BOARD OF CITY COMMISSIONERS PROCEEDINGS
MARCH 20, 2017 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, March 20, 2017 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.

Richard Finley
Mayor

Absent Commissioner Ward 1	Ron Gillham Commissioner Ward 2
James Harrod Commissioner Ward 3-Vice Mayor	Darren Rutherford Commissioner Ward 4
Absent Commissioner Ward 5	Ben Salter Commissioner Ward 6

ABSENT: Dub Bushong, Lesa Shaw

INVOCATION Emergency Management Director Don Lynch

FLAG SALUTE

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. 15.

b. Minutes from the March 6, 2017 regular meeting.

c. Acknowledge the following reports:
- License Payment Report for February 2017
- Project Payment Report for February 2017

d. Lake Lease Renewals/Transfers:

TRANSFERS:
Lot 5 Coffman Tract, 15309 Perry Road
From: William G. Holloway
To: R. Chris and Kay Duroy

e. Acknowledge waiving Sections 8-431 and 8-434 of the Code of the City of Shawnee involving Garage Sale licenses and fees for the days of April 21-23, 2017.

f. Budget Amendment – Fund 302
Amend budget for grant received from the Avedis Foundation for sidewalk project.

g. Request Authorization to Advertise for Bids for the FY16-17 Rehab Concrete Streets Maintenance Project.

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

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

AGENDA ITEM NO. 2: Citizens Participation
(A three minute limit per person)
(A twelve minute limit per topic)

There was no Citizens Participation.

AGENDA ITEM NO. 3: Presentation by City Manager to Employee of the Month, Paula Lauderdale, Information Systems.

Paula Lauderdale was present to accept the Employee of the Month Certificate presented by City Manager Justin Erickson.

RECESS CITY COMMISSION MEETING BY THE POWER OF THE CHAIR TO CONVENE SHAWNEE AIRPORT AUTHORITY AND SHAWNEE MUNICIPAL AUTHORITY (6:33 p.m.)

RECONVENE CITY COMMISSION MEETING BY THE POWER OF THE CHAIR (6:47 p.m.)

AGENDA ITEM NO. 4: Mayor' Proclamations:
"Arbor Week"
March 26 – April 1, 2017

Director of Operations James Bryce accepted the Mayor's Proclamation for "Arbor Week" presented by Mayor Finley.

"Welcome Home Vietnam Veterans Day"
March 30, 2017

Veterans of Foreign Wars Post 1317 Commander Don Plumley accepted the Mayor's Proclamation for "Welcome Home Vietnam Veterans Day" presented by Mayor Finley.

"Fair Housing Month"
April 2017

Community Development Director Justin DeBruin accepted the Mayor's Proclamation for "Fair Housing Month" presented by Mayor Finley.

AGENDA ITEM NO. 5: Consider a resolution to surplus a certain City of Shawnee vehicle and donate it to the Heart of Oklahoma Exposition Center.

Resolution No. 6539 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 DONATION OF SAID ITEM TO THE HEART OF OKLAHOMA EXPOSITION CENTER.

A motion was made by Vice Mayor Harrod, seconded by Commissioner Gillham, to authorize a resolution to surplus a certain City of Shawnee vehicle and donate it to the Heart of Oklahoma Exposition Center. Motion carried 5-0.

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

AGENDA ITEM NO. 6: Consider a resolution to surplus a certain City of Shawnee vehicle and donate it to the City of McLoud.

Resolution No. 6540 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 DONATION OF SAID ITEM TO THE CITY OF MCLOUD POLICE DEPARTMENT.

A motion was made by Vice Mayor Harrod, seconded by Commissioner Rutherford, to authorize a resolution to surplus a certain City of Shawnee vehicle and donate to the City of McLoud. Motion carried 5-0.

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

AGENDA ITEM NO. 7: Discussion, consideration, and possible action to approve an ordinance repealing and amending portions of Chapter 26, "Utilities" of the Shawnee Municipal Code.

City Manager Justin Erickson gave a staff report and explained that the proposed ordinance is a part of the recodification efforts and to reference a singular fee schedule. Mr. Erickson also advised that there was a modification to the proposed ordinance that was included in the agenda packet that removed the emergency clause and replaced it with an effective date of July 1, 2017.

A motion was made by Vice Mayor Harrod, seconded by Commissioner Rutherford, to approve an ordinance repealing and amending portions of Chapter 26, "Utilities" of the Shawnee Municipal Code.

Ordinance No. 2597NS was introduced.

AN ORDINANCE REPEALING AND AMENDING PORTIONS OF THE SHAWNEE MUNICIPAL CODE, CHAPTER 26 "UTILITIES," PROVIDING FOR CERTAIN FEES TO BE SET BY RESOLUTION FROM TIME TO TIME BY THE CITY COMMISSION AND LISTED IN THE CITY FEE SCHEDULE; PROVIDING FOR REPEAL; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR CODIFICATION.

Motion carried 5-0.

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

Ordinance No. 2597NS was adopted by the City Commission.

AGENDA ITEM NO. 8: Discussion, consideration, and possible action to approve an ordinance repealing and amending portions of Chapter 21, "Parks and Recreation" of the Shawnee Municipal Code.

City Manager Justin Erickson explained that this ordinance is also needed for the recodification efforts and to reference the singular fee schedule. Mr. Erickson also advised that there was a modification to the proposed ordinance that was included in the agenda packet that references the emergency clause. If the emergency clause passes, the changes will become effective immediately, with the exception of changes related to the fees, which will become effective July 1, 2017 concurrent with the City Fee Schedule.

A motion was made by Commissioner Rutherford, seconded by Commissioner Gillham, to approve an ordinance repealing and amending portions of Chapter 21, "Parks and Recreation" of the Shawnee Municipal Code.

Ordinance No. 2598NS was introduced.

AN ORDINANCE REPEALING AND AMENDING PORTIONS OF THE SHAWNEE MUNICIPAL CODE, CHAPTER 21 "PARKS AND RECREATION,"; AUTHORIZING THE CITY MANAGER TO CHANGE THE HOURS OF PUBLIC PARKS UNDER CERTAIN CIRCUMSTANCES; AUTHORIZING FEES SET BY RESOLUTION AND LOCATED IN THE CITY FEE SCHEDULE OF CITY PARK FACILITIES AND INFRASTRUCTURE; REPEALING PROVISIONS FOR A PARKS AND RECREATION AND LINCOLN PARK COMMUNITY CENTER ADVISORY BOARD; PROVIDING FOR REPEAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND DECLARING AN EMERGENCY..

Motion carried 5-0.

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

Ordinance No. 2598NS was adopted by the City Commission.

A motion was made by Vice Mayor Harrod, seconded by Commissioner Gillham, to approve emergency clause relating to Ordinance No. 2598NS. Motion carried 5-0.

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

AGENDA ITEM NO. 9: Discussion, consideration, and possible action to approve an ordinance implementing a schedule of fees and charges in Chapter 1, General Provisions of the City Code.

City Manager Justin Erickson gave a staff report. He stated that attached to the ordinance as Appendix A is a schedule of fees that will consolidate all of the fees for the City. Mr. Erickson also advised that there was a modification to the proposed ordinance that was included in the agenda packet that removed the emergency clause and replaced it with an effective date of July 1, 2017.

A motion was made by Commissioner Gillham, seconded by Commissioner Rutherford, to approve an ordinance implementing a schedule of fees and charges in Chapter 1, General Provisions of the City Code.

Ordinance No. 2599NS was introduced.

AN ORDINANCE IMPLEMENTING A SCHEDULE OF FEES AND CHARGES IN CHAPTER 1, GENERAL PROVISIONS OF THE CITY CODE; AND THE CREATION OF THE SCHEDULE OF FEES AND CHARGES, FINES, BONDS, AND INSURANCE AS APPENDIX A OF THE CITY CODE; AND PROVIDING FOR CODIFICATION, REPEALER, AND SEVERABILITY.

Motion carried 5-0.

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

Ordinance No. 2599NS was adopted by the City Commission.

AGENDA ITEM NO. 10: Discussion, consideration, and possible action on an ordinance adopting the Statewide Minimum building codes (Update of Existing Regulations).

Community Development Director Justin DeBruin explained this ordinance will update the existing building codes to maintain compliance with industry standards and is the minimum requirement by state law at this time. The ordinance adopts the 2015 International Building Code, 2014 National Electrical Code, 2015 International Fuel Gas Code, 2015 International Mechanical Code, 2015 International Plumbing Code, 2015 Existing Building Code, 2015 International Fire Code and 2015 International Residential Code. Mr. DeBruin stated that he has provided a letter to the Shawnee Home Builders Association and will attend the April meeting to provide them with further information.

City Manager Justin Erickson advised that there was a modification to the proposed ordinance that was included in the agenda packet that changed the effective date from 60 days from date of passage to July 1, 2017.

A motion was made by Vice Mayor Harrod, seconded by Commissioner Rutherford, to approve an ordinance adopting the Statewide Minimum building codes (Update of Existing Regulations).

Ordinance No. 2600NS was introduced.

AN ORDINANCE OF THE CITY OF SHAWNEE ADOPTING THE 2015 INTERNATIONAL BUILDING CODE, 2014 NATIONAL ELECTRICAL CODE, 2015 INTERNATIONAL FUEL GAS CODE, 2015 INTERNATIONAL MECHANICAL CODE, 2015 INTERNATIONAL PLUMBING CODE, 2015 EXISTING BUILDING CODE, 2015 INTERNATIONAL FIRE CODE, 2015 INTERNATIONAL RESIDENTIAL CODE REPEALING ALL SECTIONS IN CONFLICT THEREWITH AND PROVIDING FOR SEVERABILITY; AND REPLACING SPECIFIC DOLLAR-FEE AMOUNTS THROUGHOUT THE ENTIRE CHAPTER WITH A REFERENCE TO THE CITY FEE SCHEDULE.

Motion carried 5-0.

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

Ordinance No. 2600NS was adopted by the City Commission.

AGENDA ITEM NO. 11: Public hearing and consideration of an ordinance for proposed changes to City ward boundaries. *(Deferred from February 6, 2017 City Commission meeting.)*

City Manager Justin Erickson explained that no changes have been made to this proposal since it was brought before the Commission on February 7, 2017.

Mr. Erickson noted a 0.89% difference between the highest populated and lowest populated wards.

Mayor Finley declared a public hearing in session to consider an ordinance for proposed changes to City ward boundaries. No one appeared in favor or against said rezoning. The public hearing was closed.

A motion was made by Vice Mayor Harrod, seconded by Commissioner Rutherford, to approve an ordinance for proposed changes to City ward boundaries.

Ordinance No. 2601NS was introduced.

AN ORDINANCE MODIFYING WARD BOUNDARIES OF THE CITY OF SHAWNEE, OKLAHOMA.

Motion carried 5-0.

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

Ordinance No. 2601NS was adopted by the City Commission.

AGENDA ITEM NO. 12: Consideration of a resolution for codification of municipal ordinances.

City Manager Justin Erickson explained the process of codifying municipal ordinances to stay in compliance with state law.

Resolution No. 6541 was introduced.

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF SHAWNEE, OKLAHOMA CODIFYING ITS ORDINANCES.

A motion was made by Commissioner Gillham, seconded by Commissioner Salter, to authorize a resolution for codification of municipal ordinances. Motion carried 5-0.

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

AGENDA ITEM NO. 13: Consideration of approval of Single Audit Engagement Letter and Compilation Engagement Letter with Arledge & Associates for Audit Services.

Finance Director Cindy Arnold gave a presentation explaining the process of selecting an audit firm for audit services. Ms. Arnold announced that Arledge and Associates was the lowest bidder and the highest ranking among proposals received.

A motion was made by Vice Mayor Harrod, seconded by Commissioner Gillham, to approve a Single Audit Engagement Letter and Compilation Engagement Letter with Arledge & Associates for Audit Services. Motion carried 5-0.

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

AGENDA ITEM NO. 14: Acknowledge Sales Tax Report received March 2017.

Finance Director Cynthia Arnold gave a presentation and reported that March sales tax collected this month was $1,370,990.00, which is up 0.87% or $54,946.00 from March of 2016.

AGENDA ITEM NO. 15: Consider Bids:

a. EXPO Conference Center Flooring Project (Award)

Director of Operations James Bryce announced that three (3) bids were received and after review and consideration it is staff's recommendation to award the bid to Bryan's Flooring of Oklahoma City, Oklahoma in the amount of $115,000.00 for the main floor and $43,000.00 for the second floor (add alternate) for a total amount of $158,000.00.

A motion was made by Vice Mayor Harrod, seconded by Commissioner Rutherford, to accept staff's recommendation and award the bid to Bryan's Flooring in the total amount of $158,000.00. Motion carried 5-0.

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

b. Wayfinding Signage Project Re-bid, Contract No. COS-PW-16-02 (Open)

BIDDER	AMOUNT
Color-Ad, Inc. Manassas, VA	Base: $465,476.00 Alternate: $9,432.00 Total Bid Amount: $474,908.00

City Engineer John Krywicki read one (1) bid into the record. Mr. Krywicki explained that the consultant that prepared the plans had a high bid estimate of $270,000.00. Commissioner Rutherford asked why we had not received more bids on the project. City Manager Justin Erickson said there may be a way to break up the project and have City staff install the signage. Staff recommended to reject the bid.

A motion was made by Vice Mayor Harrod, seconded by Commissioner Rutherford, to reject the bid submitted by Color-Ad, Inc. Motion carried 5-0.

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

c. Avedis/City Sidewalk Project, Contract No. COS-PW-16-03 (Open)

BIDDER	AMOUNT
Rudy Construction Co. Oklahoma City, OK	$714,850.00
A-Tech Paving Oklahoma City, OK	$604,030.00
Parathon Construction Edmond, OK	$537,375.00
C-P Integrated Services, Inc. Oklahoma City, OK	$589,001.76
MTZ Construction, Inc. Oklahoma City, OK	$503,555.00

City Engineer John Krywicki read five (5) bids into the record. Mr. Krywicki requested the bid award be deferred to the next City Commission meeting on April 3, 2017.

A motion was made by Vice Mayor Harrod, seconded by Commissioner Gillham, to defer the bid award to the April 3, 2017 City Commission meeting. Motion carried 5-0.

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

AGENDA ITEM NO. 16: 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. 17: Commissioners Comments

Commissioner Gillham stated there are several Blue Zones activities scheduled this week.

Commissioner Gillham explained a recent bicycle accident he was in and advised all citizens to purchase and wear helmets while riding bicycles.

Vice Mayor Harrod said thank you to all City staff for their work on the recodification, code updates, and rate modifications. Mr. Harrod reminded everyone of how important it is to for everyone outside of the city limits to follow the updated building codes also.

Vice Mayor Harrod commented on the work going on at Shawnee Milling Company.

Commissioner Rutherford said he had a chance to drive down Main Street from Harrison Avenue to Beard Avenue. He said the area is well lit, very clean, and has improved the overall look of the area.

Commissioner Salter mentioned he made the same drive as Commissioner Rutherford down Main Street recently and said it was interesting how clean the area looks without signal poles hanging overhead.

AGENDA ITEM NO. 18: Discussion, consideration and possible action to go into Executive Session for discussion in accordance with 25 O.S. §307B(3), purchase or appraisal of real property.

A motion was made by Vice Mayor Harrod, seconded by Commissioner Rutherford, to enter into executive session for discussion in accordance with 25 O.S. § 307B(3), purchase or appraisal of real property. Motion carried 5-0.

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

COMMISSION ENTERED INTO EXECUTIVE SESSION AT 7:30 P.M. WITH ALL MEMBERS PRESENT

COMMISSION RECONVENED FROM EXECUTIVE SESSION AT 7:38 P.M. WITH ALL MEMBERS PRESENT

AGENDA ITEM NO. 19: Consider matters discussed in Executive Session in accordance with 25 O.S. §307B(3), purchase or appraisal of real property.

A motion was made by Vice Mayor Harrod, seconded by Commissioner Gillham, to direct the City Manager to terminate the contract for sale of property located at 115-117 South Union Street and to deliver written notice to the seller of the termination. Motion carried 5-0.

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

AGENDA ITEM NO. 20: Adjournment

There being no further business to be considered, the meeting was adjourned by power of the Chair. (7:39 p.m.)

ATTEST:

Richard Finley
RICHARD FINLEY, MAYOR

Lisa Lasyone
LISA LASYONE, CMC, DEPUTY CITY CLERK