

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.

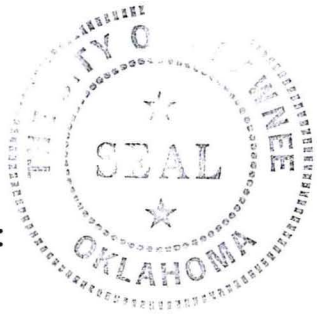
Commissioner Bolt stated this was a busy weekend for our city. He also thanked Chance Allison and City staff for all their hard work on the budget revision.

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.)

ATTEST:



Richard Finley
RICHARD FINLEY, MAYOR

Lisa Laszone
LISA LASZYONE, CMC, CITY CLERK