

BOARD OF CITY COMMISSIONERS PROCEEDINGS

MAY 16, 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, May 16, 2016 at 6:30 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

Vacant

Commissioner Ward 1

Linda Agee

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: Mayor Wes Mainord

INVOCATION

Emergency Management Director

Don Lynch

FLAG SALUTE

Led by Vice Mayor Harrod

Vice Mayor Harrod announced that the applicant has withdrawn his request for rezoning in reference to Agenda Item No. 5 and therefore that item will be stricken from the Agenda.

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. 13.
- b. Minutes from the May 2, 2016 regular meeting.

- c. Acknowledge the following reports and minutes:
- License Payment Report for April 2016
 - Project Payment Report for April 2016
 - Planning Commission Minutes from April 6, 2016 meeting
- d. Lake Lease Transfers:

TRANSFERS

- Lot 6 Belcher Tract, 15411 Nickens Rd
To: Carol Hopkins and Jacob Bamborough
From: Carol Hopkins
 - Lot 3 Damron Tract, 33707 Belcher Rd
To: Sandra Howard and Cameron Bentley
From: Sandra Howard
- e. Acceptance of installation of emergency power generator at North Radio Tower site and placing maintenance bond in effect.
- f. Acceptance of Permanent Easement along Kickapoo Street granted by Elmer Smith Oil Company.
- g. Approve Collective Bargaining Agreement with International Union of Police Associations (IUPA) Local No. 3.

Regarding Agenda Item No. 1(c), Commissioner Shaw asked about the status of updating the City's license fees. City Manager Justin Erickson stated that the updating of fees will occur during the municipal code recodification process. City Attorney Joe Vorndran noted he would have several ordinances on the June 6, 2016 City Commission meeting agenda regarding the recodification.

A motion was made by Commissioner Dykstra, seconded by Commissioner Shaw, to approve the Consent Agenda Item Nos. 1 (a-g). Motion carried 5-0.

AYE: Dykstra, Shaw, Agee, Harrod, Hall

NAY: None

AGENDA ITEM NO. 2:

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

Ms. Karen Bays with the Shawnee Public library reported that there would be an "Old Fashioned Concert" in the Celebration of Life Park across from the Library on June 5 at 2:00 p.m. featuring the music of John Phillip Sousa.

AGENDA ITEM NO. 3:

Presentation by City Manager to Employee of the Month, Angie Gray, Police Department Dispatch.

Angie Gray was not present to accept the Employee of the Month Certificate presented by City Manager Justin Erickson.

AGENDA ITEM NO. 4:

Mayor's Proclamations:
"Community Action Month"
May 2016

Gloria Wallace accepted the Mayor's Proclamation for "Community Action Month" presented by Vice Mayor Harrod.

"National Law Enforcement Week"
May 15-21, 2016

Police Chief Mason Wilson accepted the Mayor's Proclamation for "National Law Enforcement Week" presented by Vice Mayor Harrod.

AGENDA ITEM NO. 5:

Public hearing and consideration of an ordinance to rezone property located at 1500 East Independence Street from R-1; Single Family Residential to PUD; Planned Unit Development. Case No. P03-16; Applicant: The Landrun Group, LLC (Deferred from the April 18, 2016 meeting)

Applicant withdrew rezoning request. Item not considered by Commission.

AGENDA ITEM NO. 6:

Consider a resolution to declare a 1989 Ford Shawnee Fire Department vehicle surplus property and authorizing the sale of said item at auction.

Resolution No. 6511 was introduced.

A RESOLUTION DECLARING A CERTAIN ITEM OF PERSONAL PROPERTY SURPLUS AND NO LONGER NEEDED FOR CITY PURPOSES; DESCRIBING SAID ITEM; AND AUTHORIZING THE SALE OF SAID ITEM TO THE PUBLIC BY AUCTION.

Mr. Erickson explained to the Commission that the firetruck is twenty-seven years old and has no resale value. In response to a question from Commissioner Shaw, he stated that any funds received from auctioning the vehicle would be deposited in the City's General Fund account.

A motion was made by Commissioner Hall, seconded by Commissioner Shaw, to approve a resolution to declare a 1989 Ford Shawnee Fire Department vehicle surplus property authorizing the sale of said item at auction. Motion carried 5-0.

AYE: Hall, Shaw, Dykstra, Agee, Harrod

NAY: None

AGENDA ITEM NO. 7:

Consideration of a Preliminary Plat for Shawnee Park located east of Harrison on Transportation Parkway. Case No. S06-16. Application: Kaw Valley Engineering, Inc.

Community Development Director Justin DeBruin gave a staff report explaining that a total of one hundred eight (108) dwelling units are proposed. Said units are to be multiple family dwellings and qualification is based upon income.

A motion was made by Commissioner Hall, seconded by Commissioner Agee, to approve a Preliminary Plat for Shawnee Park located east of Harrison on Transportation Parkway, with the following conditions:

1. City Engineer must receive and approve a means for providing sanitary sewer to the lots.
2. Provide staff with a detailed hydrology report.
3. Receive and approve all offsite easements for public improvements.
4. Four (4') foot sidewalk required along Transportation Parkway.
5. Final construction documents must be approved by the City Engineer concurrent with Final Plat approval.

6. Any necessary drainage plans must be approved by the City Engineer concurrent with Final Plat approval.
7. All other applicable City standards apply.

Motion carried 5-0.

AYE: Hall, Agee, Harrod, Shaw, Dykstra

NAY: None

AGENDA ITEM NO. 8:

Consideration of a Preliminary Plat for Belmont Park Phase II located east of Acme Road and north of MacArthur Boulevard. Case No. S09-16. Application: Belmont Park, LLC

Community Development Director Justin DeBruin explained that twenty (20) lots are proposed for construction of duplexes, while two (2) lots shall be available for commercial use. He stated that there is an issue with a pipeline easement and it has been added as a condition to receive approval from the pipeline company prior to any construction taking place.

A motion was made by Commissioner Hall, seconded by Commissioner Shaw, to approve a Preliminary Plat for Belmont Park Phase II located east of Acme Road and north of MacArthur Boulevard, with the following conditions:

1. A letter from Blue Knight must be presented to further and construction.
2. Final construction documents must be approved by the City Engineer concurrent with Final Plat approval.
3. Any necessary drainage plans must be approved by the City Engineer concurrent with Final Plat approval.
4. All other applicable City standards apply.

Motion carried 5-0.

AYE: Hall, Shaw, Dykstra, Agee, Harrod

NAY: None

AGENDA ITEM NO. 9:

Consideration of a Final Plat for Rolling Hills Addition, Phase I, located at the northeast corner of Main Street and Bryan Avenue. Case No. S11-16. Application: Absentee Shawnee Housing Authority

Community Development Director Justin DeBruin explained that twenty-four (24) residents would be built on over nine (9) acres and that staff recommends approval with conditions.

A motion was made by Commissioner Hall, seconded by Commissioner Dykstra, to approve a Final Plat for Rolling Hills Addition, Phase I, located at the northeast corner of Main Street and Bryan Avenue, with the following conditions:

1. Final construction documents must be approved by the City Engineer prior to construction.
2. The final engineering drainage plan must be approved by the City Engineer proper to construction.
3. All other applicable City standards apply.

Motion carried 5-0.

AYE: Hall, Dykstra, Agee, Harrod, Shaw

NAY: None

AGENDA ITEM NO. 10:

Public hearing and consideration to approve an ordinance amending the Shawnee Zoning Code, Section 22-165.7 allowing Ground Floor Residential uses in the Central Business District (C-4).

Community Development Director Justin DeBruin stated that a conditional use permit would be required for any residence and that the storefronts would face the primary street right-of-way.

Commissioner Dykstra asked about building codes during the remodeling phase of these buildings, especially as it concerns asbestos. Mr. DeBruin noted that any remodeling would be subject to building code inspections and would have to meet all current city requirements.

Vice Mayor Harrod declared a public hearing in session to consider an ordinance amending the Shawnee Zoning Code, Section 22-165.7 allowing Ground Floor Residential uses in the Central Business District (C-4). No one appeared in favor or against said rezoning. The public hearing was closed.

A motion was made by Commissioner Shaw, seconded by Commissioner Agee, to approve the ordinance amending the Shawnee Zoning Code, Section 22-165.7 allowing Ground Floor Residential uses in the Central Business District (C-4).

Ordinance No. 2580NS was introduced.

AN ORDINANCE AMENDING THE SHAWNEE MUNICIPAL CODE, CHAPTER 22: PLANNING AND DEVELOPMENT, AS MORE SPECIFICALLY SET FORTH HEREIN, TO ALLOW FOR GROUND FLOOR RESIDENTIAL USES AS AN ACCESSORY USE WITHIN THE DOWNTOWN CORE DISTRICT, REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH, AND PROVIDING FOR SEVERABILITY.

Motion carried 5-0.

AYE: Shaw, Agee, Harrod, Hall, Dykstra

NAY: None

Ordinance No. 2580NS was adopted by the City Commission.

AGENDA ITEM NO. 11: Overview of preliminary Capital Budgets and miscellaneous funds for FY 2016-2017 budgets.

Finance Director Cynthia Arnold gave an overview of the preliminary Capital Budget and miscellaneous funds for FY 2016-2017 and answered questions from Commissioners.

AGENDA ITEM NO. 12: Acknowledge Sales Tax Report received May 2016.

Cynthia Arnold, Finance Director, reported that May sales tax collected was \$1,493,399.00, which is up 1.83% from 2014. Ms. Arnold noted that use tax is up nearly 55% from May 2015.

AGENDA ITEM NO. 13: Consider Bids:

- a. FY15-16 Sidewalk/ADA Handicap Ramps Project (Various Locations), Contract No. COS-PW-15-03 (Open)

BIDDER**AMOUNT**

Rudy Construction Co.
Oklahoma City, OK

\$546,350.00

Parathon Construction LLC
Edmond, OK

\$311,550.00

Assistant City Engineer/Utilities Rex Hennen read two (2) bids into the record. Mr. Hennen requested that the bid award be deferred to the next City Commission meeting on June 6, 2016, to allow staff time to review the bids.

A motion was made by Commissioner Dykstra, seconded by Commissioner Shaw, to defer the bid award to the June 6, 2016 City Commission meeting. Motion carried 5-0.

AYE: Dykstra, Shaw, Agee, Harrod, Hall
NAY: None

- b. FY15-16 Rehab Concrete Streets Project (Various Locations),
Contract No. COS-PW-15-04 (Open)

BIDDER**AMOUNT**

GCC Enterprises Inc.
Edmond, OK

\$470,850.00

Parathon Construction LLC
Oklahoma City, OK

\$337,750.00

Assistant City Engineer/Utilities Rex Hennen read two (2) bids into the record. Mr. Hennen requested that the bid award be deferred to the next City Commission meeting on June 6, 2016, to allow staff time to review the bids.

A motion was made by Vice Mayor Harrod, seconded by Commissioner Shaw, to defer the bid award to the June 6, 2016 City Commission meeting. Motion carried 5-0.

AYE: Harrod, Shaw, Dykstra, Agee, Hall
NAY: None

AGENDA ITEM NO. 14:

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. 15:

Commissioners Comments

Commissioner Agee stated that Avedis Health Week begins this week and the Municipal Pool will be opening this week.

Commissioner Hall congratulated the Shawnee High School baseball team on winning the State Championship.

Commissioner Shaw thanked the Shawnee Municipal Authority for resolving a recent water incident involving the Absentee Shawnee Tribal Headquarters.

Commissioner Shaw also thanked Dr. Aston and Dr. Boone for their assistance in organizing the protest of the rezoning at 1500 East Independence Street. She noted the importance of listening to constituents.

Commissioner Shaw thanked the Planning Commission and Community Development Director Justin DeBruin. She encouraged staff to hire the employees necessary to bring municipal codes up to date.

Commissioner Shaw stated that she would like to see lighting installed along the new Bryan Street sidewalk.

Commissioner Dykstra spoke of a couple events that are coming up. The Senior Stroll will be on Wednesday, May 25th at 5:30 p.m. and the "Run for the Wall" ride will be coming through Shawnee on Saturday, May 21st. He also noted Memorial Day coming up and the importance of remembering our troops.

AGENDA ITEM NO. 16:

Adjournment

There being no further business to be considered, the meeting was adjourned by power of the Chair. (7:23 p.m.)


JAMES HARROD, VICE MAYOR



ATTEST:

Lisa Laugel, Deputy
for PHYLLIS LOFTIS, CMC, CITY CLERK