BOARD OF CITY COMMISSIONERS PROCEEDINGS
FEBRUARY 6, 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, February 6, 2017 at 6:30 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

Dub Bushong Commissioner Ward 1	Ron Gillham Commissioner Ward 2
James Harrod Commissioner Ward 3-Vice Mayor	Darren Rutherford Commissioner Ward 4
Lesa Shaw Commissioner Ward 5	Ben Salter Commissioner Ward 6

ABSENT: None

INVOCATION Mr. Larry Gill

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. 11.

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

c. Acknowledge the following reports and minutes:
- License Payment Report for January 2017
- Project Payment Report for January 2017
- Planning Commission Minutes from December 7, 2016 meeting

d. Budget Amendment – Fund 001
Police and Fire Pension Revenue and Expenses for 2016 amount

e. Acceptance of donation of Lot 8 and Lot 9, Block 24 of the Choctaw Addition by the Jones Family Company LLC to the City of Shawnee for public use.

f. Acknowledge appointment of Mayor Richard Finley, Vice-Mayor James Harrod and Commissioner Lesa Shaw to the Strategic Planning subcommittee.

g. Authorize staff to request bids for the replacement of flooring at the Heart of Oklahoma Exposition Center.

h. Authorize staff to advertise Request for Proposal for Audit Service Contract.

i. Authorize staff to advertise for bids for the Avedis/City Sidewalk Project(s).

j. Authorize City Manager to execute Grant Agreement with the Avedis Foundation for the Heart of Oklahoma Exposition Center Conference Center Remodel Project.

k. Budget Amendment – Fund 104 Economic Development
Adjust budget for Avedis Grant

l. Accept public improvements, i.e. paving and drainage, sanitary sewer, and water line for the Wyndemere Addition Section II, placing maintenance bonds into effect, authorizing obtainment of signatures and recording of the final plat.

m. Acknowledge the resignation of Dell Kerbs from the Planning Commission.

n. Lake Lease Renewals/Transfers:

TRANSFERS:
Lot 5 Eckel Tract, 15309 Eckel Road
From: Bruce E. Outland
To: Floyd and Delma Murray

Lot 1A Mosler Tract, 33001 Lake Road
From: Shawnee Homebuilders Association
To: Rosewood Farms, LLC

o. Mayor's Appointments

Shawnee Housing Authority
David Tomlinson 1st Full Term Expires 2/4/2020
Replaces Donna Houston – Termed Out

Shawnee Library Board
Marissa Lightsey 1st Partial Term Expires 6/30/2019
Replaces Cherity Pennington – Resigned
Correction to expiration date from 2017 to 2019

Mayor Finley asked that Consent Agenda Item Nos. 1(j) and 1(o), Shawnee Housing Authority appointment, be pulled for separate consideration.

A motion was made by Vice Mayor Harrod, seconded by Commissioner Bushong, to approve the Consent Agenda Item Nos. 1(a-o), less items 1(j) and 1(o), Shawnee Housing Authority appointment. Motion carried 7-0.

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

Regarding Consent Agenda Item No. 1(j), City Manager Justin Erickson explained the item and introduced Avedis Foundation's CEO Ms. Michelle Briggs. Ms. Briggs presented Chris Dunlap, Assistant Director of the Heart of Oklahoma Exposition Center, with a check for $440,000.00 in matching funds for the remodel of the Heart of Oklahoma Exposition Center Conference Center.

A motion was made by Vice Mayor Harrod, seconded by Commissioner Rutherford, to approve Consent Agenda Item No. 1(j). Motion carried 7-0.

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

Regarding Consent Agenda Item No. 1(o), the appointment to the Shawnee Housing Authority, Mayor Finley stated that he is requesting this appointment be delayed. The Mayor noted that the appointment to the Shawnee Library Board is approved as written.

A motion was made by Vice Mayor Harrod, seconded by Commissioner Rutherford, to delay the Mayor's Appointment of the Shawnee Housing Authority Board. Motion carried 7-0.

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

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

Ms. Gail Topping, 619 N. Chapman, spoke regarding several items she is concerned with. Those items included poly carts being left on curbs for extended periods of time, owners or tenants of rental properties leaving excess trash and debris behind, opposition to additional ballfields being built, being in favor of water rationing being enforced year round, and the large quantities of phone books she has received at her address.

Ms. Holly Gordon owner of 112 ½ East Main Street expressed her gratitude for the amazing work on the Downtown Streetscape Project. She also spoke of partnering with other downtown businesses to showcase businesses in the downtown area.

<u>AGENDA ITEM NO. 3:</u> Presentation, consideration and possible action on proposed changes to City ward boundaries.

City Manager Justin Erickson explained that the previous proposed changes to the City ward boundaries were no longer accurate due to the recent detachment of St. Gregory's University. Mr. Erickson briefly outlined the new changes and asked commission for authorization to proceed with the required legal notice. Commissioner Shaw noted that while staff had made efforts to equalize the population of the wards, Wards Two and Five are getting smaller geographically.

A motion was made by Commissioner Rutherford, seconded by Commissioner Gillham, to authorize staff to proceed with the legal notice regarding proposed ward boundary changes. Motion carried 7-0.

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

AGENDA ITEM NO. 4: Public hearing and consideration of an ordinance for proposed changes to City ward boundaries. *(Deferred from January 17, 2017 City Commission meeting.)*

No action was taken.

AGENDA ITEM NO. 5: Consider authorizing staff to enter into a contract with CLS & Associates, LLC for Park Design Services.

Director of Operations James Bryce gave a brief staff report explaining that budgetary concerns have determined that only three parks can be included in the first phase of this project. When additional funds are available, the remaining two parks will be added in the second phase of the project.

A motion was made by Vice Mayor Harrod, seconded by Commissioner Gillham, to authorize staff to enter into a contract with CLS & Associated, LLC for Park Design Services. Motion carried 6-0-1.

AYE: Harrod, Gillham, Finley, Rutherford, Salter, Bushong
NAY: None
ABSTAIN: Shaw

AGENDA ITEM NO. 6: Consideration of approval to authorize staff to purchase a Pierce Ascendant 107' aerial firefighting apparatus including loose firefighting equipment from Conrad Fire Equipment at a cost of $982,360.71.

Fire Chief Dru Tischer gave a staff report explaining the Pierce Ascendant 107' aerial firefighting apparatus. He stated the current aerial apparatus would be kept at Fire Station No. 3 for back-up. Mr. Tischer noted that the lifespan of such trucks is about ten years. The delivery time for the firetruck would be close to one year after order.

A motion was made by Commissioner Shaw, seconded by Commissioner Bushong, to authorize staff to purchase a Pierce Ascendant 107' aerial firefighting apparatus including loose firefighting equipment from Conrad Fire Equipment at a cost of $982,360.71. Motion carried 7-0.

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

AGENDA ITEM NO. 7: Consideration of approval to authorize staff to purchase a Pierce PUC Pumper firefighting apparatus including loose firefighting equipment from Conrad Fire Equipment at a cost of $657,102.00.

Staff report was given by Fire Chief Dru Tischer.

A motion was made by Commissioner Bushong, seconded by Commissioner Rutherford, to authorize staff to purchase a Pierce PUC Pumper firefighting apparatus including loose firefighting equipment from Conrad Fire Equipment at a cost of $657,102.00. Motion carried 7-0.

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

AGENDA ITEM NO. 8: Consider a resolution to declare a certain Shawnee Police Department vehicle surplus property and authorize the sale of said item for scrap.

A staff report was given by Police Chief Mason Wilson explaining the reason for selling this vehicle for scrap instead of donating it to another agency.

Resolution No. 6532 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 FOR SCRAP.

A motion was made by Vice Mayor Harrod, seconded by Commissioner Gillham, to authorize a resolution to declare a certain Shawnee Police Department vehicle surplus property and authorize the sale of said item for scrap. Motion carried 7-0.

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

AGENDA ITEM NO. 9: Consider a resolution to surplus a certain Shawnee Police Department vehicle and donate to the Oklahoma Baptist University Police Department.

A staff report was given by Police Chief Mason Wilson detailing the process of donating vehicles to various agencies.

Resolution No. 6533 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 OKLAHOMA BAPTIST UNIVERSITY POLICE DEPARTMENT.

A motion was made by Vice Mayor Harrod, seconded by Commissioner Rutherford, to approve a resolution to surplus a certain Shawnee Police Department vehicle and donate it to the Oklahoma Baptist University Police Department. Motion carried 7-0.

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

AGENDA ITEM NO. 10: Consider a resolution to surplus a certain Shawnee Police Department vehicle and donate to the Asher Police Department.

Resolution No. 6534 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 CONATION OF SAID ITEM TO THE ASHER POLICE DEPARTMENT.

A motion was made by Commissioner Shaw, seconded by Commissioner Bushong, to approve a resolution to surplus a certain Shawnee Police Department vehicle and donate it to the Asher Police Department. Motion carried 7-0.

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

AGENDA ITEM NO. 11: Consider Bids:

a. Library Heat Pump Loop and Cooling Tower Project (Award)

Director of Operations James Bryce announced that five (5) bids were received and after review and consideration it was staff's recommendation to award the bid to Lambert Mechanical Inc. of Colgate, Oklahoma in the total amount of $53,500.00 and the main line replacement as needed for $20.00/ft. for 4" and $18.00/ft. for 3". Mr. Bryce then answered questions from the Commission.

A motion was made by Vice Mayor Harrod, seconded by Commissioner Rutherford, to accept staff's recommendation and award the bid to Lambert Mechanical Inc. in the total amount of $53,500.00 and the main line replacement as needed for $20.00/ft. for 4" and $18.00/ft. for 3". Motion carried 7-0.

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

b. Wayfinding Signage Project, Contract No. COS-PW-16-01 (Open)

City Manager Justin Erickson announced that due to an issue with the maintenance bond requirements on the bid specifications, no bids were received for this project. Mr. Erickson stated that the specifications will be amended and the rescheduled bid opening will be at the March 20, 2017 City Commission meeting.

No action was taken.

AGENDA ITEM NO. 12: City Manager Report

City Manager Justin Erickson gave updates on the following city issues:

a. The Downtown Streetscape is now complete and Main Street is currently open.

b. The recent Community Survey has been completed and the results are being tabulated. Mr. Erickson stated that a finalized report will be presented to the City Commission on February 21, 2017.

c. Announced a Rotary Club grant which will provide shade structures for the Splash Pad at Boy Scout Park.

AGENDA ITEM NO. 13: 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. 14: Commissioners Comments

Commissioner Gillham stated he is happy to have the new Domino service station in town. He announced their Grand Opening is February 9, 2017.

Commissioner Shaw stated she would like to withdraw her request of a stipend for City Commissioners. After research, this request would not be in alignment with other cities of comparable size.

Commissioner Shaw said she is excited about the new Dominos project on 45th Street.

Commissioner Shaw commented on the Governor's plan of decreasing the state sales tax on groceries. She asked Finance Director Cindy Arnold to look into the effect it could have on the City.

Commissioner Shaw mentioned that February is Library Lovers' month at the Shawnee Public Library and asked Ms. Karen Bays, Branch Manager of the Shawnee Public Library, to speak.

Ms. Karen Bays announced several upcoming events at the library.

Mayor Finley addressed the Mayor's Appointments of the Shawnee Housing Authority. He asked if applicants can be posted on the City's website so citizens are aware of the applicants before the City Commission meetings.

Mayor Finley also commented on Pottawatomie County Development Authority (PCDA). He stated that a previous City Commission made a decision to contract with the City of McLoud for management of the recreation of Wes Watkins Lake. He noted that McLoud would like to continue the management relationship with the City. Mayor Finley stressed that the issue is only in the fact-gathering stage at this time.

RECESS CITY COMMISSION MEETING BY THE POWER OF THE CHAIR TO CONVENE SHAWNEE AIRPORT AUTHORITY AND SHAWNEE MUNICIPAL AUTHORITY (7:29 p.m.)

RECONVENE CITY COMMISSION MEETING BY THE POWER OF THE CHAIR (7:31 p.m.)

AGENDA ITEM NO. 15: 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 Commissioner Rutherford, seconded by Commissioner Gillham, to enter into executive session for discussion in accordance with 25 O.S. § 307B(3), purchase or appraisal of real property. Motion carried 7-0.

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

COMMISSION ENTERED INTO EXECUTIVE SESSION AT 7:32 P.M. WITH ALL MEMBERS PRESENT

COMMISSION RECONVENED FROM EXECUTIVE SESSION AT 7:55 P.M. WITH ALL MEMBERS PRESENT

AGENDA ITEM NO. 16: 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 Bushong, to authorize the City Manager to enter into a contract to purchase real property at or below fair market value in the amount discussed and to undertake due diligence tasks associated with the property, provided that final authorization for purchase shall be brought back to the Commission. Motion carried 6-1.

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

Commissioner Shaw stated she feels the purchase is probably necessary but cannot agree with the way the motion is written.

AGENDA ITEM NO. 17: Adjournment

There being no further business to be considered, the meeting was adjourned by power of the Chair. (7:58 p.m.)

THE CITY OF SHAWNEE SEAL OKLAHOMA

Richard Finley

RICHARD FINLEY, MAYOR

ATTEST:

Phyllis Loftis

PHYLLIS LOFTIS, CMC, CITY CLERK