

AGENDA
BOARD OF CITY COMMISSIONERS
September 8, 2015 AT 6:30 P.M.
COMMISSION CHAMBERS AT CITY HALL
SHAWNEE, OKLAHOMA

CALL TO ORDER

DECLARATION OF A QUORUM

INVOCATION

FLAG SALUTE

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

1. Consider approval of Consent Agenda:
 - a. Minutes from the August 17, 2015 regular meeting and August 31, 2015 Special Call meeting.
 - b. Acknowledge the following minutes:
 - Traffic Commission Minutes from October 28, 2014
 - Shawnee Beautification Committee Minutes from July 9, 2015
 - Shawnee Civic and Cultural Development Authority Minutes from June 18, 2015 regular meeting and July 20, 2015 Special Call meeting
 - Planning Commission Minutes from August 5, 2015
 - c. Budget Amendment – 2015 CDBG Entitlement Grant Fund
Allocate awarded funds for 2015-2016 CDBG Grant
 - d. Traffic Commission Recommendations

A. Consideration of request by Staff, to have “No Parking” at any time along Plaza Drive from Kickapoo east on both sides of the street.

STAFF RECOMMENDATION: Staff recommends approval of request.

BOARD RECOMMENDATION: Board recommends approval of request.

B. Consideration of request by Nicole Knapp, to have “No Parking” at any time along W Slover Street from Leo Street west to the Canadian river on both sides of the street.

STAFF RECOMMENDATION: Staff recommends approval of request.

BOARD RECOMMENDATION: Board recommends approval of request.

C. Consideration of request by Staff, to make a formal request to ODOT that the traffic signal at the intersection of Kickapoo and 45th Street be upgraded to a camera system.

STAFF RECOMMENDATION: Staff recommends approval of request.

BOARD RECOMMENDATION: Board recommends approval of request.

e. Lake Lease Renewals/Transfers:

RENEWALS:

• Lot 2 Magnino A Tract, 17004 Magnino Rd
Lessees: Carl Head and Roy Denz

TRANSFERS:

• Lot 1 Seck Tract, 33700 Post Office Neck
From: Thomas Giddens
To: Dustin Bodkin
• Lot 5 Mosler Tract, 16302 Archery Range Rd.
From: Christopher and Toni Sears
To: Dean and Beverly Mabry
• Lot 4 Magnino A Tract, 17100 Magnino Rd.
From: Mark White
To: Monica and Joshua Freed
• Lot 16 Belcher Tract
From: Jason Hays and Christopher Barks
To: John Hays and Jason Hays

f. Authorize staff to apply for sub-grant of 2016 Emergency Management Performance Grant funds from the Oklahoma Department of Emergency Management.

g. Mayor's Appointments:

Airport Advisory Board

Donald Freeman Term to Expire 07/01/2016 Partial Term
Replaces Terry Toole - Resigned

2. Citizens Participation
(A three minute limit per person)
(A twelve minute limit per topic)
3. Mayor's Proclamation:
"POW/MIA Recognition Day"
September 18, 2015
4. Presentation by City Manager to Employee of the Month, Elizabeth Jill Smith, Accounting.
5. Consider a resolution approving a Project Maintenance Agreement with the Oklahoma Department of Transportation (ODOT) for maintenance of safety improvements to traffic signals at the intersections of US?177 with 45th Street and with Hardesty Road.
6. A public hearing and consideration of approving an ordinance to rezone with a Conditional Use Permit for property located at 31701 Ingram Rd. from A-1; Rural Agricultural to A-1P; Rural Agricultural with Conditional Use Permit. Case #P12-15 Applicant: Jackie Johnson
7. A public hearing and consideration of approval of an ordinance to rezone property located at Shawnee Mall Drive, west of Union Street, CP; Planned Shopping Center District to C-3; Highway Commercial. Case #P13-15 Applicant: A-OK, LLC

8. Consideration of approval of a Preliminary Plat for Sac & Fox Apartments located off Kimberly Street, Shawnee, OK. Case #S11-15 Applicant: Sac & Fox Nation Housing Authority
9. Discussion, consideration and possible action on Raymond Lutomski's appeal of an Administrative Order requiring the demolition of the residential structure located at 1235 East Edwards.
10. Discussion, consideration and possible action on an ordinance providing for a Technology Fee and a Radio Fee to be added to fines.
11. Presentation and discussion regarding the proposed Bryan Street Interchange Project.
12. New Business

(Any matter not known about or which could not have been reasonably foreseen prior to the posting of the agenda)
13. Commissioners Comments
14. Consider an Executive Session to discuss the evaluation and consideration of contract of the City Attorney pursuant to 25 O.S. §307(B)(1) "Discussing the employment, hiring, appointment, demotion, disciplining or resignation of any individual salaried public officer or employee."
15. Consider matters discussed in Executive Session regarding discussion of evaluation and consideration of contract of the City Attorney pursuant to 25 O.S. §307(B)(1) "Discussing the employment, hiring, appointment, demotion, disciplining or resignation of any individual salaried public officer or employee." *(Tabled from August 17, 2015 City Commission meeting.)*
16. Adjournment

Respectfully submitted

Phyllis Loftis, CMC, City Clerk

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

Regular Board of Commissioners

1. a.

Meeting Date: 09/08/2015

CC Minutes

Submitted By: Lisa Lasyone, City Clerk

Department: City Clerk

Information

Title of Item for Agenda

Minutes from the August 17, 2015 regular meeting and August 31, 2015 Special Call meeting.

Attachments

[CC Minutes 08-17-2015](#)

[CC Minutes 08-31-2015](#)

BOARD OF CITY COMMISSIONERS PROCEEDINGS
AUGUST 17, 2015 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, August 17, 2015 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

Vacant

Commissioner Ward 1

Linda Agee

Commissioner Ward 2

James Harrod

Commissioner Ward 3-Vice Mayor

Keith Hall

Commissioner Ward 4

Lesa Shaw

Commissioner Ward 5

Absent

Commissioner Ward 6

ABSENT: Micheal Dykstra

INVOCATION
FLAG SALUTE

The Lord's Prayer
Led by Vice Mayor Harrod

AGENDA ITEM NO. 1:

Consider approval of Consent Agenda:

1. Consider approval of Consent Agenda:
 - a. Minutes from the August 3, 2015 regular meeting.
 - b. Acknowledge the following reports and minutes:
 - License Payment Report for July 2015
 - Project Payment Report for July 2015
 - Shawnee Civic and Cultural Development Authority Minutes from April 16, 2015
 - Planning Commission Minutes from June 3, 2015

Shawnee Mall Drive, east of Union Street.
Case #S09-15 Applicant: Huitt-Zollars,
Inc.

Staff report was given by Justin DeBruin, Community Development Director, stating that staff and the Planning Commission recommends approval of the preliminary plat for Shawnee Auto Mall located on Shawnee Mall Drive, east of Union Street.

A motion was made by Vice Mayor Harrod, seconded by Commissioner Agee, to approve the preliminary plat for Shawnee Auto Mall located on Shawnee Mall Drive, east of Union Street with the following conditions:

1. Final construction documents must be approved by the City Engineer concurrent with Final Plat approval.
2. The final engineering drainage plan must be approved by the City Engineer concurrent with Final Plat approval.
3. Landscape Plans will be required concurrent with Final Plat approval.
4. Approval by the commission of variance allowing the cul-de-sac length to exceed five-hundred (500') feet per Section 40.2.1 note (2).
 - a. A cul-de-sac shall not exceed five hundred (500') feet in length, measured from the nearest street right-of-way line to the outer curb line of the cul-de-sac.
5. All other applicable City standards apply.

Motion carried 6-0.

AYE: Harrod, Agee, Mainord, Hall, Shaw, Dykstra

NAY: None

AGENDA ITEM NO. 5:

Discussion, consideration and possible action to approve Collective Bargaining Agreement with IUPA (police).

A staff report was given by City Manager Justin Erickson, stating that staff recommends approval of the Collective Bargaining Agreement with the International Union of Police Associations (IUPA)

A motion was made by Commissioner Hall, seconded by Commissioner Dykstra, to approve Collective Bargaining Agreement with IUPA (police). Motion carried 6-0.

AYE: Hall, Dykstra, Agee, Harrod, Mainord, Shaw

NAY: None

AGENDA ITEM NO. 6:

Acknowledge Sales Tax Report received August 2015.

Cynthia Sementelli, Finance Director, reported that August sales tax collected this month was \$1,588,410.00, which is up 10.90% from 2014 and up 8.3% from 2013.

AGENDA ITEM NO. 7:

City Manager Update

City Manager Justin Erickson spoke about the first season of Shawnee Splash. He noted the swimming season is winding down with just under 29,000 visitors this summer. Mr. Erickson stated that Dollar Days at the pool have been very successful with over 1,000 attendees each Wednesday. He noted the limited hours of operation on Saturdays only until Labor Day.

Regarding Fire Station No. 2, Mr. Erickson reported that phase one of the mold removal has been completed. Architects will be brought in to determine a long-term fix. The Engineering Dept. will devise a plan for grading and drainage near the building.

AGENDA ITEM NO. 8:

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. 9:

Commissioners Comments

Commissioner Shaw stated her appreciation to staff for providing Dollar Days at Shawnee Splash.

She further reminded everyone that the Pioneer Library has many things to offer to everyone, regardless of age.

Commissioner Shaw also welcomed Aldi to Shawnee and stated it will offer a lot to the public. She expressed hesitance about shopping there because of the shopping cart system they use.

Commissioner Dykstra thanked Mary Ann Karns, Tammy Johnson and Cindy Sementelli for their involvement with the IUPA agreement.

Commissioner Agee mentioned that she thinks the traffic being generated by Shawnee Marketplace will be good for all of Shawnee. She hopes that it will drive business south to the downtown Shawnee area as well.

Vice Mayor Harrod stated he was incorrect on a statement he made during the last City Commission meeting. He stated that a Countywide News reporter provided him with the correct information.

Mayor Mainord reported that a friend asked students in three different classes at Horace Mann Elementary School if they had been to the Shawnee Splash pool or the new splash pad at Boy Scout Park this summer. He stated that only two children from those classes had not been to either park.

RECESS CITY COMMISSION MEETING BY THE POWER OF THE CHAIR TO CONVENE SHAWNEE AIRPORT AUTHORITY AND SHAWNEE MUNICIPAL AUTHORITY (7:09 P.M.)

RECONVENE CITY COMMISSION MEETING BY THE POWER OF THE CHAIR (7:13 P.M.)

AGENDA ITEM NO. 10:

Consider an Executive Session to discuss the evaluation and consideration of contract of the City Attorney pursuant to 25 O.S. §307(B)(1) "Discussing the employment, hiring, appointment, demotion, disciplining or resignation of any individual salaried public officer or employee."

A motion was made by Vice Mayor Harrod, seconded by Commissioner Shaw, to enter into Executive Session to discuss the evaluation and consideration of contract of the City Attorney pursuant to 25 O.S. §307(B)(1) "Discussing the employment, hiring, appointment, demotion, disciplining or resignation of any individual salaried public officer or employee." Motion carried 6-0.

AYE: Harrod, Shaw, Dykstra, Agee, Mainord, Hall

NAY: None

AGENDA ITEM NO. 11:

Consider an Executive Session for discussion and possible action on litigation pending against the City of Shawnee by Rhonda Dennie Godwin (Case number WCC#: 2005-13305L) as authorized by 25 O. S. §307(B)(4) on the recommendation of

counsel that public discussion would impair the ability of the City Attorney to adequately defend the City.

A motion was made by Vice Mayor Harrod, seconded by Commissioner Dykstra, to enter into Executive Session for discussion and possible action on litigation pending against the City of Shawnee by Rhonda Dennie Godwin (Case number WCC#: 2005-13305L) as authorized by 25 O. S. §307(B)(4) on the recommendation of counsel that public discussion would impair the ability of the City Attorney to adequately defend the City. Motion carried 6-0.

AYE: Harrod, Dykstra, Agee, Mainord, Hall, Shaw

NAY: None

COMMISSION ENTERED INTO EXECUTIVE SESSION AT 7:14 P.M. WITH ALL MEMBERS PRESENT.

COMMISSION RECONVENED FROM EXECUTIVE SESSION AT 8:15 P.M. WITH ALL MEMBERS PRESENT

AGENDA ITEM NO. 12:

Consider matters discussed in Executive Session regarding discussion of evaluation and consideration of contract of the City Attorney pursuant to 25 O.S. §307(B)(1) "Discussing the employment, hiring, appointment, demotion, disciplining or resignation of any individual salaried public officer or employee."

A motion was made by Vice Mayor Harrod, seconded by Commissioner Agee, to table this item until the next City Commission meeting on September 8, 2015, to allow Mayor Mainord, and Commissioner Agee to meet and discuss the terms of the contract of the City Attorney. Motion carried 5-1.

AYE: Harrod, Agee, Mainord, Hall, Dykstra

NAY: Shaw

AGENDA ITEM NO. 13:

Consideration and possible action on matters discussed in Executive Session regarding litigation pending against the City of

Shawnee by Rhonda Dennie Godwin (Case No. WCC#: 2005-13305L) as authorized by 25 O. S. §307(B)(4) on the recommendation of counsel that public discussion would impair the ability of the City Attorney to adequately defend the City.

A motion was made by Commissioner Hall, seconded by Commissioner Harrod, to authorize the attorneys to proceed within the bounds discussed in Executive Session. Motion carried 5-1.

AYE: Hall, Harrod, Dykstra, Agee, Mainord
NAY: Shaw

AGENDA ITEM NO. 14: Adjournment

There being no further business to be considered, the meeting was adjourned by power of the Chair. (8:18 p.m.)

WES MAINORD, MAYOR

ATTEST:

PHYLLIS LOFTIS, CMC, CITY CLERK

**BOARD OF CITY COMMISSIONERS AND
THE BOARD OF TRUSTEES OF THE SHAWNEE MUNICIPAL AUTHORITY
CITY OF SHAWNEE
SPECIAL CALLED SESSION
AUGUST 31, 2015**

The Board of City Commissioners and The Board of Trustees of the Shawnee Municipal Authority met in Special Called Session at the Shawnee Commission Chambers, 16 West 9th Street, Shawnee, Oklahoma, Monday, August 31, 2015 at 6:30 p.m., pursuant to notice duly posted as prescribed by law. Mayor Mainord presided and called the meeting to order. The following members were in attendance and a quorum was declared.

Wes Mainord
Chairman

Vacant
Commissioner Ward 1

Linda Agee
Commissioner Ward 2

James Harrod
Commissioner Ward 3-Vice Mayor

Keith Hall
Commissioner Ward 4

Lesa Shaw
Commissioner Ward 5

Absent
Commissioner Ward 6

Absent: Micheal Dykstra

The Call for said meeting was entered upon the records by the City Clerk, said Call being as follows:

NOTICE OF A CALLED SPECIAL SESSION OF THE BOARD OF CITY
COMMISSIONERS OF THE CITY OF SHAWNEE AND THE BOARD OF TRUSTEES OF
THE SHAWNEE MUNICIPAL AUTHORITY, OKLAHOMA

TO THE BOARD OF COMMISSIONERS OF THE CITY OF SHAWNEE, OKLAHOMA:

You and each of you are hereby notified that by virtue of a call issued by me on this 20th day of August, 2015, a Special Called Session will be held of the Board of Commissioners of the City of Shawnee, Oklahoma in the Shawnee Commission Chambers, 16 West 9th Street, Shawnee, Oklahoma at 6:30 p.m. on the 31st day of August, 2015, and you are hereby notified to be present at said meeting.

The purpose of said meeting is as follows:

1. To consider going into Executive Session to discuss potential claims, litigation or other options regarding the following: (a) Pottawatomie County District Court Case No. CJ-2014-128, The Citizen Potawatomi Nation by Linda Capps, its Vice Chairman, and Deanna Jesse vs. City of Shawnee; (b) Citizen Potawatomi Nation District Court Case No. CIV-2015-031, Citizen Potawatomi Nation v. The Shawnee Municipal Authority; and (c) Oklahoma County District Court Case No. CJ-2015-2455, Shawnee Municipal Authority v. Pottawatomie Rural Water District #3, The Citizen Potawatomi Nation and Oklahoma Water Resources Board, as authorized by 25 O.S. §307(B)(4);
2. To consider matters discussed in Executive Session regarding potential claims, litigation or other options regarding the following: (a) Pottawatomie County District Court Case No. CJ-2014-128, The Citizen Potawatomi Nation by Linda Capps, its Vice Chairman, and Deanna Jesse vs. City of Shawnee; (b) Citizen Potawatomi Nation District Court Case No. CIV-2015-031, Citizen Potawatomi Nation v. The Shawnee Municipal Authority; and (c) Oklahoma County District Court Case No. CJ-2015-2455, Shawnee Municipal Authority v. Pottawatomie Rural Water District #3, The Citizen Potawatomi Nation and Oklahoma Water Resources Board, as authorized by 25 O.S. §307(B)(4); and
3. Presentation, discussion and consideration of the Parks Master Plan.

Witness my hand this 20th day of August, 2015.

(SEAL)

ATTEST:

s/s Phyllis Loftis
PHYLLIS LOFTIS, CMC
CITY CLERK

s/s Justin Erickson
JUSTIN ERICKSON
CITY MANAGER

STATE OF OKLAHOMA, COUNTY OF POTTAWATOMIE, SS.

I received this notice on the 20th day of August, 2015 at 8:44 a.m., and executed the same by delivering a true and correct copy thereof to the Mayor and to each of the Commissioners of the Board of City Commissioners for the City of Shawnee, Oklahoma as follows:

I emailed a true and correct copy to Mayor Wes Mainord via e-mail at 11:03 a.m. on August 20, 2015

I emailed a true and correct copy to Commissioner Linda Agee via e-mail at 3:05 p.m. on August 20, 2015

I emailed a true and correct copy to Commissioner/Vice Mayor James Harrod via e-mail at 8:32 p.m. on August 21, 2015

I emailed a true and correct copy to Commissioner Keith Hall via e-mail at 11:33 a.m. on August 20, 2015

I emailed a true and correct copy to Commissioner Lesa Shaw via e-mail at 10:00 a.m. on August 24, 2015

I emailed a true and correct copy to Commissioner Michael Dykstra via e-mail at 4:53 p.m. on August 24, 2015

s/s Phyllis Loftis
Phyllis Loftis, CMC, City Clerk

CALL FOR SPECIAL SESSION OF THE SHAWNEE BOARD OF CITY COMMISSIONERS OF THE CITY OF SHAWNEE AND THE BOARD OF TRUSTEES OF THE SHAWNEE MUNICIPAL AUTHORITY, OKLAHOMA TO BE HELD ON THE 31ST DAY OF AUGUST, 2015 AT 6:30 P.M. AT THE SHAWNEE COMMISSION CHAMBERS, 16 WEST NINTH STREET, SHAWNEE, OKLAHOMA. THE PURPOSE OF SAID MEETING IS AS FOLLOWS: (1) TO CONSIDER GOING INTO EXECUTIVE SESSION TO DISCUSS POTENTIAL CLAIMS, LITIGATION OR OTHER OPTIONS REGARDING THE FOLLOWING: (A) POTTAWATOMIE COUNTY DISTRICT COURT CASE NO. CJ-2014-128, THE CITIZEN POTAWATOMI NATION BY LINDA CAPPS, ITS VICE CHAIRMAN, AND DEANNA JESSE VS. CITY OF SHAWNEE; (B) CITIZEN POTAWATOMI NATION DISTRICT COURT CASE NO. CIV-2015-031, CITIZEN POTAWATOMI NATION V. THE SHAWNEE MUNICIPAL AUTHORITY; AND (C) OKLAHOMA COUNTY DISTRICT COURT CASE NO. CJ-2015-2455, SHAWNEE MUNICIPAL AUTHORITY V. POTTAWATOMIE RURAL WATER DISTRICT #3, THE CITIZEN POTAWATOMI NATION AND OKLAHOMA WATER RESOURCES BOARD, AS AUTHORIZED BY 25 O.S. §307(B)(4); (2) TO CONSIDER MATTERS DISCUSSED IN EXECUTIVE SESSION REGARDING POTENTIAL CLAIMS, LITIGATION OR OTHER OPTIONS REGARDING THE FOLLOWING: (A) POTTAWATOMIE COUNTY DISTRICT COURT CASE NO. CJ-2014-128, THE CITIZEN POTAWATOMI NATION BY LINDA CAPPS, ITS VICE CHAIRMAN, AND DEANNA JESSE VS. CITY OF SHAWNEE; (B) CITIZEN POTAWATOMI NATION DISTRICT COURT CASE NO. CIV-2015-031, CITIZEN POTAWATOMI NATION V. THE SHAWNEE MUNICIPAL AUTHORITY; AND (C) OKLAHOMA COUNTY DISTRICT COURT CASE NO. CJ-2015-2455, SHAWNEE MUNICIPAL AUTHORITY V. POTTAWATOMIE RURAL WATER DISTRICT #3, THE CITIZEN POTAWATOMI NATION AND OKLAHOMA WATER RESOURCES BOARD, AS AUTHORIZED BY 25 O.S. §307(B)(4); AND (3) PRESENTATION, DISCUSSION AND CONSIDERATION OF THE PARKS MASTER PLAN.

By virtue of the authority vested in me by Section 4, Article IV of the Charter of the City of Shawnee, Oklahoma, a Special Session of the Board of City Commissioners of the City of Shawnee and the Board of Trustees of the Shawnee Municipal Authority, Oklahoma is hereby called to meet at the City Commission Chambers, 16 West 9th Street, Shawnee, Oklahoma at 6:30 p.m. on the 31st day of August, 2015 for the purpose of said meeting is as follows: (1) To consider going into Executive Session to discuss potential claims, litigation or other options regarding the following: (a) Pottawatomie County District Court Case No. CJ-2014-128, The Citizen Potawatomi Nation by Linda Capps, its Vice Chairman, and Deanna Jesse vs. City of Shawnee; (b) Citizen Potawatomi Nation District Court Case No. CIV-2015-031, Citizen Potawatomi Nation v. The Shawnee Municipal Authority; and (c) Oklahoma County District Court Case No. CJ-2015-2455, Shawnee Municipal Authority v. Pottawatomie Rural Water District #3, The Citizen Potawatomi Nation and Oklahoma Water Resources Board, as authorized by 25 O.S. §307(B)(4); (2) To consider matters discussed in Executive Session regarding potential claims, litigation or other options regarding the following: (a) Pottawatomie County District Court Case No. CJ-2014-128, The Citizen Potawatomi Nation by Linda Capps, its Vice Chairman, and Deanna Jesse vs. City of Shawnee; (b) Citizen Potawatomi Nation District Court Case No. CIV-2015-031, Citizen Potawatomi Nation v. The Shawnee Municipal

Authority; and (c) Oklahoma County District Court Case No. CJ-2015-2455, Shawnee Municipal Authority v. Pottawatomie Rural Water District #3, The Citizen Potawatomi Nation and Oklahoma Water Resources Board, as authorized by 25 O.S. §307(B)(4); and (2) Presentation, discussion and consideration of the Parks Master Plan.

Witness my hand this 20th day of August, 2015.

/s/ Justin Erickson

JUSTIN ERICKSON
CITY MANAGER

(SEAL)

ATTEST:

/s/ Phyllis Loftis

PHYLLIS LOFTIS, CMC, CITY CLERK

THE BOARD OF CITY COMMISSIONERS OF THE CITY OF SHAWNEE, COUNTY OF POTTAWATOMIE, STATE OF OKLAHOMA, MET IN SPECIAL CALLED SESSION IN THE COMMISSION CHAMBERS AT CITY HALL, 9TH AND BROADWAY, SHAWNEE, OKLAHOMA, MONDAY, AUGUST 31, 2015 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.

PRESENT: Agee, Harrod, Mainord, Hall, Shaw

ABSENT: Dykstra

CALL TO ORDER AT 6:30 P.M.

DECLARATION OF A QUORUM

AGENDA ITEM NO. 1:

Consider an Executive Session to discuss potential claims, litigation or other options regarding Pottawatomie County District Court Case No. CJ-2014-128, The Citizen Potawatomi Nation by Linda Capps, its Vice Chairman, and Deanna Jesse vs. City of Shawnee, as authorized by 25 O.S. §307(B)(4).

A motion was made by Vice Mayor Harrod, seconded by Commissioner Hall, to enter into Executive Session to discuss potential claims, litigation or other options regarding Pottawatomie County District Court Case No. CJ-2014-128, The Citizen Potawatomi Nation by Linda Capps, its Vice Chairman, and Deanna Jesse vs. City of Shawnee, as authorized by 25 O.S. §307(B)(4). Motion carried 5-0.

AYE: Harrod, Hall, Shaw, Agee, Mainord

NAY: None

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

COMMISSION ENTERED INTO EXECUTIVE SESSION AT 6:33 P.M. WITH ALL MEMBERS PRESENT.

COMMISSION RECONVENED FROM EXECUTIVE SESSION AT 6:46 P.M. WITH ALL MEMBERS PRESENT

AGENDA ITEM NO. 2:

Consider matters discussed in Executive Session regarding potential claims, litigation or other options regarding Pottawatomie County District Court Case No. CJ-2014-128, The Citizen Potawatomi Nation by Linda Capps, its Vice

Chairman, and Deanna Jesse vs. City of Shawnee,
as authorized by 25 O.S. §307(B)(4).

No action taken.

AGENDA ITEM NO. 3:

Presentation, discussion and consideration of Parks
Master Plan.

Dick Horton and Vick Burks with Shafer, Kline and Warren gave a presentation on the evaluation of the City's parks and their recommendations. The Board asked questions after the presentation.

No motion was taken.

AGENDA ITEM NO. 4:

ADJOURNMENT

There being no further business to be considered, the meeting was adjourned by power of the Chair (7:51 p.m.).

WES MAINORD, MAYOR

(SEAL)

ATTEST:

LISA LASYONE
DEPUTY CITY CLERK

Regular Board of Commissioners

1. b.

Meeting Date: 09/08/2015

Acknowledge Minutes

Submitted By: Lisa Lasyone, City Clerk

Department: City Clerk

Information

Title of Item for Agenda

Acknowledge the following minutes:

- Traffic Commission Minutes from October 28, 2014
 - Shawnee Beautification Committee Minutes from July 9, 2015
 - Shawnee Civic and Cultural Development Authority Minutes from June 18, 2015 regular meeting and July 20, 2015 Special Call meeting
 - Planning Commission Minutes from August 5, 2015
-

Attachments

[Traffic Comm Minutes 10-28-2014](#)

[Beautification Minutes 07-09-2015](#)

[Expo Minutes 06-18-2015](#)

[Expo Minutes 07-20-2015](#)

[Planning Minutes 08-05-2015](#)

MINUTES
TRAFFIC COMMISSION
October 28, 2014 MEETING
COMMISSION CHAMBERS ROOM AT CITY HALL

I. CALL TO ORDER

II. ROLL CALL
MEMBERS PRESENT

Ronald Taffe - Chairman
Wayne Ardrey- Vice Chairman
Peggy Rider
Paul Roberts
Rebecca Dolin

MEMBERS ABSENT

None

EX-OFFICIO MEMBERS

Michael Ludi, Assistant City Engineer
Danielle Turner, Traffic Commission Secretary
Keith Mangus, Traffic Supervisor

CITIZENS PRESENT

None

III. APPROVAL OF September 23, 2014 MINUTES

Motion was made by Rider, seconded by Ardrey to **approve** the September 23, 2014 minutes. Motion **carried**

Roll Call: Aye: Taffe, Ardrey, Rider, Roberts, Dolin
Nay: None

IV. SWEAR IN OF RONALD GILLHAM

V. SWEAR IN OF DARREN RUTHERFORD

VI. CONSIDERATION OF REQUEST RECEIVED

- A. Consideration of request by staff, to install stop signs for east bound and north bound lanes at the intersection of Pennsylvania Ave. and Emmett St.

Discussion:

Michael Ludi presented a Power Point showing the location of one stop sign located on the North West corner of the intersection of Pennsylvania Ave. and Emmett Street. This sign is located at the Dead End Street only stopping the traffic coming out of the dead end. This leaves traffic traveling eastbound on Emmett turning north and traffic on Pennsylvania turning west both having the right of way with a potential collision point at that location. What is proposed it to turn this intersection into a three (3) way stop placing additional stop signs north bound and east bound.

Taffe and Gillham both agreed this causes a hazard for drivers and needed to be addressed before an accident occurs.

Motion was made by Rider seconded by Roberts to **approve** proposed stop signs for east bound and north bound lanes at the intersection of Pennsylvania Ave. and Emmett St. Motion **carried**

Roll Call: Aye: Taffe, Ardrey, Rider, Roberts, Dolin, Gillham, Rutherford
Nay: None

VII. ADMINISTRATIVE REPORTS

Ludi updated the status of the Consideration of request by Julia Storie, to have no parking along Chicago from Union west to mid-block on both sides of the street from 2:00 pm to 3:30 pm Monday thru Friday. He stated this has been in place for a few months now and Ms. Storie came by to thank the City for approving this. She stated it is working very well and she is having no problems.

Ludi also gave an update on the Bike Route signs. He stated initial signage will begin to be placed in the next couple months. Signs have been ordered and are ready to be placed along the approved Bike Route.

VIII. CITIZEN PARTICIPATION

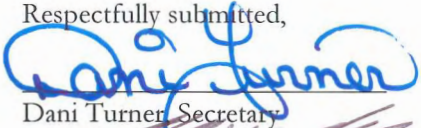

None

IX. BOARD MEMBERS COMMENTS

Rider welcomed new Traffic Commission members to the board.

There being no further business to come before the Traffic Commission, a motion was made by Dolin, seconded by Rutherford recommending the meeting be adjourned.
Motion carried.

Roll Call: Aye: Taffe, Ardrey, Rider, Roberts, Dolin, Gillham, Rutherford
Nay: None

Respectfully submitted,

Dani Turner, Secretary


Ronald Taffe, Chairman

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

LINDA AGEE
JAMES HARROD
KEITH HALL
LESA SHAW
MICHEAL DYKSTRA

Minutes
Shawnee Beautification Committee
JULY 9, 2015
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	Janet Turner	<u> X </u>	<u> </u>
Member	Debi Renegar	<u> X </u>	<u> </u>
Member	Joe Harbeson	<u> X </u>	<u> </u>
City Staff	Whisper Peace	<u> X </u>	<u> </u>
City Staff	Geoff Garner	<u> X </u>	<u> </u>
City Staff	Justin Debruin	<u> X </u>	<u> </u>
Mayor	Wes Mainord	<u> X </u>	<u> </u>

-
- AGENDA NO 2** **Roll Call and Declaration of a Quorum.** Roll was called and a quorum was declared.
- AGENDA NO 3** **Approved Minutes for January 2015.** The minutes for JANUARY 2015 were approved with a motion made by Debi Renegar and 2nd by Joe Harbeson. The motion carried unanimously.
- AGENDA NO 4** **Acknowledge that there was no meeting for February 12, 2015.**
- AGENDA NO 5** **Acknowledge that there was no meeting for March 12, 2015.**
- AGENDA NO 6** **Acknowledge that there was no meeting for April 9, 2015.**
- AGENDA NO 7** **Acknowledge that there was no meeting for May 14, 2015.**
- AGENDA NO 8** **Acknowledge that there was no meeting for June 11, 2015.**

- AGENDA NO 9** **Discussion ideas to clean up Shawnee Creek this winter. (Nancy Ford)**
Geoff Garner stated that the creek cleanup would have to be a wintertime project due to mowing season.
- AGENDA NO 10** **Discussion on signage for Beautification Awards, (Janet Turner)** Janet Turner requested the purchase of 5 new Beautiful Yard contest signs. The group agreed on the design and materials for the sign so the order could be placed.
- AGENDA NO 11** **Old Business.** No Old Business.
- AGENDA NO 12** **New Business.** No New Business.
- AGENDA NO 13** **Comments.** Group discussion was made on ways to advertise for the Shawnee Beautification Awards Contest and also on ways to recruit new members for the committee. Wes Mainord suggested placing a line item on the City of Shawnee water bill to remind people to nominate for the Beautification Award Contest.
- AGENDA NO 14** **Adjournment.** Committee adjourned at 4:4 pm



Chairman,

8-13-15

Date

A MEETING OF THE SHAWNEE
CIVIC AND CULTURAL DEVELOPMENT AUTHORITY
JUNE 18, 2015
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, JUNE 18, 2015 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 6/15/2015 AT 4:15PM.

AGENDA ITEM NO.1

CALL TO ORDER.

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

AGENDA ITEM NO.2

ROLL CALL

TRUSTEES PRESENT: MR. RANDY GILBERT
MRS. SUSAN HAVENS
MR. JUSTIN ERICSON
MR. TIM BARRICK
MR. KARL KOZEL

TRUSTEES ABSENT: MS. RACHEL MONROE
MR. CASEY BELL

ALSO IN ATTENDANCE: MICHAEL JACKSON, OPERATIONS MANAGER; MIKE MCCORMICK, MIKE CLOVER OF STUART & CLOVER, SHELLY WELCH OF FINLEY & COOK, AND CHUCK CROOKS OF CBEW AUDIT GROUP.

AGENDA ITEM NO.3

DECLARATION OF A QUORUM

CHAIRMAN MR. RANDY GILBERT, DECLARED A QUORUM.

AGENDA ITEM NO.4

APPROVAL OF MINUTES FROM MAY SC&CDA MEETING.

THE MOTION MADE BY TRUSTEE HAVENS, SECONDED BY TRUSTEE BARRICK TO APPROVE THE MINUTES AS PRESENTED FOR THE MAY 2015 MEETING. MOTION CARRIED.

AYE: GILBERT, HAVENS, BARRICK, ERICSON, KOZEL
NAY: NONE
ABSTAIN:

AGENDA ITEM NO.6

APPROVAL OF THE MONTHLY FINANCIAL REPORT.

THE MOTION MADE BY TRUSTEE BARRICK, SECONDED BY TRUSTEE ERICKSON TO APPROVE THE MONTHLY FINANCIAL REPORT AS PRESENTED, MOTION CARRIED.

AYE: GILBERT, HAVENS, BARRICK, ERICSON, KOZEL
NAY: NONE
ABSTAIN

AGENDA ITEM NO.7

APPROVAL OF GENERAL CLAIMS.

THE MOTION MADE BY TRUSTEE KOZEL, SECONDED BY TRUSTEE BARRICK TO APPROVE THE GENERAL CLAIMS. MOTION CARRIED.

AYE: GILBERT, HAVENS, BARRICK, ERICSON, KOZEL
NAY: NONE
ABSTAIN

General Claims

A.	Grimsley's	\$1,404.94
B.	Fuelman	\$913.77
C.	OG&E	\$22,878.99
D.	Bankers Credit Card	\$2,041.24
E.	Bankers Credit Card	\$1,018.50
F.	Arvest	\$502.69
G.	Arvest	\$625.11
H.	City of Shawnee- Surcharge	\$830.00
I.	City of Shawnee	\$893.65
J.	ONG	\$1,136.39
K.	ONG	\$614.59

Add On's

General:

A.	Constellation Energy	\$850.50
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AGENDA ITEM NO.8

APPROVAL OF SPECIAL EVENT CLAIMS

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

AYE: GILBERT, HAVENS, BARRICK, ERICSON, KOZEL

NAY:

ABSTAIN:

Special Claims

A.	Mike McCormick	\$300.00
B.	Heartland Horse Trader	\$400.00
C.	All Around Publishing	\$312.50
D.	Cowboy Times	\$650.00
E.	Roping Pen	\$480.00
F.	Western Sports Publishing	\$1,313.00
G.	Extreme Team News	\$200.00
H.	Lee Woodside	\$48.00
I.	Vann & Associates	\$2,050.00

AGENDA ITEM NO.9

APPROVAL OF SHAVINGS CLAIMS

None

AGENDA ITEM NO. 10

PRESENTATION OF AUDIT FINDINGS BY CHUCK CROOKS CBEW.

AGENDA ITEM NO. 11

DISCUSSION CONSIDERATION AND POSSIBLE ACTION TO APPROVE AUDIT FINDINGS AS PRESENTED BYCHUCK CROOKS.

AGENDA ITEM NO. 12-17

COMMITTEE REPORTS, ADMINISTRATION REPORTS, OLD BUSINESS, NEW BUSINESS, PUBLIC & TRUSTEE COMMENTS.

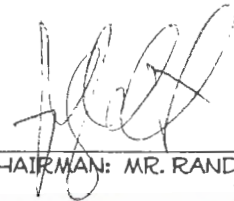
32 STATES REPRESENTED PLUS AUSTRALIA AND CANADA
ENTRIES IN GERNERAL SEEM TO BE UP, STALLS ARE SOLD OUT, CAMPING IS NOW OFF GROUNDS.

AGENDA ITEM NO.17

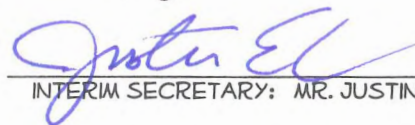
ADJOURNMENT

THE MOTION MADE BY TRUSTEE KOZEL, SECONDED BY TRUSTEE BARRICK TO ADJOURN THE MEETING. -
MOTION CARRIED.

AYE: GILBERT, HAVENS, BARRICK, ERICSON, KOZEL
NAY:
ABSTAIN:



CHAIRMAN: MR. RANDY GILBERT



INTERIM SECRETARY: MR. JUSTIN ERICSON

A SPECIAL CALL MEETING OF THE SHAWNEE
CMC AND CULTURAL DEVELOPMENT AUTHORITY
JULY 20, 2015
11:00 A.M.
HEART OF OKLAHOMA EXPOSITION CENTER

THE TRUSTEES OF THE SHAWNEE CMC AND CULTURAL DEVELOPMENT AUTHORITY MET FOR A SPECIAL CALL MEETING JULY 20, 2015 AT 11:00 AM AT HEART OF OKLAHOMA EXPOSITION CENTER, PURSUANT TO NOTICE DULY POSTED AS PRESCRIBED BY LAW. NOTICE WAS FILED AT CITY HALL ON 7/13/2015 AT 11:52AM.

AGENDA ITEM NO.1

CALL TO ORDER.

THE MEETING WAS CALLED TO ORDER AT 11:00 AM BY MR. RANDY GILBERT, CHAIRMAN.

AGENDA ITEM NO.2

ROLL CALL

TRUSTEES PRESENT: MR. CASEY BELL
MRS. SUSAN HAYENS
MR. KARL KOZEL
MR. JUSTIN ERICSON

TRUSTEES ABSENT: MR. TIM BARRICK
MS. RACHEL MONROE

ALSO IN ATTENDANCE: MICHAEL MCCORMICK , IFYR MEDIA DIRECTOR.

AGENDA ITEM NO.4

DISCUSSION CONSIDERATION AND POSSIBLE ACTION
TO APPROVE GOVERNMENTAL SERVICE CONTRACT
BETWEEN THE CITY OF SHAWNEE AND THE SHAWNEE
CMC & CULTURAL AUTHORITY.

THE MOTION MADE BY TRUSTEE BELL, SECONDED BY TRUSTEE KOZEL TO APPROVE THE CONTRACT AS PRESENTED BETWEEN THE CITY OF SHAWNEE AND THE SC&CDA. MOTION CARRIED.

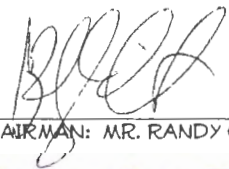
AYE: GILBERT, BELL, ERICSON, KOZEL
NAY: NONE
ABSTAIN:

AGENDA ITEM NO.5

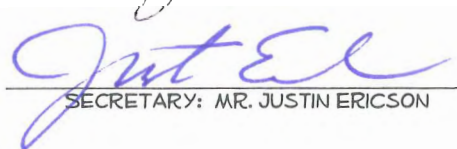
ADJOURNMENT

THE MOTION MADE BY TRUSTEE KOZEL, SECONDED BY TRUSTEE BELL TO ADJOURN MEETING.
MOTION CARRIED.

AYE: GILBERT, BELL, ERICSON, KOZEL
NAY: NONE
ABSTAIN: NONE



CHAIRMAN: MR. RANDY GILBERT



SECRETARY: MR. JUSTIN ERICSON

PLANNING COMMISSION MINUTES

DATE: AUGUST 5TH, 2015

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, August 5th, 2015 at 1:30 p.m., pursuant to notice duly posted as prescribed by law.

AGENDA ITEM NO.1: **Roll Call**

Upon roll call the following members were present:

Present: Clinard, Kerbs, Bergsten, Cowen, Kienzle, Affentranger

Absent:

The meeting was called to order.

AGENDA ITEM NO. 2: **Consideration of Approval of the minutes from the June 3rd, 2015 Planning Commission Meeting**

Chairman Bergsten asked if the Board had time to review the minutes and if so would ask to entertain a motion if there were no questions or discussion. Commissioner Kerbs made a motion to approve, seconded by Commissioner Affentranger.

Motion passed:

AYE: Kerbs, Bergsten, Cowen, Kienzle, Affentranger

NAY:

ABSTAIN: Clinard

AGENDA ITEM NO. 3: **Swearing in of Regena Morton to the Planning Commission**

Regena Morton came forward to be sworn in to the Planning Commission

AGENDA ITEM NO. 4: **Citizen's Participation**

Chairman Bergsten opened the public portion and announced that this is an open time for discussion for those with questions on topics not on the Agenda and asked if anyone would like to come forward. No one came forward and Chairman Bergsten closed the public portion of the meeting.

AGENDA ITEM NO. 5: **Case #S09-15 – Consideration of approval of a Preliminary Plat for Shawnee Auto Mall located North of Shawnee Mall Drive, Shawnee, OK**

Applicant: Huitt-Zollar, INC

Chairman Bergsten asked for the staff report. Justin Debruin presented the staff report. Mr. Debruin mentioned that the plat came before the Planning Commission back in March and was voided until now. Justin Debruin informed the Commissioners that the plan included building four lots on the twenty one acre parcel of land for a car dealership. He also stated the sidewalk and landscape requirements and went over the utility, sewer and storm water details. Mr. Debruin informed the Commissioners that the applicant is requesting a variance on the cul-de-sac length to be just over seven hundred feet and listed the five conditions for approval. Chairman Bergsten asked if there were any questions for staff. Commissioner Kerbs asked about the easement north of the proposed plat and possibility of an East-West Street coming off of Union Street. Justin Debruin stated the possibility is there but it wasn't economically feasible for the Developers at this site. Commissioner Clinard asked if there was enough retention for the storm water and Justin Debruin mentioned that the final plat approval point would be where they confirm that. Commissioner Kerbs asked what the advantage of a public road versus a private road would be. Justin Debruin informed him that the Code doesn't normally allow commercial development to obtain private roads like this with future options. Commissioner Kienzle asked what the purpose to extend the cul-de-sac was for. Mr. Debruin explained that the parking requirements, lot sizes and other factors played into the need to extend the length. Chairman Bergsten asked if there were any other questions for staff. There were none and Chairman Bergsten opened the public portion and asked if anyone against the item would like to come forward and speak. There were none. Chairman Bergsten asked if anyone in favor of the item would like to come forward and Brandon with Huitt-Zollar came forward and stated he would answer any questions the Commission may have. There were none and Chairman Bergsten closed the public portion and asked if there were any questions or comments from the Commissioners. There were none and Vice-Chairman Cowen made a motion to approve with conditions listed by staff, seconded by Commissioner Kienzle.

Motion approved:

AYE: Morton, Clinard, Kerbs, Bergsten, Cowen, Kienzle, Affentranger

NAY:

ABSTAIN:

AGENDA ITEM NO. 6:

Planning Director's Report

Justin Debruin informed the Commissioners that the City got approval from ODOT for the Streetscape project with bids going out mid-August and development postponed until beginning of the year. It will be a two phase project. Aldi will have their grand opening August 13th. Permits have been approved for Hallmark. Mr. Debruin mentioned one or two cases coming before the Commission next month, one of which is for a restaurant. OBU has a number of projects going on; dorms are trying to finish for school year, nursing building is working on final inspections and a new building purchased across the street will be utilized as a cadaver lab. Deer Field Estates has started their project. North Harrison Industrial Park project is coming together. Dunham Sports will be going into the old Sears building at Shawnee Mall, hopefully opening in November. The pool and splash pad are doing very well with good turnout.

AGENDA ITEM NO. 7:

Commissioners Comments and/or New Business

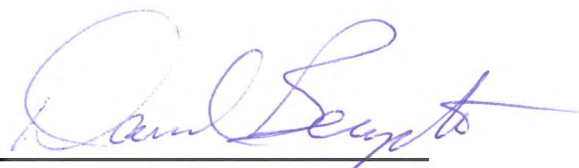
Chairman Bergsten asked what the Dunham Sports store is comparable to. Justin Debruin stated that they are comparable to Academy and they have over two hundred stores in different states. Vice-Chairman Cowen congratulated Justin Debruin on his new position and asked if the square footage was all inclusive and Mr. Debruin believed them to be. Vice-Chairman Cowen also asked for an update on the Downtown Property Maintenance Code. Mr. Debruin briefly went over the purpose for the Code and explained that staff will send out the letters to property owners in Mid-August. Vice-Chairman Cowen asked to be copied when the letters go

out and Justin Debruin agreed to. Commissioner Clinard discussed the negative effect that the neglected buildings had on investment potential. Chairman Bergsten asked if there were any other questions. Commissioner Kienzle asked if there was a master plan meeting and Justin Debruin informed her that it was an assessment/report on the parks within Shawnee to better regulate the upkeep with the shortage of employees. Mr. Debruin mentioned that there was no action as of yet and Commissioner Kienzle asked for a presentation on the report and Mr. Debruin stated that was a good idea and he believed he could make that possible. Commissioner Affentranger asked where the Bryan Street trail would go from where it has stopped at this time. Justin Debruin informed him that it would stop at Highland Street and there is a possibility the sidewalks could be redone. Commissioner Kerbs asked if the Code Enforcement positions were fully staffed. Mr. Debruin agreed and introduced Cody Deal as one of the new inspectors and also mentioned the job opening for the Assistant Planner position. Chairman Bergsten asked about the next phase for the Kickapoo Street project and if the eastern side of Beard Street off Main would be considered and Justin Debruin informed him the next phase would be to do the same work on Kickapoo Street from Kickapoo Spur to Main Street with a round about turning on Main Street and that Beard Street work has been discussed. Commissioner Clinard asked about putting different types of entrances off Harrison and Kickapoo Streets. Justin Debruin agreed that would be helpful and discussed possible placements. Commissioner Clinard informed the Board that the Downtown Task Force has now become the Historic Shawnee Alliance as a non-profit organization. Commissioner Kerbs discussed briefly the façade grants and educational assistance as well. Mr. Debruin went over the updates on the zoning map and Chairman Bergsten asked if there were any other questions or comments. There were none and Chairman Bergsten asked for a motion to adjourn.

AGENDA ITEM NO. 8:

Ajournment

Meeting was adjourned.



Chairman/Vice-Chairman

Cheyenne Lincoln

Planning Commission Secretary

Regular Board of Commissioners

1. c.

Meeting Date: 09/08/2015

Budget Amd CDBG

Submitted By: Lisa Lasyone, City Clerk

Department: City Clerk

Information

Title of Item for Agenda

Budget Amendment – 2015 CDBG Entitlement Grant Fund

Allocate awarded funds for 2015-2016 CDBG Grant

Attachments

Budget Amd CDBG

City of Shawnee
Budget Amendment - FY 2015-2016
2015 CDBG Entitlement Grant Fund
September 8, 2015

Estimated Revenue or Fund Balance

Fund Number	Account Number	Project Code	Line Item	Description	Balance	Amount of	Balance
					Before Amendment	Amendment Increase (Decrease)	After Amendment
190	4101	C15		Federal Grant Revenue	249,000.00	279,240.00	528,240.00
190	4830	C15		Program Income	50,000.00	50,000.00	100,000.00
190	4850	C15		Processing Fees - Legal	1,000.00	1,000.00	2,000.00
				Total	300,000.00	330,240.00	630,240.00

Appropriations

Fund Number	Account Number	Project Code	Line Item	Description	Balance	Amount of	Balance
					Before Amendment	Amendment Increase (Decrease)	After Amendment
190	5.1410.5101	C15	14105101	Admin - Regular Salaries	24,534.00	39,534.00	64,068.00
190	5.1410.5102	C15	14105102	Admin - Overtime	500.00	500.00	1,000.00
190	5.1410.5104	C15	14105104	Admin - Longevity	406.00	406.00	812.00
190	5.1410.5111	C15	14105111	Admin - FICA	789.00	789.00	1,578.00
190	5.1410.5112	C15	14105112	Admin - Medicare	184.00	184.00	368.00
190	5.1410.5113	C15	14105113	Admin - Health Insurance	1,894.00	1,894.00	3,788.00
190	5.1410.5114	C15	14105114	Admin - Life Insurance	23.00	23.00	46.00
190	5.1410.5115	C15	14105115	Admin - OMRF	2,206.00	2,206.00	4,412.00
190	5.1410.5201	C15	14105201	Office & Computer Supplies	1,500.00	1,500.00	3,000.00
190	5.1410.5220	C15	14105220	Tools & Minor Equipment	50.00	50.00	100.00
190	5.1410.5250	C15	14105250	Other Materials & Supplies	500.00	500.00	1,000.00
190	5.1410.5303	C15	14105303	Repair & Maintenance-Equipme	50.00	50.00	100.00
190	5.1410.5304	C15	14105304	Repair & Maintenance-Vehicle	400.00	400.00	800.00
190	5.1410.5310	C15	14105310	Legal Services	100.00	100.00	200.00
190	5.1410.5325	C15	14105325	Telephone	500.00	500.00	1,000.00
190	5.1410.5328	C15	14105328	Copy Usage	1,200.00	1,200.00	2,400.00
190	5.1410.5329	C15	14105329	Postage & Shipping	1,700.00	1,700.00	3,400.00
190	5.1410.5339	C15	14105339	Other Contractual Services	2,500.00	2,500.00	5,000.00
190	5.1410.5349	C15	14105349	Books & Subscriptions	100.00	100.00	200.00
190	5.1410.5354	C15	14105354	Printing	1,000.00	1,000.00	2,000.00
190	5.1410.5356	C15	14105356	Land & Building Rental	11,724.00	11,724.00	23,448.00
190	5.1420.5101	C15	14205101	Rehab - Regular Salaries	89,477.00	89,477.00	178,954.00
190	5.1420.5102	C15	14205102	Rehab - Overtime	1,500.00	1,500.00	3,000.00
190	5.1420.5104	C15	14205104	Rehab - Longevity	1,404.00	1,404.00	2,808.00
190	5.1420.5111	C15	14205111	Rehab - FICA	7,430.00	7,430.00	14,860.00
190	5.1420.5112	C15	14205112	Rehab - Medicare	1,737.00	1,737.00	3,474.00
190	5.1420.5113	C15	14205113	Rehab - Health Insurance	8,732.00	8,732.00	17,464.00
190	5.1420.5114	C15	14205114	Rehab - Life Insurance	95.00	95.00	190.00
190	5.1420.5115	C15	14205115	Rehab - OMRF	13,567.00	13,567.00	27,134.00
190	5.1420.5370	C15	14205370	Housing Rehabilitation	124,198.00	139,438.00	263,636.00
						330,240.00	630,240.00

Approved by the City Commission this _____

Explanation of Budget Amendment:

ALLOCATE FUNDS FOR 2015-2016 CDBG GRANT THAT WE WERE AWARDED

Approved: _____

Mayor

Attest: _____

City Clerk

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

Regular Board of Commissioners

1. d.

Meeting Date: 09/08/2015

Traffic Comm Rec

Submitted By: Lisa Lasyone, City Clerk

Department: City Clerk

Information

Title of Item for Agenda

Traffic Commission Recommendations

A. Consideration of request by Staff, to have "No Parking" at any time along Plaza Drive from Kickapoo east on both sides of the street.

STAFF RECOMMENDATION: Staff recommends approval of request.

BOARD RECOMMENDATION: Board recommends approval of request.

B. Consideration of request by Nicole Knapp, to have "No Parking" at any time along W Slover Street from Leo Street west to the Canadian river on both sides of the street.

STAFF RECOMMENDATION: Staff recommends approval of request.

BOARD RECOMMENDATION: Board recommends approval of request.

C. Consideration of request by Staff, to make a formal request to ODOT that the traffic signal at the intersection of Kickapoo and 45th Street be upgraded to a camera system.

STAFF RECOMMENDATION: Staff recommends approval of request.

BOARD RECOMMENDATION: Board recommends approval of request.

Attachments

Traffic Comm Rec

Traffic Comm Agenda

**STAFF RECOMMENDATIONS
TRAFFIC COMMISSION
August 25, 2015 MEETING**

- A. Consideration of request by Staff, to have “No Parking” at any time along Plaza Drive from Kickapoo east on both sides of the street.

STAFF RECOMMENDATION: Staff recommends approval of request

BOARD RECOMMENDATION: Board recommends approval of request

- B. Consideration of request by Nicole Knapp, to have “No Parking” at any time along W Slover Street from Leo Street west to the Canadian river on both sides of the street.

STAFF RECOMMENDATION: Staff recommends approval of request

BOARD RECOMMENDATION: Board recommends approval of request

- C. Consideration of request by Staff, to make a formal request to Odot that the traffic signal at the intersection of Kickapoo and 45th Street be upgraded to a camera system.

STAFF RECOMMENDATION: Staff recommends approval of request

BOARD RECOMMENDATION: Board recommends approval of request

MINUTES
TRAFFIC COMMISSION
August 25, 2015 MEETING
COMMISSION CHAMBERS ROOM AT CITY HALL

I. CALL TO ORDER

II. ROLL CALL
MEMBERS PRESENT

Ronald Taffe - Chairman
Wayne Ardrey- Vice Chairman
Rebecca Dolin
Peggy Rider
Paul Roberts
Darren Rutherford
Ronald Gillham

MEMBERS ABSENT

None

EX-OFFICIO MEMBERS

Michael Ludi, Assistant City Engineer
Danielle Turner, Traffic Commission Secretary
Keith Mangus, Traffic Supervisor

CITIZENS PRESENT

Nicole Knapp

III. APPROVAL OF OCTOBER 28, 2015 MINUTES

Motion was made by Rider, seconded by Dolin to **approve** the October 28, 2014 minutes. Motion **Carried**

Roll Call: Aye: Taffe, Ardrey, Dolin, Rider, Roberts, Rutherford, Gillham
Nay:

IV. CONSIDERATION OF REQUEST

A. Consideration of request by Staff, to have “No Parking” at any time along Plaza Drive from Kickapoo east on both sides of the street.

Discussion:

Michael Ludi presented a Power Point presentation showing the area of discussion on Plaza Drive. Ludi stated this area causes confusion for drivers turning onto Plaza Drive from Kickapoo. With vehicles parked on Plaza Drive as vehicles turn east there have been situation where the vehicles back up on Kickapoo thinking the vehicles parked are waiting and situations where the cars turn and swerve quickly not aware the vehicles are parked almost rear ending the parked vehicle. Plaza Drive was put in as a private street that was just recently accepted by the City as a public street. Ludi stated if this street had been put in as a City street it would have been a no parking street when it was placed. There is a future plan to stripe the street now that it is a City street. If the street is extended east for future development the no parking would extend as well.

Gillham stated that as business grows in the area traffic is sure to increase. Roberts asked if this is from overflow parking. Ludi stated this does look to be overflow parking. Dolin questioned how long it would take to place the signs and striping. Ludi stated if approved this consideration would go to the City Commission for approval. Ludi stated after approval by the City Commission an Ordinance would be adopted and it wouldn't take the Traffic Department very long to get the signs in place.

Motion was made by Ardrey, seconded by Gillham to **approve** the request by Staff, to have “No Parking” at any time along Plaza Drive from Kickapoo east on both sides of the street.

Roll Call: Aye: Taffe, Ardrey, Rider, Roberts, Rutherford, Gillham
Nay:
Abstain: Dolin

Motion carried

B. Consideration of request by Nicole Knapp, to have “No Parking” at any time along W. Slover Street from Leo Street west to the Canadian river on both sides of the street.

Discussion:

Nicole Knapp spoke stating her house is the last house before the bridge on Slover. She stated people park in the area and do numerous activities that cause problems (littering, vandalism, drugs etc.). She stated very few people park to actually fish in the river. Police are called out several times a week for the problems. The police have told her that if there is no parking it would give them cause to run people causing trouble out of the area. Roberts asked if this issue has worsened. Ms. Knapp stated the problem is always worse during the summer. Michael Ludi stated he had spoken with Chief Frantz after reviewing the request and he acknowledged the problems based on the call volume and stated to Ludi that the area does need no parking to be

able to run people off. When an officer is sent to the area if they do not see the violation itself they are unable to make anyone leave. With No Parking signs they would at least be able to have them move the vehicles out of the area making it more difficult to continue the activity. Ludi stated it is recommended to have no parking all the way to Leo from Slover Bridge. Ludi stated after looking at the area all the houses have long driveways with plenty of room for parking leaving no reason needed for the residents to have street parking. Roberts questioned if pedestrian traffic would still be allowed. Ludi stated pedestrian traffic would still be allowed in the area and the Bridge was open to pedestrian traffic as well. Gillham questioned how many signs would be placed. Ludi stated they would look at the area, place one on the gate and signs facing both directions on the street.

Motion was made by Rider, seconded by Rutherford to approve the request by Nicole Knapp, to have "No Parking" at any time along W. Slover Street from Leo Street west to the Canadian river on both sides of the street.

Roll Call: Aye: Taffe, Ardrey, Dolin, Rider, Roberts, Rutherford, Gillham

Nay:

Motion carried

C. Consideration of request by Staff, to make a formal request to ODOT that the traffic signal at the intersection of Kickapoo and 45th Street be upgraded to a camera system.

Discussion:

Michael Ludi presented a Power Point presentation showing the updated motion camera systems being placed at intersections. These systems replace the loop systems and detect zones, count cars, can tell the speed of cars and can be adjusted according to traffic flow as needed easily among other things. Ludi briefly described how the loop system works in comparison to the motion camera system. The motion camera systems can be easily adjusted when problems are found at intersections. Data from intersections can be pulled from these systems as needed. The signals on Kickapoo with the exception of 45th and Kickapoo from Kickapoo Spur to I-40 will already have these updated motion camera systems. These systems do not record video at the intersection just data. The loops at the intersection of Kickapoo and 45th are not functioning properly and need to be replaced. With the cost of replacement in comparison to the cost of updating the system it is the Staff recommendation to make a formal request to ODOT to have the signal at Kickapoo and 45th Street upgraded to a camera system.

Motion was made by Roberts, seconded by Ardrey to approve the request by Staff, to make a formal request to ODOT that the traffic signal at the intersection of Kickapoo and 45th Street be upgraded to a camera system.

Roll Call: Aye: Taffe, Ardrey, Dolin, Rider, Roberts, Rutherford, Gillham

Nay:

Motion carried

V. ADMINISTRATIVE REPORTS

none

VI. CITIZEN PARTICIPATION

none

VII. BOARD MEMBERS COMMENTS

none

VIII. ADJOURNMENT

There being no further business to come before the Transportation Commission, a motion was made by Roberts, seconded by Ardrey recommending the meeting be adjourned.

Roll Call: Aye: Taffe, Ardrey, Dolin, Rider, Roberts, Rutherford, Gillham

Nay:

Motion carried

Respectfully submitted,

Danielle Turner, Secretary

Ronald Taffe, Chairman

City of Shawnee

Traffic Commission



MAYOR
Wes Mainord

BOARD OF COMMISSIONERS

**Ronald Taffe
Rebecca Dolin
Paul Roberts
Darren Rutherford**

**Wayne Ardrey
Peggy Rider
Ronald Gillham**

Please advise me of your attendance plans regarding this meeting at 405-878-1760 or
email at Danielle.turner@shawneeok.org

NOTICE OF MEETING

Traffic Commission

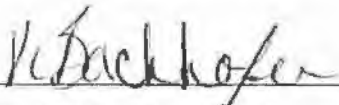
TYPE OF MEETING

Regular Meeting (X) Rescheduled Regular Meeting ()
Special Meeting () Continued or Emergency Meeting ()
Reconvened Meeting ()

DATE TIME PLACE OF MEETING
August 25, 2015 6:00 PM COMMISSION CHAMBERS
City Hall, Shawnee, OK

Name: Dani Turner
Title: Secretary
Address: P.O. Box 1448
Shawnee, OK 74802-1448
Phone: (405) 878-1537

Filed in the office of the municipal clerk at 1:56 am/pm on 8/17 2015.

Signed: 
Phyllis Loftis, City Clerk

FOR CITY CLERK'S OFFICE ONLY

Date Notice released to news media: August 17, 2015
Person filing notice: Danielle Turner
Notice verified by: Kacie Bachhofer

City of Shawnee Traffic Commission

Traffic Board Commissioners:

Chairman, Ronald Taffe
Paul Roberts
Ronald Gillham

Traffic Board Commissioners:

Wayne Ardrey, Vice Chairman
Rebecca Dolin
Peggy Rider
Darren Rutherford



AGENDA

August 25, 2015 AT 6:00 P.M.
Commission Chambers, City Hall

- I. Call to Order
- II. Roll Call
- III. Approval of October 28, 2014 Minutes
- IV. Consideration of Requests Received
 - A. Consideration of request by Staff, to have "No Parking" at any time along Plaza Drive from Kickapoo east on both sides of the street.
 - B. Consideration of request by Nicole Knapp, to have "No Parking" at any time along W. Slover Street from Leo Street west to the Canadian river on both sides of the street.
 - C. Consideration of request by Staff, to make a formal request to Odot that the traffic signal at the intersection of Kickapoo and 45th Street be upgraded to a camera system.
- V. Administrative Reports
- VI. Citizen Participation
- VII. Board Members Comments
- VIII. Adjournment

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Dani Turner".

Dani Turner
Secretary

**STAFF RECOMMENDATIONS
TRAFFIC COMMISSION
August 25, 2015 MEETING**

- A. Consideration of request by Staff, to have “No Parking” at any time along Plaza Drive from Kickapoo east on both sides of the street.

STAFF RECOMMENDATION: Staff recommends approval of request

- B. Consideration of request by Nicole Knapp, to have “No Parking” at any time along W Slover Street from Leo Street west to the Canadian river on both sides of the street.

STAFF RECOMMENDATION: Staff recommends approval of request

- C. Consideration of request by Staff, to make a formal request to Odot that the traffic signal at the intersection of Kickapoo and 45th Street be upgraded to a camera system.

STAFF RECOMMENDATION: Staff recommends approval of request

To whom it may concern,

My name is Nicole Knapp. I live at 1923 W Slover Street, the street that turns into Clearpond Road after the river. I am the last house on the street before the bridge is barricaded off. My family and I need your help. We have been having a lot of problems with people parking in front of our home all hours of the day and night. The people who park at the barricade litter all over the street and our property, graffiti all over the bridge and surrounding areas, block our mailbox and driveway, let large dogs roam around with no collar or leash, and make noise at all hours of the night resulting in my dogs barking and my kids getting woken up. My husband and I have caught people performing lewd acts in their vehicles in front of our home, we have witnessed drug deals, we have witnessed people drinking and doing drugs, and have caught people spraypainting and littering. More than once we have had large dogs belonging to people parked in front of our home charge onto our property and try to attack our dogs and children.

Having cars and people down at the barricade, which is right in front of our house, makes us feel unsafe and uncomfortable in our own home. I am constantly scared that one of my dogs will be stolen, my kids will be abducted, or my home will be broken into. It is an ongoing problem that we face every day. We call the Shawnee Police Department at least 4-5 times a week to report the issue. My husband works in the oilfield and I am home alone with my two small children most of the week, and him and myself both worry constantly about what could happen. My husband and I are genuinely concerned for our family's safety.

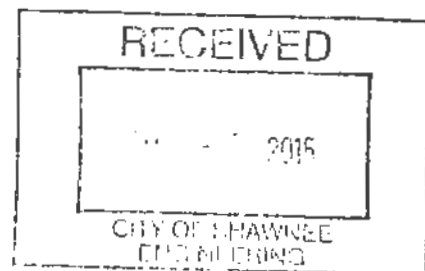
When we call the police to report people parked outside our home, we are told that they cannot do anything about it because there are no "No Parking" signs on the barricade and surrounding areas. I was told to contact the traffic committee in regards to this problem to request that "No Parking" signs be placed on the barricade and surrounding areas of the street outside my home to prevent more incidents from occurring.

I would like to be able to feel safe in my own home again. I should not have to worry about strange people and criminals being outside my home while I am away or being outside my home in the middle of the night. It is a terrifying situation for my family, and we need help getting it taken care of so we can feel safe in our own home. "No Parking" signs may not deter all people who try to park there, but at least with the signs in place the police will be able to come help us when we call them if the issue continues.

My phone number is (405) 317-7596 and again, I live at 1923 W Slover Street. Feel free to contact me anytime with questions or for more information on the issue.

Sincerely,

Nicole Knapp and family



MINUTES
TRAFFIC COMMISSION
October 28, 2014 MEETING
COMMISSION CHAMBERS ROOM AT CITY HALL

I. CALL TO ORDER

II. ROLL CALL
MEMBERS PRESENT

Ronald Taffe - Chairman
Wayne Ardrey - Vice Chairman
Peggy Rider
Paul Roberts
Rebecca Dolin

MEMBERS ABSENT

None

EX-OFFICIO MEMBERS

Michael Ludi, Assistant City Engineer
Danielle Turner, Traffic Commission Secretary
Keith Mangus, Traffic Supervisor

CITIZENS PRESENT

None

III. APPROVAL OF September 23, 2014 MINUTES

Motion was made by Rider, seconded by Ardrey to **approve** the September 23, 2014 minutes. Motion **carried**

Roll Call: Aye: Taffe, Ardrey, Rider, Roberts, Dolin
Nay: None

IV. SWEAR IN OF RONALD GILLHAM

V. SWEAR IN OF DARREN RUTHERFORD

VI. CONSIDERATION OF REQUEST RECEIVED

- A. Consideration of request by staff, to install stop signs for east bound and north bound lanes at the intersection of Pennsylvania Ave. and Emmett St.

Discussion:

Michael Ludi presented a Power Point showing the location of one stop sign located on the North West corner of the intersection of Pennsylvania Ave. and Emmett Street. This sign is located at the Dead End Street only stopping the traffic coming out of the dead end. This leaves traffic traveling eastbound on Emmert turning north and traffic on Pennsylvania turning west both having the right of way with a potential collision point at that location. What is proposed it to turn this intersection into a three (3) way stop placing additional stop signs north bound and east bound.

Taffe and Gillham both agreed this causes a hazard for drivers and needed to be addressed before an accident occurs.

Motion was made by Rider seconded by Roberts to **approve** proposed stop signs for east bound and north bound lanes at the intersection of Pennsylvania Ave. and Emmett St. Motion **carried**

Roll Call: Aye: Taffe, Ardrey, Rider, Roberts, Dolin, Gillham, Rutherford
Nay: None

VII. ADMINISTRATIVE REPORTS

Ludi updated the status of the Consideration of request by Julia Storie, to have no parking along Chicago from Union west to mid-block on both sides of the street from 2:00 pm to 3:30 pm Monday thru Friday. He stated this has been in place for a few months now and Ms. Storie came by to thank the City for approving this. She stated it is working very well and she is having no problems.

Ludi also gave an update on the Bike Route signs. He stated initial signage will begin to be placed in the next couple months. Signs have been ordered and are ready to be placed along the approved Bike Route.

VIII. CITIZEN PARTICIPATION

None

IX. BOARD MEMBERS COMMENTS

Rider welcomed new Traffic Commission members to the board.

There being no further business to come before the Traffic Commission, a motion was made by Dolin, seconded by Rutherford recommending the meeting be adjourned.
Motion carried.

Roll Call: Aye: Taffe, Ardrey, Rider, Roberts, Dolin, Gillham, Rutherford
Nay: None

Respectfully submitted,

Dani Turner, Secretary

Ronald Taffe, Chairman

Regular Board of Commissioners

1. e.

Meeting Date: 09/08/2015

Lake Renewals Transfers

Submitted By: Lisa Lasyone, City Clerk

Department: City Clerk

Information

Title of Item for Agenda

Lake Lease Renewals/Transfers:

RENEWALS:

- Lot 2 Magnino A Tract, 17004 Magnino Rd
Lessees: Carl Head and Roy Denz

TRANSFERS:

- Lot 1 Seck Tract, 33700 Post Office Neck
From: Thomas Giddens
To: Dustin Bodkin
 - Lot 5 Mosler Tract, 16302 Archery Range Rd.
From: Christopher and Toni Sears
To: Dean and Beverly Mabry
 - Lot 4 Magnino A Tract, 17100 Magnino Rd.
From: Mark White
To: Monica and Joshua Freed
 - Lot 16 Belcher Tract
From: Jason Hays and Christopher Barks
To: John Hays and Jason Hays
-

Attachments

Lake Renewal Head

Lake Tranfer Bodkin

Lake Transfer Mabry

Lake Transfer Freed

Lake Transfer Hays



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

**SHAWNEE TWIN LAKES CABIN SITE LEASES
 SUMMARY/INSPECTION REPORT – FOR RENEWALS/TRANSFERS**

Date	08/24/2015	License No. #010353
Type	<input checked="" type="checkbox"/> Renewal	<input type="checkbox"/> Transfer
Commission Meeting Date	September 8 th , 2015	
Property Address	17004 Magnino Rd.	
Lake Site Location	Lot 2 Magnino A Tract	
Lease Dates	11/02/2014 – 11/01/2044	
Lease Fee (changes annually)	\$649.00	
Inspection Fee	\$75.00 Applicable: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Lessee (Transfer To)		
Name(s)	Carl Head & Roy Denz	
Address	2908 N. Grove PL Oklahoma City, OK 73127	
Phone	405-556-1893	
Current Lessee (Transfer From) <i>(if applicable)</i>		
Name(s)		
Address		
Phone		
Inspection Information		
Inspection Required	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
DEQ Report on File	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Type of Septic System	<input checked="" type="checkbox"/> Conventional <input type="checkbox"/> Aerobic	
Last Inspected/Pumped	03/24/2015	
Misc. Comments		
	Total Charges Paid: \$724.00	

PLEASE READ CAREFULLY

THIS LEASE IS NOT TRANSFERABLE AND IS SUBJECT TO CANCELLATION BY THE CITY FOR ANY VIOLATIONS OF THE TERMS THEREOF AS MORE SPECIFICALLY SET FORTH IN SECTION 16-326 OF THE SHAWNEE MUNICIPAL CODE:

**CABIN SITE LEASE
LEASE# 010353**

STATE OF OKLAHOMA, POTTAWATOMIE COUNTY, SS:

This Lease made and entered into in duplicate this date of November 1, 2014 by and between the CITY OF SHAWNEE, a municipal Corporation, PARTY OF THE FIRST PART, and

CARL HEAD JR
of 2908 N GROVE PL OKLAHOMA CITY OK 73127 ,
ROY DENZ SR
of 314 FM 1234 CARTHAGE TX 75633,
PARTY OF THE SECOND PART.

WITNESSETH: That the first party in consideration of the sum of \$ 724.00 dollars for 2014, does hereby acknowledge receipt of the applicable rental fee, and other good and valuable considerations, does by these presents demise, lease and let unto the second party the following described real estate situated on, and a part of the site, owned by the first party as a City Reservoir and known as Shawnee Twin Lake No. 1, in the County of Pottawatomie State of Oklahoma, to-wit:

**17004 MAGNINO RD
LOT 2 MAGNINO A TRACT**

TO HAVE AND TO HOLD SAME UNTO the second party for a term of thirty (30) years from the date hereof.

IT IS FURTHER mutually understood and agreed by and between the parties hereto as follows:

The said party of the second part shall and will and does hereby agree to pay to the first party annual lease payments as set forth in "Exhibit A", payable yearly in advance. The City shall retain the right to adjust the lease rate schedule at the termination of the original 30-year lease or at such time that a transfer is approved in accordance with Section 16-321 of the Shawnee Municipal Code (hereafter "SMC").

That at the expiration of the primary term hereof, the lessee shall have the right and option to renew said lease for an additional period of thirty (30) years under the terms and conditions set forth in Section 16-321 SMC. There is no limit to the number of times a lease can be renewed.

The premises of all lots leased by the City shall at all times be kept clean and maintained in a sanitary condition by the lessee. There is a 25-foot lakeshore buffer that extends landward of the ordinary high water mark on all leased lots for the purpose of watershed protection. This area shall not be used by the general public, except during an emergency situation. Within this buffer, leaseholders are encouraged to preserve existing native vegetation. Docks and other approved structures may be located within the buffer area. Fertilizers and other chemicals shall not be used within the buffer area. All other applicable City regulations and rules apply

That in addition to the possession of the property so leased, the lessee shall have the right and privilege of a site for a boat house and boat dock on the land owned by the City adjoining and immediately in front of a lot leased, which said boat house shall be erected and maintained by and at the cost of the lessee on ground not to exceed an area of thirty (30) feet by thirty (30) feet, which said boat house shall never be used as a place of human habitation, and which said boat house or boat dock shall conform to the provisions of Section 16-325 SMC, and that said boat dock or boat house shall be the private property of the lessee, who shall have the right of ingress and egress to and from the same, subject to the rights of the public as set forth herein. The lessee shall agree to keep said lot and boat house and dock in a clean and sanitary condition, and to maintain the same in a safe condition, and the City as lessor shall in no manner be liable to lessee for any damages suffered by lessee to said lot or boat house or dock, or the improvements thereon on account of the rise and fall of the water line of said lake, or for the enlargement or decrease by the City of the size of said lake, or on account of any rule or regulation that may hereafter be adopted by lessor, governing the regulations of said lake, and lessee agrees to hold the lessor free and harmless from all damages suffered by him or by any other person, on account of personal injuries or loss of property that may incur upon said lot, boat house or boat dock.

That the lessee agrees to lease the premises **AS IS** from the lessor with the knowledge and understanding that the lessor does not guarantee access to lots. Should the Lessee determine that an access road is necessary to reach his/her lot from a road already in existence, lessee agrees to use his/her own funds to create said access road. Lessee further agrees that upon access road completion it shall not be a private road, but rather, will be available for public use, including, but not limited to, allowing neighbor lots to connect to it to improve access to their lots or to allow joint access to bordering lots upon the one access road. The location of any access road to be constructed by the lessee must be approved by the City Engineer of the City of Shawnee prior to the beginning of construction.

That should the lessee construct any building or other structure, said construction will be in accordance to City of Shawnee development regulations. Lessee agrees that prior to commencing construction on any structure on the leased premises he/she will obtain an approved building permit from the City.

That lessee is solely responsible for determining the flood elevation on the leased premises and is required to satisfy lessor that prior to any construction on the leased premises the determination of the flood elevation has been done correctly and that any structure or building to be constructed on the leased premises be above the flood elevation. **LESSOR EXPRESSLY MAKES NO WARRANTIES OR REPRESENTATIONS AS TO SAFETY FROM FLOODING ON THE LEASED PREMISES AND LESSEE EXPRESSLY RELEASES THE LESSOR FROM ANY LIABILITY DUE TO FLOOD DAMAGE, BOTH PERSONAL AND PROPERTY, OCCURRING ON THE LEASED PREMISES FROM ANY CAUSE OR CONDITION.**

That all sanitary facilities to be constructed on the premises shall be wholly contained on the leased premises. Sanitary facilities, include, but are not limited to, septic tanks and lateral lines.

All septic systems and waste disposal systems on leased lake lots shall be inspected and subject the standards set forth in Chapter 16 SMC. The leaseholder shall have sixty (60) days to correct any defects found in the system. Corrections not made within the allotted time shall be grounds for the City to cancel the lease of the leaseholder.

That no lease shall be assigned or sublet, but lessee may at any time during the term of his/her lease, sell and transfer to other parties the improvements on the lot leased by him/her.

That in the event of the sale of the improvements by the lessee, the transfer shall not become effective until approved by the Board of Commissioners of the City of Shawnee at a regular or adjourned meeting held for that purpose and the City as lessor reserves the right to reject and disapprove any transfer when in its opinion it would be to the best interests of the City and its inhabitants to do so. If the transfer is approved, a new lease shall be entered into between the purchaser and the City, and a transfer charge is hereby fixed and established in the sum of one-thousand dollars (\$1000.00) to be paid to the City prior to said transfer in accordance with Section 16-322 SMC.

That the lessee shall be the owner of all improvements which may be placed by him or her, said improvements including cabins or other buildings and boat houses constitute personal property and lessee shall have the right to remove same from the lot at the termination of the lease, subject to the following: whenever a lease has been cancelled by the City as provided herein or by ordinance, the lessee or owner of said improvements shall remove the same within sixty (60) days of the date of the said cancellation of the lease and upon failure to do so, said improvements shall revert to and become the property of the City of Shawnee. And it shall have the right, without further notice or demand to take immediate possession of all said improvements and these will belong to the first party or its assigns, as liquidated damages for the non-fulfillment of the lease by lessee and for the use and rental thereof.

That the said second party does hereby release the City of Shawnee of any claim or claims for damages by reason of the cancellation of the said lease aforesaid.

That the second party shall at all times during the term of this lease be subject to and does hereby agree to abide by and conform to any rules, regulations or ordinances now in force, or that may hereafter be adopted by the City of Shawnee, governing the regulation of said lake and within the described premises, as to fishing, hunting, boating and other recreational activities upon and around said water reservoir, and to conform to and abide by all further rules, regulations and ordinances now in force, or that hereafter may be adopted by the City of Shawnee, Oklahoma, governing the regulations of said premises and lake.

The City Commission may upon a showing of intentional disregard for the terms of the lease and this division or other city ordinance pertaining to the lake, cancel the city lease upon 30 days notice to the lessee by mailing a copy of such notice to the lessee at his/her last known address. If a lease is cancelled either by the city or the lessee of a city-owned lot prior to the expiration of the lease term, the lessee shall pay the city an early termination fee of \$1,000 in exchange for a release of liability from the remaining term.

That this lease shall be binding upon the representatives, heirs, and assigns and successors in interest of the parties hereto.

It is understood by the parties hereto that a failure to comply with the terms of said Cabin Site Lease shall constitute a misdemeanor and any person, firm, or corporation convicted of such violation shall be punished by a fine not exceeding five hundred dollars (\$500.00) plus costs, or imprisonment for a term not exceeding thirty (30) days, or by such fine and imprisonment.

IN WITNESS WHEREOF, party of the first part has caused its name to be affixed hereto by the Mayor of the City of Shawnee, Oklahoma, and attested by the City Clerk, and the party of the second part hereunto affixed his/her name the day and year first above written.

CITY OF SHAWNEE, OKLAHOMA
A Municipal Corporation,

BY: _____

MAYOR
PARTY OF THE FIRST PART

Deborah Bristol
17 August 2015

ATTEST:

CITY CLERK



Appeared before me and signed this day

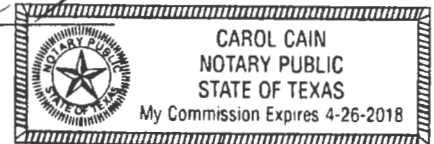
Carl W. Head

PARTY OF THE SECOND PART

X
Carol Cain

PARTY OF THE SECOND PART

Before me the undersigned authority personally appeared the above signed person.





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

**SHAWNEE TWIN LAKES CABIN SITE LEASES
SUMMARY/INSPECTION REPORT – FOR RENEWALS/TRANSFERS**

Date	08/24/2015	License No. #027834
Type	<input type="checkbox"/> Renewal	<input checked="" type="checkbox"/> Transfer (Family)
Commission Meeting Date	September 8 th , 2015	
Property Address	33700 Post Office Neck	
Lake Site Location	Lot 1 Seck Tract	
Lease Dates	09/08/2015 – 09/07/2045	
Lease Fee (changes annually)	\$662.00	
Inspection Fee	\$75.00 Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Lessee (Transfer To)		
Name(s)	Dustin Bodkin	
Address	45026 Cemetery Rd. Maud, OK 74854	
Phone	405-831-5356	
Current Lessee (Transfer From) <i>(if applicable)</i>		
Name(s)	Thomas Giddens	
Address	33700 Post Office Neck Shawnee, OK 74801	
Phone		
Inspection Information		
Inspection Required	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (Due: 07/03/2017)	
DEQ Report on File	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Type of Septic System	<input checked="" type="checkbox"/> Conventional <input type="checkbox"/> Aerobic	
Last Inspected/Pumped	07/03/2012	
Misc. Comments		
	Total Charges Paid: \$662.00	

PLEASE READ CAREFULLY

THIS LEASE IS NOT TRANSFERABLE AND IS SUBJECT TO CANCELLATION BY THE CITY FOR ANY VIOLATIONS OF THE TERMS THEREOF AS MORE SPECIFICALLY SET FORTH IN SECTION 16-326 OF THE SHAWNEE MUNICIPAL CODE:

**CABIN SITE LEASE
LEASE# 027834**

STATE OF OKLAHOMA, POTTAWATOMIE COUNTY, SS:

This Lease made and entered into in duplicate this date of _____ by and between the CITY OF SHAWNEE, a municipal Corporation, PARTY OF THE FIRST PART, and

DUSTIN BODKIN
of 44649 CEMETERY RD MAUD OK 74854 ,

of _____,
PARTY OF THE SECOND PART.

WITNESSETH: That the first party in consideration of the sum of **\$ 662.00** dollars for **2016**, does hereby acknowledge receipt of the applicable rental fee, and other good and valuable considerations, does by these presents demise, lease and let unto the second party the following described real estate situated on, and a part of the site, owned by the first party as a City Reservoir and known as Shawnee Twin Lake No. 1, in the County of Pottawatomie State of Oklahoma, to-wit:

**33700 POST OFFICE NECK
LOT 1 SECK TRACT**

TO HAVE AND TO HOLD SAME UNTO the second party for a term of thirty (30) years from the date hereof.

IT IS FURTHER mutually understood and agreed by and between the parties hereto as follows:

The said party of the second part shall and will and does hereby agree to pay to the first party annual lease payments as set forth in "Exhibit A", payable yearly in advance. The City shall retain the right to adjust the lease rate schedule at the termination of the original 30-year lease or at such time that a transfer is approved in accordance with Section 16-321 of the Shawnee Municipal Code (hereafter "SMC").

That at the expiration of the primary term hereof, the lessee shall have the right and option to renew said lease for an additional period of thirty (30) years under the terms and conditions set forth in Section 16-321 SMC. There is no limit to the number of times a lease can be renewed.

The premises of all lots leased by the City shall at all times be kept clean and maintained in a sanitary condition by the lessee. There is a 25-foot lakeshore buffer that extends landward of the ordinary high water mark on all leased lots for the purpose of watershed protection. This area shall not be used by the general public, except during an emergency situation. Within this buffer, leaseholders are encouraged to preserve existing native vegetation. Docks and other approved structures may be located within the buffer area. Fertilizers and other chemicals shall not be used within the buffer area. All other applicable City regulations and rules apply

That in addition to the possession of the property so leased, the lessee shall have the right and privilege of a site for a boat house and boat dock on the land owned by the City adjoining and immediately in front of a lot leased, which said boat house shall be erected and maintained by and at the cost of the lessee on ground not to exceed an area of thirty (30) feet by thirty (30) feet, which said boat house shall never be used as a place of human habitation, and which said boat house or boat dock shall conform to the provisions of Section 16-325 SMC, and that said boat dock or boat house shall be the private property of the lessee, who shall have the right of ingress and egress to and from the same, subject to the rights of the public as set forth herein. The lessee shall agree to keep said lot and boat house and dock in a clean and sanitary condition, and to maintain the same in a safe condition, and the City as lessor shall in no manner be liable to lessee for any damages suffered by lessee to said lot or boat house or dock, or the improvements thereon on account of the rise and fall of the water line of said lake, or for the enlargement or decrease by the City of the size of said lake, or on account of any rule or regulation that may hereafter be adopted by lessor, governing the regulations of said lake, and lessee agrees to hold the lessor free and harmless from all damages suffered by him or by any other person, on account of personal injuries or loss of property that may incur upon said lot, boat house or boat dock.

That the lessee agrees to lease the premises **AS IS** from the lessor with the knowledge and understanding that the lessor does not guarantee access to lots. Should the Lessee determine that an access road is necessary to reach his/her lot from a road already in existence, lessee agrees to use his/her own funds to create said access road. Lessee further agrees that upon access road completion it shall not be a private road, but rather, will be available for public use, including, but not limited to, allowing neighbor lots to connect to it to improve access to their lots or to allow joint access to bordering lots upon the one access road. The location of any access road to be constructed by the lessee must be approved by the City Engineer of the City of Shawnee prior to the beginning of construction.

That should the lessee construct any building or other structure, said construction will be in accordance to City of Shawnee development regulations. Lessee agrees that prior to commencing construction on any structure on the leased premises he/she will obtain an approved building permit from the City.

That lessee is solely responsible for determining the flood elevation on the leased premises and is required to satisfy lessor that prior to any construction on the leased premises the determination of the flood elevation has been done correctly and that any structure or building to be constructed on the leased premises be above the flood elevation. **LESSOR EXPRESSLY MAKES NO WARRANTIES OR REPRESENTATIONS AS TO SAFETY FROM FLOODING ON THE LEASED PREMISES AND LESSEE EXPRESSLY RELEASES THE LESSOR FROM ANY LIABILITY DUE TO FLOOD DAMAGE, BOTH PERSONAL AND PROPERTY, OCCURRING ON THE LEASED PREMISES FROM ANY CAUSE OR CONDITION.**

That all sanitary facilities to be constructed on the premises shall be wholly contained on the leased premises. Sanitary facilities, include, but are not limited to, septic tanks and lateral lines.

All septic systems and waste disposal systems on leased lake lots shall be inspected and subject the standards set forth in Chapter 16 SMC. The leaseholder shall have sixty (60) days to correct any defects found in the system. Corrections not made within the allotted time shall be grounds for the City to cancel the lease of the leaseholder.

That no lease shall be assigned or sublet, but lessee may at any time during the term of his/her lease, sell and transfer to other parties the improvements on the lot leased by him/her.

That in the event of the sale of the improvements by the lessee, the transfer shall not become effective until approved by the Board of Commissioners of the City of Shawnee at a regular or adjourned meeting held for that purpose and the City as lessor reserves the right to reject and disapprove any transfer when in its opinion it would be to the best interests of the City and its inhabitants to do so. If the transfer is approved, a new lease shall be entered into between the purchaser and the City, and a transfer charge is hereby fixed and established in the sum of one-thousand dollars (\$1000.00) to be paid to the City prior to said transfer in accordance with Section 16-322 SMC.

That the lessee shall be the owner of all improvements which may be placed by him or her, said improvements including cabins or other buildings and boat houses constitute personal property and lessee shall have the right to remove same from the lot at the termination of the lease, subject to the following: whenever a lease has been cancelled by the City as provided herein or by ordinance, the lessee or owner of said improvements shall remove the same within sixty (60) days of the date of the said cancellation of the lease and upon failure to do so, said improvements shall revert to and become the property of the City of Shawnee. And it shall have the right, without further notice or demand to take immediate possession of all said improvements and these will belong to the first party or its assigns, as liquidated damages for the non-fulfillment of the lease by lessee and for the use and rental thereof.

That the said second party does hereby release the City of Shawnee of any claim or claims for damages by reason of the cancellation of the said lease aforesaid.

That the second party shall at all times during the term of this lease be subject to and does hereby agree to abide by and conform to any rules, regulations or ordinances now in force, or that may hereafter be adopted by the City of Shawnee, governing the regulation of said lake and within the described premises, as to fishing, hunting, boating and other recreational activities upon and around said water reservoir, and to conform to and abide by all further rules, regulations and ordinances now in force, or that hereafter may be adopted by the City of Shawnee, Oklahoma, governing the regulations of said premises and lake.

The City Commission may upon a showing of intentional disregard for the terms of the lease and this division or other city ordinance pertaining to the lake, cancel the city lease upon 30 days notice to the lessee by mailing a copy of such notice to the lessee at his/her last known address. If a lease is cancelled either by the city or the lessee of a city-owned lot prior to the expiration of the lease term, the lessee shall pay the city an early termination fee of \$1,000 in exchange for a release of liability from the remaining term.

That this lease shall be binding upon the representatives, heirs, and assigns and successors in interest of the parties hereto.

It is understood by the parties hereto that a failure to comply with the terms of said Cabin Site Lease shall constitute a misdemeanor and any person, firm, or corporation convicted of such violation shall be punished by a fine not exceeding five hundred dollars (\$500.00) plus costs, or imprisonment for a term not exceeding thirty (30) days, or by such fine and imprisonment.

IN WITNESS WHEREOF, party of the first part has caused its name to be affixed hereto by the Mayor of the City of Shawnee, Oklahoma, and attested by the City Clerk, and the party of the second part hereunto affixed his/her name the day and year first above written.

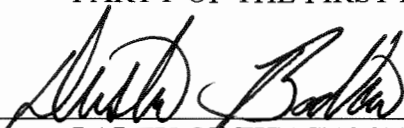
CITY OF SHAWNEE, OKLAHOMA
A Municipal Corporation,

BY: _____

MAYOR
PARTY OF THE FIRST PART

ATTEST:

CITY CLERK



PARTY OF THE SECOND PART

PARTY OF THE SECOND PART



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

**SHAWNEE TWIN LAKES CABIN SITE LEASES
SUMMARY/INSPECTION REPORT – FOR RENEWALS/TRANSFERS**

Date	08/24/2015	License No. #027868
Type	<input type="checkbox"/> Renewal	<input checked="" type="checkbox"/> Transfer
Commission Meeting Date	September 8 th , 2015	
Property Address	16302 Archery Range Rd.	
Lake Site Location	Lot 5 Mosler Tract	
Lease Dates	09/08/2015 – 09/07/2045	
Lease Fee (changes annually)	\$662.00	
Inspection Fee	\$75.00 Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Lessee (Transfer To)		
Name(s)	Dean & Beverly Mabry	
Address	9122 S. Walker Oklahoma City, OK 73139	
Phone	405-641-2260	
Current Lessee (Transfer From) <i>(if applicable)</i>		
Name(s)	Christopher & Toni Sears	
Address	1851 N. First St. Harrah, OK 73045	
Phone	405-734-1460	
Inspection Information		
Inspection Required	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (Due: 06/24/2018)	
DEQ Report on File	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Type of Septic System	<input checked="" type="checkbox"/> Conventional <input type="checkbox"/> Aerobic	
Last Inspected/Pumped	06/24/2013	
Misc. Comments	 Total Charges Paid: \$1,662.00	

PLEASE READ CAREFULLY

THIS LEASE IS NOT TRANSFERABLE AND IS SUBJECT TO CANCELLATION BY THE CITY FOR ANY VIOLATIONS OF THE TERMS THEREOF AS MORE SPECIFICALLY SET FORTH IN SECTION 16-326 OF THE SHAWNEE MUNICIPAL CODE:

**CABIN SITE LEASE
LEASE# 027868**

STATE OF OKLAHOMA, POTTAWATOMIE COUNTY, SS:

This Lease made and entered into in duplicate this date of _____ by and between the CITY OF SHAWNEE, a municipal Corporation, PARTY OF THE FIRST PART, and

DEAN MABRY
of 9122 S. WALKER OKLAHOMA CITY OK 73139 ,
BEVERLY MABRY
of 9122 S. WALKER OKLAHOMA CITY OK 73139,
PARTY OF THE SECOND PART.

WITNESSETH: That the first party in consideration of the sum of **\$ 662.00** dollars for **2016**, does hereby acknowledge receipt of the applicable rental fee, and other good and valuable considerations, does by these presents demise, lease and let unto the second party the following described real estate situated on, and a part of the site, owned by the first party as a City Reservoir and known as Shawnee Twin Lake No. 1, in the County of Pottawatomie State of Oklahoma, to-wit:

**16302 ARCHERY RANGE RD
LOT 5 MOSLER TRACT**

TO HAVE AND TO HOLD SAME UNTO the second party for a term of thirty (30) years from the date hereof.

IT IS FURTHER mutually understood and agreed by and between the parties hereto as follows:

The said party of the second part shall and will and does hereby agree to pay to the first party annual lease payments as set forth in "Exhibit A", payable yearly in advance. The City shall retain the right to adjust the lease rate schedule at the termination of the original 30-year lease or at such time that a transfer is approved in accordance with Section 16-321 of the Shawnee Municipal Code (hereafter "SMC").

That at the expiration of the primary term hereof, the lessee shall have the right and option to renew said lease for an additional period of thirty (30) years under the terms and conditions set forth in Section 16-321 SMC. There is no limit to the number of times a lease can be renewed.

The premises of all lots leased by the City shall at all times be kept clean and maintained in a sanitary condition by the lessee. There is a 25-foot lakeshore buffer that extends landward of the ordinary high water mark on all leased lots for the purpose of watershed protection. This area shall not be used by the general public, except during an emergency situation. Within this buffer, leaseholders are encouraged to preserve existing native vegetation. Docks and other approved structures may be located within the buffer area. Fertilizers and other chemicals shall not be used within the buffer area. All other applicable City regulations and rules apply

That in addition to the possession of the property so leased, the lessee shall have the right and privilege of a site for a boat house and boat dock on the land owned by the City adjoining and immediately in front of a lot leased, which said boat house shall be erected and maintained by and at the cost of the lessee on ground not to exceed an area of thirty (30) feet by thirty (30) feet, which said boat house shall never be used as a place of human habitation, and which said boat house or boat dock shall conform to the provisions of Section 16-325 SMC, and that said boat dock or boat house shall be the private property of the lessee, who shall have the right of ingress and egress to and from the same, subject to the rights of the public as set forth herein. The lessee shall agree to keep said lot and boat house and dock in a clean and sanitary condition, and to maintain the same in a safe condition, and the City as lessor shall in no manner be liable to lessee for any damages suffered by lessee to said lot or boat house or dock, or the improvements thereon on account of the rise and fall of the water line of said lake, or for the enlargement or decrease by the City of the size of said lake, or on account of any rule or regulation that may hereafter be adopted by lessor, governing the regulations of said lake, and lessee agrees to hold the lessor free and harmless from all damages suffered by him or by any other person, on account of personal injuries or loss of property that may incur upon said lot, boat house or boat dock.

That the lessee agrees to lease the premises **AS IS** from the lessor with the knowledge and understanding that the lessor does not guarantee access to lots. Should the Lessee determine that an access road is necessary to reach his/her lot from a road already in existence, lessee agrees to use his/her own funds to create said access road. Lessee further agrees that upon access road completion it shall not be a private road, but rather, will be available for public use, including, but not limited to, allowing neighbor lots to connect to it to improve access to their lots or to allow joint access to bordering lots upon the one access road. The location of any access road to be constructed by the lessee must be approved by the City Engineer of the City of Shawnee prior to the beginning of construction.

That should the lessee construct any building or other structure, said construction will be in accordance to City of Shawnee development regulations. Lessee agrees that prior to commencing construction on any structure on the leased premises he/she will obtain an approved building permit from the City.

That lessee is solely responsible for determining the flood elevation on the leased premises and is required to satisfy lessor that prior to any construction on the leased premises the determination of the flood elevation has been done correctly and that any structure or building to be constructed on the leased premises be above the flood elevation. **LESSOR EXPRESSLY MAKES NO WARRANTIES OR REPRESENTATIONS AS TO SAFETY FROM FLOODING ON THE LEASED PREMISES AND LESSEE EXPRESSLY RELEASES THE LESSOR FROM ANY LIABILITY DUE TO FLOOD DAMAGE, BOTH PERSONAL AND PROPERTY, OCCURRING ON THE LEASED PREMISES FROM ANY CAUSE OR CONDITION.**

That all sanitary facilities to be constructed on the premises shall be wholly contained on the leased premises. Sanitary facilities, include, but are not limited to, septic tanks and lateral lines.

All septic systems and waste disposal systems on leased lake lots shall be inspected and subject the standards set forth in Chapter 16 SMC. The leaseholder shall have sixty (60) days to correct any defects found in the system. Corrections not made within the allotted time shall be grounds for the City to cancel the lease of the leaseholder.

That no lease shall be assigned or sublet, but lessee may at any time during the term of his/her lease, sell and transfer to other parties the improvements on the lot leased by him/her.

That in the event of the sale of the improvements by the lessee, the transfer shall not become effective until approved by the Board of Commissioners of the City of Shawnee at a regular or adjourned meeting held for that purpose and the City as lessor reserves the right to reject and disapprove any transfer when in its opinion it would be to the best interests of the City and its inhabitants to do so. If the transfer is approved, a new lease shall be entered into between the purchaser and the City, and a transfer charge is hereby fixed and established in the sum of one-thousand dollars (\$1000.00) to be paid to the City prior to said transfer in accordance with Section 16-322 SMC.

That the lessee shall be the owner of all improvements which may be placed by him or her, said improvements including cabins or other buildings and boat houses constitute personal property and lessee shall have the right to remove same from the lot at the termination of the lease, subject to the following: whenever a lease has been cancelled by the City as provided herein or by ordinance, the lessee or owner of said improvements shall remove the same within sixty (60) days of the date of the said cancellation of the lease and upon failure to do so, said improvements shall revert to and become the property of the City of Shawnee. And it shall have the right, without further notice or demand to take immediate possession of all said improvements and these will belong to the first party or its assigns, as liquidated damages for the non-fulfillment of the lease by lessee and for the use and rental thereof.

That the said second party does hereby release the City of Shawnee of any claim or claims for damages by reason of the cancellation of the said lease aforesaid.

That the second party shall at all times during the term of this lease be subject to and does hereby agree to abide by and conform to any rules, regulations or ordinances now in force, or that may hereafter be adopted by the City of Shawnee, governing the regulation of said lake and within the described premises, as to fishing, hunting, boating and other recreational activities upon and around said water reservoir, and to conform to and abide by all further rules, regulations and ordinances now in force, or that hereafter may be adopted by the City of Shawnee, Oklahoma, governing the regulations of said premises and lake.

The City Commission may upon a showing of intentional disregard for the terms of the lease and this division or other city ordinance pertaining to the lake, cancel the city lease upon 30 days notice to the lessee by mailing a copy of such notice to the lessee at his/her last known address. If a lease is cancelled either by the city or the lessee of a city-owned lot prior to the expiration of the lease term, the lessee shall pay the city an early termination fee of \$1,000 in exchange for a release of liability from the remaining term.

That this lease shall be binding upon the representatives, heirs, and assigns and successors in interest of the parties hereto.

It is understood by the parties hereto that a failure to comply with the terms of said Cabin Site Lease shall constitute a misdemeanor and any person, firm, or corporation convicted of such violation shall be punished by a fine not exceeding five hundred dollars (\$500.00) plus costs, or imprisonment for a term not exceeding thirty (30) days, or by such fine and imprisonment.

IN WITNESS WHEREOF, party of the first part has caused its name to be affixed hereto by the Mayor of the City of Shawnee, Oklahoma, and attested by the City Clerk, and the party of the second part hereunto affixed his/her name the day and year first above written.

CITY OF SHAWNEE, OKLAHOMA
A Municipal Corporation,

BY: _____
MAYOR
PARTY OF THE FIRST PART

ATTEST:

CITY CLERK

Dean Mabry

PARTY OF THE SECOND PART
Beverly Mabry

PARTY OF THE SECOND PART



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

SHAWNEE TWIN LAKES CABIN SITE LEASES
SUMMARY/INSPECTION REPORT – FOR RENEWALS/TRANSFERS

Date	08/24/2015	License No. #027835
Type	<input type="checkbox"/> Renewal	<input checked="" type="checkbox"/> Transfer
Commission Meeting Date	September 8 th , 2015	
Property Address	17100 Magnino Rd.	
Lake Site Location	Lot 4 Magnino A Tract	
Lease Dates	09/08/2015 – 09/07/2045	
Lease Fee (changes annually)	\$662.00	
Inspection Fee	\$75.00	Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Lessee (Transfer To)		
Name(s)	Monica & Joshua Freed	
Address	18308 Angel Lane Shawnee, OK 74801	
Phone	405-831-9949	
Current Lessee (Transfer From) (if applicable)		
Name(s)	Mark White	
Address	2410 Robinwood PL Shawnee, OK 74801	
Phone	405-630-5000	
Inspection Information		
Inspection Required	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (Due: 04/30/2017)	
DEQ Report on File	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Type of Septic System	<input checked="" type="checkbox"/> Conventional <input type="checkbox"/> Aerobic	
Last Inspected/Pumped	04/30/2012	
Misc. Comments	<p align="right">Total Charges Paid: \$1,662.00</p>	

PLEASE READ CAREFULLY

THIS LEASE IS NOT TRANSFERABLE AND IS SUBJECT TO CANCELLATION BY THE CITY FOR ANY VIOLATIONS OF THE TERMS THEREOF AS MORE SPECIFICALLY SET FORTH IN SECTION 16-326 OF THE SHAWNEE MUNICIPAL CODE:

**CABIN SITE LEASE
LEASE# 027835**

STATE OF OKLAHOMA, POTTAWATOMIE COUNTY, SS:

This Lease made and entered into in duplicate this date of _____ by and between the CITY OF SHAWNEE, a municipal Corporation, PARTY OF THE FIRST PART, and

MONICA FREED
of 18308 ANGEL LANE SHAWNEE OK 74801 ,
JOSHUA FREED
of 18308 ANGEL LANE SHAWNEE OK 74801,
PARTY OF THE SECOND PART.

WITNESSETH: That the first party in consideration of the sum of **\$ 662.00** dollars for **2016**, does hereby acknowledge receipt of the applicable rental fee, and other good and valuable considerations, does by these presents demise, lease and let unto the second party the following described real estate situated on, and a part of the site, owned by the first party as a City Reservoir and known as Shawnee Twin Lake No. 1, in the County of Pottawatomie State of Oklahoma, to-wit:

**17100 MAGNINO RD
LOT 4 MAGNINO A**

TO HAVE AND TO HOLD SAME UNTO the second party for a term of thirty (30) years from the date hereof.

IT IS FURTHER mutually understood and agreed by and between the parties hereto as follows:

The said party of the second part shall and will and does hereby agree to pay to the first party annual lease payments as set forth in "Exhibit A", payable yearly in advance. The City shall retain the right to adjust the lease rate schedule at the termination of the original 30-year lease or at such time that a transfer is approved in accordance with Section 16-321 of the Shawnee Municipal Code (hereafter "SMC").

That at the expiration of the primary term hereof, the lessee shall have the right and option to renew said lease for an additional period of thirty (30) years under the terms and conditions set forth in Section 16-321 SMC. There is no limit to the number of times a lease can be renewed.

The premises of all lots leased by the City shall at all times be kept clean and maintained in a sanitary condition by the lessee. There is a 25-foot lakeshore buffer that extends landward of the ordinary high water mark on all leased lots for the purpose of watershed protection. This area shall not be used by the general public, except during an emergency situation. Within this buffer, leaseholders are encouraged to preserve existing native vegetation. Docks and other approved structures may be located within the buffer area. Fertilizers and other chemicals shall not be used within the buffer area. All other applicable City regulations and rules apply

That in addition to the possession of the property so leased, the lessee shall have the right and privilege of a site for a boat house and boat dock on the land owned by the City adjoining and immediately in front of a lot leased, which said boat house shall be erected and maintained by and at the cost of the lessee on ground not to exceed an area of thirty (30) feet by thirty (30) feet, which said boat house shall never be used as a place of human habitation, and which said boat house or boat dock shall conform to the provisions of Section 16-325 SMC, and that said boat dock or boat house shall be the private property of the lessee, who shall have the right of ingress and egress to and from the same, subject to the rights of the public as set forth herein. The lessee shall agree to keep said lot and boat house and dock in a clean and sanitary condition, and to maintain the same in a safe condition, and the City as lessor shall in no manner be liable to lessee for any damages suffered by lessee to said lot or boat house or dock, or the improvements thereon on account of the rise and fall of the water line of said lake, or for the enlargement or decrease by the City of the size of said lake, or on account of any rule or regulation that may hereafter be adopted by lessor, governing the regulations of said lake, and lessee agrees to hold the lessor free and harmless from all damages suffered by him or by any other person, on account of personal injuries or loss of property that many incur upon said lot, boat house or boat dock.

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That lessee is solely responsible for determining the flood elevation on the leased premises and is required to satisfy lessor that prior to any construction on the leased premises the determination of the flood elevation has been done correctly and that any structure or building to be constructed on the leased premises be above the flood elevation. **LESSOR EXPRESSLY MAKES NO WARRANTIES OR REPRESENTATIONS AS TO SAFETY FROM FLOODING ON THE LEASED PREMISES AND LESSEE EXPRESSLY RELEASES THE LESSOR FROM ANY LIABILITY DUE TO FLOOD DAMAGE, BOTH PERSONAL AND PROPERTY, OCCURRING ON THE LEASED PREMISES FROM ANY CAUSE OR CONDITION.**

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That no lease shall be assigned or sublet, but lessee may at any time during the term of his/her lease, sell and transfer to other parties the improvements on the lot leased by him/her.

That in the event of the sale of the improvements by the lessee, the transfer shall not become effective until approved by the Board of Commissioners of the City of Shawnee at a regular or adjourned meeting held for that purpose and the City as lessor reserves the right to reject and disapprove any transfer when in its opinion it would be to the best interests of the City and its inhabitants to do so. If the transfer is approved, a new lease shall be entered into between the purchaser and the City, and a transfer charge is hereby fixed and established in the sum of one-thousand dollars (\$1000.00) to be paid to the City prior to said transfer in accordance with Section 16-322 SMC.

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That the said second party does hereby release the City of Shawnee of any claim or claims for damages by reason of the cancellation of the said lease aforesaid.

That the second party shall at all times during the term of this lease be subject to and does hereby agree to abide by and conform to any rules, regulations or ordinances now in force, or that may hereafter be adopted by the City of Shawnee, governing the regulation of said lake and within the described premises, as to fishing, hunting, boating and other recreational activities upon and around said water reservoir, and to conform to and abide by all further rules, regulations and ordinances now in force, or that hereafter may be adopted by the City of Shawnee, Oklahoma, governing the regulations of said premises and lake.

The City Commission may upon a showing of intentional disregard for the terms of the lease and this division or other city ordinance pertaining to the lake, cancel the city lease upon 30 days notice to the lessee by mailing a copy of such notice to the lessee at his/her last known address. If a lease is cancelled either by the city or the lessee of a city-owned lot prior to the expiration of the lease term, the lessee shall pay the city an early termination fee of \$1,000 in exchange for a release of liability from the remaining term.

That this lease shall be binding upon the representatives, heirs, and assigns and successors in interest of the parties hereto.

It is understood by the parties hereto that a failure to comply with the terms of said Cabin Site Lease shall constitute a misdemeanor and any person, firm, or corporation convicted of such violation shall be punished by a fine not exceeding five hundred dollars (\$500.00) plus costs, or imprisonment for a term not exceeding thirty (30) days, or by such fine and imprisonment.

IN WITNESS WHEREOF, party of the first part has caused its name to be affixed hereto by the Mayor of the City of Shawnee, Oklahoma, and attested by the City Clerk, and the party of the second part hereunto affixed his/her name the day and year first above written.

CITY OF SHAWNEE, OKLAHOMA
A Municipal Corporation,

BY: _____
MAYOR
PARTY OF THE FIRST PART

ATTEST:

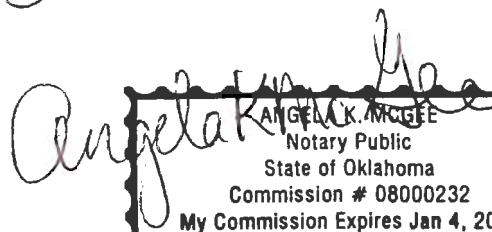
CITY CLERK



PARTY OF THE SECOND PART



PARTY OF THE SECOND PART






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

**SHAWNEE TWIN LAKES CABIN SITE LEASES
 SUMMARY/INSPECTION REPORT – FOR RENEWALS/TRANSFERS**

Date	08/14/2015	License No. #027722
Type	<input type="checkbox"/> Renewal	<input checked="" type="checkbox"/> Transfer
Commission Meeting Date	September 8 th , 2015	
Property Address	33312 Post Office Neck	
Lake Site Location	Lot 16 Belcher Tract	
Lease Dates	09/08/2015 – 09/07/2045	
Lease Fee (changes annually)	\$662.00	
Inspection Fee	\$75.00 Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Lessee (Transfer To)		
Name(s)	John Hays & Jason Hays	
Address	3504 Oak Grove Midwest City, OK73110	
Phone	405-202-0833	
Current Lessee (Transfer From) <i>(if applicable)</i>		
Name(s)	Jason Hays & Christopher Barks	
Address	3504 Oak Grove Midwest City, OK 73110	
Phone	405-737-8060	
Inspection Information		
Inspection Required	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (Due: 04/30/2017)	
DEQ Report on File	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Type of Septic System	<input checked="" type="checkbox"/> Conventional <input type="checkbox"/> Aerobic	
Last Inspected/Pumped	04/30/2012	
Misc. Comments	Total Charges Paid: \$662.00	

PLEASE READ CAREFULLY

THIS LEASE IS NOT TRANSFERABLE AND IS SUBJECT TO CANCELLATION BY THE CITY FOR ANY VIOLATIONS OF THE TERMS THEREOF AS MORE SPECIFICALLY SET FORTH IN SECTION 16-326 OF THE SHAWNEE MUNICIPAL CODE:

**CABIN SITE LEASE
LEASE# 027722**

STATE OF OKLAHOMA, POTTAWATOMIE COUNTY, SS:

This Lease made and entered into in duplicate this date of September 8th, 2015 by and between the CITY OF SHAWNEE, a municipal Corporation, PARTY OF THE FIRST PART, and

JOHN HAYS
of 3504 OAK GROVE, MIDWEST CITY, OK 73110 ,
JASON HAYS,
of 3504 OAK GROVE, MIDWEST CITY, OK 73110 ,
PARTY OF THE SECOND PART.

WITNESSETH: That the first party in consideration of the sum of **\$ 662.00** dollars for **2015**, does hereby acknowledge receipt of the applicable rental fee, and other good and valuable considerations, does by these presents demise, lease and let unto the second party the following described real estate situated on, and a part of the site, owned by the first party as a City Reservoir and known as Shawnee Twin Lake No. 1, in the County of Pottawatomie State of Oklahoma, to-wit:

**33312 POST OFFICE NECK
LOT 16 BELCHER TRACT**

TO HAVE AND TO HOLD SAME UNTO the second party for a term of thirty (30) years from the date hereof.

IT IS FURTHER mutually understood and agreed by and between the parties hereto as follows:

The said party of the second part shall and will and does hereby agree to pay to the first party annual lease payments as set forth in "Exhibit A", payable yearly in advance. The City shall retain the right to adjust the lease rate schedule at the termination of the original 30-year lease or at such time that a transfer is approved in accordance with Section 16-321 of the Shawnee Municipal Code (hereafter "SMC").

That at the expiration of the primary term hereof, the lessee shall have the right and option to renew said lease for an additional period of thirty (30) years under the terms and conditions set forth in Section 16-321 SMC. There is no limit to the number of times a lease can be renewed.

The premises of all lots leased by the City shall at all times be kept clean and maintained in a sanitary condition by the lessee. There is a 25-foot lakeshore buffer that extends landward of the ordinary high water mark on all leased lots for the purpose of watershed protection. This area shall not be used by the general public, except during an emergency situation. Within this buffer, leaseholders are encouraged to preserve existing native vegetation. Docks and other approved structures may be located within the buffer area. Fertilizers and other chemicals shall not be used within the buffer area. All other applicable City regulations and rules apply

That in addition to the possession of the property so leased, the lessee shall have the right and privilege of a site for a boat house and boat dock on the land owned by the City adjoining and immediately in front of a lot leased, which said boat house shall be erected and maintained by and at the cost of the lessee on ground not to exceed an area of thirty (30) feet by thirty (30) feet, which said boat house shall never be used as a place of human habitation, and which said boat house or boat dock shall conform to the provisions of Section 16-325 SMC, and that said boat dock or boat house shall be the private property of the lessee, who shall have the right of ingress and egress to and from the same, subject to the rights of the public as set forth herein. The lessee shall agree to keep said lot and boat house and dock in a clean and sanitary condition, and to maintain the same in a safe condition, and the City as lessor shall in no manner be liable to lessee for any damages suffered by lessee to said lot or boat house or dock, or the improvements thereon on account of the rise and fall of the water line of said lake, or for the enlargement or decrease by the City of the size of said lake, or on account of any rule or regulation that may hereafter be adopted by lessor, governing the regulations of said lake, and lessee agrees to hold the lessor free and harmless from all damages suffered by him or by any other person, on account of personal injuries or loss of property that may incur upon said lot, boat house or boat dock.

That the lessee agrees to lease the premises **AS IS** from the lessor with the knowledge and understanding that the lessor does not guarantee access to lots. Should the Lessee determine that an access road is necessary to reach his/her lot from a road already in existence, lessee agrees to use his/her own funds to create said access road. Lessee further agrees that upon access road completion it shall not be a private road, but rather, will be available for public use, including, but not limited to, allowing neighbor lots to connect to it to improve access to their lots or to allow joint access to bordering lots upon the one access road. The location of any access road to be constructed by the lessee must be approved by the City Engineer of the City of Shawnee prior to the beginning of construction.

That should the lessee construct any building or other structure, said construction will be in accordance to City of Shawnee development regulations. Lessee agrees that prior to commencing construction on any structure on the leased premises he/she will obtain an approved building permit from the City.

That lessee is solely responsible for determining the flood elevation on the leased premises and is required to satisfy lessor that prior to any construction on the leased premises the determination of the flood elevation has been done correctly and that any structure or building to be constructed on the leased premises be above the flood elevation. **LESSOR EXPRESSLY MAKES NO WARRANTIES OR REPRESENTATIONS AS TO SAFETY FROM FLOODING ON THE LEASED PREMISES AND LESSEE EXPRESSLY RELEASES THE LESSOR FROM ANY LIABILITY DUE TO FLOOD DAMAGE, BOTH PERSONAL AND PROPERTY, OCCURRING ON THE LEASED PREMISES FROM ANY CAUSE OR CONDITION.**

That all sanitary facilities to be constructed on the premises shall be wholly contained on the leased premises. Sanitary facilities, include, but are not limited to, septic tanks and lateral lines.

All septic systems and waste disposal systems on leased lake lots shall be inspected and subject the standards set forth in Chapter 16 SMC. The leaseholder shall have sixty (60) days to correct any defects found in the system. Corrections not made within the allotted time shall be grounds for the City to cancel the lease of the leaseholder.

That no lease shall be assigned or sublet, but lessee may at any time during the term of his/her lease, sell and transfer to other parties the improvements on the lot leased by him/her.

That in the event of the sale of the improvements by the lessee, the transfer shall not become effective until approved by the Board of Commissioners of the City of Shawnee at a regular or adjourned meeting held for that purpose and the City as lessor reserves the right to reject and disapprove any transfer when in its opinion it would be to the best interests of the City and its inhabitants to do so. If the transfer is approved, a new lease shall be entered into between the purchaser and the City, and a transfer charge is hereby fixed and established in the sum of one-thousand dollars (\$1000.00) to be paid to the City prior to said transfer in accordance with Section 16-322 SMC.

That the lessee shall be the owner of all improvements which may be placed by him or her, said improvements including cabins or other buildings and boat houses constitute personal property and lessee shall have the right to remove same from the lot at the termination of the lease, subject to the following: whenever a lease has been cancelled by the City as provided herein or by ordinance, the lessee or owner of said improvements shall remove the same within sixty (60) days of the date of the said cancellation of the lease and upon failure to do so, said improvements shall revert to and become the property of the City of Shawnee. And it shall have the right, without further notice or demand to take immediate possession of all said improvements and these will belong to the first party or its assigns, as liquidated damages for the non-fulfillment of the lease by lessee and for the use and rental thereof.

That the said second party does hereby release the City of Shawnee of any claim or claims for damages by reason of the cancellation of the said lease aforesaid.

That the second party shall at all times during the term of this lease be subject to and does hereby agree to abide by and conform to any rules, regulations or ordinances now in force, or that may hereafter be adopted by the City of Shawnee, governing the regulation of said lake and within the described premises, as to fishing, hunting, boating and other recreational activities upon and around said water reservoir, and to conform to and abide by all further rules, regulations and ordinances now in force, or that hereafter may be adopted by the City of Shawnee, Oklahoma, governing the regulations of said premises and lake.

The City Commission may upon a showing of intentional disregard for the terms of the lease and this division or other city ordinance pertaining to the lake, cancel the city lease upon 30 days notice to the lessee by mailing a copy of such notice to the lessee at his/her last known address. If a lease is cancelled either by the city or the lessee of a city-owned lot prior to the expiration of the lease term, the lessee shall pay the city an early termination fee of \$1,000 in exchange for a release of liability from the remaining term.

That this lease shall be binding upon the representatives, heirs, and assigns and successors in interest of the parties hereto.

It is understood by the parties hereto that a failure to comply with the terms of said Cabin Site Lease shall constitute a misdemeanor and any person, firm, or corporation convicted of such violation shall be punished by a fine not exceeding five hundred dollars (\$500.00) plus costs, or imprisonment for a term not exceeding thirty (30) days, or by such fine and imprisonment.

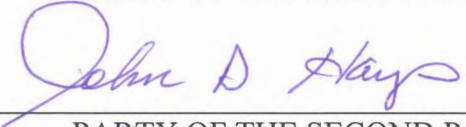
IN WITNESS WHEREOF, party of the first part has caused its name to be affixed hereto by the Mayor of the City of Shawnee, Oklahoma, and attested by the City Clerk, and the party of the second part hereunto affixed his/her name the day and year first above written.

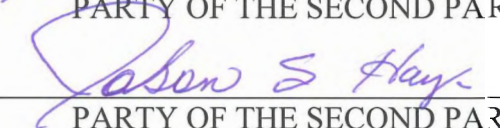
CITY OF SHAWNEE, OKLAHOMA
A Municipal Corporation,

BY: _____
MAYOR
PARTY OF THE FIRST PART

ATTEST:

CITY CLERK



PARTY OF THE SECOND PART


PARTY OF THE SECOND PART (2014)

Regular Board of Commissioners

1. f.

Meeting Date: 09/08/2015

EM Grant

Submitted By: Lisa Lasyone, City Clerk

Department: City Clerk

Information

Title of Item for Agenda

Authorize staff to apply for sub-grant of 2016 Emergency Management Performance Grant funds from the Oklahoma Department of Emergency Management.

Attachments

EM Grant Memo

City of Shawnee Memorandum



To: Honorable Mayor and City Commissioners
Through: Justin Erickson, City Manager *O.L.*
From: Donald D. Lynch, Emergency Management Director
Date: August 31, 2015
Re: Request to apply for EMPG Sub-Grant

NATURE OF THE REQUEST:

I am requesting permission for staff to apply for a sub-grant of Emergency Management Performance Grant funds from the Oklahoma Department of Emergency Management

STAFF ANALYSIS /CONSIDERATIONS:

This is the annual sub-grant program that the City has participated in for many years which helps defray the costs associated with the administration of our emergency management program. This request is for submission of an application for funding in the Federal Fiscal Year 2016 cycle.

The grant guidance is attached for your review. Upon notice of award of the grant, Commission approval will again be sought for acceptance of the grant.

RECOMMENDATION:

Staff recommends approval.

BUDGET CONSIDERATION:

History shows that we have been awarded \$44,000 for the past 21 years. We anticipate level funding awards, but we will request an increase in our application equating to 50% of our budget.

Thank you for your favorable attention to this request.

ALBERT ASHWOOD
STATE DIRECTOR



MARY FALLIN
GOVERNOR

STATE OF OKLAHOMA
DEPARTMENT OF EMERGENCY MANAGEMENT

August 14, 2015

Dear Director:

The City of Shawnee is invited to submit a sub-grant funding application for the Emergency Management Performance Grant (EMPG), Fiscal Year 2016 (October 1, 2015 to September 30, 2016) for an amount to be determined as funds become available. EMPG is a **performance based** sub-grant. Contingent upon successful completion of the identified requirements in the application, applicants will receive twenty five Percent (25%) of the awarded sub-grant to be paid in quarterly disbursements.

Please review the eligibility and performance requirements in the FY 2016 EMPG sub-grant agreement carefully before applying. **Applicants must submit all of the required documentation in order to receive EMPG sub-grant approval.** The omission of any document will result in a rejected application without further inquiry. It is the Oklahoma Department of Emergency Managements intent to supplement city, county and tribal Emergency Management program funds. This can only be achieved by the commitment and compliance of EMPG applicants.

The application must be received no later than September 30, 2015 to be eligible. **No grant funds will be awarded to The City of Shawnee if the application is not submitted by September 30, 2015.** If you have any questions, please contact your Oklahoma Department of Emergency Management Regional Coordinator.



FY 2016 Emergency Management Grant Program

Sub-Grant Agreement

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

Article 1. Eligibility Criteria

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

1. The Jurisdiction must have a paid Emergency Management Director, either full or part time, who works at least 20 hours a week and is employed as defined under Oklahoma State Statute, Title 63-683.11 to 13, Emergency Management Compact and Fair Labor Standards Act (See Title 63 excerpt attachment provided in application packet).
2. The Emergency Management Program budget must match or exceed the Emergency Management Performance Grant dollar amount and cover the entire cost of the jurisdiction's emergency management office, independent of any sub-grant monies. The Emergency Management Performance Grant is based on a 50/50 match (50% local and 50% state). A certified copy of the Emergency Management Budget for the jurisdiction must be included with the application.*
3. A list of All Hazard, Whole Community Planning Group Annexes or Emergency Support Function (ESF) representatives, Tribal representatives, Higher-Education representatives, business partners as well as any other persons the Planning Group deems necessary to

promote the “whole community” concept of planning. The Planning Group list will include name, position, email and phone number.

4. Maintain a 24 hour point of contact who will promptly report to Oklahoma Department of Emergency Management Duty Officer, (800) 800-2481, all significant events happening within the jurisdiction. (Per State Statute, Title 63–683.11.E)
5. Current Emergency Operations Plan (EOP)
6. State Approved Hazard Mitigation Plan (HMP)
7. National Incident Management System (NIMS) Compliance Certificate

* **Please note:** The Jurisdiction cannot replace the Emergency Management program’s budget with Emergency Management Performance Grant funds. This means the previously budgeted Jurisdictional Emergency Management program cannot be reduced when receiving the EMPG funds. The EMPG funds are supplemental funds for improving and/or increasing the Jurisdiction’s Emergency Management Program only.

Article 2. Minimum Task/Activity Requirements

The following 10 activities are the **minimum** task requirements that shall be completed by the Political Subdivision. All Deliverables will be submitted to the Oklahoma Department of Emergency Management Regional Coordinator assigned to the jurisdiction.

1. Quarterly ALL Hazard, Whole Community Planning Group Meetings

An All-Hazard, Whole Community Planning group will be formed consisting of all Annexes or Emergency Support Function (ESF) representatives, Tribal representatives, Higher Education representatives and business partners as well as any other persons the Planning Group deems necessary to promote the “whole community” concept of planning to meet quarterly.

Measurement Methods:

- a. A meeting invitation letter for each meeting to include a mailing list (can be an email copy).
- b. An agenda for each quarterly meeting
- c. Minutes of each quarterly meeting.
- d. Sign-in sheets for each quarterly meeting (dated).

2. Emergency Operations Plan

The Jurisdiction must have an Emergency Operations Plan to participate in the Emergency Management Performance Grant. The All Hazard, Whole Community Planning Group will be directly involved in the quarterly planning and updates of the Jurisdiction's Emergency Operations Plan. The Emergency Operations Plan will be updated according to CPG 101-v.2

Measurement Methods:

- a. The quarterly report submitted to Oklahoma Department of Emergency Management.
- b. Sign-in Sheet from Quarterly Planning Meetings.
- c. An Emergency Operations Plan approval page signed by each of the Annexes or ESF representatives and the jurisdiction's highest elected official (form provided).

3. A Hazard Mitigation Plan Approved by the State and Updated as Required

The Jurisdiction must have a State approved Hazard Mitigation Plan to participate in the Emergency Management Performance Grant. The All Hazard, Whole Community Planning Group will update the Hazard Mitigation plan according to the evaluation matrix provided by Oklahoma Department of Emergency Management.

Measurement Methods:

- a. The quarterly report submitted to Oklahoma Department of Emergency Management.
- b. A Hazard Mitigation plan approval page signed by each of the Annexes or ESF representatives and the jurisdiction's highest elected official (form provided).

4. A Current List of Training and Exercises

The current Training and Exercise plans will be a topic of discussion of the All Hazard, Whole Community Planning Group.

Measurement Methods:

- a. A list of the training produced by all Annex or ESF agencies will be submitted to Oklahoma Department of Emergency Management quarterly.
- b. A list of the exercises produced by all Annex or ESF agencies will be submitted to Oklahoma Department of Emergency Management quarterly.

5. Four Exercises of Any Type

The Jurisdiction must conduct four (4) exercises of any type. The types of exercises are Seminars, Workshops, Tabletop, Games, Drills, Functional, and Full-Scale. (You can only count one WebEOC drill as part of the four.) All exercises need to test all or part of the Emergency Operations Plan. You may also count one Federally Declared Disaster as an exercise.

Measurement Methods:

- a. A copy of the After Action Report-Improvement Plan (AAR-IP) for each exercise must be submitted to the Oklahoma Department of Emergency Management.

6. One (1) Full Scale Exercise

The Jurisdiction must participate in one Full-Scale Exercise. The Statewide Earth Wind and Fire exercise will count as an Emergency Operations Center full scale exercise.

Measurement Methods:

- a. The AAR-IP for the jurisdiction's part of the exercise must be generated by the jurisdiction and a copy of the AAR-IP must be submitted to Oklahoma Department of Emergency Management.

7. Attendance of the Professional Development Workshop

The Oklahoma Department of Emergency Management Regional Coordinator, in conjunction with local Emergency Managers, will host a Professional Development Workshop. The Emergency Management Director shall attend their Area's Workshop, in its entirety.

Measurement Methods:

- a. A copy of the Certificate or other appropriate documentation shall be submitted to Oklahoma Department of Emergency Management.

8. Attendance of the Annual Oklahoma Emergency Management Conference

The Emergency Management Director shall attend the Annual Oklahoma Emergency Management Conference, in its entirety.

Measurement Methods:

- a. A copy of the Certificate or other appropriate documentation shall be submitted to Oklahoma Department of Emergency Management.

9. Attendance of the Oklahoma Department of Emergency Management Regional Coordinator's Quarterly Quadrant Meeting

The Emergency Management Director shall attend the Oklahoma Department of Emergency Management Regional Coordinator's Quarterly Quadrant meetings.

Measurement Methods:

- a. A copy of the sign-in sheet.

10. Current List of Ongoing Whole Community Preparedness Projects

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

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

Article 3. Authorized Representatives

The Agency Director of the Oklahoma Department of Emergency Management and the Political Subdivision Director of Emergency Management shall be the authorized representatives to complete work and negotiate changes to this agreement. The Political Subdivision will, on a form provided by the Oklahoma Department of Emergency Management, identify a Director of Emergency Management for the Political Subdivision, an alternate, and 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) plus the recently added mission areas of Prevention and Protection, to include incident reporting.

Article 4. Duration

This agreement shall be in full force and effective at 12:01 a.m. on October 1, 2015 by both parties and terminating at 12:00 p.m. on September 30, 2016, unless terminated by either party prior to that time, in writing. The Oklahoma Department of Emergency Management 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 Oklahoma Department of Emergency Management 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 5. 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 a comprehensive emergency preparedness system for all hazards by the State and local governments.

Article 6. 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 7. Time of Completion

All work shall be completed by the Political Subdivision during Federal Fiscal Year 2016, with the exception that the auditor's opinion letter which accompanies the jurisdiction's annual audit must be submitted as soon as the audit is completed.

Article 8. 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 9. 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.

FY 2016 Emergency Management Grant Program

Required Application Documents

Listed below are the documents required for the successful completion of the FY 2016 EMPG application.

Please complete the following provided documents:

1. Sub-Grant Funding Worksheet (See Excel Attachment)
2. All Hazard, Whole Community Planning Group Member's List
3. State of Oklahoma Designation of Political Sub-Division Agent
4. Emergency Contact Update
5. Elected Official, City Manager, Tribal Officials Signature Page

Please supply the following documents:

1. Certified Jurisdiction's Official Emergency Management Program Budget
2. Jurisdiction's NIMS Compliance Certificate

FY 2016 Emergency Management Grant Program

Emergency Support Function Annex Definitions

Roles and Responsibilities of the ESFs

ESF	Scope
ESF#1 – Transportation	<ul style="list-style-type: none"> Transportation Safety Restoration/recovery of transportation infrastructure People, equipment and commodities movement
ESF#2 – Communications	<ul style="list-style-type: none"> Coordination with telecommunications and information technology Restoration and repair of telecommunications infrastructure Protection, restoration, and sustainment of cyber and information technology resources Oversight of communications within the incident management and response structures
ESF#3 - Public Works &/or Road Foreman	<ul style="list-style-type: none"> Infrastructure protection and emergency repair Infrastructure restoration Engineering services and construction management
ESF#4 – Firefighting	<ul style="list-style-type: none"> Coordination of firefighting activities Support to wildland, rural, and urban firefighting ops
<hr/>	
ESF#5 – Emergency Management	<ul style="list-style-type: none"> Coordination of preparedness, EOC response, recovery, and mitigation operations Resource and human capital Incident action planning Financial management Damage and Impact Assessment
ESF#6 – Mass Care,	<ul style="list-style-type: none"> Mass care Emergency assistance Disaster housing Human services
ESF#7 – Logistics Management and Resource Support	<ul style="list-style-type: none"> Comprehensive incident logistics planning, management, sustainment capability Resource Support (facility space, office equipment and Supplies, contracting services, etc.)
ESF#8 – Public Health And Medical Services	<ul style="list-style-type: none"> Public health Medical Mental health services Mass fatality management

ESF#9 – Search and Rescue	Life-saving assistance Search and rescue operations
ESF#10 – Oil and Hazardous Materials Response (Private Partners)	Oil and hazardous materials (chemical, biological, radiological, etc.) Environmental short – long-term cleanup
ESF#11 – Agriculture and Natural Resources	Animal and plant disease and pest response Food safety and security Natural and cultural resources and historic properties protection and restoration Safety and well-being of household pets
ESF#12 – Utilities	Energy infrastructure assessment, repair, and restoration Energy industry utilities coordination
ESF#13 – Public Safety (Local Sheriff or PD)	Facility and resource security Security planning and technical resource assistance Public safety and security support Support to access, traffic, and crowd control
ESF#14 – Long-Term Community Recovery (Local VOAD) implementation	Social and economic community impact assessment Long-term community recovery assistance Analysis and review of mitigation program
ESF#15 – External Affairs (PIO & Social Media)	Emergency public information and protective action guidance Media and community relations

ESF Member Roles and Responsibilities

Each ESF Annex identifies the coordinator/liaison and the primary and support agencies pertinent to the ESF. Several ESFs incorporate multiple components, with primary agencies and secondary agencies designated for each component to ensure seamless integration of the transition between preparedness, response, and recovery activities. ESFs with multiple primary agencies designate an ESF coordinator for the purposes of pre-incident planning and coordination of primary and supporting agency efforts throughout the incident.

FY 2016 Emergency Management Grant Program
 All Hazard, Whole Community Planning Group Member's List

Annex/ESF	Name	Phone	E-mail	Agency Organization
Transportation				
Communications				
Public Works & Engineering				
Firefighting				
Emergency Management				
Mass-Care, Housing & Human Services				
Logistics Management & Resource Support				
Public Health & Medical Services				
Search & Rescue				
Oil & Hazardous Materials Response				
Agriculture & Natural Resources				
Energy				
Public Safety & Security				
Long-Term Community Recovery				
External Affairs				
Higher Ed				
Tech Centers				
Secondary Schools				
Tribal Member				
Private Partners				
(Other)				

FY 2016 Emergency Management Grant Program

State of Oklahoma Designation of Political Sub-Division Agent

Political Sub-Division Information

Name of Jurisdiction:

Physical Address:

Mailing Address (if different from above):

Employer's Identification No. (EIN):

FIPS No.:

Duns No.:

Political Sub-Division Primary Contact

Name:

Agency:

Physical Address:

Office Ph.:

Cell Ph.:

E-Mail:

Political Sub-Division Secondary Contact

Name:

Agency:

Physical Address:

Office Ph.:

Cell Ph.:

E-Mail:

Certification

The above Primary and Secondary contacts are hereby authorized as the political sub-division's point of contact (POC) for the purpose of reporting disaster and emergencies and the extent associated with them to Oklahoma Department Emergency Management (OEM). The above designated point of contacts are further authorized to take such action, prepare required documentation and attend meetings (i.e., applicant briefing or kick off meetings) as may be required on behalf of the jurisdiction. Until contrary notice is given to the Oklahoma Department of Emergency Management.

Governing Body:

Certifying Official:

Title:

Office Ph.:

Cell Ph.:

E-mail:

FY 2016 Emergency Management Grant Program

Emergency Contact Update

Jurisdiction Information

Jurisdiction Name:

County:

Physical Address:

Director Information

Name

Office Phone:

Cell Phone:

E-mail:

Deputy Director Information

Name:

Office Phone:

Cell Phone:

E-mail:

Note: *If there are any changes to the contact information, please notify OEM as soon as possible. Mail to Oklahoma Department of Emergency Management, P.O. Box 53365, Oklahoma City, OK 73152 or call 1-405-521-2481*

FY 2016 Emergency Management Grant Program
Elected Officials, City Manager, Tribal Officials Signature Page

By signing below we are applying for the FY 2016 Emergency Management Program Grant and are affirming our commitment to fulfill the application requirements.

Approved By:

Name _____
County Commissioner, District 1

Name _____
Tribal Chief or Governor

Name _____
County Commissioner, District 2

Name _____
City Mayor or Manager

Name _____
County Commissioner, District 3

Name _____
Emergency Management Director

Witnessed By:

Name _____
City or County Clerk/Treasurer

Date _____

Oklahoma State Statute

§63-683.11. Political subdivisions - Emergency management programs -
Emergency management directors - Declaration of local emergency.

A. All incorporated jurisdictions of this state are required to develop an emergency management program in accordance with the Oklahoma Emergency Management Act of 2003. County jurisdictions are required to have a qualified emergency management director as outlined in this section. Incorporated municipalities are required to either have an emergency management director or create an agreement with the county for emergency management services. Each local organization for emergency management shall have a director who shall be appointed by the executive officer or governing body of the political subdivision, who shall report directly to the chief executive officer or chief operating officer and who shall have direct responsibility for the organization, administration, and operation of such local organization for emergency management, subject to the direction and control of such executive officer or governing body. Each local organization for emergency management shall perform emergency management functions within the territorial limits of the political subdivisions within which it is organized, and, in addition, shall conduct such functions outside of such territorial limits as may be required pursuant to this act. Each local emergency management organization shall develop, maintain and revise, as necessary, an emergency operations plan for the jurisdiction. Each plan shall address the emergency management system functions of preparedness, response, recovery and mitigation. Such plan shall be based upon a hazard and risk assessment for the jurisdiction and shall include provisions for evacuation of all or a portion of the jurisdiction based upon such risk in the event any disaster, as defined in Section 683.3 of this title, necessitates the evacuation of its citizens. Every political subdivision shall ensure that there is widespread dissemination of the plan and information to citizens as to how and when such plan is activated and how citizens are to participate in evacuating their communities in the event of a disaster. The plan shall be reviewed annually. Such plan shall be coordinated with the state.

B. Emergency Management Directors (EMD) shall meet the qualifications promulgated by the Oklahoma Department of Emergency Management (OEM). The minimum qualifications include:

1. U.S. citizenship;
2. High school diploma or equivalent;
3. Valid Oklahoma driver license;
4. Social security number;
5. Has not been convicted of a felony in Oklahoma; and

6. Within one (1) year of appointment, the EMD must complete basic emergency management training provided by the OEM.

C. Prior to employment, the employing agency shall obtain a name-based background search by the Oklahoma State Bureau of Investigation to determine if the EMD has been convicted of a felony.

D. Each Emergency Management Director shall be responsible for all aspects of emergency management in their jurisdiction including: conducting a hazard analysis detailing risks and vulnerabilities, annually updating the existing all-hazard Emergency Operations Plan (EOP), conducting and arranging for necessary training of all relevant personnel, conducting annual exercises to evaluate the plan, managing resources, determining shortfalls in equipment, personnel and training, revising the EOP as necessary, establishing and maintaining an office of emergency management, communications, warnings, conducting or supervising damage assessment and other pre-and post-disaster-related duties.

E. Local fire departments, law enforcement and other first response agencies shall notify the Emergency Management Director of all significant events occurring in the jurisdiction. Emergency Management Directors shall promptly report significant events to the Oklahoma Department of Emergency Management.

F. In carrying out the provisions of this act, each political subdivision, in which any disaster as defined in Section 683.3 of this title occurs, shall have the authority to declare a local emergency and the power to enter into contracts and incur obligations necessary to combat such disaster, protecting the health and safety of persons and property, and providing emergency assistance to the victims of such disaster. Each political subdivision is authorized to exercise the powers vested under this section in the light of the exigencies of the extreme emergency situation without regard to time-consuming procedures and formalities prescribed by law, excepting mandatory constitutional requirements, pertaining to the performance of public work, entering into contracts, the incurring of obligations, the employment of temporary workers, the rental of equipment, the purchase of supplies and materials, and the appropriation and expenditure of public funds.

Added by Laws 1967, c. 33, § 11, emerg. eff. Feb. 14, 1967. Amended by Laws 2003, c. 329, § 10, emerg. eff. May 29, 2003; Laws 2006, c. 214, § 1, eff. Nov. 1, 2006.

§63-683.12. Mutual aid arrangements for reciprocal emergency management.

A. The Director of each local organization for emergency management may, in collaboration with other public and private agencies within this state, develop or cause to be developed mutual aid arrangements for reciprocal emergency management aid and assistance in case of disaster too great to be dealt with unassisted. Such arrangements shall be consistent with the state emergency management plan and program, and in time of emergency it shall be the duty of each local organization for emergency management to render assistance in accordance with the provisions of such mutual aid arrangements.

B. The Director of each local organization for emergency management may, subject to the approval of the Governor, enter into mutual aid arrangements with emergency management agencies or organizations in other border states for reciprocal emergency management aid and assistance in case of disaster too great to be dealt with unassisted.

Added by Laws 1967, c. 33, § 12, emerg. eff. Feb. 14, 1967. Amended by Laws 2003, c. 329, § 11, emerg. eff. May 29, 2003.

§63-683.13. Emergency management activities declared as governmental functions - Workers' benefit rights preserved.

A. All functions hereunder and all other activities relating to emergency management are hereby declared to be governmental functions. The provisions of this section shall not affect the right of any person to receive benefits to which the person would otherwise be entitled under this act, or under the workers' compensation law, or under any pension law, nor the right of any such person to receive any benefits or compensation under any Act of Congress. Any municipal fireman or policeman engaged in any emergency management activities, while complying with or attempting to comply with this act or any rule or regulation pursuant thereto, shall be considered as serving in his or her regular line of duty and shall be entitled to all benefits of any applicable pension fund.

B. Any requirement for a license to practice any professional, mechanical, or other skill shall not apply to any authorized emergency management worker from any state rendering mutual aid and who holds a comparable license in that state, who shall practice such professional, mechanical, or other skill during an emergency declared under the provisions of this act, when such professional, mechanical or other skill is exercised in accordance with the provisions of this act.

C. As used in this section, the term "emergency management worker" shall include any full or part-time paid, volunteer, or auxiliary employee of this state, or other states, territories, possession or the District of Columbia, of the federal government, or any neighboring country, or of any political subdivision thereof, or of any agency or organization, performing emergency management services under state supervision, and who has been properly trained in the performance of emergency management functions, at any place in this state subject to the order or control of, or pursuant to a request of, the state government or any political subdivision thereof.

D. Any emergency management worker, as defined in this section, performing emergency management services at any place in this state pursuant to agreements, compacts, or arrangements for mutual aid and assistance, to which the state or a political subdivision thereof is a party, shall possess the same powers, duties, immunities, and privileges the person would ordinarily possess if performing the same duties in the state, province, or political subdivision thereof in which normally employed or rendering services.

Added by Laws 1967, c. 33, § 13, emerg. eff. Feb. 14, 1967. Amended by
Laws 2003, c. 329, § 12, emerg. eff. May 29, 2003.

Regular Board of Commissioners

1. g.

Meeting Date: 09/08/2015

Mayors Appts

Submitted By: Lisa Lasyone, City Clerk

Department: City Clerk

Information

Title of Item for Agenda

Mayor's Appointments:

Airport Advisory Board

Donald Freeman Term to Expire 07/01/2016 Partial Term

Replaces Terry Toole - Resigned

Attachments

Appl Freeman

CITY OF SHAWNEE



APPLICATION TO SERVE

Boards, Committees, and Commissions

Name: <u>Donald (Andy) Freeman</u> Application Date: <u>08/19/2015</u>	
Address: <u>505 Lakeside Ct Shawnee, OK 74801</u>	
Mailing Address: <u>Same</u>	
Daytime Phone: <u>405-834-5768</u> Fax: <u>405-273-6007</u> Email: <u>Preferredmngt@aol.com</u>	
Profession: <u>Health Care Management</u>	
Business Name: <u>Preferred Management Corp</u>	
Business Address: <u>120 W. MacArthur STE: 121 Shawnee OK 74804</u>	
Business Phone: <u>405-878-0202</u> Fax: _____ Email: <u>Same</u>	

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

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

How many years have you lived in Shawnee? 28

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

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

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

Private Pilot. We have two airplanes based at Shawnee Airport. A good airport is important to me.

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

I have worked with public and private boards for over 35 years. I have a continued interest in aviation.

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

None at this time

List education, including degree(s) earned:

BS. Degree in nursing. Additional education in Accounting and business.

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

NO

Please include up to three personal or professional references:

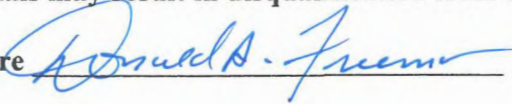
Name	Relationship	Phone Number
Wayne Ardrey	Baker	405-214-1211
Wes Mainord	Friend	405-273-7389
Jim Stuart	Friend	405-275-0700

PLEASE READ CAREFULLY:

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

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

Signature



Date

08/19/2015

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

Send application form to:

Shawnee City Clerk
PO Box 1448
Shawnee, OK 74802
878-1605 (phone)
878-1581 (fax)
dmayo@ShawneeOK.org

Regular Board of Commissioners

3.

Meeting Date: 09/08/2015

Mayors Proclamation

Submitted By: Lisa Lasyone, City Clerk

Department: City Clerk

Information

Title of Item for Agenda

Mayor's Proclamation:

"POW/MIA Recognition Day"

September 18, 2015

Attachments

POW MIA Proclamation

City of Shawnee



Proclamation

"POW/ MIA Recognition Day"

Whereas, throughout American history, generations of patriots have bravely served in our military and sacrificed much to protect our country and preserve democracy around the world; and

Whereas, some of those brave men and women who answered the call to service were captured in conflict and imprisoned by our enemies; some never returned from the battlefield; and

Whereas, our nation remains steadfast in its commitment to leave no service member behind; our men and women in uniform uphold this pledge every day, and our country further upholds it as we honor all those who serve, particularly those taken as prisoners of war or missing in action; and

Whereas, today and every day, we pay tribute to the American men and women who have not returned to the country they so valiantly defended, and we express profound gratitude to those who returned after facing unimaginable hardships; we will never forget the sacrifices they made to keep this nation free; and

Whereas, on this day, we honor those Americans who were prisoners of war and recognize them for the courage and determination they showed while enduring unspeakable conditions, and we honor those who remain unaccounted for, especially remembering the sacrifices of their families who face each day without knowing the fate of their loved ones; and

Whereas, citizens of the City of Shawnee are encouraged to honor all of our servicemen and servicewomen for their courageous and selfless sacrifice, and especially those who have paid so high a price in service to this great nation.

Now, Therefore, I, Wes Mainord, Mayor of the City of Shawnee, Oklahoma by the authority vested in me, do hereby proclaim Friday, September 18, 2015 as

"POW/ MIA Recognition Day"

In the city of Shawnee, Oklahoma
Dated this 8th day of September, 2015



Wes Mainord, Mayor

Phyllis Loftis, CMC, City Clerk

Regular Board of Commissioners

4.

Meeting Date: 09/08/2015

EOM

Submitted By: Lisa Lasyone, City Clerk

Department: City Clerk

Information

Title of Item for Agenda

Presentation by City Manager to Employee of the Month, Elizabeth Jill Smith, Accounting.

Regular Board of Commissioners

5.

Meeting Date: 09/08/2015

ODOT 177 at Hardesty & 45th

Submitted By: Lisa Lasyone, City Clerk

Department: City Clerk

Information

Title of Item for Agenda

Consider a resolution approving a Project Maintenance Agreement with the Oklahoma Department of Transportation (ODOT) for maintenance of safety improvements to traffic signals at the intersections of US?177 with 45th Street and with Hardesty Road.

Attachments

ODOT Memo

ODOT Resolution

ODOT Reso 6008

ODOT Reso 6262

Mayor
WES MAINORD



The City of Shawnee
Engineering Department
222 N. Broadway Ave
Shawnee, Oklahoma 74801
(405) 878-1660
www.ShawneeOK.org

Commissioners

LINDA AGEE
JAMES HARROD
KEITH HALL
LESA SHAW
MICHAEL DYKSTRA

MEMORANDUM

Date: September 3, 2015

To: Justin Erickson, City Manager

From: John Krywicki, P.E., City Engineer

A handwritten signature in blue ink, appearing to read "JK", is placed over the name of the City Engineer.

Re: ODOT Resolution Authorizing Safety Improvements to the Traffic Signals at US177 & Hardesty, and at US177 & 45th Street.

The City of Shawnee has working maintenance agreements with ODOT on the following intersections along US177 on the west side of Shawnee: US177 & Hardesty, US177 & Leo St., US177 & Acme Rd., and US177 & 45th St. whereby the City has agreed to maintenance and operation responsibilities for having had ODOT design and construct the improvements at 100% of their costs.

ODOT has designated US177 from 45th Street to just past Benson Park Road (~9 miles) as a "Safety Corridor", and although most of the major intersections along that route are signalized, they are still seeing a high incidence of traffic accidents occurring at those controlled intersections.

The two worst ones (at Hardesty and at 45th Street) have been selected for a trial dynamic warning signal installation, but if the installation seems effective the other three intersections would be considered as ODOT funding would permit. The signs would be dynamic, flashing a warning such as "red signal ahead" or something similar (has not been final decided yet by ODOT), and would begin several seconds before the mainline yellow phase and continue through the red phase.

All the signalized intersections have a "dilemma zone" along the main approaches, and the installation of these advanced warning signs should eliminate the dilemma zones without reducing capacity or encouraging red-light running, as an extended yellow phase would do. After installation, the dynamic warning signs will be monitored for effectiveness, and if they perform as intended, then the other intersections will be candidates to have them installed at those locations too.

If you have any questions or need additional information, please advise.

John Krywicki

To: John Krywicki
Subject: Dynamic Warning Signals for US-270
Attachments: Resolution.pdf

From: Matt Warren [mailto:MWARREN@ODOT.ORG]

Sent: Wednesday, July 22, 2015 10:13 AM

To: John Krywicki <jkrywicki@shawneeok.org>; Michael Ludi <MLudi@shawneeok.org>

Cc: Harold Smart <HSMART@ODOT.ORG>; David Glabas <DGLABAS@ODOT.ORG>; Tarek Maarouf <TMAAROUF@ODOT.ORG>

Subject: Dynamic Warning Signals for US-270

Gentlemen

I have attached a copy of the resolution we will need from the City of Shawnee to proceed with the dynamic advance warning signals on two intersections on US-270. Our counsel agreed that these could be added to the existing maintenance agreements for these signals without creating a new agreement. All costs of construction will be paid by ODOT.

I did not include a signature block on the proposed resolution; the typical method of authorization would be to include the text of the resolution in the minutes of a City Council meeting but that is up to the City.

Thank you,

Matt Warren, P.E.
Traffic Engineering Division
Oklahoma Dept. of Transportation
mwarren@odot.org
405-521-3946

RESOLUTION NO. _____

A RESOLUTION APPROVING A PROJECT MAINTENANCE AGREEMENT WITH THE OKLAHOMA DEPARTMENT OF TRANSPORTATION FOR MAINTENANCE OF SAFETY IMPROVEMENTS TO TRAFFIC SIGNALS AT THE INTERSECTIONS OF US-177 WITH 45TH STREET AND WITH HARDESTY ROAD.

WHEREAS, the City of Shawnee, Oklahoma, desires the installation of certain safety improvements to the existing traffic signals, consisting of advance warning signals controlled by traffic signal control units, at the following intersections:

- US-177(US-270, SH-3) and 45th Street
- US-177(US-270, SH-3) and Hardesty Road;

WHEREAS, the City of Shawnee has previously executed agreements to maintain the traffic signals at each of the said intersections and to pay all utility expenses associated with the operation of said traffic signals;

WHEREAS, the City of Shawnee has agreed to maintain the above described safety improvements to the said traffic signals, and to pay all utility expenses associated with the operation thereof;

WHEREAS, all costs of construction and installation of the above described safety improvements are to be paid by the Oklahoma Department of Transportation;

NOW THEREFORE BE IT RESOLVED THAT the City of Shawnee agrees to the installation of the above described safety improvements and will pay the maintenance and the utility costs thereof pursuant to the terms of said existing maintenance contracts.

Dated this ____ day of September, 2015.

WES MAINORD, MAYOR

ATTEST:

(SEAL)

PHYLLIS LOFTIS, CMC, CITY CLERK

Approved as to form and legality on the ____ day of September, 2015, by the City Attorney, Mary Ann Karns.

MARY ANN KARNs, CITY ATTORNEY

RESOLUTION NO. 6008

A RESOLUTION REQUESTING THE STATE TRANSPORTATION COMMISSION TO CONCUR IN THE PROGRAMMING AND SELECTION OF A TRAFFIC SIGNAL PROJECT FOR CONSTRUCTION AND SUBMIT THE SAME TO THE FEDERAL HIGHWAY ADMINISTRATION FOR APPROVAL; AND SETTING FORTH AGREEMENT OF THE CITY

WHEREAS, Federal Aid Urban Funds have been made available for the construction of a traffic signal project, and

WHEREAS, the Oklahoma Department of Transportation (ODOT) has determined through studies conducted by ODOT, that the intersection at US-177 and 45TH Street warrants the installation of traffic signals.

WHEREAS, the City agrees to provide all maintenance and operation costs associated with the completed traffic signals at the above location.

WHEREAS, ODOT will provide 100% of the construction costs for the project, and the City agrees to provide engineering design plans for the project.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF SHAWNEE, OKLAHOMA, that the State Transportation Commission is hereby requested to concur in the programming and selection of this traffic signal project for construction and to submit same to the Federal Highway Administration for its approval.

ADOPTED this 21 day of September, 1998.


CHRIS HARDEN, MAYOR

ATTEST:


Diana Hallock, C.M.C., City Clerk

(SEAL)

RESOLUTION NO. 6262

A RESOLUTION REQUESTING THE STATE TRANSPORTATION COMMISSION TO CONCUR IN THE PROGRAMMING AND SELECTION OF TRAFFIC SIGNAL PROJECTS FOR CONSTRUCTION AND SUBMIT THE SAME TO THE FEDERAL HIGHWAY ADMINISTRATION FOR APPROVAL; AND SETTING FORTH AGREEMENT OF THE CITY.

WHEREAS, Federal Aid Urban Funds have been made available for the construction of traffic signal projects, and

WHEREAS, the Oklahoma Department of Transportation (ODOT) has conducted traffic studies, and has determined that the following described intersections meets warrants for signalization:

Traffic Signals – Intersection of US 177 and Hardesty Road,
Pottawatomie County, Oklahoma.

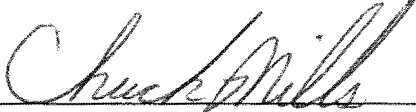
WHEREAS, the City of Shawnee agrees to provide all maintenance and operations costs associated with the completed traffic signal systems at the above location.

WHEREAS, the City of Shawnee will cause the relocation of any and all utilities which may be affected by this construction.

WHEREAS, ODOT will provide 80% of the construction costs of the project and the County of Pottawatomie County will provide 20% of the construction costs, and the City of Shawnee agrees to provide engineering design plans for the project.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF SHAWNEE, OKLAHOMA, that the State Transportation Commission is hereby requested to concur in the programming and selection of the traffic signal projects for construction and to submit same to the Federal Highway Administration for its approval.

ADOPTED THIS 19th day of December, 2005



CHUCK MILLS, MAYOR

ATTEST:



DIANA HALLOCK, CITY CLERK

Regular Board of Commissioners

6.

Meeting Date: 09/08/2015

P12-15 Rezoning CUP

Submitted By: Lisa Lasyone, City Clerk

Department: City Clerk

Information

Title of Item for Agenda

A public hearing and consideration of approving an ordinance to rezone with a Conditional Use Permit for property located at 31701 Ingram Rd. from A-1; Rural Agricultural to A-1P; Rural Agricultural with Conditional Use Permit. Case #P12-15 Applicant: Jackie Johnson

Attachments

P12-15 Staff Report

P12-15 Ordinance

RECOMMENDATION TO:

MAYOR
BOARD OF CITY COMMISSIONERS
CITY OF SHAWNEE

RECOMMENDATION FROM:

CITY OF SHAWNEE
PLANNING COMMISSION

SUBJECT:

APPLICANT: Jackie Johnson
FOR: Conditional Use Permit
LOCATION: 31701 Ingram Rd., Shawnee, OK
PROJECT#: 150738 Case# P12-15

LEGAL DESCRIPTION:

SEE OWNERSHIP LIST

CURRENT CLASSIFICATION: A-1; Rural Agricultural
REQUESTED CLASSIFICATION: A-1; Rural Agricultural w/ CUP
PROPOSED PROPERTY USE: Guest Cottage

PLANNING COMMISSION MEETING DATE: September 2nd, 2015

PLANNING COMMISSION RECOMMENDATION: Approval

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

MEMBERS:	1ST	2ND	AYE	NAY	ABSTAIN	COMMENTS
MORTON			X			
CLINARD			X			
KERBS			X			
BERGSTEN (CHAIRMAN)			X			
COWEN (VICE-CHAIRMAN)	X		X			
KIENZLE		X	X			
AFFENTRANGER			X			

RESPECTFULLY SUBMITTED,
Cheyenne Lincoln
SECRETARY, PLANNING COMMISSION

ACTION BY CITY COMMISSION:

PUBLIC HEARING SET: _____

DATE OF ACTION: _____

ADOPTED _____ DENIED _____

ORDINANCE NO. _____



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

STAFF REPORT
CONDITIONAL USE PERMIT
CASE #P12-15

TO: Shawnee Planning Commission

AGENDA: September 2, 2015

RE: Conditional Use Permit (CUP) to allow a guest cottage structure at 31701 Ingram Road – State Lease Land.

PROPOSAL

The applicant, Jackie Johnson, is requesting a Conditional Use Permit (CUP) to allow for an approved guest cottage use. The subject property is located at 31701 Ingram Road, on Lot 12 Shawnee School Land Plat. The land is zoned A-1 (Agricultural). This site is also regulated by the Lake Protection Overlay Zone (LPZ), which applies to all lake lot leases administered by the City of Shawnee and the Oklahoma Commissioners of the Land Office (CLO) on Shawnee Lake Number 1.

GENERAL INFORMATION

Applicant	Jackie Johnson
Owner	Jackie Johnson
Site Location/Address	31701 Ingram Road
Current Site Zoning	A-1 (Rural Agricultural)
Proposed Zoning	A-1 (Rural Agricultural) with CUP
Property Area	N/A
Current Use	Residential
Proposed Use	Residential

Comprehensive Plan Designation	Agricultural
Existing Land Use	Residential
Surrounding Zoning	Agricultural (A-1)
Surrounding Land Use	Agricultural (A-1)

STAFF REVIEW AND ANALYSIS

According to Section 22-106 of the Shawnee Municipal Code, “One residential structure allowed per lease area, with the exception of one or more approved guest cottages.”

Guest cottages may be approved as an accessory use to a single-family residence with an approved conditional use permit, provided that a guest cottage shall not exceed 600 square feet, shall not be sublet, and shall share a common driveway with the main residence. There are a number of lake lot lease sites that have guest cottages, so such a request would remain consistent with current land use in the area.



Figure 1: Aerial view of the site – approximate total area outlined in red.

In this case, the cabin on site has existed for some time and the applicant has decided to construct a single family residence. The cabin is 600 square feet and the home is

approximately 1800 square feet in size. The applicant has been consistent with regulations imposed by the State for the lease site (Exhibit 1). To remain in conformance with the City based on the Lake Protection Overlay Zone, a CUP is required.

Based on the general consistency with similar uses in the area of the lake and consistency with state regulations, Staff has no objection to approval of the requested CUP for a guest cottage use on site.

STAFF RECOMMENDATION

Staff has **no objection** to the proposed conditional use permit (CUP) for the subject property to allow the use of a guest cottage on the lake lot lease site.

Attachments

- Figure 1: Aerial View of Site
- Figure 2: Zoning Map
- Figure 3: Future Land Use Map
- Figure 4: Photo - Existing Cabin
- Figure 5: Photo - New Family Residence. Front.
- Figure 6: Photo - New Family Residence. Back.
- Exhibit 1: Commissioners of the Land Office Letter of Approval.



Figure 2: Zoning Map of site – approximate total area outlined in red.

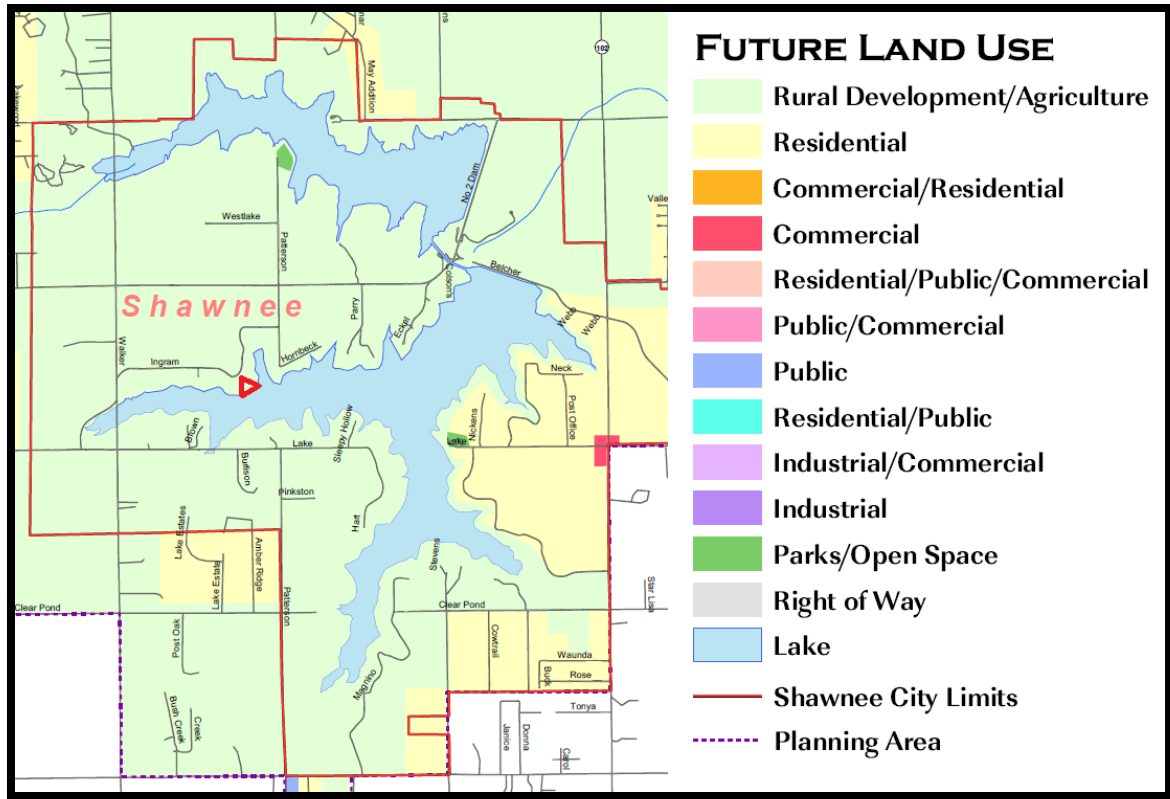


Figure 3: Shawnee Comprehensive Plan: Future Land Use Map (Figure 4.2).



Figure 4: Existing Cabin.



Figure 5: New Family Residence. Front.



Figure 6: New Single-family Residence. Back.

COMMISSIONERS:
Mary Fallin GOVERNOR • Todd Lamb LT. GOVERNOR • Gary Jones STATE AUDITOR & INSPECTOR • Janet Barresi SUPERINTENDENT of PUBLIC INSTRUCTION • Jim Reese COMMISSIONER, STATE BOARD of AGRICULTURE

October 20, 2014

JACKIE JOHNSON
704 NW 141 ST.
EDMOND, OK 73013

31701 INGRAM RD
SHAWNEE OK 74801

RE: Approval of house plans for Lot 12 Shawnee School Land,
Commercial Lease No. 106472

Dear Mrs. Johnson,

Your house plans appear to meet all the Commissioners of the Land Office criteria for a structure on the lake lots. The house is of adequate size, will have a permanent continuous perimeter foundation, the exterior walls are to be wood siding and the roof will be shingles or metal. Your plans as presented are approved.

As we discussed, you will be responsible for following City of Shawnee building codes and acquiring needed permits. Please contact me should you have any questions concerning this approval or about your lease.

Sincerely,



Tranna Fischer, CPO
Real Estate Management Specialist -
Commissioners of the Land Office
(405)-521-4200
tranna.fischer@clo.okl.gov

EXHIBIT

1

CITY OF SHAWNEE
PUBLIC HEARING NOTICE
CASE #P12-15

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

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

LOT 12 SHAWNEE SCHOOL LAND PLAT, IN S/2 & SE/4NE/4 SEC16-10N-02EIM

General Location Known As:	<u>31701 Ingram Rd., Shawnee, OK</u>
Current Zoning Classification:	<u>A-1; Rural Agricultural</u>
Requested Zoning Classification:	<u>A-1; Rural Agricultural w/ CUP</u>
Proposed Use of Property	<u>Guest Cottage</u>
Applicant:	<u>Jackie Johnson</u>

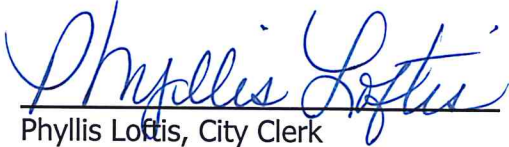
The public hearings will be held in the City Commission Chambers in City Hall, 16 W. 9th St. Shawnee, Oklahoma, as follows:

September 2 nd , 2015	AT 1:30 P.M.:	CITY OF SHAWNEE PLANNING COMMISSION
September 8 th , 2015	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 conditional use permit. The Commission reserves the right to limit discussion and debate on the proposed conditional use permit in the public hearing, in which event those persons appearing in support or opposition of the proposed conditional use permit will be allotted equal time. 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.

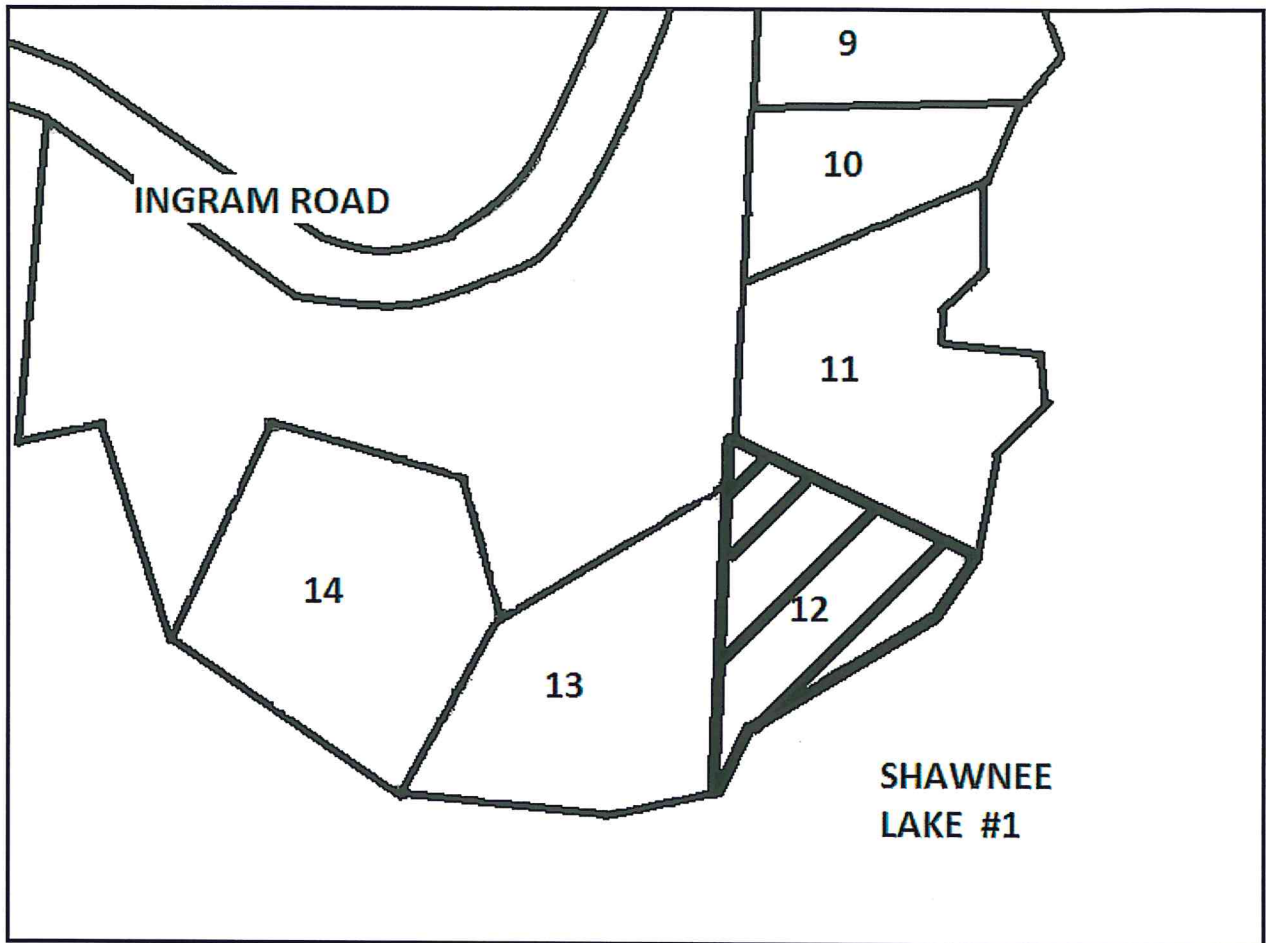
Witness my hand this 12th day of August, 2015.




Phyllis Loftis, City Clerk

Location Map

Case #P12-15



CITY OF SHAWNEE
222 N. BROADWAY
SHAWNEE, OK 74801

PLANNING DEPARTMENT
PHONE: (405) 878-1616
FAX: (405) 878-1587

PLANNING COMMISSION APPLICATION
PROJECT NO. 10788 CASE NO. P12-15

REQUEST:

Rezoning _____ 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:

JD

PROPERTY LOCATION (STREET ADDRESS): 31701 Ingram

LEGAL DESCRIPTION: lot 6 North School Tract Located (over)

PROPERTY OWNER (S): Jackie Johnson

PROPERTY AGENT (APPLICANT): _____

APPLICANT'S ADDRESS: _____

CITY: _____ **STATE** _____ **ZIP** _____

EMAIL ADDRESS: jackie.johnson@oag.ok.gov

TELEPHONE NUMBER: (405) 620-2439 **CONTACT NUMBER:** (405) 620-2439

DIMENSIONS OF PROPERTY: AREA 600 sq ft WIDTH 20'
LENGTH 30' FRONTAGE _____

JD **CURRENT ZONING:** _____ **CURRENT USE:** _____

JD **PROPOSED ZONING:** _____ **PROPOSED USE:** _____

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.

Jackie Johnson
SIGNATURE OF APPLICANT

(FOR STAFF USE ONLY)

Filed in the office of the Planning Department, 222 N. Broadway, this 22nd day of July, 2015

Cheryl Kinoshita
PLANNING COMMISSION SECRETARY

REZONING &/OR C.U.P FEE \$ 280.00
RECEIPT NO. 01769989

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.:** _____

ORDINANCE NO. _____

AN ORDINANCE CONCERNING THE ZONING CLASSIFICATION OF THE FOLLOWING DESCRIBED PROPERTY LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY OF SHAWNEE, OKLAHOMA, TO-WIT: LOT 12 SHAWNEE SCHOOL LAND PLAT, IN S/2 & SE/4NE/4 SEC16-10N-02EIM, ACCORDING TO THE RECORDED PLAT THEREOF, REZONING SAID PROPERTY FROM A-1; RURAL AGRICULTURAL TO A-1P; RURAL AGRICULTURAL WITH CONDITIONAL USE PERMIT; AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SHAWNEE ACCORDINGLY.

WHEREAS, pursuant to notice duly given as required by law, a public hearing conducted by the Board of Commissioners of the City of Shawnee, Oklahoma on the 2nd day of September, 2015, upon an application to grant a permissive use permit on property located in the City of Shawnee, Oklahoma to A-1P Rural Agricultural with Conditional Use Permit; and,

WHEREAS, the Planning Commission of the City of Shawnee has conducted one or more public hearings on said application pursuant to notice as required by law and has submitted its final report and recommendation upon said application to the Board of Commissioners; and

WHEREAS, it appears to be in the best interest of the City of Shawnee and the inhabitants thereof for said property to be rezoned as 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:

LOT 12 SHAWNEE SCHOOL LAND PLAT, IN S/2 & SE/4NE/4 SEC16-10N-02EIM according to the recorded plat thereof, rezoning said property from A-1; Rural Agricultural to A-1P; Rural Agricultural with Conditional Use Permit; amending the official zoning map of the City of Shawnee accordingly.

PASSED AND APPROVED this 8th day of September, 2015.

WES MAINORD, MAYOR

(SEAL)

ATTEST:

PHYLLIS LOFTIS, CMC, CITY CLERK

Approved as to form and legality this 8th day of September, 2015.

MARY ANN KARNS
CITY ATTORNEY

Regular Board of Commissioners

7.

Meeting Date: 09/08/2015

P13-15 Rezoning

Submitted By: Lisa Lasyone, City Clerk

Department: City Clerk

Information

Title of Item for Agenda

A public hearing and consideration of approval of an ordinance to rezone property located at Shawnee Mall Drive, west of Union Street, CP; Planned Shopping Center District to C-3; Highway Commercial. Case #P13-15 Applicant: A-OK, LLC

Attachments

P13-15 Staff Report

P13-15 Ordinance

RECOMMENDATION TO:

MAYOR
BOARD OF CITY COMMISSIONERS
CITY OF SHAWNEE

RECOMMENDATION FROM:

CITY OF SHAWNEE
PLANNING COMMISSION

SUBJECT:

APPLICANT: A-OK, LLC
FOR: Rezone
LOCATION: Shawnee Mall Drive, West of Union Street
PROJECT#: 150779 Case# P13-15

LEGAL DESCRIPTION:

SEE OWNERSHIP LIST

CURRENT CLASSIFICATION: CP; Planned Shopping Center District
REQUESTED CLASSIFICATION: C-3; Highway Commercial
PROPOSED PROPERTY USE: Restaurant

PLANNING COMMISSION MEETING DATE: September 2nd, 2015

PLANNING COMMISSION RECOMMENDATION: Approval

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

MEMBERS:	1ST	2ND	AYE	NAY	ABSTAIN	COMMENTS
MORTON			X			
CLINARD	X		X			
KERBS		X	X			
BERGSTEN (CHAIRMAN)			X			
COWEN (VICE-CHAIRMAN)			X			
KIENZLE			X			
AFFENTRANGER			X			

RESPECTFULLY SUBMITTED,
Cheyenne Lincoln
SECRETARY, PLANNING COMMISSION

ACTION BY CITY COMMISSION:

PUBLIC HEARING SET: _____

DATE OF ACTION: _____

ADOPTED _____ DENIED _____

ORDINANCE NO. _____



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

STAFF REPORT
REZONE
CASE #P13-15

TO: Shawnee Planning Commission

AGENDA: September 2, 2015

RE: Rezone Request from CP: Planned Shopping Center to C-3:
Highway Commercial

PROPOSAL

The applicant is requesting a rezone from CP: Planned Shopping Center to C-3: Highway Commercial to incorporate a restaurant on the property. The subject site is approximately 0.71 Acres in size and is generally located on Shawnee Mall Drive, west of Walmart. The subject site was originally established as part of the “Shawnee Mall Subdivision 3” Plat, which included both a rezone to PUD (Planned Unit Development) and final plat approval on August 20th, 2008. The scope of the project was significantly larger, but due to inactivity over the years, both the PUD and the unrecorded plat were rendered void.

GENERAL INFORMATION

Applicant	A-OK, LLC
Owner	Shawnee Mall Owner, LLC
Site Location/Address	Shawnee Mall Drive west of N. Union Ave.
Current Site Zoning	CP: Planned Shopping Center
Proposed Zoning	C-3: Highway Commercial
Property Area	0.71 Acres
Current Use	Parking Lot
Proposed Use	Restaurant

Comprehensive Plan Designation	Commercial
Existing Land Use	Undeveloped
Surrounding Land Use	Commercial
Surrounding Zoning	CP: Planned Shopping Center

STAFF REVIEW AND ANALYSIS

The applicant is requesting approval to rezone to C-3 (Highway Commercial) in order to facilitate the development of a restaurant. Being within the Shawnee Mall Subdivision, the surrounding properties are all zoned CP (Planned Shopping Center). However, the applicant has purchased the subject property making this site independently owned; therefore, C-3 is the appropriate zoning classification for this use. Similar restaurant sites exist throughout Shawnee Mall Drive, making this request consistent with current land use in the area.



Figure 1: Aerial view of the site – approximate total area outlined in red.

Based on the consistency with the Shawnee Comprehensive Plan and the Shawnee Zoning Code, Staff does hereby recommend approval on the proposed zone change from CP (Planned Shopping Center) to C-3 (Highway Commercial).

STAFF RECOMMENDATION

Staff recommends **approval** of the proposed rezone from *CP (Planned Shopping Center)* to *C-3 (Highway Commercial)* for the subject property.

Attachments

1. Figure 1: Aerial view of site
2. Figure 2: Zoning Map
3. Figure 3: Future Land Use Map
4. Exhibit 1: Plot Plan

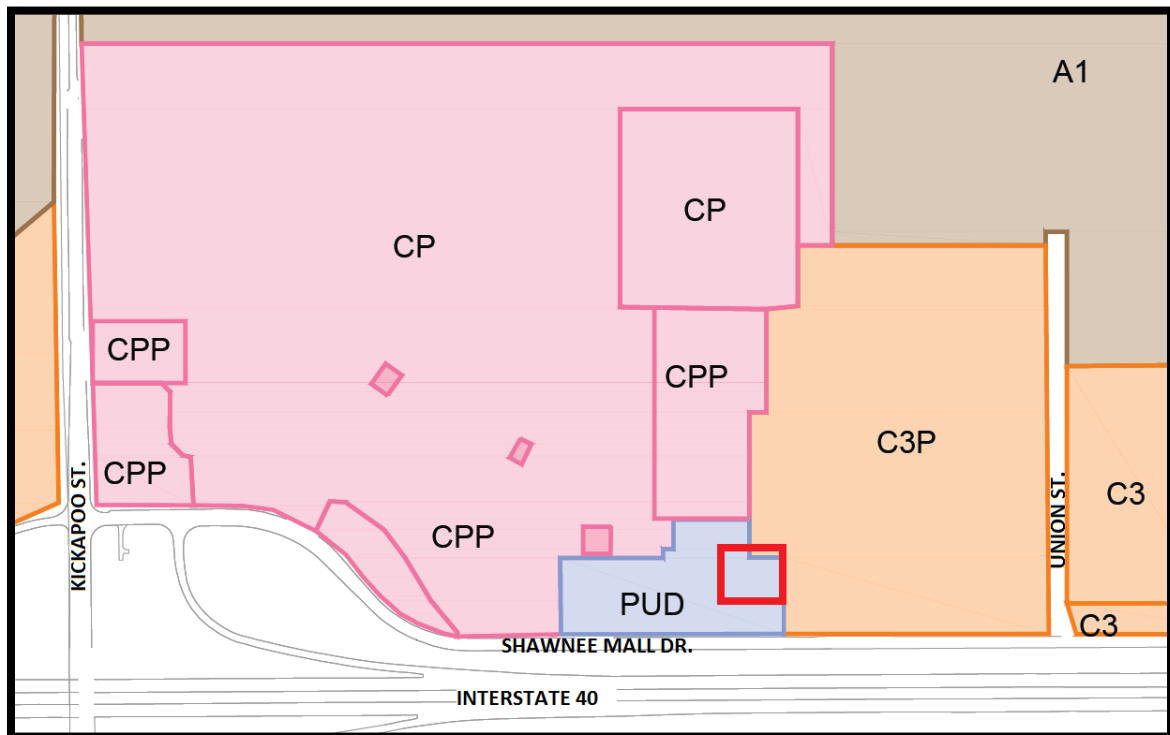


Figure 2: Zoning Map of site – approximate total area outlined in red.

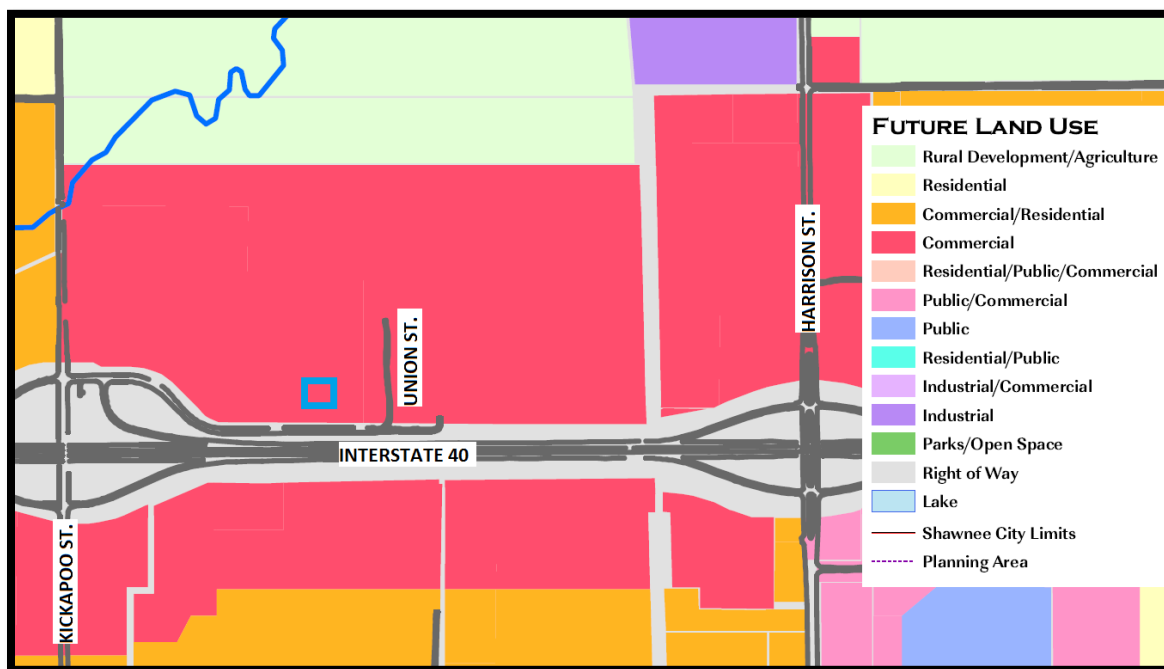
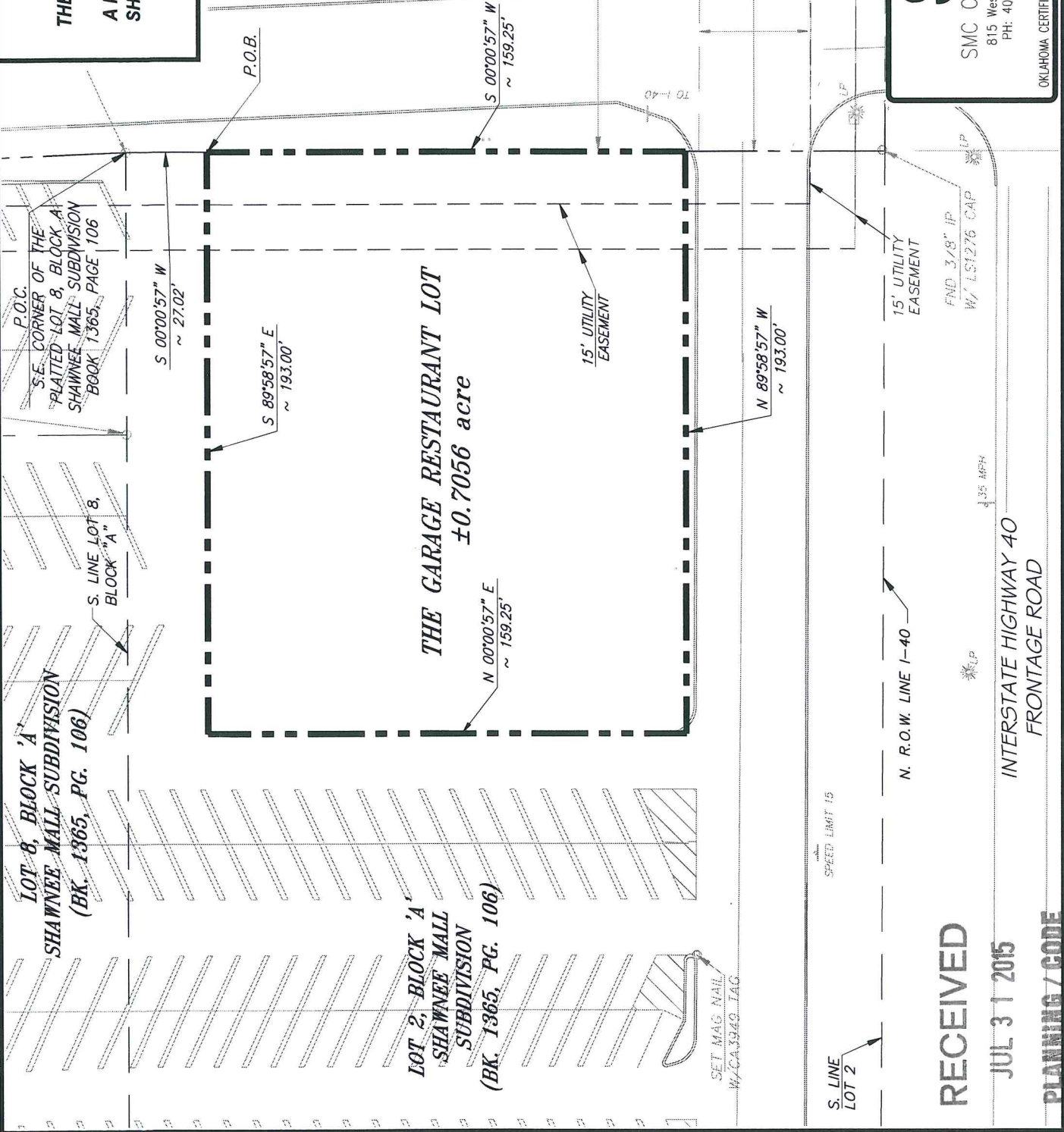
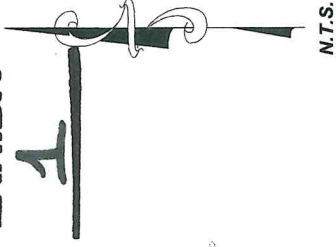


Figure 3: Shawnee Comprehensive Plan: Future Land Use Map (Figure 4.2).

EXHIBIT 'A' (2 of 2)
PLOT PLAN
THE GARAGE RESTAURANT AT
SHAWNEE MALL
A PART OF LOT 2, BLOCK "A"
SHAWNEE MALL SUBDIVISION
SHAWNEE, OKLAHOMA

EXHIBIT



LOT 8, BLOCK 'A'
SHAWNEE MALL SUBDIVISION
(BK. 1365, PG. 106)

S. LINE LOT 8,
 BLOCK "A"

P.O.C.
 S.E. CORNER OF THE
 PLATTED LOT 8, BLOCK A
 SHAWNEE MALL SUBDIVISION
 BOOK 1365, PAGE 106

P.O.B.

LOT 2, BLOCK 'A'
SHAWNEE MALL
SUBDIVISION
(BK. 1365, PG. 106)

SET MAG NAIL
 W/CA3349 IAG

19
 RING ROAD EASEMENT
 DOC. NO. 2003-0015053

19
 CROSS ACCESS
 EASEMENT #1
 DOC. NO. 2003-0015053

SPEED LIMIT 15

S. LINE
 LOT 2

N. R.O.W. LINE 1-40

15' UTILITY
 EASEMENT
 FND 3/8" IP
 W/ LS1276 CAP

INTERSTATE HIGHWAY 40
 FRONTAGE ROAD

SMC

SMC Consulting Engineers, P.C.
 815 West Main - Oklahoma City, OK 73106
 PH: 405-232-7715 Fax: 405-232-7859
 Website: www.smcokc.com

OKLAHOMA CERTIFICATE OF AUTHORIZATION NO. CA 464 EXP 06/30/15

RECEIVED

JUL 31 2015

PLANNING / CODE

CITY OF SHAWNEE
PUBLIC HEARING NOTICE
CASE #P13-15

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 that is part of Lot Two (2), Block "A" of the recorded plat of SHAWNEE MALL SUBDIVISION in the Northwest Quarter (NW/4) of Section Thirty-one (31), Township Eleven (11) North, Range Four (4) East of the Indian Base and Meridian, Pottawatomie County, State of Oklahoma, said tract of land being described as follows: Commencing at the Southeast Corner of Lot 8, Block "A" of the said plat; thence South 00°00'57" West a distance of 50.27 feet to the Point of Beginning; thence continuing South 00°00'57" West a distance of 136.00 feet; thence North 89°58'57" West a distance of 193.00 feet; thence North 00°00'57" East a distance of 136.00 feet; thence South 89°58'57" East a distance of 193.00 feet to the point of beginning.

General Location Known As:	<u>Shawnee Mall Drive, West of Union Street</u>
Current Zoning Classification:	<u>CP; Planned Shopping Center District</u>
Requested Zoning Classification:	<u>C-3; Highway Commercial</u>
Proposed Use of Property:	<u>Restaurant</u>
Applicant:	<u>A-OK, LLC</u>

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

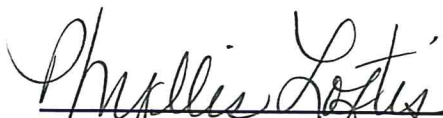
The public hearings will be held in the City Commission Chambers in City Hall, 16 W. 9th St. Shawnee, Oklahoma, as follows:

September 2nd, 2015 AT 1:30 P.M.: CITY OF SHAWNEE PLANNING COMMISSION
September 8th, 2015 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.

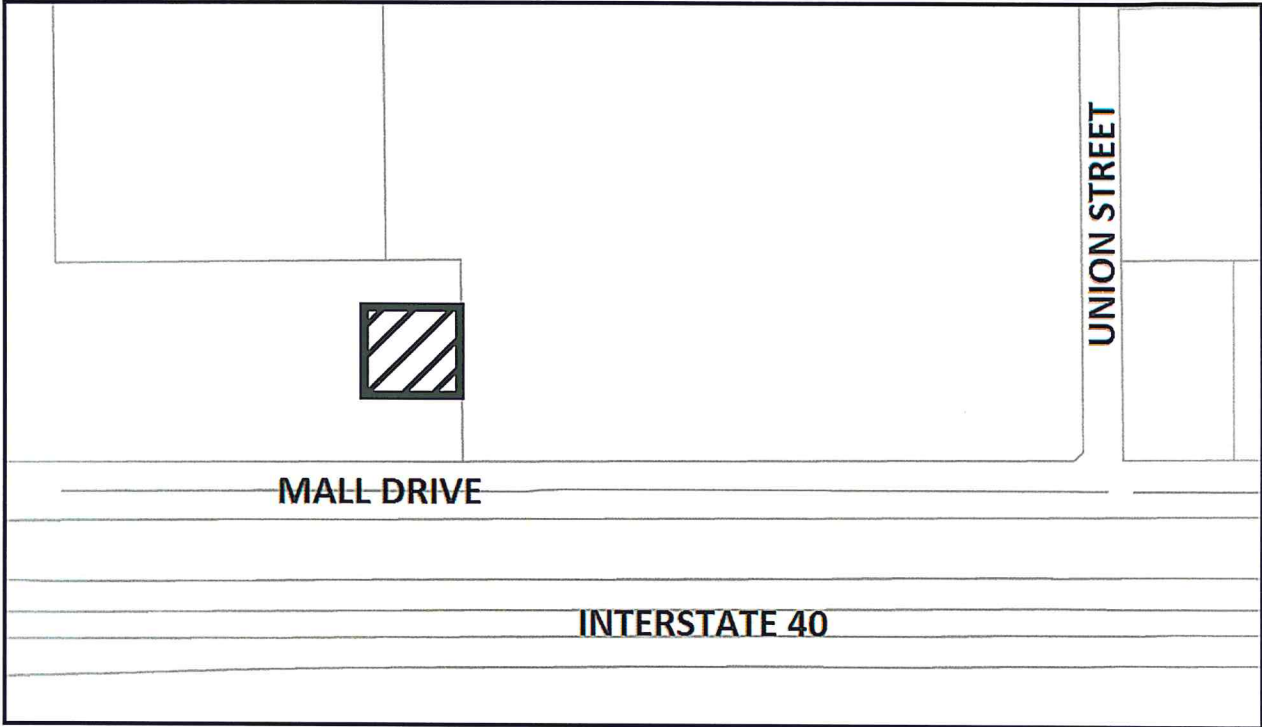
Witness my hand this 10th day of August, 2015.




Phyllis Loftis, City Clerk

Location Map

Case #P13-15



CITY OF SHAWNEE
222 N. BROADWAY
SHAWNEE, OK 74801

PLANNING DEPARTMENT
PHONE: (405) 878-1616
FAX: (405) 878-1587

PLANNING COMMISSION APPLICATION
PROJECT NO. 180779 CASE NO. P13-15

REQUEST:

Rezoning XX 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 CP District to C-3 District, as hereinafter requested, and in support of this application, the following facts are shown:

PROPERTY LOCATION (STREET ADDRESS): Shawnee Mall Drive, Shawnee, OK 74804

LEGAL DESCRIPTION: Attached

PROPERTY OWNER (S): Shawnee Mall Owner, LLC, a Delaware limited liability company

PROPERTY AGENT (APPLICANT): A-OK, LLC, an Oklahoma limited liability company

APPLICANT'S ADDRESS: 3101 W. Tecumseh, Suite 200

CITY: Norman STATE OK ZIP 73072

EMAIL ADDRESS: zimmer@ehsrg.com, muhammad.khan@smcokc.com

TELEPHONE NUMBER: (405) 659-1235 CONTACT NUMBER: (405) 659-1235

DIMENSIONS OF PROPERTY: AREA +/- 0.7056 ac. WIDTH 159.25'
LENGTH 193.00' FRONTAGE 193.00'

CURRENT ZONING: CP **CURRENT USE:** Shawnee Mall off-street Parking

PROPOSED ZONING: C-3 **PROPOSED USE:** Garage Restaurant

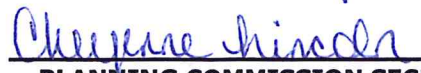
With the filing of this application, I acknowledge that I have been informed of off-street parking, fencing and paving requirements in regard to the zoning I have requested as witnessed by my signature.



SIGNATURE OF APPLICANT

(FOR STAFF USE ONLY)

Filed in the office of the Planning Department, 222 N. Broadway, this 31st day of July 2015



PLANNING COMMISSION SECRETARY

REZONING &/OR C.U.P FEE \$ 280.00
RECEIPT NO. 0773747

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.:** _____

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, TO-WIT: A TRACT OF LAND THAT IS PART OF LOT TWO (2), BLOCK "A" OF THE RECORDED PLAT OF SHAWNEE MALL SUBDIVISION IN THE NORTHWEST QUARTER (NW/4) OF SECTION THIRTY-ONE (31), TOWNSHIP ELEVEN (11) NORTH, RANGE FOUR (4) EAST OF THE INDIAN BASE AND MERIDIAN, POTTAWATOMIE COUNTY, STATE OF OKLAHOMA, SAID TRACT OF LAND BEING DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF LOT 8, BLOCK "A" OF THE SAID PLAT; THENCE SOUTH 00°00'57" WEST A DISTANCE OF 50.27 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 00°00'57" WEST A DISTANCE OF 136.00 FEET; THENCE NORTH 89°58'57" WEST A DISTANCE OF 193.00 FEET; THENCE NORTH 00°00'57" EAST A DISTANCE OF 136.00 FEET; THENCE SOUTH 89°58'57" EAST A DISTANCE OF 193.00 FEET TO THE POINT OF BEGINNING, CITY OF SHAWNEE, POTTAWATOMIE COUNTY, OKLAHOMA. ACCORDING TO THE RECORDED PLAT THEREOF REZONING SAID PROPERTY FROM CP; PLANNED SHOPPING CENTER DISTRICT TO C-3; HIGHWAY COMMERCIAL 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 conducted by the Board of Commissioners of the City of Shawnee, Oklahoma on the 2nd day of September, 2015, upon an application to grant a permissive use permit on property located in the City of Shawnee, Oklahoma to C-3 Highway Commercial; and,

WHEREAS, the Planning Commission of the City of Shawnee has conducted one or more public hearings on said application pursuant to notice as required by law and has submitted its final report and recommendation upon said application to the Board of Commissioners; and,

WHEREAS, it appears to be in the best interest of the City of Shawnee and the inhabitants thereof for said property to be rezoned as 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 THAT IS PART OF LOT TWO (2), BLOCK "A" OF THE RECORDED PLAT OF SHAWNEE MALL SUBDIVISION IN THE NORTHWEST QUARTER (NW/4) OF SECTION THIRTY-ONE (31), TOWNSHIP ELEVEN (11) NORTH, RANGE FOUR (4) EAST OF THE INDIAN BASE AND MERIDIAN, POTTAWATOMIE COUNTY, STATE OF OKLAHOMA, SAID TRACT OF LAND BEING DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF LOT 8, BLOCK "A" OF THE SAID PLAT; THENCE SOUTH 00°00'57" WEST A DISTANCE OF 50.27 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 00°00'57" WEST A DISTANCE OF 136.00 FEET; THENCE NORTH 89°58'57" WEST A DISTANCE OF 193.00 FEET; THENCE NORTH 00°00'57" EAST A DISTANCE OF 136.00 FEET; THENCE SOUTH 89°58'57" EAST A DISTANCE OF 193.00 FEET TO THE POINT OF BEGINNING, CITY OF SHAWNEE, POTTAWATOMIE COUNTY, OKLAHOMA. ACCORDING TO THE RECORDED PLAT THEREOF REZONING SAID PROPERTY FROM CP; PLANNED SHOPPING CENTER DISTRICT TO C-3; HIGHWAY COMMERCIAL AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SHAWNEE ACCORDINGLY.

PASSED AND APPROVED this 8th day of September, 2015.

WES MAINORD, MAYOR

(SEAL)
ATTEST:

PHYLLIS LOFTIS, CMC
CITY CLERK

Approved as to form and legality this 8th day of September, 2015.

MARY ANN KARNS
CITY ATTORNEY

Regular Board of Commissioners

8.

Meeting Date: 09/08/2015

S11-15 Prel Plat

Submitted By: Lisa Lasyone, City Clerk

Department: City Clerk

Information

Title of Item for Agenda

Consideration of approval of a Preliminary Plat for Sac & Fox Apartments located off Kimberly Street, Shawnee, OK. Case #S11-15 Applicant: Sac & Fox Nation Housing Authority

Attachments

S11-15 Staff Report

RECOMMENDATION TO:

MAYOR
BOARD OF CITY COMMISSIONERS
CITY OF SHAWNEE

RECOMMENDATION FROM:

CITY OF SHAWNEE
PLANNING COMMISSION

SUBJECT:

APPLICANT: Sac & Fox Nation Housing Authority
FOR: Preliminary Plat for Sac & Fox Wikipapi Apartments
LOCATION: Highland and Kimberly Streets, Shawnee, OK
PROJECT# 150790 CASE# S11-15

PLANNING COMMISSION MEETING DATE: September 2nd, 2015

PLANNING COMMISSION RECOMMENDATION: Approval w/ following conditions:

1. Final construction documents must be approved by the City Engineer concurrent with Final Plat approval.
2. The final engineered drainage plan must be approved by the City Engineer concurrent with Final Plat approval.
3. Landscape Plans will be required concurrent with Final Plat approval.
4. A six (6') foot sidewalk shall be required along Highland Street within dedicated street Right-of-Way.
5. All other applicable City standards apply.

VOTE OF THE PLANNING COMMISSION:

MEMBERS PRESENT: 7

MEMBERS:	1ST	2ND	AYE	NAY	ABSTAIN	COMMENTS
MORTON			X			
CLINARD			X			
KERBS	X		X			
BERGSTEN (CHAIRMAN)			X			
COWEN (VICE-CHAIRMAN)		X	X			
KIENZLE			X			
AFFENTRANGER			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
Preliminary Plat
Case #S11 -15

TO: Shawnee Planning Commission

AGENDA: September 2, 2015

RE: Sac & Fox Housing Wikipayi Apartments, Preliminary Plat

PROPOSAL

The applicant, Sac and Fox Nation Housing Authority, is requesting Preliminary Plat approval for one (1) lot on 3.6 Acres of property intended for the construction of two (2) apartment complexes built primarily for elderly rental housing. The site is located north of Highland Street on Kimberly Avenue as part of Block 1 and Block 2 Sac and Fox Addition, a replat of Lot 16 Remington Beard Addition established in 1976. The subject site was rezoned to PUD on May 18, 2015.

GENERAL INFORMATION

Applicant	Sac and Fox Housing Authority
Owner(s)	Sac and Fox Housing Authority
Site Location/Address	Highland and Kimberly
Current Site Zoning	PUD (Planned Unit Development)
Parcel Size	3.6 Acres
Proposed Use	Multi-family Apartment Complexes
Comprehensive Plan Designation	Residential
Existing Land Use	Vacant
Surrounding Land Use	North – Residential (R-1) South – various Commercial (C-2 / C-3)

	West – Residential and Commercial (R-1 / C-3) East – Commercial (C-3)
Surrounding Zoning	Varies – please see zoning map. (Figure 2)



Figure 1: Aerial view of site – approximate total area outlined in red.

STAFF REVIEW AND ANALYSIS

The true intent on this site is a replat of Block 2 Sac and Fox Addition, a replat of Lot 16 Remington Beard Addition. Already existing on site are six (6) structures: two (2) duplexes and four (4) quadplexes, built in conformance with 1976 city standards. These will remain on the southern portion of the site.

Necessary requirements for City Staff:

1. Property rezoned from R-2 (Combined Residential) & R-3 (Multifamily Residential) to a Planned Unit Development (PUD) with R-3 standards. A PUD was necessary to allow on-street parking as it conforms to current structures on site. Rezone was approved on May 18, 2015.
2. A further requirement of the PUD was the closure of Kimberly Street as a public right of way and proposed as a future private roadway. The Kimberly Street closure was approved by the City Commission on August 3, 2015.

3. A replat of the property with proper easement dedication, sidewalks, and all other city requirements.

Preliminary Plat review:

1. All buildings will be served by existing City sanitary sewer lines, thus, no need for any sewer extensions.
2. One structure will be served by an existing City water line, while the other apartment complex will be served by a short, approximately fifty (50') foot water line extension.
3. Developer is to build detention pond in northwest corner of property and to release storm water at the historic rate.
4. Six (6') foot sidewalk required along Highland Street, and the location shown on the Preliminary Plat is acceptable.

Upon approval by the Planning and City Commission, the developer will need to submit construction plans for the public sidewalk improvements, the detention facility, the paving and parking areas, and the short water line extension.

Staff has reviewed the project and does hereby recommend approval of the requested Preliminary Plat.

STAFF RECOMMENDATION

The technical aspects of the Preliminary Plat have been reviewed by the City Engineer and other appropriate staff. Staff does recommend approval of the Preliminary Plat, with the following conditions:

1. Final construction documents must be approved by the City Engineer concurrent with Final Plat approval.
2. The final engineered drainage plan must be approved by the City Engineer concurrent with Final Plat approval.
3. Landscape Plans will be required concurrent with Final Plat approval.
4. A six (6') foot sidewalk shall be required along Highland Street within dedicated street Right-of-Way.
5. All other applicable City standards apply.

Attachments

1. Figure 1: Aerial view of site
2. Figure 2: Zoning Map
3. Figure 3: Future Comprehensive Plan Map
4. Exhibit 1: Preliminary Plat

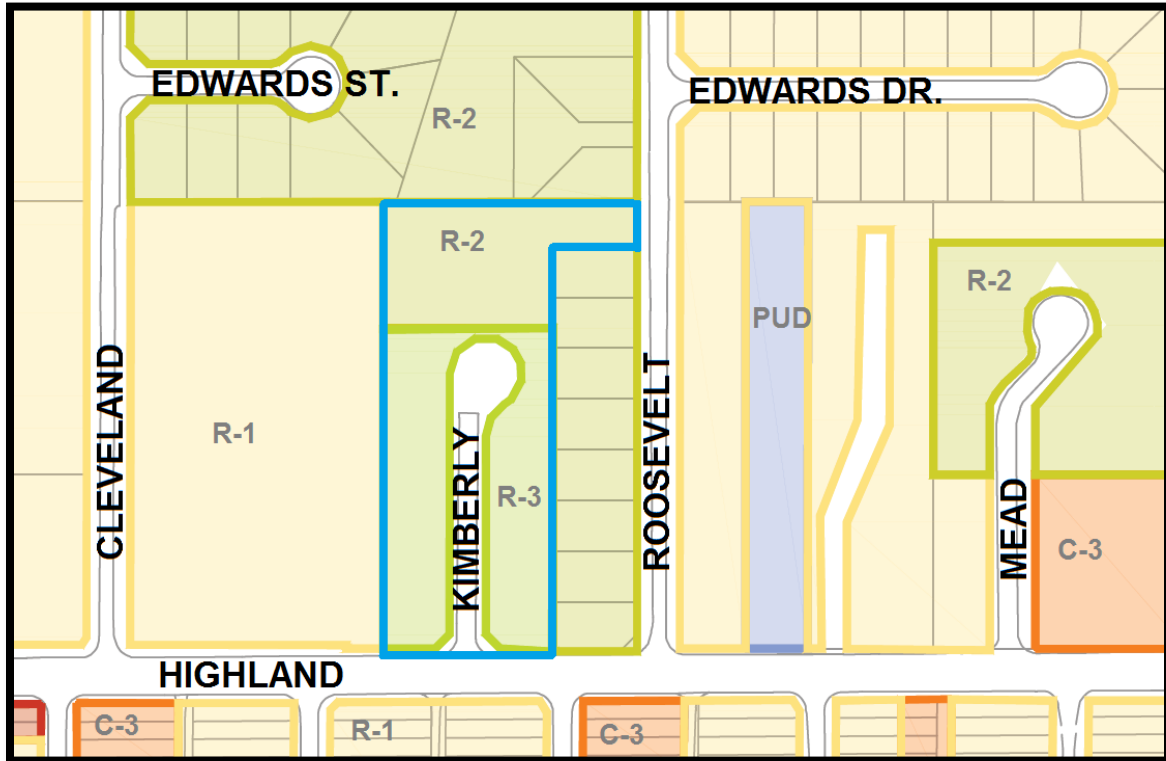


Figure 2: Zoning Map of site – approximate total area outlined in blue.

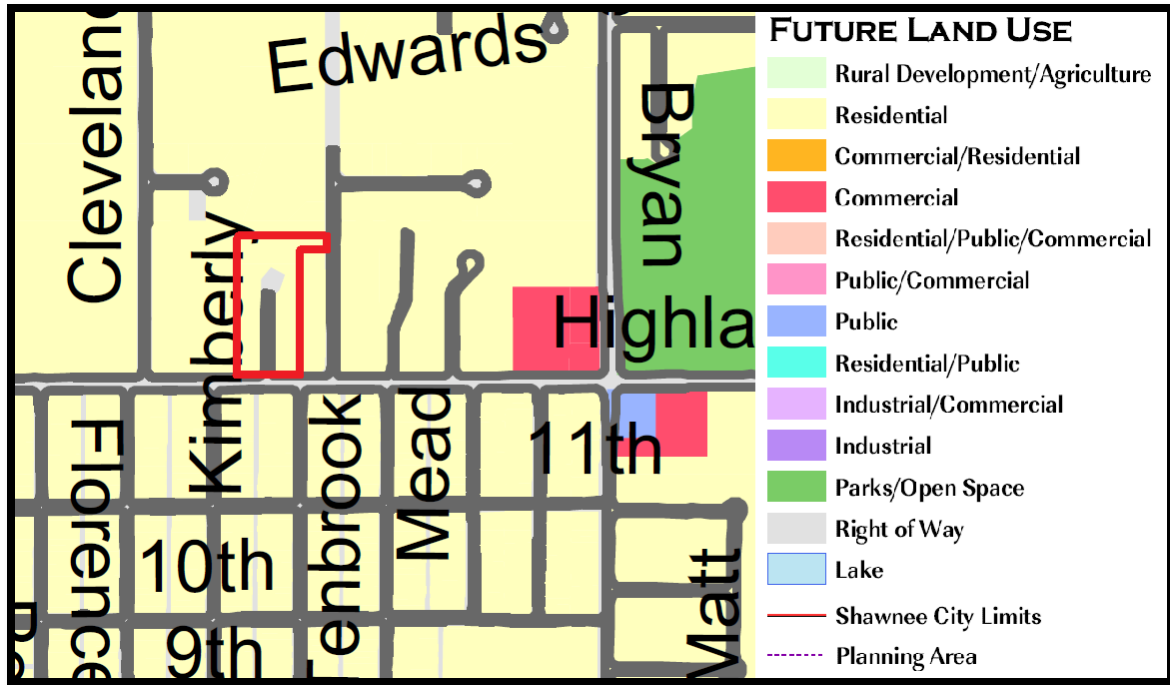


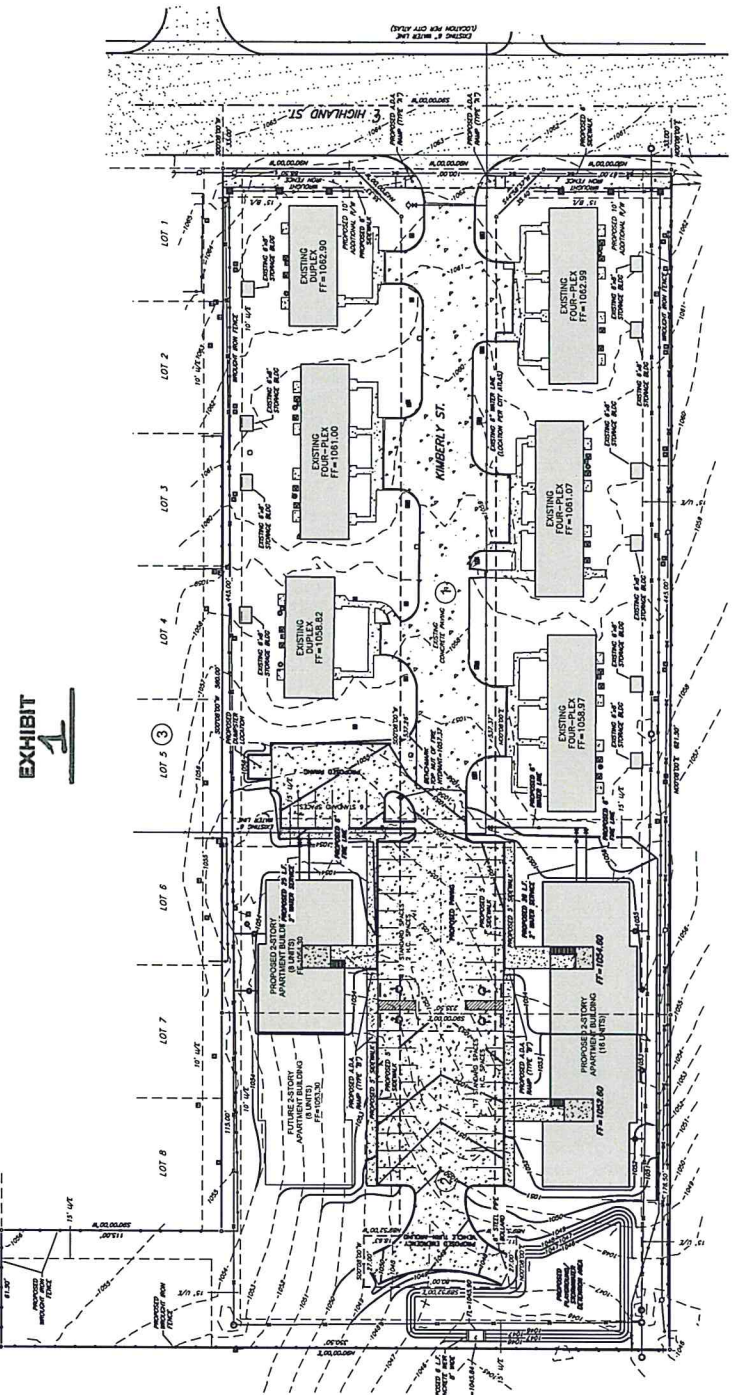
Figure 3: Future Comprehensive Plan Map – approximate total area outlined in red.

PRELIMINARY PLAT-P.U.D.
SAC & FOX WIKIYAPI APARTMENTS
 BLOCKS ONE AND TWO OF SAC & FOX ADDITION, BEING A REPLAT
 OF LOT 16 REMINGTON BEARD ADDITION, BEING A PART OF SECTION 17, T10N-R4E, L.M.,
 TO THE CITY OF SHAWNEE, POTTAWATOMIE COUNTY, OKLAHOMA.

LANDS ENGINEERING L.L.C.
 W.W. Landessing/Engineering.net
 903 E. 35th Street • P.O. BOX 1032
 Shawnee, OK 74802-1032
 (405) 275-5388 • Fax (405) 275-9047
 CA # 2260 EXP. 06/30/2017

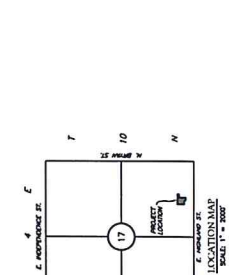
Richard L. Landessing
 License No. 12679
 State of Oklahoma
 Date

NO.	DATE	DESCRIPTION
1	08/27/2015	ISSUED FOR PERMITS



LEGAL DESCRIPTION
 BLOCKS ONE AND TWO OF SAC & FOX ADDITION, BEING A REPLAT OF LOT 16 REMINGTON BEARD ADDITION, BEING A PART OF SECTION 17, T10N-R4E, L.M., TO THE CITY OF SHAWNEE, POTTAWATOMIE COUNTY, OKLAHOMA.

STATISTICAL DATA
 1. LOT AREA: 10,000 SQ. FT.
 2. TOTAL AREA: 80,000 SQ. FT.
 3. TOTAL FLOOR AREA: 1,200,000 SQ. FT.
 4. TOTAL UNITS: 120



DEVELOPER INFORMATION
 COMPANY: SAC & FOX WIKIYAPI APARTMENTS, LLC
 LOCATION: SHAWNEE, OKLAHOMA
 OWNER & DEVELOPER: SAC & FOX WIKIYAPI APARTMENTS, LLC
 PROJECT ENGINEER: RICHARD L. LANDESSING, L.L.C.

FLOOD STATEMENT
 THE PROPERTY IS NOT LOCATED IN A FLOOD HAZARD ZONE AS SHOWN ON THE CITY OF SHAWNEE FLOOD HAZARD MAP. THEREFORE, NO FLOOD HAZARD STATEMENT IS REQUIRED FOR THIS PROJECT.

STORMWATER FLOW
 THE PROPOSED APARTMENT BUILDINGS WILL BE PROVIDED WITH ROOFTOP DRAINAGE SYSTEMS THAT WILL DISCHARGE TO THE CITY OF SHAWNEE STORMWATER SYSTEM. THE DEVELOPER HAS OBTAINED A LETTER OF NO OBJECTION FROM THE CITY OF SHAWNEE FOR THE PROPOSED DRAINAGE SYSTEM.

LEGEND
 - - - - - PROPOSED DRIVEWAY
 - - - - - PROPOSED SIDEWALK
 - - - - - PROPOSED UTILITY LINE
 - - - - - PROPOSED FENCE
 - - - - - PROPOSED DRIVEWAY

REVISIONS
 1. 08/27/2015: ISSUED FOR PERMITS

SCALE: 1" = 10'
 0 30 60 90

PRELIMINARY PLAT APPLICATION FOR THE CITY OF SHAWNEE

Please provide a submittal letter, 6-24 X 36 maps, 1-8 1/2 x 14 map, 1 electronic map and filing fees upon submitting this application. Please call 878-1616 with any questions.

APPLICANT SAC ; Fox NATION HOUSING AUTHORITY

APPLICANT ADDRESS 201 N. HARRISON SHAWNEE, OK 74801

APPLICANT PHONE NUMBERS 405.275.8200

EMAIL ADDRESS bksmahcheet@hasfn.net

NAME OF PLAT Housing Authority of the Sac ; Fox Nation

LOCATION Blocks 1 ; 2 of Sac ; Fox Addition

NUMBER OF ACRES 3.6 NUMBER OF LOTS 1

FOR 2 ACRE LOTS OR GREATER DEVELOPMENTS: FEE: \$225.00

PLUS \$3.00 PER LOT UP TO FIFTY (50) LOTS NUMBER OF LOTS 1 228.00

PLUS \$1.00 PER LOTS OVER FIFTY (50) LOTS NUMBER OF LOTS

TOTAL COST 228.00

FOR LESS THAN 2 ACRE LOTS: FEE: \$225.00

PLUS \$2.00 PER LOT UP TO FIFTY (50) LOTS NUMBER OF LOTS

PLUS \$1.00 PER LOTS OVER FIFTY (50) LOTS NUMBER OF LOTS

TOTAL COST

OWNER/DEVELOPER INFORMATION:

NAME SAC ; Fox NATION HOUSING AUTHORITY

ADDRESS 201 N. HARRISON , SHAWNEE , OK 74801

CONTACT NUMBERS 405.275.8200

EMAIL ADDRESS bksmahcheet@hasfn.net

PROJECT ENGINEER INFORMATION:

NAME LANDES ENGINEERING LLC

ADDRESS 903 E. 35TH ST., SHAWNEE, OK 74804

CONTACT NUMBERS 405.275.5388

EMAIL ADDRESS landesengineering@landesengineering.net

FOR STAFF USE ONLY

PROJECT NUMBER: 150790 CASE NUMBER: 511-15

DATE: 8-5-15 AMOUNT PAID: 228.00 RECEIPT NO. 01776905

Regular Board of Commissioners

9.

Meeting Date: 09/08/2015

Admin Order Appeal

Submitted By: Lisa Lasyone, City Clerk

Department: City Clerk

Information

Title of Item for Agenda

Discussion, consideration and possible action on Raymond Lutomski's appeal of an Administrative Order requiring the demolition of the residential structure located at 1235 East Edwards.

Attachments

Admin Order Memo

Admin Order Appeal



City of Shawnee

Community Development Department

222 N. Broadway
Shawnee, OK 74801
(405) 878-1665 Fax (405) 878-1587
www.ShawneeOK.org

MEMORANDUM

AGENDA: September 8, 2015

TO: Shawnee City Commission

FROM: Justin DeBruin, Community Development Director

RE: Appeal of Administrative Order (Lutomski), 1235 E. Edwards

SUMMARY

On August 13, 2015 an Administrative Order was issued requiring the dismantling and removal of the residential structure located at 1235 E. Edwards. A public hearing was held at 10:45 AM and the legal owner, Raymond J. Lutomski Jr. was not present. It was determined that the structure met the statutory definition of "dilapidated" and that the public interest would be best served by removal of the building.

Procedure for notice is as follows: Ten (10) days' notice that a building is to be removed shall be given to the owner of the property before the community development director holds a hearing and takes action, stating that failure to attend the hearing will result in the immediate removal of the dilapidated structure. Notice was given for this property in the following manner:

1. A copy of the notice shall be posted on the property to be affect. Posted on 7/16/15.
2. A copy of the notice shall be sent by certified mail to the property owner. If the certified mail to the property owner is refused, service of the notice shall be deemed valid and complete. Mailed 7/15/15. Receipt of mail from the postal service obtained.
3. As a general precaution, notice was also posted in a legal newspaper published in the city. Published in the Shawnee News-Star on 7/26/15.

Shawnee Municipal Code provides in Section 7-582(a)(6) that:

The property owner shall have the right of appeal to the city commission from any order of the community development director. Such appeal shall be taken by filing written notice of appeal, clearly stating all grounds upon which the appeal is based, with the city clerk within ten days after the administrative order is rendered.

Mr. Lutomski appealed the decision of the Administrative Hearing Officer on August 24, 2015.

BACKGROUND

The subject Property has been cited and/or investigated as follows:

DATE	VIOLATION
August 2007	Tall grass/weeds, derelict vehicles, trees low over street.
June 2008	Junk, trash, tall grass/weeds
March 2011	Junk/trash
April 2014	Junk/trash
June 2015	Junk/trash
July 2015	Dilapidated structure

Multiple complaints have been issued for some time on this property. Recently, Code Enforcement officers have met and discussed these issues with Mr. Lutomski Jr., but little progress has been made so far.

The major findings on this property are:

- Derelict vehicles
- Tall grass, weeds, and debris
- Dilapidated structure
- Cellar open with water
- Outbuilding appears to be open
- Multiple structural issues, lack of maintenance, and decay
- Excessive content on property
- Holes in roof

Photographs are attached that indicate the condition of the property. In summary, the property is in a state of disrepair due to a lack of maintenance. There are numerous structural issues with the building and in addition, there is junk and debris on the property, which is also in violation of City code.

According to the Pottawatomie County Assessor, the building is 540 square feet and was built in 1928.

RECOMMENDATION

Though the property has been in violation for many years, Mr. Raymond Lutomski Jr. has only been the owner for approximately a year, since the unfortunate passing of his father, the former property owner. After discussions with the applicant, it seems that he would like more time in order to sort through items on the

property and decide a course of action. Staff will require a plan for this property to be established, be it a remodel on the property or simply more time before proceeding to demo. There are a number of code violations, however, staff has no objection to the City Commission nullifying the Administrative Order and providing Mr. Lutomski with 60 days to submit an approvable remodel permit and begin repairs on the property, or gather possessions from the property and proceed with demolition.

If Mr. Lutomski does not proceed with a course of action, Staff will continue with appropriate administrative action after the 60 days has passed.

Attachments





















07/16/2015 08:46

Mayor and City Commision

CC: City Clerk Office, Justin DeBruin

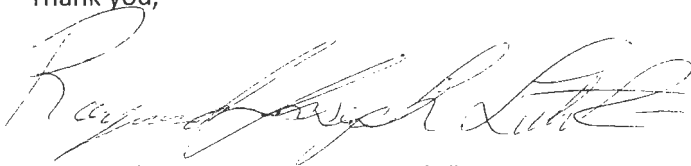
Date: 8-24-2015

Subject: 1235 E. Edwards, Shawnee, Ok. 74801, Raymond Joseph Lutomski " Butch "

I would like to appeal the decision of the ruling on 13 August 2015, I did not know the date and time of the hearing. I did not receive a letter notifying me of the meeting. The only notification that I received was the letter of the infractions and the result of the Administrative Order.

I would like a 2 month extension, if possible.

Thank you,

A handwritten signature in black ink, appearing to read "Raymond Joseph Lutomski". The signature is written in a cursive style with a large initial "R".

Raymond Joseph Lutomski " Butch "

405-361-0719

lutomski81@gmail.com

807 N. Hobson St.

Shawnee, Ok 74801

RECEIVED
AUG 24 2015
CITY CLERK



Raymond Lutomski <lutomski81@gmail.com>

Raymond Lutomski

1 message

Raymond Lutomski <lutomski81@gmail.com>

Mon, Aug 24, 2015 at 12:22 PM

To: jdebruin@shawneeok.org

Bcc: "lutomski@sbcglobal.net" <lutomski@sbcglobal.net>

Hi Justio,

I thought it might be easier to email you.

I wanted to let you know I was never informed of the date and time of the hearing on the property at 1235 E. Edwards. I have enclosed the only two notifications from your department. I couldn't find the envelope for the 1st notification mailed, but I went to dad's house when I recieved the letter in the mail.



Photo time date stamp: 6-14-2015 at 09:49:29. Saved as a jpg

After recieving the first notification that Randy posted at my driveway and mailed me a letter a few days later, I went down to the office and visited with Randy.

If I knew of the meeting, I would have been in attendentance. The out come might have been the same but it would have been at the hearing.

With the hearings going dark for a month or so and you getting promoted to department head, all I can figure out is that someone dropped the ball and didn't notify me.

I have questions:

- 1) How much is the permit or permits
- 2) Who can take the house down
- 3) Can I leave the fences where they are.
- 4) Once the house would be down, would I have to take the fence down, can I put up new fences since a house would not be there.
- 5) What kind of dewlling can I put there after the old house is taken down.
- 6) If it would be left a vacant lot, what can I do with it.

Respectfully,

Raymond Joseph Lutomski " Butch "

405-361-0719

lutomski81@gmail.com

807 N. Hobson St.
Shawnee, Ok. 74801

3 attachments



Action Center Letter envelope 81815.pdf
144K



Action Center Letter 61315.pdf
352K



Action Center Letter 81815.pdf
256K



The City of Shawnee
PO Box 1448
Shawnee Oklahoma 74802-1448
(405) 878-1602 Fax (405) 878-1587
www.ShawneeOK.org

ACTION CENTER
DIVISION

RAYMOND LUTOMSKI
807 N HOBSON

SHAWNEE OK 74801

NOTICE

RAYMOND J LUTOMSKI JR
(Owners, Heirs, and Claimants)

NOTICE is hereby given that the following described real property has become detrimental to the health, benefit and welfare of the public and the community, a hazard to traffic, or creates a fire hazard to the danger of property due to the accumulation of trash, junk, debris or the growth of weeds or grass. Said real property which is situated within the corporate limits of the City of Shawnee, Pottawatomie County, Oklahoma, is described as follows:

Legal Description: **GAPP S BLOCK 3 LOTS 7 THRU 9**

Address: **1235 E EDWARDS**

Problem: **JUNK TRASH OR DEBRIS SHALL BE REMOVED/CLEANED AND TALL GRASS AND WEEDS SHALL BE MOWED AND DERELICT VEHICLES SHALL BE REPAIRED AND STREET LEGAL AND APPEAR TO BE DRIVEN OR REMOVED**

YOU ARE HEREBY NOTIFIED to remove said problem(s) on the above described real property. Unless such work is performed within ten (10) days from the date of this Notice, the work shall be performed by the City, and/or a citation may be issued. Upon completion of such work by the City, the costs thereof, including the cost of labor, machinery, rental, depreciation, fuel, supplies, cost of notice and/or other costs, shall be paid by you. A lien will be placed on the property immediately and if such costs are not paid within thirty (30) days from the date of mailing of the statement, a certified statement shall be filed with the County Clerk.

YOU ARE FURTHER NOTIFIED that you may request a hearing within ten (10) days from the date of this Notice to determine where the accumulation of trash, junk, debris or the growth of weeds or grass on said property has caused the property to become detrimental to the health, benefit and welfare of the public and the community, a hazard to traffic, or creates a fire hazard to the danger of property. To request a hearing, contact the **Action Center at 405-878-1602**. At the hearing, you may appear personally or by your attorney and may present evidence, testimony or other relevant information in your behalf concerning conditions existing on said property and may cross-examine witnesses against you. By failing to request a hearing within the prescribed time, you waive all rights to such hearing and the City may proceed as stated above without further notice to you.

YOU ARE FURTHER NOTIFIED that any accumulation of trash, junk debris or excessive weeds or grass growth on said property occurring within six (6) months after the removal of trash, junk, debris or cutting or mowing of weeds or grass on the property pursuant to this Notice may be summarily abated by the City without further prior notice to you. The costs of such abatement shall be assessed against you and a lien shall be imposed on the property to secure such payment, all without further prior notice to you.

DATED: Thursday, June 11, 2015

THE CITY OF SHAWNEE, OKLAHOMA
A MUNICIPAL CORPORATION

By: 
RANDY WESLEY, ACTION CENTER



BEFORE THE ADMINISTRATIVE HEARING OFFICER FOR THE
CITY OF SHAWNEE, COUNTY OF POTTWATOMIE
STATE OF OKLAHOMA

ADMINISTRATIVE ORDER

Now, on this 13 day of Aug 2015 this matter comes on for hearing at the appointed time pursuant to the Notice of Hearing Concerning Dilapidated Building(s), a copy of which is attached hereto and made a part hereof. The Code Enforcement Officer for the City of Shawnee appeared on behalf of said City and the Respondent:

// appeared _____

// represented by legal counsel or other representative. _____

failed to appear.

The Hearing Officer finds that due and proper service was made on Respondent at least ten (10) days prior to the date of this hearing. After having carefully reviewed the record and evidence herein, and having heard the evidence and testimony of the Code Enforcement Officer and the Respondent, if any, the Hearing Officer further finds that the subject building(s) is/are dilapidated and detrimental to health, safety, and welfare of the general public or the community, create(s) a fire hazard dangerous to other property, and that the subject property would be benefited by the removal of the subject building(s).

IT IS THEREFORE ORDERED that: (Address) 1235 E EDWARDS

1) The Respondent shall commence the:

(a) Dismantling and removal of the building(s)

(b) // Board and secure structure(s)

(c) // Reset hearing date _____ // ~~Permit pulled void hearing date~~

2) If Respondent shall fail to perform the work within the dates fixed, the City shall cause such work to be done and the costs of such work, including all notices required in connection herewith, shall be assessed and collected in accordance with City Code Section 7-582.

3) Permits shall be obtained prior to Sep 14, 2015 and shall complete such work no later than Nov 14, 2015.

No Show
Property owner or Representative

Justin DeBruin
Justin DeBruin
Administrative Hearing Officer
City of Shawnee, Oklahoma

(You have 10 days to appeal this to the City Commission.)

Regular Board of Commissioners

10.

Meeting Date: 09/08/2015

Muni Ct Fee

Submitted By: Lisa Lasyone, City Clerk

Department: City Clerk

Information

Title of Item for Agenda

Discussion, consideration and possible action on an ordinance providing for a Technology Fee and a Radio Fee to be added to fines.

Attachments

Muni Ct Fee Memo

Muni Ct Fee Ord



Shawnee Police Department

Chief Russell Frantz

16 W 9th

Shawnee, Oklahoma 74801

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

E-Mail: rfrantz@shawneeok.org



FROM : Russell Frantz
Chief of Police

TO : Justin Erickson, City Manager

CC : Mayor and Commissioners

SUBJECT : Radio and Technology Fee

DATE : 3 September 2015

I recommend that the City of Shawnee approve of an ordinance to add a technology fee and radio fee to every municipal fine that is assessed by the Municipal Court. The technology fee would be collected and put into a special account to provide technology, hardware, software and technology licenses to assist in the efficiency of the data transfers from the Police Department to the Municipal court. This fee would help supplement both the Municipal Court budget and the Police budget. Computer transfer of the data provides a faster and more efficient transfer of information to provide better service to the Citizens of Shawnee and aid in transparency.

The proposed radio fee would also help keep the radio systems updated to provide the best service to first responders. The Police department historically has purchased the handheld radios and then passes down the older radios to the various other departments in the City.

These fees are not a tax and are only paid by persons convicted or plea deals of violations of City ordinances.

Thank you for consideration of this proposal.

Russell Frantz, Chief
Shawnee Police Department

ORDINANCE NO. ____

AN ORDINANCE REPEALING AND AMENDING SECTION 1-10 OF THE SHAWNEE MUNICIPAL CODE, RELATING TO PENALTIES, FINES AND FEES; PROVIDING FOR A TECHNOLOGY FEE; PROVIDING FOR A COMMUNICATIONS SUPPORT FEE; PROVIDING FOR REPEAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION AND DECLARING AN EMERGENCY.

WHEREAS, the cost of acquiring, maintaining, operating, repair and replacement of equipment and software related to the administration of the municipal court system and the costs of prosecution has risen; and

WHEREAS, the cost of acquiring, maintaining, operating, repair and replacement of communications equipment and software related to the provision of police services has risen; and

WHEREAS, the need for technology and communications support is related to the successful and efficient operation of both the municipal court and the police department; and

WHEREAS, the Mayor and City Commission find that it is in the best interest of the citizens of the City of Shawnee that fees be added to fines set for conviction of violations of municipal ordinances:

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COMMISSIONERS OF THE CITY OF SHAWNEE, OKLAHOMA, THAT CHAPTER 1 OF THE SHAWNEE MUNICIPAL CODE BE AMENDED AS FOLLOWS:

SECTION 1. AMENDATORY: That Section 1-10 of the Shawnee Municipal Code is hereby repealed and amended to read as follows

Section 1-10. General Penalty

- a) Whenever in this Code or in other ordinance of the city, or in any rule, regulation or order promulgated by any officer or agency of the city under authority duly vested in him, or it, any act is prohibited or is made or declared to be unlawful, it shall be a misdemeanor unless otherwise specifically stated; and where no specific penalty is provided therefore, the violation of any such provision of this Code or any other ordinance of the city, or such rule, regulation, or order, shall be punished as follows:
- 1) If the violation is a Class A offense, it shall be punished by a fine not exceeding \$750.00 and costs, and/or by imprisonment not exceeding 60 days, or by both such fine and imprisonment;
 - 2) If the violation is a Class B offense, it shall be punished by a fine not exceeding \$200.00 and costs;
 - 3) If the violation is a Class C offense, it shall be punished by a fine not exceeding \$500.00 and costs;
 - 4) If the violation is a Class D offense, it shall be punished by a fine not exceeding \$1,000.00 and costs, and/or by imprisonment not exceeding 90 days, or, by both such fine and imprisonment.

If any act or omission is declared to be a Class A, Class B, Class C, or Class D offense, it shall be punishable as indicated above. In the absence of any other penalty, an offense shall be a Class C offense.

- b) Each act of violation and each day upon which any such violation shall continue or occur shall constitute a separate offense. The penalty provided by this section, unless another penalty is expressly provided, shall apply to the amendment of any Code section, whether or not such penalty is reenacted in the amendatory ordinance. In addition to the penalty prescribed above, the city may pursue other remedies such as abatement of nuisances, injunctive relief, administrative adjudication and revocation of licenses or permits.

- c) Whenever a person either commits an act that is prohibited or declared to be unlawful or a misdemeanor, or fails to perform any required act, the failure of which is declared to be unlawful or a misdemeanor and that person is punished by a fine, there shall be added to each fine a technology fee in the amount of Ten Dollars (\$10.00). The fee will be deposited in a technology account. At the end of the fiscal year, the funds in this account will be moved to a designated fund balance account to be used solely and exclusively for the acquisition, operation, maintenance, repair and replacement of data processing equipment and software related to the administration of the municipal criminal justice system and the costs of prosecution, as budgeted by the City Commission.
- d) Whenever a person either commits an act that is prohibited or declared to be unlawful or a misdemeanor, or fails to perform any required act, the failure of which is declared to be unlawful or a misdemeanor and that person is punished by a fine, there shall be added to each fine a communications support fee in the amount of Ten Dollars (\$10.00). The fee will be deposited in a communications support account. At the end of the fiscal year, the funds in this account will be moved to a designated fund balance account to be used solely for police communications equipment and software, as budgeted by the where the funds can be spent only for police radio equipment as budgeted by the City Commission.

SECTION 3. REPEALER. All sections, subsections, clauses, and sentences of existing law in conflict with this ordinance are repealed.

SECTION 4. CODIFICATION. This Ordinance shall be codified in the Shawnee Municipal Code, and the codifier is authorized to set out the ordinance as appropriate.

SECTION 5. 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.

SECTION 6. 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 _____, 2015.

WES MAINORD, MAYOR

ATTEST:

PHYLLIS LOFTIS, CMC, CITY CLERK

(SEAL)

Emergency separately approved this ____ day of _____, 2015:

WES MAINORD, MAYOR

ATTEST:

PHYLLIS LOFTIS, CMC, CITY CLERK

APPROVED AS TO FORM AND LEGALITY THIS _____ day of _____, 2015.

MARY ANN KARNES
CITY ATTORNEY

Regular Board of Commissioners

11.

Meeting Date: 09/08/2015

Bryan St Interchange Presentation

Submitted By: Lisa Lasyone, City Clerk

Department: City Clerk

Information

Title of Item for Agenda

Presentation and discussion regarding the proposed Bryan Street Interchange Project.

Regular Board of Commissioners

14.

Meeting Date: 09/08/2015

Enter Into ES Atty

Submitted By: Lisa Lasyone, City Clerk

Department: City Clerk

Information

Title of Item for Agenda

Consider an Executive Session to discuss the evaluation and consideration of contract of the City Attorney pursuant to 25 O.S. §307(B)(1) "Discussing the employment, hiring, appointment, demotion, disciplining or resignation of any individual salaried public officer or employee."

Regular Board of Commissioners

15.

Meeting Date: 09/08/2015

Discuss ES Atty

Submitted By: Lisa Lasyone, City Clerk

Department: City Clerk

Information

Title of Item for Agenda

Consider matters discussed in Executive Session regarding discussion of evaluation and consideration of contract of the City Attorney pursuant to 25 O.S. §307(B)(1) "Discussing the employment, hiring, appointment, demotion, disciplining or resignation of any individual salaried public officer or employee."
(Tabled from August 17, 2015 City Commission meeting.)
