 9th, P.O. Box 1448, Shawnee, Oklahoma, 74802-1448, up to 4:00 p.m., Tuesday, January 21, 2014:

**CUTTING AND MOWING OF RANK WEEDS, AND THE CLEAN-UP OF TRASH AND/OR DEBRIS
TWELVE MONTH BID WITH OPTION TO EXTEND ONE YEAR
CONTRACT ENDS 12/31/2014**

Instructions and bid documents are available to qualified bidders at the office of the Action Center, 222 North Broadway, Shawnee, Oklahoma. Bids must be submitted on City's bid documents.

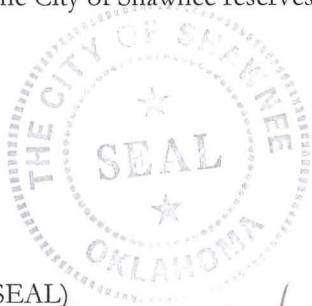
A bid proposal form will be issued by the City of Shawnee. Each bid shall be filed in a sealed envelope. On the front of each envelope shall be written the following words to the left of the address:

**BID: CUTTING & MOWING OF RANK WEEDS, AND THE CLEAN-UP OF TRASH AND/OR DEBRIS
TWELVE MONTH BID WITH OPTION TO EXTEND ONE YEAR
CONTRACT ENDS 12/31/2014
BID OPENING DATE: January 21, 2014**

The ORIGINAL bid shall be filed with the City Clerk of the City of Shawnee, together with a sworn anticollusion 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, Shawnee, Oklahoma, at 6:30 p.m., Tuesday, January 21, 2014.

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



(SEAL)
ATTEST:

Phyllis Loftis

Phyllis Loftis
City Clerk

THE CITY OF SHAWNEE, OKLAHOMA
A Municipal Corporation

By: _____
Brian McDougal
City Manager

BIDDER'S LIST
CUTTING & MOWING OF RANK WEEDS, AND THE CLEAN-UP OF TRASH AND/OR DEBRIS
TWELVE (12) MONTH BID
FISCAL YEAR 2013 - 2014
BID OPENING DATE: January 21, 2014

G & G Mowing
37402 Garretts Lake Rd
Shawnee, Ok 74804
Chris Griggs
(405)9644049 Cell 203-3588

Carl McCollum
Po Box 1334
Shawnee, Ok 74802
(405) 788-9577

Just Right Lawn Care
43217 Cypress Ct.
Tecumseh, Ok 74873
(405) 664-7734

Eddie Camara
2903 N. Park
Shawnee, Ok 74804
(405) 275-4754 Cell (405) 213-8332

P & L Lawn Service
2512 N. Leo
Shawnee, OK 74804
(405) 275-9912

Regular Board of Commissioners

11. d.

Meeting Date: 01/21/2014

RFP's Parks Master Plan

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

RFP's for Professional Consultant Services to Develop a Parks Master Plan (Open and Possible Award)

Attachments

RFP Parks Master Plan

NOTICE TO BIDDERS

Sealed bids will be received by the City of Shawnee, 9th & Broadway, P. O. Box 1448, Shawnee, Oklahoma, up to 4:00 p.m., Tuesday, January 21, 2014, for:

REQUEST FOR PROPOSALS FOR PROFESSIONAL CONSULTANT SERVICES TO DEVELOP A PARKS MASTER PLAN FOR THE CITY OF SHAWNEE

Instructions and bid documents are available to qualified bidders at the Fairview Cemetery office located at 1400 N. Center Street Shawnee, Oklahoma 74801 from 8:00 am to 4:00 pm Monday – Friday.

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 – REQUEST FOR PROPOSALS FOR PROFESSIONAL CONSULTANT SERVICES TO DEVELOP A PARKS MASTER PLAN FOR THE CITY OF SHAWNEE
January 21, 2014**

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

Bids will be opened and considered by the Board of City Commissioners at a Public Meeting in the City Hall Commission Chambers, 16 W. 9th Street Shawnee, Oklahoma 74801, at 6:30 p.m., Tuesday, January 21, 2014.

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

(SEAL)
ATTEST
By: 
Phyllis Loftis, CMC, City Clerk

CITY OF SHAWNEE, A Municipal Corporation

By: 
Brian E. McDougal, City Manager

Bidders List

Parks Master Plan

bids@bidocean.com

bids3@prime-vendor.com

eplan@eplanbidding.com

sheckler@ISQFT.com

project@bidnews.com

Guernsey (405) 415-8250
John Templeton john.templeton@guernsey.us

Shaffer, Kline, & Warren (913) 307-2587
Victor Burks vburks@skw-inc.com

Landplan Consultants Inc. (918) 584-6464
www.lpci.com

CLS & Associates (405) 525-2220
Connie/Brian clsokc@hotmail.com

Howell & Vancuren howellvancuren.com

Carter & Burgess Inc. (918) 592-3904
Brett Mann brett.mann@c-b.com

Alta Planning (214) 828-2144
Linda Dupriest lindadupriest@altaplanning.com

SWA Group (214) 954-0016
Jeffrey Craft dallas@swagroup.com

Planning Design Group (918) 628-1255
Geoff Evans gevans@pdgtulsa.com

Regular Board of Commissioners

14.

Meeting Date: 01/21/2014

Consider Executive Session

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Discussion, consideration and possible action for an executive session pursuant to 25 O.S. §307 (C) (10), for the purpose of conferring on matters pertaining to economic development, including the transfer of property, financing, or the creation of a proposal to entice a business to remain or to locate Shawnee due to advice from the City Attorney and City Manager that public disclosure of the matter would interfere with the development and would violate the confidentiality of the business, specifically a retail development on North Kickapoo (Hunt Properties, Inc.).

Regular Board of Commissioners

15.

Meeting Date: 01/21/2014

Executive Session

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Discussion, consideration and possible action for an executive session pursuant to 25 O.S. §307 (B) (04) to discuss appeal of arbitration award #FMCS 130513 – 55757 – 1.

Regular Board of Commissioners

16.

Meeting Date: 01/21/2014

Possible action from Executive Session

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Discussion, consideration and possible action on matters from executive session pursuant to 25 O.S. §307 (C) (10), for the purpose of conferring on matters pertaining to economic development, including the transfer of property, financing, or the creation of a proposal to entice a business to remain or to locate Shawnee due to advice from the City Attorney and City Manager that public disclosure of the matter would interfere with the development and would violate the confidentiality of the business, specifically a retail development on North Kickapoo (Hunt Properties, Inc.)

Regular Board of Commissioners

17.

Meeting Date: 01/21/2014

Possible action from Exec Session

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Discussion, consideration and possible action on matters discussed in executive session pursuant to 25 O.S. §307 (B) (04) regarding appeal of arbitration award #FMCS 130513 – 55757 – 1.
