

AGENDA
SHAWNEE MUNICIPAL AUTHORITY
February 6, 2017 AT 6:30 P.M.
COMMISSION CHAMBERS AT CITY HALL
SHAWNEE, OKLAHOMA

CALL TO ORDER

DECLARATION OF A QUORUM

All motions will be made in the affirmative. The fact that a commissioner makes or offers a second to a motion does not mean that the commissioner must vote in favor of passage.

1. Consider approval of Consent Agenda:
 - a. Minutes from the January 6, 2017 Special Call meeting and January 17, 2017 regular meeting.
2. New Business

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

Respectfully submitted

Phyllis Loftis, CMC, City Clerk

Shawnee Municipal Authority

1. a.

Meeting Date: 02/06/2017

SMA Minutes

Submitted By: Lisa Lasyone, City Clerk

Department: City Clerk

Information

Title of Item for Agenda

Minutes from the January 6, 2017 Special Call meeting and January 17, 2017 regular meeting.

Fiscal Impact

Attachments

SMA SC Minutes 01/06/2017

SMA Minutes 01/17/2017

**BOARD OF CITY COMMISSIONERS AND
THE BOARD OF TRUSTEES OF THE SHAWNEE AIRPORT AUTHORITY AND
THE SHAWNEE MUNICIPAL AUTHORITY
CITY OF SHAWNEE
SPECIAL CALLED SESSION
JANUARY 6, 2017**

The Board of City Commissioners and The Board of Trustees of the Shawnee Airport Authority and the Shawnee Municipal Authority met in Special Called Session at the Heart of Oklahoma Exposition Center, Highway 177 and Independence Street, Shawnee, Oklahoma, Friday, January 6, 2017 at 9:00 a.m., pursuant to notice duly posted as prescribed by law. Mayor Mainord presided and called the meeting to order. The following members were in attendance and a quorum was declared.

Richard Finley
Chairman

Dub Bushong
Commissioner Ward 1

Ron Gillham
Commissioner Ward 2

James Harrod
Commissioner Ward 3-Vice Mayor

Darren Rutherford
Commissioner Ward 4

Absent
Commissioner Ward 5

Vacant
Commissioner Ward 6

Absent: Lesa Shaw

The Call for said meeting was entered upon the records by the City Clerk, said Call being as follows:

AMENDED NOTICE OF A CALLED SPECIAL SESSION OF THE BOARD OF CITY
COMMISSIONERS OF THE CITY OF SHAWNEE AND THE BOARD OF TRUSTEES
OF THE SHAWNEE AIRPORT AUTHORITY AND THE SHAWNEE MUNICIPAL
AUTHORITY, OKLAHOMA

You and each of you are hereby notified that by virtue of a call issued by me on this 3rd day of January, 2017, a Special Called Session will be held of the Board of Commissioners of the City of Shawnee and the Board of Trustees of the Shawnee Airport Authority and the Shawnee Municipal Authority, Oklahoma at the Heart of Oklahoma Exposition Center, Highway 177 and Independence Street, Shawnee, Oklahoma at 9:00 a.m. on the 6th day of January, 2017, and you are hereby notified to be present at said meeting. The purpose of the meeting is a work session for general discussion of issues within city government, the Shawnee Airport Authority and the Shawnee Municipal Authority, including possible new initiatives; general discussion of city priorities, projects, goals, long-term needs and funding options; and general discussion of commission policies.

Witness my hand this 3rd day of January, 2017.

(SEAL)

ATTEST:

s/s Lisa Lasyone
LISA LASYONE, CMC
CITY CLERK

s/s Justin Erickson
JUSTIN ERICKSON
CITY MANAGER

STATE OF OKLAHOMA, COUNTY OF POTTAWATOMIE, SS.

I received this notice on the 3rd day of January, 2017 at 2:50 p.m., and executed the same by delivering a true and correct copy thereof to the Mayor and to each of the Commissioners of the Board of City Commissioners for the City of Shawnee and the Board of Trustees of the Shawnee Municipal Authority, Oklahoma as follows:

A read verification was received from Mayor Richard Finley via e-mail at 5:24 p.m. on January 5, 2017.

A read verification was received from Commissioner Dub Bushong via e-mail at 7:52 p.m. on January 4, 2017.

A read verification was not received from Commissioner Ron Gillham via e-mail.

A read verification was received from Commissioner/Vice Mayor James Harrod via e-mail at 7:18 p.m. on January 6, 2017.

A read verification was received from Commissioner Darren Rutherford via e-mail at 11:02 a.m. on January 4, 2017.

A read verification was received from Commissioner Lesa Shaw via e-mail at 10:44 a.m. on January 5, 2017.

s/s Lisa Lasyone

Lisa Lasyone, CMC, City Clerk

CALL FOR SPECIAL SESSION OF THE SHAWNEE BOARD OF CITY COMMISSIONERS OF THE CITY OF SHAWNEE AND THE BOARD OF TRUSTEES OF THE SHAWNEE AIRPORT AUTHORITY AND THE SHAWNEE MUNICIPAL AUTHORITY, OKLAHOMA TO BE HELD ON THE 6TH DAY OF JANUARY, 2017 AT 9:00 A.M. AT THE HEART OF OKLAHOMA EXPOSITION CENTER, HIGHWAY 177 AND INDEPENDENCE STREET, SHAWNEE, OKLAHOMA. THE PURPOSE OF THE MEETING IS TO ENTER INTO EXECUTIVE SESSION FOR DISCUSSION AND POSSIBLE ACTION REGARDING POTENTIAL CLAIMS, LITIGATION OR OTHER OPTIONS RELATING TO THE POTENTIAL DETACHMENT OF PROPERTY LOCATED IN SECTION 2, TOWNSHIP 10N, RANGE 3E; AS AUTHORIZED BY 25 O.S. §307(B)(4); AND A WORK SESSION FOR GENERAL DISCUSSION OF ISSUES WITHIN CITY GOVERNMENT, THE SHAWNEE AIRPORT AUTHORITY AND THE SHAWNEE MUNICIPAL AUTHORITY, INCLUDING POSSIBLE NEW INITIATIVES; GENERAL DISCUSSION OF CITY PRIORITIES, PROJECTS, GOALS, LONG-TERM NEEDS AND FUNDING OPTIONS; AND GENERAL DISCUSSION OF COMMISSION POLICIES.

By virtue of the authority vested in me by Section 4, Article IV of the Charter of the City of Shawnee, Oklahoma, a Special Session of the Board of City Commissioners of the City of Shawnee and the Board of Trustees of the Shawnee Airport Authority and the Shawnee Municipal Authority, Oklahoma is hereby called to meet at the Heart of Oklahoma Exposition Center, Highway 177 and Independence Street, Shawnee, Oklahoma at 9:00 a.m. on the 6th day of January, 2017 for the purpose of the meeting is to enter into Executive Session for discussion and possible action regarding potential claims, litigation or other options relating to the potential detachment of property located in Section 2, Township 10N, Range 3E; as authorized by 25 O.S. §307(B)(4); and a work session for general discussion of issues within city government, the Shawnee Airport Authority and the Shawnee Municipal Authority, including possible new initiatives; general discussion of city priorities, projects, goals, long-term needs and funding options; and general discussion of commission policies.

Witness my hand this 3rd day of January, 2017.

s/s Justin Erickson

JUSTIN ERICKSON, CITY MANAGER

(SEAL)

ATTEST:

s/s Lisa Lasyone

LISA LASYONE, CMC, DEPUTY CITY CLERK

THE BOARD OF CITY COMMISSIONERS AND THE TRUSTEES OF THE SHAWNEE AIRPORT AUTHORITY AND THE SHAWNEE MUNICIPAL AUTHORITY OF THE CITY OF SHAWNEE, COUNTY OF POTTAWATOMIE, STATE OF OKLAHOMA, MET IN SPECIAL CALLED SESSION AT THE HEART OF OKLAHOMA EXPOSITION CENTER, HIGHWAY 177 AND INDEPENDENCE STREET, SHAWNEE, OKLAHOMA, FRIDAY, JANUARY 6, 2017 AT 9:00 A.M., PURSUANT TO NOTICE DULY POSTED AS PRESCRIBED BY LAW. MAYOR FINLEY PRESIDED AND CALLED THE MEETING TO ORDER. THE FOLLOWING MEMBERS WERE IN ATTENDANCE.

CALL TO ORDER AT 9:00 A.M.

PRESENT AT ROLL CALL: Bushong, Gillham, Harrod, Finley, Rutherford
ABSENT: Shaw

DECLARATION OF A QUORUM

City Staff in Attendance: Justin Erickson, City Manager
Joe Vorndran, City Attorney
Keenan English, Airport Manager
Don Lynch, Emergency Management
Cynthia Arnold, Finance Director/Treasurer
Chief Dru Tischer, Fire Department
Justin DeBruin, Planning Director
Chief Mason Wilson, Police Department
James Bryce, Director of Operations
Steve Nelms, Utility Director
Lisa Lasyone, Deputy City Clerk

Others in Attendance: Vicki Misa, Shawnee News Star
Barry Fogerty
Jim Smith

AGENDA ITEM NO. 1: Discussion, consideration and possible action to go into Executive Session to discuss potential claims, litigation or other options relating to the potential detachment of property located in Section 2, Township 10N, Range 3E; as authorized by 25 O.S. §307(B)(4).

A motion was made by Vice Mayor Harrod, seconded by Commissioner Rutherford, to enter into executive session to discuss potential claims, litigation or other options relating to the potential detachment of property located in Section 2, Township 10N, Range 3E; as authorized by 25 O.S. §307(B)(4). Motion carried 5-0.

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

COMMISSION ENTERED INTO EXECUTIVE SESSION AT 9:01 A.M. WITH ALL MEMBERS PRESENT

COMMISSIONER SHAW WAS PRESENT AT 9:19 A.M. AND WENT INTO EXECUTIVE SESSION

COMMISSION RECONVENED FROM EXECUTIVE SESSION AT 10:39 A.M. WITH ALL MEMBERS PRESENT

AGENDA ITEM NO. 2:

Consider matters discussed in Executive Session regarding potential claims, litigation or other options relating to the potential detachment of property located in Section 2, Township 10N, Range 3E; as authorized by 25 O.S. §307(B)(4).

No action taken.

AGENDA ITEM NO. 3:

General discussion of issues within city government, the Shawnee Airport Authority (SAA) and Shawnee Municipal Authority (SMA), including possible new initiatives; general discussion of city priorities, projects, goals, long-term needs and funding options; and general discussion of commission policies.

City Manager Justin Erickson began the workshop by advising of the successes of prior workshops, namely:

- Settlement was approved and received for the 911 money
- \$1.75M matching grant from Avedis for sidewalks/trails
- Reforms at Animal Shelter
- Expo funding - Avedis grant \$440k; County match \$220k
- Signed agreement with ODOT to provide funding for Kickapoo south of Kickapoo Spur
- Citizen participation ordinance adopted
- Sunday sale of alcoholic beverages passed by vote of the people
- Sale of tourism property - should be closing in early February 2017
- SMA master plan implementation
- Fire Station No. 2 solution – Project to bid February 2017
- Wayfinding - branding and wayfinding plans complete - signs out for bid

The following was briefly discussed regarding strategic planning:

- Mission
- Vision
- Values
- Goals
- Objectives

The Mayor and each Commissioner then gave a brief list of what they would like to discuss or see accomplished.

Mayor Finley:

Mayor Finley stated that he would like to have a mission statement come out of this meeting. He wants the police, fire and city staff to know what the Commission is trying to do. He wants to create a sense of place for the community. He stated that it is important to keep the community clean. He stated that City Hall has recently been painted, but he believes more maintenance is needed.

Vice Mayor Harrod:

Vice Mayor Harrod stated that City Hall is one of the first places new residents go and he wants it to be a friendly atmosphere with more up-to-date technology.

Commissioner Bushong:

Commissioner Bushong stated that he wanted to see the continuation of current projects and upcoming projects. He wants any issues brought to the Commission in a timely manner to reduce delays.

Commissioner Rutherford:

Commissioner Rutherford stated that the current plans and projects are headed in a good direction. The Conference Center at the Expo will be updated and that other buildings at the Expo need to be addressed and intelligently funded in order for the Expo to be the center of the draw for the community.

Commissioner Gillham:

Commissioner Gillham stated that the downtown area is looking terrific. He would like to see a centralized location downtown where people lock up their bicycles. He would also like to see more traffic downtown.

He stated that we have great participation in the International Finals Youth Rodeo (IFYR). He would like to encourage older people to find purposes in their life and to get them involved in tutoring in schools, etc.

Commissioner Gillham asked Staff at what point does a property become dilapidated or when the City tells a property owner to clean up trash, junk, etc. in their yards. The City Manager advised that the City has a good set of nuisance rules and enforcement mechanisms.

Commissioner Shaw:

Commissioner Shaw thanked the City Manager and the Planning Commission for improving the planning process. She encouraged strategic plan development. She would like for the City to have both a mission statement and a vision statement. She wants to increase the City's partnership with not just institutions, but also tribes and federal institutions. She stated she wants to discuss housing tax credits, the homeless population and the need for bicycle stations at both St. Gregory's and Oklahoma Baptist University (OBU). She also spoke regarding changing mayor appointments to include more input by other commissioners.

Additional items discussed:

The City Manager gave a brief history of past housing tax credit requests. He stated that the City does not have criteria to approve or not approve those requests. The Commission discussed the need for more low income housing. Staff stated that the 2005 master plan does not include affordable housing criteria. The City Manager stated that as part of comprehensive master plan update, affordable housing criteria would be included. He stated that in the upcoming budget, he is requesting to have the comprehensive plan updated.

The 160 acres northwest of town was discussed. Staff stated the City has leased the property out for grazing and receives \$5,000.00 per year. The City Manager stated that the biggest challenge to develop the property is capital funds. It would still take substantial funds if it was developed at the lowest extent possible, i.e., soccer fields, trails, etc. The property is on a gravel road and the biggest infrastructure cost would be paving and utilities to the property. Staff advised that there was less of a need for baseball/softball fields due to the Citizen Potawatomi Nation building softball fields and more of a need for soccer fields. Staff will advise the Commission of the cost of infrastructure and the actual needs of the community at a later date.

Staff advised the Commission that it hopes to have the City's Beautification Committee and the Chamber of Commerce's Beautification Committee consolidated within the first quarter of the year or by March.

It was discussed if there was any interest in pursuing the hotel/motel tax question again in the future. Commissioner Shaw said that it should involve the hotel/motel owners. Commissioner Rutherford asked if it would be appropriate to have Visit Shawnee Inc. (VSI) support the tax increase. The City Attorney stated that VSI can use their money for non-partisan elections.

Hazardous waste disposal options were discussed. Staff will research having a company set up a local location annually or Central Disposal having a drop-off site and adding a monthly cost to the utility bills. Staff will bring the information back to the Commission.

It was discussed that there are areas of sidewalks that are not passable and do not connect with other sidewalks. The City Manager stated that money has been dedicated from Avedis, along with City funds, to connect 12 miles of sidewalks. The target start date is mid-year and it is a 5-year plan. Staff will also investigate in lieu funds for sidewalks and report back to the Commission.

The following possible charter changes were discussed:

- Date for swearing in of new incoming Commissioners
- At-large ward voting or voting by individual wards only
- Honorariums for Mayor and Commissioners

The City Manager handed out a Capital Improvement spreadsheet. The list mostly consisted of wants and not needs. The items are major capital improvements over \$50,000.00. Shawnee Municipal Authority projects were not on the list. A total estimate of the projects was \$48 million. One option to fund the projects is to have a modest sales tax increase of 0.25% or 0.50%.

The projects included in the Capital Improvement List for 2017-2022 are as follows:

- Police Department Headquarters building
- Fire Station No. 2 remodel
- Fire Department Pumper Truck
- Fire Department Ladder Truck
- Remodel Fire Stations Nos. 1 and 3
- Fire Department Training Center
- Bryan Street/I-40 Interchange
- Kickapoo from Kickapoo Spur to Farrall Improvements
- Major Street Project (to be determined)
- MacArthur Street Sidewalk
- Sidewalk/Trails Projects
- Park Enhancements (Woodland, Boy Scout, etc.)
- New roof at Santa Fe Depot
- Roof at Auditorium/Senior Center
- Cemetery Office
- New roofs at various City facilities
- New Garage building (Operations, SMA, Streets)
- Downtown Square
- Community Center Remodel
- Kiwanis Park Restroom (Lake)
- Optimist Park Splash Pad and Restroom
- Auditorium Remodel (office, restrooms, recreation)
- City Hall Remodel
- Expo Master Plan Underway
- Comprehensive Plan Update
- City Website Redesign
- Community Warning Sirens (multiple)

Commissioners and staff will form a Strategic Planning Committee to discuss Capital Improvement List projects, survey results, etc. and bring it back to the Commission at the next workshop.

COMMISSIONER SHAW LEFT THE ROOM AT 2:38 P.M.

AGENDA ITEM NO. 4:

ADJOURNMENT

There being no further business to be considered, the meeting was adjourned by power of the Chair (2:39 p.m.).

RICHARD FINLEY, MAYOR

(SEAL)

ATTEST:

LISA LASYONE, CMC, CITY CLERK

THE TRUSTEES OF THE SHAWNEE MUNICIPAL AUTHORITY OF THE CITY OF SHAWNEE, COUNTY OF POTTAWATOMIE, STATE OF OKLAHOMA, MET IN REGULAR SCHEDULED SESSION IN THE COMMISSION CHAMBERS AT CITY HALL, 9TH AND BROADWAY, SHAWNEE, OKLAHOMA, TUESDAY, JANUARY 17, 2017, DURING THE BOARD OF CITY COMMISSIONERS MEETING AT 6:30 P.M., PURSUANT TO NOTICE DULY POSTED AS PRESCRIBED BY LAW. UPON ROLL CALL, A QUORUM WAS DECLARED WITH THE FOLLOWING MEMBERS IN ATTENDANCE:

PRESENT: Bushong, Gillham, Harrod, Finley, Rutherford, Shaw, Salter

ABSENT: None

Call to Order

Declaration of a Quorum

AGENDA ITEM NO. 1: Consider approval of Consent Agenda

a. Minutes from the December 19, 2016 meeting.

A motion was made by Trustee Harrod, seconded by Trustee Gillham, to approve Consent Agenda item No. 1(a). Motion carried 7-0.

AYE: Harrod, Gillham, Finley, Rutherford, Shaw, Salter, Bushong

NAY: None

AGENDA ITEM NO. 2: Consideration of an Agreement Ancillary to Detachment between the City of Shawnee, Shawnee Municipal Authority, St. Gregory's University and the Benedictine Fathers of Sacred Heart Mission, Inc.

A motion was made by Trustee Harrod, seconded by Trustee Shaw, to approve an Agreement Ancillary to Detachment between the City of Shawnee, Shawnee Municipal Authority, St. Gregory's University and the Benedictine Fathers of Sacred Heart Mission, Inc. Motion carried 7-0.

AYE: Harrod, Shaw, Salter, Bushong, Gillham, Finley, Rutherford

NAY: None

AGENDA ITEM NO. 3:

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. 4:

Consider an Executive Session for discussion and possible action regarding potential claims, litigation or other options regarding the following cases: (1) Citizen Potawatomi Nation District Court Case No. CIV-2015-031, Citizen Potawatomi Nation v. The Shawnee Municipal Authority; and (2) Oklahoma County District Court Case No. CJ-2015-2455, Shawnee Municipal Authority v. Pottawatomie Rural Water District #3, The Citizen Potawatomi Nation and Oklahoma Water Resources Board, as authorized by 25 O.S. §307(B)(4).

A motion was made by Trustee Gillham, seconded by Trustee Harrod, to enter into executive session to discuss potential claims, litigation or other options regarding the following cases: (1) Citizen Potawatomi Nation District Court Case No. CIV-2015-031, Citizen Potawatomi Nation v. The Shawnee Municipal Authority; and (2) Oklahoma County District Court Case No. CJ-2015-2455, Shawnee Municipal Authority v. Pottawatomie Rural Water District #3, The Citizen Potawatomi Nation and Oklahoma Water Resources Board, as authorized by 25 O.S. §307(B)(4). Motion carried 7-0.

AYE: Gillham, Harrod, Finley, Rutherford, Shaw, Salter, Bushong

NAY: None

RECESS SHAWNEE MUNICIPAL AUTHORITY MEETING BY THE POWER OF THE CHAIR TO CONVENE THE CITY COMMISSION MEETING (7:50 p.m.)

RECONVENE SHAWNEE MUNICIPAL AUTHORITY MEETING BY THE POWER OF THE CHAIR (8:58 p.m.)

AGENDA ITEM NO. 5:

Consider matters discussed in Executive Session regarding potential claims, litigation or other options regarding the following cases: (1) Citizen Potawatomi Nation District Court Case No. CIV-2015-031, Citizen Potawatomi Nation v. The Shawnee Municipal Authority; and (2) Oklahoma County District Court Case No. CJ-2015-2455, Shawnee Municipal Authority v. Pottawatomie Rural Water District #3, The Citizen Potawatomi Nation and Oklahoma Water Resources Board, as authorized by 25 O.S. §307(B)(4).

A motion was made by Chairman Finley, seconded by Trustee Bushong, to authorize the City Attorney and City Manager to continue negotiations towards a settlement and prepare alternative courses of action with respect to the noted cases. Motion carried 6-0-1.

AYE: Finley, Bushong, Gillham, Harrod, Rutherford, Salter

NAY: None

ABSTAIN: Shaw

AGENDA ITEM NO. 6:

Adjournment

There being no further business to be considered, the meeting was adjourned by power of the Chair. (8:59 p.m.)

RICHARD FINLEY
CHAIRMAN

ATTEST:

PHYLLIS LOFTIS, SECRETARY