

BOARD OF CITY COMMISSIONERS PROCEEDINGS
DECEMBER 5, 2016 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, December 5, 2016 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

Absent
Commissioner Ward 6

ABSENT: Micheal Dykstra

INVOCATION

The Lord's Prayer

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 Shawnee Municipal Authority Agenda Item No. 2.
- b. Minutes from the November 21, 2016 regular meeting.

c. Mayor's Appointments

Traffic Commission

John "Jack" Barrett
Reappointment

1st Full Term

Expires 1/1/2020

Rebecca E. Dolan
Reappointment

2nd Full Term

Expires 1/1/2020

Peggy S. Rider
Reappointment

2nd Full Term

Expires 1/1/2020

- d. Authorize the approval of an agreement between the City of Shawnee and the Pioneer Library System for library services, facilities and maintenance.
- e. Budget Amendment – Fund 301
Amend budget for the Rotary Donation of \$10,000 for canopies at the splash pad at the park.

A motion was made by Vice Mayor Harrod, seconded by Commissioner Rutherford, to approve Consent Agenda Item Nos. 1(a-e). Motion carried 6-0.

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

NAY: None

RECESS CITY COMMISSION MEETING BY THE POWER OF THE CHAIR
TO CONVENE SHAWNEE MUNICIPAL AUTHORITY (6:32 p.m.)

RECONVENE CITY COMMISSION MEETING BY THE POWER OF THE
CHAIR (6:49 p.m.)

AGENDA ITEM NO. 2:

Citizens Participation

(A three minute limit per person)

(A twelve minute limit per topic)

Ms. Holly Gordon, owner of *Studio 112 and a Half*, stated that there was a lot of foot traffic downtown this past Saturday. She invited everyone downtown to see the progress along the 100 block of Main Street.

AGENDA ITEM NO. 3:

City Manager Presentation of Oklahoma Municipal League (OML) certificates to employees with 25 or more years of service with the City of Shawnee.

Randall Keith Ward
James Randall Wesley
Damon Townsend

Scott A. Moore
Jimmy VanAntwerp

Damon Townsend, Randal Keith Ward, and Jimmy VanAntwerp were present to accept the Oklahoma Municipal League certificates to employees with 25 or more years of service with the City of Shawnee presented by City Manager, Justin Erickson.

AGENDA ITEM NO. 4:

Consideration of a resolution of appreciation for Anne Masters, Executive Director of the Pioneer Library System.

Commissioner Shaw stated that she has always been impressed with the Pioneer Library System and its forty plus years of service in the Shawnee area and that is why she initiated the resolution for Anne Masters. Commissioner Shaw went on to say that Ms. Masters has gone above and beyond for the library and thanked her on behalf of the City of Shawnee.

Resolution No. 6529 was introduced.

A RESOLUTION EXPRESSING APPRECIATION TO ANNE MASTERS FOR OVER 15 YEARS OF LOYAL SERVICE TO THE PIONEER LIBRARY SYSTEM; DIRECTING THAT SAID RESOLUTION BE SPREAD UPON THE OFFICIAL RECORDS OF THE CITY OF SHAWNEE, OKLAHOMA; AND PROVIDING THAT A COPY HEREOF BE PRESENTED TO THE SAID ANNE MASTERS.

A motion was made by Commissioner Shaw, seconded by Commissioner Bushong, to approve a resolution of appreciation to Annie Masters, Executive Director of the Pioneer Library System. Motion carried 6-0.

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

The Mayor then presented the resolution to Ms. Masters.

Ms. Masters thanked everyone and acknowledged the City of Shawnee for being a great city. She said that the Pioneer Library appreciates their relationship with the City of Shawnee. Ms. Masters announced several strategies and happenings the Pioneer Library has initiated.

AGENDA ITEM NO. 5:

Consider and take action with respect to a resolution of the City of Shawnee, Oklahoma (the "City") approving the incurrence of indebtedness by the Shawnee Municipal Authority (the "Authority") issuing its sales tax revenue note, Series 2016 (the "Note"); providing that the organizational document creating the Authority is subject to the provisions of the Note indenture, authorizing the issuance of said Note; waiving competitive bidding with respect to the sale of said Note and approving the proceedings of the Authority pertaining to the sale of said Note; ratifying and confirming a sales tax agreement by and between the City and the Authority pertaining to the year-to-year pledge of certain sales tax revenues; establishing the City's reasonable expectation with respect to the issuance of tax-exempt obligations by or on behalf of said City in calendar year 2016, and designating the Note as a qualified tax-exempt obligation; and containing other provisions relating thereto.

Resolution No. 6530 was introduced.

A RESOLUTION OF THE CITY OF SHAWNEE, OKLAHOMA (THE "CITY") APPROVING THE INCURRENCE OF INDEBTEDNESS BY THE SHAWNEE MUNICIPAL AUTHORITY (THE "AUTHORITY") ISSUING ITS SALES TAX REVENUE NOTE, SERIES 2016 (THE "NOTE"); PROVIDING THAT THE ORGANIZATIONAL DOCUMENT CREATING THE AUTHORITY IS SUBJECT TO THE PROVISIONS OF THE NOTE INDENTURE, AUTHORIZING THE ISSUANCE OF SAID NOTE; WAIVING COMPETITIVE BIDDING WITH RESPECT TO THE SALE OF SAID NOTE AND APPROVING THE PROCEEDINGS OF THE AUTHORITY PERTAINING TO THE

SALE OF SAID NOTE; RATIFYING AND CONFIRMING A SALES TAX AGREEMENT BY AND BETWEEN THE CITY AND THE AUTHORITY PERTAINING TO THE YEAR-TO-YEAR PLEDGE OF CERTAIN SALES TAX REVENUES; ESTABLISHING THE CITY'S REASONABLE EXPECTATION WITH RESPECT TO THE ISSUANCE OF TAX-EXEMPT OBLIGATIONS BY OR ON BEHALF OF SAID CITY IN CALENDAR YEAR 2016, AND DESIGNATING THE NOTE AS A QUALIFIED TAX-EXEMPT OBLIGATION; AND CONTAINING OTHER PROVISIONS RELATING THERETO.

City Manager Justin Erickson referenced the discussion held on Agenda Item No. 2 of the Shawnee Municipal Authority meeting. He stated that Staff recommends approval of this item.

A motion was made by Vice Mayor Harrod, seconded by Commissioner Rutherford, to approve a resolution of the City of Shawnee, Oklahoma (the "City") approving the incurrence of indebtedness by the Shawnee Municipal Authority (the "Authority") issuing its sales tax revenue note, Series 2016 (the "Note"); providing that the organizational document creating the Authority is subject to the provisions of the Note indenture, authorizing the issuance of said Note; waiving competitive bidding with respect to the sale of said Note and approving the proceedings of the Authority pertaining to the sale of said Note; ratifying and confirming a sales tax agreement by and between the City and the Authority pertaining to the year-to-year pledge of certain sales tax revenues; establishing the City's reasonable expectation with respect to the issuance of tax-exempt obligations by or on behalf of said City in calendar year 2016, and designating the Note as a qualified tax-exempt obligation; and containing other provisions relating thereto. Motion carried 6-0.

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

NAY: None

AGENDA ITEM NO. 6:

Consider a resolution approving a Project Maintenance Agreement with the Oklahoma Department of Transportation (ODOT) for the installation of wayfinding signs.

Resolution No. 6531 was introduced.

A RESOLUTION APPROVING A PROJECT MAINTENANCE AGREEMENT WITH THE OKLAHOMA DEPARTMENT OF TRANSPORTATION FOR WAYFINDING SIGN PROJECT.

City Manager Justin Erickson gave a staff report and explained that due to some of the signs being placed on state routes, an agreement with ODOT is required to move forward with the wayfinding project. Mr. Erickson announced

that bid packets would be considered by the City Commission at the December 19, 2016 City Commission meeting.

A motion was made by Commissioner Shaw, seconded by Commissioner Rutherford, to approve a resolution approving a Project Maintenance Agreement with the Oklahoma Department of Transportation (ODOT) for the installation of wayfinding signs. Motion carried 5-1.

AYE: Shaw, Rutherford, Bushong, Gillham, Harrod

NAY: Finley

AGENDA ITEM NO. 7:

Consider an ordinance repealing and amending Section 2-109, of Chapter 2, Administration, of the Shawnee Municipal Code, by repealing Section 2-109 in full wherein the City Manager served as the "Airport Manager", and amending Section 2-109 with new language clarifying the City Manager as the "General Manager of the Shawnee Airport Authority"; providing for codification, repealer, and severability; and declaring an emergency.

City Manager Justin Erickson explained that Agenda Item Nos. 7 and 8 are related to the recodification process and changes need to be made.

Agenda Item No. 7 is regarding an adjustment to Section 2-109, of Chapter 2, changing the City Manager to "General Manager" of the Shawnee Airport Authority instead of "Airport Manager". Mr. Erickson stated this will not have any changes to personnel or to finances. He noted that the Airport Authority Board discussed this change in January of 2016 and recommended approval.

A motion was made by Commissioner Gillham, seconded by Commissioner Bushong, to approve an ordinance repealing and amending Section 2-109, of Chapter 2, Administration, of the Shawnee Municipal Code, by repealing Section 2-109 in full wherein the City Manager served as the "Airport Manager", and amending Section 2-109 with new language clarifying the City Manager as the "General Manager of the Shawnee Airport Authority"; providing for codification, repealer, and severability.

Ordinance No. 2590NS was introduced.

AN ORDINANCE REPEALING AND AMENDING SECTION 2-109, OF CHAPTER 2, ADMINISTRATION, OF THE SHAWNEE MUNICIPAL CODE, BY REPEALING SECTION 2-109 IN FULL WHEREIN THE CITY MANAGER SERVED AS THE "AIRPORT MANAGER", AND AMENDING SECTION 2-109 WITH NEW LANGUAGE CLARIFYING THE CITY MANAGER AS THE "GENERAL MANAGER OF THE SHAWNEE AIRPORT AUTHORITY"; PROVIDING FOR CODIFICATION, REPEALER, AND SEVERABILITY; AND DECLARING AN EMERGENCY.

Motion carried 6-0.

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

NAY: None

Ordinance No. 2590NS was adopted by the City Commission.

A motion was made by Vice Mayor Harrod, seconded by Commissioner Gillham, to approve emergency clause relating to Ordinance No. 2590NS. Motion carried 5-1.

AYE: Harrod, Gillham, Finley, Rutherford, Bushong

NAY: Shaw

AGENDA ITEM NO. 8:

Consider an ordinance amending portions of Chapter 19, Motor Vehicles and Traffic, of the Shawnee Municipal Code; adopting, incorporating, and otherwise adding State of Oklahoma Statute Title 47 – Motor Vehicles to Chapter 19; providing for codification, repealer and severability; and declaring an emergency.

City Manager Justin Erickson explained that this item is a continuation of the recodification process. It is an amendment to portions of Chapter 19 to incorporate State of Oklahoma Statute Title 47.

A motion was made by Commissioner Shaw, seconded by Vice Mayor Harrod, to approve an ordinance amending portions of Chapter 19, Motor Vehicles and Traffic, of the Shawnee Municipal Code; adopting, incorporating, and otherwise adding State of Oklahoma Statute Title 47 – Motor Vehicles to Chapter 19; providing for codification, repealer and severability.

Ordinance No. 2591NS was introduced.

AN ORDINANCE AMENDING PORTIONS OF CHAPTER 19, MOTOR VEHICLES AND TRAFFIC, OF THE SHAWNEE MUNICIPAL CODE; ADOPTING, INCORPORATING, AND OTHERWISE ADDING STATE OF OKLAHOMA STATUTE TITLE 47 – MOTOR VEHICLES TO CHAPTER 19; PROVIDING FOR CODIFICATION, REPEALER, AND SEVERABILITY; AND DECLARING AN EMERGENCY.

Motion carried 6-0.

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

NAY: None

Ordinance No. 2591NS was adopted by the City Commission.

A motion was made by Vice Mayor Harrod, seconded by Commissioner Gillham, to approve emergency clause relating to Ordinance No. 2591NS. Motion carried 5-1.

AYE: Harrod, Gillham, Finley, Rutherford, Bushong

NAY: Shaw

AGENDA ITEM NO. 9:

Presentation, consideration and possible action on proposed changes to City ward boundaries.

City Manager Justin Erickson gave a presentation regarding proposed changes to the City's wards boundaries. He stated that after each Federal Census, the City is required to review the population of each ward to ensure that the population distribution between the wards is substantially equal. The wards are currently at a population variance of six percent. The proposed change would make the variance less than one percent. The proposed ward boundaries are based solely on the 2010 census block-level data. Information from the 2020 census will not be available until 2021 or 2022.

Mr. Erickson noted the study was conducted by the City's Geographical Information Systems (GIS) Manager John Claytor. The proposal has six subtle changes to more equalize the ward boundaries. The proposed changes will result in the wards being closer in population than they are today.

He stated that the City is required to provide thirty days' notice so that the public can review the changes and take any comments or concerns to the

Commission. He stated at this time staff is requesting authorization to provide the required legal notice and preparation of an ordinance for consideration at the January 17, 2017 City Commission meeting.

A motion was made by Commissioner Shaw, seconded by Commissioner Bushong, to authorize staff to provide the required legal notice and prepare an ordinance for consideration at the January 17, 2016 City Commission meeting. Motion carried 6-0.

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

NAY: None

AGENDA ITEM NO. 10:

City Manager Report

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

- a. The 2017 City Commission meeting schedule was approved at the November 21, 2016 City Commission meeting. One adjustment that was made is that there will not be a meeting on January 2, 2017. However, a Special Call meeting may be called for the Commissioner Retreat in early January 2017.
- b. The Community Survey has been mailed out to 2,200 households. Several of the surveys have been received back and a greater update should be provided at the December 19, 2016 City Commission meeting. He also will be making an announcement about how individuals that were not selected for the survey can still participate.
- c. Regarding the Downtown Streetscape, he stated the 200 block of Main, from Union to Philadelphia, should be completed and opened within a week's time. There will be one final block remaining to be completed, which should be done in January.

AGENDA ITEM NO. 11:

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

Mayor Finley distributed and read aloud a resignation letter from Commissioner Dykstra.

Commissioner Shaw stated that she is strongly opposed to the application and appointment process. Noting she cannot agree with the motion because the decision should be made by the citizens in that Ward.

Mayor Finley clarified the appointed Commissioner would hold the seat only until the next general or special election.

A motion was made by Commissioner Rutherford, seconded by Vice Mayor Harrod, to open the Ward 6 seat for applications by qualified citizens for a period of thirty days. Motion carried 5-1.

AYE: Rutherford, Harrod, Bushong, Gillham, Finley

NAY: Shaw

AGENDA ITEM NO. 12:

Commissioners Comments

Vice Mayor Harrod commented on the good turn out for the Christmas Parade; acknowledging Safe Events for Families (SEFF) for their good job coordinating the event.

Commissioner Shaw said she appreciates the survey being sent out and looks forward to getting the survey information. She thinks that the City can do a lot with that kind of information in regard to the planning and processing for the future of Shawnee.

Commissioner Shaw stated that in regards to the date of the retreat, she would like to keep the committees notified when that is set.

Commissioner Shaw requested any input from the City Commission in regard to establishing honorariums for the City Commission. She has asked the City Manager to compare it to other cities to see if there are honorariums given.

Commissioner Shaw encouraged citizens who would like to assist the Shawnee Animal Shelter to get involved and apply for the new volunteer program. She also encouraged the City Manager to look into the Amazon Smile program which gives funds of 0.05% as a donated amount to organizations that participate.

She also stated that she recently resigned from the Beautification Committee. She stated that this was no reflection on the Beautification Committee, but hoped that this program can be consolidated with the Chambers' Beautification Committee. She believes the two, if they are merged, can make a difference in the City of Shawnee.

AGENDA ITEM NO. 13:

Adjournment

There being no further business to be considered, the meeting was adjourned by power of the Chair. (7:45 p.m.)



Lisa Lasyone
LISA LASYONE, CMC, CITY CLERK

Richard Finley
RICHARD FINLEY, MAYOR