

BOARD OF CITY COMMISSIONERS PROCEEDINGS
JULY 16, 2018 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, July 16, 2018 at 6:00 p.m., pursuant to notice duly posted as prescribed by law. Mayor Finley presided and called the meeting to order. Upon roll call, the following members were in attendance.

Richard Finley
Mayor

Dub Bushong
Commissioner Ward 1

Ron Gillham
Commissioner Ward 2

James Harrod
Commissioner Ward 3-Vice Mayor

Darren Rutherford
Commissioner Ward 4

Lesa Shaw
Commissioner Ward 5

Ben Salter
Commissioner Ward 6

ABSENT: None

INVOCATION

Don Lynch, Emergency Management
Director

FLAG SALUTE

AGENDA ITEM NO. 1:

Consider approval of minutes of the regular meeting of June 18, 2018.

A motion was made by Commissioner Shaw, seconded by Commissioner Rutherford, to approve the minutes from the regular meeting of June 18, 2018. Motion carried 7-0.

AYE: Shaw, Rutherford, Salter, Bushong, Gillham, Harrod, Finley
NAY: None

RECESS CITY COMMISSION MEETING BY THE POWER OF THE CHAIR
TO CONVENE SHAWNEE AIRPORT AUTHORITY AND SHAWNEE
MUNICIPAL AUTHORITY (6:02 P.M.)

RECONVENE CITY COMMISSION MEETING BY THE POWER OF THE
CHAIR (6:04 P.M.)

AGENDA ITEM NO. 2: Consider Resolution of Appreciation to Dub
Bushong, Commissioner Ward I of the City
of Shawnee.

Resolution No. 6564 was introduced.

A RESOLUTION EXPRESSING APPRECIATION FOR THE OUTSTANDING SERVICE OF DUB
BUSHONG AS COMMISSIONER OF WARD ONE OF THE CITY OF SHAWNEE, OKLAHOMA;
PROVIDING THAT SAID RESOLUTION BE SPREAD UPON THE OFFICIAL RECORDS OF THE
CITY OF SHAWNEE, OKLAHOMA; AND PROVIDING THAT A COPY HEREOF BE PRESENTED
TO THE SAID DUB BUSHONG.

A motion was made by Vice Mayor Harrod, seconded by Commissioner
Shaw, to approve a Resolution of Appreciation to Dub Bushong, Commissioner
Ward I of the City of Shawnee. Motion carried 7-0.

AYE: Harrod, Shaw, Salter, Bushong, Gillham, Finley, Rutherford
NAY: None

AGENDA ITEM NO. 3: Consider Resolution of Appreciation to Lesa
Shaw, Commissioner Ward V of the City of
Shawnee.

Resolution No. 6565 was introduced.

A RESOLUTION EXPRESSING APPRECIATION FOR THE OUTSTANDING SERVICE OF LESA
SHAW AS COMMISSIONER OF WARD FIVE OF THE CITY OF SHAWNEE, OKLAHOMA;
PROVIDING THAT SAID RESOLUTION BE SPREAD UPON THE OFFICIAL RECORDS OF THE
CITY OF SHAWNEE, OKLAHOMA; AND PROVIDING THAT A COPY HEREOF BE PRESENTED
TO THE SAID LESA SHAW.

A motion was made by Vice Mayor Harrod, seconded by Commissioner
Rutherford, to approve a Resolution of Appreciation to Lesa Shaw, Ward V
Commissioner of the City of Shawnee. Motion carried 6-0-1.

AYE: Harrod, Rutherford, Salter, Bushong, Gillham, Finley

NAY: None

ABSTAIN: Shaw

AGENDA ITEM NO. 4:

Presentation of Resolutions of Appreciation and plaques to Commissioner Dub Bushong and Commissioner Lesa Shaw.

Mayor Richard Finley presented the Resolutions of Appreciation and plaques to Commissioner Dub Bushong and Commissioner Lesa Shaw.

AGENDA ITEM NO. 5:

Swearing in of Ward I Commissioner Ed Bolt, Ward V Commissioner Mark Sehorn, and Ward VI Commissioner Ben Salter.

Municipal Judge Randall Wiley swore in Ward I Commissioner Ed Bolt, Ward V Commissioner Mark Sehorn, and Ward VI Commissioner Ben Salter.

AGENDA ITEM NO. 6:

Presentation of Certificates of Election to Ward I Commissioner Ed Bolt, Ward V Commissioner Mark Sehorn, and Ward VI Commissioner Ben Salter.

Mayor Richard Finley presented Certificates of Election to Ward I Commissioner Ed Bolt, Ward V Commissioner Mark Sehorn, and Ward VI Commissioner Ben Salter.

RECESS CITY COMMISSION MEETING BY THE POWER OF THE CHAIR FOR OUTGOING AND INCOMING COMMISSIONERS (6:15 P.M.)

RECONVENE CITY COMMISSION MEETING BY THE POWER OF THE CHAIR (6:18 P.M.)

AGENDA ITEM NO. 7:

Commission Appointment of a Vice Mayor (per Article III, Section 6 of City Charter)

A motion was made by Mayor Finley, seconded by Commissioner Rutherford, to appoint Commissioner James Harrod as Vice Mayor. Motion carried 6-0-1.

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

NAY: None

ABSTAIN: Harrod

AGENDA ITEM NO. 8:

Consider approval of Consent Agenda:

- a. Acknowledge the following reports and minutes:
 - License Payment Report for June 2018
 - Project Payment Report for June 2018
 - Planning Commission Minutes from June 6, 2018 meeting
 - Shawnee Community Beautification Committee Minutes from April 19, 2018 and May 17, 2018 meetings
 - Traffic Commission Minutes from February 27, 2018 meeting
- b. Approve renewal of the following agreements for Fiscal Year 2018-2019:
 - 1) Agreement with Gordon Cooper Technology Center (GCTC) District No. 5 to provide repaving and repair of public roadways and parking lots used by students, faculty, employees and patrons of GCTC.
 - 2) Agreement with Pottawatomie Independent School District No. 93 to provide police officers for Shawnee High School and Middle School.
- c. Approval of an interlocal agreement between the City of Shawnee and Pottawatomie County for the paving/repair of streets and roads owned by the City.
- d. Confirm and approve the City Manager's hiring of Lisa Lasyone, CMC as the City Clerk.
- e. Traffic Commission Recommendations
 - 1) Consideration of request by Delbert Totty to close the median on Kickapoo at Poplar Street.

BOARD RECOMMENDATION: Board recommends denial of request.

STAFF RECOMMENDATION: Staff recommends denial of request.

- f. Authorize the authentication of the Certification of Elections.
- g. Authorize the Mayor to sign the Mayor's Certification regarding Propositions I and II.
- h. Authorize the Mayor to sign the Mayor's Certification regarding Proposition III.
- i. Approve Collective Bargaining Agreement with International Association of Fire Fighters (IAFF) Local No. 206.
- j. Acknowledge Oklahoma Municipal Retirement Fund Normal Retirement for Ron Gwynn.
- k. Approve an Extension of Employment Agreement with Judge Randall Wiley.

Commissioner Rutherford pulled Consent Agenda Item 8(d) for separate consideration.

A motion was made by Commissioner Rutherford, seconded by Vice Mayor Harrod, to approve Consent Agenda Item Nos. 8(a-k), less item 8(d). Motion carried 7-0.

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

NAY: None

Regarding Consent Agenda Item 8(d), Commissioner Rutherford introduced Ms. Lisa Lasyone and congratulated her on her new role as City Clerk.

A motion was made by Commissioner Rutherford, seconded by Vice Mayor Harrod, to approve Consent Agenda Item 8(d). Motion carried 7-0.

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

NAY: None

AGENDA ITEM NO. 9:

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

Ms. Holly Gordon invited the Commissioners to the Gateway to Prevention Board meeting tomorrow July 17, 2018 at 7:30 a.m. to announce Gateway to Prevention as the next Blue Zones worksite approved entity.

Ms. Taylor Shekarabi with Blue Zones stated she is working with other community groups and formed a *Safe Routes to Schools* subcommittee. This committee is auditing around area school sites to find out if kids are walking to school and, if not, why they are not, and how they can make it easier and safer for them to walk to school. The committee is also investigating grant funding.

Ms. Miriam Bell with Blue Zones introduced Mr. Brian Haaroja and Mr. Dennis Maxwell from the corporate office of Homeland in Oklahoma City. Mr. Haaroja announced that Homeland Store No. 198 at 600 West Independence will be part of the smoke-free zone and has stopped selling cigarettes. He stated that both Shawnee Homeland stores will be participating in the Blue Zones project. He said that Homeland committed to the program and they are excited and honored to be part of it.

Mr. Maxwell stated that this Homeland location has always provided healthy solutions and alternatives, and they are now doing more to promote healthy choices.

Mr. Daniel Shaughnessy stated he is excited about the Downtown Parklet Policy that is on this Agenda. He said it would be very nice to have something like the parklets in the downtown area.

AGENDA ITEM NO. 10:

Presentation by City Manager to Employee of the Month, Craig Mincher, Parks Department.

Mr. Craig Mincher was present to accept the Employee of the Month Certificate presented by City Manager Justin Erickson.

AGENDA ITEM NO. 11:

Consider Oklahoma Municipal Retirement Fund lump sum payment form Defined Benefit Plan for Cody Presley.

A motion was made by Commissioner Rutherford, seconded by Commissioner Salter, to approve Oklahoma Municipal Retirement Fund lump sum payment from Defined Benefit Plan for Cody Presley. Motion carried 7-0.

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

NAY: None

AGENDA ITEM NO. 12:

Consider a resolution approving the renewal of certain lease agreement with Motorola Credit Corporation.

Staff requested that the item be deferred to the August 6, 2018 City Commission meeting.

A motion was made by Commissioner Rutherford, seconded by Vice Mayor Harrod, to defer the resolution of approval for the renewal of certain lease agreement with Motorola Credit Corporation to the August 6, 2018 City Commission meeting. Motion carried 7-0.

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

NAY: None

AGENDA ITEM NO. 13:

Consider a resolution to adopt a Downtown Parklet Policy.

Community Development Director Justin DeBruin gave a staff report explaining parklets and the criteria for the parklet spaces in the downtown Shawnee area. Mr. DeBruin stated permits are allowed for 30-day and ninety 90-day use and are approved on a case-by-case basis. The Planning Commission and Staff recommend approval of this item.

Rachel Melot, both with Blue Zones project and as a small business owner, spoke in favor of the policy.

Resolution No. 6566 was introduced.

A RESOLUTION SUPPORTING THE ADOPTION OF A DOWNTOWN PARKLET POLICY, ALLOWING THE TEMPORARY CONVERSION OF THREE OR LESS CURBSIDE PARKING SPACES INTO A PLATFORM WITH PEDESTRIAN AMENITIES, OFFERING A PLACE TO STOP, SIT, AND REST WHILE IN DOWNTOWN SHAWNEE.

A motion was made by Commissioner Gillham, seconded by Commissioner Bolt, to approve a resolution to adopt a Downtown Parklet Policy. Motion carried 7-0.

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

NAY: None

AGENDA ITEM NO. 14:

Consideration of approval of a Preliminary Plat for Shawnee Motel Addition located at 4981 North Harrison Avenue. Case No. S07-18. Applicant: Joe Covey.

Community Development Director Justin DeBruin gave a staff report explaining the location of this property. He advised that the Planning Commission and Staff recommend denial of this item.

A motion was made by Vice Mayor Harrod, seconded by Commissioner Gillham, to deny the Preliminary Plat for Shawnee Motel Addition located at 4981 North Harrison Avenue. Motion carried 7-0.

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

NAY: None

AGENDA ITEM NO. 15:

Public hearing and consideration of an ordinance to rezone property located at 4325 North Kickapoo Avenue from R-1; Single Family Residential District to C-3; Highway Commercial District, Case No. P10-18; and property located at 4331 North Kickapoo Avenue from C-1; Neighborhood Commercial District to C-3; Highway Commercial District, Case No. P11-18; and property located at 4337 North Kickapoo Avenue from R-1; Single Family Residential District to C-3; Highway Commercial District, Case No. P12-18. Applicant: Nelmon Brauning.

Community Development Director Justin DeBruin gave a staff report. He explained this property contains three lots that have been deeded into one lot. Staff recommends approval of this item with one condition.

Mayor Finley declared a public hearing in session to consider an ordinance rezoning property located at 4325 North Kickapoo Avenue from R-1; Single Family Residential District to C-3; Highway Commercial District, and property located at 4331 North Kickapoo Avenue from C-1; Neighborhood Commercial District to C-3; Highway Commercial District, and property located at 4337 North Kickapoo Avenue from R-1; Single Family Residential District to C-3; Highway Commercial District. No one appeared in favor or against said rezoning. The public hearing was closed.

A motion was made by Commissioner Bolt, seconded by Commissioner Salter, to approve an ordinance rezoning property located at 4325 North Kickapoo Avenue from R-1; Single Family Residential District to C-3; Highway Commercial District, and property located at 4331 North Kickapoo Avenue from C-1; Neighborhood Commercial District to C-3; Highway Commercial District, and property located at 4337 North Kickapoo Avenue from R-1; Single Family Residential District to C-3; Highway Commercial District, with the following condition:

1. The existing residential structure, addressed as 4325 North Kickapoo Avenue shall be removed within six (6) months of City Commission rezoning approval.

Ordinance No. 2638NS 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: A TRACT OF LAND DESCRIBED AS BEGINNING 690 FEET SOUTH OF THE NORTHWEST CORNER OF LOT FOUR (4) OF SECTION SIX (6), TOWNSHIP TEN (10) NORTH, RANGE FOUR (4) EAST OF THE INDIAN MERIDIAN, POTTAWATOMIE COUNTY, OKLAHOMA; THENCE EAST 420 FEET; THENCE NORTH 78 FEET; THENCE WEST 420 FEET; THENCE SOUTH 78 FEET TO THE POINT OF BEGINNING; AND, BEGINNING AT A POINT 467 FEET SOUTH OF THE NORTHWEST CORNER OF LOT FOUR (4) OF SECTION SIX (6), TOWNSHIP TEN (10) NORTH, RANGE FOUR (4) EAST OF THE INDIAN MERIDIAN, POTTAWATOMIE COUNTY, OKLAHOMA; THENCE EAST 420 FEET; THENCE SOUTH 70 FEET; THENCE WEST 420 FEET; THENCE NORTH 70 FEET TO THE POINT OF BEGINNING; AND, A TRACT OF LAND LYING IN LOT FOUR (4), BEING OTHERWISE DESCRIBED AS THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER (NW/4 NW/4) OF SECTION SIX (6), TOWNSHIP TEN (10) NORTH, RANGE FOUR (4) EAST OF THE INDIAN MERIDIAN, POTTAWATOMIE COUNTY, OKLAHOMA; DESCRIBED AS BEGINNING AT A POINT 612 FEET SOUTH OF THE NORTHWEST CORNER OF SAID LOT FOUR (4); THENCE EAST 420 FEET; THENCE NORTH 75 FEET; THENCE WEST 420 FEET; THENCE SOUTH 75 FEET TO THE POINT OF BEGINNING, FROM ZONING CLASSIFICATIONS R-1; SINGLE FAMILY RESIDENTIAL DISTRICT AND 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 7-0.

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

Ordinance No. 2638NS was adopted by the City Commission.

AGENDA ITEM NO. 16:

Consideration of approval of a Final Plat for First United Bank of Shawnee located at 2600 North Harrison Avenue. Case No. S09-18. Applicant: Huitt-Zollars, Inc.

Community Development Director Justin DeBruin gave a staff report. He advised that the Planning Commission and Staff recommends approval of this item with three conditions.

A motion was made by Commissioner Rutherford, seconded by Commissioner Gillham, to approve the Final Plat for First United Bank of Shawnee located at 2600 North Harrison Avenue, with the following conditions:

1. Final Construction documents must be approved by the City Engineer prior to construction.
2. Final engineered drainage plan must be approved by the City Engineer prior to construction.
3. All other applicable City standards apply.

Motion carried 7-0.

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

AGENDA ITEM NO. 17:

Acknowledge monthly Sales Tax and City Treasurer Report

Finance Director Chance Allison gave the monthly Sales Tax and City Treasurer report. He stated that for the year ending June 30, 2018, sales tax was down approximately (0.50%). He advised that Staff has done an analysis of actual sales taxes received over the past 10 years that have allowed them to determine 9 periods of change. Staff found that the 3 and 5 year averages are between approximately 1.3% and 1.5% increases overall. He reported fiscal year 2019 budgetary sales tax revenues assumed a 2.5% increase, therefore staff is currently in the process of amending the budgets to be more conservative based upon actual average sales taxes received over the past 10 years.

AGENDA ITEM NO. 18:

City Manager Report

City Manager Justin Erickson gave updates on the following:

- a. International Finals Youth Rodeo (IFYR) – The IFYR was successful this year.
- b. First United Bank Building – Police Chief Mason Wilson and Mr. Erickson met with TAP Architecture to inspect the building. TAP Architecture is preparing a written report that will include the structural and mechanical elements of the building and the cost estimate for remodel expenses. Staff anticipates more information will be available by the August 20, 2018 City Commission meeting.
- c. Comprehensive Plan Process – A Comprehensive Plan Workshop is scheduled for the week of August 6, 2018.
- d. Budget – With revenues coming in less than expected, Staff is taking a careful look at the budget to be more conservative.

AGENDA ITEM NO. 19:

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. 20:

Commissioners Comments

Commissioner Bolt stated he is looking forward to the opportunity to serve as Commissioner.

Commissioner Gillham welcomed the new Commissioners. He also stated he was impressed with the passage of Proposition IV.

Vice Mayor Harrod stated he was also happy with the passage of Proposition IV. He expressed his appreciation to the new Commissioners for willing to serve the citizens of Shawnee.

Commissioner Rutherford thanked the outgoing Commissioners and welcomed the incoming Commissioners. He also announced that the Cops and Kids Event will be held on August 25, 2018 at the Heart of Oklahoma Exposition Center at 1:00 p.m.

Commissioner Sehorn said he was apprehensive but is excited to be apart of the Commission.

Commissioner Salter thanked the citizens for passing Proposition IV. He also thanked Mayor Finley and City Manager Justin Erickson for all their hard work promoting the sales tax increase.

Mayor Finley thanked the outgoing Commissioners and welcomed the incoming Commissioners.

AGENDA ITEM NO. 21: Adjournment

There being no further business to be considered, the meeting was adjourned by power of the Chair. (7:01 p.m.)

ATTEST:



Lisa Laszoni
LISA LASYONE, CMC
DEPUTY CITY CLERK

Richard Finley
RICHARD FINLEY, MAYOR