BOARD OF CITY COMMISSIONERS PROCEEDINGS
JUNE 18, 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, June 18, 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 — The Lord's Prayer
FLAG SALUTE

AGENDA ITEM NO. 1: Consider approval of Consent Agenda:

a. Minutes from the June 4, 2018 regular meeting.

b. Acknowledge the following reports and minutes:
- License Payment Report for May 2018
- Project Payment Report for May 2018
- Planning Commission Minutes from May 2, 2018 meeting

c. Approve renewal of the following agreements for Fiscal Year 2018-2019:

1) Agreement with Pottawatomie County District Court to establish, develop, and implement programs for juvenile misdemeanor offenders.
2) Agreement with Pottawatomie Independent School District No. 93 for maintenance of tennis courts.
3) Agreement with YMCA for use of recreational facilities known as Lions Club Park, Dockery Park, Milstead Park, and Lilac Park.
4) Agreement with YMCA for use of a mower, city property, for maintenance of Dockery Park, Lions Club Park, Milstead Park, and Lilac Park.
5) Contract with Stuart and Clover, PLLC for City Attorney services. *(Deferred from the June 4, 2018 City Commission meeting.)*
6) Agreement with the City of McLoud Public Works Authority for use of a mower, city property, for maintenance of Wes Watkins Reservoir.
7) Agreement with the City of McLoud for dispatch services.

d. Approve renewal of excess liability policy for Workers' Compensation with Safety National Casualty Corporation for July 1, 2018 through June 30, 2019.

e. Approve Collective Bargaining Agreement with International Union of Police Associations (IUPA) Local No. 3.

f. Authorize staff to enter into an Agreement with ADP, LLC for Payroll and other Human Resources related services.

g. Approve a Memorandum of Understanding with the City of Oklahoma City to renew an Inter-Governmental Agreement for Regional Household Hazardous Waste Collection and Management Project regarding hazardous waste disposal.

h. Mayor's Appointment

Shawnee Library Systems Board

Marissa Lightsey	1st Full Term	Expires 06/30/2021

Replaces Bob Perry

Mayor Finley asked that Consent Agenda Item No. 1(d) be pulled for separate consideration.

Commissioner Shaw asked that Consent Agenda Item No. 1(c)(5), and 1(g) be pulled for separate consideration.

A motion was made by Vice Mayor Harrod, seconded by Commissioner Rutherford, to approve Consent Agenda Item Nos. 1(a-h), less items 1(c)(5), 1(d), and 1(g). Motion carried 7-0.

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

Regarding Consent Agenda Item No. 1(c)(5), Commissioner Shaw asked that language in the second sentence of paragraph four be amended to read "This contract shall automatically renew for a term of one (1) year unless terminated by either party upon sixty (60) days written notice" and to remove the remaining portion of the sentence. She requested that the third sentence of paragraph four be removed completely. On behalf of Stuart & Clover, City Attorney Joseph Vorndran stated he had no objections to that request.

A motion was made by Commissioner Shaw, seconded by Vice Mayor Harrod, to approve the contract with Stuart and Clover, PLLC for City Attorney services amending the language in the second sentence of paragraph four to read "This contract shall automatically renew for a term of one (1) year unless terminated by either party upon sixty (60) days written notice" and the third sentence of paragraph four be completely removed. Motion carried 7-0.

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

Regarding Consent Agenda Item No. 1(d), City Manager Justin Erickson announced that a clerical error was made on the agenda and the correct carrier is Midwest Employers Casualty Company, not Safety National Casualty Corporation. Mr. Erickson stated that the quote and memo attached to the agenda packet are correct in recommending approval of this policy to Midwest Employers Casualty Company.

A motion was made by Commissioner Shaw, seconded by Commissioner Bushong, to approve the renewal of excess liability policy for Workers' Compensation with Midwest Employers Casualty Company for July 1, 2018 through June 30, 2019. Motion carried 7-0.

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

NAY: None

Regarding Consent Agenda Item No. 1(g), Commissioner Shaw stated that the date on the Inter-Governmental Agreement attached to the agenda packet was 2016-2017. Staff advised the 2016-2017 agreement was attached for reference and that the Mayor must sign the proposed letter to initiate a continuation of the renewal agreement with the City of Oklahoma City. Once the letter is received, Oklahoma City will send a renewal agreement.

A motion was made by Vice Mayor Harrod, seconded by Commissioner Shaw, to approve a Memorandum of Understanding with the City of Oklahoma City to renew an Inter-Governmental Agreement for Regional Household Hazardous Waste Collection and Management Project regarding hazardous waste disposal. Motion carried 7-0.

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

<u>AGENDA ITEM NO. 2:</u> Citizens Participation
(A three-minute limit per person)
(A twelve-minute limit per topic)

Ms. Holly Gordon announced that the Garage Restaurant is hosting a benefit for the Cops and Kids event tonight from 6:00 p.m. to 9:00 p.m. She stated that ten percent (10%) of sales will go toward the Cops and Kids event.

Ms. Lindsay Goodson with the Pottawatomie County Blue Zones Project announced that the Blue Zones Council has elected Ms. Holly Gordon as Chair of the Food Policy Council.

<u>AGENDA ITEM NO. 3:</u> Swearing in of William Chance Allison as City Treasurer.

Municipal Judge Randall Wiley swore in William Chance Allison as City Treasurer.

<u>AGENDA ITEM NO. 4:</u> Consideration of approval of a budget for Fiscal Year 2018-2019.

City Manager Justin Erickson advised that Agenda Item Nos. 4 and 5 are companion items; with No. 4 being a general overview and an opportunity for the Commission to ask any questions and No. 5 being the actual resolution that is required law. He stated that there are companion pieces on the Shawnee Airport Authority and the Shawnee Municipal Authority as well.

Mr. Erickson briefly summarized each budget, including the Shawnee Airport Authority and the Shawnee Municipal Authority budgets. He stated that the budget is similar to the current fiscal year. Staff is projecting similar revenues. Staff is projecting 2.5% increase in sales tax and overall revenue base of approximately $24.5 million in the General Fund.

There is approximately $2.6 million allocated for capital improvements. However, over half of that is allocated to debt services.

Mr. Erickson noted an error on the budget letter but explained that the budget resolutions are correct. He stated that he will make the correction and publish a corrected budget letter and post it on the City's website. Mr. Erickson answered questions from the Commissioners. He stated that all of the budgets conform to the Oklahoma Budget Act in all aspects.

No action was taken.

<u>AGENDA ITEM NO. 5:</u> Consideration of a resolution adopting the budget for the City of Shawnee for the period of July 1, 2018 through June 30, 2019 finding all things requisite and necessary have been done in preparation and presentation of budget.

Resolution No. 6563 was introduced.

A RESOLUTION APPROVING AND ADOPTING THE BUDGET FOR THE CITY OF SHAWNEE, OKLAHOMA FOR THE PERIOD JULY 1, 2018 THROUGH JUNE 30, 2019 FINDING ALL THINGS REQUISITE AND NECESSARY HAVE BEEN DONE IN PREPARATION AND PRESENTATION OF SAID BUDGET.

A motion was made by Commissioner Shaw, seconded by Mayor Finley, to approve a resolution adopting the budget for the City of Shawnee for the period of July 1, 2018 through June 30, 2019 finding all things requisite and necessary have been done in preparation and presentation of budget; with the understanding that corrections will align with the narrative and a review of the Workers' Compensation fund. Motion carried 7-0.

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

AGENDA ITEM NO. 6: Consideration and possible action to cancel the July 2, 2018 City Commission meeting.

A motion was made by Vice Mayor Harrod, seconded by Commissioner Gillham, to approve the cancellation of the July 2, 2018 City Commission meeting. Motion carried 7-0.

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

AGENDA ITEM NO. 7: Public hearing and consideration of an ordinance to rezone property located at 4900 North Harrison Avenue from C-3; Highway Commercial District to PUD; Planned Unit Development. Case No. P05-18, Applicant: TLP Associates, Inc. *(Deferred by the Planning Commission to the June 6, 2018 meeting. Deferred from the May 7, 2018 City Commission meeting. – Applicant withdrew application.)*

No action was taken.

AGENDA ITEM NO. 8: Public hearing and consideration of an ordinance to rezone property located at 3954 North Kickapoo Avenue from C-2; Suburban Office Commercial District to PUD; Planned Unit Development. Case No. P08-18, Applicant: Kurt Kalies. *(Deferred by the Planning Commission to the June 6, 2018 meeting. Deferred from the May 7, 2018 City Commission meeting.)*

Community Development Director Justin DeBruin gave a staff report that included explaining this five (5) lot area will be mostly a shopping district. Staff recommends approval with conditions listed in the staff report. Mr. DeBruin answered questions from the Commission.

Mayor Finley declared a public hearing in session to consider an ordinance rezoning property from C-2; Suburban Office Commercial District to PUD;

Planned Unit Development. No one appeared in favor or against said rezoning. The public hearing was closed.

A motion was made by Commissioner Shaw, seconded by Commissioner Salter, to approve an ordinance to rezone property located at 3954 North Kickapoo Avenue from C-2; Suburban Office Commercial District to PUD; Planned Unit Development with the following conditions:

1. Access from Penney Street shall be south-bound only, as depicted on the master plan.
2. Prior to issuance of any building permit, necessary shared access easements/agreements shall be provided.
3. Following City procedure, all shared infrastructure (i.e., 6" water line and storm drain facility) shall be completed and appropriate easements dedicated prior to issuance of any Certificate of Occupancy.
4. Regarding Lot 8, no monument or pole sign shall be located along Penney Street, to preserve the residential nature of this roadway.
5. All other City regulations apply.
6. Align appropriate access drive with Ken Del Drive to maximize traffic calming potential.

Ordinance No. 2637NS 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: LOTS SEVEN (7) AND EIGHT (8), BLOCK ONE (1), COLLEGE VIEW ADDITION, TO THE CITY OF SHAWNEE, POTTAWATOMIE COUNTY, OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF FROM ZONING CLASSIFICATION C-2; SUBURBAN OFFICE COMMERCIAL DISTRICT TO PUD; PLANNED UNIT DEVELOPMENT AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SHAWNEE ACCORDINGLY.

Motion carried 7-0.

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

Ordinance No. 2637NS was adopted by the City Commission.

<u>AGENDA ITEM NO. 9:</u> City Manager Report

City Manager Justin Erickson gave updates on the following:

a. Proposition 4 – On June 13, Shawnee Forward and Shawnee Economic Development Foundation (SEDF) passed resolutions of support for Proposition No. 4. Today, the Pottawatomie County Commissioners also passed a resolution of support.

b. Open House – The Open House of the public safety facilities was lightly attended. He appreciates everyone that did come out and tour the facilities.

c. Santa Fe Depot – The parking lot is nearing completion.

d. Fire Station No. 2 – The construction project continues to make good progress; the renovation project should be substantially completed in July.

e. Shawnee Splash – The pool attendance is up with an average of five hundred visitors per day. To date, this is the best year for attendance.

AGENDA ITEM NO. 10: 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. 11: Commissioners Comments

Commissioner Bushong encouraged citizens to vote in the election next week. Mr. Bushong thanked Chief Tischer for the Fire Station tour last week.

Commissioner Gillham stated that he spoke to a group of Republicans regarding Proposition 4 and promoted his ideas of how the funding can assist the City of Shawnee.

Vice Mayor Harrod complemented City Manager Justin Erickson on each of the presentations he has given regarding the possible one-half percent (0.5%) sales tax increase. Vice Mayor Harrod also mentioned the Knights Auto Show at Boy Scout Park this Saturday, June 23, 2018.

Commissioner Rutherford encouraged citizens to vote in the upcoming election. He also encouraged everyone to visit The Garage Restaurant tonight to help the Cops and Kids event.

Commissioner Shaw expressed her excitement with the Splash attendance. Commissioner Shaw encouraged staff to look into grants and inter-governmental agreements in the next fiscal year.

Commissioner Salter welcomed Finance Director Chance Allison. He also reminded citizens of early voting available later this week for the upcoming election.

Mayor Finley also welcomed Finance Director Chance Allison and echoed Commissioner Shaw's comments about working with stakeholders within the Community.

<u>AGENDA ITEM NO. 12:</u> Adjournment

There being no further business to be considered, the meeting was adjourned by power of the Chair. (6:53 p.m.)

THE CITY OF SHAWNEE SEAL OKLAHOMA

Richard Finley

RICHARD FINLEY, MAYOR

ATTEST:

Lisa Lasyone

LISA LASYONE, CMC, DEPUTY CITY CLERK