

AGENDA
BOARD OF CITY COMMISSIONERS
February 19, 2019 AT 6:00 P.M.
COMMISSION CHAMBERS AT CITY HALL
SHAWNEE, OKLAHOMA

CALL TO ORDER

DECLARATION OF A QUORUM

INVOCATION

FLAG SALUTE

1. Consider approval of Consent Agenda:
 - a. Minutes from the February 4, 2019 regular meeting.
 - b. Acknowledge the following reports and minutes:
 - License Payment Report for January 2019
 - Project Payment Report for January 2019
 - Shawnee Urban Renewal Authority Minutes from the November 6, 2018 meeting
2. Presentation by Animal Control to present the Pet of the Week.
3. Citizens Participation

(A three minute limit per person)
(A twelve minute limit per topic)
4. City Manager to enter into, and execute, the attached Addendum to Contract for Solid Waste Collection and Disposal Services, dated July 1, 2010, between the Shawnee Municipal Authority and Central Disposal, LLC, for the benefit of the City.
5. Acknowledge monthly Sales Tax and City Treasurer Report.
6. Interim City Manager Report
7. New Business

(Any matter not known about or which
could not have been reasonably
foreseen prior to the posting of the
agenda)
8. Commissioners Comments

9. Discussion, consideration, and possible action to enter into an Executive Session for discussion and possible action on pending claim against the City of Shawnee by Christopher Bertram as authorized by 25 O. S. §307(B)(4) on the recommendation of counsel that public discussion would impair the ability of the City Attorney to adequately defend the City.
10. Consider matters discussed in Executive Session regarding pending claim against the City of Shawnee by Christopher Bertram as authorized by 25 O. S. §307(B)(4) on the recommendation of counsel that public discussion would impair the ability of the City Attorney to adequately defend the City.
11. Adjournment

Respectfully submitted

Lisa Lasyone, CMC, City Clerk

The City of Shawnee encourages participation from its citizens in public meetings. If participation is not possible due to a disability, notify the City Clerk, in writing, at least forty-eight hours prior to the scheduled meeting and necessary accommodations will be made. (ADA 28 CFR/36)

Regular Board of Commissioners

1.a.

Meeting Date: 02/19/2019

CC Minutes

Submitted By: Kacie Eck, City Clerk

Department: City Clerk

Information

Title of Item for Agenda

Minutes from the February 4, 2019 regular meeting.

Attachments

CC Minutes

BOARD OF CITY COMMISSIONERS PROCEEDINGS
FEBRUARY 4, 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, February 4, 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. Acknowledge staff will proceed in the instant meeting with the opening and consideration of bids as set forth in Agenda Item No. 12.
- b. Minutes from the January 14, 2019 regular meeting.
- c. Acknowledge the following minutes:
 - Shawnee Community Beautification Committee Minutes from December 20, 2018 meeting
 - Shawnee Civic and Cultural Development Authority Minutes from December 20, 2018 meeting

d. Mayor's Appointment:

Traffic Commission

Reuben Peltier 1st Full Term Expires 01/01/2022
Reappointment

Rex Hennen 1st Partial Term Expires 01/01/2020
Replaces Ronald Taffe – Termed out

- e. Acceptance of a public water line and sewer line for Shawnee Trail Office Park, located at the Southeast corner of East 45th Street and Hyatt Road and placing maintenance bonds into effect.
- f. Acceptance of a Utility Easement for Shawnee Trail Office Park, located at the Southeast corner of East 45th Street and Hyatt Road.
- g. Confirm and approve the Interim City Manager's hiring of Rebecca Blaine as Planning Director.
- h. Lake Lease Transfers:

TRANSFER:

Lot 2 Magnino Tract, 16504 Archery Range Road
From: Phillip and Tammy Jennings
To: Sherrie White and Cassie Jennings

A motion was made by Vice Mayor Harrod, seconded by Commissioner Rutherford, to approve Consent Agenda Item Nos. 1(a-h). 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 Fred Couch presented Francis, a male pit-bull-mix. Officer Couch stated that Francis is a friendly companion with sweet manners. Francis' adoption fee is \$30 for individuals that reside outside the city limits or \$40 if the adopter resides inside the city limits.

AGENDA ITEM NO. 3:

Citizens Participation

(A three-minute limit per person)

(A twelve-minute limit per topic)

Mr. Craig MacIntyre owner of Spokelahoma Bicycle Shop announced that the Fourth Annual Oklahoma Gravel Growler was held this past weekend with 255 registered riders and 14 registered ultra-marathoners. He stated that proceeds from the event support Shawnee Hope House, Community Renewal and Arlington Volunteer Fire Department. Mr. MacIntyre thanked the City of Shawnee for permits and the Police Department and Sentinel services.

Ms. Barbara Loudermilk, Executive Director for Central Oklahoma Community Action Agency, stated a Point-in-Time (PIT) Count was conducted to provide an estimate of homelessness in the Shawnee community. There were 94 homeless individuals counted, but that is estimated to only reflect 20% of the homeless population.

Ms. Holly Gordon stated she participated in the Oklahoma Gravel Growler and rode 37 miles. She stated that the atmosphere was very energetic and celebratory. She also advised that the annual Youth Speak Out Event will be this weekend at the Performing Arts Center at Shawnee High School and everyone is invited.

Ms. Rachel Melot, Community Program Manager for the Blue Zones Project said she was excited to see the direction the board goes with the Parks and Recreation Committee.

Ms. Melot advised that the Blue Zones Project has been visiting with bike share companies around the country and the City has a large constituency of people who are interested in a bike share project for the community. Oklahoma Baptist University students have raised a little over \$20,000.00 for the project. As that plan develops, she will bring the idea to the City Commission. A Built Environment Committee meeting will be held this Thursday at 4:00 p.m. in the Shawnee City Commission Chambers and welcomes everyone to attend.

Mr. Tom Claybrook addressed his concerns with the City of Shawnee's budget. He suggested that in order for the City Commission to fulfil their fiduciary duties to the City of Shawnee that they have a forensic audit done.

Ms. Kate Joyce, Director for the Shawnee Seniors Center, announced that a Mobile Smiles Unit will be at the Senior Center February 11-15, 2019 with 10 appointments per day to provide free dental services to those without dental insurance. The Mobile Smiles Unit will also be at the Community Market next month.

AGENDA ITEM NO. 4:

Presentation by RDG SWB Inc. to provide an update to the City's Comprehensive Plan.

Jared Cooper, Interim Planning Director, stated that in 2017 the City of Shawnee went out for request for proposals to create a new Comprehensive Plan. A contract was entered into with RDG SWB Inc. (RDG) based on their qualifications. Over the past year, several community interest groups have spoken with people in the community and asked what people wanted to see on the Comprehensive Plan. He stated that we are currently at step 12 out of 15. Mr. Cooper introduced Amy Haase, Community and Regional Planning Principal from RDG SWB, Inc.

Ms. Haase gave a presentation on the progress. She briefly discussed the following:

- The Community's Plan
- Components of the Plan
- Steps Forward
- Next Steps

She stated that plan elements include:

- Land Use
- Transportation
- Community Image
- Quality of Life
- Downtown
- Housing and Neighborhoods
- Public Services

Ms. Haase advised that the next steps will include pulling the document together. There are sections of it already drafted and being reviewed by the committee and they will be pushing it out to the public in the next 30-60 days. They will be hosting an open house in the March and inviting the public to come in and see the work done and comment on the draft.

AGENDA ITEM NO. 5:

Public hearing and consideration of an ordinance to rezone property located at 323 South Eden Street from R-1; Single Family Residential District to R-2; Medium Density Residential District. Case No. P16-18. Applicant: Eugene Biller. *(Public hearing rescheduled from January 22, 2019 to February 4, 2019.)*

Interim Planning Director Jared Cooper provided a staff report. Mr. Cooper advised staff recommends approval of this ordinance.

Mayor Finley declared a public hearing in session to consider an ordinance rezoning property located at 323 South Eden Street from R-1; Single Family Residential District to R-2; Medium Density Residential District. No one appeared in favor or against said rezoning. The public hearing was closed.

A motion was made by Commissioner Gillham, seconded by Commissioner Bolt, to approve the ordinance rezoning property located at 323 South Eden Street from R-1; Single Family Residential District to R-2; Medium Density Residential District.

Ordinance No. 2651NS 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 33 FEET WEST OF THE NORTHWEST CORNER OF OUTLOT 9, SPAULDING'S ADDITION, THENCE SOUTH 300 FEET, THENCE WEST 600 FEET, THENCE NORTH 300 FEET TO A POINT 43 FEET EAST OF THE NORTHEAST CORNER OF OUTLOT 12 OF SPAULDING'S ADDITION, THENCE EAST 600 FEET TO THE POB. POTTAWATOMIE COUNTY, OKLAHOMA (PREVIOUSLY DESCRIBED AS OUTLOT 10, AMENDED PLAT OF OUTLOTS 10 & 11 OF SPAULDING'S ADDITION TO THE CITY OF SHAWNEE POTTAWATOMIE COUNTY, OKLAHOMA. FROM ZONING CLASSIFICATION R-1; SINGLE FAMILY RESIDENTIAL DISTRICT TO R-2; MEDIUM DENSITY RESIDENTIAL DISTRICT AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SHAWNEE ACCORDINGLY.

Motion carried 7-0.

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

Ordinance No. 2651NS was adopted by the City Commission.

AGENDA ITEM NO. 6:

Public hearing and consideration of an ordinance to rezone property located at 420 West Federal Street from R-1; Single Family Residential District to C-1; Neighborhood Commercial District. Case No. P18-18. Applicant: David Carter. *(Public hearing rescheduled from January 22, 2019 to February 4, 2019.)*

Interim Planning Director Jared Cooper provided a staff report. He advised that staff recommends approval of this ordinance.

Mayor Finley declared a public hearing in session to consider an ordinance rezoning property located at 420 West Federal Street from R-1; Single Family Residential District to C-1; Neighborhood Commercial District. No one appeared in favor or against said rezoning. The public hearing was closed.

A motion was made by Commissioner Bolt, seconded by Vice Mayor Harrod, to approve the ordinance rezoning property located at 420 West Federal Street from R-1; Single Family Residential District to C-1; Neighborhood Commercial District.

Ordinance No. 2652NS 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: ROSE GARDEN BLOCK 42, LOTS 21 THROUGH 23 IN THE CITY OF SHAWNEE POTTAWATOMIE COUNTY, OKLAHOMA. FROM ZONING CLASSIFICATION R-1; SINGLE FAMILY RESIDENTIAL DISTRICT TO C-1; NEIGHBORHOOD COMMERCIAL DISTRICT AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SHAWNEE ACCORDINGLY.

Motion carried 7-0.

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

Ordinance No. 2652NS was adopted by the City Commission.

AGENDA ITEM NO. 7:

Public hearing and consideration of an ordinance to rezone property located at 806 East Grant Street from C-1; Neighborhood Commercial District to C-1; Neighborhood Commercial District with Condition Use Permit. Case No. P19-18. Applicant: Crafton Tull & Associates. *(Public hearing rescheduled from January 22, 2019 to February 4, 2019.)*

Interim Planning Director Jared Cooper provided a staff report explaining the applicant is requesting a conditional use permit at this location to demolish the two current structures and establish a childcare facility. Staff recommends approval of this ordinance.

Mayor Finley declared a public hearing in session to consider an ordinance rezoning property located at 806 East Grant Street from C-1; Neighborhood Commercial District to C-1; Neighborhood Commercial District with Condition Use Permit. 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 Bolt, to approve the ordinance rezoning property located at 806 East Grant Street from C-1; Neighborhood Commercial District to C-1; Neighborhood Commercial District with Condition Use Permit.

Ordinance No. 2653NS 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 ONE (1), TWO (2), THREE (3), FOUR (4), FIVE (5), ELEVEN (11), TWELVE (12), THIRTEEN (13), FOURTEEN (14), FIFTEEN (15) AND SIXTEEN (16), BLOCK FORTY-NINE (49), BEVERLY HILLS ADDITION, TO THE CITY OF SHAWNEE, POTTAWATOMIE COUNTY, OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF; AND A TRACT OF LAND DESCRIBED AS BEGINNING 172.50 FEET WEST AND 50 FEET NORTH OF THE SOUTHEAST CORNER OF BLOCK FOUR (4), YATES ADDITION, TO THE CITY OF SHAWNEE, POTTAWATOMIE COUNTY, OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF, THENCE WEST 171.50 FEET; THENCE NORTH 95.30 FEET; THENCE EAST 171.50 FEET; THENCE SOUTH 95.30 FEET TO THE POINT OF BEGINNING; AND A TRACT OF LAND DESCRIBED AS BEGINNING 25 FEET EAST OF THE SOUTHWEST CORNER OF BLOCK FOUR (4), YATES ADDITION, TO THE CITY OF SHAWNEE, POTTAWATOMIE COUNTY, OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF; THENCE NORTH 50 FEET; THENCE EAST 171 FEET; THENCE SOUTH 50 FEET; THENCE WEST 171 FEET TO THE POINT OF BEGINNING IN THE CITY OF SHAWNEE, POTTAWATOMIE COUNTY, OKLAHOMA. FROM ZONING CLASSIFICATION C-1; NEIGHBORHOOD COMMERCIAL DISTRICT TO C-1; NEIGHBORHOOD COMMERCIAL DISTRICT WITH

CONDITIONAL USE PERMIT AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SHAWNEE ACCORDINGLY.

Motion carried 7-0.

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

NAY: None

Ordinance No. 2653NS was adopted by the City Commission.

AGENDA ITEM NO. 8:

Public hearing and consideration of an ordinance to rezone property located at 3 Burlison Road from A-1; Rural Agricultural to A-1; Rural Agricultural with Conditional Use Permit. Case No. P20-18. Applicant: Kevin Drechsel. *(Public hearing rescheduled from January 22, 2019 to February 4, 2019.)*

Interim Planning Director Jared Cooper provided a staff report. He stated that the location is near Shawnee Twin Lakes and a conditional use permit is required to place a manufactured home on the lot. Staff recommends approval of this ordinance.

Mayor Finley declared a public hearing in session to consider an ordinance rezoning property located at 3 Burlison Road from A-1; Rural Agricultural to A-1; Rural Agricultural with Conditional Use Permit. 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 Sehorn, to approve the ordinance rezoning property located at 3 Burlison Road from A-1; Rural Agricultural to A-1; Rural Agricultural with Conditional Use Permit.

Ordinance No. 2654NS 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 NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SECTION TWENTY-ONE (21), TOWNSHIP TEN (10) NORTH, RANGE TWO (2), EAST OF INDIAN MERIDIAN, THENCE SOUTH 466.69 FEET; THENCE EAST 466.69 FEET; THENCE NORTH 466.69 FEET; THENCE WEST 466.69 FEET TO THE POINT OF BEGINNING, CONTAINING 5 ACRES MORE OR LESS SITUATED IN THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER

OF SECTION TWENTY-ONE (21), TOWNSHIP TEN (10) NORTH, RANGE TWO (2) EAST OF THE INDIAN MERIDIAN, 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 7-0.

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

NAY: None

Ordinance No. 2654NS was adopted by the City Commission.

AGENDA ITEM NO. 9: Discussion and consideration of an ordinance creating a Parks and Recreation Committee. *(Deferred from the January 14, 2019 City Commission meeting.)*

Director of Operations James Bryce advised that this item was brought back after some changes were made to the previously presented ordinance. This ordinance now states that the committee will consist of one City Commissioner and four at-large members, which members must be residents of the City of Shawnee. After discussion among the Commission, it was recommended that the at-large members shall not be limited to City of Shawnee residents and can include individuals that are business or property owners within the City or are employed within the city limits.

A motion was made by Commissioner Rutherford, seconded by Commissioner Bolt, to approve the ordinance creating a Parks and Recreation Committee with an amendment by interlineation regarding the residency requirement, which is under Section 1(C)(1) that at-large members may include individuals who are residents of the City, business or property owners within the City, or individuals employed within the City.

Ordinance No. 2655NS was introduced.

AN ORDINANCE AMENDING CHAPTER 21 "PARKS AND RECREATION" OF THE CITY CODE OF THE CITY OF SHAWNEE, OKLAHOMA BY ADDING A SECTION THAT CREATES A PARKS AND RECREATION COMMITTEE, AND REGULATES THE SAME; AND PROVIDING FOR CODIFICATION, REPEALER, AND SEVERABILITY.

Motion carried 7-0.

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

Ordinance No. 2655NS was adopted by the City Commission.

AGENDA ITEM NO. 10: Consider an appointment of a City Commissioner to the Parks and Recreation Committee.

Commissioner Bolt volunteered to serve on the Parks and Recreation Committee.

A motion was made by Vice Mayor Harrod, seconded by Commissioner Rutherford, to appoint Commissioner Ed Bolt to serve on the Parks and Recreation Committee. Motion carried 7-0.

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

AGENDA ITEM NO. 11: Discussion and consideration of an ordinance amending the employee retirement system, defined contribution plan for the City of Shawnee, Oklahoma; providing retirement benefits for eligible employees of the City of Shawnee, Oklahoma; pertaining to plan design; pertaining to vesting; providing for repealer and severability; and declaring an emergency. (DC)

Finance Director Chance Allison explained that this ordinance allows eligible employees for the City of Shawnee to become partially vested based on their service years and fully vested after five years of employment and also includes a variable funding mechanism.

A motion was made by Commissioner Bolt, seconded by Commissioner Gillham, to approve an ordinance amending the employee retirement system, defined contribution plan for the City of Shawnee, Oklahoma; providing retirement benefits for eligible employees of the City of Shawnee, Oklahoma; pertaining to plan design; pertaining to vesting; providing for repealer and severability; and declaring an emergency.

Ordinance No. 2656NS was introduced.

AN ORDINANCE AMENDING THE EMPLOYEE RETIREMENT SYSTEM, DEFINED CONTRIBUTION PLAN FOR THE CITY OF SHAWNEE, OKLAHOMA; PROVIDING RETIREMENT BENEFITS FOR ELIGIBLE EMPLOYEES OF THE CITY OF SHAWNEE, OKLAHOMA; PERTAINING TO PLAN DESIGN; PERTAINING TO VESTING; PROVIDING FOR REPEALER AND SEVERABILITY; AND DECLARING AN EMERGENCY.

Motion carried 6-1.

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

NAY: Harrod

Ordinance No. 2656NS was adopted by the City Commission.

A motion was made by Commissioner Bolt, seconded by Commissioner Gillham, to approve the emergency clause relating to Ordinance No. 2656NS. Motion carried 6-1.

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

NAY: Harrod

AGENDA ITEM NO. 12:

Consider Bids:

- a. Lease of the City of Shawnee property located at the Northeast corner of Leo Street and Westech Road, Shawnee, Oklahoma for the purpose of pasture land (Open)

BIDDER

AMOUNT

Dace Dockery
Shawnee, OK

\$5,000.00 per year

Director of Operations James Bryce read one (1) bid into the record. Mr. Bryce advised that Mr. Dockery is the current lease holder on this property. He recommended awarding the bid to Mr. Dockery in the amount of \$5,000.00 per year.

A motion was made by Commissioner Rutherford, seconded by Vice Mayor Harrod, to award the lease of the City of Shawnee property located at the northeast corner of Leo Street and Westech Road, Shawnee, Oklahoma for the purpose of pasture land to Mr. Dace Dockery in the amount of \$5,000.00 per year. Motion carried 7-0.

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

AGENDA ITEM NO. 13: Administrative Report

a. Budget Update – Finance Director Chance Allison

Finance Director Chance Allison provided a mid-year budget update from July 2018 to December 2018. He explained revenue City-wide for July-December 2017 had a negative net income of \$2,853,122.24; however, revenue City-wide for July-December 2018 had a positive net income of \$773,156.48.

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

Vice Mayor Harrod commented on the recent events at the Heart of Oklahoma Exposition Center.

Commissioner Bolt stated this was a busy weekend for our city. He also thanked Chance Allison and City staff for all their hard work on the budget revision.

Mayor Finley spoke regarding Mr. Tom Claybrook's comments regarding the City of Shawnee's budget.

AGENDA ITEM NO. 16: Adjournment

There being no further business to be considered, the meeting was adjourned by power of the Chair. (7:07 p.m.)

RICHARD FINLEY, MAYOR

ATTEST:

LISA LASYONE, CMC, CITY CLERK

Regular Board of Commissioners**1.b.**

Meeting Date: 02/19/2019

Reports and Minutes

Submitted By: Kacie Eck, City Clerk

Department: City Clerk

Information

Title of Item for Agenda

Acknowledge the following reports and minutes:

- License Payment Report for January 2019
 - Project Payment Report for January 2019
 - Shawnee Urban Renewal Authority Minutes from the November 6, 2018 meeting
-

Attachments

License Pymt Rpt

Project Pymt Rpt

SURA Minutes

2/14/2019 8:58 AM
LICENSES: THRU ZZZZZZZZZZ

L I C E N S E P A Y M E N T R E P O R T
SORTED BY: CODE

PAGE:
PAYMENT DATES: 1/01/2019 TO 1/31/2019

** GENERAL LEDGER DISTRIBUTION **

FUND G/L ACCOUNT	ACCOUNT NAME	AMOUNT
001-4201	LICENSES	1,593.00CR
001-4210	REGISTRATIONS	2,200.00CR
001-4211	LAKESIDE INSPECTIONS	75.00CR
001-4216	GARAGE SALE PERMITS	70.00CR
001-4218	MEDICAL MARIJUANA LICENSE	100.00CR
001-4601	LAKESITE LEASES RENTAL REV	5,991.00CR
799-1023	BANCFIRST GENERAL ACCT	10,029.00

02/14/2019 8:57 AM
STATUS: ALL
SEGMENT CODES: All
FEE CODES: All

P R O J E C T P A Y M E N T R E P O R T

PAGE:
PROJECTS: THRU ZZZZZZZZZZ
PAYMENT DATES: 1/01/2019 TO 1/31/
SORTED BY: PRO

** GENERAL LEDGER DISTRIBUTION **

FUND G/L ACCOUNT	ACCOUNT NAME	AMOUNT
001-2133	UBCC FEE PAYABLE	236.00CR
001-4202	BUILDING PERMITS	7,637.20CR
001-4203	PLUMBING PERMITS	3,050.00CR
001-4204	ELECTRICAL PERMITS	700.00CR
001-4205	ZONING PERMITS & APPLICATIONS	280.00CR
001-4206	HEATING & A/C PERMITS	1,237.50CR
001-4249	OTHER PERMITS	960.00CR
001-4822	OTHER MISC. REVENUE	29.50CR
101-4249	OTHER PERMITS	160.00CR
501-4510	WATER TAPS	2,200.00CR
799-1023	BANCFIRST GENERAL ACCT	16,490.20

02/14/2019 8:57 AM
STATUS: ALL
SEGMENT CODES: All
FEE CODES: All

P R O J E C T P A Y M E N T R E P O R T

PAGE:
PROJECTS: THRU ZZZZZZZZZZ
PAYMENT DATES: 1/01/2019 TO 1/31/
SORTED BY: PRO

** SEGMENT CODE TOTALS **

SEGMENT CODE	DESCRIPTION	TOTAL PAID
B1-NEW	BUILDING CONSTRUCTION NEW	8,727.27CR
B3-REMODEL	BUILDING CONSTRUCTION REM	3,556.93CR
B4-CARPORT	BUILDING CARPORT	29.50CR
B4-SHELTER	BUILDING SHELTER	118.00CR
E2-ADD	ELECTRICAL ADDITION	104.50CR
E3-REMODEL	ELECTRICAL REMODEL/REPAIR	654.00CR
M3-REMODEL	MECHANICAL REMODEL/REPAIR	1,296.00CR
P3-REMODEL	PLUMBING REMODEL	599.50CR
X-BORE/CUT	BORING & PAVING CUT PERMI	60.00CR
X-CURBCUT	CURBCUT/DRIVEWAY/SIDEWALK	150.00CR
X-SIGN	SIGN PERMIT	550.00CR
X-SWIMPOOL	SWIMMING POOL PERMIT	64.50CR
Z-CONDUSE	CONDITIONAL USE PERMIT	280.00CR
Z-OCCUP	OCCUPANCY PERMIT	300.00CR
TOTAL		16,490.20CR

SHAWNEE URBAN RENEWAL AUTHORITY

MINUTES OF NOVEMBER 6, 2018

The Board of Commissioners of the *Shawnee Urban Renewal Authority* met for a regular meeting Tuesday, November 6, 2018 at 9:00 a.m. in the CDBG Conference Room, 227 N. Broadway, Suite C, Shawnee, Oklahoma.

Tiffany Barrett called the meeting to order at 9:10 a.m.

AGENDA ITEM NO. 2

ROLL CALL:

Roll call was taken showing the following members present:

Chairman	Tiffany Barrett
Commissioner	Audra Barksdale
Commissioner	Paul Davis
Commissioner	Johnie Maxwell
Commissioner	Renee' Wortham

Guests:	Kathy Taylor	Leadership Shawnee
	Abby Flood	Leadership Shawnee
	Channing Seikel	Leadership Shawnee
	Bryse Martin	Leadership Shawnee

Also present:

Bryan Logan, CDBG Program Manager, SURA

Karen Drain, Secretary, SURA

Elaine Shrum, Administrative Specialist, SURA

A quorum was declared.

AGENDA ITEM NO. 3

APPROVAL OF MINUTES:

A motion to approve the minutes of August 7, 2018 was made by *Commissioner Davis*, seconded by *Commissioner Wortham*. Motion carried with no abstentions.

VOTING YES: Barrett, Barksdale, Davis, Maxwell and Wortham

VOTING NO: None

AGENDA ITEM NO. 4

APPROVAL OF CLAIMS:

A motion to approve claims totaling \$ 35,281.18 was made by *Commissioner Wortham*, seconded by *Commissioner Davis*. Motion carried with no abstentions.

VOTING YES: Barrett, Barksdale, Davis, Maxwell and Wortham
VOTING NO: None

AGENDA ITEM NO. 5

REQUEST FOR APPROVAL: 2019 Schedule of Regular Meetings

A motion to approve 2019 Schedule of Regular Meetings was made by ***Commissioner Wortham***, seconded by ***Commissioner Maxwell***. Motion carried with no abstentions.

VOTING YES: Barrett, Barksdale, Davis, Maxwell and Wortham
VOTING NO: None

AGENDA ITEM NO. 6

UPDATE ON PROJECTS:

Bryan Logan, CDBG Program Manager gave the following update:

1. **Home Repair: Foundation**
Quotes received: 2
Awarded to: Ram Jack for \$4,714.00 - Closed
2. **Home Repair: Cabinets**
Quotes received: 2
Awarded to: David VanBrunt for \$5,950.00 – Closed \$6,050.00
3. **Home Repair: Roof**
Cost Estimate: \$ 10,320.00
Bids received: 3
Bid awarded to: LG Const. for \$11,498.00 - Closed
4. **Home Repair: Siding**
Cost Estimate: \$ 9,950.00
Bids received: 2
Bid awarded to: Beauford Const. for \$9,917.00 - Construction
5. **Home Repair: Plumbing**
Cost Estimate: \$9,275.00
Bids received: 2
Bid awarded to: LG Const. for \$8,913.00 – Closed \$9,063.00

6. Home Repair: Plumbing
Quotes received: 2
Awarded to: LG Const. for \$5,200.00 – Closed \$8,513.00
7. Home Repair: Roof
Cost Estimate: \$12,750.00
Bids received: 2
Bid awarded to: LG Const. for \$13,531.00 – Closed \$14,176.00
8. Home Repair: Ceiling Repair
Quotes received: 2
Awarded to: Williams Restoration for \$1,000.00 - Construction

**AGENDA ITEM NO. 7
OLD/NEW BUSINESS:**

There was no old or new business.

**AGENDA ITEM NO. 8
PROGRAM MANAGER'S REPORT:**

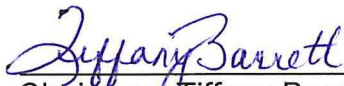
Bryan Logan, CDBG Program Manager reported that staff is waiting on available contractors and funds to make the needed repairs on the three houses that SURA owns.

**AGENDA ITEM NO. 9
ADJOURNMENT**

There being no further business to come before the Board at this time, a motion to adjourn at 9:50 a.m. was made by **Commissioner Barksdale**, seconded by **Commissioner Wortham**. Motion carried with no abstentions.

VOTING YES: Barrett, Barksdale, Davis, Maxwell and Wortham
VOTING NO: None


Secretary, Renee' Wortham


Chairman, Tiffany Barrett

Regular Board of Commissioners

4.

Meeting Date: 02/19/2019

Central Disposal Addendum

Submitted By: Kacie Eck, City Clerk

Department: City Clerk

Information

Title of Item for Agenda

City Manager to enter into, and execute, the attached Addendum to Contract for Solid Waste Collection and Disposal Services, dated July 1, 2010, between the Shawnee Municipal Authority and Central Disposal, LLC, for the benefit of the City.

Attachments

Central Disposal Addendum

ADDENDUM TO CONTRACT
FOR
SOLID WASTE COLLECTION
AND
DISPOSAL SERVICES

This Addendum is entered into as of the ____ day of February, 2019, by and among **SHAWNEE MUNICIPAL AUTHORITY**, a public Trust for the benefit of the City of Shawnee ("Authority"), and **CENTRAL DISPOSAL, LLC**, an Oklahoma limited liability company ("Contractor"), (collectively, the "Parties").

WITNESSETH:

WHEREAS, the Parties entered into that certain Contract for Solid Waste Collection and Disposal Services on or about the 1st day of July, 2010 ("Contract").

WHEREAS, the Parties agreed in paragraph XIII of the Contract that at the end of fifteen (15) years of the commencement of the first period of the Contract that the Contractor would transfer ownership of the transfer station, ECO Center and the property it is located on to the Authority, or at the Authority's request to the City of Shawnee ("City") as a gift.

WHEREAS, the Parties contemplate a cash payment in lieu of the transfer set forth in paragraph XIII of the Contract.

WHEREAS, for mutual consideration, the sufficiency of which is hereby acknowledged, the parties wish to enter into the following agreement:

1. Payment to Authority. The Parties agree that the Contractor, or an affiliate of Contractor, shall make a cash payment of \$900,000.00 to the City of Shawnee in lieu of conveying the transfer station, ECO Center and the property to the Authority or the City on or before March 1, 2019.

2. Waiver of Contract Provision. Authority and City agree that the cash payment to the City shall serve as substitution of Contractor's obligation pursuant to paragraph XIII of the Contract and waive any further rights related to the transfer of property contemplated thereby.

3. Notices. Any notices required or permitted to be given under this Addendum shall be sufficient if in writing and sent by certified mail to the Party's principal office.

4. Waiver of Breach. The waiver by any Party hereto of a breach of any provision of this Addendum shall not operate or be construed as a waiver of any subsequent breach by any Party.

5. Governing Law. This Addendum shall be governed by and construed in accordance with the laws of the State of Oklahoma.

6. Severability. The provisions of this Addendum shall be severable. If any one or more of the provisions contained in this Addendum shall for any reason be held to be invalid,

illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect the remaining provisions of this Addendum and this Addendum shall be construed as if such invalid, illegal or unenforceable provision or provisions had never been contained herein.

7. Conflict. This Addendum's terms shall supersede and prevail over any conflicting terms in other agreements among the Parties.

8. Headings. The headings of the paragraphs contained in this document are for reference purposes only and shall not in any way affect the meaning or interpretation of any provision of this Addendum.

9. Entire Agreement. This Addendum supersedes all prior express or implied agreements between the Parties with respect to all matters contained herein, and this Addendum constitutes the sole and entire agreement with respect thereto. Any representation, inducement, promise or agreement that is not embodied herein shall be of no force and effect.

10. Counterparts. This Addendum may be executed in multiple counterparts, each of which shall be deemed an original and together shall constitute one and the same agreement, with one counterpart being delivered to each party thereto.

****SIGNATURE PAGES TO FOLLOW****

IN WITNESS WHEREOF, Authority caused this Addendum to be executed as of the date first above written.

SHAWNEE MUNICIPAL AUTHORITY, a
public Trust for the benefit of the City of
Shawnee

By: _____
Eric Benson, City Manager

ATTEST:

Lisa Lasyone, CMC, Authority Secretary

IN WITNESS WHEREOF, Contractor caused this Addendum to be executed as of the date first above written.

CENTRAL DISPOSAL, LLC, an Oklahoma
limited liability company

By: _____
Todd Adcock, Manager

Regular Board of Commissioners

5.

Meeting Date: 02/19/2019

Sales Tax/Treasurer Rpt

Submitted By: Kacie Eck, City Clerk

Department: City Clerk

Information

Title of Item for Agenda

Acknowledge monthly Sales Tax and City Treasurer Report.

Attachments

Sales Tax/Treasurer Rpt



Date: February 19, 2019
To: Honorable Mayor and City Commissioners
From: Chance Allison, CPA, Finance Director and City Treasurer
Subject: February Sales and Use Tax Deposit

Sales and Use Tax Collections: The Oklahoma Tax Commission (the “OTC”) collects and enforces collection of sales and use taxes, including special earmarked taxes such as alcohol and tobacco, for the entities responsible for remitting taxes to the City of Shawnee. Entities with monthly tax liabilities exceeding \$2,500 are required to remit tax estimates each month by the 20th; in addition, entities are required to report their final tax collections for the previous month along with a final payment of taxes for the previous month on the 20th. To summarize, tax collections remitted to the City of Shawnee by the OTC in February consist of January estimates and December final reported collections. Any taxes collected for months prior to December will include accrued late penalty interest.

Sales Tax Collection Allocated by Fund:

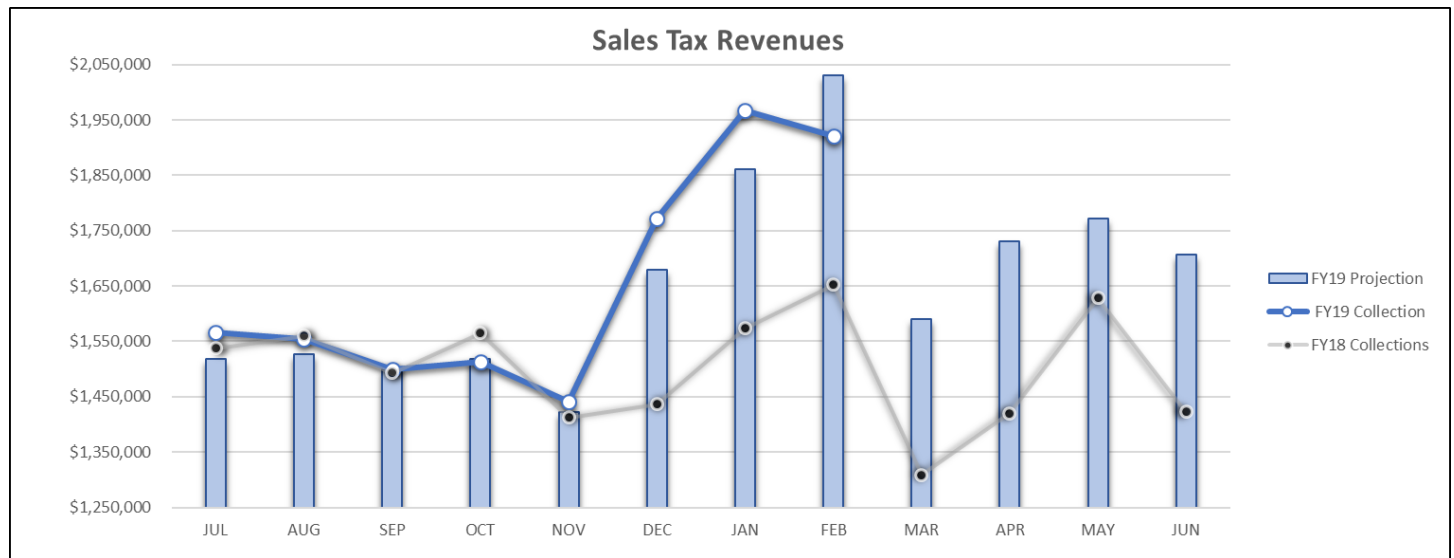
The February sales tax deposit was \$1,920,408.73, including interest of \$2,099.18, to be allocated as follows:

<u>Fund</u>	<u>Allocation</u>
General Fund	\$ 1,097,376.41
2018 Capital Improvements Fund	274,344.10
Capital Improvements Fund	212,616.69
Street Improvements Fund	240,051.09
Economic Development Fund	27,434.42
Police Sales Tax Fund	34,293.01
Fire Sales Tax Fund	<u>34,293.01</u>
Total Sales Taxes Collected	<u>\$ 1,920,408.73</u>

Finance Department Report:

Sales and use tax collections totaled \$2,108,913 for February 2019. The overall budgeted increase for both sales and use tax collections for FY 2019 was a modest 0.50% based on conservative estimates of historical trends. For the year, sales tax collections are up \$178,637, or 1.37%, over the projected budget. Use tax collections are up approximately \$131,072, or 13.33%, over the projected budget year-to-date.

Fiscal Year 2019 Sales Tax Collections and Performance:

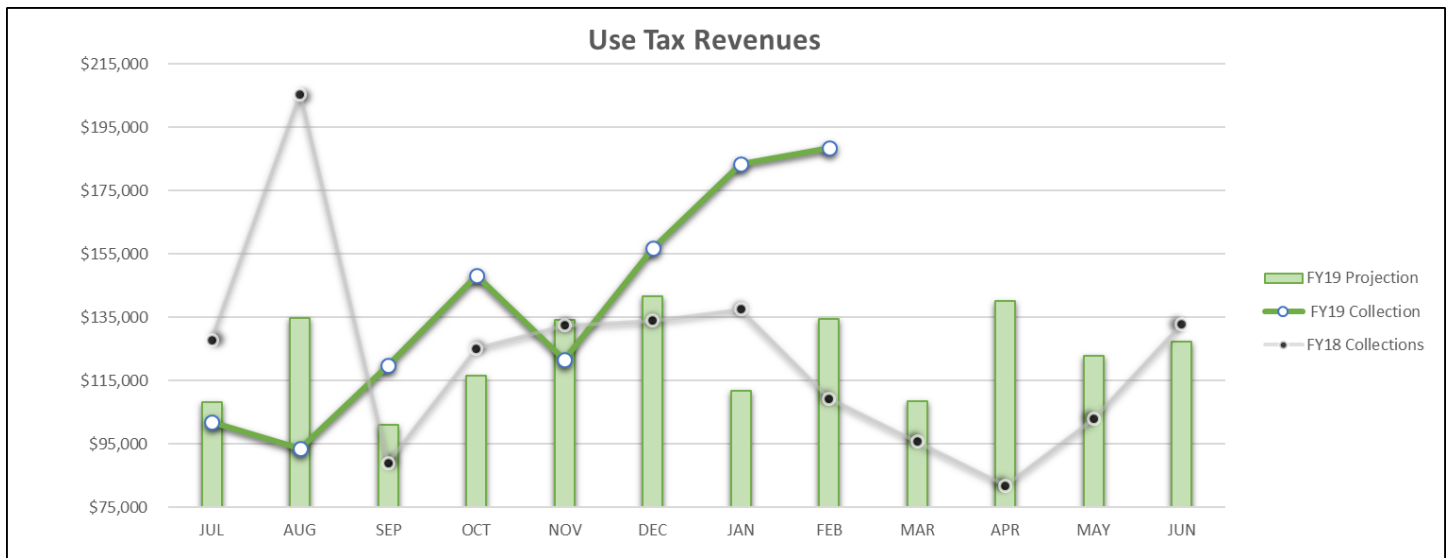


	Projected Budget	Actual	Amount Variance	Percentage Variance
Sales Tax Receipts (February 2019):	\$ 2,030,424	\$ 1,920,409	\$ (110,015)	-5.42%
Sales Tax Receipts (year-to-date):	\$ 13,054,734	\$ 13,233,371	\$ 178,637	1.37%

	February 2019	February 2018	Amount Variance	Percentage Variance
Sales Tax Receipts (vs Prior Year):	\$ 1,920,409	\$ 1,652,541	\$ 267,868	16.21%

	Year To Date FY 2019	Year To Date FY 2018	Amount Variance	Percentage Variance
Sales Tax Receipts (vs Prior Year):	\$ 13,233,371	\$ 12,230,932	\$ 1,002,439	8.20%

Fiscal Year 2019 Use Tax Collections and Performance:



	Projected Budget	Actual	Amount Variance	Percentage Variance
Use Tax Receipts (February 2019):	\$ 134,433	\$ 188,505	\$ 54,072	40.22%
Use Tax Receipts (year-to-date):	\$ 983,021	\$ 1,114,093	\$ 131,072	13.33%

	February 2019	February 2018	Amount Variance	Percentage Variance
Use Tax Receipts (vs Prior Year):	\$ 188,505	\$ 109,444	\$ 79,061	72.24%

	Year To Date FY 2019	Year To Date FY 2018	Amount Variance	Percentage Variance
Use Tax Receipts (vs Prior Year):	\$ 1,114,093	\$ 1,061,160	\$ 52,933	4.99%

Regular Board of Commissioners

9.

Meeting Date: 02/19/2019

Executive Session

Submitted By: Kacie Eck, City Clerk

Department: City Clerk

Information

Title of Item for Agenda

Discussion, consideration, and possible action to enter into an Executive Session for discussion and possible action on pending claim against the City of Shawnee by Christopher Bertram as authorized by 25 O. S. §307(B)(4) on the recommendation of counsel that public discussion would impair the ability of the City Attorney to adequately defend the City.

Attachments

No file(s) attached.

Regular Board of Commissioners

10.

Meeting Date: 02/19/2019

Consider Executive Session

Submitted By: Kacie Eck, City Clerk

Department: City Clerk

Information

Title of Item for Agenda

Consider matters discussed in Executive Session regarding pending claim against the City of Shawnee by Christopher Bertram as authorized by 25 O. S. §307(B)(4) on the recommendation of counsel that public discussion would impair the ability of the City Attorney to adequately defend the City.

Attachments

No file(s) attached.
