

BOARD OF CITY COMMISSIONERS PROCEEDINGS

APRIL 15, 2019 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, April 15, 2019 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

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

INVOCATION

Don Lynch, Emergency Management
Director

FLAG SALUTE

AGENDA ITEM NO. 1:

Consider approval of Consent Agenda:

- a. Minutes from the April 1, 2019 regular meeting.
- b. Acknowledge the following reports and minutes:
 - License Payment Report for March 2019
 - Project Payment Report for March 2019
 - Planning Commission Minutes from the March 6, 2019 meeting

- c. Lake Lease Transfer:

TRANSFER:

Lot 9 Renfro Tract, 15807 Sleepy Hollow Road

From: Stan Malaske

To: Samuel and Jennifer Nowakowski

- d. Acceptance of a water line for Oklahoma Heart Hospital South located at 3306 North Kickapoo Avenue and placing maintenance bond into effect.

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

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

NAY: None

AGENDA ITEM NO. 2:

Presentation by Animal Control to present the Pet of the Week.

Animal Control Officer Freddie Couch introduced Blue, a female blue healer mix. Blue's adoption fee will be \$40.00 for someone living inside the city limits.

AGENDA ITEM NO. 3:

Citizens Participation

(A three-minute limit per person)

(A twelve-minute limit per topic)

Mr. Buck Day, City Manager for the City of McLoud, stated that McLoud enjoys maintaining the Wes Watkins Reservoir.

Ms. Koria Perez with the Blue Zones Project spoke regarding two events over the past weekend. The first was the Arts Trek at the Mabee-Gerrer Museum of Art. She advised that approximately 2,000 people and over 25 vendors attended this event. The second event was the Red Bud Festival held in downtown Shawnee. She stated there were over 25 vendors and 500 boxes of pizza were eaten.

Ms. Rachel Melot, as a business owner of Whistle, stated that she was in favor of lowering the speed limit on Kickapoo.

On behalf of the Blue Zones Project, she wanted to recognize Homeland stores for their contribution to the project by stopping the sale of tobacco products. Ms. Melot advised that this was a decision agreed upon by the local Homeland employees and not headquarters as Homeland is owned by the employees.

AGENDA ITEM NO. 4: Introduction of Girl Scout Troop 314 in pursuit of their Government Badge.

Girl Scout Troop 314 Troop Leader Lauren Holmes introduced Girl Scouts Troop 314 and stated they were working toward their Government badge. Each of the girls introduced themselves. They were:

Kallie Ailey
Makenzie Dawson
Kylie Gerdon
Gracie Holmes

Sabra Kuykendall
Joclynn Newman
Destiny Swearingen
Claudia Thomason

AGENDA ITEM NO. 5: Consideration of the Traffic Commission's recommendation regarding the request by Staff to lower the speed limit to 35 MPH on Kickapoo Avenue from MacArthur Street to Westech Road.

Director of Engineering Michael Ludi gave a presentation on the Centrac's Traffic Management System, which allows the Traffic Department to connect to traffic signals and view their operations from a remote location. This allows staff to respond to calls on a traffic signals remotely to assess any issues the location may be experiencing and make changes, if needed. If a traffic signal goes out, a message is sent to staff to report the issue.

Regarding the lowering of the speed limit to 35 MPH on Kickapoo from MacArthur Avenue to Westech Road, Mr. Ludi said the primary focus of this request is 45th Street north where the new commercial development has occurred. Staff answered questions from the Commission.

A motion was made by Commissioner Salter, seconded by Commissioner Sehorn, to approve Staff's recommendation to lower the speed limit to 35 MPH on Kickapoo Avenue from MacArthur Street to Westech Road. Motion carried 6-1.

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

AGENDA ITEM NO. 6:

Consideration of an ordinance to rezone property located at 125 West 45th Street from A-1; Rural Agricultural District to A-1; Rural Agricultural District with Conditional Use Permit. Case No. P01-19, Applicant: Troy Williams. *(Deferred from the April 1, 2019 City Commission meeting.)*

Assistant Planning Director Joseph Barker gave a staff report. Mr. Barker advised that that applicant has submitted new information and documents regarding health and safety, studies on the relationship between cell towers and real estate values, signal strength information within the City of Shawnee, example photographs of monopine towers, and a photo simulation of what the tower would look like from multiple vantage points. The applicant has also submitted a revised site plan in order to comply with Section 175, Subsection 20 of the Zoning Code that (1) changed the tower's classification to state that it is a sectional, which reduces the setback requirements from 120% to 80% of the tower height, (2) reduced the tower height from 140 feet to 120 feet, (3) raised the fence height from 6 feet to 7 feet, (4) changed the positioning of the tower within the compound from the center of the compound to the northwest corner, and (5) delineated a parking space. The Planning Commission does recommend approval with conditions, based on the additional documentation submitted.

A motion was made by Commissioner Salter, seconded by Commissioner Rutherford, to approve an ordinance to rezone property located at 125 West 45th Street from A-1; Rural Agricultural District to A-1; Rural Agricultural District with Conditional Use Permit, with the following conditions:

1. Documentation is submitted indicating that this is a sectional tower;
2. No excess equipment or parts shall be stored within the site;
3. There shall never be any commercial advertising or signage on the site;
4. Upon a final inspection, the tower shall meet the minimum construction and structural load standards specified in the adopted building code;
5. Upon installation of the tower, as-built plans to be kept on file with the City of Shawnee shall be submitted;
6. An annual inspection report on the tower as to compliance with FCC and FAA standards shall be submitted to the City of Shawnee; and
7. Written assurance is submitted stating that the land upon which the off-street parking for the facility is located will be controlled by the same entity which controls the land on which the tower is located.

Ordinance No. 2659NS 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: BEGINNING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER (NE/C NW/4 NW/4) OF SECTION SIX (6), TOWNSHIP TEN (10) NORTH, RANGE FOUR (4) EAST OF THE INDIAN MERIDIAN, POTTAWATOMIE COUNTY, OKLAHOMA, WHICH IS THE CENTER OF BEARD STREET; THENCE SOUTH 1320 FEET TO THE CENTER OF FORTY-SECOND STREET; THENCE WEST ON THE CENTER LINE OF FORTY-SECOND STREET A DISTANCE OF 328.76 FEET TO A POINT; THENCE NORTH A DISTANCE OF 1320 FEET TO THE NORTH LINE OF SAID SECTION; THENCE EAST 328.76 FEET TO THE POINT OF BEGINNING, FORMERLY DESCRIBED AS BLOCKS 23, 24 AND 27, ARMOURDALE ADDITION TO THE CITY OF SHAWNEE, POTTAWATOMIE COUNTY, OKLAHOMA, FROM ZONING CLASSIFICATION, A-1; RURAL AGRICULTURAL DISTRICT TO A-1; RURAL AGRICULTURAL DISTRICT WITH CONDITIONAL USE PERMIT AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SHAWNEE ACCORDINGLY.

Motion carried 5-1-1.

AYE: Salter, Rutherford, Sehorn, Gillham, Finley

NAY: Harrod

ABSTAIN: Bolt

Ordinance No. 2659NS was adopted by the City Commission.

AGENDA ITEM NO. 7:

Acknowledge monthly Sales Tax and City Treasurer Report.

Finance Director Chance Allison reported sales tax is up \$283,867.00, or 1.73%, over the projected budget year-to-date. He stated that use tax collections are up approximately \$168,741.00, or 13.70%, over the projected budget year-to-date.

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 Bolt said the Red Bud Festival went very well despite the rainy weather. He also said he appreciated all the volunteer help.

Vice Mayor Harrod said he appreciated the work and information on the traffic signal system.

Commissioner Sehorn said he was glad to see the street lights fixed on Harrison Avenue between Interstate-40 and MacArthur Street.

Commissioner Salter shared some statistics about cell towers. He stated that in a three-mile radius from the intersection of Kickapoo Avenue and 45th Street, there are 46 towers. These towers range from 32 feet to 200 feet. There are also 185 registered antenna towers in Shawnee.

AGENDA ITEM NO. 11:

Adjournment

There being no further business to be considered, the meeting was adjourned by power of the Chair. (6:41 p.m.)

ATTEST





RICHARD FINLEY, MAYOR



LISA LASZYONE, CMC, CITY CLERK