

BOARD OF CITY COMMISSIONERS PROCEEDINGS
SEPTEMBER 16, 2019 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, September 16, 2019 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:

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

Mr. Chuck Skillings addressed the illness and deaths associated with vaping. He encouraged the Mayor and Commissioners to take action and incite laws to severely limit access to vaping and vaping products.

Ms. Rachel Melot reported the Walking School Buses completed their first week. A total of 1,561 participants walked 787 miles collectively. Next week, September 22-29, 2019, cyclists will be on Broadway Avenue promoting cycling. Ms. Melot also gave an update on the marketing campaign regarding the Broadway Marquee project.

AGENDA ITEM NO. 2:

Consider approval of Consent Agenda:

- a. Minutes from the September 3, 2019 regular meeting.
- b. Acknowledge the following reports and minutes:
 - License Payment Report for August 2019
 - Project Payment Report for August 2019
 - Planning Commission Minutes from the August 7, 2019 regular meeting
 - Wes Watkins Reservoir Oversight Committee from the June 6, 2019 regular meeting
- c. Authorize staff to apply for sub-grant of Emergency Management Performance Grant funding from the Oklahoma Department of Emergency Management.
- d. Acceptance of donation of materials in the approximate amount of \$1,500.00 for the repair of a pavilion at Lions Club Park by Mrs. Linda White.
- e. Acceptance of donation of a metal roof in the approximate amount of \$1,500.00 for the repair of a pavilion at Lions Club Park by Indaco Metals.
- f. Acknowledge the resignation of Marissa Lightsey from the Shawnee Library Board.
- g. Mayor's Appointments:

Shawnee Hospital Authority

Rt. Rev. Lawrence Stasyszen, O.S.B. Expires: September 30, 2025

Reappointment

Dr. Sudhir Gupta

Expires: September 30, 2025

Reappointment

Shawnee Library Board

Justin Wood 1st Full Term Expires: June 30, 2022

Reappointment

- h. Lake Lease Transfer:

TRANSFER:

Lot 5 Seck Tract, 33800 Post Office Neck

From: Duwayne and Greta Colvin

To: James F. Ruth Sr. and Susan B. Ruth 2012 Revocable Trust

A motion was made by Vice Mayor Harrod, seconded by Commissioner Bolt, to approve Consent Agenda Item Nos. 2 (a-h). Motion carried 7-0.

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

NAY: None

AGENDA ITEM NO. 3:

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

Animal Control Officer Kesha Miller presented Rusty, an approximately one-year old male red healer/pit bull mix. His adoption fee is Ten Dollars (\$10.00) inside the City Limits and Five Dollars (\$5.00) outside the City Limits.

AGENDA ITEM NO. 4:

Public hearing and consideration of an ordinance to rezone property located at 306 East 45th Street from A-1 (Rural Agricultural District) to C-3 (Highway Commercial District) for the purpose of a commercial development. Case No. P15-19, Applicant: Andrew Landes.

Assistant City Planner Joseph Barker gave a Staff report. He stated that the proposed rezoning is in compliance with the 2005 Comprehensive Plan. He advised that Staff and the Planning Commission recommend approval.

Mayor Finley declared a public hearing in session to consider an ordinance rezoning property from A-1 (Rural Agricultural District) to C-3 (Highway Commercial District) for property located at 306 East 45th Street. Richard Landes spoke in favor of said rezoning. No one appeared against said rezoning. The public hearing was closed.

A motion was made by Commissioner Bolt, seconded by Commissioner Sehorn, to approve an ordinance to rezone property located at 306 East 45th Street from A-1 (Rural Agricultural District) to C-3 (Highway Commercial District).

Ordinance No. 2676NS 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: THE SOUTH FOUR ACRES OF THE W/2 E/2 SW SE OF SECTION 31, TOWNSHIP 11 NORTH, RANGE 4 EAST, FROM ZONING CLASSIFICATION A-1 (RURAL AGRICULTURAL DISTRICT) TO C-3 (HIGHWAY COMMERCIAL DISTRICT) AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SHAWNEE ACCORDINGLY.

Motion carried 7-0.

AYE: Bolt, Sehorn, Salter, Gillham, Harrod, Finley, Rutherford
NAY: None

Ordinance No. 2676NS was adopted by the City Commission.

AGENDA ITEM NO. 5:

Consideration of approval of a final plat for Domino Plaza Addition, Section 2 located on the southeast corner of North Harrison Avenue and John C. Bruton Boulevard for the purpose of commercial retail development. Case No. S07-19, Applicant: Shawnee Harrison, LLC.

Assistant Planning Director Joseph Barker provided a staff report. He explained this is amending the final plat from three lots to two lots to enable the builder more flexibility. He advised that no building plans have been received for this site.

A motion was made by Commissioner Gillham, seconded by Commissioner Rutherford, to approve final plat for Domino Plaza Addition, Section 2 located on the southeast corner of North Harrison Avenue and John C. Bruton Boulevard. Motion carried 7-0.

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

NAY: None

AGENDA ITEM NO. 6:

Consideration of approval of a preliminary plat for Cardinal Pointe located north of East 45th Street and immediately adjacent to the west side of the A.T.&S.F. Railroad for the purpose of single-family and commercial development. Case No. S02-19, Applicant: Landes Engineering.

Assistant Planning Director Joseph Barker provided a staff report. He explained this location will be used for single family development with commercial frontage. He stated that phase one is estimated to be completed in two to three years and will consist of thirty-nine residential lots. He stated that phase two is estimated to be completed in three to five years and will contain forty-four residential lots.

A motion was made by Vice Mayor Harrod, seconded by Commissioner Salter, to approve a preliminary plat for Cardinal Pointe located north of East 45th Street and immediately adjacent to the west side of the A.T.&S.F. Railroad, with the following conditions:

1. Final construction documents must be approved by the City Engineer concurrent with Final Plat approval; and
2. Drainage plans must be approved by the City Engineer concurrent with final plat approval; and
3. All other applicable city standards apply.

Motion carried 7-0.

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

NAY: None

AGENDA ITEM NO. 7:

Consider a resolution to declare certain Shawnee Police Department vehicles surplus property and authorize the sale of said items for scrap.

Police Chief Mason Wilson provided a staff report.

Resolution No. 6596 was introduced.

A RESOLUTION DECLARING CERTAIN CITY OF SHAWNEE POLICE DEPARTMENT VEHICLES SURPLUS PROPERTY AND NO LONGER NEEDED FOR CITY PURPOSES; DESCRIBING SAID ITEMS; AND AUTHORIZING THE SALE OF SAID ITEMS FOR SCRAP.

A motion was made by Commissioner Rutherford, seconded by Commissioner Gillham, to approve a resolution to declare certain Shawnee Police Department vehicles surplus property and authorize the sale of said items for scrap. Motion carried 7-0.

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

NAY: None

AGENDA ITEM NO. 8:

Consider a resolution to declare certain Shawnee Police Department vehicles surplus property and authorize the sale of said items at auction or disposal at the City's discretion.

Police Chief Mason Wilson provided a staff report.

Resolution No. 6597 was introduced.

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

A motion was made by Commissioner Sehorn, seconded by Commissioner Gillham, to approve a resolution to declare certain Shawnee Police Department vehicles surplus property and authorize the sale of said items at auction or disposal at the City's discretion. Motion carried 7-0.

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

NAY: None

AGENDA ITEM NO. 9:

Consider a resolution to declare a certain Shawnee Police Department vehicle surplus property and donate to the Oklahoma Baptist University Police Department or disposal at the City's discretion.

Police Chief Mason Wilson provided a staff report.

Resolution No. 6598 was introduced.

A RESOLUTION DECLARING A CERTAIN CITY OF SHAWNEE POLICE DEPARTMENT VEHICLE SURPLUS PROPERTY AND NO LONGER NEEDED FOR CITY PURPOSES; DESCRIBING SAID ITEM; AND AUTHORIZING THE DONATION OF SAID ITEM TO THE OKLAHOMA BAPTIST UNIVERSITY POLICE DEPARTMENT AND, IN THE EVENT THE ITEM IS NOT ACCEPTED, 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 Shawnee Police Department vehicles surplus property and donate to the Oklahoma Baptist University Police Department or disposal at the City's discretion. Motion carried 7-0.

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

NAY: None

AGENDA ITEM NO. 10:

Consider a resolution adopting the revised Emergency Operations Plan for the City of Shawnee.

Emergency Management Director Don Lynch handed out an amended proposed resolution with title language. Mr. Lynch explained the proposed resolution would adopt the revised version of the Emergency Operations Plan (EOP) for the City of Shawnee. He advised this is required under federal and state laws. The EOP will set the stage for long term recovery following disasters or major emergencies. Mr. Lynch explained the process of creating the EOP and explained that this document will be reviewed a minimum of each year. He also advised the Pottawatomie County Commissioners adopted the plan at their meeting today.

Resolution No. 6599 was introduced.

A RESOLUTION ADOPTING THE EMERGENCY OPERATIONS PLAN FOR THE CITY OF SHAWNEE.

A motion was made by Vice Mayor Harrod, seconded by Commissioner Bolt, to approve a resolution adopting the revised Emergency Operations Plan for the City of Shawnee. Motion carried 7-0.

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

NAY: None

AGENDA ITEM NO. 11: Acknowledge monthly Sales Tax and Budget Report.

Finance Director Ashley Neel reported sales tax is up \$122,750.00, or 2.2%, over the projected budget year-to-date. She stated that use tax collections are up approximately \$24,232.00, or 63.30%, over the projected budget year-to-date.

AGENDA ITEM NO. 12: 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. 13: Commissioners Comments

Commissioner Gillham commented on the vaping concerns and would like the City Commission to support the process of limitations on vaping.

Vice Mayor Harrod commented on the Pottawatomie County Free Fair and the local children showing livestock at the State Fair this year.

Commissioner Rutherford attended the Shawnee Forward Tasty Affair and noted it was a great event.

Commissioner Salter stated he was a respiratory specialist for twenty-five years. He expressed his concerns with the usage of the vaping products.

Mayor Finley gave a shout out to the Lions Club Park volunteers and donators. He congratulated the Shawnee Police and Fire Departments on their Guns and Hoses golf tournament event. Mayor Finley agreed that he would like the City to do something about vaping use; however, because Oklahoma is a preemptive state, the City cannot do something that state law does not allow.

AGENDA ITEM NO. 14:

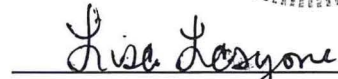
Adjournment

There being no further business to be considered, the meeting was adjourned by power of the Chair. (6:28 p.m.)

ATTEST:




RICHARD FINLEY, MAYOR


LISA LASZYONE, CMC, CITY CLERK