

BOARD OF CITY COMMISSIONERS PROCEEDINGS
AUGUST 19, 2019 AT 6:00 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 19, 2019 at 6:00 p.m., pursuant to notice duly posted as prescribed by law. Vice Mayor Harrod presided and called the meeting to order. Upon roll call, the following members were in attendance.

Absent
Mayor

Ed Bolt
Commissioner Ward 1

Ron Gillham
Commissioner Ward 2

James Harrod
Commissioner Ward 3-Vice Mayor

Darren Rutherford
Commissioner Ward 4

Mark Sehorn
Commissioner Ward 5

Ben Salter
Commissioner Ward 6

ABSENT: Richard Finley

INVOCATION

Don Lynch,
Emergency Management Director

FLAG SALUTE

AGENDA ITEM NO. 1:

Citizens Participation
(A three-minute limit per person)
(A twelve-minute limit per topic)

Ms. Holly Gordon and Ms. Lindsay Goodson, with the Food Policy Council for Pottawatomie County, gave details on the proposed Urban Chicken Ordinance that will be presented to the City Commission at the September 3, 2019 meeting.

Ms. Lindsay Goodson, with the Blue Zones Project for Pottawatomie County, explained that Blue Zones was entering into its third year. They will be completing their Blue Print this week.

AGENDA ITEM NO. 2:

Consider approval of Consent Agenda:

- a. Minutes from the August 5, 2019 regular meeting.
- b. Acknowledge the following reports and minutes:
 - License Payment Report for July 2019
 - Project Payment Report for July 2019
 - Planning Commission Minutes from the June 5, 2019 and July 3, 2019 regular meetings
 - Shawnee Urban Renewal Authority Minutes from the May 7, 2019 regular meeting

- c. Lake Lease Transfers:

TRANSFERS:

Lot A Hart Tract, 16001 Hart Road

From: Elton Agee

To: Brian Burton

Lot 2 Coffman Tract, 15405 Perry Road

From: James F. and Susan B. Ruth

To: Jesse and Kobi Abbott

- d. Authorize staff to engage the services of KA Associates, LLC and Kopke and Associates to conduct a transit study in the total amount of \$29,032.25.
- e. Authorize staff to make payment for upgraded LED lighting at the Heart of Oklahoma Exposition Center in the total amount of \$109,504.27 to LED Savings, LLC.

A motion was made by Commissioner Bolt, seconded by Commissioner Sehorn, to approve Consent Agenda Item Nos. 2 (a-e). Motion carried 6-0.

AYE: Bolt, Sehorn, Salter, Gillham, Harrod, Rutherford

NAY: None

AGENDA ITEM NO. 3:

Presentation by Animal Control to present the Pet of the Week.

Animal Control Officer Couch presented Maggie, a female canine. Officer Couch explained Maggie was aggressive when she was brought to the shelter, but has since shown a sweet disposition. Her adoption fee is \$40.00.

AGENDA ITEM NO. 4:

Public hearing and consideration of an ordinance to rezone property located at 1510 North Elm Avenue from A-1 (Rural Agricultural District) to R-1 (Single-Family Residential District) for the purpose of a single-family home. Case No. P11-19, Applicant: Dale Wiginton.

City Planner Rebecca Blaine gave a Staff report. She stated the property is already being used for single-family residence; this will adjust the area to conform with existing use. Ms. Blaine advised that Staff recommends approval.

Vice Mayor Harrod declared a public hearing in session to consider an ordinance rezoning property from A-1 (Rural Agricultural District) to R-1 (Single-Family Residential District) for property located at 1510 North Elm Avenue. No one appeared in favor or against said rezoning. The public hearing was closed.

A motion was made by Commissioner Gillham, seconded by Commissioner Bolt, to approve an ordinance to rezone property located at 1510 North Elm Avenue from A-1 (Rural Agricultural District) to R-1 (Single-Family Residential District).

Ordinance No. 2671NS was introduced.

AN ORDINANCE CONCERNING THE ZONING CLASSIFICATION OF THE FOLLOWING DESCRIBED PROPERTY LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY OF SHAWNEE, POTTAWATOMIE COUNTY, OKLAHOMA, TO-WIT: THE SOUTH 80 FEET OF THE NORTH 112 FEET OF THE EAST 140 FEET OF LOT EIGHT (8), BRADLEY'S SECOND ADDITION TO THE CITY OF SHAWNEE, POTTAWATOMIE COUNTY, OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF, FROM ZONING CLASSIFICATION A-1 (RURAL AGRICULTURAL DISTRICT) TO R-1 (SINGLE-FAMILY RESIDENTIAL DISTRICT) AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SHAWNEE ACCORDINGLY.

Motion carried 6-0.

AYE: Gillham, Bolt, Harrod, Rutherford, Sehorn, Salter

NAY: None

Ordinance No. 2671NS was adopted by the City Commission.

AGENDA ITEM NO. 5:

Public hearing and consideration of an ordinance to rezone property located at 3914 North Kickapoo Avenue from R-1 (Single-Family Residential District) to C-3 (Highway Commercial District) for the purpose of a shopping strip center. Case No. P12-19, Applicant: Margaret Davis.

City Planner Rebecca Blaine advised the rezoning of this property will comply with the City's Comprehensive Plan and allow a larger variety of businesses to utilize the location. Ms. Blaine state that Staff and the Planning Commission recommends approval.

Vice Mayor Harrod declared a public hearing in session to consider an ordinance rezoning property from R-1 (Single-Family Residential District) to C-3 (Highway Commercial District) for property located at 3914 North Kickapoo Avenue. No one appeared in favor or against said rezoning. The public hearing was closed.

A motion was made by Commissioner Bolt, seconded by Commissioner Sehorn, to approve an ordinance to rezone property located at 3914 North Kickapoo Avenue from R-1 (Single-Family Residential District) to C-3 (Highway Commercial District).

Ordinance No. 2672NS was introduced.

AN ORDINANCE CONCERNING THE ZONING CLASSIFICATION OF THE FOLLOWING DESCRIBED PROPERTY LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY OF SHAWNEE, POTTAWATOMIE COUNTY, OKLAHOMA, TO-WIT: LOT TWO (2), BLOCK ONE (1), OF COLLEGE VIEW ADDITION, AN ADDITION TO THE CITY OF SHAWNEE, POTTAWATOMIE COUNTY, OKLAHOMA, FROM ZONING CLASSIFICATION R-1 (SINGLE-FAMILY RESIDENTIAL DISTRICT) TO C-3 (HIGHWAY COMMERCIAL DISTRICT) AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SHAWNEE ACCORDINGLY.

Motion carried 6-0.

AYE: Bolt, Sehorn, Salter, Gillham, Harrod, Rutherford
NAY: None

Ordinance No. 2672NS was adopted by the City Commission.

AGENDA ITEM NO. 6:

Public hearing and consideration of an ordinance to rezone property located at 1601 North Kickapoo Avenue from C-1 (Neighborhood Commercial District) to C-3 (Highway Commercial District) for the purpose of making leasing vacant spaces easier. Case No. P13-19, Applicant: John Brown.

City Planner Rebecca Blaine explained this property is located in a strip center. The C-3 (Highway Commercial District) zoning will allow a larger variety of businesses to utilize the location. Ms. Blaine advise Staff and the Planning Commission recommends approval. She also advised that this rezoning is also in line with the City's Comprehensive Plan.

Vice Mayor Harrod declared a public hearing in session to consider an ordinance rezoning property from C-1 (Neighborhood Commercial District) to C-3 (Highway Commercial District) for property located at 1601 North Kickapoo Avenue. No one appeared in favor or against said rezoning. The public hearing was closed.

A motion was made by Commissioner Bolt, seconded by Commissioner Rutherford, to approve an ordinance to rezone property located at 1601 North Kickapoo Avenue from C-1 (Neighborhood Commercial District) to C-3 (Highway Commercial District).

Ordinance No. 2673NS was introduced.

AN ORDINANCE CONCERNING THE ZONING CLASSIFICATION OF THE FOLLOWING DESCRIBED PROPERTY LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY OF SHAWNEE, POTTAWATOMIE COUNTY, OKLAHOMA, TO-WIT: ALL OF LOTS ONE (1), TWO (2) AND THREE (3), IN BLOCK EIGHT (8), OF PENN'S ADDITION, TO THE CITY OF SHAWNEE, POTTAWATOMIE COUNTY, OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF, FROM ZONING CLASSIFICATION C-1 (NEIGHBORHOOD COMMERCIAL DISTRICT) TO C-3 (HIGHWAY COMMERCIAL DISTRICT) AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SHAWNEE ACCORDINGLY.

Motion carried 6-0.

AYE: Bolt, Rutherford, Sehorn, Salter, Gillham, Harrod

NAY: None

Ordinance No. 2673NS was adopted by the City Commission.

AGENDA ITEM NO. 7:

Public hearing and consideration of an ordinance to rezone property located at 39405 West MacArthur Street from RE (Residential Estate District) to C-3 (Highway Commercial District) for the purpose of a medical marijuana dispensary. Case No. P14-19, Applicant: Gregory Peck. *(Deferred by the Planning Commission to the October 2, 2019 meeting.)*

City Planner Rebecca Blaine explained the Planning Commission deferred this item so the rezoning can be evaluated in accordance with a new Comprehensive Plan that will be presented at a later date.

A motion was made by Commissioner Sehorn, seconded by Commissioner Bolt, to defer this item to a future City Commission meeting. Motion carried 6-0.

AYE: Sehorn, Bolt, Gillham, Harrod, Rutherford, Salter

NAY: None

AGENDA ITEM NO. 8:

Consideration of budget amendments as follows:

- a. Fund 001 General Fund – Reflects changes since beginning of fiscal year.
- b. Fund 106 Hotel/Motel Fund – Starting budget for tourism.
- c. Fund 301 Capital Improvement Fund – Cover installation of LED lighting at the Heart of Oklahoma Exposition Center.
- d. Fund 303 2018 Capital Improvement Fund – Reallocation of budget to cover Senior Citizen Center flooring, furniture, and new roof.
- e. Fund 706 Gifts and Contribution Fund – Budgeting of Arvest donation for Senior Citizen Center flooring project.

Finance Director Ashley Neel explained each budget amendment. Commissioner Bolt asked if the lighting at the Heart of Oklahoma Exposition Center was being funded by tourism funds. Ms. Neel advised tourism funds were not being used for this particular project.

A motion was made by Commissioner Gillham, seconded by Commissioner Bolt, to approve the budget amendments listed in Agenda Item Nos. 8 (a-e). Motion carried 6-0.

AYE: Gillham, Bolt, Harrod, Rutherford, Sehorn, Salter
NAY: None

AGENDA ITEM NO. 9: Acknowledge monthly Sales Tax and Budget Report.

Finance Director Ashley Neel reported sales tax is down \$4,400.00, or 0.12%, over the projected budget year-to-date. She stated that use tax collections are up approximately \$176,898.00, or 64.52%, over the projected budget year-to-date.

AGENDA ITEM NO. 10: New Business (Any matter not known or which could not have been reasonably foreseen prior to the posting of the agenda.)

There was no New Business.

AGENDA ITEM NO. 11: Commissioners Comments

The Commissioners welcomed Erin Stevens as the Manager at the Heart of Oklahoma Exposition Center.

Commissioner Rutherford advised the Cops and Kids event to be held on August 24th at the Heart of Oklahoma Exposition Center from 1:00 pm. to 4:00 p.m.

Commissioner Bolt thanked the community and the City for all of the help before, during and after ShawneeStock, that was held last weekend.

AGENDA ITEM NO. 12: Adjournment

There being no further business to be considered, the meeting was adjourned by power of the Chair. (6:27 p.m.)

ATTEST:



Lisa Lasyone
LISA LASYONE, CMC, CITY CLERK

James Harrod
JAMES HARROD, VICE MAYOR