

BOARD OF CITY COMMISSIONERS PROCEEDINGS

JANUARY 14, 2019 AT 6:00 P.M.

RESCHEDULED FROM JANUARY 22, 2019

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, January 14, 2019 at 6:00 p.m., rescheduled from January 22, 2019, 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. Minutes from the December 17, 2018 regular meeting.
- b. Acknowledge the following reports and minutes:
 - License Payment Report for December 2018
 - Project Payment Report for December 2018
 - Shawnee Community Beautification Committee Minutes from November 15, 2018 meeting
 - Planning Commission Minutes from December 5, 2018 meeting

c. Mayor's Appointment:

Shawnee Urban Renewal Authority

Renee Wortham 2nd Full Term Expires 02/02/2022
Reappointment

Shawnee Housing Authority

Michael Vorndran 1st Full Term Expires 02/04/2022
Reappointment

- d. Authorize staff to purchase two used vehicles for use as canine units in the total amount of \$33,590.00 [(1) 2017 Ford Interceptor SUV for \$15,795.00 and (2) 2016 Ford Interceptor SUV for \$17,795.00]
- e. Authorize staff to enter into a contract with Meshek & Associates, LLC for the Right-of-Way Acquisition for the Kickapoo Project J/P 32255(04).
- f. Authorize staff to solicit bids from qualified individuals for the leasing of the Regional Park Property for the purpose of pasture land.
- g. Budget Amendment – Fund 301
To revise budgeted revenue estimates and adjust capital spending in accordance with budgeted revenues.
- h. Acceptance of a Utility Easement located at 3306 North Kickapoo, Suite 150.

A motion was made by Vice Mayor Harrod, seconded by Commissioner Bolt, to approve Consent Agenda Item Nos. 1(a-h). Motion carried 7-0.

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

NAY: None

AGENDA ITEM NO. 2:

Presentation by Animal Control to present the Pet of the Week.

There was no presentation by Animal Control.

AGENDA ITEM NO. 3:

Citizens Participation
(A three-minute limit per person)
(A twelve-minute limit per topic)

Ms. Holly Gordon spoke regarding the Gardening with the Experts Event on January 26, 2019, hosted by Shawnee Community Beautification Committee and Blue Zones Project Pottawatomie County.

Ms. Kate Joyce advised that the Shawnee Senior Center will be hosting a Blue Jean Ball this weekend at the Firelake Grand Casino. Tickets are \$30.00 each or \$50.00 for a couple.

Ms. Crystal Richardson with Shawnee Leadership announced they will be hosting a 5K benefit run in the future.

Ms. Jolene Leach expressed her concern with the restriction of growing medicinal marijuana in an agricultural zoning area and requested that the Commission reconsider it.

AGENDA ITEM NO. 4:

Mayor's Proclamation:

"Support of the United States Census Bureau"

Ms. Tricia Woodward with the United States Census Bureau was present to accept the Mayor's Proclamation presented by Interim City Manager Eric Benson.

AGENDA ITEM NO. 5:

Consideration of approval of a Final Plat for Belmont Park Addition Phase II located at the Southwest Quarter of Section 2, Township 10 North, Range 3 East. Case No. S12-18. Project No. 181084. Applicant: Belmont Park Villas, LLC.

Interim Planning Director Jared Cooper provided a staff report explaining the property is approximately 8.79 acres on the northeast corner of Acme Road and MacArthur Street. He stated staff recommends approval with listed conditions.

A motion was made by Commissioner Gillham, seconded by Commissioner Bolt, to approve a Final Plat for Belmont Park Addition Phase II located at the Southwest Quarter of Section 2, Township 10 North, Range 3 East; with the following conditions:

1. Final improvement plans shall be approved by the City Engineer prior to construction;
2. Prior to filing (recording) the final plat, the applicant shall commence with making the required public site improvements in accordance with construction plans approved by the City Engineer or otherwise bond the project in accordance with City code; and
3. All other applicable City standards apply.

Motion carried 7-0.

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

NAY: None

AGENDA ITEM NO. 6:

Consider a resolution supporting the consideration of an agreement between Shawnee Civic and Cultural Development Authority and Global Spectrum LLC dba Spectra for management services of the Shawnee Heart of Oklahoma Exposition Center.

Interim City Manager Eric Benson gave a staff report explaining the benefits of supporting the Shawnee Civic and Cultural Development Authority in partnering with Global Spectrum LLC dba Spectra for management services for the Shawnee Heart of Oklahoma Exposition Center. He noted the Shawnee Forward Committee is also in support of this agreement. Mr. Benson answered questions from the Commission.

Resolution No. 6581 was introduced.

A RESOLUTION SUPPORTING THE CONSIDERATION OF AN AGREEMENT BETWEEN SHAWNEE CIVIC AND CULTURAL DEVELOPMENT AUTHORITY AND GLOBAL SPECTRUM LLC DBA SPECTRA FOR MANAGEMENT SERVICES OF THE SHAWNEE HEART OF OKLAHOMA EXPOSITION CENTER.

A motion was made by Commissioner Gillham, seconded by Commissioner Bolt, to approve a supporting the consideration of an agreement between Shawnee Civic and Cultural Development Authority and Global Spectrum LLC dba Spectra for management services of the Shawnee Heart of Oklahoma Exposition Center. Motion carried 7-0.

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

AGENDA ITEM NO. 7: Discussion and consideration of an ordinance establishing regulations regarding the position and method of turning and required signals of motor vehicles; and also providing for severability, codification, and repealer; and declaring an emergency.

City Attorney Mike Clover explained that this ordinance is following state guidelines but is a little stricter than state statute.

A motion was made by Commissioner Rutherford, seconded by Commissioner Sehorn, to approve an ordinance establishing regulations regarding the position and method of turning and required signals of motor vehicles; and also providing for severability, codification, and repealer.

Ordinance No. 2647NS was introduced.

AN ORDINANCE OF THE CITY OF SHAWNEE, OKLAHOMA PROVIDING FOR THE REGULATION OF POSITION AND METHOD OF TURNING AND TURNING MOVEMENTS AND REQUIRED SIGNALS OF MOTOR VEHICLES WITHIN CITY LIMITS, WHICH SHALL BE ADDED TO CHAPTER 19 [MOTOR VEHICLES AND TRAFFIC] OF THE CITY CODE; AND ALSO PROVIDING FOR SEVERABILITY, CODIFICATION, AND REPEALER; AND DECLARING AN EMERGENCY.

Motion carried 7-0.

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

Ordinance No. 2647NS was adopted by the City Commission.

A motion was made by Commissioner Rutherford, seconded by Commissioner Bolt, to approve the emergency clause relating to Ordinance No. 2647NS. Motion carried 7-0.

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

AGENDA ITEM NO. 8: Discussion and consideration of an ordinance creating a parks and recreation committee.

Director of Operations James Bryce explained he is requesting an ordinance creating a parks and recreation committee as the Parks Department has started moving into a recreation department again. He stated that he believes that the direction of the committee itself will help guide the Parks Department with public input into what the citizens would like to see. Mr. Bryce requested more time to finalize the structure of the committee before recommending approval of the ordinance.

A motion was made by Vice Mayor Harrod, seconded by Commissioner Rutherford, to defer the consideration of an ordinance creating a parks and recreation committee. Motion carried 7-0.

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

AGENDA ITEM NO. 9: Discussion and consideration of an ordinance regulating the possession of controlled dangerous substances; and also providing for severability, codification, and repealer; and declaring an emergency.

Police Chief Mason Wilson gave a staff report explaining that recent changes in state law now make a charge of possession of controlled dangerous substances a misdemeanor rather than a felony. This ordinance allows it to be prosecuted at the municipal court level.

A motion was made by Vice Mayor Harrod, seconded by Commissioner Gillham, to approve an ordinance regulating the possession of controlled dangerous substances; and also providing for severability, codification, and repealer.

Ordinance No. 2648NS was introduced.

AN ORDINANCE OF THE CITY OF SHAWNEE, OKLAHOMA PROVIDING FOR THE CREATION OF THE MUNICIPAL OFFENSE OF "SIMPLE POSSESSION OF CONTROLLED DANGEROUS SUBSTANCES", IN REFLECTION AND ADOPTION OF THE OKLAHOMA UNIFORM CONTROLLED DANGEROUS SUBSTANCE ACT'S REGULATIONS OF SPECIFIED MISDEMEANOR OFFENSES; AND ADDING THE SAID MUNICIPAL OFFENSE TO CHAPTER 20 [OFFENSES AND MISCELLANEOUS PROVISIONS] OF THE CITY CODE; AND ALSO PROVIDING FOR SEVERABILITY, CODIFICATION, AND REPEALER; AND DECLARING AN EMERGENCY.

Motion carried 7-0.

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

Ordinance No. 2648NS was adopted by the City Commission.

A motion was made by Vice Mayor Harrod, seconded by Commissioner Bolt, to approve the emergency clause relating to Ordinance No. 2648NS. Motion carried 7-0.

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

<u>AGENDA ITEM NO. 10:</u>	Discussion and consideration of an ordinance repealing certain portions of Article VIII, Chapter 8; providing for severability; and declaring an emergency.
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City Attorney Mike Clover explained that this ordinance is striking provisions that were previously adopted relating to registration and fees for the growth of medicinal marijuana for personal use.

A motion was made by Vice Mayor Harrod, seconded by Commissioner Gillham, to approve an ordinance repealing certain portions of Article VIII, Chapter 8; and also providing for severability, codification, and repealer.

Ordinance No. 2649NS was introduced.

AN ORDINANCE AMENDING CHAPTER 8 (BUSINESSES, PERMITS AND LICENSES), BY REPEALING CERTAIN PORTIONS OF ARTICLE VIII TO THE CODE OF ORDINANCES OF THE CITY OF SHAWNEE; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

Motion carried 7-0.

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

NAY: None

Ordinance No. 2649NS was adopted by the City Commission.

A motion was made by Vice Mayor Harrod, seconded by Commissioner Bolt, to approve the emergency clause relating to Ordinance No. 2649NS. Motion carried 7-0.

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

NAY: None

AGENDA ITEM NO. 11:

Discussion and consideration of an ordinance providing for the closing of a public easement situated within portions of Lot 2 and Lot 3, Villagio Addition Section Number 1 Shawnee, Pottawatomie County, Oklahoma; and declaring an emergency.

Interim Planning Director Jared Cooper explained that this ordinance is a requirement for the current facility to expand southward. He stated the waterline that is currently in the easement will be relocated to not interfere with future expansion.

A motion was made by Commissioner Sehorn, seconded by Commissioner Bolt, to approve an ordinance providing for the closing of a public easement situated within portions of Lot 2 and Lot 3, Villagio Addition Section Number 1 Shawnee, Pottawatomie County, Oklahoma.

Ordinance No. 2650NS was introduced.

AN ORDINANCE OF THE CITY OF SHAWNEE, OKLAHOMA PROVIDING FOR THE REGULATION OF POSITION AND METHOD OF TURNING AND TURNING MOVEMENTS AND REQUIRED SIGNALS OF MOTOR VEHICLES WITHIN CITY LIMITS, WHICH SHALL BE ADDED TO CHAPTER 19 [MOTOR VEHICLES AND TRAFFIC] OF THE CITY CODE; AND ALSO PROVIDING FOR SEVERABILITY, CODIFICATION, AND REPEALER; AND DECLARING AN EMERGENCY.

Motion carried 7-0.

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

Ordinance No. 2650NS was adopted by the City Commission.

A motion was made by Vice Mayor Harrod, seconded by Commissioner Bolt, to approve the emergency clause relating to Ordinance No. 2650NS. Motion carried 7-0.

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

AGENDA ITEM NO. 12: Acknowledge monthly Sales Tax and City Treasurer Report.

Finance Director Chance Allison reported sales tax is up \$288,652.00, or 2.62% over the projected budget year-to-date. Use tax collections are up approximately \$77,033.00, or 9.08% over the projected budget year-to-date.

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

Vice Mayor Harrod stated that when the Interim City Manager was hired, he expressed concerns to him regarding the Heart of Oklahoma Exposition Center. He has researched and spoke with Mr. Benson about the project. He thinks that something should be done to move forward.

Mayor Finley stated that new developments with the Heart of Oklahoma Exposition Center and the water rate increases are part of necessary maintenance to provide for future growth for the City.

AGENDA ITEM NO. 15: Adjournment

There being no further business to be considered, the meeting was adjourned by power of the Chair. (6:48 p.m.)

ATTEST:



Lisa Laszoni
LISA LASZYONE, CMC, CITY CLERK

Richard Finley
RICHARD FINLEY, MAYOR