

BOARD OF CITY COMMISSIONERS PROCEEDINGS

NOVEMBER 19, 2018 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, November 19, 2018 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. Minutes from the November 5, 2018 regular meeting.
- b. Acknowledge the following reports and minutes:
 - License Payment Report for October 2018
 - Project Payment Report for October 2018
 - Shawnee Urban Renewal Authority Minutes from August 7, 2018 meeting.

- c. Confirm and approve the appointment of Nicholas C. Atwood as the Municipal Judge.
- d. Confirm and approve the Interim City Manager's hiring of Michael Ludi as the Director of Engineering.
- e. Acknowledge Oklahoma Municipal Retirement Fund Retirement for Teresa Brown.
- f. Acknowledge Oklahoma Municipal Retirement Fund Retirement for Perry McAlister.
- g. Acknowledge Oklahoma Municipal Retirement Fund Retirement for Terry Cook.
- h. Acknowledge Oklahoma Municipal Retirement Fund Retirement for Charlie Oden, Jr.
- i. Acknowledge Oklahoma Municipal Retirement Fund Retirement for Damon Townsend.
- j. Acknowledge Oklahoma Municipal Retirement Fund Retirement for Michael Murrell.
- k. Acknowledge Oklahoma Municipal Retirement Fund Retirement for Tamera Johnson.

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

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

NAY: None

AGENDA ITEM NO. 2:

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

Animal Control Officer Derek Woody introduced Drina, an eight-year-old domestic short hair cat. She is a very loving cat with a good temperament.

AGENDA ITEM NO. 3:

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

Ms. Holly Gordon complemented the Shawnee Police Department on their assistance with the Santa Clause Bike Ride. Fifty riders were present to ride ten miles around Shawnee. Ms. Gordon also commented on the annual Christmas Tree Lighting event held Downtown last Friday.

AGENDA ITEM NO. 4:

Recognition of Lieutenant Tony Pack for receiving the 2018 Shawnee Fire Department Firefighter of the Year Award.

Shawnee Fire Chief Dru Tischer introduced Lieutenant Tony Pack. Lieutenant Pack was nominated by his peers for the 2018 Shawnee Fire Department Firefighter of the Year Award.

AGENDA ITEM NO. 5:

Recognition of Captain Roy Reece for receiving the 2018 Shawnee News-Star Firefighter of the Year Award.

Shawnee Fire Chief Dru Tischer introduced Captain Roy Reese. Captain Reese was nominated by citizens for the 2018 Shawnee News-Star Firefighter of the Year Award.

AGENDA ITEM NOS. 6, 7, AND 8 WERE MOVED UNTIL AFTER AGENDA ITEM NO. 11 BY THE POWER OF THE CHAIR.

AGENDA ITEM NO. 9:

Consideration of a resolution to declare certain items surplus property and authorizing the sale of said items at auction or disposal at the City's discretion.

Deputy Director of Operations Geoff Garner gave a staff report and explained all items declared surplus will be auctioned off on November 24th at 10:00 a.m. at the Heart of Oklahoma Exposition Center by Excel Auction. Any items that are not sold will be disposed of however deemed fit by the City of Shawnee.

Resolution No. 6576 was introduced.

A RESOLUTION DECLARING CERTAIN ITEMS OF PERSONAL PROPERTY SURPLUS AND NO LONGER NEEDED FOR CITY PURPOSES; DESCRIBING SAID ITEMS; AND AUTHORIZING THE SALE OF SAID ITEMS BY PUBLIC AUCTION AND, IN THE EVENT ITEMS DO NOT SELL AT PUBLIC AUCTION, DISPOSAL AT THE CITY'S DISCRETION.

A motion was made by Vice Mayor Harrod, seconded by Commissioner Bolt, to approve a resolution to declare certain items surplus property and authorizing the sale of said items at auction or disposal at the City's discretion. Motion carried 7-0.

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

NAY: None

AGENDA ITEM NO. 10:

Discussion, consideration, and possible action to approve an agreement with Excel Auction to auction surplus City property.

A motion was made by Vice Mayor Harrod, seconded by Commissioner Sehorn, to approve an agreement with Excel Auction to auction surplus City property. Motion carried 7-0.

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

NAY: None

AGENDA ITEM NO. 11:

Acknowledge monthly Sales Tax and City Treasurer Report.

Finance Director Chance Allison reported sales tax was up 1.2% and use tax was down 1.6% year-to-date.

AGENDA ITEM NO. 6:

Discussion, consideration, and possible approval of a resolution of the Mayor and the City Commission that establishes and

provides for compensation of Municipal Judge Nicholas C. Atwood pursuant to Article II, Chapter 12, Section 12-28 of the Shawnee Municipal Code.

Resolution No. 6577 was introduced.

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF SHAWNEE, OKLAHOMA THAT ESTABLISHES AND PROVIDES COMPENSATION OF THE MUNICIPAL JUDGE PURSUANT TO ARTICLE II, CHAPTER 12, SECTION 12-28 OF THE CITY CODE.

A motion was made by Commissioner Bolt, seconded by Commissioner Rutherford, to approve a of the Mayor and the City Commission that establishes and provides for compensation of Municipal Judge Nicholas C. Atwood pursuant to Article II, Chapter 12, Section 12-28 of the Shawnee Municipal Code. Motion carried 7-0.

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

NAY: None

AGENDA ITEM NO. 7: Consideration of a contract with Municipal Judge Nicholas C. Atwood.

City Attorney Joe Vorndran explained that Mr. Atwood indicated it was discussed previously that he would be subject to an annual review and that language is not addressed in this contract. Attorney Vorndran asked that if the Commission approves the contract, that a provision be added to require an annual review.

A motion was made by Vice Mayor Harrod, seconded by Commissioner Bolt, to approve a contract with Municipal Judge Nicholas C. Atwood adding a provision requiring an annual review. Motion carried 7-0.

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

NAY: None

AGENDA ITEM NO. 8: Swearing in of Nicholas C. Atwood as Municipal Judge.

Senior Deputy City Clerk Kacie Eck swore in Nicholas C. Atwood as Municipal Judge.

AGENDA ITEM NO. 12:

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. 13:

Commissioners Comments

Commissioners commented on the Christmas Tree Lighting event and the Santa Bike Ride. They reminded everyone to have a happy and safe holiday weekend and remember the reason for the season. Commissioners also welcomed Municipal Judge Nicholas C. Atwood.

RECESS CITY COMMISSION MEETING BY THE POWER OF THE CHAIR TO CONVENE SHAWNEE AIRPORT AUTHORITY AND SHAWNEE MUNICIPAL AUTHORITY (6:17 p.m.)

RECONVENE CITY COMMISSION MEETING BY THE POWER OF THE CHAIR (6:18 p.m.)

AGENDA ITEM NO. 14:

Discussion, consideration, and possible action to enter into executive session for discussion related to the employment of Mark Flores in accordance with 25 O.S. § 307(B)(1) "Discussing the employment, hiring, appointment, demotion, disciplining, or resignation of any individual salaried public officer or employee."

A motion was made by Commissioner Rutherford, seconded by Commissioner Bolt, to enter into executive session for discussion related to the employment of Mark Flores in accordance with 25 O.S. § 307(B)(1) "Discussing the employment, hiring, appointment, demotion, disciplining, or resignation of any individual salaried public officer or employee." Motion carried 7-0.

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

NAY: None

AGENDA ITEM NO. 15:

Discussion, consideration, and possible action to enter into executive session for discussion related to the employment of Interim City Manager in accordance with 25 O.S. § 307(B)(1) "Discussing the employment, hiring, appointment, demotion, disciplining, or resignation of any individual salaried public officer or employee."

A motion was made by Commissioner Sehorn, seconded by Commissioner Gillham, to enter into executive session for discussion related to the employment of Interim City Manager in accordance with 25 O.S. § 307(B)(1) "Discussing the employment, hiring, appointment, demotion, disciplining, or resignation of any individual salaried public officer or employee." Motion carried 7-0.

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

NAY: None

COMMISSIONERS ENTERED INTO EXECUTIVE SESSION AT 6:19 P.M.
WITH ALL MEMBERS PRESENT.

COMMISSIONERS RECONVENED FROM EXECUTIVE SESSION AT 6:39
P.M. WITH ALL MEMBERS PRESENT.

AGENDA ITEM NO. 16:

Consider matters discussed in executive session related to the approval of the employment of Mark Flores in accordance with 25 O.S. § 307(B)(1) "Discussing the employment, hiring, appointment, demotion, disciplining, or resignation of any individual salaried public officer or employee."

A motion was made by Commissioner Salter, seconded by Commissioner Rutherford, to approve the application for disability for Mark Flores. Motion carried 7-0.

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

NAY: None

AGENDA ITEM NO. 17:

Consider matters discussed in executive session related to the approval of the employment of Interim City Manager in accordance with 25 O.S. § 307(B)(1) "Discussing the employment, hiring, appointment, demotion, disciplining, or resignation of any individual salaried public officer or employee."

No action was taken.

AGENDA ITEM NO. 18:

Adjournment

There being no further business to be considered, the meeting was adjourned by power of the Chair. (6:40 p.m.)



Kacie Eck

KACIE ECK, DEPUTY CITY CLERK

Richard Finley

RICHARD FINLEY, MAYOR