

BOARD OF CITY COMMISSIONERS PROCEEDINGS
MAY 18, 2020 AT 6:00 P.M.

NOTICE REGARDING PUBLIC COMMENTS

During the pendency of the Declared Emergency, members of the public who wish to speak to the City Commission on an agenda or non-agenda item as referenced above, must register with the City Clerk's office at least one (1) hour prior to the meeting by calling 405-878-1604 or sending an email to CityClerk@shawneeok.org with their name, address, telephone number, and indicate the topic or agenda item upon which they wish to speak. (At this time, to participate in the meeting, individuals will need access to Zoom [<https://zoom.us/>]). A link to the meeting will be provided via email to the participant prior to the meeting and the person must be signed into the meeting at the time of Citizens Participation or the Public Hearing item they wish to speak on is called by the Mayor.

For anyone that wishes to view the meeting, it will be broadcasted live on Vyve Channel 3 or via the City of Shawnee's website at http://www.shawneeok.org/services/video_multimedia/city_connect_live.php.
Members of the City Commission participation:

Mayor Richard Finley	Via Videoconference
Commissioner Ed Bolt, Ward 1	Via Videoconference
Commissioner Ron Gillham, Ward 2	Via Videoconference
Vice Mayor James Harrod, Ward 3	Via Videoconference
Commissioner Darren Rutherford, Ward 4	Via Videoconference
Commissioner Mark Sehorn, Ward 5	Via Videoconference
Commissioner Ben Salter, Ward 6	Via Videoconference

The Board of City Commissioners of the City of Shawnee, County of Pottawatomie, State of Oklahoma, met in Regular Session via videoconference, Monday, May 18, 2020 at 6:00 p.m., pursuant to notice duly posted as prescribed by law at 4:52 p.m. on May 15, 2020. Mayor Finley presided and called the meeting to order. Upon roll call, the following members were in attendance via videoconference.

Richard Finley
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: None

AGENDA ITEM NO. 1:

Citizens Participation

(A three-minute limit per person)

(A twelve-minute limit per topic)

City Attorney Joe Vorndran explained there was an unknown participant in the waiting area of the videoconference meeting known as “Julie’s Cell”. It is listed on the Meeting Notice and required that anyone wanting to participate to contact the City Clerk’s Office one hour before the meeting starts. No participants contacted the office. Staff attempted to make contact with “Julie’s Cell”, but there was no audio or video for the participant. Due to these factors, the participant was not be allowed into the meeting.

There was no Citizens Participation.

AGENDA ITEM NO. 2:

Consider approval of Consent Agenda:

- a. Minutes from the May 4, 2020 regular meeting.
- b. Acknowledge the following reports and minutes:
 - License Payment Report for March 2020
 - Project Payment Report for March 2020
 - Shawnee Urban Renewal Authority from the November 5, 2019 regular meeting and January 22, 2020 Special Call meeting
- c. Approve renewal of the following agreements for Fiscal Year 2020-2021:
 - 1) Agreement with React Ambulance Authority for dispatch services.
 - 2) Agreement with the Independent School District North Rock Creek for police services.
- d. Acknowledge the Global Spectrum dba Spectra contract for Fiscal Year 2020-2021 for management services of the Heart of Oklahoma Exposition Center.

- e. Lake Lease Transfer:

TRANSFER:

Lot 7 Belcher Tract, 15413 Nickens Road

From: Don and Thanna Cline

To: Gregory and Sheri Rhodes, and Zachary and Jennifer Grinnell

Vice Mayor Harrod asked that Consent Agenda Item No. 2(d) be pulled for separate consideration.

A motion was made by Commissioner Bolt, seconded by Commissioner Gillham, to approve Consent Agenda Item Nos. 2 (a-e), less item 2(d). Motion carried 7-0.

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

NAY: None

Regarding Consent Agenda Item No. 2(d), Vice Mayor Harrod expressed his concerns with Spectra. He stated the appearance of the establishment has not been maintained to previous standards. He stated he is disappointed with the management so far. City Manager Chance Allison advised he will contact Spectra and speak to them about the concerns.

City Attorney Joe Vorndran stated this is a five-year contract; however, the City must ratify the contract for each fiscal year.

A motion was made by Commissioner Bolt, seconded by Vice Mayor Harrod, to hold item Consent Agenda Item No. 2(d) until the next meeting. Motion carried 7-0.

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

NAY: None

AGENDA ITEM NO. 3:

Consideration of a memorandum of understanding between the City of Shawnee and Central Disposal regarding delay of price increase due to COVID-19 pandemic.

City Manager Chance Allison explained the agreement with Central Disposal for Solid Waste Collection, Recycling and Disposal Services was approved in April by the City Commission. In light of the recent COVID-19 pandemic, both parties have agreed to suspend the increase of rates until October 1, 2020 instead of July 1, 2020.

A motion was made by Vice Mayor Harrod, seconded by Commissioner Bolt, to approve a memorandum of understanding between the City of Shawnee and Central Disposal regarding delay of price increase due to COVID-19 pandemic. Motion carried 7-0.

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

AGENDA ITEM NO. 4:

Consideration of a resolution declaring it to be a matter of public necessity to acquire certain easements for the purpose of construction and expansion improvements known as the proposed Kickapoo Street Paving Project describing said easements and authorizing the City Manager and the City Attorney to acquire said easements by purchase or by way of eminent domain.

City Manager Chance Allison advised the proposed resolution will allow the City Manager and City Attorney to negotiate to acquire easements by purchase or by way of eminent domain. Mr. Allison advised that the City has obtained approximately two-thirds of the required properties for the Kickapoo Street Paving Project. The specific addresses related to the resolution are not able to be released nor subject to the Open Records Act because they are negotiations that have a possibility to result in litigation.

Resolution No. 6610 was introduced.

A RESOLUTION DECLARING IT TO BE A MATTER OF PUBLIC NECESSITY TO ACQUIRE CERTAIN EASEMENTS FOR THE PURPOSE OF CONSTRUCTION AND EXPANSION IMPROVEMENTS KNOWN AS THE PROPOSED KICKAPOO STREET PAVING PROJECT, DESCRIBING SAID EASEMENTS AND AUTHORIZING THE CITY MANAGER AND THE CITY ATTORNEY TO ACQUIRE SAID EASEMENTS BY PURCHASE OR BY WAY OF EMINENT DOMAIN.

A motion was made by Commissioner Gillham, seconded by Vice Mayor Harrod, to approve a resolution declaring it to be a matter of public necessity to acquire certain easements for the purpose of construction and expansion improvements known as proposed Kickapoo Street Paving Project describing said easements and authorizing the City Manager and the City Attorney to acquire said easements by purchase or by way of eminent domain. Motion carried 7-0.

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

AGENDA ITEM NO. 5:

Public hearing and consideration of an ordinance to rezone property located at 15226 South School Road, from A-1 (Rural Agricultural District) to A-1 (Rural Agricultural District) with a Conditional Use Permit for a guest cottage. Case No. P07-20, Applicant: Jennie Collins.

Planning Director Rebecca Blaine provided a staff report. Ms. Blaine advised that the structure in question was permitted by a building permit three years ago. At this time, the applicant would like to build a new home. Once the new home is constructed, the applicant plans to leave the current structure as a guest cottage on the property for family and friends when they visit.

Mayor Finley declared a public hearing in session to consider an ordinance rezoning property located at 15226 South School Road, from A-1 (Rural Agricultural District) to A-1 (Rural Agricultural District) with a Conditional Use Permit. Ms. Jennie Collins appeared via videoconference in favor of the rezoning. No one appeared against said rezoning. The public hearing was closed.

A motion was made by Commissioner Bolt, seconded by Commissioner Rutherford, to approve the ordinance rezoning property located at 15226 South School Road, from A-1 (Rural Agricultural District) to A-1 (Rural Agricultural District) with a Conditional Use Permit.

Ordinance No. 2693NS 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 TWENTY-NINE (29), OF SHAWNEE SCHOOL LAND, TO THE CITY OF SHAWNEE, POTTAWATOMIE COUNTY, OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF FROM ZONING CLASSIFICATION A-1 (RURAL AGRICULTURE DISTRICT) TO A-1 (RURAL AGRICULTURE DISTRICT) WITH A CONDITIONAL USE PERMIT AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SHAWNEE ACCORDINGLY.

Motion carried 7-0.

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

Ordinance 2693NS was adopted by the City Commission.

AGENDA ITEM NO. 6: Acknowledge monthly Sales Tax and Budget Report.

Finance Director Ashely Neel reported sales tax is up \$455,253.00, or 2.3%, over the projected budget year-to-date. She stated that use tax collections are up approximately \$465,033.00, or 27.25%, over the projected budget year-to-date. Ms. Neel noted the budget for the last three months of Fiscal Year 2019-2020 has been adjusted in response to the global COVID-19 pandemic. She stated the City is doing well in light of the global pandemic. Ms. Neel advised there has been a few unexpected expenditures related to COVID-19, but at this time revenue is supporting the budget.

AGENDA ITEM NO. 7: 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. 8: Commissioners Comments

Commissioner Salter congratulated the Shawnee High School graduating class of 2020. He also stated use tax being up has helped with the financial shortfall.

Commissioner Sehorn said he has been disappointed with Spectra and the lack of information the Commission has received from them. He stated his local business has been very busy over the past three or four weeks and thinks the stimulus money is helping the economy.

Commissioner Rutherford stated his business has maintained reasonable numbers. Hopefully the sales tax rates will increase with restaurants reopening. He reminded everyone to stay safe and follow the Centers for Disease Control and Prevention (CDC) guidelines.

Vice Mayor Harrod expressed concerns with the sales tax over the next few months and encouraged everyone to shop Shawnee and stay safe.

Commissioner Gillham commented on the COVID-19 situation and possible medication. He mentioned the 2020 graduates and even though he is sorry they are experiencing graduation differently; he is thankful for their health.

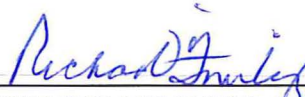
Commissioner Bolt thanked staff for the financial reports that are prepared each month. He believes the City is in a much better position than a few years ago. He thanked the Shawnee Public Schools, Police, and Fire Departments for their involvement in the Shawnee High School Graduation Parade today. He stated he is glad to see movement on the Kickapoo Paving Project. He also reminded citizens to shop Shawnee.

Mayor Finley congratulated the 2020 high school graduates. He thanked Shawnee Public Schools for passing out approximately 100,000 meals during the COVID-19 pandemic. He also expressed his concerns with maintenance at the Expo.

AGENDA ITEM NO. 9:

Adjournment

There being no further business to be considered, the meeting was adjourned by power of the Chair. (6:44 p.m.)



RICHARD FINLEY, MAYOR

ATTEST:



LISA LASYONE, CMC, CITY CLERK

