

AGENDA
BOARD OF CITY COMMISSIONERS
November 18, 2013 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 Agenda:
2. Consider approval of Consent Agenda:
 - a. Minutes from the November 4, 2013 regular meeting and the November 12, 2013 special called retreat meeting.
 - b. Budget Amendment CDBG Entitlement Grant Fund 2013
 - c. Acknowledge the following minutes and reports:
 - Planning Commission minutes from the October 2, 2013 meeting
 - License Payment Report for October 2013
 - Project Payment Report for October 2013
 - d. Acknowledge Commission and Related Authorities meeting schedule for 2014
 - e. Acknowledge Wes Watkins Oversight Committee Meeting schedule and final budget data for 2012-13 season
 - f. Authorize staff to advertise for bids on construction of an observation tower at the Police Department gun range
 - g. Approve agreement with AT&T for telephone service
 - h. Lake Lot Leases:

Renewals

- Lot 4 Coffman Tract, 15401 Perry Road
Perry Gatewood and Elizabeth Gatewood
- Lot 24/25 Belcher Tract, 33504 Post Office Neck
Scott Lackey

- Lot 6 Renfro Tract, 15812 Sleepy Hollow Road
Lesalee Hinkle

- Lot 8 Eckel Tract, 15203 Eckel Road
Henry Davis

j. Authorize purchase of two staff vehicles from the state contract price and amend budget (Fund 301) for purchase of these vehicles

k. Authorize staff to advertise for bids for ADA compliant restroom at City Hall

3. Commissioners Comments

4. Citizens Participation

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

5. Presentation and progress report by Municipal Pool Finance Committee regarding fund raising.

6. Consider approval of a revised preliminary plat for Belmont Park Addition located on the northeast corner of Acme and MacArthur.
Case #S07-13B Applicant: Justin Ramer

7. Consider approval of a final plat for Belmont Park Addition located on the northeast corner of Acme and MacArthur.
Case #S07-13 Applicant: Justin Ramer

8. Public hearing and consideration of an ordinance modifying rules applicable to vehicles for hire/taxicabs contained within Chapter 8, Article X of the Shawnee Municipal Code.
Public hearing continued from November 4, 2013 meeting.

9. Consider an ordinance on façade requirements in commercial zoned districts.

10. Consider an ordinance amending the No Parking on portions of certain streets and naming the streets where parking is prohibited.
Added no parking on E. Chicago from Union west to mid-block, both sides of street, as approved 11-04-13

11. Acknowledge Sales Tax Report received November 2013.

12. City Manager's Report

13. New Business

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

14. Administrative Reports

15. 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

2. a.

Meeting Date: 11/18/2013

Minutes Reg Mtg 11-4-13 and Spec Mtg 11-12-13

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Minutes from the November 4, 2013 regular meeting and the November 12, 2013 special called retreat meeting.

Attachments

Regular Mtg 11-4-13

Special Call Mtg 11-12-13

BOARD OF CITY COMMISSIONERS PROCEEDINGS
NOVEMBER 4, 2013 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, November 4, 2013 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

Lord's Prayer led by Mayor Mainord

FLAG SALUTE

Led by Commissioner Hall

AGENDA ITEM NO. 1:

Consider approval of Agenda.

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

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

NAY: None

AGENDA ITEM NO. 2:

Consider approval of Consent Agenda:

- a. Minutes from the October 21, 2013 regular meeting.
- b. Acknowledge the following minutes:
 - Traffic Commission minutes from September 24, 2013
 - Shawnee Civic and Cultural Development Authority minutes from September 19, 2013
- c. Acknowledge Pioneer Library Audit Report for Fiscal Year ended June 30, 2013
- d. Acknowledge Oklahoma Municipal Retirement Fund refund of contributions from the Defined Contribution plan for Sherry Bumgarner
- e. Approve contract with City Manager Brian McDougal
- f. Approve request to purchase Bunker Gear for the Fire Department
- g. Mayor's Committee/Board Appointments:
Shawnee Library Board

<u>Name</u>	<u>Replaces- Termed Out</u>	<u>Term Expires</u>
Cherity Pennington	Allison Brown	6-30-2016
Dephanie Lilite	Starla Howard	6-30-2016

- h. Traffic Commission Recommendations
 - A. Consideration of request by Staff to reduce the speed limit in residential areas from 30 mph to 25 mph

STAFF RECOMMENDATION: Staff recommends approval of request
BOARD RECOMMENDATION: Board recommends denial of request

- B. Consideration of request by Julia Storie, to have no parking along Chicago from Union west to mid-block on both sides of the street from 2:00 pm to 3:30 pm Monday thru Friday

STAFF RECOMMENDATION: Board recommends approval of request
BOARD RECOMMENDATION: Board recommends approval of request

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

A motion was made by Vice Mayor Harrod, seconded by Commissioner Winterringer, to approve the Consent Agenda Item Nos. a-g, less item h. Motion carried 7-0.

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

Regarding Agenda Item No. 2(h)(A), Vice Mayor Harrod asked if this was for all residential street and City Manager Brian McDougal confirmed that it was. City Engineer John Krywicki advised it was not for arterial or collector streets or any other street where the speed limit is posted otherwise. Mr. Krywicki noted the Traffic Commission board did not agree with the Staff's recommendation and denied the request. The Traffic Commission board recommended the residential speed limit remain at 30 mph.

A motion was made by Vice Mayor Harrod, seconded by Commissioner Smith, to approve Consent Agenda Item No. 2(h)(A) per Staff's recommendation. Motion carried 7-0.

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

A motion was made by Commissioner Stephens, seconded by Commissioner Winterringer, to approve the Consent Agenda Item No. 2(h)(B). Motion carried 7-0.

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

AGENDA ITEM NO. 3: Commissioners Comments

Commissioner Smith asked how much it would cost to hire Bill Geist to help guide the City and Shawnee Chamber of Commerce through the process of separating the Convention and Visitors Bureau (CVB) from the Chamber, per Mr. Geist's recommendation. City Manager Brian McDougal advised that the Chamber has inquired into that also and it would cost \$14,000.00, plus expenses, according to Nancy Keith with the Chamber.

City Manager Brian McDougal advised that the retreat has been scheduled for November 12, 2013 at 6:30 p.m. at the Heart of Oklahoma Exposition Center.

Vice Mayor Harrod said that the alley behind the annex looks nice.

Mayor Mainord thanked the Fire Department for having their trucks out during Halloween. The Mayor also inquired about a start date for recycling. The City Manager responded that staff was moving forward and working with Central Disposal to accomplish this as soon as possible, although it may not happen until March 2014.

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

Jim Kinnamon would like to withdraw his request for the building being donated to the City from Oklahoma Baptist University (OBU). He would like a building to display the Navy memorabilia.

City Manager advised that the donated pillars are very stout and difficult to remove. The City will try to remove and relocate them. He also advised that OBU has taken down the building and donated the rocks to the City.

AGENDA ITEM NO. 5: Mayor's Proclamation's:

"America Recycles Day"
November 15, 2013

No one appeared to accept the Mayor's Proclamation for "America Recycles Day" presented by Mayor Mainord.

"Winter Weather Preparedness Day"
November 13, 2013

Emergency Management Director Don Lynch accepted the Mayor's Proclamation for "Winter Weather Preparedness Day" presented by Mayor Mainord.

AGENDA ITEM NO. 6: Public hearing and consideration of an ordinance modifying rules applicable to

vehicles for hire/taxicabs contained within Chapter 8, Article X of the Shawnee Municipal Code.

Community Development Director Justin Erickson provided a staff report. This proposed ordinance revises existing rules. It (1) requires tax meters and moves away from the zone map; (2) allows the fee schedule to be reviewed on an annual basis; (3) sets out a procedure for complaints; the Commission can revoke a taxicab licenses; and (4) provides that the insurance is consistent with state law.

Commissioner Hall asked if both taxicab companies are in agreement with the proposed ordinance. Staff advised that they both agree to the fee readjustments although Executive Cab would prefer to keep the zone system.

Mayor Mainord declared a public hearing in session to consider an ordinance modifying rules applicable to vehicles for hire/taxicabs contained within Chapter 8, Article X of the Shawnee Municipal Code. Mr. Tony Sampson with Castle Cab appeared and took issue with several items contained in the ordinance.

No one else appeared to speak in favor or opposition of this ordinance.

Due to some of the issues raised, it was decided to continue this item to the next regular city commission meeting. The Mayor declared the public hearing remain open until this issue is next considered. Commissioner Stephens requested that both taxicab companies and staff meet for further discussion prior to the next meeting.

A motion was made by Commissioner Stephens, seconded by Commissioner Hall, to continue the public hearing and consideration of this ordinance to the November 18, 2014 City Commission meeting. Motion carried 7-0.

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

NAY: None

AGENDA ITEM NO. 7:

Discussion and presentation concerning the requirement or non-requirement of façade treatments in commercial zoning districts.

Community Development Director Justin Erickson addressed this item stating that the City of Shawnee does not currently have any design standards for commercial buildings. The Planning Commission is currently examining zoning code requirements citywide and expects to have a revised zoning code completed by mid-2014. Mr. Erickson provided Commissioners with a Power Point

presentation showing various businesses throughout the city and the differing facades used for metal buildings. Staff is proposing the following requirements for new construction as a stop-gap measure for businesses for the next six months until the new zoning code is completed. The new requirements include: (1) brick or rock façade on street facing side; (2) stricter rules for downtown district; (3) flexibility for non-street facing sides; and (4) no façade for industrial land. Mr. Erickson will present an ordinance for Commission approval at the November 18, 2014 City Commission meeting.

AGENDA ITEM NO. 8: Discussion, consideration and possible action on proposal that City rather than employees pay fee increase assessed by Blue Cross/Blue Shield for health insurance.

Human Resources Director Tamara Johnson presented the proposal that the City pick up the 3.5% fee increase from January 1, 2014 until June 30, 2014. The employees would be responsible for the fees from July 1, 2014 and thereafter. Insurica representative Dustin Brand addressed the Commission and advised these are federally mandated fees. He further explained that these fees were not made aware to employees or Insurica by Blue Cross/Blue Shield at the time of insurance enrollment last June.

A motion was made by Commissioner Hall, seconded by Vice Mayor Harrod, to approve Staff's recommendation and the City to pay the 3.5% fee increase from January 1, 2014 until June 30, 2014, but not after that date. Motion carried 7-0.

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

AGENDA ITEM NO. 9: Consider and approve the granting of a utility easement to OG&E for replacement of electrical line(s) to feed the Dockery Park Softball Complex.

A motion was made by Vice Mayor Harrod, seconded by Commissioner Winterringer, to approve the granting of a utility easement to OG&E for replacement of electrical line(s) to feed the Dockery Park Softball Complex. Motion carried 7-0.

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

AGENDA ITEM NO. 10: Consider resolution approving sale not to exceed \$15,000,000.00 Oklahoma Baptist University Authority, Student Housing Revenue Note (Oklahoma Baptist University Project) in one or more Series and waiving competitive bidding.

Resolution No. 6458 was introduced.

APPROVAL OF THE SALE OF NOT TO EXCEED \$15,000,000 OKLAHOMA BAPTIST UNIVERSITY AUTHORITY, STUDENT HOUSING REVENUE NOTE (OKLAHOMA BAPTIST UNIVERSITY PROJECT) IN ONE OR MORE SERIES AND WAIVING COMPETITIVE BIDDING.

Mr. John Waldo with BOSC advised that Oklahoma Baptist University (OBU) held a public hearing today at 5:00 p.m. at the Commission Chambers at City Hall. No one appeared for or against the proposed resolution. He further stated that his resolution will not obligate the City in any way nor take away from the City's bonding capacity. Mr. Randy Smith of OBU stated that the university is at 97% housing occupancy and that the new two new dormitories will house 46 students in one and 159 students in the other.

A motion was made by Vice Mayor Harrod, seconded by Commissioner Winterringer, to approve a resolution approving sale not to exceed \$15,000,000.00 Oklahoma Baptist University Authority, Student Housing Revenue Note (Oklahoma Baptist University Project) in one or more Series and waiving competitive bidding. Motion carried 7-0.

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

Resolution No. 6458 was adopted by the City Commission.

AGENDA ITEM NO. 11: New Business (Any matter not known about or which could not have been reasonably foreseen prior to the posting of the agenda)

There was no New Business.

AGENDA ITEM NO. 12:

Administrative Reports

Emergency Management Director Don Lynch reported on the radio upgrade stating that 48 mobile radios and 80 portable radios are now in service. Regarding the radio tower, he reported that there was a delay waiting on a digital service upgrade to the Pink tower. He estimated completion date as the third quarter of 2014. Mr. Lynch also addressed the new telephones stating that all the sets are installed and an agreement with A.T. &T. will be presented for consideration at the next City Commission meeting.

Director of Operations James Bryce provided an update on the pool. He estimated the engineer's drawings are two (2) weeks from being submitted to the health department. He also estimates a late December/first of January bid letting on the project. A full report will be given by the pool committee at the next City Commission meeting.

AGENDA ITEM NO. 16:

Adjournment

There being no further business to be considered, the meeting was adjourned by power of the Chair. (8:09 p.m.)

WES MAINORD, MAYOR

ATTEST:

PHYLLIS LOFTIS, CMC, CITY CLERK

**BOARD OF CITY COMMISSIONERS
AND THE SHAWNEE MUNICIPAL AUTHORITY
CITY OF SHAWNEE
SPECIAL CALLED SESSION
November 12, 2013**

The Board of City Commissioners and the Trustees of the Shawnee Municipal Authority met in Special Called Session at the Heart of Oklahoma Exposition Center, Highway 177 and Independence Street, Shawnee, Oklahoma, Tuesday, November 12, 2013 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
Chairman

Pam Stephens
Commissioner Ward 1/SMA Trustee

Linda Agee
Commissioner Ward 2/SMA Trustee

James Harrod
Commissioner Ward 3-Vice Mayor
SMA/Trustee

Keith Hall
Commissioner Ward 4/SMA Trustee

John Winterringer
Commissioner Ward 5/SMA Trustee

Steve Smith
Commissioner Ward 6/SMA Trustee

Absent: None

The Call for said meeting was entered upon the records by the City Clerk, said Call being as follows:

NOTICE OF A CALLED SPECIAL SESSION JOINT MEETING
OF THE BOARD OF CITY COMMISSIONERS
AND THE SHAWNEE MUNICIPAL AUTHORITY
OF THE CITY OF SHAWNEE, OKLAHOMA

TO THE BOARD OF COMMISSIONERS OF THE CITY OF SHAWNEE, OKLAHOMA
AND THE TRUSTEES OF THE SHAWNEE MUNICIPAL AUTHORITY:

You and each of you are hereby notified that by virtue of a call issued by me on this 5th day of November, 2013 a Special Called Session of the City of Shawnee Board of Commissioners will be held at the Heart of Oklahoma Exposition Center, Highway 177 and Independence Street, Shawnee, Oklahoma at 6:30 p.m. on November 12, 2013 and you are hereby notified to be present at said meeting.

The purpose of the following special call session of the City Commissioners will be a work session for general discussion of issues within city government and SMA, including possible new initiatives; general discussion of priorities and plan of action for staff; and general discussion of commission policies. This will be a wide ranging discussion amongst commissioners and staff.

There will be no action taken or decisions made at this meeting. It is for discussion purposes only. There will be no public comments.

Witness my hand this 5th day of November, 2013.

(SEAL)

ATTEST:

s/s Phyllis Loftis
PHYLLIS LOFTIS, CMC
CITY CLERK

s/s Brian McDougal
BRIAN MCDUGAL
CITY MANAGER

STATE OF OKLAHOMA, COUNTY OF POTTAWATOMIE, SS.

I received this notice on the 5th day of November, 2013 at 3:44 p.m., and executed the same by delivering a true and correct copy thereof to each of the Commissioners of the Board of City Commissioners for the City of Shawnee, Oklahoma and the Trustees of the Shawnee Municipal Authority as follows:

I delivered a true and correct copy to Mayor Wes Mainord
via e-mail at 4:16 o'clock p.m. on November 7, 2013

I delivered a true and correct copy to Commissioner Linda Agee

via e-mail at 6:31 o'clock p.m. on November 7, 2013

I delivered a true and correct copy to Commissioner John Winterringer
via e-mail at 12:24 o'clock p.m. on November 5, 2013 but no response was received

I delivered a true and correct copy to Commissioner Steve Smith
via e-mail at 7:34 o'clock a.m. on November 8, 2013

I delivered a true and correct copy to Commissioner James Harrod
via e-mail at 8:46 o'clock a.m. on November 10, 2013

I delivered a true and correct copy to Commissioner Pam Stephens
via e-mail at 12:24 o'clock p.m. on November 5, 2013 but no response was received

I delivered a true and correct copy to Commissioner Keith Hall
via e-mail at 6:28 o'clock p.m. on November 7, 2013

s/s Phyllis Loftis
CMC, City Clerk

CALL FOR SPECIAL JOINT SESSION OF THE BOARD OF CITY COMMISSIONERS AND THE TRUSTEES OF THE SHAWNEE MUNICIPAL AUTHORITY OF THE CITY OF SHAWNEE, OKLAHOMA TO BE HELD ON THE 12TH DAY OF NOVEMBER, 2013 AT 6:30 O'CLOCK P.M. AT THE HEART OF OKLAHOMA EXPOSITION CENTER, HIGHWAY 177 AND INDEPENDENCE STREET, SHAWNEE, OKLAHOMA. THE PURPOSE OF THE FOLLOWING SPECIAL CALL SESSION OF THE CITY COMMISSIONERS WILL BE A WORK SESSION FOR GENERAL DISCUSSION OF ISSUES WITHIN CITY GOVERNMENT AND SMA, INCLUDING POSSIBLE NEW INITIATIVES; GENERAL DISCUSSION OF PRIORITIES AND PLAN OF ACTION FOR STAFF; AND GENERAL DISCUSSION OF COMMISSION POLICIES. THIS WILL BE A WIDE RANGING DISCUSSION AMONGST COMMISSIONERS AND STAFF.

THERE WILL BE NO ACTION TAKEN OR DECISIONS MADE AT THIS MEETING. IT IS FOR DISCUSSION PURPOSES ONLY. THERE WILL BE NO PUBLIC COMMENTS.

BY VIRTUE OF THE AUTHORITY VESTED IN ME BY SECTION 4, ARTICLE IV OF THE CHARTER OF THE CITY OF SHAWNEE, OKLAHOMA, A SPECIAL SESSION OF THE BOARD OF CITY COMMISSIONERS OF THE CITY OF SHAWNEE, OKLAHOMA IS HEREBY CALLED TO MEET AT THE HEART OF OKLAHOMA EXPOSITION CENTER, HIGHWAY 177 AND INDEPENDENCE STREET, SHAWNEE, OKLAHOMA AT 6:30 P.M. ON NOVEMBER 12, 2013 FOR A WORK SESSION FOR GENERAL DISCUSSION OF ISSUES WITHIN CITY GOVERNMENT AND SMA, INCLUDING POSSIBLE NEW INITIATIVES; GENERAL DISCUSSION OF PRIORITIES AND PLAN OF ACTION FOR STAFF; AND GENERAL DISCUSSION OF COMMISSION POLICIES. THIS WILL BE A WIDE RANGING DISCUSSION AMONGST COMMISSIONERS AND STAFF.

THERE WILL BE NO ACTION TAKEN OR DECISIONS MADE AT THIS MEETING. IT IS FOR DISCUSSION PURPOSES ONLY. THERE WILL BE NO PUBLIC COMMENTS.

WITNESS MY HAND THIS 5TH DAY OF NOVEMBER, 2013.

s/s Brian McDougal
BRIAN MCDUGAL
CITY MANAGER

(SEAL)

ATTEST:

s/s Phyllis Loftis
PHYLLIS LOFTIS, CMC, CITY CLERK

CALL TO ORDER AT 6:30 P.M.

DECLARATION OF A QUORUM

Roll was called with five Commissioners/Trustees present and a quorum was declared.

AGENDA ITEM NO. 1:

General discussion of issues within city government and SMA, including possible new initiatives; general discussion of priorities and plan of action for staff; and general discussion of commission policies. This will be a wide ranging discussion amongst commissioners and staff.

There will be no action taken or decisions made at this meeting. It is for discussion purposes only. There will be no public comments.

City Manager Brian McDougal explained the purpose of tonight's meeting was for staff to receive direction and Commissioners to set priorities regarding projects/issues that will be coming before the Commission in the future.

COMMISSIONER SMITH ARRIVES AT 6:35 P.M.

Mr. Leo Pressley was the facilitator of the meeting and began by asking Commissioners and the City Manager to rate the projects/issues they felt were most important to discuss.

When results were compared, economic development was the issues with the greatest commonality. Mr. McDougal stated that dedicated economic development funding was a critical in order to be competitive. Commissioners discussed the pros and cons of having spec or shell buildings built and available for prospective businesses that may want to locate in Shawnee. Options for increasing revenue were discussed and included sales tax increase, a property tax increase, raising current City fees and increasing the hotel/motel tax. Mayor Mainord noted that a consultant from the University of Oklahoma stated that Shawnee hotel/motel tax should be 8.5%. This increase would have to be approved by the voters and it was stated that increasing revenue in this manner may be easier than any of the other options.

The construction of a frontage road between Union Street and Harrison Street was also discussed. Shawnee Economic Development Director Tim Burg said that the greatest hurdle in accomplishing this was not the flood plain issue but the railroad track issue with Burlington Northern Railroad. He stated that the railroad would not install a new railroad crossing unless an existing one is closed. This discussion was concluded with Commission directing staff to begin discussions with Burlington Northern Railroad regarding the construction of the frontage road.

The issue of separating the Shawnee Convention and Visitors Bureau (CVB) from the Shawnee Chamber of Commerce was then discussed. Hiring consultant Bill Geist to help facilitate the transition was discussed. It was noted the CVB has this item on their agenda for their upcoming meeting.

COMMISSIONER WINTERRINGER LEAVES AT 8:24 P.M.

The next item discussed was sales tax compliance. Mr. McDougal said that currently the City has no tools available to determine who is paying tax and who is not. There is also no way to track new businesses that may have opened without obtaining a sales tax permit. Finance Director Cindy Sementelli noted that current records indicate that there are 718 permitted businesses in Shawnee according to the Oklahoma Tax Commission (OTC), although she feels the actual number of businesses may be greater. City Attorney Mary Ann Karns said that the OTC has a list of sales tax delinquent businesses in Shawnee and with approval of the OTC, she could send a demand letter to those businesses. Staff directed that a contract with the Oklahoma Tax Commission be on the November 18, 2013 City Commission agenda which would authorize the City Attorney to demand payment of delinquent sales tax.

Regarding the 911 System, it was noted that negotiations with the County have been tough. The Commission directed staff to continue with the negotiations.

The issue of providing public storm shelters was discussed. Commissioner Steve Smith would like to see the City provide shelters, although Mr. McDougal stated that most cities have found it more dangerous to provide shelters. Issues regarding people driving to shelters in dangerous situations or being turned away from shelters that are full were reasons cities have elected to close their shelters to the public. Mayor Mainord and Mr. McDougal both reported on the problems associated with opening City Hall and Fire Station No. 3 to the public for shelter, and requested that this practice be stopped. Commissioner Agee noted that

Emergency Management Director Don Lynch was working on finding additional shelters and did not want to discuss closing City Hall and the fire station until other shelters could be identified. It was requested that an item be placed on the City Commission agenda in late January to consider closing City Hall and Fire Station No. 3 to the public as storm shelters.

Another item briefly discussed was a Fire Training Center on land recently donated to the Fire Department. Commissioner Hall introduced this topic for discussion but stated that it may not be viable at this time. Mr. McDougal said budgeting and costs would need to be determined and that it would likely be included in next year's capital improvement list.

Regarding the homeless situation in Shawnee, Commissioner Hall stated the City needs to explore avenues that will address the homeless situation while still being compassionate to the plight of the homeless. City Manager McDougal spoke of Shawnee Strong – Pottawatomie County Proud, a group of citizens working to clean up Shawnee, especially debris in the areas where homeless individuals have camped.

Other items discussed briefly were tribal relations in this area as opposed to other areas of the state, and the Downtown Streetscape Project.

AGENDA ITEM NO. 2:

ADJOURNMENT

There being no further business to be considered, the meeting was adjourned by power of the Chair. (9:18 p.m.)

WES MAINORD,
MAYOR

(SEAL)

ATTEST:

PHYLLIS LOFTIS, CMC
CITY CLERK

Regular Board of Commissioners

2. b.

Meeting Date: 11/18/2013

CDBG Budget Amendment

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Budget Amendment CDBG Entitlement Grant Fund 2013

Attachments

Budget Amendment

City of Shawnee
Budget Amendment - FY 2013-2014
2013 CDBG Entitlement Grant Fund
November 18, 2013

Estimated Revenue or Fund Balance

Fund Number	Account Number	Project Code	Line Item	Description	Balance	Amount of	Balance
					Before Amendment	Increase (Decrease)	After Amendment
189	4101	C13		Federal Grant Revenue	-	308,553.00	308,553.00
189	4830	C13		Program Income	-	50,000.00	50,000.00
189	4850	C13		Processing Fees - Legal	-	1,000.00	1,000.00
				Total		359,553.00	

Appropriations

Fund Number	Account Number	Project Code	Line Item	Description	Balance	Amount of	Balance
					Before Amendment	Increase (Decrease)	After Amendment
189	5.1410.5101	C13	14105101	Admin - Regular Salaries	-	24,534.00	24,534.00
189	5.1410.5102	C13	14105102	Admin - Overtime	-	500.00	500.00
189	5.1410.5104	C13	14105104	Admin - Longevity	-	406.00	406.00
189	5.1410.5111	C13	14105111	Admin - FICA	-	789.00	789.00
189	5.1410.5112	C13	14105112	Admin - Medicare	-	184.00	184.00
189	5.1410.5113	C13	14105113	Admin - Health Insurance	-	1,894.00	1,894.00
189	5.1410.5114	C13	14105114	Admin - Life Insurance	-	23.00	23.00
189	5.1410.5115	C13	14105115	Admin - OMRF	-	2,206.00	2,206.00
189	5.1410.5201	C13	14105201	Office & Computer Supplies	-	1,500.00	1,500.00
189	5.1410.5220	C13	14105220	Tools & Minor Equipment	-	50.00	50.00
189	5.1410.5250	C13	14105250	Other Materials & Supplies	-	500.00	500.00
189	5.1410.5303	C13	14105303	Repair & Maintenance-Equipment	-	50.00	50.00
189	5.1410.5304	C13	14105304	Repair & Maintenance-Vehicle	-	400.00	400.00
189	5.1410.5310	C13	14105310	Legal Services	-	100.00	100.00
189	5.1410.5325	C13	14105325	Telephone	-	500.00	500.00
189	5.1410.5328	C13	14105328	Copy Usage	-	1,200.00	1,200.00
189	5.1410.5329	C13	14105329	Postage & Shipping	-	1,700.00	1,700.00
189	5.1410.5339	C13	14105339	Other Contractual Services	-	2,500.00	2,500.00
189	5.1410.5349	C13	14105349	Books & Subscriptions	-	100.00	100.00
189	5.1410.5354	C13	14105354	Printing	-	1,000.00	1,000.00
189	5.1410.5356	C13	14105356	Land & Building Rental	-	11,724.00	11,724.00
189	5.1420.5101	C13	14205101	Rehab - Regular Salaries	-	129,657.00	129,657.00
189	5.1420.5102	C13	14205102	Rehab - Overtime	-	1,500.00	1,500.00
189	5.1420.5104	C13	14205104	Rehab - Longevity	-	1,404.00	1,404.00
189	5.1420.5111	C13	14205111	Rehab - FICA	-	7,430.00	7,430.00
189	5.1420.5112	C13	14205112	Rehab - Medicare	-	1,737.00	1,737.00
189	5.1420.5113	C13	14205113	Rehab - Health Insurance	-	8,732.00	8,732.00
189	5.1420.5114	C13	14205114	Rehab - Life Insurance	-	95.00	95.00
189	5.1420.5115	C13	14205115	Rehab - OMRF	-	13,567.00	13,567.00
189	5.1420.5370	C13	14205370	Housing Rehabilitation	-	95,571.00	95,571.00
189	5.1420.5371	C13	14205371	Emergency Rehab Assistance	-	48,000.00	48,000.00
						359,553.00	

Approved by the City Commission this
18th day of November, 2013.

Explanation of Budget Amendment:
Appropriate 2013 CDBG Entitlement Funds for FY 2013-2014

Approved:

Mayor

Attest:

City Clerk

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

Regular Board of Commissioners

2. c.

Meeting Date: 11/18/2013

Reports and Committee/Board Minutes

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Acknowledge the following minutes and reports:

- Planning Commission minutes from the October 2, 2013 meeting
 - License Payment Report for October 2013
 - Project Payment Report for October 2013
-

Attachments

Planning Commission

License Payment Report

Project Payment Report

PLANNING COMMISSION MINUTES

DATE: October 2, 2013

The Planning Commission of the City of Shawnee, County of Pottawatomie, State of Oklahoma, met in the Commission Chambers, at City Hall, 9th and Broadway, on Wednesday, October 2, 2013 at 1:30 p.m., pursuant to notice duly posted as prescribed by law. Justin Erickson, Planning Director for the City of Shawnee, presented the staff reports. Staff reports are available upon request.

AGENDA ITEM NO.1: Roll Call

Upon roll call the following members were present:

Present: Bergsten, Hoster, Turner, Silvia

Absent: Carter, Cowen, Salter

(Note: Brad Cater arrived at 1:35 during agenda item #4)

A quorum was declared present and the meeting was called to order.

AGENDA ITEM NO. 2: Approval of the minutes from the August 7, 2013 Planning Commission Meeting

Chairman Turner asked this item to be moved further down on agenda until another member is present. Returned to this item after Agenda item 5.

Chairman Turner asked for a motion. Commissioner Carter made the motion seconded by Commissioner Hoster to approve the August 7, 2013 minutes.

Motion passed:

AYE: Carter, Hoster, Silvia

NAY:

ABSTAIN: Bergsten, Turner

AGENDA ITEM NO. 3: Citizens Participation

Chairman Turner opened the Citizens' Participation and asked if anyone would like to speak. No one came forward.

AGENDA ITEM NO. 4:

Case # P13-13 A public hearing for consideration of approval to rezone property from C-1; Neighborhood Commercial to C-3; Automotive, Commercial and Recreation for property located at 2723 N. Kickapoo.

Applicant: Monogram Construction/Landes Engineering

Chairman Turner asked for the staff report. Justin Erickson presented the staff report. This property has been a service station for several years and should be in C-3 zoning or higher. The applicant is proposing redevelopment of site.

Staff recommended rezoning property from C-1 to C-3.

Chairman Turner opened the public hearing asking if anyone wanted to speak for the proposal. Richard Landes spoke for the request. No one spoke against the proposal.

Chairman Turner asked for a motion. Commissioner Silvia made a motion, seconded by Hoster to approve the rezoning from C-1 to C-3.

Motion passed:

AYE: Silvia, Hoster, Turner, Bergsten Carter

NAY:

ABSTAIN:

AGENDA ITEM NO. 5:

Case # P14-13- A public hearing for consideration of approval of a Conditional Use Permit to allow for the sale of beer for on premise consumption in C-3 zoning for property located at 4621 N. Kickapoo.

Applicant: Lajoya Mexican Restaurant dba El Nopal Mexican Restaurant.

Chairman Turner asked for the staff report. Justin Erickson presented the staff report.

The staff report recommended approval of a Conditional Use Permit for on premise consumption of beer or alcohol beverages.

Chairman Turner opened the public hearing. No one spoke for or against the proposal.

Chairman Turner asked for a motion. Commissioner Bergsten made the motion, seconded by Carter to approve the request as outlined by staff.

Motion passed:

AYE: Bergsten, Carter, Hoster, Turner, Silvia

NAY:

ABSTAIN:

AGENDA ITEM NO. 6: Workshop–Industrial Zoning Code

Staff presented the draft for the Industrial Zoning Code. Staff advised it was consistent with changes that are being made to the commercial code. It is the City of Shawnee's intent that industrial districts and uses be developed with minimal intrusion on incongruous land uses. These zone classifications are established, in order to permit a range of industrial uses and varying levels of intensity. Staff has removed repetitive language in original code. Retail sales on premises in relate to primary use of property is included. Staff will add restaurants to be included.

Staff advised that they would bring draft of commercial zoning code to board in December.

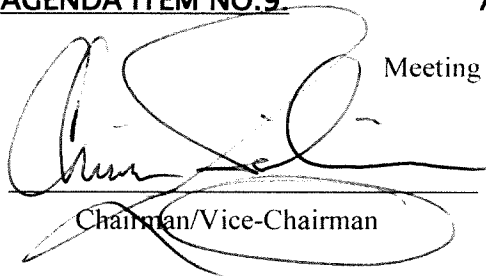
AGENDA ITEM NO. 7: Planning Director's Report

Staff reported 7 single family home permits were issued in September. Staff gave update on bike routes. Staff will be working on facade requirements for code update.

AGENDA ITEM NO.8: Comments/New Business

Staff answered questions concerning flood plane in downtown Shawnee. There was discussion concerning cleaning up the railroad right-of-way.

AGENDA ITEM NO.9: Adjournment



Chairman/Vice-Chairman

Meeting was adjourned.

Karen Drain OBO Lisa Lasyone
Planning Commission Secretary

** FEE CODE TOTALS **

FEE CODE	DESCRIPTION	FEE	PAYMENT DISTRIBUTION			TOTAL PAI
			PENALTY	TAX	INTEREST	
ALARM	BURGLAR/FIRE ALARM LICENSE	8	200.00CR			200.00
BOATREG	BOAT REGULAR PERMIT	1	26.00CR			26.00
CONCE	CONCESSION STAND EVENT FEE	1	7.50CR			7.50
ELEC2	ELECTRICAL CONTRACTOR RENEW	6	525.00CR			525.00
FISHANNUAL	FISHING ANNUAL FEE	2	30.00CR			30.00
HUNT2	MIGRATORY FOWL	2	16.00CR			16.00
IMERC	ITINERANT MERCHANT FEE	1	50.00CR			50.00
LAKE-IN	LAKE LEASE CITY RESIDENT	2	400.00CR			400.00
LAKE-OUT	LAKE LEASE NON RESIDENT	2	800.00CR			800.00
LAKEINSP	LAKE LEASE INSPECTION	8	600.00CR			600.00
LAKELEASE	LAKE LEASE	13	8,112.00CR			8,112.00
LAKEXFER	LAKE LEASE TRANSFER FEE	1	1,000.00CR			1,000.00
MECH2	MECHANICAL CONTRACTOR RENEW	5	375.00CR			375.00
PLUM1	PLUMBING CONTRACTOR INITIAL	1	100.00CR			100.00
PLUM2	PLUMBING CONTRACTOR RENEW	8	650.00CR			650.00
RESAL	RESIDENTIAL SALE	153	1,540.00CR			1,540.00
SIGN	SIGN HANGERS LICENSE FEE	1	75.00CR			75.00
STORM	STORM CELLAR LICENSE FEE	1	75.00CR			75.00
TREE	TREE TRIMMING LICENSE FEE	1	25.00CR			25.00
TOTAL			14,606.50CR			14,606.50

** GENERAL LEDGER DISTRIBUTION **

FUND G/L ACCOUNT	ACCOUNT NAME	AMOUNT
001-2133	UBCC FEE PAYABLE	428.00CR
001-4202	BUILDING PERMITS	4,704.86CR
001-4203	PLUMBING PERMITS	900.00CR
001-4204	ELECTRICAL PERMITS	570.00CR
001-4205	ZONING PERMITS & APPLICATIONS	377.00CR
001-4206	HEATING & A/C PERMITS	750.00CR
001-4249	OTHER PERMITS	585.00CR
001-4822	OTHER MISC. REVENUE	53.50CR
101-4249	OTHER PERMITS	75.00CR
501-4510	WATER TAPS	150.00CR
799-1023	BANCFIRST GENERAL	8,593.36

** SEGMENT CODE TOTALS **

SEGMENT CODE	DESCRIPTION	TOTAL PAID
B1-NEW	BUILDING CONSTRUCTION NEW	2,536.53CR
B2-ADD	BUILDING CONSTRUCTION ADD	29.50CR
B3-REMODEL	BUILDING CONSTRUCTION REM	2,094.83CR
B4-OTHER	BUILDING CAPORT/SHELTER	442.50CR
E3-REMODEL	ELECTRICAL REMODEL/REPAIR	646.50CR
M3-REMODEL	MECHANICAL REMODEL/REPAIR	817.50CR
P2-ADD	PLUMBING ADDITION	24.50CR
P3-REMODEL	PLUMBING REMODEL	955.50CR
X-CURBCUT	CURBCUT/DRIVEWAY/SIDEWALK	75.00CR
X-DEMO	DEMOLITION PERMIT	100.00CR
X-PLATFIN	PLAT REVIEW FINAL	327.00CR
X-SIGN	SIGN PERMIT	350.00CR
X-SWIMPOOL	SWIMMING POOL PERMIT	69.00CR
Z-OCCUP	OCCUPANCY PERMIT	75.00CR
Z-REZONING	REZONING REQUEST	50.00CR
	TOTAL	8,593.36CR

Regular Board of Commissioners

2. d.

Meeting Date: 11/18/2013

Meeting Schedule 2014

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Acknowledge Commission and Related Authorities meeting schedule for 2014

Attachments

2014 Meeting Schedule

2014 CALENDAR YEAR
SCHEDULE OF REGULAR MEETINGS
CITY COMMISSION & RELATED AUTHORITIES

DATE MEETING	TIME	PLACE OF
1/21/14	Tuesday	6:30 p.m.
		Commission Chambers-City Hall 16 West 9 th , Shawnee, OK
2/03/14	Monday	”
2/18/14	Tuesday	”
3/03/14	Monday	”
3/17/14	”	”
4/07/14	”	”
4/21/14	”	”
5/05/14	“	”
5/19/14	“	”
6/02/14	“	”
6/16/14	“	”
7/07/14	“	”
7/21/14	“	”
8/04/14	“	”
8/18/14	“	”
9/02/14	Tuesday	”
9/15/14	Monday	”
10/06/14	“	”
10/20/14	“	”
11/03/14	“	”
11/17/14	“	”
12/01/14	“	”
12/15/14	“	”

NAME: Phyllis Loftis, CMC
TITLE: City Clerk
ADDRESS: P. O. Box 1448
Shawnee, OK 74802-1448
TELEPHONE: (405) 878-1604

Filed in the office of the Municipal Clerk at _____ a.m. / p.m. on
_____, 2013.

Signed: _____
Clerk/Deputy Clerk

Regular Board of Commissioners

2. e.

Meeting Date: 11/18/2013

Wes Watkins budget data and mtg schedule

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Acknowledge Wes Watkins Oversight Committee Meeting schedule and final budget data for 2012-13 season

Attachments

Meeting Schedule Wes Watkins

Budget Date 2012-13 Wes Watkins

Mayor
WES MAINORD



The City of Shawnee
Office of the Director of Operations

P.O. Box 1448
Shawnee, Oklahoma 74802-1448
(405) 878-1529 Fax (405) 878-1593
www.ShawneeOK.org

Commissioners

PAM STEPHENS
LINDA AGEE
JAMES HARROD
KEITH HALL
JOHN WINTERRINGER
STEVE SMITH

Date: November 12, 2013
To: Mayor and City Commissioners
From: James Bryce, Director of Operations
RE: Wes Watkins Oversight Committee Meeting Schedule

Nature of the Request:

Proposed schedule for the Wes Watkins Oversight Committee Meetings

Staff Analysis, Considerations:

In the beginning, the oversight committee was meeting once a month to discuss the operations of the Wes Watkins Recreation management by the City of McLoud. The committee was set up with a member from each Shawnee, Tecumseh, McLoud, and PCDA. As time went on, the Tecumseh and PCDA members stopped coming and communicating/responding to any emails. McLoud and Shawnee continued to meet monthly for some time after that but decided since we communicated quite frequently between meetings that we would move the meetings to quarterly.

Meeting Schedule:

March 6, 2014	9:00 am
June 5, 2014	9:00 am
September 4, 2014	9:00 am
December 4, 2014	9:00 am

All meeting are held at the Shannon Fredman Municipal Building at 408 West Broadway, McLoud.

Recommendation:

Staff's recommendation is to approve the meeting dates and if more members come on board, we will look at returning to monthly meetings.

Budget Consideration:

Attached is the final budget data for the 2012/2013 season.

City Of McLoud (TOW)
Budget Revenue & Expense Statement
Fund Lake -North Deer Creek Res.(41)

Current: 06/01/2013 to 06/30/2013
YTD: 07/01/2012 to 06/30/2013

06/27/2013 09:34:20

Page 1

	Actual Current	Actual YTD	Budget YTD	Variance YTD
Fund: 41 Lake -North Deer Creek Res.				
Revenue				
41-4001-00 Lake - Bed Tax Revenue	178.00	3,308.00	3,300.00	(8.00)
41-4002-00 Lake- Fishing/Boating	578.00	9,310.00	7,000.00	(2,310.00)
41-4003-00 LAKE - Pavilion rental	175.00	850.00	10,000.00	9,150.00
41-4004-00 Lake - Permits ANNUAL	840.00	4,150.00	5,000.00	850.00
41-4005-00 LAKE - misc	0.00	0.00	0.00	0.00
41-4006-00 Lake - License fees	0.00	0.00	0.00	0.00
41-4007-00 Lake - Hunting/Duck Blind FEes	0.00	5,200.00	3,300.00	(1,900.00)
41-4008-00 Lake - REIMB/Shawnee/Tec	0.00	38,361.93	0.00	(38,361.93)
41-4020-00 Lake - FY 10-11 shortage on exp	0.00	0.00	50,000.00	50,000.00
41-4025-00 Lake - Overnight RV/TENTS	2,912.00	54,642.00	26,000.00	(28,642.00)
41-9006-00 LAKE compensation/NO MONEY - shawnee	0.00	0.00	0.00	0.00
41-9007-00 LAKE - REFUNDS	0.00	(150.00)	0.00	150.00
Total Revenue	\$4,683.00	\$115,671.93	\$104,600.00	(\$11,071.93)
Expenses				
41-5001-00 Lake - salaries	2,248.99	33,981.74	35,919.77	1,938.03
41-5011-00 Lake - taxes	194.55	3,003.60	3,193.58	189.98
41-5021-00 Lake - Benefits	91.12	11,171.36	11,599.65	428.29
Administrative Expenses				
41-5101-00 Lake - Supplies/materials	0.00	5,917.07	8,000.00	2,082.93
41-5102-00 Lake - Gas for Vehicles	1,672.00	8,652.87	8,800.00	147.13
41-5103-00 Lake - Uniforms	0.00	111.96	500.00	388.04
41-5104-00 Lake - maintenance	0.00	2,331.81	2,787.00	455.19
41-5301-00 Lake - utilities	0.00	26,032.08	26,800.00	767.92
41-5302-00 Lake - training	0.00	12.50	500.00	487.50
41-5303-00 Lake - vehicle repair	0.00	1,848.93	5,000.00	3,151.07
41-5304-00 Lake - legal	0.00	115.50	500.00	384.50
41-5401-00 Lake - Capital Improvements	0.00	0.00	1,000.00	1,000.00
41-5403-00 LAKE - Lagoon Repairs	0.00	0.00	0.00	0.00
Total Expenses	\$4,206.66	\$93,179.42	\$104,600.00	\$11,420.58
Excess Revenue Over Expenses	\$476.34	\$22,492.51	\$0.00	(\$22,492.51)

Regular Board of Commissioners

2. f.

Meeting Date: 11/18/2013

Request bids for gun tower construction

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Authorize staff to advertise for bids on construction of an observation tower at the Police Department gun range

Attachments

Request Bids for Gun Tower Construction

Mayor
WES MAINORD



The City of Shawnee
Shawnee Police Department

P.O. Box 1448
Shawnee, Oklahoma 74802-1448
(405) 878-1682
www.ShawneeOK.org

Commissioners

PAM STEPHENS
LINDA AGEE
JAMES HARROD
KEITH HALL
JOHN WINTERRINGER
STEVE SMITH

Date: 11/14/2013
To: Mayor and City Commissioners
From: Chief Russell Frantz/ Lt. Tom Pringle
RE: Range Tower Project

Nature of the Request:

Approve letting bids for the Police Firing Range Tower Project.

Staff Analysis, Considerations:

Plans have been drawn and are available from Kirkpatrick Architecture Studio. Current range tower was a self help project 30 years ago. Tower needs to be replaced for structural concerns and does not meet code in current condition.

Recommendation:

Allow bids to be let and be turned in by Dec 16, 2013

Budget Consideration:

Funds are available and budgeted for in Capital Budget

Regular Board of Commissioners

2. g.

Meeting Date: 11/18/2013

AT&T Agreement

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Approve agreement with AT&T for telephone service

Attachments

Memo and AT&T Agreement

City of Shawnee Memorandum



To: Honorable Mayor and City Commissioners
Through: Brian McDougal, City Manager
From: Donald D. Lynch, Emergency Management Director *D. L.*
Date: November 13, 2013
Re: Contract with a t & t for Telephone Service Provision

NATURE OF THE REQUEST:

I am writing to request your approval for staff to execute an agreement with A T & T Oklahoma for a PRI interface for telephone service for City Hall, the Annex, and the public works service center. A copy of the Service Order and letter of Authorization are attached for your reference.

STAFF ANALYSIS /CONSIDERATIONS:

The PRI interface will connect the new telephone switch that has been installed at City Hall to the A T & T Central Office to provide telephone service for the new system. The PRI will replace the existing PLEXAR service we have with A T & T which is being phased out.

The City Attorney has reviewed the documents and approves them as to form.

RECOMMENDATION:

Staff recommends approval.

BUDGET CONSIDERATION:

There is no installation charge for the PRI. The recurring charges will be \$ 559.69 per month. Our current monthly charges are approximately \$4711.54.

Thank you for your favorable attention to this request.

CONFIRMATION OF SERVICE ORDER

AT&T OKLAHOMA

CUSTOMER ("Customer")	AT&T ("AT&T")
City of Shawnee Street Address: 16 W 9th St City: Shawnee State: OK Zip Code: 74802-1448 <u>Billing Address (if different)</u> Street Address: City: State: Zip Code:	AT&T Corp.
CUSTOMER Contact (for Contract Notices)	AT&T Sales Contact Information and for Contract Notices <input checked="" type="checkbox"/> Primary Sales Contact
Name: Donald D. Lynch Title: Director Telephone: 1-405-878-1678 Fax: Email: DLynch@shawneeok.org <u>Address for Notices</u> <input checked="" type="checkbox"/> Same as Cust. Address above <input checked="" type="checkbox"/> Same as Billing Address <u>Address for Notices (if different)</u> Street Address: City: State: Zip Code:	Name: Jon Gluvna Title: UAMI Telephone: (440)670-3471 Fax: Email: jg113s@att.com Street Address: 45 Erieview City: Cleveland State: OH Zip Code: 44111 <u>With a copy to:</u> AT&T Corp. One AT&T Way, Bedminster, NJ 07921-0752 ATTN: Master Agreement Support Team Email: mast@att.com
AT&T Authorized Agent or Representative Information (if applicable) <input type="checkbox"/> Primary Sales Contact	
Name: Company Name: Agent Street Address: City: State: Zip Code: Telephone: Fax: Email: Agent Code	

1. Adoption of State of Oklahoma Master Contract. Customer and AT&T Corp. (AT&T) agree that the Service, as specified below, shall be provided pursuant to the rates, charges, terms and conditions set forth in this Agreement and the contract between AT&T Corp. and the State of Oklahoma, identified as AT&T Master Agreement 138352UA, as amended ("Master Contract"), including all RFP documents which may be set forth and/or incorporated by reference into the Master Contract. The Master Contract is incorporated herein by reference.

2. Service Term and Payment. The Service term will be 5 year(s). Unless otherwise agreed upon in writing, the Service term shall commence upon Service installation. Customer will be responsible for payment of all charges directly to AT&T.

3. Installation. Service Provider will use commercially reasonable efforts to install Service on or before the requested Service installation date(s), but makes no warranty, either expressed or implied, that Service will be installed on or before the requested Service Installation date(s).

4. Service. The services set forth below in Service Description shall be provided at the prices indicated. These charges apply in place of charges specified in the Master Contract for the same services. All other rates and charges, shall be as set forth in the Master Contract.

CONFIRMATION OF SERVICE ORDER

AT&T OKLAHOMA

Monthly Recurring Prices:

SERVICE DESCRIPTION	ADDRESS	QTY	UNIT PRICE	EFF DATE	EXP DATE
PRI Interface -- SW450 State of OK Contract	16 W 9 TH , Shawnee, OK 74802	1	273.60*	12/1/13	12/1/18
PRI B Channel-- SW450 State of OK Contract	16 W 9TH, Shawnee, OK 74802	23	11.93*	12/1/13	12/1/18
PRI 1 ST 100 DID Block-- SW450 State of OK Contract	16 W 9TH, Shawnee, OK 74802	1	5.85*	12/1/13	12/1/18
PRI Additional 100 DID Block-- SW450 State of OK Contract	16 W 9TH, Shawnee, OK 74802	1	5.85*	12/1/13	12/1/18
			*		
			*		
			*		

* All rates given without all applicable local, state and federal fees, taxes and charges.

The following one-time, nonrecurring charges apply:

Non-Recurring (Installation) Charges:

	QTY	UNIT NRC	TOTAL NRC
Installation Charge			0*

* if DEMARK needs to be extended, installation charges will be more

Except as specifically provided herein, all other terms and conditions contained in the Agreement and Addendum shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused this Confirmation of Service Order to be executed by their respectively authorized representatives.

AT&T Corp.

Customer:

By: _____

By: _____

Print Name: _____

Print Name: _____

Title: _____

Title: _____

Date Signed: _____

Date Signed: _____



Letter of Authorization

Customer Entity ("Customer")	AT&T Corp. and Affiliates ("AT&T") ¹
Customer Contact Information Name	AT&T Sales Contact Information Primary Sales Contact Name
Telephone : Fax: Email Address City State/Province Country Domestic/International Zip Code	AT&T Sales Contact Information: Street Address City State/Province Country Domestic/International Zip Code
Master Account Number	

- I authorize and appoint AT&T as my agent to take the steps necessary to switch providers, including to access records in the possession of AT&T or any other telephone/circuit service provider pertaining to my existing service and to handle all arrangements with the Local Exchange Company(s) (LEC) to change (or establish) AT&T Long Distance Service, 'Local Toll' Service, Local Service and International Service to (or with) AT&T. AT&T may, upon Customer's express authorization in each instance, offer such service for all telephone lines associated with the main Billed Telephone Number(s) (BTNs) in the attachment, and to issue instructions to and to otherwise deal with the LEC regarding the BTNs.
- It is understood that: Only one carrier may be designated for Long Distance Service on any individual telephone number. Only one carrier may be designated for 'Local Toll' Service on any individual telephone number. Only one carrier may be designated for Local Service on any individual telephone number. Only one carrier may be designated for International Service on any individual telephone number.
- I understand that I may be required to pay a one time charge per line to switch providers. If I later wish to return to my current service provider, I may be required to pay a reconnection charge to that company.

4. Customer Authorizes AT&T to Establish or Switch Services Checked to AT&T for the locations and/or the BTNs and Working Telephone Numbers (WTNs) listed in an attachment to this Authorization:	Long Distance (InterLATA Toll, including international outside of Hawaii)	<input type="checkbox"/> YES	<input type="checkbox"/> NO
	Local Toll (IntraLATA Toll)	<input type="checkbox"/> YES	<input type="checkbox"/> NO
	Local Exchange Service	<input type="checkbox"/> YES	<input type="checkbox"/> NO
	Cellular	<input type="checkbox"/> YES	<input type="checkbox"/> NO
	International Service (For Hawaii Only)	<input type="checkbox"/> YES	<input type="checkbox"/> NO
5. Customer's authorization is applicable to the locations or to the BTNs and WTNs listed in an attachment to this Authorization. AT&T will maintain a record of such locations, BTNs and WTNs as attached. If Customer has multi-lines or multi-locations and has executed a negotiated agreement(s) with AT&T under which Customer may add lines during the course of the term agreement, Customer may add Telephone Numbers without the need to submit a new LOA when those lines are added during the term period.		<input type="checkbox"/> YES	<input type="checkbox"/> NO

- This appointment revokes any prior appointments for the services involved here and may be revoked at any time and shall continue in force unless and until revoked by the customer. Signatory attests that he or she has reviewed the attachment to this Authorization, understands the above Letter of Authorization, is at least 18 years of age and is authorized to execute this Letter of Authorization on behalf of the Customer.

SUBSCRIBER: (Full Legal Business Name)	Mail or email to:
By: (Signature) (Customer completes)	Date:
Print Name:	Title EIN (TX)

¹ AT&T means AT&T Telco and/or AT&T LD and/or AT&T Corp. "AT&T Telco" means the applicable local telephone company subsidiary of AT&T Inc. serving the area location associated with the telephone number(s) at issue: Southwestern Bell Telephone Company d/b/a AT&T Arkansas, AT&T Kansas, AT&T Missouri, AT&T Oklahoma, or AT&T Texas; Pacific Bell Telephone Company d/b/a AT&T California; Nevada Bell Telephone Company d/b/a AT&T Nevada; Illinois Bell Telephone Company d/b/a AT&T Illinois; Indiana Bell Telephone Company, Incorporated d/b/a AT&T Indiana; Michigan Bell Telephone Company d/b/a AT&T Michigan; The Ohio Bell Telephone Company d/b/a AT&T Ohio; Wisconsin Bell, Inc. d/b/a AT&T Wisconsin; The Southern New England Telephone Company d/b/a AT&T Connecticut; BellSouth Telecommunications, Inc. doing business as one of the following AT&T Southeast, AT&T Alabama, AT&T Florida, AT&T Georgia, AT&T Kentucky, AT&T Louisiana, AT&T Mississippi, AT&T North Carolina, AT&T South Carolina, and AT&T Tennessee; AT&T Communications of the Southern States, LLC; TC Systems, Inc.; SBC Long Distance, LLC; or BellSouth Long Distance, Inc. "AT&T LD" means the applicable long distance company subsidiary of AT&T Inc.: TC Systems, Inc; SNET America, Inc. d/b/a AT&T Long Distance East; SBC Long Distance, LLC d/b/a AT&T Long Distance; or BellSouth Long Distance, Inc. d/b/a AT&T Long Distance Service or BellSouth Long Distance Service, Inc



Letter of Authorization
List of Locations/Telephone Numbers

Customer Entity ("Customer")	AT&T Corp. and Affiliates ("AT&T")
Customer Contact Information Name	AT&T Sales Contact Information Primary Sales Contact Name
Telephone : Fax: Email Address City State/Province Country Domestic/International Zip Code	AT&T Sales Contact Information: Street Address City State/Province Country Domestic/International Zip Code
Master Account Number	

<u>Location Addresses</u>					<u>List all BTN's and WTN's</u>
Number & Street:	City:	ST:	Zip:	-	-
Number & Street:	City:	ST:	Zip:	-	-
Number & Street:	City:	ST:	Zip:	-	-
Number & Street:	City:	ST:	Zip:	-	-
Number & Street:	City:	ST:	Zip:	-	-
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Number & Street:	City:	ST:	Zip:	-	-
Number & Street:	City:	ST:	Zip:	-	-

Regular Board of Commissioners

2. h.

Meeting Date: 11/18/2013

Lake Lease Renewals

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Lake Lot Leases:

Renewals

- Lot 4 Coffman Tract, 15401 Perry Road
Perry Gatewood and Elizabeth Gatewood
 - Lot 24/25 Belcher Tract, 33504 Post Office Neck
Scott Lackey
 - Lot 6 Renfro Tract, 15812 Sleepy Hollow Road
Lesalee Hinkle
 - Lot 8 Eckel Tract, 15203 Eckel Road
Henry Davis
-

Attachments

Lot 4 Coffman Tract

Lot 24/25 Belcher Tract

Lot 6 Renfro Tract

Lot 8 Eckel Road



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

**SHAWNEE TWIN LAKES CABIN SITE LEASES
 SUMMARY/INSPECTION REPORT – FOR RENEWALS/TRANSFERS**

Date	11/05/2013	License No. #010451
Type	<input checked="" type="checkbox"/> Renewal	<input type="checkbox"/> Transfer <i>(Fee: \$1,000)</i>
Commission Meeting Date	11/18/2013	
Property Address	15401 PERRY RD	
Lake Site Location	LOT 4 COFFMAN TRACT	
Lease Dates	10/19/2013 – 10/19/2043	
Lease Fee (changes annually)	\$637.00	
Inspection Fee	\$75.00 Applicable: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Lessee (Transfer To)		
Name(s)	PERRY GATEWOOD	
Address	SEE FILE	
Phone	SEE FILE	
Current Lessee (Transfer From) <i>(if applicable)</i>		
Name(s)		
Address		
Phone		
Inspection Information		
Inspection Required	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (if no, due:)	
DEQ Report on File	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Type of Septic System	<input type="checkbox"/> Conventional <input checked="" type="checkbox"/> Aerobic	
Last Inspected/Pumped	10/08/2013	
Misc. Comments		
	Total Charges Paid: \$712.00	



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

**SHAWNEE TWIN LAKES CABIN SITE LEASES
 SUMMARY/INSPECTION REPORT – FOR RENEWALS/TRANSFERS**

Date	11/05/2013	License No. #010454
Type	<input checked="" type="checkbox"/> Renewal	<input type="checkbox"/> Transfer (<i>Fee: \$1,000</i>)
Commission Meeting Date	11/18/2013	
Property Address	33504 POST OFFICE NECK	
Lake Site Location	LOT 24/25 BELCHER TRACT	
Lease Dates	10/19/2013 – 10/19/2043	
Lease Fee (changes annually)	\$637.00	
Inspection Fee	\$75.00	Applicable: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lessee (Transfer To)		
Name(s)	SCOTT LACKEY	
Address	SEE FILE	
Phone	SEE FILE	
Current Lessee (Transfer From) <i>(if applicable)</i>		
Name(s)		
Address		
Phone		
Inspection Information		
Inspection Required	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (if no, due:)	
DEQ Report on File	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Type of Septic System	<input checked="" type="checkbox"/> Conventional <input type="checkbox"/> Aerobic	
Last Inspected/Pumped	10/06/2013	
Misc. Comments		
	Total Charges Paid: \$712.00	



City of Shawnee
Community Development Department
 222 N. Broadway
 Shawnee, OK 74801
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www.ShawneeOK.org

**SHAWNEE TWIN LAKES CABIN SITE LEASES
 SUMMARY/INSPECTION REPORT – FOR RENEWALS/TRANSFERS**

Date	11/05/2013	License No. #010461
Type	<input checked="" type="checkbox"/> Renewal	<input type="checkbox"/> Transfer (<i>Fee: \$1,000</i>)
Commission Meeting Date	11/18/2013	
Property Address	15812 SLEEPY HOLLOW RD	
Lake Site Location	LOT 6 RENFRO TRACT	
Lease Dates	10/18/2013 – 10/18/2043	
Lease Fee (changes annually)	\$637.00	
Inspection Fee	\$75.00	Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Lessee (Transfer To)		
Name(s)	LESALEE HINKLE	
Address	SEE FILE	
Phone	SEE FILE	
Current Lessee (Transfer From) <i>(if applicable)</i>		
Name(s)		
Address		
Phone		
Inspection Information		
Inspection Required	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (if no, due: 05/12/2014)	
DEQ Report on File	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Type of Septic System	<input checked="" type="checkbox"/> Conventional <input type="checkbox"/> Aerobic	
Last Inspected/Pumped	05/12/2009	
Misc. Comments		
	Total Charges Paid: \$637.00	



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

SHAWNEE TWIN LAKES CABIN SITE LEASES
SUMMARY/INSPECTION REPORT – FOR RENEWALS/TRANSFERS

Date	11/05/2013	License No. #015143
Type	<input checked="" type="checkbox"/> Renewal	<input type="checkbox"/> Transfer (<i>Fee: \$1,000</i>)
Commission Meeting Date	11/18/2013	
Property Address	15203 ECKEL RD	
Lake Site Location	LOT 8 ECKEL TRACT	
Lease Dates	7/22/2013-7/22/2043	
Lease Fee (changes annually)	\$637.00	
Inspection Fee	\$75.00 Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Lessee (Transfer To)		
Name(s)	HENRY DAVIS	
Address	SEE FILE	
Phone	SEE FILE	
Current Lessee (Transfer From) <i>(if applicable)</i>		
Name(s)		
Address		
Phone		
Inspection Information		
Inspection Required	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (if no, due: 8/27/17)	
DEQ Report on File	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Type of Septic System	<input checked="" type="checkbox"/> Conventional <input type="checkbox"/> Aerobic	
Last Inspected/Pumped	8/27/12	
Misc. Comments		
	Total Charges Paid: \$637.00	

Regular Board of Commissioners

2. j.

Meeting Date: 11/18/2013

Purchase Staff Vehicles

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Authorize purchase of two staff vehicles from the state contract price and amend budget (Fund 301) for purchase of these vehicles

Attachments

Memo Purchase of Staff Vehicles

Budget Amendment for purchase of staff vehicles

Mayor
WES MAINORD



The City of Shawnee
Office of the Finance Director

P.O. Box 1448
Shawnee, Oklahoma 74802-1448
(405) 878-1601 Fax (405) 878-1571
www.ShawneeOK.org

Commissioners
PAM STEPHENS
LINDA AGEE
JAMES HARROD
KEITH HALL
JOHN WINTERRINGER
STEVE SMITH

Date: November 13, 2013

To: Mayor and City Commissioners

From: Cynthia Sementelli, Finance Director/Treasurer

A handwritten signature in black ink, appearing to be "CS", is written over the name of the sender.

RE: City Vehicles

Nature of the Request:

Authorize staff to purchase 2013 Dodge Van \$18,716.00 and a 2013 Ford Escape \$19,462 off state contract.

Staff Analysis, Considerations:

A little over a year ago the City had an employee that was on City business that was involved in an accident in their own vehicle. After this incident the City Manager sent an email stating that if any employee is on City business employees need to take a City vehicle. This limits the liability for the City. We currently have three staff cars that we are using but two are over ten years old and are in need of replacing. We are going to surplus one vehicle and move the other to a courtesy car at the airport.

Recommendation:

To purchase two staff vehicles off state contract.

Budget Consideration:

These two vehicles are not budgeted for but will be paid for with additional revenues the city has received that was not budgeted for.

Regular Board of Commissioners

2. k.

Meeting Date: 11/18/2013

Advertise for bids ADA Restroom

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Authorize staff to advertise for bids for ADA compliant restroom at City Hall

Attachments

Request Bids for ADA Restroom

Mayor
WES MAINORD



The City of Shawnee
Office of the Director of Operations

P.O. Box 1448
Shawnee, Oklahoma 74802-1448
(405) 878-1529 Fax (405) 878-1593
www.ShawneeOK.org

Commissioners

PAM STEPHENS
LINDA AGEE
JAMES HARROD
KEITH HALL
JOHN WINTERRINGER
STEVE SMITH

Date: November 13, 2013
To: Mayor and City Commissioners
From: James Bryce, Director of Operations
RE: City Hall ADA, Family Restroom Project

Nature of the Request:

Notice to bidders for the City Hall ADA, Family Restroom Project.

Staff Analysis, Considerations:

With limited space around city hall for new restroom facilities that will meet ADA accessibility, Staff had an architect engineer a remodel for the men's restroom in the upstairs hall way that will meet ADA standards and provide a restroom for families to take their children into.

Recommendation:

It is staff's recommendation to go out for competitive bidding on the City Hall ADA, Family Restroom Project.

Budget Consideration:

Project is funded out of the Capital Outlay budget.

Account # 301 5-4020-5450 409 4020-52	ADA Restroom	\$33,000.00
---------------------------------------	--------------	-------------

Regular Board of Commissioners

5.

Meeting Date: 11/18/2013

Municipal Pool

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Presentation and progress report by Municipal Pool Finance Committee regarding fund raising.

Regular Board of Commissioners

6.

Meeting Date: 11/18/2013

Rev. Preliminary Plat S07-13B

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Consider approval of a revised preliminary plat for Belmont Park Addition located on the northeast corner of Acme and MacArthur.

Case #S07-13B Applicant: Justin Ramer

Attachments

Preliminary Plat S07B-13

RECOMMENDATION TO:

MAYOR
BOARD OF CITY COMMISSIONERS
CITY OF SHAWNEE

RECOMMENDATION FROM:

CITY OF SHAWNEE
PLANNING COMMISSION

SUBJECT:

APPLICANT: Justin Ramer
FOR: Revised Preliminary Plat for Belmont Park Addition
LOCATION: NE corner of Acme & MacArthur
PROJECT NUMBER N/A **CASE NUMBER** S07-13B

PLANNING COMMISSION MEETING DATE: 11-06-2013

PLANNING COMMISSION RECOMMENDATION: Approval with following conditions:

1. Final improvement plans shall be approved by the City Engineer prior to construction.
2. 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 in accordance with City code.
3. Sidewalks shall be installed in accordance with the City's sidewalk ordinance and the sidewalk for Common Lot A (along Acme Road) shall be constructed concurrent with the building permit for Phase 2, Lot 1 (Lot 2 of preliminary plat).
4. The proposed Lot 5 of the preliminary plat shall meet the minimum frontage requirements set forth in the Shawnee Zoning Ordinance.
5. All other applicable City standards apply.

VOTE OF THE PLANNING COMMISSION: *MEMBERS PRESENT:* 6

MEMBERS:	1ST	2ND	AYE	NAY	ABSTAIN	COMMENTS
BERGSTEN	X		X			
CARTER		X	X			
HOSTER			X			
TURNER (CHAIRMAN)						Absent
SILVIA (VICE-CHAIRMAN)			X			
COWEN			X			
SALTER			X			

RESPECTFULLY SUBMITTED,
Cheyenne Lincoln
SECRETARY, PLANNING COMMISSION

ACTION BY CITY COMMISSION:

PUBLIC HEARING SET: _____

DATE OF ACTION: _____

ADOPTED _____ DENIED _____



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

STAFF REPORT
Belmont Park Addition – Phase 2 Final Plat
Revised Preliminary Plat
Case #S07-13B &
Case #S07-13

TO: Shawnee Planning Commission

AGENDA: November 6, 2013

RE: Belmont Park Addition, Final Plat (Phase 2)
Revised Preliminary Plat

PROPOSAL

The applicant is requesting Final Plat approval for Belmont Park Addition (Phase 2). The subject lot is zoned C-3 and a proposed 2,400 square-foot office building is planned. The development is south of the first phase of the Belmont Park Addition, currently under construction with 25 housing units. In addition, the applicant has revised the Belmont Park Preliminary Plat, which was initially approved in October 2012 (Case #S13-12). The revised preliminary plat includes five lots and one common drainage area that will serve as stormwater detention for the development.

GENERAL INFORMATION

Applicant	J Bentley, LLC- Justin Ramer
Owners	J. Bentley, LLC- Justin Ramer
Contact	Keith Cook, PE, JTK Engineering
Site Location/Address	NE intersection of Acme Road and MacArthur St.
Current Site Zoning	C-3 and R-3 (see Figure 1)
Parcel Size	12.3 Acres Total Current Final Plat: 28,600 square feet

Proposed Use	Office
Comprehensive Plan Designation	Rural/Agricultural
Existing Land Use	Partially undeveloped, Phase I under construction (multifamily)
Surrounding Land Use	<u>North:</u> Residential (apartment complex) <u>South:</u> Commercial and Industrial <u>West:</u> Commercial/Casino <u>East:</u> Vacant/Rural Residential
Surrounding Zoning	<u>North:</u> R-3 <u>South:</u> C-1 and I-2 <u>West:</u> A-1 (Kickapoo Casino) <u>East:</u> RE

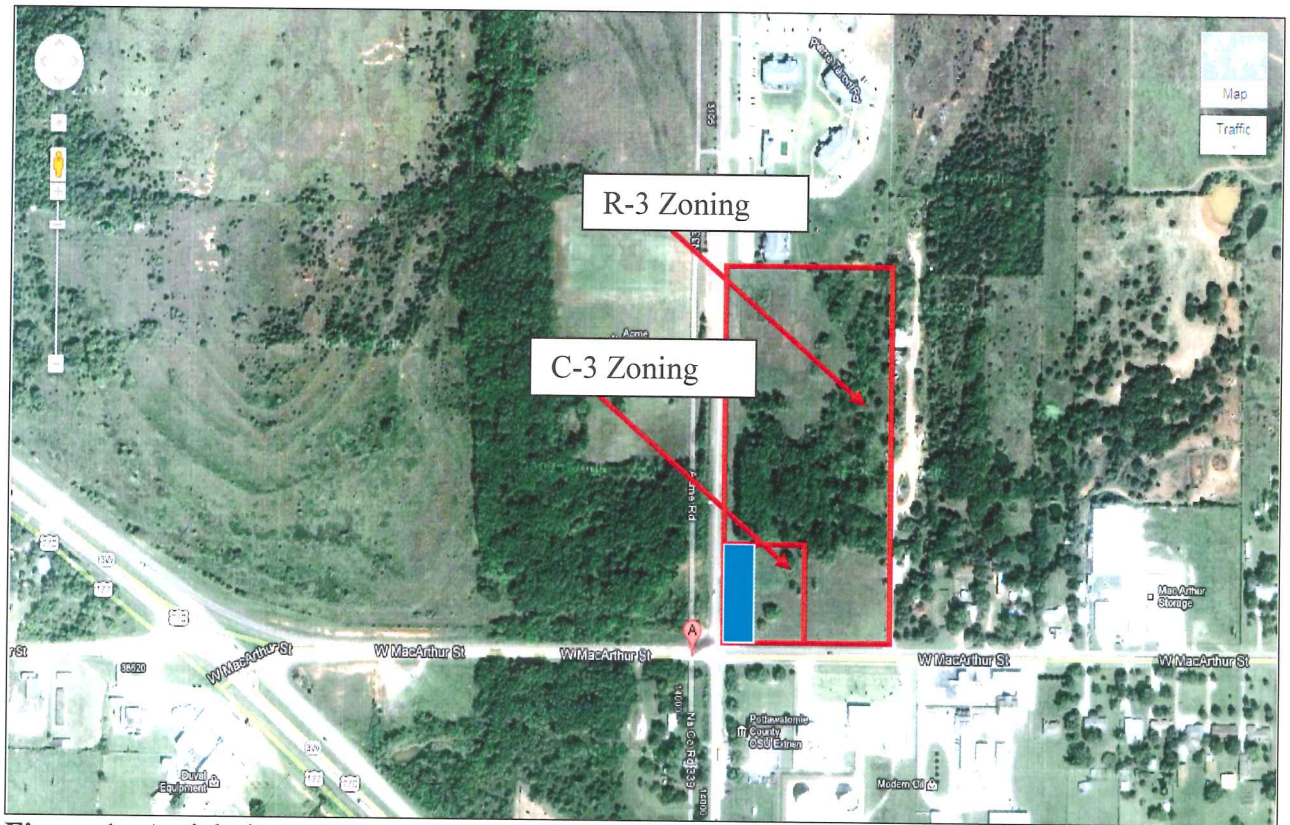


Figure 1. Aerial view of site – approximate total area outlined in red, with Phase 2 lot shown in blue.

STAFF REVIEW AND ANALYSIS

Staff has reviewed the final plat request and finds that the plat will meet all City requirements. The proposed lot meets all zoning standards and no variances are requested. The proposed revised preliminary plat creates five building lots, two zoned C-3 and three zoned R-3. A regional stormwater detention facility is also proposed, which will accommodate development of the entire site. The preliminary plat is consistent with all development standards, provided that Lot 5 includes frontage onto a dedicated public street. With respect to utilities, the public sewer line will be extended south along Acme Road to serve the final plat. There is an existing waterline along MacArthur. Sidewalks are required along Acme Road and MacArthur Street. Figures 1 and 2 illustrate the original and revised preliminary plats.

Regarding the technical aspects of the submitted plat, the City Engineer has reviewed the submitted plans and engineering documents and has no objection to approval of the revised preliminary plat and final plat for the second phase, provided the conditions recommended below are adopted.

STAFF RECOMMENDATION

Staff recommends **approval** of the Belmont Park Addition, Revised Preliminary Plat and Final Plat – Phase 2, subject to the following conditions:

1. Final improvement plans shall be approved by the City Engineer prior to construction.
2. 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 in accordance with City code.
3. Sidewalks shall be installed in accordance with the City's sidewalk ordinance and the sidewalk for Common Lot A (along Acme Road) shall be constructed concurrent with the building permit for Phase 2, Lot 1 (Lot 2 of preliminary plat).
4. The proposed Lot 5 of the preliminary plat shall meet the minimum frontage requirements set forth in the Shawnee Zoning Ordinance.
5. All other applicable City standards apply.

Attachments

1. Preliminary Plat
2. Final Plat – Phase 2
3. Site Plan for Building Permit

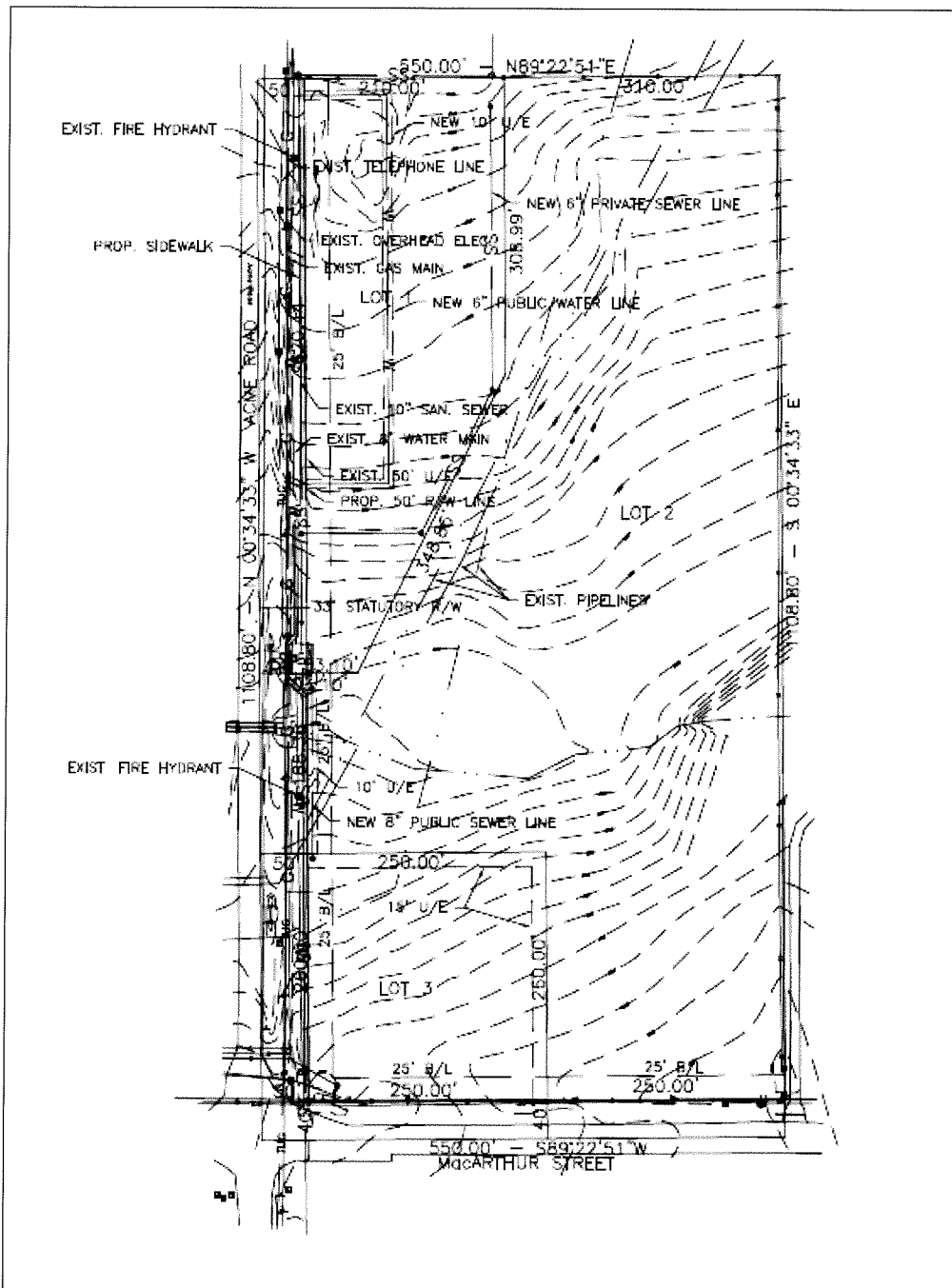


Figure 2. Original preliminary plat approved in October 2012 (Case #S13-12).

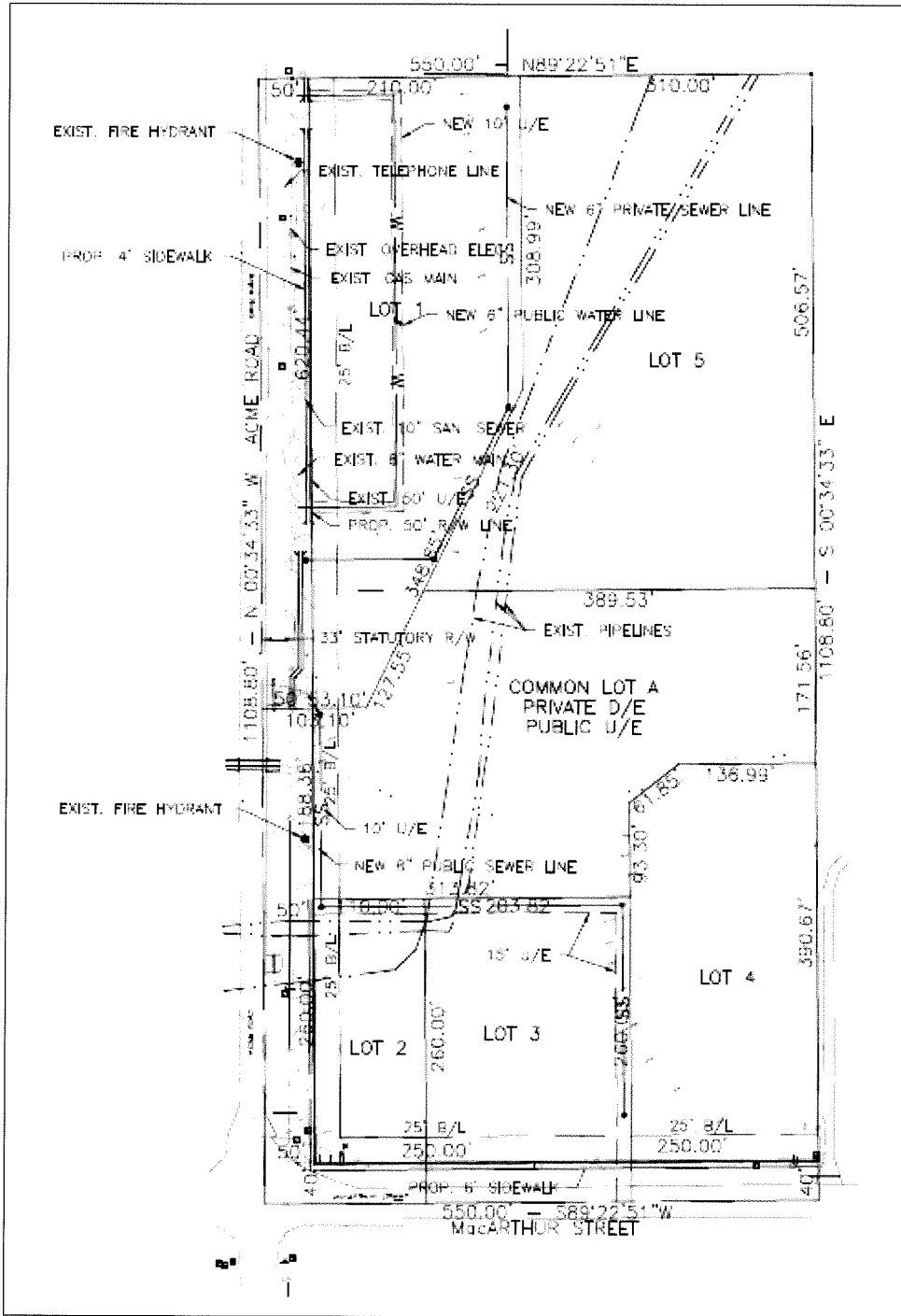
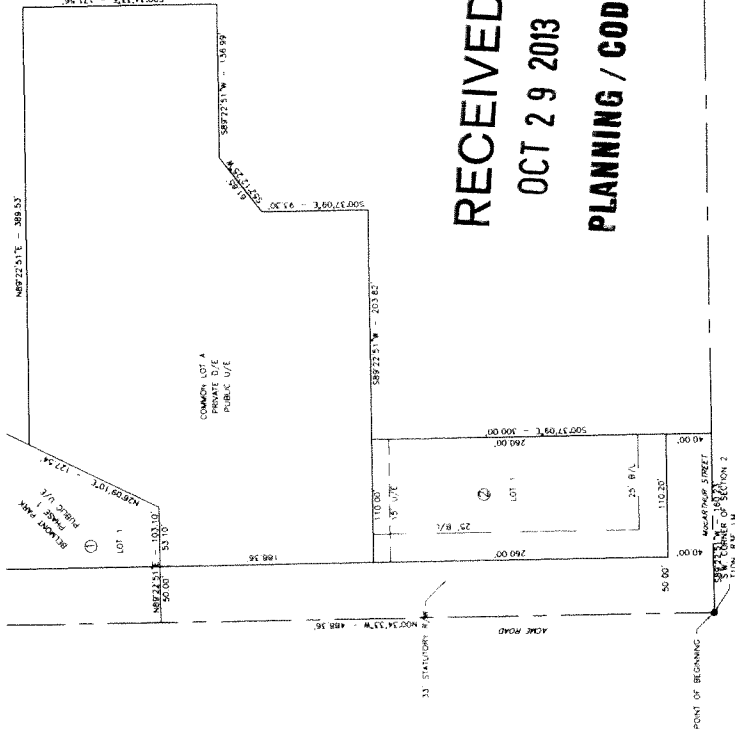


Figure 3. Proposed revised preliminary plat.

FINAL PLAT
OF
BELMONT PARK ADDITION, PHASE 2
BEING A PART OF THE SW1/4
SECTION 2, T-10-N, R-3-E, I.M.
SHAWNEE, POTTAWATOMIE COUNTY, OKLAHOMA



RECEIVED
OCT 29 2013
PLANNING / CODE

LEGEND:
B/L - BUILDING UNIT LINE
U/E - UTILITY EASEMENT
D/E - DRAINAGE AND UTILITY EASEMENT
L/A - LIMITS OF NO ACCESS
O - INDICATES 3/8" IRON PIN (SET)

OWNER'S SEAL
ABSTRACTER'S SEAL
SURVEYOR'S SEAL
CITY SEAL
COUNTY SEAL

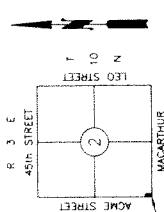
LEGAL DESCRIPTION:
SECTION 2, T-10-N, R-3-E, I.M. SHAWNEE, POTTAWATOMIE COUNTY, OKLAHOMA AND BEING A PART OF THE SW1/4 SECTION 2, T-10-N, R-3-E, I.M. SHAWNEE, POTTAWATOMIE COUNTY, OKLAHOMA. THIS PLAT REPRESENTS A CORRECT SURVEY OF THE ABOVE DESCRIBED PROPERTY WITH CORRECT BEARINGS AND DISTANCES. THE DISTANCES ARE AS SHOWN ON THE SURVEY MAP AND ARE NOT TO BE CHANGED BY THIS PLAT. THE DISTANCES ARE AS SHOWN ON THE SURVEY MAP AND ARE NOT TO BE CHANGED BY THIS PLAT. THE DISTANCES ARE AS SHOWN ON THE SURVEY MAP AND ARE NOT TO BE CHANGED BY THIS PLAT.

CERTIFICATE OF COUNTY TREASURER:
I, _____, COUNTY TREASURER OF POTTAWATOMIE COUNTY, OKLAHOMA, DO HEREBY CERTIFY THAT THE ABOVE DESCRIBED PROPERTY IS NOT SUBJECT TO ANY TAXES AND IS NOT IN THE CARE OF THE COUNTY TREASURER. I HAVE REVIEWED THE RECORDS OF SAID COUNTY AND HAVE NOTED THAT THE ABOVE DESCRIBED PROPERTY IS NOT SUBJECT TO ANY TAXES AND IS NOT IN THE CARE OF THE COUNTY TREASURER.

CITY CLERK:
I, _____, CITY CLERK OF THE CITY OF SHAWNEE, OKLAHOMA, DO HEREBY CERTIFY THAT THE ABOVE DESCRIBED PROPERTY IS NOT SUBJECT TO ANY TAXES AND IS NOT IN THE CARE OF THE CITY CLERK. I HAVE REVIEWED THE RECORDS OF SAID CITY AND HAVE NOTED THAT THE ABOVE DESCRIBED PROPERTY IS NOT SUBJECT TO ANY TAXES AND IS NOT IN THE CARE OF THE CITY CLERK.

CITY PLANNING COMMISSION APPROVAL:
I, _____, CHAIRMAN OF THE PLANNING COMMISSION OF THE CITY OF SHAWNEE, OKLAHOMA, DO HEREBY CERTIFY THAT THE ABOVE DESCRIBED PROPERTY IS NOT SUBJECT TO ANY TAXES AND IS NOT IN THE CARE OF THE CITY PLANNING COMMISSION. I HAVE REVIEWED THE RECORDS OF SAID CITY AND HAVE NOTED THAT THE ABOVE DESCRIBED PROPERTY IS NOT SUBJECT TO ANY TAXES AND IS NOT IN THE CARE OF THE CITY PLANNING COMMISSION.

ACCEPTANCE OF DEDICATION BY THE CITY COMMISSION:
I, _____, CHAIRMAN OF THE CITY COMMISSION OF THE CITY OF SHAWNEE, OKLAHOMA, DO HEREBY CERTIFY THAT THE ABOVE DESCRIBED PROPERTY IS NOT SUBJECT TO ANY TAXES AND IS NOT IN THE CARE OF THE CITY COMMISSION. I HAVE REVIEWED THE RECORDS OF SAID CITY AND HAVE NOTED THAT THE ABOVE DESCRIBED PROPERTY IS NOT SUBJECT TO ANY TAXES AND IS NOT IN THE CARE OF THE CITY COMMISSION.



KNIGHT LAND SURVEYING
FINAL PLAT - BELMONT PARK ADDITION
3185 KENNEDY BLVD
SHAWNEE, OKLAHOMA 74784
4051 678-0715
CA #4186
Expire 6/30/15

JTK ENGINEERING CO.
3185 KENNEDY BLVD
SHAWNEE, OKLAHOMA 74784
4051 678-0715
CA #4186
Expire 6/30/15

BELMONT PARK ADDITION OFFICE BUILDING SHAWNEE, OK

No.	Revised/Mark	Date

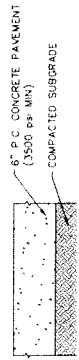
JTK Engineering Co.
 3155 E. Highway 50
 Shawnee, OK 74804
 (405) 878-0715
 CA 64185
 Renewal Date: 6/30/2013

SITE
PLAN

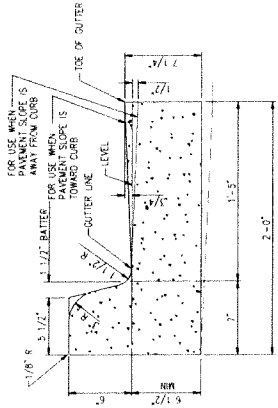


Project # 13013
 Date 10/11/12
 Scale 1" = 20'
C-1

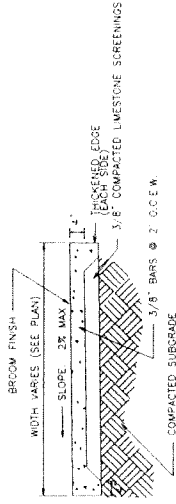
received
10-R-13



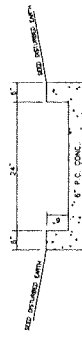
2. TYPICAL CONCRETE PAVING SECTION
 NTS



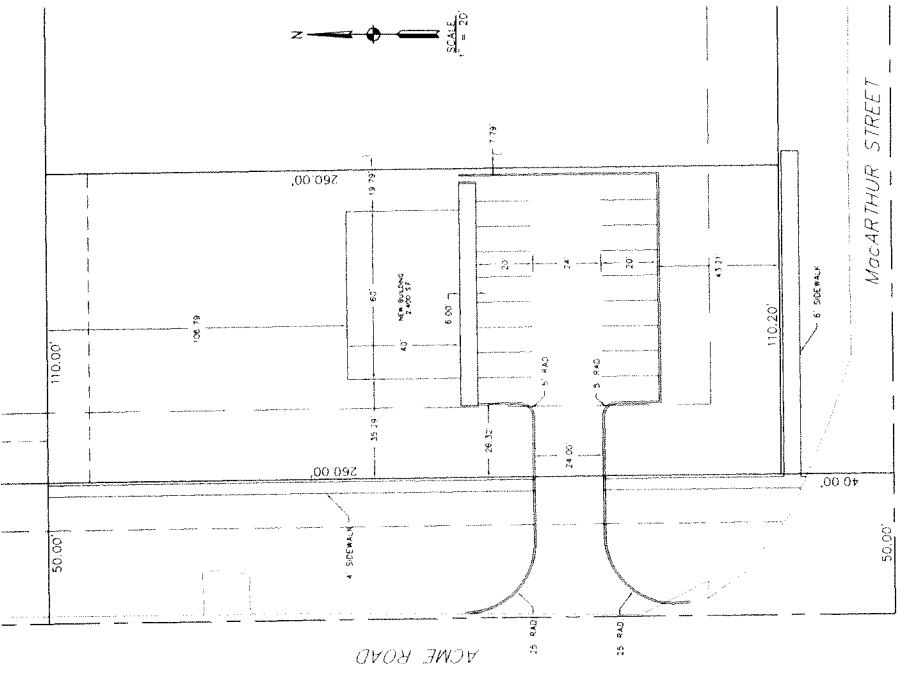
3. STANDARD BARRIER TYPE CONCRETE CURB AND GUTTER
 NTS



4. SIDEWALK DETAIL
 NTS
 CONCRETE SHALL BE 3500 PSI MIN



5. CONCRETE FLUME DETAIL
 NTS



1. SITE PLAN
 1" = 20'

- GENERAL CONSTRUCTION NOTES:**
- ALL FILLS TO BE COMPACTED TO 95% STANDARD PROCTOR DENSITY.
 - THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE SAFETY OF ALL UTILITIES EITHER PUBLIC OR PRIVATE.
 - ALL DIMENSIONS ARE TO FACE OF CURB, FACE OF BUILDING OR CENTERLINE OF STRIPE UNLESS NOTED OTHERWISE.

THIS PLAN SET IS COPYRIGHTED BY JTK ENGINEERING COMPANY. A LICENSE IS HEREBY GRANTED TO REGULATORY AGENCIES FOR UNRESTRICTED USE. A LICENSE WILL BE GRANTED TO PROJECT OWNER AND CONTRACTOR(S) UPON PAYMENT OF ENGINEERING AND DRAFTING FEES.

**BELMONT PARK ADDITION
OFFICE BUILDING
SHAWNEE, OK**

No.	Revision/Issue	Date

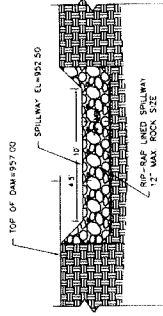
JTK Engineering Co.
 5965 W. 10th Street
 Suite 24804
 Oklahoma City, OK 73160
 (405) 878-0715
 CA #4186
 Renewal Date: 5/30/2013

**GRADING
PLAN**

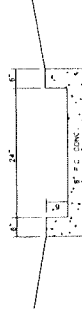
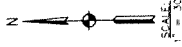


Project # **13013**
 Date **10/11/13**
 Sheet **C-2**
 Scale **1" = 30'**

Received
 10-18-13



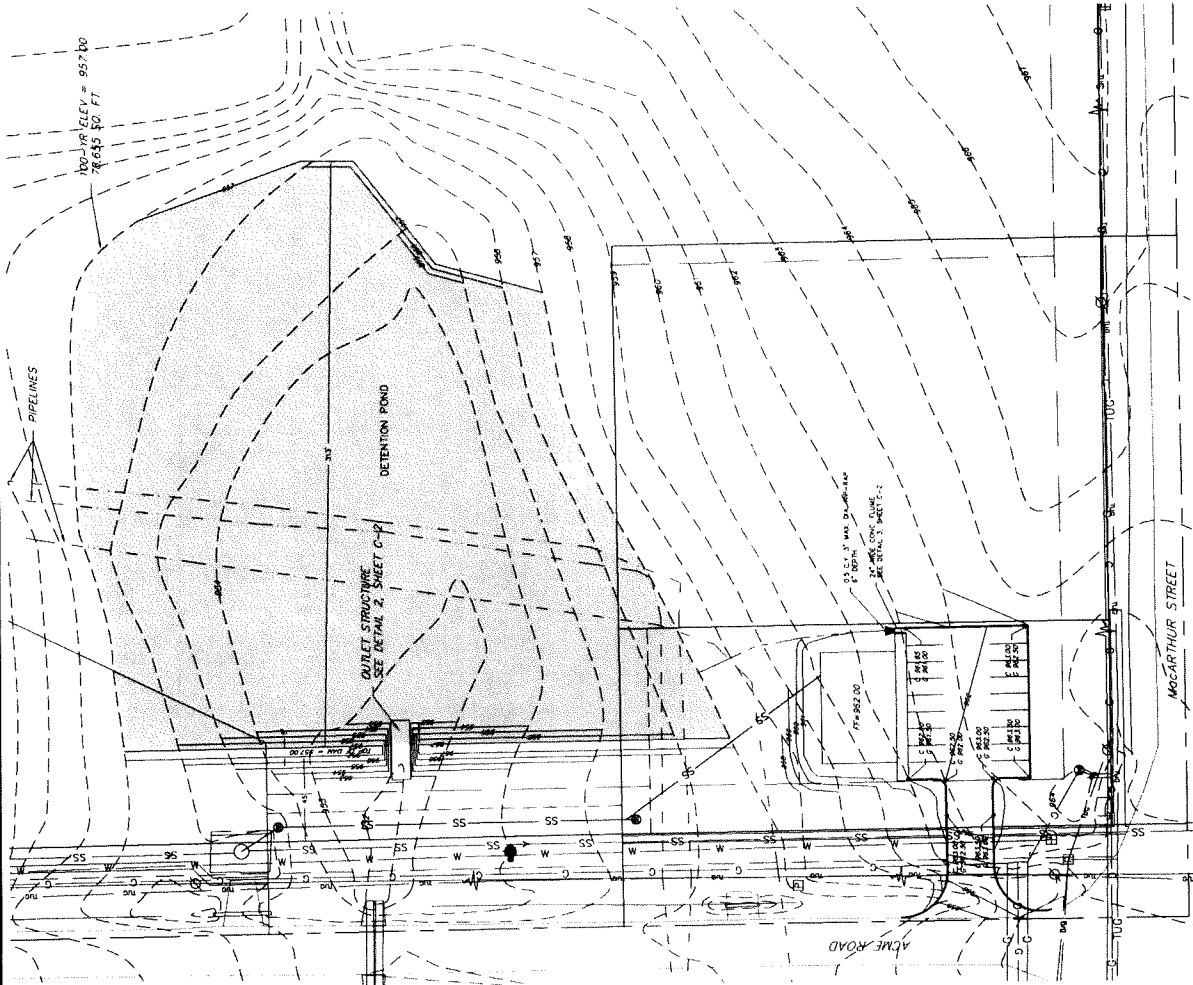
**2 DETENTION POND
PREPARED OUTLET STRUCTURE DETAIL**
 N.T.S.



1 CONCRETE CURB DETAIL
 N.T.S.

- GENERAL CONSTRUCTION NOTES:**
1. ALL FIELDS TO BE COMPACTED TO 85% STANDARD PROCTOR DENSITY.
 2. THE CONTRACTOR SHALL LOCATE AND MARK APPROXIMATE LOCATIONS OF UNDERGROUND UTILITY LINES. MARKED UTILITIES ARE NOT NECESSARILY AS SHOWN. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO CONSTRUCTION.
 3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE SAFETY OF ALL UTILITIES EITHER PUBLIC OR PRIVATE.
 4. ALL DIMENSIONS ARE TO FACE OF CURB, FACE OF BUILDING OR CENTERLINE OF STRIPE UNLESS NOTED OTHERWISE.

THIS PLAN SET IS COPYRIGHTED BY JTK ENGINEERING COMPANY. A LICENSE IS GRANTED TO THE CONTRACTOR TO USE THIS PLAN SET FOR THE PROJECT AND NO OTHER LICENSE WILL BE GRANTED TO PROJECT OWNER AND CONTRACTOR(S) UPON PAYMENTS OF ENGINEERING AND DRAFTING FEES.



1 GRADING PLAN
 1" = 30'

Regular Board of Commissioners

7.

Meeting Date: 11/18/2013

Final Plat S07-13

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Consider approval of a final plat for Belmont Park Addition located on the northeast corner of Acme and MacArthur.

Case #S07-13 Applicant: Justin Ramer

Attachments

Final Plat S07-13

RECOMMENDATION TO:

MAYOR
BOARD OF CITY COMMISSIONERS
CITY OF SHAWNEE

RECOMMENDATION FROM:

CITY OF SHAWNEE
PLANNING COMMISSION

SUBJECT:

APPLICANT: Justin Ramer
FOR: Final Plat for Belmont Park Addition
LOCATION: NE corner of Acme & MacArthur
PROJECT NUMBER 131291 CASE NUMBER S07-13

PLANNING COMMISSION MEETING DATE: 11-06-2013

PLANNING COMMISSION RECOMMENDATION: Approval with following conditions:

1. Final improvement plans shall be approved by the City Engineer prior to construction.
2. 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 in accordance with City code.
3. Sidewalks shall be installed in accordance with the City's sidewalk ordinance and the sidewalk for Common Lot A (along Acme Road) shall be constructed concurrent with the building permit for Phase 2, Lot 1 (Lot 2 of preliminary plat).
4. The proposed Lot 5 of the preliminary plat shall meet the minimum frontage requirements set forth in the Shawnee Zoning Ordinance.
5. All other applicable City standards apply.

VOTE OF THE PLANNING COMMISSION: **MEMBERS PRESENT:** 6

MEMBERS:	1ST	2ND	AYE	NAY	ABSTAIN	COMMENTS
BERGSTEN			X			
CARTER			X			
HOSTER			X			
TURNER (CHAIRMAN)						Absent
SILVIA (VICE-CHAIRMAN)			X			
COWEN	X		X			
SALTER		X	X			

RESPECTFULLY SUBMITTED,
Cheyenne Lincoln
SECRETARY, PLANNING COMMISSION

ACTION BY CITY COMMISSION:

PUBLIC HEARING SET: _____

DATE OF ACTION: _____

ADOPTED _____ DENIED _____

FINAL PLAT APPLICATION FOR THE CITY OF SHAWNEE

Please provide a submittal letter, 6-24 X 36 maps, 1-8 1/2 x 14 map, 1 electronic map and filing fees upon submitting this application. Please call 878-1665 with any questions.

APPLICANT Justin Ramer

APPLICANT ADDRESS 20 E 9th St Ste 130, Shawnee, OK 74801

APPLICANT PHONE NUMBERS 405-622-3300

EMAIL ADDRESS jramer27@gmail.com

NAME OF PLAT Belmont Park, Phase 2

LOCATION Acme Road and MacArthur Street

NUMBER OF ACRES 0.66 NUMBER OF LOTS 1

FOR 2 ACRE LOTS OR GREATER DEVELOPMENTS: FEE: \$325.00

PLUS \$3.00 PER LOT UP TO FIFTY (50) LOTS NUMBER OF LOTS _____

PLUS \$1.00 PER LOTS OVER FIFTY(50) LOTS NUMBER OF LOTS _____

TOTAL COST _____

FOR LESS THAN 2 ACRE LOTS: FEE: \$325.00

PLUS \$2.00 PER LOT UP TO FIFTY (50) LOTS NUMBER OF LOTS 1 2.00

PLUS \$1.00 PER LOTS OVER FIFTY (50) LOTS NUMBER OF LOTS _____

TOTAL COST \$327.00

OWNER/DEVELOPER INFORMATION:

NAME J. Bentley Development

ADDRESS 20 E 9th St, Ste 130, Shawnee, OK 74801

CONTACT NUMBERS 405-622-3300

EMAIL ADDRESS jramer27@gmail.com

PROJECT ENGINEER INFORMATION:

NAME Keith Cook – JTK Engineering Company

ADDRESS 37906 Wolverine Road, Shawnee, OK 74804

CONTACT NUMBERS 405-878-0715

EMAIL ADDRESS keith.cook@jtkengineering.com

FOR STAFF USE ONLY

PROJECT NUMBER: 131291 CASE NUMBER: 507-13

DATE: 10/17/13 AMOUNT PAID: 327.00 RECEIPT NO. 01528620

Regular Board of Commissioners

8.

Meeting Date: 11/18/2013

Public Hearing Taxi Service

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Public hearing and consideration of an ordinance modifying rules applicable to vehicles for hire/taxicabs contained within Chapter 8, Article X of the Shawnee Municipal Code.

Public hearing continued from November 4, 2013 meeting.

Attachments

Memo Vehicle for Hire Ordinance

Ordinance Vehicles for Hire




City of Shawnee
16 W. 9th Street
Shawnee, OK 74801
(405) 878-1665 Fax (405) 878-1587
www.ShawneeOK.org

MEMORANDUM

AGENDA: November 18, 2013

TO: Mayor and City Commission

FROM: Justin Erickson, Planning Director 

RE: **Vehicles For Hire (Taxicab) Ordinance Revision**

Nature of the Request

Staff proposes that the City Commission adopt a revised vehicle for hire (taxicab) ordinance (see attached). The current ordinance has not been substantially updated since at least 1986. Changes are necessary to protect public health, safety and welfare. The need for a revised ordinance was discussed with the City Commission in February of 2013.

At present, the City has two licensed vehicle for hire companies: Executive Cab and Castle Cab. Executive Cab was purchased by the current operators and licensed by the City in 2000. Castle Cab was approved to operate by the City Commission in February 2013. On June 20, 2013, Staff mailed a draft version of the revised ordinance to licensed operators soliciting feedback. Staff personally spoke with and met with representatives of both companies. To date, no written comments have been received outlining requested changes.

Analysis/Considerations

The proposed ordinance is substantially similar to the existing ordinance. There are general requirements and licensing standards set forth. Both the taxicab business and each individual driver are required to be licensed. The most substantive changes are as follows:

1. Taximeter required. The City currently operates on a zone rate structure that was last updated in 2000 (see attached Resolution #6058). The proposed ordinance requires meters and allows individual companies to set their rates annually concurrent with their license renewal. This is consistent with the code language of most large jurisdictions in Oklahoma. Table 1 represents a sampling of taxi rates in the Oklahoma City metropolitan area. It is Staff's opinion that the current zone system is confusing to interpret and monitor. One benefit to a zone system is that it is easier to quote a customer an exact fare. However, with a meter system a fare rate per mile can easily be quoted too.

2. Clear process for revocation. The proposed ordinance sets forth a very clear set of standards for issuance of licenses and conversely it includes a detailed process for the revoking of said licenses if companies or individuals violate the law.
3. Insurance requirement. The current ordinance includes insurance requirements that are outdated and inconsistent with State law. The proposed ordinance is consistent with State law.

Based on the feedback received at the November 4, 2013 Commission meeting, staff modified the previous draft ordinance to address the issue of 24-hour dispatch associated with taxicab operators. No other substantive changes were made and the changes are consistent with standards in other jurisdictions. Staff provided copies of the attached draft ordinance to the two existing taxicab companies operating in Shawnee.

Table 1: Sample taxi rates by jurisdiction

TAXI RATES			
	START THE		WAITING
OKLAHOMA CITY	RIDE	PER MILE	TIME (per hour)
Thunder Cab	\$3.00	\$2.25 (\$1/extra passenger)	
Yellow Cab	\$2.75	\$2.00	\$15.00
Castle Cab	\$3.00	\$2.25	\$18.00
AMC Taxi	\$3.00	\$2.00	
Independent Cab Company	\$3.00	\$2.25	
NORMAN			
A1 Taxi Service	\$3.00	\$2.25	
Yellow Cab	\$3.75	\$2.75	
EDMOND			
Edmond Taxi	\$3.00	\$2.00	
MIDWEST CITY			
Convenient Transport Service	\$5.00	\$1.50	

Staff Recommendation

Staff recommends that the City Commission pass the proposed Ordinance, revising Chapter 8, Article X – Vehicles For Hire.

Attachments

1. Ordinance revising regulations pertinent to vehicle for hire operations
2. Resolution #6058 (2000)

RESOLUTION NO. 6058

A RESOLUTION APPROVING AN INCREASE IN BASIC TAXICAB RATES WITHIN THE CITY OF SHAWNEE, OKLAHOMA; AND PROVIDING THAT ALL OTHER RATES AND MANNER OF COMPUTING FARES PRESENTLY IN EFFECT SHALL REMAIN UNCHANGED.

WHEREAS, it appears that operating costs for taxicabs within the City of Shawnee have increased to the point that an increase in rates is necessary; and

WHEREAS, it is necessary and in the best interest of the City of Shawnee and the inhabitants thereof for taxicab companies to operate with rates which will insure adequate taxicab transportation facilities for the public use; and

WHEREAS, a rate schedule proposed by taxicab companies in Shawnee appears to be reasonable and necessary.

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

That the basic taxi fare presently in effect shall be increased by 20 %.

BE IT FURTHER RESOLVED that all other rates and the manner in which fares are calculated shall remain the same as those approved by the City Commission on August 16, 1993.

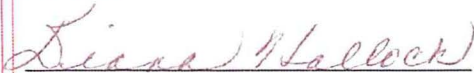
PASSED AND APPROVED this 3rd day of January, 2000.



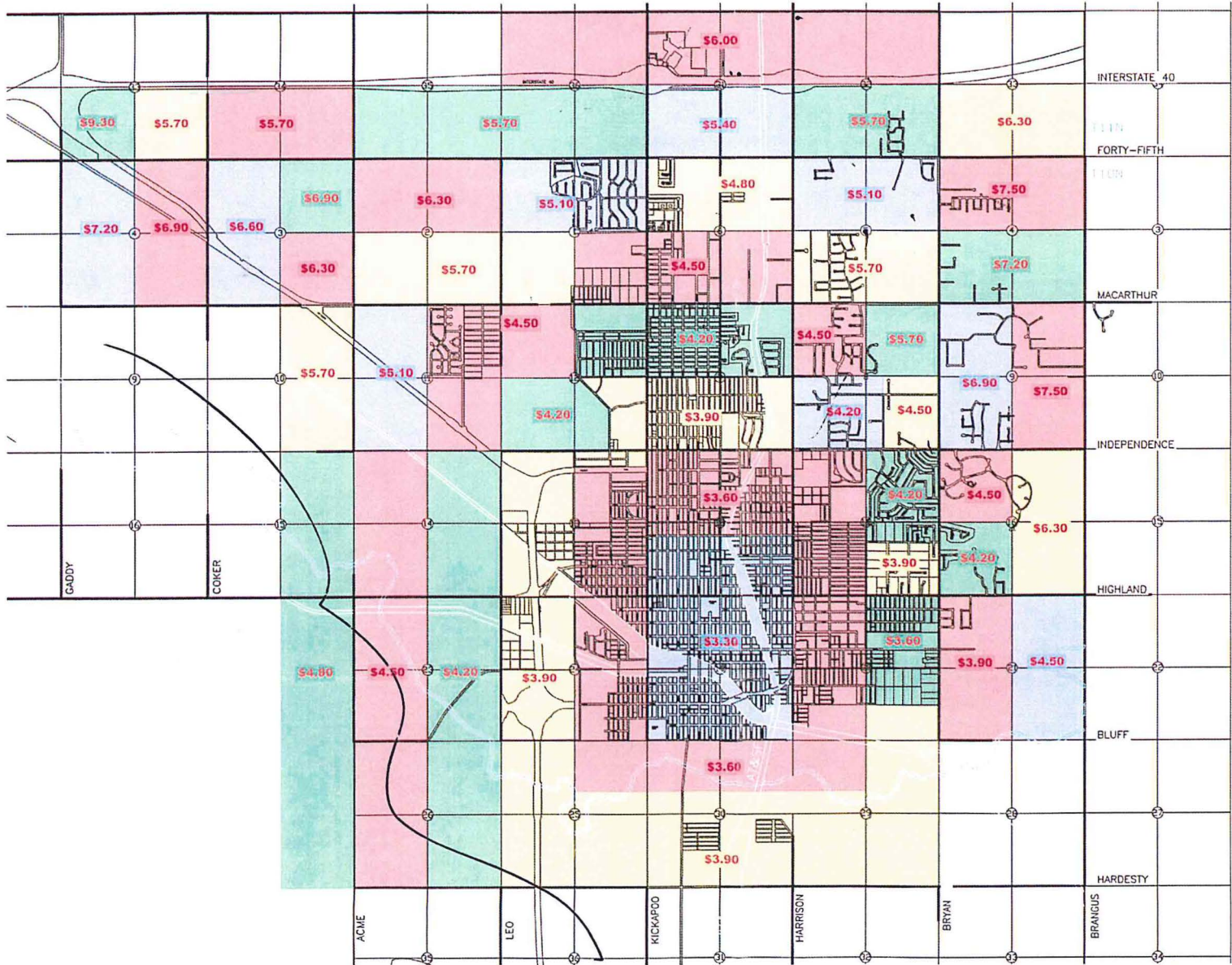
Chris Harden, Mayor

(SEAL)

ATTEST:



Diana Hallock, CMC, City Clerk



No.	Revision/Issue	Date

CITY OF SHAWNEE

TAXI CAB ZONES & RATES

Date: 12/10/04
Scale: N/A

AN ORDINANCE OF THE CITY OF SHAWNEE REVISING CHAPTER 8, ARTICLE X – VEHICLES FOR HIRE, REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH, PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, public health, safety, and welfare necessitate revised rules regulating vehicles for hire.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF SHAWNEE, OKLAHOMA:

SECTION 1: AMENDATORY. Section 8-461 is amended to read:

Purpose and scope.

It is the intent of this article to regulate the operation of motor vehicles for hire that originate trips within the corporate limits of the City, excepting any trips, the regulation of which are preempted by state and/or federal law. A trip "originates" within the corporate limits of the City if any of its passengers are picked up within the corporate limits of the City of Shawnee for transportation for hire. Said regulation is done pursuant to the authority granted by 11 O.S. § 22-118 and any duly enacted legislation amendatory, complementary or supplementary thereto, including the City's police powers for the protection of the public's health, safety and/or welfare.

SECTION 2: AMENDATORY. Section 8-462 is amended to read:

Definitions.

The following words, terms and phrases, when used in this Article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

(a) *Autobus* means a self-propelled motor vehicle not operated on fixed tracks, with a manufacturer's rated seating capacity of seven or more passengers, operating over a fixed route, between fixed termini and/or on trips pursuant to a published bus schedule; which transports passengers in exchange for compensation; and said vehicles are regulated by the Oklahoma Corporation Commission.

(b) *Carriage* means any animal-drawn carriage, pedicab, bicycle carriage, and any other form of animal-drawn and/or human powered vehicle used to transport persons for any compensation, including tips only. Neither motor-assisted nor electric-assisted carriages shall be used to transport persons for hire on City streets.

(c) *Certificate of public convenience and necessity/business license* means the authority granted by the City to operate a vehicle for hire on the streets of the City.

(d) *Cruising* means the driving of a vehicle for hire on the streets, alleys or public places of the City, in search of or soliciting prospective passengers for hire.

(e) *Driver* means every person who drives or operates a vehicle for hire.

(f) *Licensee* means every person who is licensed under this chapter to operate a vehicle for hire company which originates trips within the City of Shawnee.

(g) *Motor vehicle for hire* means an automobile, bus, truck, van, limousine or any other form of motor vehicle which is used to transport persons for any amount of compensation, including tips only, in exchange for said transportation. This definition shall not include school buses used for transporting students to and from school; vehicles used for ridesharing/carpooling when the seating capacity of the motor vehicle used does not exceed 15; funeral home limousines used exclusively for customers of the funeral home; autobuses; or courtesy vehicles which are provided by hotels or other businesses/companies free of charge to the individual customers of the hotel/business and which are not open to use by the general public.

(h) *Owner* means every person, firm, partnership, association or corporation having proprietary use, ownership or control of any vehicles for hire or fleets of vehicles for hire.

(i) *Person* includes both singular and plural, and shall mean any individual, firm, partnership, corporation, or association for business purposes.

(j) *Street* means any street, road, alley, avenue, boulevard, public way, lane or highway within the corporate limits of the City.

(k) *Taxicab* or *taxi* or *cab* means a motor vehicle for hire designed to carry ten persons or less, operated upon any street or on call or demand, accepting or soliciting passengers indiscriminately for transportation for hire between such points along streets or highways as may be directed by the passenger or passengers so being transported, and equipped with a taximeter, for compensation fixed by a taximeter.

(l) *Taximeter* means a mechanical and/or electronic device attached to a taxicab, which mechanically calculates the authorized charge on the basis of distance traveled, waiting time, or a combination of both. Charges shall be indicated upon such mechanical device in dollars and cents.

(m) *Vehicle for Hire Inspector* means the City of Shawnee Community Development Director or their designee charged with the responsibility of insuring compliance with all the provisions of this chapter.

SECTION 3: AMENDATORY. Section 8-463 is amended to read:

Compliance with this chapter and state/federal law.

No person shall drive or operate a motor vehicle for hire, solicit passengers for transportation in such vehicle, collect fares from prospective passengers for transportation in such a vehicle, or hold himself out to the public as ready and willing to furnish transportation in such a vehicle without having first complied with all applicable provisions of the Oklahoma State law and these municipal ordinances and any applicable federal laws and regulations.

SECTION 4: AMENDATORY. Section 8-464 is amended to read:

Certificate/business license required.

It shall be unlawful for any person, company, firm, partnership, owner, association or corporation to engage in the business of operating any motor vehicle for hire which picks up any passengers within the City limits, without having first obtained from the City Commission a certificate of public convenience and necessity/business license. In addition, individual drivers are required to be licensed pursuant to Section 8-510.

SECTION 5: AMENDATORY. Section 8-465 is amended to read:

Penalty for violation of article.

Every person, including an owner; licensee; employee of a licensee; independent contractor of an owner or licensee; agent of an owner or licensee; and/or driver of a motor vehicle for hire who violates any of the provisions of this article, or who neglects or fails to comply with the same, shall be deemed guilty of a Class "B" offense, and except in cases where another penalty has been fixed and prescribed shall, upon conviction, be punished by a fine not exceeding \$500.00. Each day's violation of this article shall constitute a separate and distinct offense.

SECTION 6: AMENDATORY. Section 8-466 is amended to read:

Responsibility for vehicles under certificate/business license.

(a) Ownership of all vehicles licensed under this article shall be at the option of the licensee, and vehicles may be owned by the licensee, leased by the licensee and/or independently owned by a person other than the licensee. However, the licensee shall be responsible for all vehicles operating under the authority of its certificate/business license. Any violation of any provisions of Oklahoma State law or this article by any driver, who is an employee, independent contractor and/or agent of the licensee, may be deemed a violation by the certificate/business license holder, if other requirements of this article are met, as specifically set forth herein.

(b) No licensee shall allow any person to drive a motor vehicle for hire under the authority of licensee's license if said person has failed a drug or alcohol test administered to said person pursuant to the licensee's drug and alcohol testing policies.

(c) No licensee shall knowingly permit any person to drive a motor vehicle for hire if the licensee or any of licensee's managers, owners, officers, agents or employees is aware that the driver is under the influence of alcohol or any drug that could impair that person's ability to drive a motor vehicle for hire.

SECTION 7: AMENDATORY. Section 8-467 is amended to read:

Seating capacity not to be exceeded.

No driver shall permit more persons to be carried in a motor vehicle for hire than the rated seating capacity of such vehicle.

SECTION 8: AMENDATORY. Section 8-468 is amended to read:

Advertising on vehicles for hire.

No licensee, vehicle owner or driver or any other person shall permit any banner or other advertising matter to be affixed to or painted onto a motor vehicle for hire, except advertising matter which may be desired for advertising his system of motor vehicles for hire, and except as otherwise provided herein.

SECTION 9: AMENDATORY. Section 8-469 is amended to read:

Unlawful refusals for service.

(a) No person working pursuant to the authority of a licensee shall refuse a passenger or shall refuse to dispatch a motor vehicle for hire to provide service to a passenger, based on race, color, religion, ancestry, sex, national origin, age, or disability of said passenger.

(b) Persons working pursuant to the authority of a licensee shall provide service to passengers using wheelchairs who are requesting service, if said person would provide services to others under the same circumstances. Drivers are required to transport passengers using wheelchairs and to stow wheelchairs in the trunk or back of the vehicle. Drivers are required to assist passengers who use wheelchairs in entering and exiting the vehicle when necessary but are not required to carry or lift such passengers. Drivers are required to assist with simple assembly or disassembly of wheelchairs where necessary to load or unload the chair into and out of the vehicle. Drivers are not required to assemble or disassemble wheelchairs where such assembly or disassembly would require the use of tools. No extra fees or surcharges shall be assessed to any passenger for offering the services enumerated herein to a disabled person.

(c) Persons with disabilities may be accompanied by service animals when using motor vehicle for hire services. No extra fees or surcharges shall be assessed to any passenger accompanied by a service animal.

SECTION 10: AMENDATORY. Section 8-470 is amended to read:

Smoking prohibited.

Smoking within motor vehicles for hire shall be prohibited while passengers are present.

SECTION 11: AMENDATORY. Section 8-471 is amended to read:

Taximeter required.

It shall be unlawful for anyone to operate any taxicab in the City unless and until such vehicle is equipped with a taximeter, and each such taximeter shall be maintained in good, serviceable condition so that it shall correctly indicate the correct charge for the distance traveled and waiting time. The taximeter shall be inspected by the Vehicle for Hire Inspector at the annual inspection. The Chief of Police or their designee is hereby authorized at their discretion, or upon complaint of any person, to investigate or cause any taximeter to be investigated, and upon discovery of any inaccuracy in such taximeter, to suspend the driver's permit for operation of the taxicab and/or suspend the vehicle decal, until the Vehicle for Hire Inspector determines such taximeter shall have been correctly adjusted. It shall be unlawful for any licensee, owner, independent contractor, driver or operator of a taxicab in the City to charge any sum in excess of the amount shown on the dial of the taximeter for conveyance in the taxicab, exclusive of sales tax. Every taximeter shall be equipped so as to register the cost of transportation of passengers in the City, and the taximeter shall be so placed in the taxicab that the reading dial showing the amount to be charged may be readily seen by the passengers in the taxicab.

SECTION 12: AMENDATORY. Section 8-472 is amended to read:

Posting of rates, filing with City, receipts on request.

The following rate requirements shall be followed:

(a) Rates and charges shall be posted in each motor vehicle for hire in a place visible to passengers.

(b) It shall be unlawful for the owner or driver of any vehicle for hire in the City to fix, charge or collect for service a rate more than that specified in the rate schedule then in effect and on file with the City and posted within the vehicle. The holder of the business license/certificate shall file a notice of rate adjustments with the City concurrent with obtainment of their annual license, setting forth the proposed rates or charges then in effect, the proposed rates or charges and the dates upon which said proposed rates or charges are to become effective. The Vehicle for Hire Inspector has the discretion to take any rate increase to the City Commission for approval.

(c) If requested, every driver shall give a receipt upon payment of the correct fare or charge.

(d) A taxicab business shall maintain a central place of business and keep the same open twenty-four (24) hours a day for the purpose of receiving calls and dispatching cabs. Additionally, calls for service may be received by the individual driver, but the driver shall notify dispatch if the driver is accepting said passenger for service.

SECTION 13: AMENDATORY. Section 8-473 is amended to read:

Vehicle identification.

In addition to the other requirements of this Chapter, a taxicab shall also bear the following identification: its City-issued identification number on at least three sides of the vehicle and the licensee's telephone number(s) upon the outside panel of the vehicle. All lettering shall be at least two and one-quarter inches in height.

SECTION 14: AMENDATORY. Section 8-501 is amended to read:

Required.

No person shall operate any taxicab or other vehicle for hire, for the transportation of passengers of commodities for hire, in the City until such person and firm has procured the necessary licenses from the City. Vehicle for hire companies are licensed separately from individual drivers as set forth in this Chapter.

SECTION 15: AMENDATORY. Section 8-502 is amended to read:

Application for certificate/business license.

Applicants for a certificate/business license shall file with the City a verified application setting forth the following:

- (a) Name, business address, business name, and any established place(s) of business of the applicant; including address and location of dispatcher (if applicable);
- (b) Names of all owners; officers, and managers of the applicant;
- (c) Number of motor vehicles for hire for which a certificate of public convenience and necessity/business license is desired and manufacturer's rated seating capacity of each vehicle;
- (d) Description of the proposed color scheme, insignia or any other distinguishing characteristics of the motor vehicle for hire;
- (e) Schedule showing the passenger fares to be charged; and the meter rate (for taxis) per mile or fraction thereof;
- (f) Description of type and extent of service to be rendered (e.g., airport shuttle, medical service van, taxicab, limousine, party bus, etc.);
- (g) With said application, applicant shall attach a copy of applicant's drug and alcohol testing policies.

SECTION 16: AMENDATORY. Section 8-503 is amended to read:

Criteria for granting a certificate of convenience and necessity/business license.

In determining whether the applicant has met the requirements of this article, the Commission shall investigate and consider the following:

- (a) Ability of the applicant to comply with the requirements of this article;
- (b) Whether the fares and/or rates to be charged are reasonable and nondiscriminatory;
- (c) Whether applicant has available for operation adequate vehicles and equipment;
- (d) Whether the demands of public convenience and necessity require additional taxicab service within the City;
- (e) Whether applicant has a unique color scheme and/or trademark and/or name different from any other motor vehicle for hire licensee so that a reasonable person would not confuse the different licensees;
- (f) Other relevant facts as the City Commission and police department may determine advisable or necessary; and
- (g) Whether applicant has attached a drug and alcohol testing policy that meets the requirements of this Chapter.

SECTION 17: AMENDATORY. Section 8-504 is amended to read:

Public hearing required.

No more than 45 days after the filing of the fully completed application for the certificate of public necessity and convenience/business license, the City Commission shall hold a public hearing thereon for the purpose of determining whether the applicant has met the requirements this article.

SECTION 18: AMENDATORY. Section 8-505 is amended to read:

Issuance of certificate of convenience and necessity/business license.

(a) If the City Commission shall find that an applicant has met the requirements of this article for a certificate of public convenience and necessity/business license, a certificate/license to that effect shall be issued to the applicant by the City, setting forth the number of vehicles for hire allowed under the certificate/business license. Before the City shall issue any certificate/license, the applicant shall pay a fee of \$250.00, unless otherwise modified by the General Schedule of Fees, for the initial certificate/license. The annual renewal fee shall be \$50.00.

(b) Each vehicle to be operated under the authority of the licensee shall be inspected by the City before it can be used as a vehicle for hire. The vehicle title; tag; insurance verification; and Oklahoma Corporation Commission decal or USDOT/UCR number where applicable, shall be provided to the Vehicle for Hire Inspector at the time of inspection.

(c) Licenses issued by the City expire every December 31 and must be renewed. All renewals not affecting the number of licensed vehicles may be handled administratively. Any renewals requesting an increase in the number of vehicles for hire shall require approval of the City Commission.

(d) Every driver operating under the business license shall be licensed in accordance with Section 8-510 and separate fees paid in accordance with Section 8-511.

(e) Upon application for renewal of the vehicle decals, the licensee shall submit the following information in writing to the Vehicle for Hire Inspector, along with a copy of the vehicle title; tag; insurance verification; and Oklahoma Corporation Commission decal or USDOT/UCR number where applicable, for each vehicle to be used in such business:

(1) the licensee's name, the business owner's name (or names of officers if company is a corporation); and

(2) the company address, and for taxis only, the location of dispatcher(s).

SECTION 19: AMENDATORY. Section 8-506 is amended to read:

Transfer of certificate/business license prohibited.

No certificate of public convenience/business license may be sold, assigned, mortgaged, or otherwise transferred by the person or company to whom issued except upon approval of the City Commission.

SECTION 20: AMENDATORY. Section 8-507 is amended to read:

Revocation or suspension of certificate/business license.

The City Commission may at any time, pursuant to the revocation or suspension proceedings as hereinafter described, revoke or suspend the certificate of convenience and necessity/business license granted under this article, if it makes any of the following determinations of violations by (1) any owners, operators, managers, partners, officers or employees of the licensee or (2) an independent contractor or agent operating under the authority of licensee if the licensee has knowledge of, reasonably should have had knowledge of or supported the violations committed by the independent contractor or agent:

(a) If vehicles operated under the authority/endorsement of the licensee are not operated in accordance with the provisions of this article;

(b) If vehicles are operated within the corporate limits of the City at a rate or fare greater than that specified in the rate schedule then in effect and on file with the Vehicle for Hire Inspector;

(c) If a motor vehicle for hire is operated but is not insured as required by this article;

(d) If the certificate/business license was procured by fraudulent conduct or false statement of a material fact, or a fact concerning the applicant was not disclosed at the time of application and such fact would have constituted just cause for refusal to issue the certificate/license;

(e) If those persons, owners, operators, managers, partners, officers, employees, independent contractors, and/or agents operating motor vehicles for hire pursuant to the licensee's authority have violated any provisions of the article, or have committed any other acts, the violation of which reflects unfavorably on the fitness of the licensee to offer public services;

(f) If those persons, owners, operators, managers, partners, officers, employees, independent contractors or agents operating vehicles for hire pursuant to licensee's authority have failed to maintain adequate and properly operating equipment as required by this article.

(g) In order to initiate revocation or suspension proceedings, the City shall provide written notice to said licensee that a public hearing will be held thereon by the City Commission. Such notice shall be given at least 10 days prior to the date of such hearing and shall specify the grounds upon which revocation or suspension proceedings will be conducted. At such public hearing the City Commission shall consider all relevant testimony before making its determinations thereon.

(h) The City is authorized to maintain a complaint log and such records may be used in support of the revocation or suspension of any certificate of convenience and associated business license and/or driver's license.

SECTION 21: AMENDATORY. Section 8-508 is added to read:

Insurance requirements.

(a) The City shall not issue any license to any person, firm or corporation authorizing such person, firm or corporation to operate said taxicab within the municipality unless such person, firm or corporation first files with the Vehicle for Hire Inspector proof of financial responsibility.

(b) Every person, firm or corporation engaging or intending to engage in the business of transporting passengers outside the City shall be subject to the jurisdiction of the Corporation Commission in accordance with § 230.24 of Title 47 of the Oklahoma statutes and the rules of the Corporation Commission.

(c) As used in this section, "proof of financial responsibility" shall mean a certificate of any insurance carrier or risk retention group, as defined in § 6453 of Title 36 of the Oklahoma Statutes, authorized to do business in the state certifying that there is in effect a policy of liability insurance insuring the owner and operator of the taxicab business, his agents and employees while in the performance of their duties against loss from any liability imposed by law for damages including damages for care and loss of services because of bodily injury to or death of any person and injury to or destruction of property caused by accident and arising out of the ownership, use or operation of such taxicab or taxicabs, subject to minimum limits, exclusive of interest and cost, with respect to each such motor vehicle as follows, unless otherwise increased by State Law:

- (1) \$25,000.00 because of bodily injury to or death of one person in any one accident and, subject to said limit for one person;
- (2) \$50,000.00 because of bodily injury to or death of two or more persons in any one accident; and
- (3) \$25,000.00 because of injury to or destruction of property of others in any one accident.

SECTION 22: AMENDATORY. Section 8-509 is added to read:

Record-keeping requirements of certificate/license holders.

Each licensee shall maintain all records of motor vehicle for hire service orders for the previous 90-day period. These records will be produced upon request to the Vehicle for Hire Inspector.

(a) All vehicles to be licensed shall be in good operating condition and meet all safety standards required by State and Federal law.

(b) All motor vehicles for hire shall:

- (1) Have a current license tag issued by the State of Oklahoma;
- (2) Comply with all safety standards now or hereafter required by the State of Oklahoma and the City and any applicable federal regulations, and be maintained in a safe operating condition with adequate lights;
- (3) Be equipped with doors opening directly into the seats to be occupied by the passengers, which doors shall be in addition to those provided for the use of the driver. No motor vehicle having less than three doors in good working order shall be used as a vehicle for hire in the City;
- (4) Have a knob or handle on the inside of each door opening out of the compartment in which the passengers are carried, by which said door or doors may easily be opened from the inside;
- (5) Contain adequate space for baggage that is separate from the seats of the passengers;
- (6) Be operated by a driver duly licensed as herein provided; and
- (7) Be covered by adequate insurance as provided for herein.

(c) The Chief of Police or their designee may remove any vehicle from service that does not meet the operating requirements set forth herein or that does not obtain the required inspections.

SECTION 23: AMENDATORY. Section 8-510 is added to read:

Driver permit required.

(a) No person shall operate a motor vehicle for hire without having obtained a license to do so from the City. Applications shall contain the following information:

- (1) Name (including all aliases or previously used names) and date of birth of the applicant.
- (2) Whether or not the applicant has been convicted of a felony which reasonably and directly indicates a risk to the public such as:
 - (i) any offense involving violence;
 - (ii) any sex offense;
 - (iii) any drug or alcohol-related offense; and the date of such conviction.
- (3) Whether or not, within the five years prior to the application, the applicant has been convicted of a misdemeanor which reasonably and directly indicates a risk to the public such as:
 - (i) any offense involving violence;
 - (ii) any sex offense;
 - (iii) any drug or alcohol-related offense; and date of such conviction.

(4) The number, class and expiration date of State of Oklahoma driver's license. Upon submission of a completed application to the Police Department, the applicant is required to provide a copy of his/her current three-year driving record, issued by either the Oklahoma Department of Public Safety, an Oklahoma tag agency or an accredited background company. The applicant must provide a current record every year upon renewal of the driver's permit. The driving record is considered current if it is dated no more than 30 days prior to the date on which the applicant submits a completed application to the Vehicle for Hire Inspector.

(5) Whether a driver's license issued to the applicant by any state has ever been revoked or suspended, and the reason for such revocation or suspension, and date of such.

(6) The applicant is required to provide a copy of his or her current criminal record unless otherwise obtainable by the City, from the Oklahoma State Bureau of Investigation or an accredited background agency, upon submission of his or her application to the Police Department. The applicant must provide a current record

every year upon renewal of the driver's permit. The criminal record is considered current if it is dated no more than 30 days prior to the date on which the applicant submits a completed application to the Vehicle for Hire Inspector.

(b) No driver's permit shall in any manner be assignable or transferable, and each such permit issued shall terminate on December 31 of each year. Upon renewal of a driver's permit, the applicant must complete a new application and is required to meet the same standards set forth in this article for the initial permit.

(c) The driver's permit shall be on a form prescribed by the City. The driver's permit shall also contain the driver's name, license number and the expiration date of said license. The driver's permit shall be displayed in a place within the motor vehicle for hire that is visible to all patrons of that vehicle.

SECTION 24: AMENDATORY. Section 8-511 is added to read:

Driver's permit issuance; notice of termination of driver required.

(a) Upon approval of an application for a driver's permit and upon payment of a fee of \$50.00 unless otherwise modified by the General Schedule of Fees, the Vehicle for Hire Inspector shall issue a driver's permit to the applicant. The fee for renewal shall be \$25.00 unless otherwise modified by the General Schedule of Fees.

(b) Upon the termination of any driver, the licensee for whom the driver has been operating a vehicle, shall immediately give the Vehicle for Hire Inspector written notice of such termination, and the reasons therefore, unless the reasons are confidential pursuant to either state or federal law.

SECTION 25: AMENDATORY. Section 8-512 is added to read:

Grounds for denial of driver's license, reapplication process.

(a) Upon receipt of an application for a driver's permit the Vehicle for Hire Inspector and Chief of Police shall conduct an investigation of the applicant and, on the basis of such investigation, shall either approve or deny the application. No driver's permit shall be issued to any of the following persons:

- (1) Any person under the age of 18 years.
- (2) Any person convicted of any felony, violent or sexual offense.
- (3) Any person convicted of hit-and-run driving.
- (4) Any person convicted of reckless driving within five years prior to the application.
- (5) Any person not possessing a valid State driver's license, unless specifically exempted herein.
- (6) Any information which is omitted from the driver's application will be grounds for denial of a permit.

(7) Any person who cannot produce a certificate from a physician of the City stating that the applicant is capable of safely performing the essential functions of the job of driving a vehicle for hire.

(8) Any person lacking an endorsement letter from a licensee.

(b) Anyone who is denied a permit shall not reapply for such a permit until after a period of six months.

(c) The restrictions in this section shall apply both to persons possessing a driver's permit and to persons seeking renewal of such permit.

SECTION 26: AMENDATORY. Section 8-513 is added to read:

Revocation and suspension of driver's permit.

(a) A driver's permit may be revoked or suspended by the Chief of Police or Vehicle for Hire Inspector for any of, but not limited to, the following reasons:

(1) upon conviction of operating a vehicle for hire while under the influence of intoxicating liquor or while under the influence of any drug or substance which renders an individual incapable of safely operating the motor vehicle for hire.

(2) upon conviction of leaving the scene of an accident.

(3) upon conviction of hit and run or reckless driving, any offense involving violence, any sex offense, and/or any drug or alcohol-related offense.

(4) for permitting any other person to use his vehicle for hire driver's permit.

(5) upon conviction of a third moving traffic violation during any one permit year.

(6) misrepresentation of any material facts by a driver in his application for a taxi driver's permit.

(7) upon cancellation of insurance or revocation or suspension of State driver's license.

(8) for failure to travel the most convenient, direct route in the routing of passengers, unless so authorized by the passenger(s).

(9) refusal of service in violation of this Chapter.

(10) three or more infractions of any traffic law other than those designated as moving traffic violations during any one permit year.

(11) driving a motor vehicle for hire without the insurance coverage required pursuant to this Chapter and Oklahoma State statutes or applicable federal laws.

(b) Whenever the Vehicle for Hire Inspector intends to deny an application or revoke or suspend a permit for driving a vehicle for hire, he/she shall give the applicant or permit holder written notice of intent to deny such application or to revoke or suspend such driver's permit. The notice shall set forth the grounds upon which such denial or revocation or suspension is contemplated.

(c) No person whose permit has been revoked shall be eligible to receive a new permit until the year from the date of the revocation. The Chief of Police or their designee may suspend a driver's permit for any period of time not to exceed 90 days.

(d) The Chief of Police may require that the permit holder obtain an updated medical evaluation and/or complete a driver's training program, prior to reapplying for a driver's permit.

SECTION 27: AMENDATORY. Sections 8-536 through 8-537 are hereby removed and reserved.

SECTION 28: REPEALER. That all ordinances and parts of ordinances in conflict herewith are hereby repealed, including Resolution #6058.

SECTION 29: EFFECTIVE DATE. That this ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect on January 1, 2014.

PASSED AND APPROVED this _____ day of _____, 2013.

WES MAINORD, MAYOR

ATTEST:

PHYLLIS LOFTIS, CMC, CITY CLERK

APPROVED AS TO FORM:

MARY ANN KARNS, CITY ATTORNEY

Regular Board of Commissioners

9.

Meeting Date: 11/18/2013

Facade Requirements

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Consider an ordinance on façade requirements in commercial zoned districts.

Attachments

Memo Facade Information

Ordinance Facade Commercial Zoning



City of Shawnee
16 W. 9th Street
Shawnee, OK 74801
(405) 878-1665 Fax (405) 878-1587
www.ShawneeOK.org

MEMORANDUM

AGENDA: November 18, 2013
TO: Mayor and City Commission
FROM: Justin Erickson, Planning Director *JE*
RE: **Requirements for Façade/Siding Treatments to Commercial Buildings**

Overview

The City of Shawnee does not currently have any design standards for commercial buildings. As a result, there is an inconsistency with which they are constructed, particularly as it relates to the façades of such buildings. Accordingly, a drive down Kickapoo or Harrison streets will reveal structures that have exterior walls consisting entirely of metal, metal and other materials (typically masonry), or all masonry.

At the request of the Mayor, Staff has examined this issue in detail and will prepare an ordinance consistent with the direction of the City Commission. The remainder of this memorandum discusses available options that may be utilized at the discretion of the Commission. Staff made a formal presentation on November 4 and comments received have been incorporated into the attached ordinance.

Staff Analysis

On October 2, 2013, the Shawnee Planning Commission reviewed draft language as part of their broader examination of zoning requirements citywide. There was a general consensus from the members present that a minimum specification requiring façade treatment for all commercial buildings was needed. The Planning Commission expects to have the revised zoning code completed by mid-2014. In the interim, an ordinance specifying required façade/siding treatments could be adopted as a stop-gap measure.

Staff has reviewed common practice relative to such requirements and there are four approaches that municipalities typically take when regulating commercial building façades and exterior walls:

1. No requirement. This is not common for a jurisdiction the size of Shawnee.
2. A requirement that applies only to the front/primary (street-facing) façade, or all façades that front upon a dedicated public street.
3. A blanket requirement (typically expressed as a percentage) that applies to all sides of the structure.
4. A separate standard that applies to downtown buildings, which may be in addition to other requirements.

A review of regulations in place by Oklahoma jurisdictions indicates that many cities do have requirements that limit the use of metal as a finished exterior surface to at least some degree. While some limit such standards to only the historic downtown area, others limit metal façades in all commercial districts. Similar standards may

also apply to industrial, multifamily and other nonresidential uses. A summary of the sample jurisdictions is found in Table 1 below.

Table 1: Sample façade requirements

CITY	ORDINANCE	DETAILS
Norman	Yes	80% masonry on all sides (C-1, C-2, C-3). 60% masonry coverage in industrial zones.
Oklahoma City	Yes	Metal walls not allowed in C-2, C-3, or CBD.
Moore	Yes	75% masonry coverage in all commercial districts.
Broken Arrow	Yes	60% req. on exterior masonry: multi-family residential development standards. Industrial zones: metal may be used on in doors, windows, signs, canopies, and awnings.
Midwest City	Yes	80% masonry in commercial districts. 60% masonry in industrial districts.
Edmond	Yes	No metal buildings. They must be veneered. Exceptions: certain districts have a 50% front wall requirement. Others 50% specific brick requirement.
Enid	Yes	Only required in the CBD.
Bartlesville	Yes	Only required in the CBD. Only the front façade.
Owasso	Yes	20% in overlay district. Outside of overlay metal buildings are not allowed. “Metal may be used as accent material, and cumulatively may not exceed 20% of the area of any individual exterior wall.”
Stillwater	Yes	Only required in the CBD. Only the front façade.

Staff Recommendation

The proposed ordinance requires masonry coverage of façades (street facing sides) in all commercial zoning districts. The specified standard is 60% coverage, except in the downtown area, which has an 80% standard. Staff believes this is an appropriate starting place for the City. As the Planning Commission and Staff complete review of the new zoning code in mid-2014, more modification to construction standards may be proposed. This could include additional design standards for larger commercial structures and more requirements for non-residential buildings in residential zones.

Staff recommends that the attached ordinance be adopted. It has an effective date of January 1, 2014.

Attachment

AN ORDINANCE RELATING TO CONSTRUCTION AND DESIGN REQUIREMENTS FOR BUILDINGS, AMENDING THE SHAWNEE MUNICIPAL CODE, CHAPTER 22: PLANNING AND DEVELOPMENT, AS MORE SPECIFICALLY SET FORTH HEREIN, REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH, PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the Shawnee Planning Commission has reviewed design standards for commercial zoning districts and recommends that said standards be adopted; and

WHEREAS, the Shawnee City Commission finds that the establishment of exterior construction requirements and design standards promotes the public good and protects public health, safety and welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF SHAWNEE, OKLAHOMA:

SECTION 1: AMENDATORY. Section 22-220 of Article VI, Chapter 22 of the Shawnee Municipal Code is hereby added to read as follows:

Exterior construction requirements and standards.

The following building façade requirements shall apply to all new structures that are more than 200 square feet in size in the following zoning districts: C-1, C-2, C-3, C-4, C-5, and C-P:

- (a) All building façades shall be constructed to include masonry material covering at least sixty (60) percent of the façade, except in the C-4 Zone, which shall require eighty (80) percent coverage. Windows and standard doors shall be included in the coverage total, but garage doors shall not.
- (b) Metal roofs are permitted and coated aluminum siding may be used to cover clapboards on existing buildings.
- (c) For purposes of this section, *masonry materials* shall mean and include brick, slump-faced or decorative concrete masonry unit (CMU), stucco, concrete (poured in place, pre-cast or tilt-wall) with aggregate, sandblasted or textured coating finish, stone, rock or other structural material of equal durability and architectural effect.
- (d) For purposes of this section, *façade* shall mean any exterior wall or face of a building that fronts on a dedicated public street.
- (e) Additions to existing buildings shall be deemed new construction under these provisions and the façade requirements shall apply to the new portion.

SECTION 2: REPEALER. All ordinances or parts of ordinances in direct conflict herewith are repealed to the extent of the conflict only.

SECTION 3: SEVERABILITY. The provisions of this Ordinance are severable, and if any sentence, provision or other part of this Ordinance shall be held invalid, the decision of the courts so holding shall not affect or impair any of the remaining parts or provisions of this ordinance.

SECTION 4: EFFECTIVE DATE. That this ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect on January 1, 2014.

PASSED AND APPROVED this ____ day of _____, 2013.

WES MAINORD, MAYOR

ATTEST:

PHYLLIS LOFTIS, CITY CLERK

APPROVED AS TO FORM:

MARY ANN KARNS, CITY ATTORNEY

Regular Board of Commissioners

10.

Meeting Date: 11/18/2013

Amend No Parking on Streets Ordinance

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Consider an ordinance amending the No Parking on portions of certain streets and naming the streets where parking is prohibited.

Added no parking on E. Chicago from Union west to mid-block, both sides of street, as approved 11-04-13

Attachments

Ordinance Changing Street Parking Area

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 16-138, CHAPTER 16, ARTICLE V OF THE CODE OF THE CITY OF SHAWNEE, OKLAHOMA; PROVIDING FOR NO PARKING ON PORTIONS OF CERTAIN STREETS; NAMING SAID STREETS; DESIGNATING THE PORTIONS WHERE PARKING IS PROHIBITED AND OTHER CONDITIONS RELATING TO PARKING; AND DECLARING AN EMERGENCY.

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

Section 1. That Section 16-138, Chapter 16, Article V of the Code of the City of Shawnee, Oklahoma, be and the same is hereby amended to read as follows:

The following No Parking Zones are hereby established in the City; and the parking or standing of vehicles is prohibited at all times within any of the following zones:

<u>STREET</u>	<u>EXTENT</u>	<u>SIDE</u>
N. Aydelotte Ave.	Midland to Franklin Ave.	Both
N. Aydelotte Ave.	2100 Block	East
S. Beard St.	From 7 th St. south 250 feet	East
S. Beard St.	7 th St. to Main St.	East
N. Beard St.	1800 Block – 8:00 A.M. to 4:00 P.M. School Days	West
S. Bell St.	From southeast corner of Bell St. And 7 th St. south 46 feet	East
N. Bell St.	10 th St. north around cul-de-sac	North
N. Bell St.	Highland Ave. to Ridgewood Ave.	West
E. Bentley St.	900 Block	North
S. Broadway Ave.	7 th St. to Forrest Ave.	West
S. Broadway Ave.	600 Block	Both
N. Broadway Ave.	From 124 N. Broadway Ave. North to 9 th St.	East
N. Broadway Ave.	From southeast corner of Broadway Ave. and Highland Ave. south 128 feet	East
N. Broadway Ave.	700 Block N. Broadway between Dewey and Wallace	East
N. Broadway Ave.	Highland Ave. to Ridgewood Ave.	Both
N. Broadway Ave.	From Ridgewood Ave. north 391 feet	West
N. Broadway Ave.	150 feet north and south of Wallace	Both
Bryan Street	From Highland south to the city limits line	Both
E. Cammack	Oklahoma Ave. to the Atchison, Topeka and Santa Fe Railroad right-of-way	North
N. Center St.	Independence Ave. to Bradley St.	East
N. Chapman Ave.	Benedict St. to Dewey St.	East
N. Chapman Ave.	From the southwest corner of Wallace St. and Chapman Ave. south 66 feet	West
N. Chapman Ave.	2200 Block from 7:00 a.m. to 5:00 p.m.	Both
W. Chicago Ave.	Kickapoo St. to Park St.	South
W. Chicago Ave.	Kickapoo St. east to alley at mid-block	North
E. Chicago Ave.	Union St West to mid-block from 2:00 p.m. to 3:30 p.m Monday-Friday	Both
E. Dewey St.	100 Block E. Dewey between Hobson St. and Bell St.	South

W. Dewey St.	From Kickapoo St. east to Louisa St.	Both
W. Dewey St.	300 Block	North
W. Dewey St.	From Park St. East to Broadway Ave.	South
S. Dixon St.	From Main St. south to Walnut St.	Both
N. Dorothy Ave.	W. Highland Ave. to W. Ridgewood Ave.	Both
N. Dorothy Ave.	Franklin Ave. to Rosa Ave.	Both
N. Dorothy Ave.	Federal Ave. to Midland Ave.	West
N. Douglas St.	From Highland Ave. north 35 feet	West
N. Douglas St.	Highland Ave. to Ridgewood Ave.	East
S. Draper St.	Main St. to Walnut St.	West
N. Draper St.	9 th St. to Whittaker St.	West
N. Draper St.	From Highland to Whittaker	Both
N. Draper St.	100 feet south of Highland	West
Dunbar Street	Between Bell St. and Philadelphia St.	South
S. Eden St.	258 feet south of Main St.	West
S. Eden St.	Main St. to Walnut St.	East
Ellis Drive	From West Rosa south to dead end (except from 5:00 a.m. to 10:00 p.m.)	Both
N. Elm	500 Block	Both
Emmett St.	From Beard St. west 125 feet	South
Federal Ave.	From Harrison St. west to Airport Dr.	Both
W. Ford St.	Pottenger St. west to Kennedy St.	Both
W. Franklin Ave.	From the northwest corner of Franklin Ave. and Kickapoo St. west 144 feet	North
W. Franklin Ave.	Kickapoo St. to the City Airport	South
Gordon Cooper Drive	From Beard Street Bridge south to the Shawnee-Tecumseh city limits	Both
Harrison-Farrall Loop	Highway 1-40 to Highway 177	Both
E. Hayes	Broadway to Bell	Both
W. Hayes Ave.	From northeast corner of Louisa and Hayes Ave. east 25 feet	North
W. Hayes Ave.	Beginning at a point 98 ft. east of the east edge of the pavement of Kickapoo St. at the intersection with Hayes, thence east along the south side of Hayes 80 feet	South
Highland Ave.	From Kickapoo to Bryan	Both
Independence Ave.	Highway 177 to Bryan	Both
N. Ione St.	500 Block	Both
N. Kennedy St.	Benedict St. to Kickapoo Spur	Both
N. Kennedy St.	300 Block and 400 Block	Both
N. Kickapoo St.	Main St. to 45 th St.	Both
S. Kickapoo St.	From Farrall to Main St.	Both
N. Leo St.	From the point of the intersection of Leo and the entrance to the Heart of Oklahoma Exposition Center, north to Rosa Street	Both
S. Lindale St.	From 7 th Street to Walnut Street	Both
S. Louisa	From the northeast corner of Louisa St. and Hayes Ave. north 25 feet	East
N. Louisa	From the southwest corner of Louisa St. and Dill St. south 113 feet	West
N. Louisa	700 block-300 ft. south from intersection of Wallace & Louisa (7:00 a.m.- 4:00 p.m. Mon.- Fri.)	East

MacArthur Blvd.	West city Limits to Bryan except for north side of MacArthur between University Parkway Entrance and exit onto MacArthur at OBU	Both
W. Main St.	Park St. to Kickapoo St.	Both
E. Main St.	From the northeast corner of Main St. and Philadelphia Ave. east 100 feet	North
E. Main St.	From Eden St. east 115 feet	South
E. Main St.	Fire Station No. 2 Drive	South
E. Main St.	105 feet west of Harrison	South
E. Main St.	1100 Block	North
N. Market St.	Main St. to Highland Ave.	East
N. Market St.	From the northeast corner of Market St. and Highland Ave. north 82 feet	East
N. Market St.	8:00 a.m. to 4:00 p.m. Loading & Unloading Only From Emmett to the end of Wilson School property	East
N. McKinley	500 block	Both
S. McKinley	Main St. to Oakland Ave.	West
W. Midland	Between Kickapoo St. and Pottenger St.	Both
N. Oklahoma	From 9 th St. south 220 feet	West
S. Osage	From the southeast corner of Osage St. and Walnut St. south 84 feet	East
S. Park St.	Dunbar Ave. to Hayes Ave.	West
S. Pennsylvania Ave.	7 th St. to Oakland Ave.	West
S. Pennsylvania Ave.	From the northeast corner of Oakland Ave. and Pennsylvania Ave. North 36 feet	East
N. Pesotum St.	Highland Ave. to Seneca Dr.	East
S. Philadelphia Ave.	7 th St. to Oakland Ave.	West
N. Philadelphia Ave.	Main St. to 9 th St.	East
N. Philadelphia Ave.	10 th to Highland Ave.	East
N. Philadelphia Ave.	From the northwest corner of Highland Ave. and Philadelphia Ave., north to Ridgewood Ave.	West
N. Philadelphia Ave.	From the northeast corner of Highland Ave. and Philadelphia Ave. north 315	East
N. Philadelphia Ave.	From the northwest corner of Philadelphia Ave. and Ridgewood Ave. North 45 feet	West
W. Poplar	From Kickapoo St. to Pottenger St.	North
N. Pottenger	From Burns to Dewey	Both
W. Pulaski Ave.	Kickapoo St. to Park St.	West
E. Remington	Pesotum St. to Bryan St.	Both
E. Ridgewood Ave.	Union Ave. to Philadelphia Ave.	Both
E. Ridgewood Ave.	Douglas St. to Bell St.	North
Saratoga	Airport Drive to Kickapoo St.	North
Seneca Dr.	Pesotum St. to Sequoyah Dr.	West
Sequoyah Dr.	From Cherokee Drive to Independence Ave. (Except for loading/unloading 7:30 – 8:30 a.m. & 2:30 – 3:30 p.m. Monday through Friday – west side only)	Both
N. Shawnee Ave.	Main St. to 9 th St.	East
N. Shawnee Ave.	10 th St. to Highland Ave.	East
N. Tennessee St.	From Main St. 150 feet north	East
N. Tucker Ave.	Main St. north 89 feet	West
N. Tucker Ave.	From 60 feet south of 10 th St. to a point 60 feet north of 10 th St.	Both
N. Tucker Ave.	From Darrow to Wallace	West
N. Tucker Ave.	Between Highland and Wallace	Both
N. Tucker Ave.	From Wallace to Grant	West

S. Union Ave.	From the southwest corner of Union Ave. and 7 th St. south 32 feet	West
S. Union Ave.	From the southeast corner of Union Ave. and 7 th St. south 32 feet	East
N. Union Ave.	Entrance to Municipal Parking Lot "A" at 9 th St. and Union Ave. north to 9 th St.	West
N. Union Ave.	From 9 th St. north 127 feet	West
N. Union Ave.	From 9 th St. north 160 feet	East
N. Union Ave.	From 10 th St. south 125 feet	East
N. Union Ave.	From Highland Ave. south 130 feet	East
N. Union Ave.	Highland Ave. to Ridgewood Ave. (No Parking, Loading or Unloading)	West
N. Union Ave.	Ridgewood Ave. to Independence Ave.	Both
N. Union Ave.	Chicago Ave. to MacArthur Blvd.	Both
W. University	Airport Drive to Kickapoo St.	Both
W. Wallace St.	Kickapoo St. west 141 feet	South
W. Wallace St.	Kickapoo St. east to Broadway Ave.	North
W. Wallace St.	From alley between Kickapoo St and Louisa St. east to Broadway Ave. (Except of Sundays)	South
E. Wallace St.	Broadway Ave. to Harrison Ave.	Both
E. Walnut St.	900 Block	North
E. Walnut St.	1400 and 1500 Block	North
E. Walnut St.	1400 – 1600 Block	South
E. Walnut St.	From Center St. east to Oak St.	Both
E. Whittaker St.	From Draper St. west 235 feet	South
E. Whittaker St.	From Draper St. west 235 feet (8:00 a.m. to 4:00 p.m.)	North
E. Whittaker St.	From Draper St. east 90 feet	South
W. Wood St.	500 Block	North
7 th St.	Beard to Broadway Ave.	Both
E. 7 th St.	Bell St. to Broadway Ave.	South
E. 7 th St.	From the northwest corner of 7 th St. and Union Ave. west 50 feet	North
E. 7 th St.	1500 Block	Both
E. 7 th St.	No parking trucks or trailers over 2 tons between Union Ave. and Philadelphia Ave.	South
E. 9 th St.	Broadway Ave. to Bell St. (except the north side of 9 th St. from a point 20 ft. west of the west curb line of Bell St. at the intersection of 9 th and Bell, west to the alley)	Both
W. 9 th St.	Kickapoo St. to Market St.	South
E. 10 th St.	Elm St. westerly to a point 119 feet west of Harrison Ave.	North
E. 10 th St.	From 81 feet east of Harrison Ave. to a point 119 feet west of Harrison Ave.	North
E. 10 th St.	From 60 feet east of Tucker Ave. to a point 60 feet west of Tucker Ave.	Both
E. 10 th St.	Philadelphia Ave. to Union Ave.	North
W. 10 th St.	From Beard St. westerly 250 feet	South
W. 10 th St.	Beard St. to Louisa St.	North
W. 11 th St.	Beard St. to Broadway Ave.	North
W. 11 th St.	From alley between Market St. and Beard St. east to Beard St.	South
E. 35 th St.	900 Block (Except north side from a point 20 feet east of Harrison to a point 300 feet east of Harrison that will be loading and unloading only)	Both

Section 2. That for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this ordinance shall be in effect immediately and after its passage and approval.

PASSED AND APPROVED this 18th day of November, 2013

WES MAINORD, MAYOR

(SEAL)

ATTEST:

PHYLLIS LOFTIS, CMC, CITY CLERK

Approved as to form and legality on this 18th day of November, 2013 by Mary Ann Karns, City Attorney

MARY ANN KARNS, CITY ATTORNEY

Regular Board of Commissioners

11.

Meeting Date: 11/18/2013

Sales Tax

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Acknowledge Sales Tax Report received November 2013.

Attachments

Sales Tax

City of Shawnee Memorandum

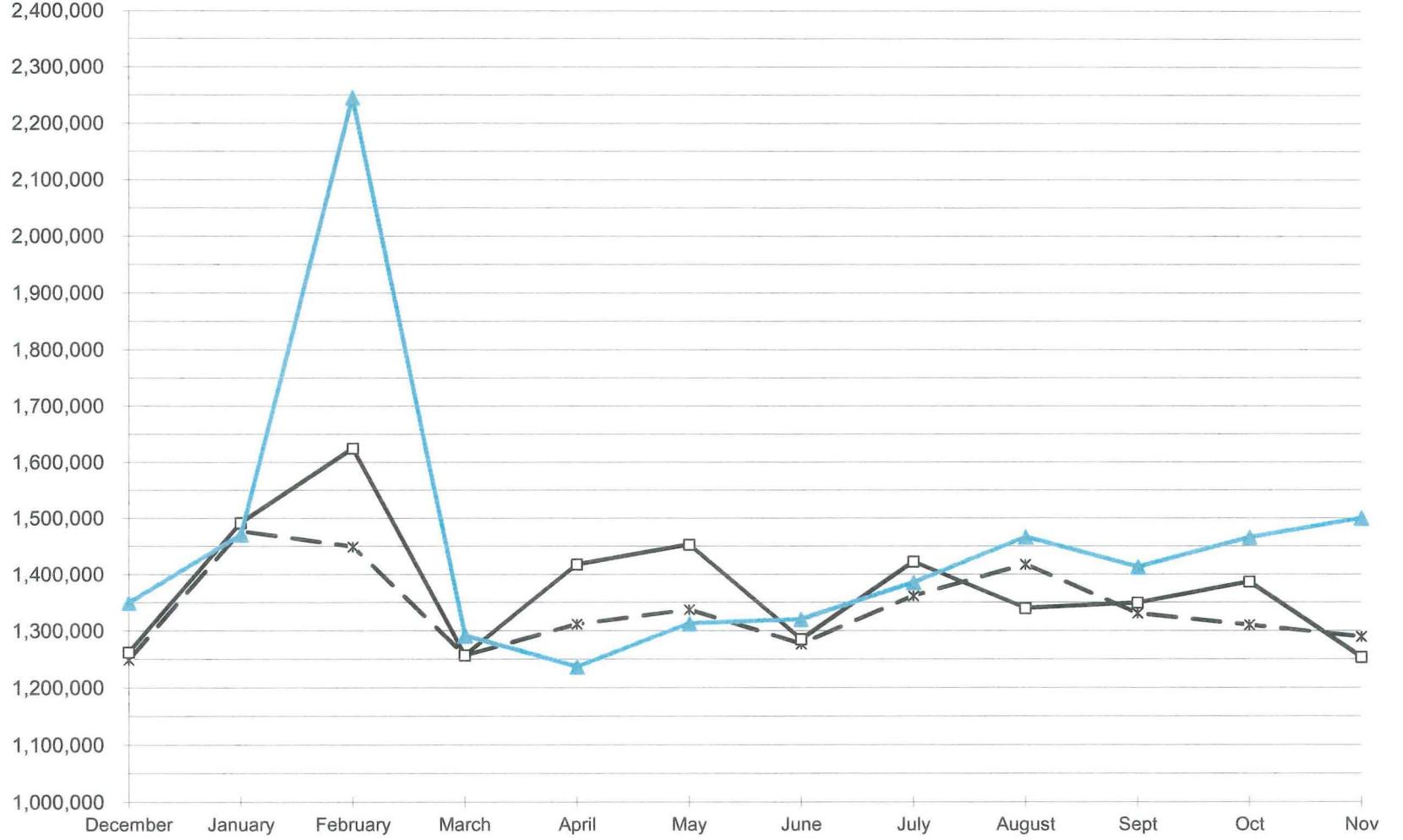
To: Mayor and City Commissioners
CC: Brian McDougal, City Manager
From: Cynthia R Sementelli, Finance Director
Date: November 8, 2013
Re: City Sales Tax Report



November Sales Tax receipts were up \$246,043 this month or 19.63% compared to last year actual for the same time frame. November Sales tax amount received plus interest was \$1,499,183 which accumulatively for the fiscal year we are up \$477,277 or 7.07%



**CITY OF SHAWNEE
SALES TAX COLLECTIONS
Dec 2011-Nov 2013**



- x— December 2010 through November 2011
- December 2011 through November 2012
- ▲— December 2012 through November 2013

	December 2010	December 2011	December 2012	Increase	(Decrease)
	through	through	through	Over Prior Year	
Month	November 2011	November 2012	November 2013	Amount	Percentage
December	1,248,649	1,262,401	1,349,459	87,058	6.90%
January	1,476,824	1,491,647	1,470,565	(21,082)	(1.41%)
February	1,448,966	1,624,568	2,245,070	620,503	38.19%
March	1,256,430	1,256,806	1,291,532	34,726	2.76%
April	1,311,387	1,417,533	1,236,564	(180,969)	(12.77%)
May	1,337,029	1,452,759	1,312,710	(140,049)	(9.64%)
June	1,276,542	1,284,872	1,319,813	34,941	2.72%
July	1,361,273	1,422,363	1,385,055	(37,309)	(2.62%)
August	1,417,308	1,339,539	1,466,250	126,711	9.46%
Sept	1,330,420	1,349,282	1,412,708	63,426	4.70%
Oct	1,309,924	1,386,657	1,465,063	78,406	5.65%
Nov	1,289,143	1,253,140	1,499,183	246,043	19.63%
Total	10,717,098	11,212,950	11,610,768	397,818	3.55%
		Prior Year	Current Year	Increase	(Decrease)
Period		Actual	Actual	Over Prior Year	
Fiscal Year to Date		6,750,981	7,228,258	\$477,277	7.07%
Fiscal Year to Date Budget based					
		Current Year	Current Year	Budget Variance	
Period		Budget	Actual	Favorable	(Unfavorable)
Fiscal Year to Date		6,750,981	7,228,258	\$477,277	7.07%

Regular Board of Commissioners

12.

Meeting Date: 11/18/2013

City Manager's Report

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

City Manager's Report
