

BOARD OF CITY COMMISSIONERS PROCEEDINGS
OCTOBER 19, 2020 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, Monday, October 19, 2020 at 6:00 p.m., pursuant to notice duly posted as prescribed by law at 3:32 p.m. on October 16, 2020. Mayor Bolt presided and Ms. Kennedy Allison called the meeting to order. Upon roll call, the following members were in attendance.

Ed Bolt
Mayor

Daniel Matthews
Commissioner Ward 1

Bob Weaver
Commissioner Ward 2

Travis Flood
Commissioner Ward 3

Darren Rutherford
Commissioner Ward 4-Vice Mayor

Mark Sehorn
Commissioner Ward 5

Ben Salter
Commissioner Ward 6

ABSENT: None

INVOCATION

Pastor David Henry, Calvary Baptist Church

FLAG SALUTE

AGENDA ITEM NO. 1:

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

Mr. Rob Morris provided a handout of questions to the Mayor, Commissioners, and Staff. He then read the questions. They included questions about the Fire Chief and Emergency Manager positions, as well as requested clarification on the OpenGov, Inc. quote and the abstention vote.

Ms. Erin Stevens with the Heart of Oklahoma Exposition Center thanked the Shawnee community for their understanding of the cancelation of Halloweentown. She explained that a food drive to benefit Community Market will run through

November 16, 2020. She advised that drop off locations include the Heart of Oklahoma Exposition Center and Demco Printing, Inc.

AGENDA ITEM NO. 2:

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 the Agenda Item No. 8.
- b. Minutes from the October 5, 2020 regular meeting.
- c. Acknowledge the following reports and minutes:
 - License Payment Report for September 2020
 - Project Payment Report for September 2020
 - Parks and Recreation Committee Minutes from the July 9, 2020 special call meeting and the September 10, 2020 regular meeting
- d. Authorize staff to enter into a contract with OpenGov, Inc. for budgeting and transparency software, with a total first-year cost of \$99,008.02 for implementation and licensing and two additional years at an annual licensing cost of \$41,104.49.
- e. Acknowledge City Commission and Related Authorities Schedule of Regular Meetings for 2021.
- f. Acknowledge City of Shawnee Holiday Schedule for 2021.
- g. Mayor's Appointments:

Community Service Contract Review Committee

Rev. Ray Belford	2 nd Full Term	Expires: January 1, 2024
<i>Reappointment</i>		

Ken McDowell	2 nd Full Term	Expires: January 1, 2024
<i>Reappointment</i>		

Mayor Bolt asked that Consent Agenda Item No. 2(a) be pulled for separate consideration. Commissioner Weaver asked that Consent Agenda Item No. 2(d) be pulled for separate consideration.

A motion was made by Commissioner Flood, seconded by Commissioner Weaver, to approve Consent Agenda Item Nos. 2(a-g), less items 2(a) and 2(d). Motion carried 7-0.

AYE: Flood, Weaver, Bolt, Rutherford, Sehorn, Salter, Matthews
NAY: None

Regarding Consent Agenda Item No. 2(a), City Manager, Chance Allison explained the item language should read "Acknowledge staff will proceed in the instant meeting with the opening and consideration of bids as set forth in the Agenda Item No. 9."

A motion was made by Commissioner Matthews, seconded by Vice Mayor Rutherford, to approve Consent Agenda Item No. 2(a) amending the language to reflect Agenda Item No. 9. Motion carried 7-0.

AYE: Matthews, Rutherford, Sehorn, Salter, Weaver, Flood, Bolt
NAY: None

Regarding Consent Agenda Item No. 2(d), Finance Director, Ashley Neel answered questions from the Commission regarding the proposed contract with OpenGov.

A motion was made by Commissioner Weaver, seconded by Commissioner Matthews, to approve Consent Agenda Item No. 2(d). Motion carried 7-0.

AYE: Weaver, Matthews, Flood, Bolt, Rutherford, Sehorn, Salter
NAY: None

AGENDA ITEM NO. 3:

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

Animal Control Officer Spoon presented Pearl, a four-year-old female canine. Pearl is available for adoption.

AGENDA ITEM NO. 4:

Mayor' Proclamations:
"James Harrod Day"
October 6, 2020

Mr. James Harrod accepted the Mayor's Proclamation for "James Harrod Day" presented by Mayor Bolt.

AGENDA ITEM NO. 5:

Consider an appointment of a City Commissioner to the Shawnee Community Beautification Committee.

Mr. James Bryce, Operation Director, provided information on the volunteer work and operations of the Shawnee Beautification Committee. Commissioner Flood volunteered to serve as the appointed Commissioner.

A motion was made by Commissioner Matthews, seconded by Vice Mayor Rutherford, to appoint City Commissioner Flood the Shawnee Community Beautification Committee. Motion carried 6-0-1.

AYE: Matthews, Rutherford, Sehorn, Salter, Weaver, Bolt

NAY: None

ABSTAIN: Flood

AGENDA ITEM NO. 6:

Consideration of an ordinance amending portions of Chapter 2, Section 2-5 – Sale of non-real estate property of the Shawnee City Code of Ordinances, relating to the sale of non-real estate property owned by the City of Shawnee; allowing the sale of surplus non-real estate property to be by public auction, sealed bids, or on-line auction services as directed by the City Commission; setting notice requirements; and providing for codification, repealer, and severability and declaring an emergency.

Ms. Ashley Neel, Finance Director, provided a Staff report. She advised that there is currently not enough detail in the City Code regarding surplus of non-real estate property. The proposed ordinance would provide structure for surplus of non-real estate property as follows: (1) Items estimated less than \$1,000.00 may be disposed of through means deemed appropriate by the City Manager; (2) Items

estimated between \$1,000.00 to \$5,000.00 may be disposed of in the manner deemed to be the best interest of the City with a list of the disposed property provided to the City Commission no later than the second City Commission meeting after the disposal; and (3) Any items estimated over \$5,000.00 will be presented to the City Commission for approval before disposed of.

A motion was made by Commissioner Sehorn, seconded by Vice Mayor Rutherford, to approve an ordinance amending portions of Chapter 2, Section 2-5 – Sale of non-real estate property of the Shawnee City Code of Ordinances, relating to the sale of non-real estate property owned by the City of Shawnee; allowing the sale of surplus non-real estate property to be by public auction, sealed bids, or on-line auction services as directed by the City Commission; setting notice requirements; and providing for codification, repealer, and severability and declaring an emergency.

Ordinance No. 2702NS was introduced.

AN ORDINANCE AMENDING PORTIONS OF CHAPTER 2 SECTION 2-5 – SALE OF NON-REAL ESTATE PROPERTY OF THE SHAWNEE CITY CODE OF ORDINANCES, RELATING TO THE SALE OF NON-REAL ESTATE PROPERTY OWNED BY THE CITY OF SHAWNEE; ALLOWING THE SALE OF SURPLUS NON-REAL ESTATE PROPERTY TO BE BY PUBLIC AUCTION, SEALED BIDS, OR ON-LINE AUCTION SERVICES AS DIRECTED BY THE CITY COMMISSION; SETTING NOTICE REQUIREMENTS; AND PROVIDING FOR CODIFICATION, REPEALER, AND SEVERABILITY AND DECLARING AN EMERGENCY.

Motion carried 7-0.

AYE: Sehorn, Rutherford, Salter, Matthews, Weaver, Flood, Bolt,
NAY: None

Ordinance No. 2702NS was adopted by the City Commission.

A motion was made by Commissioner Matthews, seconded by Commissioner Flood, to approve the emergency clause relating to Ordinance No. 2702NS. Motion carried 7-0.

AYE: Matthews, Flood, Bolt, Rutherford, Sehorn, Salter, Weaver
NAY: None

AGENDA ITEM NO. 7:

Consideration of an ordinance relating to the purchase of supplies and equipment; amending Subsection (b), Section 2-107, Article III of Chapter 2 of the Code of the City of Shawnee, Oklahoma; raising the budgeted amount the City Manager may contract for to obtain supplies, materials, and equipment for the City to Fifty Thousand Dollars (\$50,000.00) without prior approval of the City Commission; providing for severability and declaring an emergency.

Ms. Ashley Neel, Finance Director, advised that the proposed ordinance would raise the City Manager's purchasing power for supplies and equipment from Twenty-Five Thousand Dollars (\$25,000.00) to Fifty Thousand Dollars (\$50,000.00) for items previously approved in the budget. The proposal is in line with the Competitive Bidding Act of 1974. Ms. Neel advised that any items not previously approved in the budget would be brought to the City Commission for approval.

A motion was made by Vice Mayor Rutherford, seconded by Commissioner Sehorn, to approve an ordinance relating to the purchase of supplies and equipment; amending Subsection (b), Section 2-107, Article III of Chapter 2 of the Code of the City of Shawnee, Oklahoma; raising the budgeted amount the City Manager may contract for to obtain supplies, materials, and equipment for the City to Fifty Thousand Dollars (\$50,000.00) without prior approval of the City Commission; providing for severability and declaring an emergency.

Ordinance No. 2703NS was introduced.

AN ORDINANCE RELATING TO THE PURCHASE OF SUPPLIES AND EQUIPMENT; AMENDING SUBSECTION (b), SECTION 2-107, ARTICLE III OF CHAPTER 2 OF THE CODE OF THE CITY OF SHAWNEE, OKLAHOMA; RAISING THE BUDGETED AMOUNT THE CITY MANAGER MAY CONTRACT FOR TO OBTAIN SUPPLIES, MATERIALS AND EQUIPMENT FOR THE CITY TO FIFTY THOUSAND DOLLARS (\$50,000.00) WITHOUT PRIOR APPROVAL OF THE CITY COMMISSION; PROVIDING FOR SEVERABILITY AND DECLARING AN EMERGENCY.

Motion carried 6-1.

AYE: Rutherford, Sehorn, Salter, Matthews, Flood, Bolt
NAY: Weaver

Ordinance No. 2703NS was adopted by the City Commission.

A motion was made by Vice Mayor Rutherford, seconded by Commissioner Sehorn, to approve the emergency clause relating to Ordinance No. 2703NS. Motion carried 6-1.

AYE: Rutherford, Sehorn, Salter, Matthews, Flood, Bolt
NAY: Weaver

AGENDA ITEM NO. 8:

Public hearing and consideration of an ordinance to rezone property located at 6-20 West MacArthur Street, containing 1.29-acres, from C-3 (Highway Commercial District) to C-3 (Highway Commercial District) with a CUP (Conditional Use Permit) for the purpose of an outdoor gathering space containing food trucks, on-premise sale and consumption of alcohol, pop-up shops, and restrooms. Case No. P15-20, Applicant: GCR Sunset Enterprises, LLC. (Deferred from the September 21, 2020 City Commission meeting.)

Mr. Chance Allison, City Manager, advised that this item is scheduled to be on the November 4, 2020 Planning Commission agenda. He requested that it be deferred to a future meeting.

A motion was made by Commissioner Matthews, seconded by Commissioner Sehorn, to defer this item to a future City Commission meeting. Motion carried 7-0.

AYE: Matthews, Sehorn, Salter, Weaver, Flood, Bolt, Rutherford
NAY: None

AGENDA ITEM NO. 9:

Consider Bids:

- a. Purchase of 0.32 acres, more or less, of improved land, generally located at 229 North Kickapoo Street, Shawnee, Oklahoma 74801. (Open)

BIDDER

AMOUNT

South Central Industries, Inc.
Shawnee, OK

\$42,000.00

City Engineer, Seth Barkhimer, read one (1) bid into the record. Mr. Barkhimer stated that the bid was above the minimum bid amount set forth in the bid document. He stated that Staff requested to award the bid to South Central Industries in the amount of Forty-Two Thousand Dollars (\$42,000.00).

A motion was made by Commissioner Weaver, seconded by Commissioner Matthews, to award the purchase of 0.32 acres, more or less, of improved land, generally located at 229 North Kickapoo Street, Shawnee, Oklahoma 74801 to South Central Industries, Inc. in the amount of Forty-Two Thousand Dollars (\$42,000.00). Motion carried 7-0.

AYE: Weaver, Matthews, Flood, Bolt, Rutherford, Sehorn, Salter

NAY: None

AGENDA ITEM NO. 10:

Acknowledge monthly Sales Tax and Budget Report.

Finance Director Ashely Neel reported that sales and use tax collections for the month of October 2020 totaled \$2,077,385.23. She advised that sales tax is up \$1,414,296.00, or 21.62%, over the projected budget year-to-date. She also advised that use tax collections are up approximately \$38,616.00, or 4.93%, over the projected budget year-to-date.

AGENDA ITEM NO. 11:

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

There was no New Business.

AGENDA ITEM NO. 12:

Commissioners Comments

Commissioner Salter expressed his appreciation for the work Ms. Ashley Neel, Finance Director, has been doing on the budget and new software.

Commissioner Sehorn stated he is excited for the new software and the transparency it will provide. He also said that he is pleased with the sales tax trend along with the vote on surplus items that will allow the City to discard unused supplies and equipment.

Vice Mayor Rutherford stated he is pleased with the sales tax trend.

Commissioner Flood echoed what other Commissioners stated on the new software and he is excited to see what it can do as far as getting information to everyone. He also stated he is looking forward to putting his attention toward the beautification of Shawnee by his appointment to the Shawnee Community Beautification Committee.

Commissioner Weaver advised that the Salvation Army Spaghetti Day is this Thursday, October 22, 2020. He stated that because of the pandemic, the food will be served through a drive-thru process. He stated that the cost is \$10.00 for adults and \$5 for children.

Commissioner Matthews congratulated Mr. James Harrod on his great service to the community. He stated that he appreciates Staff on their work on the agendas and modernizing the city code to be more efficient.

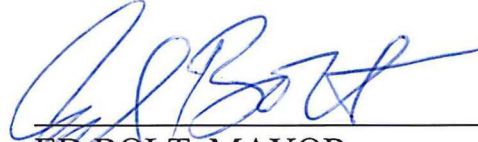
Commissioner Matthews advised that October is manufacturing month and recognized Georg Fischer ranking #9 nationally. He encouraged shopping local during the holiday season. He also encouraged voting in the upcoming election and stated that First United Bank is having a ballot notarizing party for absentee ballots on Tuesday, October 20, 2020 from 4:00 pm to 7:00 pm.

Mayor Bolt stated the importance of voting and encouraged voter participation in the community and nationally. He stated was happy to recognize Mr. James Harrod and all that he does for the community. He stated he is very excited about the OpenGov software and believes it will give us a level of visibility we have never seen.

AGENDA ITEM NO. 13:

Adjournment

There being no further business to be considered, the meeting was adjourned by power of the Chair. (7:06 p.m.)


ED BOLT, MAYOR

ATTEST:


LISA LASYONE, CMC, CITY CLERK

