

AGENDA
BOARD OF CITY COMMISSIONERS
September 3, 2019 AT 6:00 P.M.
COMMISSION CHAMBERS AT CITY HALL
SHAWNEE, OKLAHOMA

CALL TO ORDER

DECLARATION OF A QUORUM

INVOCATION

FLAG SALUTE

1. Citizens Participation

(A three minute limit per person)
(A twelve minute limit per topic)
2. Consider approval of Consent Agenda:
 - a. Minutes from the August 19, 2019 regular meeting.
 - b. Acknowledge the following minutes:
 - Shawnee Community Beautification Committee Minutes from the July 18, 2019 regular meeting
 - c. Acknowledge the resignation of Rachael Melot from the Shawnee Civic and Cultural Development Authority Board.
 - d. Mayor's Appointments:

<u>Senior Citizens of Shawnee Board</u>		
Phyllis Crosswell	1 st Full Term	Expires: July 1, 2024
<i>Appointment to new board</i>		
Ann Dowdy	1 st Full Term	Expires: July 1, 2024
<i>Appointment to new board</i>		
Barbara "Bobbi" Gaglia	1 st Full Term	Expires: July 1, 2024
<i>Appointment to new board</i>		
Bill Haley	1 st Full Term	Expires: July 1, 2024
<i>Appointment to new board</i>		
Wanda Hill	1 st Full Term	Expires: July 1, 2023
<i>Appointment to new board</i>		
Albert Rice	1 st Full Term	Expires: July 1, 2023
<i>Appointment to new board</i>		

Pam Robinson 1st Full Term Expires: July 1, 2023
Appointment to new board

e. Lake Lease Transfer:

TRANSFER:

Lot 12 Eckel Tract, 15105 Eckel Road

From: Frank and Mary Sims

To: Cannon Revocable Living Trust

3. Presentation by Animal Control to present the Pet of the Week.
4. Consideration of a budget amendment for Fund 706 Gifts and Contributions – To purchase American flag decals for certain fire trucks.
5. Consideration of an ordinance amending Chapter 5 “Animals”, Section 5-7 “Keeping Fowl” of the City of Shawnee Code regulating the keeping of fowl and chickens for personal use within City Limits; and also providing for severability, codification, and repealer.
6. Consideration of an ordinance amending Chapter 8, Article VIII of the City of Shawnee Code, so as to further comport with State Law 63 O.S. 420A et seq. and OAC 310;618-1-1 et seq.; providing for severability; and declaring an emergency.
7. New Business

(Any matter not known or which could not
have been reasonably foreseen prior to
the posting of the agenda)
8. Commissioners Comments
9. Adjournment

Respectfully submitted

Lisa Lasyone, 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: 09/03/2019

Minutes

Submitted By: Kacie Eck, City Clerk

Department: City Clerk

Information

Title of Item for Agenda

Minutes from the August 19, 2019 regular meeting.

Attachments

CC Minutes

BOARD OF CITY COMMISSIONERS PROCEEDINGS

AUGUST 19, 2019 AT 6:00 P.M.

The Board of City Commissioners of the City of Shawnee, County of Pottawatomie, State of Oklahoma, met in Regular Session in the Commission Chambers at City Hall, 9th and Broadway, Shawnee, Oklahoma, Monday, August 19, 2019 at 6:00 p.m., pursuant to notice duly posted as prescribed by law. Vice Mayor Harrod presided and called the meeting to order. Upon roll call, the following members were in attendance.

Absent
Mayor

Ed Bolt
Commissioner Ward 1

Ron Gillham
Commissioner Ward 2

James Harrod
Commissioner Ward 3-Vice Mayor

Darren Rutherford
Commissioner Ward 4

Mark Sehorn
Commissioner Ward 5

Ben Salter
Commissioner Ward 6

ABSENT: Richard Finley

INVOCATION

Don Lynch,
Emergency Management Director

FLAG SALUTE

AGENDA ITEM NO. 1:

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

Ms. Holly Gordon and Ms. Lindsay Goodson, with the Food Policy Council for Pottawatomie County, gave details on the proposed Urban Chicken Ordinance that will be presented to the City Commission at the September 3, 2019 meeting.

Ms. Lindsay Goodson, with the Blue Zones Project for Pottawatomie County, explained that Blue Zones was entering into its third year. They will be completing their Blue Print this week.

AGENDA ITEM NO. 2:

Consider approval of Consent Agenda:

- a. Minutes from the August 5, 2019 regular meeting.
- b. Acknowledge the following reports and minutes:
 - License Payment Report for July 2019
 - Project Payment Report for July 2019
 - Planning Commission Minutes from the June 5, 2019 and July 3, 2019 regular meetings
 - Shawnee Urban Renewal Authority Minutes from the May 7, 2019 regular meeting

- c. Lake Lease Transfers:

TRANSFERS:

Lot A Hart Tract, 16001 Hart Road

From: Elton Agee

To: Brian Burton

Lot 2 Coffman Tract, 15405 Perry Road

From: James F. and Susan B. Ruth

To: Jesse and Kobi Abbott

- d. Authorize staff to engage the services of KA Associates, LLC and Kopke and Associates to conduct a transit study in the total amount of \$29,032.25.
- e. Authorize staff to make payment for upgraded LED lighting at the Heart of Oklahoma Exposition Center in the total amount of \$109,504.27 to LED Savings, LLC.

A motion was made by Commissioner Bolt, seconded by Commissioner Sehorn, to approve Consent Agenda Item Nos. 2 (a-e). Motion carried 6-0.

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

NAY: None

AGENDA ITEM NO. 3:

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

Animal Control Officer Couch presented Maggie, a female canine. Officer Couch explained Maggie was aggressive when she was brought to the shelter, but has since shown a sweet disposition. Her adoption fee is \$40.00.

AGENDA ITEM NO. 4:

Public hearing and consideration of an ordinance to rezone property located at 1510 North Elm Avenue from A-1 (Rural Agricultural District) to R-1 (Single-Family Residential District) for the purpose of a single-family home. Case No. P11-19, Applicant: Dale Wiginton.

City Planner Rebecca Blaine gave a Staff report. She stated the property is already being used for single-family residence; this will adjust the area to conform with existing use. Ms. Blaine advised that Staff recommends approval.

Vice Mayor Harrod declared a public hearing in session to consider an ordinance rezoning property from A-1 (Rural Agricultural District) to R-1 (Single-Family Residential District) for property located at 1510 North Elm Avenue. No one appeared in favor or against said rezoning. The public hearing was closed.

A motion was made by Commissioner Gillham, seconded by Commissioner Bolt, to approve an ordinance to rezone property located at 1510 North Elm Avenue from A-1 (Rural Agricultural District) to R-1 (Single-Family Residential District).

Ordinance No. 2671NS was introduced.

AN ORDINANCE CONCERNING THE ZONING CLASSIFICATION OF THE FOLLOWING DESCRIBED PROPERTY LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY OF SHAWNEE, POTTAWATOMIE COUNTY, OKLAHOMA, TO-WIT: THE SOUTH 80 FEET OF THE NORTH 112 FEET OF THE EAST 140 FEET OF LOT EIGHT (8), BRADLEY'S SECOND ADDITION TO THE CITY OF SHAWNEE, POTTAWATOMIE COUNTY, OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF, FROM ZONING CLASSIFICATION A-1 (RURAL AGRICULTURAL DISTRICT) TO R-1 (SINGLE-FAMILY RESIDENTIAL DISTRICT) AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SHAWNEE ACCORDINGLY.

Motion carried 6-0.

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

NAY: None

Ordinance No. 2671NS was adopted by the City Commission.

AGENDA ITEM NO. 5:

Public hearing and consideration of an ordinance to rezone property located at 3914 North Kickapoo Avenue from R-1 (Single-Family Residential District) to C-3 (Highway Commercial District) for the purpose of a shopping strip center. Case No. P12-19, Applicant: Margaret Davis.

City Planner Rebecca Blaine advised the rezoning of this property will comply with the City's Comprehensive Plan and allow a larger variety of businesses to utilize the location. Ms. Blaine state that Staff and the Planning Commission recommends approval.

Vice Mayor Harrod declared a public hearing in session to consider an ordinance rezoning property from R-1 (Single-Family Residential District) to C-3 (Highway Commercial District) for property located at 3914 North Kickapoo Avenue. No one appeared in favor or against said rezoning. The public hearing was closed.

A motion was made by Commissioner Bolt, seconded by Commissioner Sehorn, to approve an ordinance to rezone property located at 3914 North Kickapoo Avenue from R-1 (Single-Family Residential District) to C-3 (Highway Commercial District).

Ordinance No. 2672NS was introduced.

AN ORDINANCE CONCERNING THE ZONING CLASSIFICATION OF THE FOLLOWING DESCRIBED PROPERTY LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY OF SHAWNEE, POTTAWATOMIE COUNTY, OKLAHOMA, TO-WIT: LOT TWO (2), BLOCK ONE (1), OF COLLEGE VIEW ADDITION, AN ADDITION TO THE CITY OF SHAWNEE, POTTAWATOMIE COUNTY, OKLAHOMA, FROM ZONING CLASSIFICATION R-1 (SINGLE-FAMILY RESIDENTIAL DISTRICT) TO C-3 (HIGHWAY COMMERCIAL DISTRICT) AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SHAWNEE ACCORDINGLY.

Motion carried 6-0.

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

NAY: None

Ordinance No. 2672NS was adopted by the City Commission.

AGENDA ITEM NO. 6:

Public hearing and consideration of an ordinance to rezone property located at 1601 North Kickapoo Avenue from C-1 (Neighborhood Commercial District) to C-3 (Highway Commercial District) for the purpose of making leasing vacant spaces easier. Case No. P13-19, Applicant: John Brown.

City Planner Rebecca Blaine explained this property is located in a strip center. The C-3 (Highway Commercial District) zoning will allow a larger variety of businesses to utilize the location. Ms. Blaine advise Staff and the Planning Commission recommends approval. She also advised that this rezoning is also in line with the City's Comprehensive Plan.

Vice Mayor Harrod declared a public hearing in session to consider an ordinance rezoning property from C-1 (Neighborhood Commercial District) to C-3 (Highway Commercial District) for property located at 1601 North Kickapoo Avenue. No one appeared in favor or against said rezoning. The public hearing was closed.

A motion was made by Commissioner Bolt, seconded by Commissioner Rutherford, to approve an ordinance to rezone property located at 1601 North Kickapoo Avenue from C-1 (Neighborhood Commercial District) to C-3 (Highway Commercial District).

Ordinance No. 2673NS was introduced.

AN ORDINANCE CONCERNING THE ZONING CLASSIFICATION OF THE FOLLOWING DESCRIBED PROPERTY LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY OF SHAWNEE, POTTAWATOMIE COUNTY, OKLAHOMA, TO-WIT: ALL OF LOTS ONE (1), TWO (2) AND THREE (3), IN BLOCK EIGHT (8), OF PENN'S ADDITION, TO THE CITY OF SHAWNEE, POTTAWATOMIE COUNTY, OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF, FROM ZONING CLASSIFICATION C-1 (NEIGHBORHOOD COMMERCIAL DISTRICT) TO C-3 (HIGHWAY COMMERCIAL DISTRICT) AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SHAWNEE ACCORDINGLY.

Motion carried 6-0.

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

NAY: None

Ordinance No. 2673NS was adopted by the City Commission.

AGENDA ITEM NO. 7:

Public hearing and consideration of an ordinance to rezone property located at 39405 West MacArthur Street from RE (Residential Estate District) to C-3 (Highway Commercial District) for the purpose of a medical marijuana dispensary. Case No. P14-19, Applicant: Gregory Peck. *(Deferred by the Planning Commission to the October 2, 2019 meeting.)*

City Planner Rebecca Blaine explained the Planning Commission deferred this item so the rezoning can be evaluated in accordance with a new Comprehensive Plan that will be presented at a later date.

A motion was made by Commissioner Sehorn, seconded by Commissioner Bolt, to defer this item to a future City Commission meeting. Motion carried 6-0.

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

NAY: None

AGENDA ITEM NO. 8:

Consideration of budget amendments as follows:

- a. Fund 001 General Fund – Reflects changes since beginning of fiscal year.
- b. Fund 106 Hotel/Motel Fund – Starting budget for tourism.
- c. Fund 301 Capital Improvement Fund – Cover installation of LED lighting at the Heart of Oklahoma Exposition Center.
- d. Fund 303 2018 Capital Improvement Fund – Reallocation of budget to cover Senior Citizen Center flooring, furniture, and new roof.
- e. Fund 706 Gifts and Contribution Fund – Budgeting of Arvest donation for Senior Citizen Center flooring project.

Finance Director Ashley Neel explained each budget amendment. Commissioner Bolt asked if the lighting at the Heart of Oklahoma Exposition Center was being funded by tourism funds. Ms. Neel advised tourism funds were not being used for this particular project.

A motion was made by Commissioner Gillham, seconded by Commissioner Bolt, to approve the budget amendments listed in Agenda Item Nos. 8 (a-e). Motion carried 6-0.

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

NAY: None

AGENDA ITEM NO. 9: Acknowledge monthly Sales Tax and Budget Report.

Finance Director Ashley Neel reported sales tax is down \$4,400.00, or 0.12%, over the projected budget year-to-date. She stated that use tax collections are up approximately \$176,898.00, or 64.52%, over the projected budget year-to-date.

AGENDA ITEM NO. 10: New Business (Any matter not known or which could not have been reasonably foreseen prior to the posting of the agenda.)

There was no New Business.

AGENDA ITEM NO. 11: Commissioners Comments

The Commissioners welcomed Erin Stevens as the Manager at the Heart of Oklahoma Exposition Center.

Commissioner Rutherford advised the Cops and Kids event to be held on August 24th at the Heart of Oklahoma Exposition Center from 1:00 pm. to 4:00 p.m.

Commissioner Bolt thanked the community and the City for all of the help before, during and after ShawneeStock, that was held last weekend.

AGENDA ITEM NO. 12: Adjournment

There being no further business to be considered, the meeting was adjourned by power of the Chair. (6:27 p.m.)

JAMES HARROD, VICE MAYOR

ATTEST:

LISA LASYONE, CMC, CITY CLERK

DRAFT

Regular Board of Commissioners

2.b.

Meeting Date: 09/03/2019

Minutes

Submitted By: Kacie Eck, City Clerk

Department: City Clerk

Information

Title of Item for Agenda

Acknowledge the following minutes:

- Shawnee Community Beautification Committee Minutes from the July 18, 2019 regular meeting
-

Attachments

Beautification Minutes



Office of the Director of Operations

Minutes

Shawnee Community Beautification Committee

JULY 18, 2019

The Shawnee Community Beautification Committee met at the Shawnee Chamber of commerce
The meeting was called to order at 4:09 pm

Roll Call was taken showing the following members present:

		Present	Absent
Member	Tom Terry	<u> X </u>	<u> </u>
Member	Debi Renegar	<u> </u>	<u> X </u>
Member	Joe Harbeson	<u> X </u>	<u> </u>
Member	Sherry Lankford	<u> </u>	<u> X </u>
Member	Kevin Huddleston	<u> X </u>	<u> </u>
Member	Ethan Birdwell	<u> X </u>	<u> </u>
Member	Mike Mlynek	<u> X </u>	<u> </u>
Member	Holly Gordon	<u> </u>	<u> X </u>
Member	Sue Nelson	<u> X </u>	<u> </u>
Member	Carla Smith	<u> </u>	<u> X </u>
City Staff	Whisper Peace	<u> X </u>	<u> </u>
City Staff	James Bryce	<u> X </u>	<u> </u>
City Staff	Jim VanAntwerp	<u> X </u>	<u> </u>
City Staff	Geoff Garner	<u> </u>	<u> X </u>
Guest	Sha'kyia Morris	<u> X </u>	<u> </u>

AGENDA NO 1 Call to Order.

- AGENDA NO 2** **Roll Call and Declaration of a Quorum.** Roll was called and a quorum was declared
- AGENDA NO 3** **Approved minutes for JUNE 20, 2019.** The minutes for JUNE 20, 2019 were approved with a motion made by Kevin Huddleston and 2nd by Mike Mlynek. The motion carried unanimously.
- AGENDA NO 4** **Discussion on Keep Oklahoma Beautiful nomination.** Group discussion was made on possible nominations for Keep Oklahoma Beautiful. Tom suggested the OBU serve Shawnee group.
- AGENDA NO 5** **Discussion on Door Hangers to compliment nice landscaping.** Tom reminded group members to pass out door hangers to recognize beautiful yards and to get door hangers from the Parks and Cemetery office if more are needed.
- AGENDA NO 6** **Discussion on overgrown vacant lots, yards, etc.** Tom passed around photos of the east end of the flower bed at the post office after pruning and also a photo of the airport fence along the walking track on Airport Drive. He suggested that the entrance and the fence area need attention to the tall grass and that the committee could possible provide funds for someone to come out and clean it up.
- AGENDA NO 7** **Discussion on electing a Chairperson.** James mentioned that the group needed to look at nominating a Chairperson for the Committee.
- AGENDA NO 8** **Recap on GWE.**
Dr. Kim, The Bee Man, Larry Pierce from Garden Anywhere Box, and Qing Luo, Landscape Architect.
Sue Nelson mentioned that she was getting goggles and ear plugs for the event this year
- AGENDA NO 9** **Old Business.** None
- AGENDA NO 10** **New Business.** None
- AGENDA NO 11** **Comments.** Kevin Huddleston mentioned the stage at Tom terry Park will need landscaping. Kevin also mentioned that the Shawnee Community Beautification Committee needs to meet with other committees to coordinate projects and stay updated on events.
- AGENDA NO 12** **Adjournment.** Meeting was adjourned at 4:45 p.m.

Date

8-15-19

Chairman

Regular Board of Commissioners

2.c.

Meeting Date: 09/03/2019

Submitted By: Kacie Eck, City Clerk

Department: City Clerk

Information

Title of Item for Agenda

Acknowledge the resignation of Rachael Melot from the Shawnee Civic and Cultural Development Authority Board.

Attachments

Resignation

Kacie Eck

From: Kacie Eck
Sent: Thursday, August 29, 2019 10:28 AM
To: Kacie Eck
Subject: FW: August 2019 Agenda

From: Rachael Melot
Sent: Tuesday, August 13, 2019 9:16:44 PM
To: Heart of Oklahoma Expo Center
Cc: Randy Gilbert; Timothy Barrick; Carl Packwood; Lance Wortham; Mike Clover; Eric Benson; Shelly Welch; Suzie Campbell; Stephanie Meiler; Chance Allison
Subject: Re: August 2019 Agenda

Chairman and members of the Shawnee Civic and Cultural Authority Board,
Thank you all for being great board members and partners on a tough and challenging journey over the last few years. It has been an honor to serve on the board, but due to an appointment on another City board I must submit my letter of resignation. Please accept this as my formal resignation notice.

Sincerely ---

Rachael Monroe Melot
www.SuccessWithoutApology
405.410.3554
www.linkedin.com/in/rachaelmelot
@RachaelMelot
@MsReferee

"Carve your name on hearts, not tombstones.
A legacy is etched into the minds of others and the stories they share about you."
Shannon L. Alder

Regular Board of Commissioners**2.d.**

Meeting Date: 09/03/2019

Mayor's Appointments

Submitted By: Kacie Eck, City Clerk

Department: City Clerk

Information

Title of Item for Agenda

Mayor's Appointments:

Senior Citizens of Shawnee Board

Phyllis Crosswell 1st Full Term Expires: July 1, 2024
Appointment to new board

Ann Dowdy 1st Full Term Expires: July 1, 2024
Appointment to new board

Barbara "Bobbi" Gaglia 1st Full Term Expires: July 1, 2024
Appointment to new board

Bill Haley 1st Full Term Expires: July 1, 2024
Appointment to new board

Wanda Hill 1st Full Term Expires: July 1, 2023
Appointment to new board

Albert Rice 1st Full Term Expires: July 1, 2023
Appointment to new board

Pam Robinson 1st Full Term Expires: July 1, 2023
Appointment to new board

Attachments

Crosswell

Dowdy

Gaglia

Haley

Hill

Rice

Robinson



APPLICATION TO SERVE
Boards, Committees and Commissions

☒ Appointment
☐ Reappointment – Partial/First/Second Term

Name: Phyllis Crosswell Application Date: 1 July 2019
Address: 17050 Valley View Rd Date of Birth: 15 Sept 1937
Mailing Address: Earlsboro OK 74840
Daytime Phone: 405-997-5629 Fax: _____ Email: Nanny@mbd.net
Profession: Retired
Business Name: _____
Business Address: _____
Business Phone: _____ Fax: _____ Email: _____

Do you live within the City Limits of the City of Shawnee? Yes or No (please circle) Earlsboro

Do you currently serve on a City board, committee or commission? Yes or No (please circle)

If so, please list the board/committee: _____

How many years have you lived in Shawnee? None now

Select the Board/Committee/Commission you are interested in serving on: (please check)

☐ Airport Advisory Board	☐ Library Board
☐ Beautification Committee	☐ Oklahoma Baptist University Trust Authority
☐ Board of Adjustment (Zoning)	☐ Parks and Recreation Committee
☐ Civic and Cultural Development Authority	☐ Planning Commission
☐ Community Service Contracts Review Committee	☐ Shawnee Hospital Authority
☐ Housing Authority	☐ Shawnee Urban Renewal Authority
	☐ Traffic Commission
	☒ Other <u>Senior Center Committee</u>

Why are you interested in serving on the Board/Committee/Commission selected above?

Served on Senior Centre board and
it was an honor to serve our
community and seniors
I love seniors and help when
I am called on.

Revised February 7, 2019

What will make you a good board member and what skills or knowledge do you have that would be relevant to this board/committee/commission?

I'm a seasoned senior and lived a life which many haven't

What civic or volunteer activities (if any) are you currently involved in?

Heart Hospice, AARP. Bd of Ed Earlboro
helping lots of people who need help
work in church nursery - Riden

List education, including degree(s) earned:

HS, some college 200 No Tech

on board Ed at Earlboro 29

Have you ever served on a City-appointed board/committee/commission before? If so, which ones and for how long did you serve?

No

Have you ever been charged and/or convicted of a felony? No

If so, please explain the circumstances and the current status of the charge(s) and/or conviction(s):

Have you ever declared personal or business bankruptcy? No

If so, please explain:

Please include up to three personal or professional references:

all (405)

Name	Relationship	Telephone Number
Waren Heron	friend	627-6470
Diana Fuman	friend	273-7677
Dr Michael Walters	Eye Dr friend	273-7075

PLEASE READ CAREFULLY:

Appointment by the Commission is for one term and individuals may not serve more than two consecutive full terms. Appointment to a second term remains at the discretion of the City Commission.

My signature affirms that all information contained herein is true to the best of my knowledge, and that I understand that any misstatement of fact or misrepresentation of credentials may result in disqualification from further consideration.

Signature Phyllis Crosswell Date 1 July 2019

Applications are retained on file for one (1) year. Applicants are encouraged to include a letter of interest with this application. Thank you for your interest in serving Shawnee.

Send completed application to:

Shawnee City Clerk
PO Box 1448
Shawnee OK 74802
Phone 405-878-1605
Fax 405-878-1581
CityClerk@shawneeok.org

My interest are to serve my
country, city etc. I am so blessed to
be a Oklahoman, love Oklahoma and it
an honour to be able to give back
what I have recieved.

Phyllis Crosswell



APPLICATION TO SERVE
Boards, Committees and Commissions

- ☒ Appointment
☐ Reappointment – Partial/First/Second Term

Name: <u>ANN DOWDY</u>	Application Date: _____
Address: <u>39209 W. MACARTHUR</u>	Date of Birth: <u>12/01/1944</u>
Mailing Address: <u>39209 W. MACARTHUR ST, SHAWNEE, OK 74804</u>	
Daytime Phone: <u>405-613-1724</u>	Fax: _____ Email: <u>anndee844@gmail.com</u>
Profession: <u>RETIRED</u>	
Business Name: _____	
Business Address: _____	
Business Phone: _____ Fax: _____ Email: _____	

Do you live within the City Limits of the City of Shawnee? Yes or No (please circle)

Do you currently serve on a City board, committee or commission? Yes or No (please circle)

If so, please list the board/committee: _____

How many years have you lived in Shawnee? 74

Select the Board/Committee/Commission you are interested in serving on: (please check)

☐ Airport Advisory Board	☐ Oklahoma Baptist University Trust Authority
☐ Beautification Committee	☐ Parks and Recreation Committee
☐ Board of Adjustment (Zoning)	☐ Planning Commission
☐ Civic and Cultural Development Authority	☒ Senior Citizens of Shawnee Board
☐ Community Service Contract Review Committee	☐ Shawnee Hospital Authority
☐ Housing Authority	☐ Shawnee Urban Renewal Authority
☐ Library Board	☐ Traffic Commission
	☐ Other

Why are you interested in serving on the Board/Committee/Commission selected above?

TO BE MORE ACTIVE WITH THE SENIORS.

What will make you a good board member and what skills or knowledge do you have that would be relevant to this board/committee/commission?

MANAGER OVER 12 EMPLOYEES FOR 25 YEARS. SERVED ON ABSENTEE SHAWNEE BOARD, SERVED ON JOB TRAINING BOARD.

What civic or volunteer activities (if any) are you currently involved in?

FINANCIAL SECRETARY AT WESLEY UMC.

List education, including degree(s) earned:

HIGH SCHOOL DIPLOMA, OBU SECRETARIAL ADMINISTRATION DEGREE

Have you ever served on a City-appointed board/committee/commission before? If so, which ones and for how long did you serve?

NO

Have you ever been charged and/or convicted of a felony? NO

If so, please explain the circumstances and the current status of the charge(s) and/or conviction(s):

Have you ever declared personal or business bankruptcy? NO

If so, please explain:

Please include up to three personal or professional references:

Name	Relationship	Telephone Number
TRIBBY HARDWAY	FRIEND	405-432-9708
JERRY LEWIS	FRIEND	405-206-1198
DEBRA CHRISTIAN	FRIEND	405-585-9691

PLEASE READ CAREFULLY:

Appointment by the Commission is for one term and individuals may not serve more than two consecutive full terms. Appointment to a second term remains at the discretion of the City Commission.

My signature affirms that all information contained herein is true to the best of my knowledge, and that I understand that any misstatement of fact or misrepresentation of credentials may result in disqualification from further consideration.

Signature Ann Dowdy

Date 8/15/19

Applications are retained on file for one (1) year. Applicants are encouraged to include a letter of interest with this application. Thank you for your interest in serving Shawnee.

Send completed application to:

Shawnee City Clerk
PO Box 1448
Shawnee OK 74802
Phone 405-878-1605
Fax 405-878-1581
CityClerk@shawneeok.org



APPLICATION TO SERVE

Boards, Committees and Commissions

- ☐ Appointment
☐ Reappointment – Partial/First/Second Term

Name: <u>Barbara "Bobbi" Gaglia</u>	Application Date: <u>8/19/19</u>
Address: <u>1412 N. Philadelphia Shawnee</u>	Date of Birth: <u>12/9/39</u>
Mailing Address: <u>Same as Above</u>	
Daytime Phone: <u>405-640-9697</u>	Fax: _____ Email: _____
Profession: <u>Retired</u>	
Business Name: <u>N/A</u>	
Business Address: <u>N/A</u>	
Business Phone: <u>N/A</u>	Fax: _____ Email: _____

Do you live within the City Limits of the City of Shawnee? Yes or No (please circle)

Do you currently serve on a City board, committee or commission? ___ Yes or No (please circle)

If so, please list the board/committee: _____

How many years have you lived in Shawnee? 24

Select the Board/Committee/Commission you are interested in serving on: (please check)

☐ Airport Advisory Board	☐ Oklahoma Baptist University Trust Authority
☐ Beautification Committee	☐ Parks and Recreation Committee
☐ Board of Adjustment (Zoning)	☐ Planning Commission
☐ Civic and Cultural Development Authority	☒ Senior Citizens of Shawnee Board
☐ Community Service Contract Review Committee	☐ Shawnee Hospital Authority
☐ Housing Authority	☐ Shawnee Urban Renewal Authority
☐ Library Board	☐ Traffic Commission
	☐ Other

Why are you interested in serving on the Board/Committee/Commission selected above?

I have enjoyed the facilities @ the Senior Cntr for the past 6 years and I would like to be a part of making it even better for Shawnee's Seniors.

What will make you a good board member and what skills or knowledge do you have that would be relevant to this board/committee/commission?

I was Secretary of the Board for 2 years before I started working @ the Center. I am familiar with the Center and I would love to be a party to making it grow to be a bigger even better Center.

What civic or volunteer activities (if any) are you currently involved in?

Meals on Wheels ; Shawnee Senior Center

List education, including degree(s) earned:

BA degree Rutgers ; Acty credit hrs OBU - Retired CPA

Have you ever served on a City-appointed board/committee/commission before? If so, which ones and for how long did you serve?

2 yrs on Shawnee Senior Bd as Secretary

Have you ever been charged and/or convicted of a felony? _____

If so, please explain the circumstances and the current status of the charge(s) and/or conviction(s):

No

Have you ever declared personal or business bankruptcy? _____

If so, please explain:

No

Please include up to three personal or professional references:

Name	Relationship	Telephone Number
<u>Debra Butler</u>	<u>Friend</u>	<u>822-0586</u>
<u>Chuck Mills</u>	<u>Former Employer + Friend</u>	<u>273-4900</u>
<u>Mary Johnston</u>	<u>Friend</u>	<u>878-9940</u>

PLEASE READ CAREFULLY:

Appointment by the Commission is for one term and individuals may not serve more than two consecutive full terms. Appointment to a second term remains at the discretion of the City Commission.

My signature affirms that all information contained herein is true to the best of my knowledge, and that I understand that any misstatement of fact or misrepresentation of credentials may result in disqualification from further consideration.

Signature

Barbara Jayha

Date

19 Aug 2019

Applications are retained on file for one (1) year. Applicants are encouraged to include a letter of interest with this application. Thank you for your interest in serving Shawnee.

Send completed application to:

Shawnee City Clerk
PO Box 1448
Shawnee OK 74802
Phone 405-878-1605
Fax 405-878-1581
CityClerk@shawneeok.org



RECEIVED
JUL 16 2019
CITY CLERK

APPLICATION TO SERVE
Boards, Committees and Commissions

- ☐ Appointment
☐ Reappointment – Partial/First/Second Term

Name: <u>Bill Haley</u>	Application Date: <u>7-16-19</u>
Address: <u>2524 N. Harrison #52</u>	Date of Birth: _____
Mailing Address: <u>P.O. Box 505 Shawnee OK 74802</u>	
Daytime Phone: <u>405-777-1331</u>	Fax: _____ Email: _____
Profession: <u>Retired</u>	
Business Name: _____	
Business Address: _____	
Business Phone: _____	Fax: _____ Email: _____

Do you live within the City Limits of the City of Shawnee? Yes or No (please circle)

Do you currently serve on a City board, committee or commission? Yes or No (please circle)

If so, please list the board/committee: No

How many years have you lived in Shawnee? 60 yr.

Select the Board/Committee/Commission you are interested in serving on: (please check)

☐ Airport Advisory Board ☐ Beautification Committee ☐ Board of Adjustment (Zoning) ☐ Civic and Cultural Development Authority ☐ Community Service Contract Review Committee ☐ Housing Authority ☐ Library Board	☐ Oklahoma Baptist University Trust Authority ☐ Parks and Recreation Committee ☐ Planning Commission ☒ Senior Citizens of Shawnee Board ☐ Shawnee Hospital Authority ☐ Shawnee Urban Renewal Authority ☐ Traffic Commission ☐ Other
--	---

Why are you interested in serving on the Board/Committee/Commission selected above?

Concern for well being of elderly.

What will make you a good board member and what skills or knowledge do you have that would be relevant to this board/committee/commission?

Age, Knowledge, Concern

What civic or volunteer activities (if any) are you currently involved in?

Project Heart: President,

List education, including degree(s) earned:

High School
Ambassador College Spokesman Club Graduate

Have you ever served on a City-appointed board/committee/commission before? If so, which ones and for how long did you serve?

NO

Have you ever been charged and/or convicted of a felony? _____

If so, please explain the circumstances and the current status of the charge(s) and/or conviction(s):

NO

Have you ever declared personal or business bankruptcy? NO

If so, please explain:

Please include up to three personal or professional references:

Name	Relationship	Telephone Number
<u>Ann Riggins</u>	<u>Cntr. Supervisor</u>	<u>405 878-1528</u>
<u>Sammie Pool</u>	<u>Friend</u>	<u>" 273-1058</u>
<u>Marilyn Bradford</u>	<u>Tai Chi friend</u>	<u>275-3668</u>

PLEASE READ CAREFULLY:

Appointment by the Commission is for one term and individuals may not serve more than two consecutive full terms. Appointment to a second term remains at the discretion of the City Commission.

My signature affirms that all information contained herein is true to the best of my knowledge, and that I understand that any misstatement of fact or misrepresentation of credentials may result in disqualification from further consideration.

Signature Bill Haley

Date 7-16-19

Revised July 12, 2019

Applications are retained on file for one (1) year. Applicants are encouraged to include a letter of interest with this application. Thank you for your interest in serving Shawnee.

Send completed application to:

Shawnee City Clerk
PO Box 1448
Shawnee OK 74802
Phone 405-878-1605
Fax 405-878-1581
CityClerk@shawneeok.org



APPLICATION TO SERVE
Boards, Committees and Commissions

- ☐ Appointment
☐ Reappointment – Partial/First/Second Term

Name: <u>Wanda Hill</u>	Application Date: <u>08/26/2019</u>
Address: <u>17209 Drummond Rd</u>	Date of Birth: <u>09/24/1943</u>
Mailing Address: <u>Shawnee OK 74801-5649</u>	
Daytime Phone: <u>405-850-4393</u> Fax: _____	Email: <u>diane8cooper4@yahoo.com</u>
Profession: <u>retired</u>	
Business Name: _____	
Business Address: _____	
Business Phone: _____ Fax: _____ Email: _____	

Do you live within the City Limits of the City of Shawnee? Yes or No (please circle)

Do you currently serve on a City board, committee or commission? Yes or No (please circle)

If so, please list the board/committee: _____

How many years have you lived in Shawnee? 1961-1968; 1968-current in Bethel

Select the Board/Committee/Commission you are interested in serving on: (please check)

☐ Airport Advisory Board ☐ Beautification Committee ☐ Board of Adjustment (Zoning) ☐ Civic and Cultural Development Authority ☐ Community Service Contract Review Committee ☐ Housing Authority ☐ Library Board	☐ Oklahoma Baptist University Trust Authority ☐ Parks and Recreation Committee ☐ Planning Commission ☒ Senior Citizens of Shawnee Board ☐ Shawnee Hospital Authority ☐ Shawnee Urban Renewal Authority ☐ Traffic Commission ☐ Other
--	---

Why are you interested in serving on the Board/Committee/Commission selected above?

I believe it's in the best health of our city for our senior citizens for us to participate in programs, etc and give of our talents. I have served on boards and would count it a privilege to serve.

Revised July 12, 2019

What will make you a good board member and what skills or knowledge do you have that would be relevant to this board/committee/commission?

Served as State President for Business & Professional Women, chaired American Cancer Relay & served as ambassador to Relay on the Hill (Washington DC) served on Youth & Family Board, chaired Nat'l conference & brought conference to Tulsa, chaired Hwy Board, Heart Board, chaired American Legion conference, Boys & Girls Club Council; Salvation Army Aux, Multi County Master Gardeners, Teach Sunday School class, chair missions com for Trinity Baptist Church, chair PHB Assoc & RLC (Ethics, Religion, Legislative com)

What civic or volunteer activities (if any) are you currently involved in?

List education, including degree(s) earned:

OBU #3 credit hours, Dale Carnegie, 7 Basic Habits for Highly Effective People, Individual Development

Have you ever served on a City-appointed board/committee/commission before? If so, which ones and for how long did you serve?

Shawnee Police Foundation - 3-4 years
START - 2-3 years

Have you ever been charged and/or convicted of a felony? No

If so, please explain the circumstances and the current status of the charge(s) and/or conviction(s):

Have you ever declared personal or business bankruptcy? No

If so, please explain:

Please include up to three personal or professional references:

Name	Relationship	Telephone Number
Kyle Rudek	friend	405-650-1737
Hyla Wood	friend	405-615-5374
Randy Thomas	friend	405-432-0395

PLEASE READ CAREFULLY:

Appointment by the Commission is for one term and individuals may not serve more than two consecutive full terms. Appointment to a second term remains at the discretion of the City Commission.

My signature affirms that all information contained herein is true to the best of my knowledge, and that I understand that any misstatement of fact or misrepresentation of credentials may result in disqualification from further consideration.

Signature Wanda Hill

Date 08-26-2019



APPLICATION TO SERVE
Boards, Committees and Commissions

☒ Appointment
☐ Reappointment – Partial/First/Second Term

Name: Albert B Rice Application Date: _____
Address: 2300 N Bryan Ave Date of Birth: 9-9-48
Mailing Address: Shawnee, OK 74801
Daytime Phone: 469-693-1775 Fax: _____ Email: abswee@hotmail.com
Profession: Retired Educator
Business Name: _____
Business Address: _____
Business Phone: _____ Fax: _____ Email: _____

Do you live within the City Limits of the City of Shawnee? (Yes) or No (please circle)

Do you currently serve on a City board, committee or commission? Yes or (No) (please circle)

If so, please list the board/committee: _____

How many years have you lived in Shawnee? 50 years

Select the Board/Committee/Commission you are interested in serving on: (please check)

☐ Airport Advisory Board	☐ Oklahoma Baptist University Trust Authority
☐ Beautification Committee	☐ Parks and Recreation Committee
☐ Board of Adjustment (Zoning)	☒ Planning Commission
☐ Civic and Cultural Development Authority	☒ Senior Citizens of Shawnee Board
☐ Community Service Contract Review Committee	☐ Shawnee Hospital Authority
☐ Housing Authority	☐ Shawnee Urban Renewal Authority
☐ Library Board	☐ Traffic Commission
	☐ Other

Why are you interested in serving on the Board/Committee/Commission selected above?

To help make our community a better place for
our youth, etc. citizens

What will make you a good board member and what skills or knowledge do you have that would be relevant to this board/committee/commission?

I have served on many boards and have the understanding of the working responsible of boards.

What civic or volunteer activities (if any) are you currently involved in?

Church, Kiwanis Club

List education, including degree(s) earned:

BS from East Texas State Univ. Commerce, TX, Master's of Education
Central State Univ. Edmond, OK

Have you ever served on a City-appointed board/committee/commission before? If so, which ones and for how long did you serve?

3 years, Terrell, Texas Planning and Zoning Commission,

Have you ever been charged and/or convicted of a felony? NO

If so, please explain the circumstances and the current status of the charge(s) and/or conviction(s):

Have you ever declared personal or business bankruptcy? NO

If so, please explain:

Please include up to three personal or professional references:

Name	Relationship	Telephone Number
Marilyn Bradford	Friend	405-640-1421
Robert Pitty John	Friend	405-905-9120
Fred Khawari	Friend	405-219-4049

PLEASE READ CAREFULLY:

Appointment by the Commission is for one term and individuals may not serve more than two consecutive full terms. Appointment to a second term remains at the discretion of the City Commission.

My signature affirms that all information contained herein is true to the best of my knowledge, and that I understand that any misstatement of fact or misrepresentation of credentials may result in disqualification from further consideration.

Signature [Signature]

Date 8-11-2019

Applications are retained on file for one (1) year. Applicants are encouraged to include a letter of interest with this application. Thank you for your interest in serving Shawnee.

Send completed application to:

Shawnee City Clerk
PO Box 1448
Shawnee OK 74802
Phone 405-878-1605
Fax 405-878-1581
CityClerk@shawneeok.org



APPLICATION TO SERVE
Boards, Committees and Commissions

- ☒ Appointment
☐ Reappointment – Partial/First/Second Term

Name: <u>PAM ROBINSON</u>	Application Date: <u>07/12/2019</u>
Address: <u>4 LORI LANE</u>	Date of Birth: <u>12/09/1956</u>
Mailing Address: <u>SHAWNEE OK 74804</u>	
Daytime Phone: <u>405.317.9284</u> Fax: <u>—</u>	Email: <u>pam.robinson@okbu.edu</u>
Profession: <u>EDUCATION</u>	
Business Name: <u>OKLAHOMA BAPTIST UNIVERSITY</u>	
Business Address: <u>500 W UNIVERSITY, SHAWNEE OK 74804</u>	
Business Phone: <u>405.585.4250</u> Fax: <u>—</u>	Email: <u>same</u>

Do you live within the City Limits of the City of Shawnee? Yes or No (please circle)

Do you currently serve on a City board, committee or commission? Yes or No (please circle)

If so, please list the board/committee: _____

How many years have you lived in Shawnee? 16

Select the Board/Committee/Commission you are interested in serving on: (please check)

☐ Airport Advisory Board ☐ Beautification Committee ☐ Board of Adjustment (Zoning) ☐ Civic and Cultural Development Authority ☐ Community Service Contracts Review Committee ☐ Housing Authority	☐ Library Board ☐ Oklahoma Baptist University Trust Authority ☐ Parks and Recreation Committee ☐ Planning Commission ☐ Shawnee Hospital Authority ☐ Shawnee Urban Renewal Authority ☐ Traffic Commission ☒ Other <u>SENIOR CITIZENS OF SHAWNEE</u>
---	--

Why are you interested in serving on the Board/Committee/Commission selected above?

As a fairly new senior citizen who intends to retire in this community, I want to have a voice in opportunities

What will make you a good board member and what skills or knowledge do you have that would be relevant to this board/committee/commission?

I am a good communicator, a networker, and I am relational

What civic or volunteer activities (if any) are you currently involved in?

The Salvation Army

List education, including degree(s) earned:

BSE-Special Education; MS-Counseling; Ph.D-Higher Education and Special Education

Have you ever served on a City-appointed board/committee/commission before? If so, which ones and for how long did you serve?

No

Have you ever been charged and/or convicted of a felony? No

If so, please explain the circumstances and the current status of the charge(s) and/or conviction(s):

Have you ever declared personal or business bankruptcy? No

If so, please explain:

Please include up to three personal or professional references:

Name	Relationship	Telephone Number
<u>Gary Nickerson</u>	<u>Pastor</u>	<u>405.990.5653</u>
<u>Sue Nelson</u>	<u>Friend</u>	<u>405.997.8625</u>
<u>Bruce Perkins</u>	<u>Colleague</u>	<u>405.973.5882</u>

PLEASE READ CAREFULLY:

Appointment by the Commission is for one term and individuals may not serve more than two consecutive full terms. Appointment to a second term remains at the discretion of the City Commission.

My signature affirms that all information contained herein is true to the best of my knowledge, and that I understand that any misstatement of fact or misrepresentation of credentials may result in disqualification from further consideration.

Signature Ram Robinson

Date 07/12/2015

Applications are retained on file for one (1) year. Applicants are encouraged to include a letter of interest with this application. Thank you for your interest in serving Shawnee.

Send completed application to:

Shawnee City Clerk
PO Box 1448
Shawnee OK 74802
Phone 405-878-1605
Fax 405-878-1581
CityClerk@shawneeok.org

Regular Board of Commissioners

2.e.

Meeting Date: 09/03/2019

Lake Lease

Submitted By: Kacie Eck, City Clerk

Department: City Clerk

Information

Title of Item for Agenda

Lake Lease Transfer:

TRANSFER:

Lot 12 Eckel Tract, 15105 Eckel Road

From: Frank and Mary Sims

To: Cannon Revocable Living Trust

Attachments

Lake Lease



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 08/29/19	License No. 033735
Type	☐ Renewal ☒ Transfer (Fee: \$1,000)
Commission Meeting Date	September 3 rd , 2019
Property Address	15105 ECKEL ROAD
Lake Site Location	LOT 12 ECKEL TRACT
Lease Dates	9/03/19-9/04/2049
Lease Fee (changes annually)	717.00
Inspection Fee	\$75.00 Applicable: ☐ Yes ☒ No
Lessee (Transfer To)	
Name(s)	CANNON REVOCABLE LIVING TRUST
Address	SEE FILE
Phone	SEE FILE
Current Lessee (Transfer From) (if applicable)	
Name(s)	FRANK AND MARY SIMS
Address	SEE FILE
Phone	SEE FILE
Inspection Information	
Inspection Required	☒ Yes ☐ No (if no, due: 05-31-18)
DEQ Report on File	☒ Yes ☐ No
Type of Septic System	☒ Conventional ☐ Aerobic
Last Inspected/Pumped	05/18/18
Misc. Comments	Total Charges Paid: \$1,717.00

PLEASE READ CAREFULLY

THIS LEASE IS NOT TRANSFERABLE AND IS SUBJECT TO CANCELLATION BY THE CITY FOR ANY VIOLATIONS OF THE TERMS THEREOF AS MORE SPECIFICALLY SET FORTH IN SECTION 16-326 OF THE SHAWNEE MUNICIPAL CODE:

CABIN SITE LEASE

LEASE# 033735

STATE OF OKLAHOMA, POTTAWATOMIE COUNTY, SS:

This Lease made and entered into in duplicate this date of September 3, 2019 by and between the CITY OF SHAWNEE, a municipal Corporation, PARTY OF THE FIRST PART, and

CANNON REVOCABLE LIVING TRUST
of 5 CREEK DR SHAWNEE OK 74801-5519;

of _____,
PARTY OF THE SECOND PART.

WITNESSETH: That the first party in consideration of the sum of **\$ 717.00** dollars for **2019**, does hereby acknowledge receipt of the applicable rental fee, and other good and valuable considerations, does by these presents demise, lease and let unto the second party the following described real estate situated on, and a part of the site, owned by the first party as a City Reservoir and known as Shawnee Twin Lake No. 1, in the County of Pottawatomie State of Oklahoma, to-wit:

15105 ECKEL ROAD
LOT 12 ECKEL TRACT

TO HAVE AND TO HOLD SAME UNTO the second party for a term of thirty (30) years from the date hereof.

IT IS FURTHER mutually understood and agreed by and between the parties hereto as follows:

The said party of the second part shall and will and does hereby agree to pay to the first party annual lease payments as set forth in "Exhibit A", payable yearly in advance. The City shall retain the right to adjust the lease rate schedule at the termination of the original 30-year lease or at such time that a transfer is approved in accordance with Section 16-321 of the Shawnee Municipal Code (hereafter "SMC").

That at the expiration of the primary term hereof, the lessee shall have the right and option to renew said lease for an additional period of thirty (30) years under the terms and

conditions set forth in Section 16-321 SMC. There is no limit to the number of times a lease can be renewed.

The premises of all lots leased by the City shall at all times be kept clean and maintained in a sanitary condition by the lessee. There is a 25-foot lakeshore buffer that extends landward of the ordinary high water mark on all leased lots for the purpose of watershed protection. This area shall not be used by the general public, except during an emergency situation. Within this buffer, leaseholders are encouraged to preserve existing native vegetation. Docks and other approved structures may be located within the buffer area. Fertilizers and other chemicals shall not be used within the buffer area. All other applicable City regulations and rules apply

That in addition to the possession of the property so leased, the lessee shall have the right and privilege of a site for a boat house and boat dock on the land owned by the City adjoining and immediately in front of a lot leased, which said boat house shall be erected and maintained by and at the cost of the lessee on ground not to exceed an area of thirty (30) feet by thirty (30) feet, which said boat house shall never be used as a place of human habitation, and which said boat house or boat dock shall conform to the provisions of Section 16-325 SMC, and that said boat dock or boat house shall be the private property of the lessee, who shall have the right of ingress and egress to and from the same, subject to the rights of the public as set forth herein. The lessee shall agree to keep said lot and boat house and dock in a clean and sanitary condition, and to maintain the same in a safe condition, and the City as lessor shall in no manner be liable to lessee for any damages suffered by lessee to said lot or boat house or dock, or the improvements thereon on account of the rise and fall of the water line of said lake, or for the enlargement or decrease by the City of the size of said lake, or on account of any rule or regulation that may hereafter be adopted by lessor, governing the regulations of said lake, and lessee agrees to hold the lessor free and harmless from all damages suffered by him or by any other person, on account of personal injuries or loss of property that may incur upon said lot, boat house or boat dock.

That the lessee agrees to lease the premises **AS IS** from the lessor with the knowledge and understanding that the lessor does not guarantee access to lots. Should the Lessee determine that an access road is necessary to reach his/her lot from a road already in existence, lessee agrees to use his/her own funds to create said access road. Lessee further agrees that upon access road completion it shall not be a private road, but rather, will be available for public use, including, but not limited to, allowing neighbor lots to connect to it to improve access to their lots or to allow joint access to bordering lots upon the one access road. The location of any access road to be constructed by the lessee must be approved by the City Engineer of the City of Shawnee prior to the beginning of construction.

That should the lessee construct any building or other structure, said construction will be in accordance to City of Shawnee development regulations. Lessee agrees that prior to commencing construction on any structure on the leased premises he/she will obtain an approved building permit from the City.

That lessee is solely responsible for determining the flood elevation on the leased premises and is required to satisfy lessor that prior to any construction on the leased premises the

determination of the flood elevation has been done correctly and that any structure or building to be constructed on the leased premises be above the flood elevation. **LESSOR EXPRESSLY MAKES NO WARRANTIES OR REPRESENTATIONS AS TO SAFETY FROM FLOODING ON THE LEASED PREMISES AND LESSEE EXPRESSLY RELEASES THE LESSOR FROM ANY LIABILITY DUE TO FLOOD DAMAGE, BOTH PERSONAL AND PROPERTY, OCCURRING ON THE LEASED PREMISES FROM ANY CAUSE OR CONDITION.**

That all sanitary facilities to be constructed on the premises shall be wholly contained on the leased premises. Sanitary facilities, include, but are not limited to, septic tanks and lateral lines.

All septic systems and waste disposal systems on leased lake lots shall be inspected and subject the standards set forth in Chapter 16 SMC. The leaseholder shall have sixty (60) days to correct any defects found in the system. Corrections not made within the allotted time shall be grounds for the City to cancel the lease of the leaseholder.

That no lease shall be assigned or sublet, but lessee may at any time during the term of his/her lease, sell and transfer to other parties the improvements on the lot leased by him/her.

That in the event of the sale of the improvements by the lessee, the transfer shall not become effective until approved by the Board of Commissioners of the City of Shawnee at a regular or adjourned meeting held for that purpose and the City as lessor reserves the right to reject and disapprove any transfer when in its opinion it would be to the best interests of the City and its inhabitants to do so. If the transfer is approved, a new lease shall be entered into between the purchaser and the City, and a transfer charge is hereby fixed and established in the sum of one-thousand dollars (\$1000.00) to be paid to the City prior to said transfer in accordance with Section 16-322 SMC.

That the lessee shall be the owner of all improvements which may be placed by him or her, said improvements including cabins or other buildings and boat houses constitute personal property and lessee shall have the right to remove same from the lot at the termination of the lease, subject to the following: whenever a lease has been cancelled by the City as provided herein or by ordinance, the lessee or owner of said improvements shall remove the same within sixty (60) days of the date of the said cancellation of the lease and upon failure to do so, said improvements shall revert to and become the property of the City of Shawnee. And it shall have the right, without further notice or demand to take immediate possession of all said improvements and these will belong to the first party or its assigns, as liquidated damages for the non-fulfillment of the lease by lessee and for the use and rental thereof.

That the said second party does hereby release the City of Shawnee of any claim or claims for damages by reason of the cancellation of the said lease aforesaid.

That the second party shall at all times during the term of this lease be subject to and does hereby agree to abide by and conform to any rules, regulations or ordinances now in force, or that may hereafter be adopted by the City of Shawnee, governing the regulation of said lake and

within the described premises, as to fishing, hunting, boating and other recreational activities upon and around said water reservoir, and to conform to and abide by all further rules, regulations and ordinances now in force, or that hereafter may be adopted by the City of Shawnee, Oklahoma, governing the regulations of said premises and lake.

The City Commission may upon a showing of intentional disregard for the terms of the lease and this division or other city ordinance pertaining to the lake, cancel the city lease upon 30 days notice to the lessee by mailing a copy of such notice to the lessee at his/her last known address. If a lease is cancelled either by the city or the lessee of a city-owned lot prior to the expiration of the lease term, the lessee shall pay the city an early termination fee of \$1,000 in exchange for a release of liability from the remaining term.

That this lease shall be binding upon the representatives, heirs, and assigns and successors in interest of the parties hereto.

It is understood by the parties hereto that a failure to comply with the terms of said Cabin Site Lease shall constitute a misdemeanor and any person, firm, or corporation convicted of such violation shall be punished by a fine not exceeding five hundred dollars (\$500.00) plus costs, or imprisonment for a term not exceeding thirty (30) days, or by such fine and imprisonment.

IN WITNESS WHEREOF, party of the first part has caused its name to be affixed hereto by the Mayor of the City of Shawnee, Oklahoma, and attested by the City Clerk, and the party of the second part hereunto affixed his/her name the day and year first above written.

CITY OF SHAWNEE, OKLAHOMA
A Municipal Corporation,

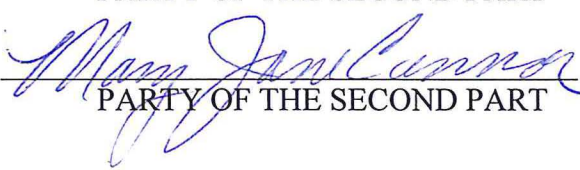
BY: _____
MAYOR
PARTY OF THE FIRST PART

ATTEST:

CITY CLERK



PARTY OF THE SECOND PART



PARTY OF THE SECOND PART

Regular Board of Commissioners

4.

Meeting Date: 09/03/2019

Budget Amendment

Submitted By: Kacie Eck, City Clerk

Department: City Clerk

Information

Title of Item for Agenda

Consideration of a budget amendment for Fund 706 Gifts and Contributions – To purchase American flag decals for certain fire trucks.

Attachments

Budget Amendment

City of Shawnee
2019-2020 Budget Amendment
Gifts and Donations

Estimated Revenue, Fund Balance, or Transfers IN

Fund Number	Account Number	Project Code	Line Item	Description	Balance Before Amendment	Amount of Amendment Increase (Decrease)	Balance After Amendment
				Fund Balance	-	1,250.00	1,250.00
				Total	-	1,250.00	1,250.00

Appropriations

Fund Number	Account Number	Project Code	Line Item	Description	Balance Before Amendment	Amount of Amendment Increase (Decrease)	Balance After Amendment
706	5-2022-5250			FIRE DEPT- OTHER	-	1,250.00	1,250.00
					-	-	-
					-	1,250.00	1,250.00

Approved by the City Commission this

Explanation of Budget Amendment:
To purchase American flag decals for certain fire trucks.

Approved:

Mayor _____
Attest: _____

City Clerk _____

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

Regular Board of Commissioners

5.

Meeting Date: 09/03/2019

Ordinance - Keeping Fowl

Submitted By: Kacie Eck, City Clerk

Department: City Clerk

Information

Title of Item for Agenda

Consideration of an ordinance amending Chapter 5 "Animals", Section 5-7 "Keeping Fowl" of the City of Shawnee Code regulating the keeping of fowl and chickens for personal use within City Limits; and also providing for severability, codification, and repealer.

Attachments

Memo

Ordinance



City Planning/Community Development Department

MEMORANDUM

DATE: Tuesday, September 3, 2019
TO: City of Shawnee City Commission
FROM: Rebecca Blaine, City Planning Director
RE: Urban Chicken Ordinance

With interest in food security and local food systems on the rise, more and more communities are amending their animal control and zoning codes to allow the keeping of chickens in residential districts.

The benefits of urban chickens include the production of fresh, local eggs, the companionship and educational aspects of keeping such animals as pets. However, potential downsides include noise, odor, and disease concerns, so appropriate regulations are important to protect communities from nuisance or public health complaints.

Several communities in the state have adopted ordinances for the keeping of chickens on residential property including Norman (2012), Stillwater (2018), and Edmond (2019). The Food Policy Council of Pottawatomie County and Blue Zones Project have assisted in the research, best practices from other Oklahoma communities, and education resources that can assist those wanting to keep chickens on their residential property. Currently, chickens are only allowable in agriculturally zoned areas within the city limits of Shawnee.

City Staff and the Planning Commission (08.07.19) recommend approval of the Urban Chicken Ordinance as parameters have been set forth to promote proper spacing, maintenance, and nuisance control.

Attachment:

- **Urban Chicken Ordinance**

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SHAWNEE, OKLAHOMA AMENDING CHAPTER 5 – “ANIMALS”, SECTION 5-7 “KEEPING FOWL”, OF THE CITY CODE REGULATING THE KEEPING OF FOWL AND CHICKENS FOR PERSONAL USE WITHIN CITY LIMITS; AND ALSO PROVIDING FOR SEVERABILITY, CODIFICATION, AND REPEALER

WHEREAS, the Code of Ordinances of the City of Shawnee must be amended from time to time to comply with the laws of the State of Oklahoma and the Charter of the City of Shawnee; and

WHEREAS, it is the intent of the City Commission in enacting this ordinance, to provide for, and protect the public health, safety, and welfare of the City of Shawnee, Oklahoma;

WHEREAS, it is the intent of the City Commission in enacting this ordinance, to provide for the municipal regulation of keeping fowl and chickens for personal use within city limits.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION FOR THE CITY OF SHAWNEE, POTTAWATOMIE COUNTY, STATE OF OKLAHOMA AS FOLLOWS:

SECTION 1: Chapter 5, “Animals”, Section 5-7, “Keeping Fowl” shall be amended to read:

Section 5-7. – Keeping Fowl

a) Definitions

- (1) A *chicken coop* is a small structure or enclosure where chickens nest, roost or perch and may include feeding and watering devices.
- (2) A *chicken run* is an enclosed area physically connected to the coop where chickens are able to walk or run about which may include feeding and watering devices.
- (3) A *nuisance* is an animal that:
 - i. Damages the property of anyone other than its owner, including, but not limited to scratches or digs about any flower bed, garden, tilled soil, vines, shrubbery, or small plants and in so doing injures them;
 - ii. Habitually prowls around, on, or over any premises not the property of its owner to the frequent annoyance of the owner or occupant of those premises;
 - iii. Overturns any garbage can or other container of waste products, or scatters the contents of the same;
 - iv. Chases or kills any domesticated animals or domesticated birds;
 - v. Annoys or disturbs any person by loud and frequent barking, howling, yelping, or causes noise in an excessive, continuous or untimely fashion/manner so as to interfere with the reasonable use and enjoyment of neighboring private premises;
 - vi. An animal that habitually or repeatedly chases, snaps at, or barks at pedestrians, joggers, dogs walked by owners, bicycles or vehicles;
 - vii. Disturbs the rights of, threatens the safety of or injures a member of the general public or interferes with the ordinary use and enjoyment of his property.

b) Acceptable Residential Use: Zoning Designations; Coop and Run Requirements; Property Conditions

- (1) Poultry may be kept for personal use within city limits in the following designated residential zones:
 - i. residential use (RE (Residential Estates District);
 - ii. R-1 (Single-Family Residential District);
 - iii. R-2 (Medium Density Residential District);
 - iv. R-3 (Multi-Family Residential District); and
 - v. TN (Townhouse Development District)
- (2) Lawful poultry possession in the residential areas shall not exceed six (6) chickens;
- (3) Lawful poultry possession in residential districts must be kept under the following conditions:

- i. The fowl must be kept in a building which at its nearest point is no closer than twenty-five (25) feet to any dwelling other than the owner's;
- ii. The floors of such building shall be of easily-cleanable construction, and shall be maintained in a sanitary condition not offensive or dangerous to the public health by routinely cleaning and properly disposing of the droppings; and
- iii. The outside openings of the building shall be screened to prevent the spread of disease by flies and vermin.
- iv. The owner or occupant of the land upon which such animals are kept and maintained erects and maintains a suitable barrier sufficient to insure compliance with the above distance requirements.
- v. Such chickens or laying hens are maintained on land upon which the owner or occupant resides;
- vi. Roosters are not allowed;
- vii. The chickens are kept within a designated chicken coop and chicken run, unless supervised as described below;
- viii. The chicken coop and chicken run shall be located in the rear or backyard of a residential property. No part of the coop or run shall be located in the side or front yard;
- ix. The chicken coop and chicken run shall be attached and shall be located no closer than five (5) feet from any side or rear property lines and no closer than twenty-five (25) feet from any dwelling unit other than the owner's. Movable chicken enclosures are permitted as long as they meet the setbacks as indicated in this paragraph;
- x. The minimum size for a chicken coop shall be four (4) square feet per animal and the chicken run shall be eight (8) square feet per animal;
- xi. During daylight hours, the chickens shall have access to a chicken run and a chicken coop;
- xii. From dusk until dawn, chickens shall be kept within the chicken coop as protection from predators;
- xiii. Chicken coops shall be predator resistant and any open walls or windows shall be designed to prevent access by predators;
- xiv. Chicken runs shall be adequately fenced and protected from predators;
- xv. The outside openings of any enclosure shall be screened to prevent the spread of disease by flies and vermin;
- xvi. Water shall be provided onsite and accessible to chickens at all times;
- xvii. Chickens are permitted to be outside of a run or coop during daylight hours but must be supervised and contained inside a fenced yard at all times; chickens that stray outside the fenced yard may be regarded as nuisance animals;
- xviii. All chicken enclosures shall be cleaned regularly to prevent an accumulation of food, fecal matter, or nesting material from creating a nuisance or unsanitary condition due to odor, vermin, debris, or decay.
- xix. Outdoor slaughter of chickens is prohibited.
- xx. Except as otherwise provided, no person shall keep and maintain, or allow to be maintained any exotic or native wildlife or dangerous or poisonous reptiles.

c) Permitting

- (1) The fee to obtain a permit is \$15.00. Applicants will need to bring a government issued identification such as a driver's license or passport, a City of Shawnee utility bill for the property, and the \$15 permit fee to the City Planning Department.
- (2) Permits shall be issued per individual property owner. If permit holder relocates, a new permit will be required for the new property. A tenant must have permission from the property owner in writing to apply for a permit.
- (3) Permits issued may be revoked upon the recommendation of Animal Control. Any person aggrieved by the action of the Animal Control in revoking a permit shall, upon written request within ten (10) business days after the notice of revocation, have the right to appeal to the Shawnee Planning Director.

d) Compliance with Homeowner’s Association (HOA) Restrictive Covenants

- (1) **Existing Restrictive Covenants.** The regulations for acceptable possession and use of urban fowl as provided for in this Section are not intended to supersede, commandeer, or nullify existing Homeowner’s Association Restrictive Covenants regulating the same.
- (2) **Future Restrictive Covenants for New Construction.** Future Homeowner’s Associations and Restrictive Covenants covering new construction subdivisions may implement regulations that are more restrictive than those provided for in this Section.
- (3) **Future Restrictive Covenants for Existing Construction.** Future Homeowner’s Associations and newly created, or amended, Restrictive Covenants covering existing homes and subdivisions may not implement regulations that are more restrictive than those provided for in this Section.

e) Exceptions. Persons excepted from this ordinance shall be:

- (1) Duly authorized and licensed circuses or educational institutions;
- (2) Agents or employees properly authorized by an educational institution to keep and maintain that institution's animals in connection with any lawful experimental or research program;
- (3) Zoological gardens;
- (4) Zoos which are supervised and publicly maintained;
- (5) Falconry facilities that have a current license issued by the U.S. Department of the Interior, by the U.S. Fish and Wildlife Service, or a license issued by the Oklahoma Department of Wildlife Conservation under the rules adopted in 50 CFR 21 of the federal regulations.

Section 2: REPEALER. All sections, subsections, clauses, and sentences of existing law in conflict with this ordinance are repealed.

Section 3: CODIFICATION. This Ordinance shall be codified in the Shawnee Municipal Code, and the codifier is authorized to set out the ordinance as appropriate.

Section 4: 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 court so holding shall not affect or impair any of the remaining parts or provisions of this ordinance.

PASSED AND APPROVED this 3rd day of September, 2019

ATTEST:
(SEAL)

RICHARD FINLEY, MAYOR

LISA LASYONE, CMC, CITY CLERK

Approved as to form and legality this 3rd day of September, 2019.

JOSEPH M. VORNDRAN
CITY ATTORNEY

Regular Board of Commissioners

6.

Meeting Date: 09/03/2019

Ordinance - Chapter 8

Submitted By: Kacie Eck, City Clerk

Department: City Clerk

Information

Title of Item for Agenda

Consideration of an ordinance amending Chapter 8, Article VIII of the City of Shawnee Code, so as to further comport with State Law 63 O.S. 420A et seq. and OAC 310;618-1-1 et seq.; providing for severability; and declaring an emergency.

Attachments

Memo

Ordinance



City Planning/Community Development Department

MEMORANDUM

DATE: Tuesday, September 3, 2019
TO: City of Shawnee City Commission
FROM: Rebecca Blaine, City Planning Director
RE: Medical Marijuana Ordinance

Amendments to our current medical marijuana ordinance to comport with State Law 63 O.S. 420 et seq. and OAC 310: 618-1-1 et seq. The goal of the City of Shawnee is to mirror rules and regulations regarding medical marijuana provided under Oklahoma state law. Changes include the removal of certain terms and definitions and the modification of the definitions of what a 'public school' or 'private school' is while keeping the 1000' radius buffer requirement. New school definitions are as follows:

"Public School" means an elementary, middle, or high school established under state law, regulated by the local state authorities in the various political subdivisions, funded and maintained by public taxation, and open and free to all children of the particular district where the school is located.

"Private School" means an elementary, middle, or high school maintained by private individuals, religious organizations, or corporations, funded, at least in part, by fees or tuition, and open only to pupils selected and admitted based on religious affiliations or other qualifications.

These changes will provide clarification on what a 'school' is and is not. Before this change in state law, it was questionable if certain types of institutions qualified as 'schools' such as but not limited to: daycares, child care facilities, career techs, after school care, beauty colleges, driving schools, vocational institutions, etc. The State of Oklahoma has provided clarity on regarding the term 'school'. Staff recommends approval of the amended ordinance, which will allow staff to continue to review and evaluate proposed medical marijuana establishments under like terms mirrored by the State of Oklahoma.

Attachment:

- **Amended Medical Marijuana Ordinance**

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 8 (BUSINESSES, PERMITS AND LICENSES), ARTICLE VIII. – (MEDICAL MARIJUANA) OF THE CODE OF THE CITY OF SHAWNEE, SO AS TO FURTHER COMPORT WITH STATE LAW 63 O.S. 420A ET SEQ. AND OAC 310: 618-1-1 ET SEQ.; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

WHEREAS, a proposal has been presented to the City Commission of the City of Shawnee, Oklahoma to amend Chapter 8 of the Code of Ordinances of the City of Shawnee, Oklahoma, and,

WHEREAS, the City Commission has determined that such modification and amendment is necessary and in the best interest of the health and safety of the citizens of the City of Shawnee, and for the efficient operations of municipal governance.

THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE CITY OF SHAWNEE, OKLAHOMA, THE FOLLOWING:

SECTION 1. That section 8-541 of the Shawnee City Code is hereby amended to read follows:

Section 8-541: Definitions

The following words and terms, when used in this Chapter and Article, shall have the following meaning, unless the context clearly indicates otherwise, and in accordance with OAC 310: 681-1-4.

"Applicant" means the natural person or entity in whose name a license would be issued.

~~**"Application Status"** means the status of a submitted application and includes the following:~~

- ~~(a) "Pending" means the application has been submitted but a review is not yet complete;~~
- ~~(b) "Rejected" means the application has been reviewed but contains one or more errors requiring correction by the applicant at no additional fee before a final determination on the application can be made. "Rejected" does not mean the application is denied. OMMA has 14 days to review the submission of any corrections to a rejected application;~~
- ~~(c) "Approved" means the application has been approved and that a license will be issued and mailed to the applicant; and~~
- ~~(d) "Denied" means the applicant does not meet the qualifications under 63 O.S. § 420A and this Chapter for a license.~~

~~**"Batch"** means a specifically identified quantity of marijuana, no greater than ten (10) pounds, that is uniform in strain, cultivated using the same growing practices, and harvested at the same time at the same location, and dried or cured under uniform conditions; and with regard to medical marijuana concentrate and medical marijuana products, means an identified quantity that is uniform, that is intended to meet specifications for identity, strength, and composition, and that is processed, packaged, and labeled during a specified time period according to a single manufacturing, packaging, and labeling protocol.~~

~~**"Batch Number"** means a unique numeric or alphanumeric identifier assigned prior to any testing or sale to allow for inventory tracking and traceability.~~

~~**"Cannabinoid"** means any of the diverse chemical compounds that can act on cannabinoid receptors in cells and alter neurotransmitter release in the brain, including phytocannabinoids that are produced naturally by marijuana and some other plants.~~

~~**"Clone"** means a non-flowering plant cut from a mother plant that is no taller than eight inches and is capable of developing into a new plant.~~

"Commercial Establishment" ("Establishment") or "Commercial Licensee" means an individual or entity licensed under this Chapter as a medical marijuana dispensary, grower, processor, or researcher.

"Commercial License" means a license issued to a medical marijuana dispensary, grower, processor, or researcher.

"Commissioner" means the Commissioner of Health of the Oklahoma State Department of Health.

~~**"Complete(d) Application"** means a document prepared in accordance with 63 O.S. § 420A et seq., these Rules, and the forms and instructions provided by the Department, including any supporting documentation required by the Department and the license fee.~~

"Department" means the Oklahoma State Department of Health or its agent or designee.

"Dispense" means the retail sale of medical marijuana, medical marijuana concentrate, or medical marijuana products to a qualified patient, the qualified patient's parent(s) or legal guardian(s) if qualified patient is a minor, and a licensed caregiver.

"Dispensary" means an individual or entity that has been licensed by the Department pursuant to 63 O.S. § 421A and this Chapter, which allows the dispensary to purchase medical marijuana from a processor or grower and to sell medical marijuana only to a qualified patient, to the qualified patient's parent(s) or legal guardian(s) if qualified patient is a minor, and a licensed caregiver.

~~**"Disqualifying Criminal Conviction"** means:~~

~~(a) Any non-violent felony conviction within last two (2) years of submitting an application to the Department;~~

~~(b) Any violent felony conviction for an offense listed in 57 O.S. § 571(2) within last five (5) years of submitting an application to the Department; or~~

~~(c) Incarceration for any reason during submission of application to the Department.~~

~~**"Entity"** means a sole proprietorship, a general partnership, a limited partnership, a limited liability company, a trust, an estate, an association, a corporation, or any other legal or commercial entity.~~

"Food" has the same meaning as set forth in 63 O.S. § 1-1101 and the Oklahoma Administrative Code ("OAC") 310:257-1-3 ("food" means (1) articles used for food or drink for man, (2) chewing gum, and (3) articles used for components of any such article") and set forth in OAC 310:260-1-6 ("food" means any raw, cooked, or processed edible substance, ice, beverage or ingredient used or intended for use or for sale in whole or in part for human consumption").

"Grower" or "Commercial Grower" means an individual or entity that has been licensed by the Department pursuant to 63 O.S. § 422A, which allows the grower to grow, harvest, dry, cure, and package medical marijuana according to this Chapter for the purpose of selling to a dispensary or processor.

"Information Panel" has the same definition as set forth in 21 CFR § 101.2 and means "that part of the label immediately contiguous and to the right of the principal display panel as observed by an individual facing the principal display panel."

"Label" carries the same definition as set forth in 63 O.S. § 1-1101 and "means a display of written, printed, or graphic matter upon the immediate container of any article; and a requirement made by or under authority of this article that any word, statement, or other information appearing on the label shall not be considered to be complied with unless such word, statement, or other information also appears on the outside container or wrapper, if there be any, of the retail package of such article, or is easily legible through the outside container or wrapper."

"License" means a state issued license or other state issued documentation proving the holder of such license is a member of a state regulated medical marijuana program.

"License Number" means the unique multi-character identifier issued and printed upon each license.

"Licensee" means any natural born person or entity that holds a medical marijuana license provided for in this Chapter, excluding inmates of any local, county, state, or federal correctional facility or jail.

"Licensed Packager" as used in 63 O.S. § 422A(C) means a processor.

~~**"Lot"** means the food produced during a period of time indicated by a specific code.~~

"Marijuana" means all parts of a plant of the genus cannabis, whether growing or not; the seeds of a plant of that type; the resin extracted from a part of a plant of that type; and every compound, manufacture, salt, derivative, mixture, or preparation of a plant of that type or of its seeds or resin. "Marijuana" does not include the mature stalks of the plant or fiber produced from the stalks; oil or cake made from the seeds of the plant; or any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks, except the resin extracted from the mature stalks, fiber, oil or cake; the sterilized seed of the plant that is incapable of germination; or industrial hemp, from the plant Cannabis sativa L. and any part of such plant, whether growing or not, with a delta-9 tetrahydrocannabinol concentration of not more than three-tenths of one percent (0.3%) on a dry weight basis.

~~**"Mature Plant"** means harvestable female marijuana plant that is flowering.~~

~~**"Medicaid"** means the federal program that is also commonly known as "Sooner Care."~~

"Medical Marijuana" means marijuana that is grown, processed, dispensed, tested, possessed, or used for a medical purpose, and includes medical marijuana concentrate and medical marijuana products.

"Medical Marijuana Concentrate" ("Concentrate") means a substance obtained by separating cannabinoids from any part of the marijuana plant by physical or chemical means, so as to deliver a product with a cannabinoid concentration greater than the raw plant material from which it is derived.

"Medical Marijuana Product" means a product that contains cannabinoids that have been extracted from plant material or the resin therefrom by physical or chemical means and is intended for administration to a qualified patient, including but not limited to oils, tinctures, edibles, pills, topical forms, gels, creams, and other derivative forms.

"Medical Marijuana Waste" means unused, surplus, returned or out of date marijuana; recalled marijuana; unused marijuana; plant debris of the plant of the genus cannabis, including dead plants and all unused plant parts and roots; and any wastewater generated during growing and processing.

"Minor" means any natural person younger than eighteen (18) years of age.

~~**"Mother Plant"** means a marijuana plant that is grown or maintained for the purpose of generating clones, and that will not be used to produce plant material for sale to a processor or dispensary.~~

"Oklahoma Resident" ("Resident") means an individual who resides in the State of Oklahoma and can provide proof of residency as required by 63 O.S. § 420A et seq. and OAC 310:681-1-6.

"Oklahoma Uniform Symbol" means the image, established by the Department and made available to commercial licensees, indicating the package contains marijuana and must be printed at least one-half inch in size by one-half inch in size in color.

"Out-of-State Medical Marijuana Patient License" means an unexpired medical marijuana patient license issued by another U.S. state, which is the substantial equivalent of the Oklahoma medical marijuana patient license issued pursuant to OAC 310:681-2-1 and OAC 310:681-2-2.

"Package" or "Packaging" means any container or wrapper that a grower or processor may use for enclosing or containing medical marijuana or medical marijuana products.

"Patient" or "Qualified patient" means a person that has been properly issued a medical marijuana license pursuant to 63 O.S. § 420A et seq. and these rules.

"Physician" means a doctor of medicine or a doctor of osteopathic medicine who holds a valid, unrestricted and existing license to practice in the State of Oklahoma and meets the definition of "board certified" under rules established by either the Oklahoma Board of Medical Licensure or the Oklahoma Board of Osteopathic Examiners.

~~**"Plant Material"** means the leaves, stems, buds, and flowers of the marijuana plant, and does not include seedlings, seeds, clones, stalks, or roots of the plant or the weight of any non-marijuana ingredients combined with marijuana.~~

"Principal Display Panel" has the same definition as set forth in 21 CFR § 101.1 and "means the part of a label that is most likely to be displayed, presented, shown, or examined under customary conditions of display for retail sale."

"Private School" means an elementary, middle, or high school maintained by private individuals, religious organizations, or corporations, funded, at least in part, by fees or tuition, and open only to pupils selected and admitted based on religious affiliations or other particular qualifications.

"Process" means to distill, extract, manufacture, prepare, or otherwise produce a medical marijuana product or medical marijuana concentrate.

"Processor" means an individual or entity that has been licensed by the Department pursuant to 63 O.S. § 423A, which allows the processor to: purchase medical marijuana from a grower or processor; process, package, and sell medical marijuana to a dispensary or processor; and may process medical marijuana received from a qualified patient into a medical marijuana concentrate, for a fee.

"Public School" means an elementary, middle, or high school established under state law, regulated by the local state authorities in the various political subdivisions, funded and maintained by public taxation, and open and free to all children of the particular district where the school is located.

"Retailer" as used in 63 O.S. § 420A et seq. means a dispensary.

"Revocation" means the Department's final decision in accordance with the Oklahoma Administrative Procedures Act, 75 O.S. § 250 et seq., that any license issued pursuant to 63 O.S. § 420A et seq. and this Chapter is rescinded.

"Rules" means, unless otherwise indicated, the rules as adopted and set forth in OAC 310:681.

~~**"Seedling"** means a marijuana plant that has no flowers.~~

"State Question" means Oklahoma State Question No. 788 and Initiative Petition Number 412.

"Transportation License" means a license issued automatically to commercial licensees upon approval of a commercial license, which allows growers, processors, or dispensaries, or their authorized agent(s), to deliver medical marijuana from their licensed locations to the licensed locations of other growers, processors, or dispensaries.

SECTION 2. That section 8-542 of the Shawnee City Code is hereby amended to read as follows:

Section 8-542: Medical Marijuana Establishments

1. All Commercial Marijuana Growers, Commercial Marijuana Processors, Commercial Marijuana Transporters, Retail Marijuana Dispensaries, Licensed Packagers, Wholesale Facilities, and Research Facilities are required to obtain a permit from the City Clerk or their designee. These establishments are defined as any medical marijuana establishment licensed by the State of Oklahoma. The Permit shall be issued by the City upon the Applicant's proof and verification of the Applicant's License from the State Department pursuant to 63 O.S. § 420A et seq. and Title 310 of the Rules of the Oklahoma State Department of Health: 681-1 et seq., and payment of the Permit Fee.
2. The City Commission will establish by resolution a fee to obtain the Permit for each of the above described entities. The fee shall be used to offset municipal expenses covering costs related to licensing, inspection, administration and enforcement of the above described entities.
3. Only Commercial Marijuana Processors, Commercial Marijuana Growers limited to indoor growing only, and Retail Marijuana Dispensaries shall be located in areas zoned C-3 and C-4.
4. Commercial Marijuana Research Facilities may be located in areas zoned C-3 and C-4 by conditional use permit.
5. Only Commercial Marijuana Processors, Commercial Marijuana Growers, Commercial Marijuana Research Facilities, Licensed Packagers, and Wholesale Facilities shall be located in areas zoned I-2 and I-3.
6. Commercial Marijuana Growers shall be prohibited from being located in areas zoned A-1. Only Marijuana Growing Facilities for Personal Medical Use shall be located in areas zoned A-1.
7. Only Commercial Marijuana Dispensaries shall be located in areas zoned CP.
8. A Permit will not be granted to any applicants where the proposed location would be located within 1,000 feet of a Private School or Public School.
9. For the distance requirements outlined in this ordinance, the distances described shall be computed by direct measurement in a straight line from the nearest property line of the parcel of land on which the use described in paragraph 4 is located to the nearest property line of the building or unit in which the proposed retail marijuana establishment would be located.
10. Buildings or transportation vehicles where marijuana is stored or dispensed must be equipped with ventilation/air filtration systems so that no odors are detectable off premises.
11. Any violations of this section will result in the revocation of the permit, and a fine of \$200.00 per day while the violation exists.
12. Nothing in this Ordinance shall be construed to: 1) allow persons to engage in conduct that endangers or causes a public nuisance or 2) allow any activity that is otherwise illegal and not permitted by state law; in particular, the above municipal regulations in this section are intended to comport with, follow, but not exceed, those state regulations promulgated in 63 O.S. 420A et seq. and OAC 310-681-1 et seq.

SECTION 3. That section 8-543 of the Shawnee City Code is hereby amended to read as follows:

Section 8-543: Marijuana Growing Facilities for Personal Medical Use; Security.

1. Growing marijuana shall not be conducted in a manner that constitutes a public nuisance. A public nuisance may be deemed to exist if growing marijuana produces light, glare, heat,

noise, odor or vibration that is detrimental to public health, safety or welfare or interferes with the reasonable enjoyment of life and property.

2. The primary use of the residential property in which marijuana is grown shall remain at all times a residence, with legal and functioning cooking, eating, sleeping and sanitation/bathing facilities with proper ingress and egress. No room shall be used for growing marijuana where such cultivation will impair or prevent the primary uses of cooking, eating, sleeping or sanitation/bathing.

3. The above municipal regulations in this section are intended to comport with, follow, but not exceed, those state regulations promulgated in 63 O.S. 420A et seq. and OAC 310-681-1 et seq.

SECTION 4. Severability:

If any one or more of the sections, sentences, clauses or part of this ordinance, chapter or section shall for any reason be held invalid, the invalidity of such section, clause or part shall not affect or prejudice in any way the applicability and validity of any other provision of this ordinance. It is hereby declared to be the intention of the City Commission of the City of Shawnee that this ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

SECTION 3. Emergency Clause:

It being immediately necessary for the preservation of public health, peace, and safety, an emergency is hereby declared to exist, by reason whereof this Ordinance shall take effect and be in full force from and after its passage and approval.

PASSED AND APPROVED this 3rd day of September, 2019.

RICHARD FINLEY, MAYOR

ATTEST:
(SEAL)

LISA LASYONE, CMC, CITY CLERK

Emergency clause separately passed and approved on this 3rd day of September, 2019.

RICHARD FINLEY, MAYOR

ATTEST:
(SEAL)

LISA LASYONE, CMC, CITY CLERK

Approved as to form and legality this 3rd day of September, 2019.

JOSEPH VORNDRAN, CITY ATTORNEY