

BOARD OF CITY COMMISSIONERS PROCEEDINGS
SEPTEMBER 18, 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, September 18, 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

Don Lynch, Emergency Management Director

FLAG SALUTE

AGENDA ITEM NO. 1:

Consider approval of Consent Agenda:

- a. Minutes for August 21, 2017 regular meeting.
- b. Acknowledge the following reports and minutes:
 - License Payment Report for August 2017
 - Project Payment Report for August 2017
 - Shawnee Civic and Cultural Development Authority Minutes from May 18, 2017 and June 15, 2017 meetings
 - Traffic Commission Minutes from June 27, 2017 meeting
 - Planning Commission Minutes from August 2, 2017 meeting

- c. Authorize the Parks Department to purchase a one-half ton 4x4 pickup at the state bid price of \$25,827.00 from Hudiburg Chevrolet Fleet Services for use at the Shawnee Twin Lakes.
- d. Approve a Memorandum of Understanding with the City of Oklahoma City to renew an Inter-Governmental Agreement for Regional Household Hazardous Waste Collection and Management Project regarding hazardous waste disposal.
- e. Budget Amendment – Street Fund
To amend budget for the AARP Grant traffic circle, no matching funds
- f. Budget Amendment – Fund 104
To adjust Fund 104 for Expo renovations that did not finish by June 30, 2017
- g. Budget Amendment – Capital Fund
To amend budget for loan proceeds for the fire trucks and Station No. 2
- h. Authorize Staff to approve Service Agreement with Motorola Solutions for update and maintenance on Repeater Tower Site Equipment and Dispatch Consoles.
- i. Accept public improvements, i.e. sanitary sewer, water line, and paving for the Shawnee Park Addition, placing maintenance bonds into effect.
- j. Lake Lease Renewals/Transfers:

TRANSFERS:

Lot 4 Skipper Tract, 16612 Archery Range Road

From: Sally Cole and Paula Hardeman

To: Randy E. Wolfe

Lot 8 Belcher Tract, 15509 Nickens Road

From: Latta Family Trust

To: Robert and Traci Murphy

k. Mayor's Appointments

Shawnee Beautification Committee

Debi Renegar

1st Full Term

Expires 1/1/2021

Appointment to New Committee

l. Traffic Commission Recommendations

1) Approval of June 27, 2017 Minutes.

STAFF RECOMMENDATION: Staff recommends approval of request.

BOARD RECOMMENDATION: Board recommends approval of request.

2) Consideration of request by Staff, to add flexible delineator devices along the centerline of Highland west of Harrison.

STAFF RECOMMENDATION: Staff recommends approval of request.

BOARD RECOMMENDATION: Board recommends denial of request.

Vice Mayor Harrod asked that Consent Agenda Item No. 1(l)(2) be pulled for separate consideration.

A motion was made by Commissioner Shaw, seconded by Vice Mayor Harrod, to approve the Consent Agenda Item Nos. 1(a-l), less item 1(l)(2). Motion carried 7-0.

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

NAY: None

Regarding Consent Agenda Item No. 1(l)(2), Vice Mayor Harrod asked for clarification on the Traffic Commission's recommendation. Staff explained that the Traffic Commission had voted to recommend denial of staff's request to add flexible delineator devices along the centerline of Highland west of Harrison.

AGENDA ITEM NO. 5:

Presentation and acknowledgment of award of the American Association of Retired Persons (AARP) Community Challenge grant, funding the installation of a mini-traffic circle at the intersection of Burns Street and Chapman Avenue.

City Manager Justin Erickson announced that the City of Shawnee has been selected to receive grant funding in the amount of \$9,936.00, from the American Association of Retired Persons (AARP) through the AARP Community Challenge. Mr. Erickson stated that the funding will be used to replace stop signs at the intersection of Burns Street and Chapman Avenue with one of the City's first residential mini-circles. The area neighborhood group is in agreement with the construction of the mini-circle.

Mr. Sean Voskuhl and Ms. Mashell Sourjohn shared their excitement of Shawnee receiving the grant award. They stated that of the 1,200 applications received, Shawnee was the only successful applicant in Oklahoma.

AGENDA ITEM NO. 6:

Public hearing and consideration of an ordinance to rezone with a conditional use permit for property located 16712 Magnino Road to allow for a bed and breakfast. Case No. P10-17. Applicant: Lora Davis

City Manager Justin Erickson stated that the Planning Commission unanimously recommended approval of this item. He explained that the zoning code does provide for a bed and breakfast and the establishment does meet health department regulations. No protests have been received regarding the proposed rezoning.

Commissioner Shaw asked if other residents of Shawnee could open a bed and breakfast in their homes. Staff advised that other residences could operate a bed and breakfast in their homes if a conditional use permit is approved to set conditions that would address any negative impacts on the area.

Regarding the question of liability, City Attorney Joe Vorndran stated that our lease agreements include legal language specific to indemnification.

Commissioner Salter asked if lodging tax would be applicable. Staff advised that lodging tax does not apply to establishments with less than three rooms.

Mayor Finley declared a public hearing in session to consider an ordinance to rezone with a conditional use permit for property located 16712 Magnino Road to allow for a bed and breakfast. No one appeared in favor or against said rezoning. The public hearing was closed.

A motion was made by Vice Mayor Harrod, seconded by Commissioner Bushong, to approve the ordinance to rezone with a conditional use permit for property located 16712 Magnino Road to allow for a bed and breakfast.

Ordinance No. 2615NS 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 5 JOHNSTON TRACT, CITY OF SHAWNEE LAKE LEASE, ALSO KNOWN AS 16712 MAGNINO ROAD, TO THE CITY OF SHAWNEE, POTTAWATOMIE COUNTY, OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF REZONING SAID PROPERTY FROM A-1; RURAL AGRICULTURAL DISTRICT TO A-1; RURAL AGRICULTURAL DISTRICT WITH CONDITIONAL USE PERMIT AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SHAWNEE ACCORDINGLY.

Motion carried 6-0-1.

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

NAY: None

ABSTAIN: Shaw

Ordinance No. 2615NS was adopted by the City Commission.

AGENDA ITEM NO. 7:

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

Director of Operations James Bryce explained the cost to the City ten percent (10%) of the total sales of the City's items that do not bring more than \$1,000.00. No fee is included in the items that bring more than \$1,000.00. The auction will be held on Saturday, November 25, 2017 at the Heart of Oklahoma Exposition Center. Mr. Bryce stated that all items considered for surplus will be presented to the City Commission for approval prior to the auction.

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

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

NAY: None

AGENDA ITEM NO. 8:

Consider approval of Change Order No. 1 for Fire Station No. 2 Rehab Project. *(Attachment(s) to be provided at time of meeting.)*

Fire Chief Dru Tischer provided copies of two bids for additional work at Fire Station No. 2 due to deficiencies found in the steel. These deficiencies were not discovered until building was demolished. The bids were \$40,597.00 and \$45,201.00.

Vice Mayor Harrod expressed his concern with the costs being quoted, noting that the bidder quoted monthly costs for a five-day project. He also expressed concern with the supervision charge and the monthly dumpster fee.

Commissioners Shaw and Rutherford each shared their concern with the change order.

A motion was made by Vice Mayor Harrod, seconded by Commissioner Shaw, to approve Change Order No. 1 for Fire Station No. 2 Rehab Project with City Manager and Fire Chief to negotiate to further reduce the cost. Motion carried 7-0.

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

NYE: None

COMMISSIONER GILLHAM LEFT THE CITY COMMISSION MEETING AND DID NOT RETURN.

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

Finance Director Cindy Arnold reported that September sales tax collected this month was \$1,493,326.00, which is up 0.17% or \$2,491.00 from September of 2016.

AGENDA ITEM NO. 10: City Manager Report

City Manager Justin Erickson gave updates on the following:

- a. Cops and Kids Event – Thank you to all the partnering agencies, staff, volunteers, elected and appointed officials who attended and assisted with this event. The City hopes to make this an annual event.
- b. Shawnee Splash – Total attendance for the 2017 season was 40,888, compared to 34,904 in 2016. The number of season passes sold for the season also increased.

- c. Visit Shawnee Inc. – Is holding a photo contest and will be awarding over \$2,000.00 in cash prizes.

Commissioner Shaw also brought forth the following topics for the City Manager's input:

- a. What are the priorities related to the Rehab Concrete Streets Project? Mr. Erickson explained that the current project is replacing panels that have failed in the Northridge area. He also advised that the City Commission recently approved a contract with a firm that will professionally evaluate every street in town using laser technology. Each street will be categorized and work will be performed according to the results of the evaluation.
- b. Are the street projects and the sidewalk projects performed by MZT Construction related or are they separate? Mr. Erickson stated they are not related and there are separate contracts for each project.
- c. Regarding development projects, what are the four eating establishments to be included in the Domino Plaza plan at 45th and Harrison? Mr. Erickson advised that he does not know at this point and that nothing has been firmly established.
- d. What are the details of the Shawnee Animal Shelter/Lowes project? Mr. Erickson explained the Lowes' Corporate Offices have selected the Shawnee Animal Shelter as a rehabilitation project. They will cover the cost of the project up to \$75,000.00. This project will include interior and exterior renovations at the shelter.

AGENDA ITEM NO. 11:

Administrative Reports

- a. Parks and Recreation – James Bryce, Director of Operations

Director of Operations James Bryce reported on many parks and recreation events that will be taking place in Shawnee in the near future. He informed Commissioners that Oklahoma Baptist University will be hosting a swim meet and the City will host Doggie Dip Day at the pool this month. He noted that the Municipal Auditorium will begin having open gym times starting soon and will be showing the Friday the 13th movie on Friday, October 13, 2017.

Mr. Bryce further discussed upcoming Movies in the Parks at KidSpace Park, Dean Weigant Park and Farrell Park, all which have free admission. Among other upcoming events discussed were Yappy Hour at Shawnee Dog Park, a Teen Talent Show in October, a Pie Bake-Off in November and PJs with Santa in December.

Mr. Bryce introduced Kerri Foster, Recreation Manager, and Rachel Monday, Program Coordinator, and credited them for organizing the new events.

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

Commissioner Bushong congratulated the three new probationary firefighters.

Vice Mayor Harrod said he was unable to attend the 3rd Friday Block Party last Friday. He noted he is pleased with the new events taking place at the pool and at local parks.

Commissioner Rutherford said the Cops and Kids event was great and the participation was amazing. He congratulated Police Chief Mason Wilson for a successful event. He also thanked Director of Operations James Bryce for the having the park look so nice for the event.

Commissioner Rutherford asked how often the Fire Department offers free car seats safety checks. Fire Chief Dru Tischer said at a minimum of two times per year. He noted, however, that individuals can contact the Fire Department Secretary and an appointment can be made at any time.

Commissioner Shaw said the Cops and Kids event was well done and thanked all those who assisted with it.

Commissioner Shaw asked how many people were in attendance at the Block Party. Ms. Holly Gordon estimated 135 people attended the event.

Commissioner Shaw thanked American Association of Retired Persons (AARP) for the grant to install the traffic circle.

Commissioner Salter agreed with comments regarding the Cops and Kids event. He also reminded everyone that Fire Prevention Week is coming up, and the Fire Clowns will be performing at schools and for the community.

Commissioner Salter expressed approval for the new park signage at Optimist Park.

Mayor Finley thanked Employee of the Month Jarrod Jackson for his hard work and dedication to the City.

Mayor Finley thanked James Bryce for his administrative report on the upcoming recreational opportunities.

Mayor Finley noted that the local Boy Scout Troop present at tonight's meeting are working on earning merit badges.

AGENDA ITEM NO. 22:

Adjournment

There being no further business to be considered, the meeting was adjourned by power of the Chair. (7:33 p.m.)



ATTEST


PHYLLIS LOFTIS, CMC, CITY CLERK


RICHARD FINLEY, MAYOR