

BOARD OF CITY COMMISSIONERS PROCEEDINGS
OCTOBER 16, 2017 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, October 16, 2017 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

Ben Salter
Commissioner Ward 6

ABSENT: None

INVOCATION

The Lord's Prayer

FLAG SALUTE

AGENDA ITEM NO. 1:

Consider approval of Consent Agenda:

- a. Minutes for October 2, 2017 regular meeting.
- b. Acknowledge the following reports and minutes:
 - License Payment Report for September 2017
 - Project Payment Report for September 2017
 - Planning Commission Minutes from September 6, 2017
 - Shawnee Downtown Revitalization Project Amendment Review Committee Minutes from September 26, 2017

- Shawnee Beautification Committee Minutes from March 9, 2017 and August 17, 2017
- c. Acknowledge receipt of Pioneer Library System Audit for Year Ended June 30, 2017.
- d. Acknowledge City of Shawnee Holiday Schedule for 2018.
- e. Acknowledge City Commission and Related Authorities Schedule of Regular Meetings for 2018.
- f. Budget Amendment – Fund 190 CDBG (Community Development Block Grant) Entitlement Grant Fund
To allocate federal funds that were not spend last fiscal year
- g. Mayor's Appointments

Shawnee Hospital Authority

Michelle Briggs	6 Year Term	Expires 9/30/2023
<i>Reappointment</i>		

Mike Adcock	6 Year Term	Expires 9/30/2023
<i>Reappointment</i>		

Planning Commission

Cody Deem	1 st Partial Term	Expires 6/1/2020
<i>Replaces Susie Clinard – Resigned</i>		

Daniel Matthews	1 st Partial Term	Expires 6/1/2018
<i>Replaces Michael Affentranger - Resigned</i>		

A motion was made by Commissioner Gillham, seconded by Commissioner Salter, to approve the Consent Agenda Item Nos. 1(a-g). Motion carried 6-0-1.

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

NAY: None

ABSTAIN: Shaw

AGENDA ITEM NO. 2:

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

Holly Gordon encouraged citizens to visit the *Woman's Point of View: From Saudi Arabia* exhibit at the Mabee-Gerrer Museum of Art. She explained the exhibit is comprised of several photographs and projects from students of Dar Al-Hekma University in Jeddah, Saudi Arabia.

Ms. Gordon announced that the Boo on Bell event would take place this coming weekend on Bell Street in downtown Shawnee.

AGENDA ITEM NO. 3:

Presentation by City Manager to Employee of the Month, Ross Kinnamon, Utility Billing.

Ross Kinnamon was not present to accept the Employee of the Month Certificate presented by City Manager Justin Erickson.

AGENDA ITEM NO. 4:

Public hearing and consideration of an ordinance to rezone property located at 4400 North Kickapoo Street from C-1; Neighborhood Commercial District to C-3; Highway Commercial District with Conditional Use Permit. Case No. P11-17. Applicant: Dennis Morris

Community Development Director Justin DeBruin explained the zoning request noting the subject property is approximately three-fourth of an acre which would provide for adequate parking. He noted that staff is in favor of the proposed rezoning and that no objections have been received. Mr. DeBruin stated the rezoning was unanimously approved by the Planning Commission.

Mayor Finley declared a public hearing in session to consider an ordinance rezoning property located at 4400 North Kickapoo Street from C-1; Neighborhood Commercial District to C-3; Highway Commercial District with Conditional Use Permit. No one appeared in favor or against said rezoning and the public hearing was closed.

A motion was made by Vice Mayor Harrod, seconded by Commissioner Gillham, to approve an ordinance to rezone property located at 4400 North Kickapoo Street from C-1; Neighborhood Commercial District to C-3; Highway Commercial District with Conditional Use Permit; with the following conditions:

1. A six (6') foot sidewalk along Kickapoo Street.
2. Landscaping to cover 10% of overall site.
3. Façade treatment to a total of 60% where facing Kickapoo Street.
4. Appropriate off-street parking.

Ordinance No. 2616NS 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: LOT SEVEN (7), BLOCK TWO (2), OF COLLEGE VIEW ADDITION, TO THE CITY OF SHAWNEE, POTTAWATOMIE COUNTY, OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF REZONING SAID PROPERTY FROM C-1; NEIGHBORHOOD COMMERCIAL DISTRICT TO C-3; HIGHWAY COMMERCIAL DISTRICT WITH CONDITIONAL USE PERMIT AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SHAWNEE ACCORDINGLY.

Motion carried 7-0.

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

NAY: None

Ordinance No. 2616NS was adopted by the City Commission.

AGENDA ITEM NO. 5:

Public hearing and consideration of an ordinance to rezone property located at 39110 West MacArthur Street from RE; Residential Estates District to C-3; Highway Commercial District. Case NO. P12-17. Applicant: Nelmon Brauning

Community Development Director Justin DeBruin explained that a proposed use has not been determined for this site but will be bound to allowances in the C-3 zoning district. Mr. DeBruin stated that staff recommends approval and that no protest letters have been received.

Mayor Finley declared a public hearing in session to consider an ordinance rezoning property located at 39110 West MacArthur Street from RE; Residential Estates District to C-3; Highway Commercial District. No one appeared in favor or against said rezoning and the public hearing was closed.

A motion was made by Commissioner Gillham, seconded by Vice Mayor Harrod, to approve an ordinance to rezone property located at 39110 West

MacArthur Street from RE; Residential Estates District to C-3; Highway Commercial District; with the following conditions:

1. A six (6') foot sidewalk along MacArthur Street.
2. Landscaping to cover 10% of overall site.
3. Façade treatment to a total of 60% where facing MacArthur Street.
4. Appropriate off-street parking.

Ordinance No. 2617NS 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: A TRACT OF LAND DESCRIBED AS BEGINNING 1056 FEET EAST OF THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER (SW/C SW/4) OF SECTION TWO (2), TOWNSHIP TEN (10) NORTH, RANGE THREE (3) EAST OF THE INDIAN MERIDIAN; THENCE WEST 198 FEET; THENCE NORTH 1100 FEET; THENCE EAST 198 FEET; THENCE SOUTH 1100 FEET TO THE POINT OF BEGINNING, TO THE CITY OF SHAWNEE, POTTAWATOMIE COUNTY, OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF REZONING SAID PROPERTY FROM RE; RESIDENTIAL ESTATES DISTRICT TO C-3; HIGHWAY COMMERCIAL DISTRICT AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SHAWNEE ACCORDINGLY.

Motion carried 7-0.

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

Ordinance No. 2617NS was adopted by the City Commission.

AGENDA ITEM NO. 6:

Public hearing and consideration of an ordinance to rezone property located at 4830 North Harrison Avenue from A-1; Rural Agricultural District, C-3; Highway Commercial District, and R-3; Multi-Family Residential District to PUD; Planning Unit Development. Case No. P13-17. Applicant: Landes Engineering

Community Development Director Justin DeBruin explained the location of the property, noting the proposed use as a commercial travel center facility with supporting commercial development. It was also noted that the property is largely affected by the floodplain which will require existing drainage channel improvements and a Letter of Map Revision will be required prior to final

approval. Mr. DeBruin said sixty-six-feet (66') of right-of-way will be retained for a future service road. Two seventy foot (70') tall free-standing signs are included in staff's recommendation. The Planning Commission unanimously approved this rezoning with three conditions, with no objections received. Mayor Finley declared a public hearing in session to consider an ordinance rezoning property located at 4830 North Harrison Avenue from A-1; Rural Agricultural District, C-3; Highway Commercial District, and R-3; Multi-Family Residential District to PUD; Planning Unit Development. No one appeared in favor or against said rezoning and the public hearing was closed.

A motion was made by Vice Mayor Harrod, seconded by Commissioner Rutherford, to approve an ordinance to rezone property located 4830 North Harrison Avenue from A-1; Rural Agricultural District, C-3; Highway Commercial District, and R-3; Multi-Family Residential District to PUD; Planning Unit Development; with the following conditions:

1. Approval of variance to allow for two seventy (70') foot tall free-standing signs.
2. Any additional, minor correction to the preliminary plat will be resolved in the PUD Design Statement and Master Plan Map
3. All other applicable City Standards.

Ordinance No. 2618NS 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: A TRACT OF LAND BEGINNING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER (SE/4) OF SECTION THIRTY-ONE (31), TOWNSHIP ELEVEN (11) NORTH, RANGE FOUR (4) EAST OF THE INDIAN MERIDIAN, POTTAWATOMIE COUNTY, OKLAHOMA; THENCE SOUTH 1121 FEET; THENCE WEST 389 FEET; THENCE SOUTH 112 FEET; THENCE WEST 692 FEET TO THE EAST SIDE OF THE A.T. & S.F. RAILWAY COMPANY RIGHT-OF-WAY; THENCE NORTH ALONG THE EAST SIDE OF THE RIGHT-OF-WAY TO A POINT 1204.60 FEET WEST OF THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER; THENCE EAST 1204.60 FEET TO THE POINT OF BEGINNING LESS AND EXCEPT A STRIP, PIECE OR PARCEL OF LAND LYING IN PART OF THE SOUTHEAST QUARTER (SE/4) OF SECTION 31, TOWNSHIP 11 NORTH, RANGE 4 EAST, POTTAWATOMIE COUNTY, OKLAHOMA. SAID PARCEL OF LAND DESCRIBED BY METES AND BOUNDS AS FOLLOWS: BEGINNING AT A POINT ON THE PRESENT WEST RIGHT-OF-WAY LINE OF STATE HIGHWAY NO. 18, A DISTANCE OF 33.44 FEET WEST OF AND 915.06 FEET SOUTH OF THE NE CORNER OF SAID SE/4; THENCE NORTH AND NORTHWESTERLY ALONG SAID RIGHT-OF-WAY A DISTANCE OF 265.87 FEET TO A JOG IN SAID RIGHT-OF-WAY; THENCE WEST ALONG SAID JOG A DISTANCE OF 40.00 FEET; THENCE S06°53'15"E A DISTANCE OF 266.07 FEET; THENCE N89°17'35"E A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING, CONTAINING 0.24 ACRES, MORE OR LESS. ALL BEARINGS CONTAINED IN THIS DESCRIPTION ARE BASED ON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM AND ARE NOT ASTRONOMICAL BEARINGS. LESS AND EXCEPT THE DEDICATION DEED FOR PUBLIC HIGHWAY RECORDED IN BOOK 170 PAGE 21, TO THE CITY OF SHAWNEE, POTTAWATOMIE COUNTY, OKLAHOMA, ACCORDING TO

THE RECORDED PLAT THEREOF REZONING SAID PROPERTY FROM A-1; RURAL AGRICULTURAL DISTRICT, C-3; HIGHWAY COMMERCIAL DISTRICT, AND R-3; MULTI-FAMILY RESIDENTIAL DISTRICT TO PUD; PLANNED UNIT DEVELOPMENT AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SHAWNEE ACCORDINGLY.

Motion carried 7-0.

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

Ordinance No. 2618NS was adopted by the City Commission.

AGENDA ITEM NO. 7: Consideration of approval of a Preliminary Plat for Workman's Plaza located at 4830 North Harrison Street. Case No. S05-17. Applicant: Landes Engineering

A staff report was given by Community Development Director Justin DeBruin. He noted that no protest letters were received and the Planning Commission recommends approval of the preliminary plat.

A motion was made by Vice Mayor Harrod, seconded by Commissioner Bushong, to approve a Preliminary Plat for Workman's Plaza located at 4830 North Harrison Street, with the following conditions:

1. Final construction documents must be approved by the City Engineer concurrent with Final Plat approval.
2. Any necessary drainage plans must be approved by the City Engineer concurrent with Final Plat approval.
3. Any additional, minor corrections to the preliminary plat must be corrected, as deemed necessary by City Staff.
4. Completion of a FEMA Letter of Map Revision (LOMR) prior to Final Plat approval.
5. All other applicable City standards apply.

Motion carried 7-0.

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

AGENDA ITEM NO. 8: Public hearing and consideration of an ordinance closing the alley between West Hayes Street and West Farrall Street and between South Tennessee Avenue and South

Pottenger Avenue (Block 21, Inglewood 2nd Addition). Applicant: Ronnie Pelate

A staff report was given by Community Development Director Justin DeBruin. Mr. DeBruin stated the city retains the right to reopen the alley without any expense to the municipality whenever deemed necessary. Franchise holders still have easements and have all have received written notice of the proposed closure. Staff has no objections to the alley closure and no letters of protest or concern have been received.

Mayor Finley declared a public hearing in session to consider an ordinance closing the alley between West Hayes Street and West Farrall Street and between South Tennessee Avenue and South Pottenger Avenue. No one appeared in favor or against said rezoning and the public hearing was closed.

A motion was made by Commissioner Shaw, seconded by Commissioner Gillham, to approve an ordinance closing the alley between West Hayes Street and West Farrall Street and between South Tennessee Avenue and South Pottenger Avenue.

Ordinance No. 2619NS was introduced.

AN ORDINANCE CLOSING THE PUBLIC ALLEYWAY LOCATED IN BLOCK 21, INGLEWOOD 2ND ADDITION AND PROVIDING FOR SEVERABILITY.

Motion carried 7-0.

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

Ordinance No. 2619NS was adopted by the City Commission.

AGENDA ITEM NO. 9: Acknowledge Sales Tax Report received October 2017.

Finance Director Cindy Arnold reported that October sales tax collected this month was \$1,565,343.00, which is up 4.58% or \$68,611.00 from October of 2016.

AGENDA ITEM NO. 10: City Manager Report

City Manager Justin Erickson gave updates on the following:

- a. Photo Contest – Visit Shawnee Inc. and the City of Shawnee partnered together to host a photo contest. Over 500 entries were submitted, these photographs may be used in promotional materials and for the City's new website.
- b. Wayfinding – The City's wayfinding signage project is nearing completion. Gateway signs have been installed at key entrances to the community and at each City park facility.
- c. American Association of Retired Persons (AARP) Grant – The City of Shawnee received an AARP Community Challenge Grant and chose to install a traffic circle at the intersection of West Burns Street and North Chapman Avenue to improve traffic and safety. The installation of the traffic circle is now complete.
- d. Parks Master Plan – A special meeting will be held on Thursday, November 2, 2017 at 6:00 p.m. at the Heart of Oklahoma Exposition Center for input on the Park Design Phase of the Parks Master Plan.

Commissioner Shaw asked for an update on Fire Station No. 2. City Manager Justin Erickson stated that utility work has been started and contractors have poured the footings. Contractors should begin working on the outside skin of the building in approximately three weeks. Mr. Erickson noted that the Fire Station will look dramatically different very soon with the Spring of 2018 being the estimated time for completion.

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.)

There was no New Business.

AGENDA ITEM NO. 12:

Commissioners Comments

Commissioner Bushong said he is looking forward to the Boo on Bell event that is scheduled to take place this weekend Downtown Shawnee.

Vice Mayor Harrod stated the City of Midwest City residents passed a sales tax initiative last week raising their overall tax rate to 9.1%.

Commissioner Rutherford said he enjoyed the recent Planes, Trains, and Automobiles event in the City.

Commissioner Shaw asked Community Development Director Justin DeBruin to discuss the landscape standards for new development properties. It was agreed they would discuss this after the meeting.

Commissioner Shaw asked about Public Arts Projects which earmarks a portion of city sales tax to add public art through capital improvement projects.

COMMISSIONER GILLHAM LEFT THE CITY COMMISSION MEETING AT 7:05 P.M. AND DID NOT RETURN.

Commissioner Salter said he was impressed with the Fire Department Retirement and Promotion Ceremony that was held recently.

Mayor Finley discussed moving the City Commission meetings to 6:00 p.m. from 6:30 p.m. He said he had spoken with several Commissioners and asked for feedback from interested parties regarding the change.

Mayor Finley also announced that he is considering re-establishing a Parks and Recreations Committee to oversee the various parks programs. He would like to have further discussion regarding this in the future.

Mayor Finley noted that he often gets to greet participants at the RV Rallies hosted at the Heart of Oklahoma Exposition Center. He stated that many of them have shared how impressed they are with the improvements that have been made at the Expo Center, especially the 50-amp electric service.

AGENDA ITEM NO. 13:

Adjournment

There being no further business to be considered, the meeting was adjourned by power of the Chair. (7:08 p.m.)



PHYLLIS LOFTIS, CMC, CITY CLERK


RICHARD FINLEY, MAYOR