

AGENDA
BOARD OF CITY COMMISSIONERS
September 2, 2014 AT 6:30 P.M.
COMMISSION CHAMBERS AT CITY HALL
SHAWNEE, OKLAHOMA

CALL TO ORDER

DECLARATION OF A QUORUM

INVOCATION

FLAG SALUTE

1. Consider approval of minutes of the regular meeting of August 18, 2014.

RECESS CITY COMMISSION MEETING TO CONVENE SHAWNEE MUNICIPAL AUTHORITY
AND SHAWNEE AIRPORT AUTHORITY

RECONVENE CITY COMMISSION MEETING

2. Consider Resolution of Appreciation to Pam Stephens, Commissioner Ward One of the City of Shawnee.
3. Consider Resolution of Appreciation to John Winterringer, Commissioner Ward Five of the City of Shawnee.
4. Consider Resolution of Appreciation to Steve Smith, Commissioner of Ward Six of the City of Shawnee.
5. Presentation of Resolutions of Appreciation and plaques to Commissioner Pam Stephens, Commissioner John Winterringer and Commissioner Steve Smith.
6. Swearing in of Ward I Commissioner Gary Vogel, Ward V Commissioner Lesa Shaw and Ward VI Commissioner Micheal Dykstra by Municipal Judge Robert H. Jones and presentation of Certificates of Election.

RECESS FOR RECEPTION FOR OUTGOING AND INCOMING COMMISSIONERS

RECONVENE

7. Commission Appointment of a Vice Mayor (per Article III, Section 6 of City Charter)
8. Consider approval of Agenda:
9. 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 SMA Agenda Item No. 3-a.

- b. Acknowledge the following minutes:
 - Shawnee Civic and Cultural Development Authority minutes from June 19, 2014 meeting
 - Visit Shawnee Inc. minutes from July 30, 2014 meeting

 - c. Budget Amendment – General Fund
Increase Unzner Groups Budget to accommodate a grant from the Avedis Foundation of \$11,300

 - d. Budget Amendment – General Fund
Appropriate 2014 CDBG Entitlement Grant Funds for FY 2014-2015

 - e. Authorize staff to solicit proposals for providing snow and ice removal assistance, debris removal assistance, and debris monitoring assistance.
10. Commissioners Comments

 11. Citizens Participation

(A three minute limit per person)
(A twelve minute limit per topic)

 12. Presentation of appreciation to Lowe's Hero Program, Wal-Mart, and K&J Construction for donations of labor and materials for the Police Department gym and K-9 training area.

 13. Discussion, consideration and possible action on Pamela Johnson's appeal of an Administrative Order requiring the demolition of the residential structure located at 618 E. Oakland.

 14. Discussion, consideration and possible action on a resolution canceling the municipal election putting to the voters of Shawnee Ordinance No. 2549 NS amending the Charter of the City of Shawnee set for November 4, 2014, and notifying the Pottawatomie County Election Board of the cancellation.

 15. Consider Oklahoma Municipal Retirement Fund Lump Sum payment from Defined Benefit Plan and refund of contributions from the Defined Contribution Plan for Fred Lee Couch.

 16. Consider a resolution to surplus a 2001 Chevrolet pickup and a 1995 Chevrolet truck and donate to the Shawnee Civic and Cultural Development Authority.

 17. New Business

(Any matter not known about or which could not have been reasonably foreseen prior to the posting of the agenda)

 18. Adjournment

Respectfully submitted

Phyllis Loftis, CMC, City Clerk

The City of Shawnee encourages participation from its citizens in public meetings. If participation is not possible due to a disability, notify the City Clerk, in writing, at least forty-eight hours prior to the scheduled meeting and necessary accommodations will be made. (ADA 28 CFR/36)

Regular Board of Commissioners

1.

Meeting Date: 09/02/2014

CC Minutes August 18, 2014

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Consider approval of minutes of the regular meeting of August 18, 2014.

RECESS CITY COMMISSION MEETING TO CONVENE SHAWNEE MUNICIPAL AUTHORITY
AND SHAWNEE AIRPORT AUTHORITY

RECONVENE CITY COMMISSION MEETING

Attachments

Minutes

BOARD OF CITY COMMISSIONERS PROCEEDINGS
AUGUST 18, 2014 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, August 18, 2014 at 6:30 p.m., pursuant to notice duly posted as prescribed by law. Mayor Mainord presided and called the meeting to order. Upon roll call, the following members were in attendance.

Wes Mainord
Mayor

Pam Stephens
Commissioner Ward 1

Linda Agee
Commissioner Ward 2

James Harrod
Commissioner Ward 3-Vice Mayor

Keith Hall
Commissioner Ward 4

John Winterringer
Commissioner Ward 5

Steve Smith
Commissioner Ward 6

ABSENT: None

INVOCATION

Rev. Leroy Kerbo,
Cross Connections Church

FLAG SALUTE

Commissioner Stephens

AGENDA ITEM NO. 1:

Consider approval of Agenda.

A motion was made by Commissioner Hall, seconded by Vice Mayor Harrod, to approve the Agenda. Motion carried 7-0.

AYE: Hall, Harrod, Mainord, Winterringer, Smith, Stephens, Agee

NAY: None

AGENDA ITEM NO. 2:

Consider approval of Consent Agenda:

- a. Minutes from the August 4, 2014 regular meeting

- b. Acknowledge the following reports:
 - Planning Commission minutes from the August 6, 2014 meeting
 - Shawnee Urban Renewal Authority minutes from June 3, 2014
 - License Payment Report July 1-31, 2014
 - Project Payment Report July 1-31, 2014
- c. Approve Visit Shawnee, Inc. board member replacements for FY 2014-2015
- d. Acknowledge Oklahoma Municipal Retirement Fund refund of contributions from the Defined Contribution and Defined Benefit plans for Melody Chancellor.
- e. Mayor's Appointment:

SURA Board

Wayne O. Jackson Term to expire 2/02/2015 1st Partial Term
Replaces Patty L. Nida

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

AYE: Harrod, Agee, Mainord, Hall, Winterringer, Smith, Stephens

NAY: None

AGENDA ITEM NO. 3: Commissioners Comments

Commissioner Stephens reminded everyone that school was back in session and the need to be extremely careful driving, slow down and pay attention.

AGENDA ITEM NO. 4: Citizens Participation
 (A three minute limit per person)
 (A twelve minute limit per topic)

There was no Citizens Participation.

AGENDA ITEM NO. 5: Mayor's Presentation of Beautification Committee Awards to the following:

- Cracker Barrel
23 W Interstate Parkway
- La Quinta Inn
5401 Enterprise CT
- St. Benedict Church
632 N Kickapoo
- Luella Hurst
124 N Harrison

Mayor Mainord presented the Beautification Committee Awards. La Quinta Inn had a representative to accept the award and the others will be delivered.

AGENDA ITEM NO. 6:

A public hearing and consideration of an ordinance for a Conditional Use Permit on property zoned R-1; Single Family Residential, located at 2102 East Main Street.

Case No. P10-14 Applicant: Absentee Shawnee Housing Authority

Justin Erickson, Community Development Director, gave a staff report on this request and advised the Planning Commission had recommended approval of the Conditional Use Permit. Mayor Mainord declared a public hearing in session to consider a Conditional Use Permit on property zoned R-1; Single Family Residential, located at 2102 East Main Street. No one appeared in favor or against said rezoning. The public hearing was closed.

A motion was made by Commissioner Hall, seconded by Commissioner Stephens, to approve the ordinance for a Conditional Use Permit on property zoned R-1; Single Family Residential, located at 2102 East Main Street, with the following condition:

1. All off-street parking requirements listed in Section 22-185.11 for commercial uses shall apply.

Ordinance No. 2550 NS

AN ORDINANCE CONCERNING THE ZONING CLASSIFICATION OF THE FOLLOWING DESCRIBED PROPERTY LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY OF SHAWNEE, OKLAHOMA, TO-WIT: A TRACT OF LAND DESCRIBED AS BEGINNING AT A POINT 1980 FEET SOUTH AND 330 FEET EAST OF THE NORTHWEST CORNER OF THE

NORTHWEST QUARTER (NW/4) OF SECTION TWENTY-ONE (21), TOWNSHIP TEN (10) NORTH, RANGE FOUR (4) EAST OF THE INDIAN MERIDIAN, POTTAWATOMIE COUNTY, OKLAHOMA; THENCE NORTH 330 FEET; THENCE EAST 180 FEET; THENCE SOUTH 330 FEET; THENCE WEST 180 FEET TO THE POINT OF BEGINNING, ACCORDING TO THE RECORDED PLAT THEREOF: FROM R-1; SINGLE FAMILY RESIDENTIAL TO R-1P; SINGLE FAMILY RESIDENTIAL WITH CONDITIONAL USE PERMIT; AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SHAWNEE ACCORDINGLY.

Motion carried 7-0.

AYE: Hall, Stephens, Agee, Harrod, Mainord, Winterringer, Smith

NAY: None

Ordinance No. 2550 NS was adopted by the City Commission.

AGENDA ITEM NO. 7:

Consideration of approval of a Final Plat for Shawnee Marketplace PUD for property located at Interstate 40 and Kickapoo Street, including acceptance of public dedications and a letter of credit in lieu of completion of public improvements, authorizing obtainment of signatures and recording of the final plat.

Case No. S09-14 Applicant: Cates-Clark & Associates

A motion was made by Vice Mayor Harrod, seconded by Commissioner Smith, to approve the final plat for Shawnee Marketplace PUD for property located at Interstate 40 and Kickapoo Street, including acceptance of public dedications and a letter of credit in lieu of completion of public improvements, authorizing obtainment of signatures and recording of the final plat, with the following conditions:

1. The conditions set forth in the Shawnee Marketplace Preliminary Plat and PUD approvals by the City Commission (February 18, 2014) shall continue to apply.
2. Final improvement plans shall be approved by the City Engineer prior to construction.
3. Prior to filing (recording) the final plat, the applicant shall commence with making the required public site improvements in accordance with construction plans approved by the City Engineer or otherwise bond the project or provide other financial assurances in accordance with City code. This requirement shall also apply to Marketplace Boulevard, provided that the street may be phased as noted in the conditions adopted by the City Commission on February 18, 2014.
4. Construction of public and other site improvements shall be in accordance with the engineering plans reviewed and approved by the City Engineer.

5. Traffic signal plans need to be submitted and approved by the City Engineering Department for signals at the Main Entrance (between lot 4 and lot 5) with Kickapoo and signal plan upgrades for the existing signal at Lowes' entrance with Kickapoo.
6. Traffic signal (poles, mast arms, ped crossings, controller box, etc.) at Main Entrance with Kickapoo to match the decorative style signals being currently installed on the Kickapoo Paving Project.
7. Street lighting along Main Entrance and Marketplace Boulevard to be decorative style (selected by City) at an appropriate spacing to provide satisfactory illumination.
8. The access, utility and sign easements provided to Shawnee Marketplace by the Commissioners of the Land Office (CLO) shall be noted (including book and page) and shown on the final plat.
9. All other applicable City standards apply.

Motion carried 7-0.

AYE: Harrod, Smith, Stephens, Agee, Mainord, Hall, Winterringer

NAY: None

AGENDA ITEM NO. 8: Presentation by City Engineer regarding flooding on Buck Drive.

John Krywicki, City Engineer, gave an overview of the area that is having overflow from the creek channel into yards and streets. This area is in a designated flood plain. The old underground storm sewer system seems to be inadequate to move the water during heavy extended rainfall. Mr. Krywicki gave estimates on different ways this could be alleviated with estimated cost for these different approaches. The estimates range between \$3.7 million and \$1.9 million.

City Manager Brian McDougal and some Commissioners mentioned some cities deal with these cost by charging a storm sewer drainage fee.

The Commission agreed they will need to look at ways to improve the water flow as well as ways to fund any projects.

AGENDA ITEM NO. 9: Presentation and update on Visit Shawnee, Inc. by Kinlee Farris, Executive Director, Shawnee Convention and Visitors Bureau.

Ms. Kinlee Farris, Executive Director, Shawnee Convention and Visitors Bureau handed out a list of the Board Appointees of the newly formed Visit Shawnee, Inc. as well as a copy of their first meeting minutes from July 30, 2014. She then introduced Mr. Randy Gilbert, the newly elected Chairman of the Visit Shawnee Inc. Board.

Mr. Gilbert advised committees are being formed, and an attorney has been hired. He advised there is progress on acquiring their 501C6 status and hope to

have a contract to present to the City Commission within the next couple of months.

AGENDA ITEM NO. 10: Discussion, consideration and possible action on an ordinance for adoption of revised Drought Management Plan.

Mr. Steve Nelms, SMA Utility Director, spoke regarding the revision of the current Drought Management Plan. This revision will increase the drought management plan elevation trigger numbers by 2.0 feet and switch the elevation recording values to align with USGS.

A motion was made by Vice Mayor Harrod, seconded by Commissioner Hall, to approve an ordinance adopting a revised Drought Management Plan.

Ordinance No. 2551 NS was introduced.

AN ORDINANCE RELATING TO A DROUGHT MANAGEMENT PLAN FOR THE CITY OF SHAWNEE, OKLAHOMA, REPEALING AND AMENDING SECTIONS 26-67 AND 26-67.1 OF THE SHAWNEE MUNICIPAL CODE, SETTING FORTH VOLUNTARY AND MANDATORY RESTRICTIONS FOR WATER USE IN CASE OF WATER SHORTAGES, PROVIDING FOR PENALTIES, PROVIDING FOR REPEALER, PROVIDING FOR CODIFICATION, PROVIDING FOR SEVERABILITY, AND DECLARING AN EMERGENCY.

Motion carried 7-0.

AYE: Harrod, Hall, Winterringer, Smith, Stephens, Agee, Mainord
NAY: None

Ordinance No. 2551 NS was adopted by the City Commission.

A motion was made by Vice Mayor, seconded by Commissioner Hall, to approve emergency clause relating to Ordinance No. 2551 NS.
Motion carried 7-0.

AYE: Harrod, Hall, Winterringer, Smith, Stephens, Agee, Mainord
NAY: None

AGENDA ITEM NO. 11: Discussion, consideration and possible action concerning use of city facilities as public tornado shelters.

Don Lynch, Emergency Management Director, reported on the problems that face the Emergency Management team, the Police Department and the Fire Department during the time any storm shelter would be needed. The only area available for people to take shelter is in hallways and this causes the occupancy limit to be exceeded. There is also the problem of pets and food and drinks brought into the area. The emergency workers, police and fire need to be able to maneuver the halls and get in and out of the offices.

There is also the problem of people being out in the storm attempting to get to a public shelter when many times with the proper preparations, they could be safe in a substantially built building.

A motion was made by Commissioner Smith, seconded by Commissioner Winterringer, to terminate the use of Shawnee City Hall and Fire Station #3 as public tornado shelters, as recommended by staff. Motion carried 5-2.

AYE: Smith, Winterringer, Agee, Mainord, Hall

NAY: Stephens, Harrod

AGENDA ITEM NO. 12: Acknowledge Sales Tax Report received August 2014.

Cindy Sementelli, Finance Director, reported that August sales tax collected this month was \$1,432,227.00. Compared to last year's, sales tax is down \$34,023.00 or 2.32%. Compared to 2012, sales tax is up \$92,688.00.

AGENDA ITEM NO. 13: City Manager's Report.

City Manager Brian McDougal reported on the following:

- Announced the receipt of Certificate of Achievement for Excellence in Financial Reporting from the Government Finance Officers Association for 2013. CAFR (Comprehensive Annual Financial Reports)
- The Pottawatomie County Commission has approved placing on the November ballot an increase in the land line telephone fee from 10% to 15%, if approved this increase would be added to each land line in the county. They have also placed on the November ballot the request to allow alcohol sales on Sundays in restaurants.

- Attending meeting with Visit Shawnee Inc. representative regarding the “branding” of Shawnee and gather information on how to “brand” the City of Shawnee to other area towns.
- Staff is working on an orientation handbook for new commissioners.
- Additional Street Scape Program is waiting on grant notification.
- There is a need for personnel to be over pool operations. This person needs to be involved while the pool is in progress to learn more about the operation of the pool. Also, may need to expand to an operations and recreation person for development of programs for the pool.
- Meetings scheduled for September and October include: ICMA September 12-20, North Carolina; OML Annual Meeting September 23-25, Oklahoma City; APA October 2-3, Norman; IEDC October 19-22, Texas

AGENDA ITEM NO. 14:

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.

RECESS CITY COMMISSION MEETING BY THE POWER OF THE CHAIR TO CONVENE SHAWNEE AIRPORT AUTHORITY AND SHAWNEE MUNICIPAL AUTHORITY (8:00 P.M.)

RECONVENE CITY COMMISSION MEETING BY THE POWER OF THE CHAIR (8:07 P.M.)

AGENDA ITEM NO. 15:

Consider an Executive Session to discuss Municipal Judge’s performance evaluation and employment contract pursuant to 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 Vice Mayor Harrod, seconded by Commissioner Winterringer, to enter into Executive Session to discuss Municipal Judge’s performance evaluation and employment contract pursuant to 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: Harrod, Winterringer, Smith, Stephens, Agee, Mainord, Hall
NAY: None

COMMISSION ENTERED INTO EXECUTIVE SESSION AT 8:08 P.M. WITH ALL MEMBERS PRESENT.

COMMISSION RECONVENED FROM EXECUTIVE SESSION AT 8:30 P.M. WITH ALL MEMBERS PRESENT.

AGENDA ITEM NO. 16: Consider matters discussed in Executive Session regarding Municipal Judge's performance evaluation and employment contract pursuant to 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. 17: Adjournment

There being no further business to be considered, the meeting was adjourned by power of the Chair. (8:35 p.m.)

WES MAINORD, MAYOR

ATTEST:

DONNA MAYO, DEPUTY CITY CLERK

Regular Board of Commissioners

2.

Meeting Date: 09/02/2014

Resolution P. Stephens

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Consider Resolution of Appreciation to Pam Stephens, Commissioner Ward One of the City of Shawnee.

Attachments

Resolution P Stephens

RESOLUTION NO. 6474

A RESOLUTION EXPRESSING APPRECIATION FOR THE OUTSTANDING SERVICE OF PAM STEPHENS AS COMMISSIONER OF WARD ONE OF THE CITY OF SHAWNEE, OKLAHOMA; PROVIDING THAT SAID RESOLUTION BE SPREAD UPON THE OFFICIAL RECORDS OF THE CITY OF SHAWNEE, OKLAHOMA; AND PROVIDING THAT A COPY HEREOF BE PRESENTED TO THE SAID PAM STEPHENS.

WHEREAS, Pam Stephens was elected Commissioner of Ward One on the 20th day of November, 2006; and

WHEREAS, the said Pam Stephens has demonstrated to be a person of upright character, a good citizen, a friend to many and a worthy representative of the City of Shawnee; and

WHEREAS, the said Pam Stephens has helped make many important decisions affecting thousands of lives in this community by taking a positive approach to the many projects set forth before her; lending her mature judgment and experience to those decisions, all the while maintaining a level of unsurpassed integrity; and

WHEREAS, she has been instrumental in the accomplishments of the City that includes economic and cultural development, public safety, on-going street improvement programs, and beautification of the community; and

WHEREAS, it is both fitting and proper for this governing body to officially recognize the said Pam Stephens for her dedicated performance of the duties and responsibilities as a member of the Board of Commissioners.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF SHAWNEE, OKLAHOMA, that they hereby express their sincere appreciation and gratitude to Pam Stephens for her distinguished service to the City of Shawnee.

BE IT FURTHER RESOLVED that this Resolution be spread upon the official records of the City of Shawnee, Oklahoma, and that a copy hereof be presented to Pam Stephens with the desire that she shall continue to contribute her talents and energy to the betterment of the City, and that she shall enjoy much happiness, good health and good fortune in the years to come.

PASSED AND APPROVED this 2nd day of September, 2014.

WES MAINORD, MAYOR

ATTEST:

PHYLLIS LOFTIS, CMC, CITY CLERK

Regular Board of Commissioners

3.

Meeting Date: 09/02/2014

Resolution J Winterringer

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Consider Resolution of Appreciation to John Winterringer, Commissioner Ward Five of the City of Shawnee.

Attachments

Resolution J Winterringer

RESOLUTION NO.

A RESOLUTION EXPRESSING APPRECIATION FOR THE OUTSTANDING SERVICE OF JOHN WINTERRINGER AS CITY COMMISSIONER OF WARD FIVE OF THE CITY OF SHAWNEE, OKLAHOMA; PROVIDING THAT SAID RESOLUTION BE SPREAD UPON THE OFFICIAL RECORDS OF THE CITY OF SHAWNEE, OKLAHOMA; AND PROVIDING THAT A COPY HEREOF BE PRESENTED TO THE SAID JOHN WINTERRINGER.

WHEREAS, Bob Weaver was appointed on the 5th day of January, 2009 to fill an expired term in Ward Five of the Shawnee City Commission, and was elected to that position at the end of his appointed term. John Winterringer has been the duly elected, qualified and acting Commissioner of Ward Five since that time; and

WHEREAS, the said John Winterringer has demonstrated to be a person of upright character, a good citizen, a friend to many and a worthy representative of the City of Shawnee; and

WHEREAS, the said John Winterringer has contributed to making many important decisions affecting thousands of lives, giving his mature judgment and experience to those decisions, all the while maintaining a level of remarkable integrity; and

WHEREAS, he has been instrumental in the accomplishments of the City that includes economic and cultural development, public safety, on-going street improvement programs, and beautification of the community; and

WHEREAS, it is both fitting and proper for this governing body to officially recognize the said John Winterringer and the accomplishments made in our City as a result of his being here and doing the many things for the progress of the community.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF SHAWNEE, OKLAHOMA, that they hereby express their sincere appreciation and gratitude to John Winterringer for his service to the City of Shawnee.

BE IT FURTHER RESOLVED that this Resolution be spread upon the official records of the City of Shawnee, Oklahoma, and that a copy hereof be presented to John Winterringer with the desire that he shall continue to contribute his talents and energy to the betterment of the City, and that he shall enjoy much happiness, good health and good fortune in the years to come.

PASSED AND APPROVED this 2nd day of September, 2014.

WES MAINORD, MAYOR

ATTEST:

PHYLLIS LOFTIS, CMC, CITY CLERK

Regular Board of Commissioners

4.

Meeting Date: 09/02/2014

Resolution S Smith

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Consider Resolution of Appreciation to Steve Smith, Commissioner of Ward Six of the City of Shawnee.

Attachments

Resolution S Smith

RESOLUTION NO.

A RESOLUTION EXPRESSING APPRECIATION FOR THE OUTSTANDING SERVICE OF STEVE SMITH AS CITY COMMISSIONER OF WARD SIX OF THE CITY OF SHAWNEE, OKLAHOMA; PROVIDING THAT SAID RESOLUTION BE SPREAD UPON THE OFFICIAL RECORDS OF THE CITY OF SHAWNEE, OKLAHOMA; AND PROVIDING THAT A COPY HEREOF BE PRESENTED TO THE SAID STEVE SMITH.

WHEREAS, Steve Smith has been the duly elected, qualified and acting Commissioner of Ward Six since the 15th day of November, 2010; and

WHEREAS, the said Steve Smith has been said to be a man with the courage to fight for what he believes in, a good citizen, and a worthy representative of the City of Shawnee; and

WHEREAS, the said Steve Smith has contributed to making many important decisions affecting thousands of lives, conveying his mature judgment and expertise to those decisions, all the while maintaining a level of unsurpassed integrity; and

WHEREAS, he has been instrumental in the accomplishments of the City that includes economic and cultural development, public safety, on-going street improvement programs, and beautification of the community; and

WHEREAS, it is both fitting and proper for this governing body to officially recognize the said Steve Smith and the accomplishments made in our City.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF SHAWNEE, OKLAHOMA, that they hereby express their sincere appreciation and gratitude to Steve Smith for his distinguished service to the City of Shawnee.

BE IT FURTHER RESOLVED that this Resolution be spread upon the official records of the City of Shawnee, Oklahoma, and that a copy hereof be presented to Steve Smith with the desire that he shall continue to contribute his talents and energy to the betterment of the City, and that he shall enjoy much happiness, good health and good fortune in the years to come.

PASSED AND APPROVED this 2nd day of September, 2014.

WES MAINORD, MAYOR

ATTEST:

PHYLLIS LOFTIS, CMC, CITY CLERK

Regular Board of Commissioners

5.

Meeting Date: 09/02/2014

Presentation Plaques and Resolutions

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Presentation of Resolutions of Appreciation and plaques to Commissioner Pam Stephens, Commissioner John Winterringer and Commissioner Steve Smith.

Regular Board of Commissioners

6.

Meeting Date: 09/02/2014

Swearing in New Commissioners

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Swearing in of Ward I Commissioner Gary Vogel, Ward V Commissioner Lesa Shaw and Ward VI Commissioner Micheal Dykstra by Municipal Judge Robert H. Jones and presentation of Certificates of Election.

RECESS FOR RECEPTION FOR OUTGOING AND INCOMING COMMISSIONERS

RECONVENE

Regular Board of Commissioners

7.

Meeting Date: 09/02/2014

Vice Mayor Appointment

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Commission Appointment of a Vice Mayor (per Article III, Section 6 of City Charter)

Regular Board of Commissioners

9. a.

Meeting Date: 09/02/2014

Bids opened for consideration

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Acknowledge staff will proceed in the instant meeting with the opening and consideration of bids as set forth in SMA Agenda Item No. 3-a.

Regular Board of Commissioners

9. b.

Meeting Date: 09/02/2014

Board or Committee minutes

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Acknowledge the following minutes:

- Shawnee Civic and Cultural Development Authority minutes from June 19, 2014 meeting
 - Visit Shawnee Inc. minutes from July 30, 2014 meeting
-

Attachments

SCCDA Minutes

VSI Minutes

A MEETING OF THE SHAWNEE
CIVIC AND CULTURAL DEVELOPMENT AUTHORITY
JUNE 19, 2014
12:30 P.M.
HEART OF OKLAHOMA EXPOSITION CENTER

THE TRUSTEES OF THE SHAWNEE CIVIC AND CULTURAL DEVELOPMENT AUTHORITY MET FOR THEIR REGULAR SCHEDULED MEETING THURSDAY, MAY 15, 2014 AT 12:30 PM AT HEART OF OKLAHOMA EXPOSITION CENTER, PURSUANT TO NOTICE DULY POSTED AS PRESCRIBED BY LAW. NOTICE WAS FILED AT CITY HALL ON 6/16/2014 AT 3:50PM.

AGENDA ITEM NO.1

CALL TO ORDER.

THE MEETING WAS CALLED TO ORDER AT 12:35 PM BY MR. RANDY GILBERT, CHAIRMAN.

AGENDA ITEM NO.2

ROLL CALL

TRUSTEES PRESENT: MR. KARL KOZEL
MR. RANDY GILBERT
MR. DAVID HARMON
MRS. SUSAN HAVENS
MR. BRIAN MCDUGAL- LATE ARRIVAL

TRUSTEES ABSENT: MR. CASEY BELL
MR. TIM BARRICK

ALSO IN ATTENDANCE: MICHAEL JACKSON, OPERATIONS MANAGER; MIKE CLOVER, STUART & CLOVER, AND MICHAEL MCCORMICK OF THE SHAWNEE NEWS STAR.

AGENDA ITEM NO.3

DECLARATION OF A QUORUM

CHAIRMAN MR. RANDY GILBERT, DECLARED A QUORUM.

AGENDA ITEM NO.4

APPROVAL OF MINUTES OF MAY 2014 MEETING

THE MOTION MADE BY TRUSTEE KOZEL, SECONDED BY TRUSTEE HAVENS TO APPROVE THE MINUTES OF THE MAY 2014 MEETING. MOTION CARRIED.

AYE: GILBERT, HAVENS, HARMON, KOZEL
NAY: NONE
ABSTAIN:

AGENDA ITEM NO.6

APPROVAL OF MONTHLY FINANCIAL REPORT MAY 14

THE MOTION MADE BY TRUSTEE KOZEL, SECONDED BY TRUSTEE HARMON TO APPROVE THE MONTHLY FINANCIAL REPORT FOR MAY 2014. MOTION CARRIED.

AYE: GILBERT, HAVENS, HARMON, MCDUGAL, KOZEL
NAY: NONE
ABSTAIN:

AGENDA ITEM NO.7

APPROVAL OF GENERAL CLAIMS.

THE MOTION MADE BY TRUSTEE KOZEL, SECONDED BY TRUSTEE HAVENS TO APPROVE THE GENERAL CLAIMS. MOTION CARRIED.

AYE: GILBERT, HAVENS, HARMON, MCDUGAL, KOZEL
NAY: NONE
ABSTAIN:

General Claims

A.	Express Services	\$1,123.20
B.	Pitney Bowes	\$295.06
C.	Cintas	\$347.19
D.	ONG	\$992.48
E.	Vision Bank	\$454.04
F.	Bankers Credit Card Services	\$1,062.31
G.	Bankers Credit Card Services	\$45.00
H.	Shawnee Office Systems	\$43.90
I.	Winkler Door Co	\$150.00
J.	Central Disposal	\$840.00
K.	Constellation Energy	\$482.30
L.	AT&T	\$307.39
M.	Titan Security LLC	\$450.00
N.	OG&E	\$11,138.16
O.	Arvest	\$552.96
P.	DEMCO	\$25.00
Q.	Atlas Systems	\$150.00
R.	City Grease Trap	\$200.00
S.	Sparks Heat & AIR	\$90.00
T.	Hunzicker Brothers	\$234.32
U.	MET TEL	\$698.33
V.	INS	\$665.00
W.	City of Shawnee — Surcharge	\$306.00
X.	OK TAX Commission	\$1,018.05
Y.	City of Shawnee — Water	\$398.90
Z.	Shawnee Lighting Systems	\$386.53
AA.	Stuart & Clover	\$412.50
BB.	Finley & Cook	\$262.50

CC.	Titan Security	\$360.00
DD.	Thyssenkrupp	\$902.94
EE.	RBC Insurance	\$7,443.00
FF.	Fuelman	\$1,095.85
GG.	Locke Supply	\$12.24
HH.	Grimsley's	\$160.36
II.	NAPA	\$183.13
JJ.	Cutting Edge Lawns	\$3680.00
KK.	Allegiance Communications	\$199.95
LL.	Fresh Filtered Air	\$650.00
MM.	Express Professionals	\$4185.00
NN.	John Deere Financial	\$388.28
OO.	Dales Plumbing	\$2,610.00
PP.	Environmental Fly Control	\$1,870.00
QQ.	AT&T Mobility	\$46.43

AGENDA ITEM NO. 8

APPROVAL OF SPECIAL EVENT CLAIMS

THE MOTION MADE BY TRUSTEE HAVENS, SECONDED BY TRUSTEE HARMON THAT THE SPECIAL EVENT CLAIMS BE APPROVED. MOTION CARRIED.

AYE: GILBERT, HAVENS, HARMON, MCDUGAL, KOZEL
 NAY: NONE
 ABSTAIN:

Special Claims

A.	One TenBroadcast Group	\$300.00
B.	One TenBroadcast Group	\$1,200.00
C.	DEMCO Printing	\$80.00
D.	Moss Publications	\$495.00
E.	Lee Woodside	\$108.00
F.	Ozarka	\$481.89
G.	The Wrangler	\$495.00

H.	Gist Silversmiths	\$288.00
I.	Monarch Marketing	\$9,975.00
J.	The Roping Pen	\$720.00
K.	Gist Silversmiths	\$2,758.50

AGENDA ITEM NO.9

APPROVAL OF SHAVINGS CLAIMS

NONE

AGENDA ITEM NO.10

DISCUSSION, CONSIDERATION & POSSIBLE ACTION TO APPROVE THE GOVERNMENTAL SERVICE CONTRACT BETWEEN THE CITY OF SHAWNEE AND THE SC&CDA.

THE MOTION MADE BY TRUSTEE HARMON, SECONDED BY TRUSTEE KOZEL TO APPROVE THE GOVERNMENTAL SERVICE CONTRACT. MOTION CARRIED.

AYE: GILBERT, HAVENS, HARMON, MCDUGAL, KOZEL
 NAY: NONE
 ABSTAIN:

AGENDA ITEM NO. 11-16

IFYR UPDATE, COMMITTEE REPORTS, ADMINISTRATIVE REPORTS, OLD BUSINESS, NEW BUSINESS, PUBLIC & TRUSTEE COMMENTS-

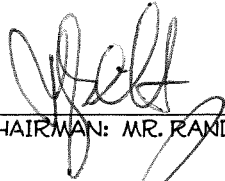
IFYR -ENTRIES STILL TRICKLING IN ALMOST FULL ON STALLS, BARRELS ARE FULL AND CLOSED ALREADY. SUZANNE WITH LAKESIDE CONCESSIONS WILL FEED VOLUNTEERS HERE ON THE 4TH FROM 5-8 HAMBURGERS AND CHIPS WITH VOLUNTEER SHIRTS ON. NO COMMITTEE REPORTS - ADMINISTRATIVE REPORTS - COMFORT STATION REMODELS ARE FINISHED - TRUSTEE COMMENTS -NONE

AGENDA ITEM NO.17

ADJOURNMENT

THE MOTION MADE BY TRUSTEE MCDUGAL, SECONDED BY TRUSTEE HARMON TO ADJOURN MEETING. MOTION CARRIED.

AYE: GILBERT, HAVENS, HARMON, MCDUGAL, KOZEL
 NAY: NONE
 ABSTAIN: NONE


 CHAIRMAN: MR. RANDY GILBERT


 SECRETARY: MR. BRIAN MCDUGAL

VISIT SHAWNEE, INC. (VSI)
July 30, 2014
Shawnee Chamber of Commerce Board Room
131 N. Bell, Shawnee, OK
2:00 p.m.

MINUTES

PRESENT

Randy Gilbert
Suzanne Gilbert
Pat Hughes
Wes Mainord
Brian Morris
Brian McDougal
Jason O'Connor
Jenniffer Podest
Ken Stafford

EX-OFFICIO

Mike Jackson

STAFF

Kinlee Farris
Leitha Cantrell

GUEST

Nancy Keith

ABSENT

Kirit (Kelly) Chandra
Chris Clark
Bill Mayfield
David Whitlock

CALL TO ORDER

Kinlee Farris called the meeting to order at 2:02p.m. A quorum was determined with 8 present and 5 absent.

ELECT EXECUTIVE COMMITTEE

After introductions, Kinlee Farris opened the discussion to elect VSI Executive Committee.

Ken Stafford made a motion to elect Randy Gilbert for Chairperson. Wes Mainord seconded the motion. The motion carried with 8 ayes, 0 nays and 5 absent.

Suzanne Gilbert made a motion to elect Ken Stafford for Vice Chairperson. Wes Mainord seconded the motion. The motion carried with 8 ayes, 0 nays and 5 absent.

Suzanne Gilbert made a motion to elect Brian Morris for Secretary. Ken Stafford seconded the motion. The motion carried with 8 ayes, 0 nays and 5 absent.

VSI Board has 2 open seats, one being the representative for a financial institution. Wes Mainord made a motion to table the selection of a Treasurer until the replacements were nominated. Pat Hughes seconded the motion. The motion carried with 8 ayes, 0 nays and 5 absent.

APPOINT COMMITTEES

Board Development Committee - Suzanne Gilbert - Chair, Wes Mainord, Pat Hughes, and Jenniffer Podest were nominated and selected to be on the Board Development Committee. Their first order of business is to work on nominees for two open board seats, which represent financial institution and arts & culture industries. They will meet and bring nominations back to the board for approval and the nominees will then go to the City of Shawnee commission for full approval before they can be seated.

It was decided that we wait on a financial representative seated on the board before we place nominations for the Budget & Finance Committee.

ESTABLISH MEETING SCHEDULE FOR FISCAL YEAR 2014-2015

After discussion, it was decided that the next VSI Board meeting will be Wednesday August 13, 2014 at 1:30 pm. Due to two open board seats, a more permanent VSI Board Meeting schedule will be established after there is a full board represented. Ken Stafford made a motion to table the permanent meeting schedule decision until the next meeting. Brian Morris seconded the motion. The motion carried with 9 ayes, 0 nays and 4 absent.

Jenniffer Podest entered the meeting at 2:20pm during this item.

DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION FOR NEGOTIATION OF CONTRACTS

- a) Discussion on hiring a VSI attorney - Wes Mainord made a motion to defer this discussion to Executive Committee to review and discuss nominations for an attorney and bring back to the board for full approval. Ken Stafford seconded the motion. The motion carried with 9 ayes, 0 nays and 4 absent.
- b) Discussion of contracting with the City of Shawnee for Administration of Proceeds of Lodging tax AND c) Discussion of transition contract between VSI and Shawnee Chamber – After discussion of the current contract between the City of Shawnee and the Shawnee Chamber regarding the Shawnee Convention & Visitors Bureau (SCVB), the verbiage presented in Bill Geist's report regarding a new contract between the City of Shawnee and VSI, and a transitional contract between the Shawnee Chamber and VSI, a motion was made to table the discussion until a VSI attorney could be hired to help with contract verbiage and negotiations. Brian McDougal made the motion. Ken Stafford seconded the motion. The motion carried with 9 ayes, 0 nays and 4 absent.

DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION TO APPROVE JOB DESCRIPTIONS

Wes Mainord made a motion to defer the review of job descriptions to Executive committee to review, make changes, and recommendations to the full board for approval. Ken Stafford seconded the motion. The motion carried with 9 ayes, 0 nays and 4 absent.

DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION TO HIRE EMPLOYEES, INCLUDING DISCUSSION REGARDING EMPLOYMENT CONTRACT WITH EXECUTIVE DIRECTOR

In this item there was discussion regarding the current SCVB budget and a proposed budget for VSI. Brian McDougal informed VSI board members that the SCVB operates under a half a million dollar annual budget and the budget is derived from the hotel/motel lodging tax, which is remitted to the city of Shawnee. They collect and present monthly payments to the SCVB. The SCVB currently receives 99% of the 5% lodging taxes collected by the city. 1% is held for administrative fees. Randy Gilbert asked that SCVB staff prepare a past and current SCVB budget and set of financials for VSI Board members to review at the next meeting.

Suzanne Gilbert made a motion to defer the hiring of employees and contracting with Executive Director to Executive committee to review and make recommendations to the full board after a budget review. Brian McDougal seconded the motion. The motion carried with 9 ayes, 0 nays and 4 absent.

DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION TO CHOOSE BANK, AUDITOR, AND OTHER FINANCIAL PROFESSIONALS

Ken Stafford made a motion to table this item until a Treasurer is in place and a Budget & Finance Committee is seated. Jenniffer Podest seconded the motion. The motion carried with 9 ayes, 0 nays and 4 absent.

BOARD COMMENTS

Randy Gilbert and Kinlee Farris both thanked the board members for their time and commitment to serve on VSI Board of Directors.

ADJOURNMENT

Wes Mainord made a motion to adjourn the meeting at 3:04 pm. Jason O'Connor seconded the motion. The motion carried with 9 ayes, 0 nays, and 4 absent.



Randy Gilbert, Chairman



Brian Morris, Secretary

Regular Board of Commissioners

9. c.

Meeting Date: 09/02/2014

Budget Amendment Unzner

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Budget Amendment – General Fund

Increase Unzner Groups Budget to accommodate a grant from the Avedis Foundation of \$11,300

Attachments

Budget Amend Unzner

City of Shawnee
Budget Amendment
GENERAL FUND
September 2, 2014

Estimated Revenue, Fund Balance, or Transfers IN

Fund Number	Account Number	Project Code	Line Item	Description	Balance Before Amendment	Amount of Amendment Increase (Decrease)	Balance After Amendment
001	001			UNZNER DONATIONS	-	11,300.00	11,300.00
				Total	11,300.00	11,300.00	

Appropriations

Fund Number	Account Number	Project Code	Line Item	Description	Balance Before Amendment	Amount of Amendment Increase (Decrease)	Balance After Amendment
001	5-0650-5360			RENT	9,932.25	7,500.00	17,432.25
001	5-0650-5378			MISC	7,524.58	2,000.00	9,524.58
001	5-0650-5201			OFFICE /COMPUTER	6,000.00	1,800.00	7,800.00
501							
					23,456.83	11,300.00	

Approved by the City Commission this _____

Approved: _____

Mayor _____

Attest: _____

City Clerk _____

Explanation of Budget Amendment:
TO INCREASE THE UNZNER GROUPS BUDGET TO ACCOMMODATE
A GRANT FROM THE AVEDIS FOUNDATION OF \$11,300.00

Posted By _____ Date _____ BA# _____ Pkt.# _____

Regular Board of Commissioners

9. d.

Meeting Date: 09/02/2014

Budget Amendment CDBG

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Budget Amendment – General Fund

*Appropriate 2014 CDBG Entitlement Grant Funds for
FY 2014-2015*

Attachments

Budget Amend CDBG

City of Shawnee
Budget Amendment - FY 2014-2015
2014 CDBG Entitlement Grant Fund
September 2, 2014

Estimated Revenue or Fund Balance

Fund Number	Account Number	Project Code	Line Item	Description	Balance	Amount of	Balance
					Before	Amendment	After
					Amendment	(Decrease)	Amendment
190	4101	C15		Federal Grant Revenue	-	289,180.00	289,180.00
190	4830	C15		Program Income	-	50,000.00	50,000.00
190	4850	C15		Processing Fees - Legal	-	1,000.00	1,000.00
Total						340,180.00	340,180.00

Appropriations

Fund Number	Account Number	Project Code	Line Item	Description	Balance	Amount of	Balance
					Before	Amendment	After
					Amendment	(Decrease)	Amendment
190	5.1410.5101	C15	14105101	Admin - Regular Salaries	-	24,934.00	24,934.00
190	5.1410.5111	C15	14105111	Admin - FICA	-	789.00	789.00
190	5.1410.5112	C15	14105112	Admin - Medicare	-	184.00	184.00
190	5.1410.5201	C15	14105201	Office & Computer Supplies	-	1,500.00	1,500.00
190	5.1410.5250	C15	14105250	Other Materials & Supplies	-	550.00	550.00
190	5.1410.5304	C15	14105304	Repair & Maintenance-Vehicle	-	450.00	450.00
190	5.1410.5310	C15	14105310	Legal Services	-	2,000.00	2,000.00
190	5.1410.5325	C15	14105325	Telephone	-	500.00	500.00
190	5.1410.5329	C15	14105329	Postage & Shipping	-	1,700.00	1,700.00
190	5.1410.5339	C15	14105339	Other Contractual Services	-	2,500.00	2,500.00
190	5.1410.5356	C15	14105356	Land & Building Rental	-	11,724.00	11,724.00
190	5.1420.5101	C15	14205101	Rehab - Regular Salaries	-	129,657.00	129,657.00
190	5.1420.5102	C15	14205102	Rehab - Overtime	-	2,000.00	2,000.00
190	5.1420.5104	C15	14205104	Rehab - Longevity	-	1,810.00	1,810.00
190	5.1420.5111	C15	14205111	Rehab - FICA	-	7,430.00	7,430.00
190	5.1420.5112	C15	14205112	Rehab - Medicare	-	1,737.00	1,737.00
190	5.1420.5113	C15	14205113	Rehab - Health Insurance	-	10,626.00	10,626.00
190	5.1420.5114	C15	14205114	Rehab - Life Insurance	-	118.00	118.00
190	5.1420.5115	C15	14205115	Rehab - OMRF	-	15,773.00	15,773.00
190	5.1420.5370	C15	14205370	Housing Rehabilitation	-	124,198.00	124,198.00
Total						340,180.00	340,180.00

Approved by the City Commission this
2 day of September, 2014.

Explanation of Budget Amendment:
Appropriate 2014 CDBG Entitlement Funds for FY 2014-2015

Approved:

Mayor

Attest:

City Clerk

Posted By _____ Date _____ BA# _____ Pkt.# _____

Regular Board of Commissioners

9. e.

Meeting Date: 09/02/2014

Solicit proposals for snow and ice and debris removal

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Authorize staff to solicit proposals for providing snow and ice removal assistance, debris removal assistance, and debris monitoring assistance.

Attachments

Request Snow Removal

City of Shawnee Memorandum



To: Honorable Mayor and City Commissioners
Through: Brian McDougal, City Manager
From: Donald D. Lynch, Emergency Management Director
Date: August 28, 2014
Re: Request to Advertise for Proposals for Services

NATURE OF THE REQUEST:

I am writing to request your permission to advertise for proposals to provide services for snow and ice removal, debris removal and debris removal monitoring services for the City.

STAFF ANALYSIS /CONSIDERATIONS:

Standard practice has been for the past few years to solicit contract firms to aid our City Street crews if needed in removing snow and ice from the designated Snow Routes in the City. In preparation for the winter season, we are requesting permission to continue this practice.

Additionally, we have received approval from the State and the Federal Emergency Management Agency on our disaster/emergency debris management plan. In that plan, we have identified the task of developing stand-by contracts with firms to provide debris removal and debris removal monitoring services in the event we need them. Following Hurricane Sandy, FEMA reinstated their pilot program for debris management. By having the contracts in place and the approved plan, the City will receive an additional 2% Federal assistance for debris management in future declared disasters.

RECOMMENDATION:

Staff recommends approval.

BUDGET CONSIDERATION:

The cost of advertising for these service is included in our Departmental budget for the year.

The cost of actually contracting for these services will come from one of the following sources:

Existing Departmental Budgets

City Manager's Emergency Spending Authority

A Budget Amendment Request to the City Commission Following the Onset of an Event

Thank you for your favorable attention to this request.

Regular Board of Commissioners

12.

Meeting Date: 09/02/2014

Presentation of Appreciation

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Presentation of appreciation to Lowe's Hero Program, Wal-Mart, and K&J Construction for donations of labor and materials for the Police Department gym and K-9 training area.

Regular Board of Commissioners

13.

Meeting Date: 09/02/2014

Appeal of demolition Administrative Order

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Discussion, consideration and possible action on Pamela Johnson's appeal of an Administrative Order requiring the demolition of the residential structure located at 618 E. Oakland.

Attachments


Memo and Photos 618 E Oakland

Appeal 618 E Oakland



City of Shawnee
Community Development Department
222 N. Broadway
Shawnee, OK 74801
(405) 878-1665 Fax (405) 878-1587
www.ShawneeOK.org

MEMORANDUM

AGENDA: September 2, 2014
TO: Shawnee City Commission
FROM: Justin Erickson, Community Development Director 
RE: Appeal of Administrative Order (Johnson), 618 E. Oakland

SUMMARY

On August 14, 2014 an Administrative Order was issued requiring the dismantling and removal of the residential structure located at 618 E. Oakland. A public hearing was held at 9:45 AM and the legal owner, Pamela Johnson was not present. It was determined that the structure met the statutory definition of “dilapidated” and that the public interest would be best served by removal of the building.

Shawnee Municipal Code provides in Section 7-582(a)(6) that:

The property owner shall have the right of appeal to the city commission from any order of the community development director. Such appeal shall be taken by filing written notice of appeal, clearly stating all grounds upon which the appeal is based, with the city clerk within ten days after the administrative order is rendered.

Ms. Johnson appealed the decision of the Administrative Hearing Officer on August 14, 2014.

BACKGROUND

The subject property has been cited and/or investigated as follows:

DATE	VIOLATION
June 2004	Abandoned Vehicle
June 2004	Junk/Trash
January 2006	Junk/Trash
January 2006	Abandoned Vehicle
October 2007	Tall Grass/Weeds
October 2007	Junk/Trash
October 2007	Abandoned Vehicle

December 2008	Junk/Trash
December 2008	Fence
October 2009	Tall Grass/Weeds
August 2011	Junk/Trash

Ms. Johnson filed for a building permit in March 2014; however, the permit was never picked up and no work has been done.

Photographs are attached that indicate the condition of the property. In summary, the property is in a severe state of disrepair due to a lack of maintenance. It has not had City water service since December 2009 and there are numerous major system and structural issues with the building (electrical, roofing, foundation, etc.). In addition, there is junk and debris on the property, which is also in violation of City code.

According to the Pottawatomie County Assessor, the building is 684 square feet and was built in 1940.

RECOMMENDATION

Staff is sympathetic to Ms. Johnson’s request given the fact that she clearly intended to be present for the public hearing. The public hearing notice does clearly state the address of the hearing however, and the property has an extensive history of code violations.

Staff has no objection to the City Commission nullifying the Administrative Order and providing Ms. Johnson with 60 days to submit a remodel permit and begin repairs on the property.

If Ms. Johnson does not proceed in due course on the improvements, Staff will proceed with appropriate administrative action after the 60 days has passed.

Attachments

BEFORE THE ADMINISTRATIVE HEARING OFFICER FOR THE
CITY OF SHAWNEE, COUNTY OF POTTWATOMIE
STATE OF OKLAHOMA

ADMINISTRATIVE ORDER

Now, on this 14 day of August, 2014 this matter comes on for hearing at the appointed time pursuant to the Notice of Hearing Concerning Dilapidated Building(s), a copy of which is attached hereto and made a part hereof. The Code Enforcement Officer for the City of Shawnee appeared on behalf of said City and the Respondent:

/ / appeared _____

/ / represented by legal counsel or other representative. _____

failed to appear.

The Hearing Officer finds that due and proper service was made on Respondent at least ten (10) days prior to the date of this hearing. After having carefully reviewed the record and evidence herein, and having heard the evidence and testimony of the Code Enforcement Officer and the Respondent, if any, the Hearing Officer further finds that the subject building(s) is/are dilapidated and detrimental to health, safety, and welfare of the general public or the community, create(s) a fire hazard dangerous to other property, and that the subject property would be benefited by the removal of the subject building(s).

IT IS THEREFORE ORDERED that: (Address) 618 E. Oakland

1) The Respondent shall commence the:

(a) Dismantling and removal of the building(s)

(b) / / The remodel of such structures(s)

(c) / / Board and secure structure(s)

2) If Respondent shall fail to perform the work within the dates fixed, the City shall cause such work to be done and the costs of such work, including all notices required in connection herewith, shall be assessed and collected in accordance with City Code Section 7-582.

3) Permits shall be obtained prior to September 15, 2014 and shall complete such work no later than October 15, 2014.

Not Present
Property owner or Representative

Justin Erickson
Justin Erickson
Administrative Hearing Officer
City of Shawnee, Oklahoma

**You have 10 days to appeal this
to the City Commission.**

NOTICE OF HEARING CONCERNING DILAPIDATED BUILDING(S)

To Owners, Heirs, and Claimants of an interest in the following described real property located in Shawnee, Pottawatomie County, Oklahoma:

**PAMELA JOHNSON
1211 E WALLACE

SHAWNEE OK 74801**

**PAMELA JOHNSON
(Owners, Heirs, and Claimants)**

Problem Property: 618 E OAKLAND ST

Legal Description: AP BLOCK C BEARDS BLOCK 3 OAKLAND PARK BLOCK 1 E100 LOTS 8 & 9

It has been reported to the City of Shawnee that there exists on the above property one or more Dilapidated Building(s), the condition of which is contrary to the laws and ordinances of said City. The condition(s) which render(s) the building(s) dilapidated or otherwise detrimental to the health, safety, or welfare of the general public or the community is/are as follows: **DILAPIDATED STRUCTURE SHALL BE RAZED AND REMOVED AND LOT CLEARED OF ALL DEBRIS. (SEE ATTACHED INSPECTORS REPORT FOR ABOVE MENTIONED CONDITIONS)**

A public hearing will be held by and before a hearing officer of said City Planning department at 222 N. Broadway at 9:45 A.M. on **Thursday, August 14, 2014**; where testimony and any other evidence as to such building(s) and the condition thereof will be received and considered; a determination made; and order(s) issued as to whether;

1. Such report is true;
2. The property is dilapidated and has become detrimental to the health, safety or welfare of the general public or the community, or creates a fire hazard dangerous to other property or that the property would be benefited by removal of such condition; and
3. The dilapidated building(s) shall be torn down and removed.

If the hearing officer determines that the Report is true and/or that the property is dilapidated and has become detrimental to the health, safety or welfare of the general public or the community, or creates a fire hazard dangerous to other property or that the property would be benefited by removal of the building(s), the a reasonable time period will be fixed during which you must dismantle and remove the dilapidated building(s). If you do not do so within the allotted time, the City will cause the dilapidated building(s) to be dismantled and removed, and the City Clerk of said City shall cause to be filed a lien against said property for cost and expenses of the work performed by the City and of notice(s) given in connection therewith. In addition, such costs with interest thereon shall be levied on the property and collected by the County Treasurer as are other taxes; and/or the City may pursue legal action to foreclose the lien against the property and/or to collect such cost from you personally.

YOUR FAILURE TO ATTEND THE HEARING WILL RESULT IN THE IMMEDIATE REMOVAL OF THE DILAPIDATED BUILDING(S), PURSUANT TO THE ABOVE-STATED PROCEDURE, WITHOUT FURTHER NOTICE TO YOU. IF YOU HAVE ANY QUESTIONS PLEASE CALL 405-878-1602

DATED: Wednesday, July 16, 2014

THE CITY OF SHAWNEE, OKLAHOMA
A MUNICIPAL CORPORATION

By: *[Signature]*
ACTION CENTER / CODE ENFORCEMENT

for Jarrel Cooper

7-16-14 Posted per in paper 8-3-14

*8-15-14 memo to Dennis Gordon
Demop panel 9-15-14*

LEGALS

LEGALS

**NOTICE OF HEARING CONCERNING
DILAPIDATED BUILDING(S)**

To Owners, Heirs, and Claimants of an interest in the following described real properties located in Shawnee, Pottawatomie County, Oklahoma.

It has been reported to the City of Shawnee that there exists on the following properties one or more Dilapidated Building(s), the condition of which is contrary to the laws and ordinances of said City. The condition(s) which render(s) the building(s) dilapidated or otherwise detrimental to the health, safety, or welfare of the general public or the community is/are as follows: DILAPIDATED STRUCTURE SHALL BE RAZED AND REMOVED AND LOT CLEARED OF ALL DEBRIS.

A public hearing will be held by and before a hearing officer of said City Planning department at 222 N. Broadway on Thursday, August 14, 2014 (at the times listed below); where testimony and any other evidence as to such building(s) and the condition thereof will be received and considered; a determination made; and order(s) issued as to whether;

1. Such report is true;
2. The property is dilapidated and has become detrimental to the health, safety or welfare of the general public or the community, or creates a fire hazard dangerous to other property or that the property would be benefited by removal of such condition; and
3. The dilapidated building(s) shall be torn down and removed.

PROPERTIES IN VIOLATION AND TIME OF HEARINGS

9:00 AM 116 S DRAPER – BROWN'S BLOCK 3 LOTS 6 & 7 – JENNIFER L PHIPPS / GARY & LINDA GRAY

9:30 AM 912 W BENEDICT – HOFFMANS BLOCK 6 W75' LOTS 8 THRU 14 – EDITH & JAMES HEWETT

9:45 AM 618 E OAKLAND – AP BEARDS C BLOCK 3 OAKLAND PARK BLOCK 1 E100' LOTS 8 & 9 – PAMELA JOHNSON

10:15 AM 716 S BEARD – AP BLOCK 151 LOTS 17 & 18 -- OZELIA BRIGHT

10:30 AM 528 N LOUISA – FRUITS BLOCK 1 LOTS 15 & 16 – ARNOLD GADDY

If the hearing officer determines that the Report is true and/or that the properties are dilapidated and has become detrimental to the health, safety or welfare of the general public or the community...



Date Produced: 07/28/2014

THE CITY OF SHAWNEE:

The following is the delivery information for Certified Mail™ item number 7108 2133 3934 1434 1696. Our records indicate that this item was delivered on 07/25/2014 at 01:42 p.m. in SHAWNEE, OK 74801. The scanned image of the recipient information is provided below.

Signature of Recipient : *Sandra R. Johnson*
Pamela R. Johnson

Address of Recipient : *618 E. OAKLAND.*

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely,
United States Postal Service

The customer reference number shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

Customer Reference Number: 1371434 20557849618.E.OAKL-ACT

91 7108 2133 3934 1434 1696

Confirmation
Services

Package ID: 9171082133393414341696
Destination ZIP Code: 74801
Customer Reference: 618.E.OAKL-ACT
Recipient: _____
Address: _____

Electronic Return Receipt
First Class Letter

PBP Account #: 20557849
Serial #: 1371434
JUL 16 2014 4:41 PM

City of Shawnee

BOX 1448
SHAWNEE, OK 74802-1448

ACTION CENTER
RETURN SERVICE REQUESTED

618 E Oakland AC

PAMELA JOHNSON
1211 E WALLACE

SHAWNEE OK 74801

1 of 1

Basic Information

0135-00-001-009-0-000-00

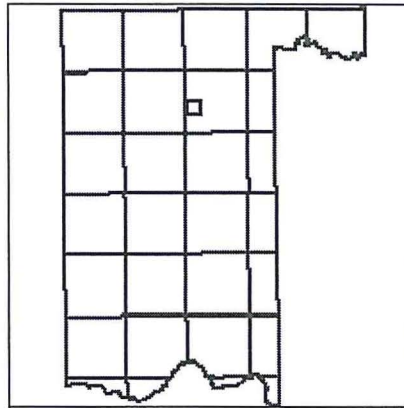
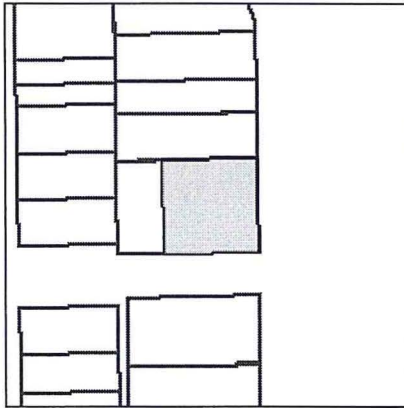
Addition : Beards AP Blk C & AP Blk 3 Oak Park

Block : 001

Lot : 009

Deed Book : 2008

Deed Page : 6584



Map Parcel

Owner(s)

**JOHNSON PAMELA
618 E OAKLAND
SHAWNEE, OK 74801**

Parcel Location

**618 E OAKLAND
SHAWNEE OK
Shawnee (93-R School Dist)**

Parcel Value

Assessed Values

\$330

\$660

: Land :

: Improvement :

: Other :

Market Values

\$2,750

\$5,500

Exemption : \$990

Estimated Tax : \$0

Legal Description

AP BLK C BEARDS BLK 3 OAKLAND PARK BLK 1 E100' LOTS 8 & 9

Sales Information

<p><u>Apr 18, 2008</u> Grantor : JOHNSON PAMELA & SHANNON Grantee : JOHNSON PAMELA Book : 2008 Page : 6584 Instrument : QC</p>

Building (Improvement) Information

<p>One Story 684' Traditional One Story Quality : D+ Roof Mat. : Composition Shingle Gable Roof Exterior Wall : Asbestos Conventional Foundation Average Interior Average Flooring 2 Bedrooms 1 Bathroom 4 Rooms Heat/Air : Window Unit Heat/Air : Floor/Wall Furnace Built in 1940 Condition : Fair Depr Table : DF Single Family Open Porch</p>
--

Land Information

<p>90' X 100' 1.5 Lots \$1,833.33 per Unit</p>
--

Memorandum



Location of problem: **618 E. Oakland**

This report is for the main dwelling.

Notice has been given to the property owner on file at the county courthouse that the above-described property has been reported as being a dilapidated structure. An inspection has been made on the site and the following conditions were noted:

Conditions: I find the property appears to have a dilapidated structure. This property is in a state of decay and disrepair due lack of maintenance. This structure has multiple structure and cosmetic issues due to the lack of maintenance. These issues create an environment of dilapidation and cause a blight on the neighborhood. As for the above-mentioned conditions, the property has become detrimental to the health, safety and welfare of the general public and the community. The conditions of all structures are a fire hazard to the surrounding community and the removal of such conditions would be beneficial.

All trash and debris inside and out of the structure, if any, shall be removed from the property and this office shall order the utilities removed. All brush and vegetation shall be removed from the lot immediately.

A handwritten signature in black ink, appearing to read "Paul W. ...".
Assistant Building Inspector
July 15, 2014

INSPECTIONS



Property

Type

Premises

Address

618 E OAKLAND ST

Intersection

618 E OAKLAND

Edit

Accounts | General | Contacts | Information | Comments | Notes | Incidents

Incident	Date	Code	Status	P	Group	
1175	6/09/2004	A-DERELICT	Closed	1	CODEOFFICER	Resolve: OWNER CLEANED 7/06/2004
1176	6/09/2004	A-JUNK TRA	Closed	1	CODEOFFICER	Resolve: OWNER CLEANED 7/09/2004
9794	1/25/2006	A-JUNK TRA	Closed	1	CODEOFFICER	Resolve: OWNER CLEANED 5/02/2006
9795	1/25/2006	A-DERELICT	Closed	1	CODEOFFICER	Resolve: OWNER CLEANED 4/18/2006
20422	10/09/2007	A-TALL GRA	Closed	1	CODEOFFICER	Resolve: OWNER CLEANED 1/09/2008
20423	10/09/2007	A-JUNK TRA	Closed	1	CODEOFFICER	Resolve: OWNER CLEANED 1/09/2008
20424	10/09/2007	A-DERELICT	Closed	1	CODEOFFICER	Resolve: OWNER CLEANED 1/09/2008
27047	12/04/2008	A-JUNK TRA	Closed	1	CODEOFFICER	Resolve: OWNER CLEANED 4/09/2009
27048	12/04/2008	A-FENCE NE	Closed	1	CODEOFFICER	Resolve: OWNER CLEANED 4/09/2009
31262	10/01/2009	A-TALL GRA	Closed	1	CODEOFFICER	Resolve: OWNER CLEANED 11/06/2009
39675	8/15/2011	A-JUNK TRA	Closed	1	CODEOFFICER	Resolve: OWNER CLEANED 1/24/2012
51167	2/20/2014	A-JUNK TRA	Closed	1	CODEOFFICER	Resolve: UNFOUNDED 8/22/2014
51603	3/28/2014	B-PLAN APP	Closed	1	BUILDINGINSP	Resolve: DONE 4/09/2014
51616	3/28/2014	EN-FLOODPL	Closed	1	ENGINEERING	Resolve: ACCEPTED 3/28/2014
51617	3/28/2014	EN-FINAL R	Closed	1	ENGINEERING	Resolve: DONE 3/28/2014
53167	7/15/2014	A-DILAPIDA	Active	2	ACTION CNTR	Next Task: VALIDATE DEMOLITION 9/15/20

Return

618 E OAKLAND 7-9-14 m















WILSON KIND POSTER HANGING 1-16-14 YAW



07/16/2014 08:46

To Whom it may concern:

I wish to appeal the ruling that code enforcement levied on me and my property at 618 E. Oakland.

I realize that code enforcement has their routine that they are comfortable with; while I, on the other hand am not familiar with their procedures.

I was under the assumption that the hearing would be held at city hall. I arrived early and the court clerk advised me that it wasn't here and to go to the County Courthouse. After checking with the County Clerk, they advised me that it was a City of Shawnee matter. I went to Code Enforcement. My hearing was scheduled at 9:45.

I arrived at code enforcement at 10:00. The City of Shawnee had condemned my home by default. I am disabled. I have a titanium steel cage implanted in my lower lumbar region of my back.

This disability requires
me to use a large walker.
With both the city & county
bldg's not being ADA compliant,
I feel that I wasn't
treated with fairness or
respect. I therefore ask
that the decision to Raze my
Home to the ground be
nullified

Kindest Regards
Pamela Johnson

8/14/2014

Pamela Ruth Johnson

2 of 2

RECEIVED

AUG 14 2014

PLANNING / CODE

Regular Board of Commissioners

14.

Meeting Date: 09/02/2014

Resolution Cancelling Municipal Election

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Discussion, consideration and possible action on a resolution canceling the municipal election putting to the voters of Shawnee Ordinance No. 2549 NS amending the Charter of the City of Shawnee set for November 4, 2014, and notifying the Pottawatomie County Election Board of the cancellation.

Attachments

Resolutiion Cancel Election

RESOLUTION NO. _____

A RESOLUTION CANCELLING A SPECIAL ELECTION IN THE CITY OF SHAWNEE, OKLAHOMA ON TUESDAY THE 4th DAY OF NOVEMBER, 2014, FOR THE PURPOSE OF SUBMITTING TO THE REGISTERED QUALIFIED VOTERS OF SAID CITY THE QUESTION OF APPROVAL OF ORDINANCE NO. 2549NS, AND NOTIFYING THE POTTAWATOMIE COUNTY ELECTION BOARD OF THE CANCELLATION.

WHEREAS, the Mayor and Board of Commissioners of the City of Shawnee, Oklahoma, has passed Ordinance No. 2549NS, which amends the Charter of the City of Shawnee Article II; and

WHEREAS, according to the provisions of Title 26, Oklahoma Statutes, Section 13-102, the City submitted Resolution No.6473 calling for an election to be set November 4, 2014 to the Pottawatomie County Election Board; and

WHEREAS, the Mayor and City Commissioners have determined that an election should not be held:

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND BOARD OF COMMISSIONERS OF THE CITY OF SHAWNEE, OKLAHOMA:

Section 1: That the special election previously scheduled for the 4th day of November, 2014, be and it hereby is cancelled.

Section 2: That the City Clerk immediately notify the Pottawatomie County Election Board of the passage of this resolution and the cancellation of the election.

ADOPTED THIS 2nd day of September, 2014.

WES MAINORD, MAYOR

Attest:

PHYLLIS LOFTIS, CMC, CITY CLERK

Approved as to form and legality this ____ day of September, 2014.

MARY ANN KARNS, CITY ATTORNEY

Regular Board of Commissioners

15.

Meeting Date: 09/02/2014

Retirement Lump Sum F Couch

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Consider Oklahoma Municipal Retirement Fund Lump Sum payment from Defined Benefit Plan and refund of contributions from the Defined Contribution Plan for Fred Lee Couch.

Regular Board of Commissioners

16.

Meeting Date: 09/02/2014

Resolution Surplus Vehicles

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Consider a resolution to surplus a 2001 Chevrolet pickup and a 1995 Chevrolet truck and donate to the Shawnee Civic and Cultural Development Authority.

Attachments

Surplus to Expo

RESOLUTION NO. _____

A RESOLUTION DECLARING CERTAIN ITEMS OF PERSONAL PROPERTY SURPLUS AND NO LONGER NEEDED FOR CITY PURPOSES; DESCRIBING SAID ITEMS; AND AUTHORIZING THE TRANSFER OF SAID ITEMS TO THE SHAWNEE CIVIC AND CULTURAL DEVELOPMENT AUTHORITY FOR USE AT THE EXPO CENTER.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF SHAWNEE, OKLAHOMA:

That the items of personal property are described as set out below:

1995 Chevrolet Pickup 1GBJK34N9SE156957 Unit No. 2911

2001 Chevrolet Pickup 1GCEC14W51Z274860 Unit No. 1717

Said property is hereby declared city owned items which are surplus items no longer needed for city purposes; that the City of Shawnee is authorized to transfer said items to the Shawnee Civic and Cultural Development Authority for use at the Expo Center

Adopted this 2nd day of September, 2014.

WES MAINORD, MAYOR

(SEAL)

ATTEST:

PHYLLIS LOFTIS, CMC, CITY CLERK