

BOARD OF CITY COMMISSIONERS PROCEEDINGS

AUGUST 1, 2016 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 1, 2016 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 – Dub Bushong

Commissioner Ward 1

Ron Gillham

Commissioner Ward 2

James Harrod

Commissioner Ward 3-Vice Mayor

Keith Hall

Commissioner Ward 4

Lesa Shaw

Commissioner Ward 5

Micheal Dykstra

Commissioner Ward 6

ABSENT: None

INVOCATION

The Lord's Prayer led by Mayor Mainord

FLAG SALUTE

Led by Commissioner Gillham

AGENDA ITEM NO. 1:

Consider approval of Consent Agenda:

- a. Acknowledge staff will proceed in the instant meeting with the opening and consideration of bids as set forth in Agenda Item No. 7.
- b. Minutes from the July 18, 2016 regular meeting.
- c. Authorize Staff to purchase various equipment for Shawnee Street Department as follows:
 - 1) Crack sealing equipment from Paving Maintenance Supply in the amount of \$57,390.00;

Discussion, consideration and possible action to appoint Dub Bushong to the Ward 1 City Commission seat vacated by Gary Vogel.

A motion was made by Commissioner Gillham, seconded by Commissioner Hall, to appoint Dub Bushong to the Ward 1 City Commission seat. Motion carried 5-1.

AYE: Gillham, Hall, Dykstra, Harrod, Mainord

NAY: Shaw

AGENDA ITEM NO. 5: Swearing in of Dub Bushong as Ward 1 Commissioner.

Municipal Judge Randall Wiley swore in Dub Bushong as Ward 1 Commissioner.

AGENDA ITEM NO. 6: Discussion, consideration and possible action regarding a press release that provides information and status of the current and recent court proceedings between the City of Shawnee and the Citizen Potawatomi Nation and the Oklahoma Tax Commission and the Citizen Potawatomi Nation.

City Attorney Joe Vorndran explained that the City of Shawnee is not the plaintiff in any lawsuit and only non-privileged information can be released. Commissioner Hall stated that he is requesting a "Statement of Understanding" be released regarding each on-going lawsuit so that citizens can better understand the current situation.

Commissioner Shaw stated that the statement should explain how the disputes got to the current point. She also said all legal fees should be explained as to provide total transparency.

After further discussion, a motion was made by Commissioner Hall, seconded by Commissioner Gillham, to direct the City Attorney and City Manager to prepare a Statement of Understanding regarding the Citizen Potawatomi Nation vs. City of Shawnee lawsuits and the State of Oklahoma vs. Citizen Potawatomi Nation lawsuit. Motion carried 5-2.

AYE: Hall, Gillham, Harrod, Mainord, Bushong

NAY: Shaw, Dykstra

AGENDA ITEM NO. 7:

Consider Bids:

- a. Remote Control Slope Mower (Open)

BIDDER

AMOUNT

P&K Equipment
Kingfisher, OK

\$51,000.00

Director of Operations James Bryce gave a staff report and read one (1) bid into the record. Mr. Bryce requested that the bid award be deferred to the next City Commission meeting on August 15, 2016 to allow staff to review the bid.

A motion was made by Vice Mayor Harrod, seconded by Commissioner Shaw, to defer the bid award to the next City Commission meeting on August 15, 2016 allow staff to review the bid. Motion carried 7-0.

AYE: Harrod, Shaw, Dykstra, Bushong, Gillham, Mainord, Hall

NAY: None

AGENDA ITEM NO. 8:

City Manager Report

City Manager Justin Erickson gave updates on the following city issues:

- a) Shawnee Splash has served approximately 30,000 individuals this year through July.
- b) The Pottawatomie County Commissioners approved ballot language for Sunday sales of alcohol election in November.
- c) The Avedis Foundation Speaker Series is approaching; Commissioners will need to RSVP for the event.
- d) Finance Director Cindy Arnold received a Certificate of Achievement for Excellence in Financial Reporting.

AGENDA ITEM NO. 9:

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. 10:

Commissioners Comments

Commissioner Dykstra welcomed Commissioner Bushong and Commissioner Gillham. He also stated that the Downtown Streetscape is looking great.

Commissioner Shaw also mentioned the Downtown Streetscape looking good. She also thanked everyone that has had a part in other construction projects around the city.

Commissioner Hall said it is good to see construction around town and hopefully it will result in more jobs.

Vice Mayor Harrod welcomed Commissioner Bushong. He also commented on the construction progress on the SEDF (Shawnee Economic Development Foundation) and the Forestry buildings. He agreed that Downtown Streetscape is looking good. Vice Mayor Harrod noted the Expo staff has been doing an incredible job and thanked them all for their hard work.

Commissioner Gillham thanked previous Commissioner Linda Agee for the opportunity allowing him to take office early. He also thanked her for her past service.

Commissioner Bushong thanked citizens for the opportunity to serve on the Commission. He said he is looking forward to getting to work.

Mayor Mainord mentioned the liquor sales on Sunday election and asked that the local restaurants help promote this as well.

RECESS CITY COMMISSION MEETING BY THE POWER OF THE CHAIR
TO CONVENE SHAWNEE AIRPORT AUTHORITY AND SHAWNEE
MUNICIPAL AUTHORITY (7:01 P.M.)

RECONVENE CITY COMMISSION MEETING BY THE POWER OF THE
CHAIR (7:04 P.M.)

AGENDA ITEM NO. 11:

Discussion, consideration and possible action to go into Executive Session to discuss potential claims, litigation or other options regarding emergency (911) wireless telephone fees that were collected and not remitted to the City; as authorized by 25 O.S. §307(B)(4).

A motion was made by Vice Mayor Harrod, seconded by Commissioner Gillham, to enter into Executive Session to discuss potential claims, litigation or other options regarding emergency (911) wireless telephone fees that were collected and not remitted to the City; as authorized by 25 O.S. §307(B)(4). Motion carried 7-0.

AYE: Harrod, Gillham, Mainord, Hall, Shaw, Dykstra, Bushong
NAY: None

AGENDA ITEM NO. 12:

Consider an Executive Session to discuss annual evaluations of the City Manager and City Treasurer 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 Commissioner Shaw, seconded by Commissioner Dykstra, to enter into Executive Session to discuss annual evaluations of the City Manager and City Treasurer 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 7-0.

AYE: Shaw, Dykstra, Bushong, Gillham, Harrod, Mainord, Hall
NAY: None

COMMISSION ENTERED INTO EXECUTIVE SESSION AT 7:06 P.M. WITH ALL MEMBERS PRESENT

COMMISSION RECONVENED FROM EXECUTIVE SESSION AT 8:06 P.M. WITH ALL MEMBERS PRESENT

AGENDA ITEM NO. 13:

Consider matters discussed in Executive Session regarding potential claims, litigation or other options regarding emergency (911) wireless telephone fees that were collected and not remitted to the City; as authorized by 25 O.S. §307(B)(4).

A motion was made by Commissioner Dykstra, seconded by Commissioner Gillham, to authorize the City Manager to execute a Settlement Agreement with E-911 and COEDD (Central Oklahoma Economic Development District) pursuant to approved terms. Motion carried 7-0.

AYE: Dykstra, Gillham, Harrod, Mainord, Hall, Shaw, Bushong

NAY: None

AGENDA ITEM NO. 14:

Consider matters discussed in Executive Session regarding discussion of annual evaluations of City Manager and City Treasurer 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."

No action was taken.

AGENDA ITEM NO. 15:

Adjournment

There being no further business to be considered, the meeting was adjourned by power of the Chair. (8:08 p.m.)


WES MAINORD, MAYOR



Phyllis Loftis

PHYLLIS LOFTIS, CMC, CITY CLERK