

## NOTICE OF MEETING

## ***Shawnee Arts & Culture Commission***

### TYPE OF MEETING

REGULAR MEETING ( ) RESCHEDULED REGULAR MEETING ( )  
SPECIAL MEETING (X) CONTINUED OR RECONVENED MEETING ( )

|                  |                  |                                                                                                                  |
|------------------|------------------|------------------------------------------------------------------------------------------------------------------|
| <b>DATE:</b>     | <b>TIME:</b>     | <b>PLACE OF MEETING:</b>                                                                                         |
| <u>7.28.2021</u> | <u>5:00 P.M.</u> | <u>Commission Chambers</u><br><u>City Hall</u><br><u>16 W. 9<sup>th</sup> Street</u><br><u>Shawnee, OK 74801</u> |

***To be completed by person filing notice:***

**NAME:** Rachel Clyne

**TITLE:** City Planner

**ADDRESS:** Commission Chambers

**PHONE:** (405) 878-1666

Filed in the office of the municipal clerk at 9:42 (a.m.) /p.m. on 07.26.2021

**SIGNED:**   
**City Clerk/Deputy Clerk**

[illegible]

**FOR CITY CLERK'S OFFICE USE ONLY**

DATE NOTICE RELEASED TO NEWS MEDIA: 7-26-2021

PERSON FILING NOTICE: Rachel Clyne

NOTICE VERIFIED BY: Kelley Metcalf

**AGENDA**  
***Shawnee Arts & Culture Commission***

**Special Call Meeting**  
**July 28, 2021, 5:00 P.M.**  
**City Hall, 16 W. 9<sup>TH</sup> St. Shawnee, OK**

- 1) Roll call**
- 2) Appointment of Chair**
- 3) Appointment of Vice Chair**
- 4) Appointment of Commission Advocate**
- 5) Discussion of committee purpose and responsibilities**
- 6) Discussion on meeting procedures**
- 7) Approval of Regular meeting schedule for 2021**
- 8) Staff Report**
- 9) New Business**
- 10) Comments**
- 11) Adjournment**



**Community Development Department**

**MEMORANDUM**

DATE: Monday, March 1<sup>st</sup>, 2021

TO: City of Shawnee City Commission

FROM: Rebecca Blaine, Planning Director, AICP, CFM

RE: Establishment of the Shawnee Arts & Cultural Commission & 1% for The Arts Ordinance

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Mayor and Commissioners,

As emphasized in Shawnee's 2040 Comprehensive Plan, the necessity for public art in our community dovetail with the enhancement of our community image, civic health, equity and economic development. Like City of Oklahoma City, this proposal includes a 1% for The Arts Ordinance which will designate 1% of total construction costs to public art. As Planning Director, I believe the Shawnee area has a multitude of individuals that share the passion, talents and drive to elevate the arts in our community.

Respectfully Submitted,

**Rebecca Blaine**

**ORDINANCE NO. 2714NS**

AN ORDINANCE RELATING TO ARTS IN PUBLIC PLACES, AMENDING CHAPTER 22 OF THE SHAWNEE MUNICIPAL CODE BY CREATING A NEW ARTICLE IX OF CHAPTER 22, PROVIDING FOR THE ART IN PUBLIC PLACES; PROVIDING FOR REPEAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR EMERGENCY CLAUSE.

**BE IT ORDAINED BY THE COMMISSIONERS OF THE CITY OF SHAWNEE:**

**SECTION 1.** That Article IX of Chapter 22 of the Shawnee Municipal Code is hereby created to read as follows:

**CHAPTER 22  
PLANNING AND DEVELOPMENT**

\*\*\*

**ARTICLE IX. ARTS IN PUBLIC PLACES**

**DIVISION 1. – PURPOSE**

**§22-740.** The purpose of this chapter is:

(1) to create an Arts & Culture Commission to help promote art in public places throughout the City of Shawnee, to assist in the selection of works of art for the City's collection, and to aid in the development of programs to enhance and maintain the collection

(2) To provide a means to fund the acquisition, display, and maintenance of works of art by the City, and to integrate art when appropriate into City construction projects.

**DIVISION 2. – ESTABLISHMENT OF ARTS & CULTURE COMMISSION**

**§22-741. Established; Composition.** A Shawnee Arts & Culture Commission is established in the City. The Shawnee Arts & Culture Commission shall consist of seven (7) members, who shall be appointed by the Mayor with the approval of the City Commission. The Shawnee Arts & Culture Commission shall have the following composition:

- (1) One member shall represent a local arts and or cultural organization.
- (2) Four members shall be professional artists, performers, and or architects or landscape architects.
- (3) Two members at large

**§22-742. Qualifications; Compensation.** All members shall have demonstrated previous support for arts or cultural affairs, an interest in the arts and cultural history and traditions of the City and have knowledge of or demonstrated experience in the arts and cultural professions. All members of the Shawnee Arts & Culture Commission shall serve without compensation. Citizenship within city limits shall only apply to at-large members. Professional and organizational positions will not require citizenship due to expertise of their respective roles.

**§22-743. Officers.** In January of each calendar year, the Shawnee Arts & Culture Commission shall elect an Executive Committee consisting of a Chair, Vice Chair, and Commission Advocate.

**§22-744. Term of Office.** The terms of the four (4) professional members of the Shawnee City Arts & Culture Commission shall be three years from the date of appointment or until his/her successor takes office. The term of the remaining three (3) members (organizational and at large) shall be two (2) years from the date of appointment or until his/her successor takes office. No member shall serve more than three consecutive terms. Members who have served three consecutive terms may be reappointed after having rotated off the Commission for at least one full three-year term.

**§22-745. Vacancies.** Members will be appointed to fill the remainder of vacant terms by the Mayor, with the consent and approval of the City Commission.

### **DIVISION 3. – POLICY FOR WORKS OF ART; BUDGETING OF PUBLIC FUNDS; SELECTION AND PLACEMENT; DEFINITIONS.**

**§22-746. Short title.** The policy for budgeting of public funds for works of art and for the selection and placement of works of art shall be as follows:

**§22-747. New Public & Private Construction** One percent of the total construction cost of any new building or park development or major renovation thereof, to be constructed or erected shall be allocated for works of art, with such funding of revenues as provided for by Oklahoma law applicable to municipal corporations. Provided, funds budgeted for works of art under this section may be used for works of art either incorporated into the project on building projects or on an alternative property approved by the Shawnee Arts & Cultural Commission and City Commission. The provisions of this section shall apply to any Trust of which the City is beneficiary, if said Trust has by Resolution approved one percent for art provisions. It is the policy of The City that all future special sales tax documents, and Tax Increment Financing documents shall include a provision for one percent for art. All public art purchased by the one percent set aside, shall first be reviewed by the Shawnee Arts & Culture Commission, which shall make a recommendation regarding its acquisition to the Shawnee City Commission or beneficiary public trust, pursuant to the provisions of paragraph (3) of this ordinance.

The amount per project that must be dedicated to public art is 1% with a total project limit of \$100,000; however, the Planning Director shall have discretion to lower the required dollar amount on a case by case basis to allow the amount dedicated to fall beneath the required 1% or \$100,000 cap based on the unique circumstances of said project. Appeals of the Director's decision may be made to the Shawnee Arts & Cultural Commission, with recommendation to City Commission for final decision.

This article shall not apply to any municipal projects which are funded by promissory note or bond proceeds or restricted funds; however, it is the City's policy to work toward the incorporation of public art in all projects if allowable by law and financing restrictions.

**§22-748. Accounting of Appropriated Arts Funds.** Funds appropriated which are not restricted by law, pursuant to the provisions of this section shall be placed in a separate account to be established and such funds shall be used exclusively for the art selection process, administration costs, artwork maintenance, and the purchase, transport, and installation of works of art. Art obtained as a result of funding that is restricted by law, shall be purchased within the time frame of the project-restricted proposition and funding shall be placed and spent in accordance with limitations of the restricted funding.

**§22-749. Review by the Shawnee Arts & Culture Commission.** All public artwork commissioned with funds set aside pursuant to the provisions of this section, shall be reviewed and a recommendation made by the Shawnee Arts & Culture Commission. Final approval for such public art purchases shall be given by the City Commission or public trust as applicable, pursuant to Subsection 22-746(2) of this chapter. The Shawnee Arts & Culture Commission may also suggest art for inclusion in any construction or renovation project described in this section. Further, as soon as the proposed art is in schematic and/or rendering form, the Arts Commission shall review said proposed art. The Shawnee Arts & Culture Commission shall make its recommendation within sixty (60) days of its receipt of the schematic and/or rendering form, to be forwarded to the City Commission or public trust for approval.

**§22-750. Definitions.** For the purposes of this section, the following terms shall have the meanings indicated:

- a. Building means a structure designed and used in a manner for the public's benefit, including but not limited to convention centers, police and fire stations, utility stations, City facilities where the public is allowed to use for educational or training sessions, and City office facilities where City staff regularly interact with members of the public.

b. Total Construction Cost means that amount or cost of a public project before its design begins, and shall include land acquisition costs, testing and consultant fees.

c. Major Renovation means;

1. buildings - any change, addition or modification to an existing building that increases the square footage by a minimum of 20 percent or the renovation of an existing building in which a minimum of 25 percent of the interior square footage is the subject of renovation in a manner that invokes the provisions of the Oklahoma City Building Code and requires a permit.
2. park development - any significant work on an existing park which enhances the function or use of substantial areas of an existing park. Park development shall also include trails meant for recreational purposes.

d. New means where no pre-existing building or park development existed before construction began.

e. Works of Art shall be defined in the broadest manner as the work of an Artist, and shall include the following artistic expressions:

1. The imaginative use and interplay of all artistic media and disciplines;
2. Works of Art are accessible in a public space, meaning it must be visually and/or physically accessible to the public;
3. It is original art that evokes an experience or emotion in the public realm;
4. It can be of a variety of forms and takes into consideration the site, its location and context, and the audience—it is site specific;
5. It may possess functional as well as aesthetic qualities;
6. It may be stand-alone or integrated into its site.

f. Artist shall be defined as an individual generally recognized by critics and peers as a professional practitioner of the visual arts as judged by the quality of the professional practitioner's body of work, educational background, experience, past public commissions, sale of works, exhibition record, publications, and production of Works of Art. Architects or Landscape Architects of Record on a particular project are disqualified from being considered for commissions of Works of Art on the same project. Disqualification also extends to other design professionals, consultants, and interior designers employed by or consulting with the design team on the same project.

**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.

**SECTION 5: EMERGENCY.** It being immediately necessary for the preservation of the peace, health, safety and public good of the City of Shawnee, Oklahoma and the inhabitants thereof that the provisions of this Ordinance be put into full force and effect, an emergency is hereby declared to exist, by reason whereof, this ordinance shall take effect and be in full force and effect after its passage, as provided by law.

[Remainder of Page Left Blank Intentionally]

PASSED AND APPROVED this 1<sup>st</sup> day of March, 2021.

ATTEST:  
(SEAL)



Lisa Laszoni  
LISA LASYONE, CMC, CITY CLERK

Ed Bolt  
ED BOLT, MAYOR

Emergency clause separately passed and approved on this 1<sup>st</sup> day of March, 2021.

ATTEST:  
(SEAL)



Lisa Laszoni  
LISA LASYONE, CMC, CITY CLERK

Ed Bolt  
ED BOLT, MAYOR

Approved as to form and legality this 3 day of March, 2021.

Joseph M. Vorndran  
JOSEPH M. VORNDRAN  
CITY ATTORNEY



# Affidavit of Publication

The Shawnee News-Star  
215 N. Bell  
Shawnee OK 74801  
(405) 273-4200

ORDINANCE NO. 2714NS

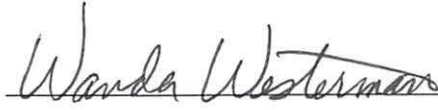
AN ORDINANCE RELATING TO ARTS IN PUBLIC PLACES, AMENDING CHAPTER 22 OF THE SHAWNEE MUNICIPAL CODE BY CREATING A NEW ARTICLE IX OF CHAPTER 22, PROVIDING FOR THE ART IN PUBLIC PLACES; PROVIDING FOR REPEAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR EMERGENCY CLAUSE.

Adopted 03/01/2021  
/s/ Ed Bolt, Mayor  
Attest /s/ Lisa Lasyone, CMC, City Clerk  
(Published in the Shawnee News-Star on March 5th, 2021)

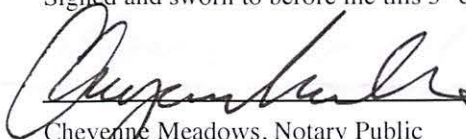
State of Oklahoma  
County of Pottawatomie

I, Wanda Westerman, of lawful age, being duly sworn upon oath, deposes and says that I am the Legal Advertising Account Executive of The Shawnee News-Star, a Daily publication that is a "legal newspaper" as that phrase is defined in 25 O.S. §106 for the City of Shawnee, for the County of Pottawatomie, in the State of Oklahoma, and that the attachment hereto contains a true and correct copy of what was actually published in said legal newspaper in consecutive issues on the following date(s):

Insertion Date(s): Mar. 5<sup>th</sup>, 2021  
Publishing Fee: \$21.50

  
Wanda Westerman, Account Executive

Signed and sworn to before me this 5<sup>th</sup> day of Mar., 2021.

  
Cheyenne Meadows, Notary Public  
My Commission Expires: April 12<sup>th</sup>, 2022  
Commission No. 18003766



RECEIVED  
MAR 08 2021  
CITY CLERK



**CITY OF SHAWNEE ARTS & CULTURE COMMISSION  
ROLES AND DUTIES OF ARTS COMMISSIONERS**

**Overview of Municipal Code Provisions**

**City of Shawnee Municipal Code, 2021, Chapter 22 Planning and Development, Division 18,  
Section 22-714**

**Creation and Composition:** The City of Shawnee Arts & Culture Commission was created by ordinance No. \_\_\_\_\_, on March 1, 2021. The Commission is composed of seven (7) members, who were appointed by the Mayor with the approval of the City Commission. The membership includes two members at large, four members who are professional artists, performers and/or architects/landscape architects, and one member from a local arts and/or cultural organization not specifically referenced. Only at large members shall be residents of the City of Shawnee due to the specificity of professional and organizational roles.

**Term:** The term of the four professional members is three years or until a successor takes office. The term of the organizational and at large members is two years or until a successor takes office. The term will expire in the year in which the term would normally expire from the appointment month. Any incumbent member of the Commission shall be eligible for reappointment at the end of his term of office. No member shall serve more than three consecutive terms. Members who have served three consecutive terms may be reappointed after having rotated off the Commission for at least one full three-year term. A member appointed to fill a vacancy shall serve the remainder of the unexpired term. Any member of the Arts Commission may be removed from office for neglect of duty or malfeasance. Removal shall be affected by a majority vote of the City Commission.

**Compensation:** All members of the Commission shall serve without compensation.

**Officers:** In January of each calendar year, the Shawnee Arts & Culture Commission shall elect an Executive Committee consisting of a Chair, Vice-Chair and Commission Advocate.

**Functions:**

1. To make regular assessments of the conditions and needs of the City concerning the arts.
2. To advise the Council concerning works of art to be placed on municipal property.
3. To make recommendations to the City Commission concerning grants from Federal and State agencies, private groups and individuals, and, when so directed by the City Commission, oversee arts and cultural projects and programs.
4. To increase public awareness of the value of our arts and cultural resources by developing and participating in public information programs.
5. To advise and assist the City Commission in connection with such other arts and cultural matters as may be referred to it by the City Commission.
6. To encourage greater arts and cultural involvement by departments of the City and to better utilize private arts and cultural agencies for services to citizens.

7. To keep minutes and records of all meetings and proceedings, including voting records, attendance records, resolutions, findings of fact and decisions.
8. To perform any other functions imposed by this article or otherwise specified by the City Commission.
9. To advise the Commission concerning the promotion of coordination among units of government in their projects and programs which involve the arts and cultural matters.
10. Suggest art for inclusion in any construction or renovation project pursuant to receipt of 1% for art funding.
11. Review any proposed public art purchased with 1% for art funding as soon as the proposed art is in schematic and/or rendering form.

**Duties of Arts Commissioners:**

Commission members commit to attending at least 75% of the regularly scheduled meetings Arts Commission meetings held on the last Wednesday of every month (with exceptions for holidays); and,

- Attend training sessions and review materials provided by staff to become thoroughly familiar with the ordinances, guidelines, regulation, criteria, etc. under their purview.
- Thoroughly review staff memos, reports, applications and support documentation prior to Arts Commission meetings.
- Hear cases, ask relevant questions as needed, and vote on cases heard.
- Make recommendations (motions and seconding motions), make recommendations with conditions, or do not recommend cases citing reasons, or continue cases to a specific regularly scheduled meeting.
- Limit discussions and questions to relevant material.
- Make recommendations in compliance with the commission's policies and the requirements and intent of the applicable ordinances.
- Request additional information from staff members as needed to inform their recommendations.
- Volunteer to serve as an Arts Commission voting member on 1% for Art Selection Committees.
- Serve on Ad Hoc Committees when requested to do so by the Chair.

**When elected to the Executive Committee:**

**ROLE OF THE CHAIR:**

The Chair is a member of the Arts Commission and has the key role. The Chair ensures that the Commission functions properly and that there is full participation by Commissioners during meetings, that all relevant matters are discussed, and that effective decisions are made.

The role of the Chair can be time consuming, with work between meetings, external representation of the Commission body, and working with staff. Chairing the Arts Commission requires diplomatic and leadership skills of a high level.

The Chair's term will be two years.

**Duties of the Chair:**

- Chair will provide leadership. To do this effectively, the Chair must be an effective strategist and a good networker.
- The Chair is responsible for working with the Arts Liaison and Assistant Municipal Counselor to make sure that each meeting is planned effectively and conducted in accordance with the enabling ordinance and Roberts Rules of Order, and that Commission matters are dealt with in an orderly, efficient manner.

**Specific Duties of the Chair during Arts Commission Meetings:**

- Open the meeting and state time for the record.
  - Initiate roll call.
  - Dismiss members by adjourning the meeting should quorum not be met, or should quorum be lost due to absence of members at any time during meeting.
  - Explain procedures and time limitations.
  - Initiate movement through the Agenda.
  - Call for an applicant to address the Committee to present an application.
  - Ask for speakers wishing to address the Committee regarding an item on the Agenda.
  - Maintain order at all times.
  - Enforce time limitations when necessary.
  - Encourage/initiate action where appropriate\*.
  - Limit questions and responses to material relevant to case/items for discussion.
  - Encourage/call for motions when appropriate.
  - Recognize motions made by Commissioners.
  - Ensure that staff has notated motions and member responses.
  - Adjourn meeting.
- 
- The Chair works with staff to build and lead the team of Arts Commissioners and makes appointments to Ad Hoc Committees, as needed to conduct the business of the Arts Commission and to implement the various Plan and Study recommendations to advance Arts and Culture for The City of Shawnee.
  - The Chair works with the Arts Liaison to provide leadership support to the appointed Chairs to the various Arts Commission committees as needed.

- The Chair represents the Arts Commission as its figurehead and may from time to time be called upon to represent the Commission as a spokesperson before the City Council or in other forums, functions, and meetings and serves as an advocate for Arts and Culture in the community.

#### **ROLE OF THE VICE CHAIR:**

The Vice Chair is a member of the Arts Commission who will be considered first as the immediate successor to the Chair when the Chair's term as Chair has ended.

The Vice Chair also serves as Chair, who can act for and assist the Chair in performing the Chair's duties during the Chair's absence.

The Vice Chair's term will be two years.

#### **ROLE OF THE COMMISSION ADVOCATE (formerly known as Secretary):**

The Commission Advocate is a member of the Arts Commission who is elected to play an advocacy role at the local and state levels.

The Commission Advocate will also provide advocacy leadership for the annual State of Oklahoma's Arts Day at the Capitol in May.

The Commission Advocate's term is one year but may be reappointed.

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4. To increase public awareness of the value of our arts and cultural resources by developing and participating in public information programs.
5. To advise and assist the City Commission in connection with such other arts and cultural matters as may be referred to it by the City Commission.
6. To encourage greater arts and cultural involvement by departments of the City and to better utilize private arts and cultural agencies for services to citizens.

7. To keep minutes and records of all meetings and proceedings, including voting records, attendance records, resolutions, findings of fact and decisions.
8. To perform any other functions imposed by this article or otherwise specified by the City Commission.
9. To advise the Commission concerning the promotion of coordination among units of government in their projects and programs which involve the arts and cultural matters.
10. Suggest art for inclusion in any construction or renovation project pursuant to receipt of 1% for art funding.
11. Review any proposed public art purchased with 1% for art funding as soon as the proposed art is in schematic and/or rendering form.

**Duties of Arts Commissioners:**

Commission members commit to attending at least 75% of the regularly scheduled meetings Arts Commission meetings held on the last Wednesday of every month (with exceptions for holidays); and,

- Attend training sessions and review materials provided by staff to become thoroughly familiar with the ordinances, guidelines, regulation, criteria, etc. under their purview.
- Thoroughly review staff memos, reports, applications and support documentation prior to Arts Commission meetings.
- Hear cases, ask relevant questions as needed, and vote on cases heard.
- Make recommendations (motions and seconding motions), make recommendations with conditions, or do not recommend cases citing reasons, or continue cases to a specific regularly scheduled meeting.
- Limit discussions and questions to relevant material.
- Make recommendations in compliance with the commission's policies and the requirements and intent of the applicable ordinances.
- Request additional information from staff members as needed to inform their recommendations.
- Volunteer to serve as an Arts Commission voting member on 1% for Art Selection Committees.
- Serve on Ad Hoc Committees when requested to do so by the Chair.

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  - Initiate movement through the Agenda.
  - Call for an applicant to address the Committee to present an application.
  - Ask for speakers wishing to address the Committee regarding an item on the Agenda.
  - Maintain order at all times.
  - Enforce time limitations when necessary.
  - Encourage/initiate action where appropriate\*.
  - Limit questions and responses to material relevant to case/items for discussion.
  - Encourage/call for motions when appropriate.
  - Recognize motions made by Commissioners.
  - Ensure that staff has notated motions and member responses.
  - Adjourn meeting.
- The Chair works with staff to build and lead the team of Arts Commissioners and makes appointments to Ad Hoc Committees, as needed to conduct the business of the Arts Commission and to implement the various Plan and Study recommendations to advance Arts and Culture for The City of Shawnee.
  - The Chair works with the Arts Liaison to provide leadership support to the appointed Chairs to the various Arts Commission committees as needed.



- The Chair represents the Arts Commission as its figurehead and may from time to time be called upon to represent the Commission as a spokesperson before the City Council or in other forums, functions, and meetings and serves as an advocate for Arts and Culture in the community.

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The Commission Advocate will also provide advocacy leadership for the annual State of Oklahoma's Arts Day at the Capitol in May.

The Commission Advocate's term is one year but may be reappointed.

# Text of Open Meeting Act

## Title 25, Oklahoma Statutes §§ 301-314

(As Amended Through Close of Forty-Seventh Oklahoma Legislature, Second Regular Session and First Extraordinary Session, 2000)

[Editor's Note: Bold face, italics and underlines were added for emphasis and clarity.  
Comments and explanations not part of the act are enclosed in brackets.]

**§ 301. Citation.** — This act shall be known as the Oklahoma Open Meeting Act.

**§ 302. Public policy.** — It is the public policy of the State of Oklahoma to encourage and facilitate an informed citizenry's understanding of the governmental processes and governmental problems.

**§ 303. Times and places — Advance notice.** — All meetings of public bodies, as defined hereinafter, shall be held at specified times and places which are convenient to the public and shall be open to the public, except as hereinafter specifically provided. All meetings of such public bodies, except for executive sessions of the State Banking Board and Oklahoma Savings and Loan Board, shall be preceded by advance public notice specifying the time and place of each such meeting to be convened as well as the subject matter or matters to be considered at such meeting, as hereinafter provided.

### **304. Definitions. —**

As used in the Oklahoma Open Meeting Act:

**1. "Public body"** means the governing bodies of all municipalities located within the State of Oklahoma, boards of county commissioners of the counties in the State of Oklahoma, boards of public and higher education in the State of Oklahoma and all boards, bureaus, commissions, agencies, trusteeships, authorities, councils, committees, public trusts, task forces or study groups in the State of Oklahoma supported in whole or in part by public funds or entrusted with the expending of public funds, or administering public property, and shall include all committees or subcommittees of any public body. It shall not mean the state judiciary, the Council on Judicial Complaints when conducting, discussing, or deliberating any matter relating to a complaint received or filed with the Council, or the State Legislature or administrative staffs of public bodies, including, but not limited to, faculty meetings and athletic staff meetings of institutions of higher education, when said staffs are not meeting with the public body, or entry-year assistance committees, as defined in Section 6-152 of Title 70 of the Oklahoma Statutes. Furthermore, it shall not mean the multidisciplinary team provided for in sub-

section B of Section 1-502.2 of Title 63 of the Oklahoma Statutes or any school board meeting for the sole purpose of considering recommendations of said multidisciplinary team and deciding the placement of any child who is the subject of such recommendations. Furthermore, it shall not mean meetings conducted by stewards designated by the Oklahoma Horse Racing Commission pursuant to Section 203.4 of Title 3A of the Oklahoma Statutes when the stewards are officiating at races or otherwise enforcing rules of the Commission;

**2. "Meeting"** means the conduct of business of a public body by a majority of its members being personally together or, as authorized by Section 307.1 of this title, together pursuant to a teleconference;

**3. "Regularly scheduled meeting"** means a meeting at which the regular business of the public body is conducted;

**4. "Special meeting"** means any meeting of a public body other than a regularly scheduled meeting or emergency meeting;

**5. "Emergency meeting"** means any meeting called for the purpose of dealing with an emergency. For purposes of this act, an emergency is defined as a situation involving injury to persons or injury and damage to public or personal property or immediate financial loss when the time requirements for public notice of a special meeting would make such procedure impractical and increase the likelihood of injury or damage or immediate financial loss;

**6. "Continued or reconvened meeting"** means a meeting which is assembled for the purpose of finishing business appearing on an agenda of a previous meeting. For the purposes of this act, only matters on the agenda of the previous meeting at which the announcement of the continuance is made may be discussed at a continued or reconvened meeting; and

7. “**Teleconference**” means a conference among members of a public body remote from one another who are linked by interactive telecommunication devices permitting both visual and auditory communication between and among members of the public body and members of the public.

§ 305. **Recording of votes.** — In all meetings of public bodies, the vote of each member must be publicly cast and recorded.

§ 306. **Circumvention of act — Teleconferences excepted.** — No informal gatherings or any electronic or telephonic communications, except teleconferences as authorized by Section 3 of this act, among a majority of the members of a public body shall be used to decide any action or to take any vote on any matter.

§ 307. **Executive sessions.**

A. No public body shall hold executive sessions unless otherwise specifically provided in this section.

B. Executive sessions of public bodies will be permitted only for the purpose of:

1. Discussing the employment, hiring, appointment, promotion, demotion, disciplining or resignation of any individual salaried public officer or employee;

2. Discussing negotiations concerning employees and representatives of employee groups;

3. Discussing the purchase or appraisal of real property;

4. Confidential communications between a public body and its attorney concerning a pending investigation, claim, or action if the public body, with the advice of its attorney, determines that disclosure will seriously impair the ability of the public body to process the claim or conduct a pending investigation, litigation, or proceeding in the public interest;

5. Permitting district boards of education to hear evidence and discuss the expulsion or suspension of a student when requested by the student involved or his parents, attorney or legal guardian;

6. Discussing matters involving a specific handicapped child;

7. Discussing any matter where disclosure of information would violate confidentiality requirements of state or federal law; or

8. Engaging in deliberations or rendering a final or intermediate decision in an individual proceeding pursuant to Article II of the Administrative Procedures Act.

C. Notwithstanding the provisions of subsection B of this section, the following public bodies may hold executive sessions:

1. **The State Banking Board**, as provided for under Section 306.1 of Title 6 of the Oklahoma Statutes;

2. **The Oklahoma Industrial Finance Authority**, as provided for in Section 854 of Title 74 of the Oklahoma Statutes;

3. **The Oklahoma Development Finance Authority**, as provided for in Section 5062.6 of Title 74 of the Oklahoma Statutes;

4. **The Oklahoma Center for the Advance-ment of Science and Technology**, as provided for in Section 5060.7 of Title 74 of the Oklahoma Statutes;

5. **The Oklahoma Savings and Loan Board**, as provided for under subsection A of Section 381.74 of Title 18 of the Oklahoma Statutes;

6. **The Oklahoma Health Resource Committee** for purposes of conferring on matters pertaining to research and development of products, if public disclosure of the matter discussed would interfere with the development of patents, copyrights, products, or services;

7. **A review committee**, as provided for in Section 855 of Title 62 of the Oklahoma Statutes;

[A “review committee” may be appointed by a city, town, or county to study and recommend action on proposed projects for such things as neighborhood renewal, economic development and other plans. It determines project eligibility, appropriateness, and financing. Financial statements, marketing plans, trade secrets or other proprietary information submitted to the committee are confidential, except where the person submitting the material consents to disclosure.]

**8. The Child Death Review Board** for purposes of receiving and conferring on matters pertaining to materials declared confidential by law; and

**9. All nonprofit foundations,** boards, bureaus, commissions, agencies, trusteeships, authorities, councils, committees, public trusts, task forces or study groups supported in whole or part by public funds or entrusted with the expenditure of public funds for purposes of conferring on matters pertaining to economic development, including the transfer of property, financing, or the creation of a proposal to entice a business to locate within their jurisdiction if public disclosure of the matter discussed would interfere with the development of products or services or if public disclosure would violate the confidentiality of the business; and

**10. The Oklahoma Indigent Defense System Board** for purposes of discussing negotiating strategies in connection with making possible counteroffers to offers to contract to provide legal representation to indigent criminal defendants and indigent juveniles in cases for which the System must provide representation pursuant to the provisions of the Indigent Defense System Act, Section 1355 *et seq.* of Title 22 of the Oklahoma Statutes.

**D.** An executive session for the purpose of discussing the purchase or appraisal of real property shall be limited to members of the public body, the attorney for the public body, and the immediate staff of the public body. No landowner, real estate salesperson, broker, developer, or any other person who may profit directly or indirectly by a proposed transaction concerning real property which is under consideration may be present or participate in the executive session.

**E.** No public body may go into an executive session unless the following procedures are strictly complied with:

**1.** The proposed executive session is noted on the agenda as provided in Section 311 of this title;

**2.** The executive session is authorized by a majority vote of a quorum of the members present and the vote is a recorded vote; and

**3.** Except for matters considered in executive sessions of the State Banking Board and the Oklahoma Savings and Loan Board, and which are required by state or federal law to be confidential, any vote or action on any item of business considered in an executive session shall be taken in public meeting with the vote of each member publicly cast and recorded.

**F.** A willful violation of the provisions of this section shall:

**1.** Subject each member of the public body to criminal sanctions as provided in Section 214 of this title; and

**2.** Cause the minutes and all other records of the executive session, including tape recordings, to be immediately made public.

#### **§ 307.1. Teleconferences.**

**A.** No public body shall hold meetings by teleconference except:

**1.** Oklahoma Futures;

**2.** The Oklahoma State Regents for Higher Education;

**3.** The Oklahoma Board of Medical Licensure and Supervision;

**4.** The State Board of Osteopathic Examiners;

**5.** The Board of Dentistry;

**6.** The Variance and Appeals Boards created in Sections 1021.1, 1697 and 1850.16 of Title 59 of the Oklahoma Statutes;

**7.** A public trust whose beneficiary is a municipality; however, no more than twenty percent (20%) of a quorum of the trustees may participate by teleconference and during any such meetings all votes shall be roll call votes;

**8.** The Native American Cultural and Education Authority;

**9.** The Corporation Commission; and

**10.** The State Board of Vocational and Technical Education.

**B.** No public body authorized to hold meetings by teleconference shall conduct an executive session by teleconference.

**§ 308. Meeting between Governor and majority of members of public body.** — Any meeting between the Governor and a majority of members of any public body shall be open to the public and subject to all other provisions of this act.

§ 309. **Legislature.** — The Legislature shall conduct open meetings in accordance with rules to be adopted by each house thereof.

§ 310. **Legislative committee members attending executive sessions.** — Any member of the Legislature appointed as a member of a committee of either house of the Legislature or joint committee thereof shall be permitted to attend any executive session authorized by the Oklahoma Open Meeting Act of any state agency, board or commission whenever the jurisdiction of such committee includes the actions of the public body involved.

§ 311. **Public bodies — Notice.**

A. Notwithstanding any other provisions of law, all regularly scheduled, continued or reconvened, special or emergency meetings of public bodies shall be preceded by public notice as follows:

1. All **public bodies** shall give notice in writing by December 15 of each calendar year of the schedule showing the date, time and place of the regularly scheduled meetings of such public bodies for the following calendar year.

2. All **state** public bodies, including, but not limited to, public trusts and other bodies with the state as beneficiary, shall give such notice to the Secretary of State.

3. All **county** public bodies, including, but not limited to, public trusts and any other bodies with the county as beneficiary, shall give such notice to the county clerk of the county wherein they are principally located.

4. All **municipal** public bodies, including, but not limited to, public trusts and any other bodies with the municipality as beneficiary, shall give such notice to the municipal clerk of the municipality wherein they are principally located.

5. All **multicounty, regional, areawide or district** public bodies, including, but not limited to, district boards of education, shall give such notice to the county clerk of the county wherein they are principally located, or if no office exists, to the county clerk of the county or counties served by such public body.

6. All **governing boards of state institutions of higher education**, and committees and subcommittees thereof, shall give such notice to the Secretary of State. All other public bodies covered by the provisions of this act which exist

under the auspices of a state institution of higher education, but a majority of whose members are not members of the institution's governing board, shall give such notice to the county clerk of the county wherein the institution is principally located.

7. **The Secretary of State and each county clerk or municipal clerk** shall keep a record of all notices received in a register open to the public for inspection during regular office hours, and, in addition, shall make known upon any request of any person the contents of said register.

8. **If any change is to be made of the date, time or place** of regularly scheduled meetings of public bodies, then notice in writing shall be given to the Secretary of State or county clerk or municipal clerk, as required herein, not less than ten (10) days prior to the implementation of any such change.

9. **In addition** to the advance public notice in writing required to be filed for regularly scheduled meetings, all public bodies shall, at least twenty-four (24) hours prior to such meetings, display public notice of said meeting, setting forth thereon the date, time, place and agenda for said meeting, such twenty-four (24) hours prior public posting shall exclude Saturdays and Sundays and holidays legally declared by the State of Oklahoma; provided, however, the posting of an agenda shall not preclude a public body from considering at its regularly scheduled meeting any new business. Such public notice shall be posted in prominent public view at the principal office of the public body or at the location of said meeting if no office exists. "New business," as used herein, shall mean any matter not known about or which could not have been reasonably foreseen prior to the time of posting.

10. **In the event any meeting is to be continued or reconvened**, public notice of such action, including date, time and place of the continued meeting, shall be given by announcement at the original meeting. Only matters appearing on the agenda of the meeting which is continued may be discussed at the continued or reconvened meeting.

11. **Special meetings of public bodies** shall not be held without public notice being given at least forty-eight (48) hours prior to said meetings. Such public notice of date, time and place



shall be given in writing, in person or by telephonic means to the Secretary of State or to the county clerk or to the municipal clerk by public bodies in the manner set forth in paragraphs 2, 3, 4, 5 and 6 of this section. The public body also shall cause written notice of the date, time and place of the meeting to be mailed or delivered to each person, newspaper, wire service, radio station, and television station that has filed a written request for notice of meetings of the public body with the clerk or secretary of the public body or with some other person designated by the public body. Such written notice shall be mailed or delivered at least forty-eight (48) hours prior to the special meeting. The public body may charge a fee of up to Eighteen Dollars (\$18.00) per year to persons or entities filing a written request for notice of meetings, and may require such persons or entities to renew the request for notice annually. In addition, all public bodies shall, at least twenty-four (24) hours prior to such special meetings, display public notice of said meeting, setting forth thereon the date, time, place and agenda for said meeting. Only matters appearing on the posted agenda may be considered at said special meeting. Such public notice shall be posted in prominent public view at the principal office of the public body or at the location of said meeting if no office exists. Twenty-four (24) hours prior public posting shall exclude Saturdays and Sundays and holidays legally declared by the State of Oklahoma.

**12.** In the event of an emergency, **an emergency meeting of a public body may be held without the public notice** heretofore required. Should an emergency meeting of a public body be necessary, the person calling such a meeting shall give as much advance public notice as is reasonable and possible under the circumstances existing, in person or by telephonic or electronic means.

**B. 1. All agendas** required pursuant to the provisions of this section shall identify all items of business to be transacted by a public body at a meeting, including, but not limited to, any proposed executive session for the purpose of engaging in deliberations or rendering a final or intermediate decision in an individual proceeding prescribed by the Administrative Procedures Act.

2. If a public body proposes to conduct an executive session, the agenda shall:

- a. contain sufficient information for the public to ascertain that an executive session will be proposed;
- b. identify the items of business and purposes of the executive session; and
- c. state specifically the provision of Section 307 of this title authorizing the executive session.

**§ 312. Minutes of meetings — Recording of Proceedings.**

**A.** The proceedings of a public body shall be kept by a person so designated by such public body in the form of written minutes which shall be an official summary of the proceedings showing clearly those members present and absent, all matters considered by the public body, and all actions taken by such public body. The minutes of each meeting shall be open to public inspection and shall reflect the manner and time of notice required by this act.

**B.** In the written minutes of an emergency meeting, the nature of the emergency and the proceedings occurring at such meeting, including reasons for declaring such emergency meeting, shall be included.

**C.** Any person attending a public meeting may record the proceedings of said meeting by videotape, audiotape, or by any other method; provided, however, such recording shall not interfere with the conduct of the meeting.

**§ 313. Actions taken in willful violation of act. —** Any action taken in willful violation of this act shall be invalid.

**§ 314. Violations — Misdemeanor — Penalty. —** Any person or persons willfully violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction shall be punished by a fine not exceeding Five Hundred Dollars (\$500.00) or by imprisonment in the county jail for a period not exceeding one (1) year or by both such fine and imprisonment

**2021 Calendar Year**  
**Schedule of Regular Meetings**  
**Shawnee Arts & Culture Commission**

| DATE                             | TIME    | PLACE OF MEETING                                             |
|----------------------------------|---------|--------------------------------------------------------------|
| August 25, 2021                  | 5:00 PM | Commission Chambers,<br>City Hall, 16 W. 9 <sup>th</sup> St. |
| September 29, 2021               | 5:00 PM | Commission Chambers,<br>City Hall, 16 W. 9 <sup>th</sup> St. |
| October 27, 2021                 | 5:00 PM | Commission Chambers,<br>City Hall, 16 W. 9 <sup>th</sup> St. |
| November 24 <sup>th</sup> , 2021 | 5:00 PM | Commission Chambers,<br>City Hall, 16 W. 9 <sup>th</sup> St. |
| December 29 <sup>th</sup> , 2021 | 5:00 PM | Commission Chambers,<br>City Hall, 16 W. 9 <sup>th</sup> St. |

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Phone number: 405.878.1672

Filed in the office of the municipal clerk at \_\_\_\_\_ am/pm on the \_\_\_\_ day of July 2021.

Signed \_\_\_\_\_

Clerk/Deputy Clerk