

AGENDA
BOARD OF CITY COMMISSIONERS
September 17, 2018 AT 6:00 P.M.
COMMISSION CHAMBERS AT CITY HALL
SHAWNEE, OKLAHOMA

CALL TO ORDER

DECLARATION OF A QUORUM

INVOCATION

FLAG SALUTE

1. Consider approval of Consent Agenda:
 - a. Minutes from the September 4, 2018 regular meeting.
 - b. Acknowledge the following reports and minutes:
 - License Payment Report for August 2018
 - Project Payment Report for August 2018
 - Planning Commission Minutes from August 1, 2018 meeting
 - c. Acknowledge waiving Sections 8-431 and 8-434 of the Code of the City of Shawnee involving Garage Sale licenses and fees for the days of September 28-30, 2018.
 - d. Mayor's Appointment

Shawnee Library Board
Melanne Greenwood 1st Partial Term Expires 06/30/2021
Replaces Kevin Huddleston – Term expired.
2. Presentation by Animal Control to present the Pet of the Week.
3. Citizens Participation

(A three minute limit per person)
(A twelve minute limit per topic)
4. Discussion, consideration, and possible approval of an ordinance to amend Chapter 8 of the City Code to add an article regarding medical marijuana. *(Deferred form the September 4, 2018 City Commission meeting.)*
5. Consider a resolution for establishing a fee for the permitting of a medical marijuana establishment of the registration of a marijuana growing facility for personal medical use.
6. Public hearing and consideration of an ordinance to rezone property located at 1 Country Club Road from A-1; Rural Agricultural District to R-1; Single Family Residential District. Case No. P14-18. Applicant: Charles and Connie Rutherford.

7. Acknowledge monthly Sales Tax and City Treasurer Report.
8. City Manager Report
9. New Business
(Any matter not known about or which could not have been reasonably foreseen prior to the posting of the agenda)
10. Commissioners Comments
11. 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

1.a.

Meeting Date: 09/17/2018

CC Minutes

Submitted By: Kacie Eck, City Clerk

Department: City Clerk

Information

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

Minutes from the September 4, 2018 regular meeting.

Attachments

CC Minutes

BOARD OF CITY COMMISSIONERS PROCEEDINGS
SEPTEMBER 4, 2018 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, Tuesday, September 4, 2018 at 6:00 p.m., pursuant to notice duly posted as prescribed by law. Mayor Finley presided and called the meeting to order. Upon roll call, the following members were in attendance.

Richard Finley
Mayor

Ed Bolt
Commissioner Ward 1

Ron Gillham
Commissioner Ward 2

James Harrod
Commissioner Ward 3-Vice Mayor

Darren Rutherford
Commissioner Ward 4

Mark Sehorn
Commissioner Ward 5

Ben Salter
Commissioner Ward 6

ABSENT: None

INVOCATION

Don Lynch, Emergency Management
Director

FLAG SALUTE

AGENDA ITEM NO. 1:

Consider approval of Consent Agenda:

- a. Minutes from the August 20, 2018 regular meeting.
- b. Acknowledge the following reports and minutes:
 - Shawnee Community Beautification Committee Minutes from July 19, 2018.
- c. Authorize staff to submit application to Oklahoma Department of Emergency Management for sub-grant of Emergency Management Performance Grant (EMPG) funds.

- d. Confirm and approve the Interim City Manager's hiring of Bradley Schmidt as the Shawnee Municipal Authority Utility Director.
- e. Acknowledge receipt of Pioneer Library Systems Revised Budget for July 1, 2018 through June 30, 2019.

A motion was made by Vice Mayor Harrod, seconded by Commissioner Gillham, to approve Consent Agenda Item Nos. 1(a-e). Motion carried 7-0.

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

NAY: None

AGENDA ITEM NO. 2: Presentation by Animal Control to present the Pet of the Week.

Animal Control Officers Derek Woody and Kesha Miller presented Sophie, an approximately 3-year-old Pitbull. Officer Woody advised Sophie has been at the animal shelter since May 2018. He stated she is currently adoptable, adoption cost would include a \$5.00 adoption fee, \$25.00 refundable spay/neuter deposit, and prepayment for the rabies vaccination. If the adopter resides within the City limits, they will be required to purchase a \$10.00 city license.

AGENDA ITEM NO. 3: Citizens Participation
(A three-minute limit per person)
(A twelve-minute limit per topic)

Ms. Taylor Shekarabi, Blue Zones Project Manager, updated the Commission regarding the walking school bus routes at local schools. She advised two new walking school bus routes have been implemented - one at Horace Mann School and one at Grove School. She stated they need more volunteers to enable them to add more routes. She thanked the Commission for supporting the program.

AGENDA ITEM NO. 4: Discussion, consideration, and possible action to determine the selection process for Municipal Judge.

Mayor Finley directed Staff to post the opening for the Municipal Judge as is normal practice for other open City positions. No other action was taken at the time.

AGENDA ITEM NO. 5:

Discussion, consideration, and possible approval of an ordinance to repeal and amend existing ordinances relating to the purchase, sale, consumption, and transportation of alcoholic beverages.

City Attorney Joe Vorndran stated that new state laws regarding alcoholic beverages go into effect on October 1, 2018. This proposed ordinance conforms to the new state laws.

A motion was made by Commissioner Gillham, seconded by Commissioner Rutherford, to approve an ordinance to repeal and amend existing ordinances relating to the purchase, sale, consumption, and transportation of alcoholic beverages.

Ordinance No. 2640NS was introduced

AN ORDINANCE PROVIDING FOR THE REPEAL AND AMENDMENT OF ORDINANCES RELATING TO THE PURCHASE, SALE, CONSUMPTION, AND/OR TRANSPORT OF ALCOHOLIC BEVERAGES AND NONINTOXICATING LIQUOR OR BEVERAGE IN THE SHAWNEE, OKLAHOMA CITY CODE; PROVIDING FOR REPEALER, AMENDMENT, PROVIDING AN EFFECTIVE DATE, AND PROVIDING FOR SEVERABILITY.

Motion carried 7-0.

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

NAY: None

Ordinance No. 2640NS was adopted by the City Commission.

AGENDA ITEM NO. 6:

Discussion, consideration, and possible approval of an ordinance to amend Chapter 8 of the City Code to add an article regarding medical marijuana.

Community Development Director Justin DeBruin gave a staff report. He stated that as of August 25, 2018, the Oklahoma State Health Department has begun accepting license applications regarding medical marijuana. This proposed ordinance is based upon the health department's emergency rules and the new law that has gone into effect for medical marijuana. He stated that Staff would request to make an amendment to the research facility portion in the ordinance and

requested that the Commission defer the item until the September 17, 2018 City Commission meeting.

City Attorney Joe Vorndran stated that the fees will be set by resolution and that Staff is currently drafting said resolution.

A motion was made by Mayor Finley, seconded by Commissioner Rutherford, to defer this item to the September 17, 2018 City Commission meeting. Motion carried 7-0.

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

NAY: None

AGENDA ITEM NO. 7:

Administrative Report

a. Fire Station No. 2 Renovation Project – Fire Chief Dru Tischer

Fire Chief Dru Tischer updated the Commission on the renovation project of Fire Station No. 2. He stated that the grading is approximately 90% complete. The sidewalks, curb and guttering should be started in the next few days. It has been delayed due to rain.

AGENDA ITEM NO. 8:

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

There was no New Business.

AGENDA ITEM NO. 9:

Commissioners Comments

Commissioner Bolt stated that Boo on Bell is scheduled for October 19-20, 2018. He invited everyone to attend.

Commissioner Rutherford stated that the Cops and Kids event had a large turnout of participants and that it was very successful. He thanked everyone who helped with the event.

The Mayor thanked the Line Maintenance and Street Departments for their quick repair on Independence Street between Union Avenue and Broadway Avenue due to the major waterline break.

The Mayor and Commissioners welcomed the Interim City Manager, Eric Benson.

AGENDA ITEM NO. 10: Adjournment

There being no further business to be considered, the meeting was adjourned by power of the Chair. (6:35 p.m.)

RICHARD FINLEY, MAYOR

ATTEST:

LISA LASYONE, CMC
CITY CLERK

Regular Board of Commissioners**1.b.**

Meeting Date: 09/17/2018

Reports and Minutes

Submitted By: Kacie Eck, City Clerk

Department: City Clerk

Information

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

Acknowledge the following reports and minutes:

- License Payment Report for August 2018
 - Project Payment Report for August 2018
 - Planning Commission Minutes from August 1, 2018 meeting
-

Attachments

License Pymt Rpt

Project Pymt Rpt

Planning Minutes

9/10/2018 9:23 AM
LICENSES: THRU ZZZZZZZZZZ

L I C E N S E P A Y M E N T R E P O R T
SORTED BY: CODE

PAGE:
PAYMENT DATES: 8/01/2018 TO 8/31/2018

** FEE CODE TOTALS **

FEE CODE	DESCRIPTION	FEE	PENALTY	TAX	INTEREST	TOTAL PAI
ALARM	BURGLAR/FIRE ALARM LICENSE	6	150.00CR			150.00
ALARMRENEW	BURGLAR/FIRE ALARM RENEW	14	210.00CR			210.00
BEER1	BEER CONSUMPTION ON PREMISE	1	20.00CR			20.00
BEER2	BEER PACKAGE FEE	1	10.00CR			10.00
BEERWINE	BEER AND WINE INITIAL	1	500.00CR			500.00
DEMOL	DEMOLITION LICENSE FEE	1	75.00CR			75.00
ELEC1	ELECTRICAL CONTRACTOR INITIAL	1	100.00CR			100.00
ELEC2	ELECTRICAL CONTRACTOR RENEW	10	750.00CR			750.00
LAKEINSP	LAKE LEASE INSPECTION	6	450.00CR			450.00
LAKELEASE	LAKE LEASE	15	9,139.00CR			9,139.00
LAKEXSCHOO	LAKE SCHOOL SPECIAL LEASE	1	200.00CR			200.00
LIQR	RETAIL LIQUOR OCCUPATIONAL TAX	3	1,800.00CR			1,800.00
MECH1	MECHANICAL CONTRACTOR INTIAL	4	400.00CR			400.00
MECH2	MECHANICAL CONTRACTOR RENEW	8	600.00CR			600.00
PLUM1	PLUMBING CONTRACTOR INITIAL	1	100.00CR			100.00
PLUM2	PLUMBING CONTRACTOR RENEW	14	1,050.00CR			1,050.00
RESAL	RESIDENTIAL SALE	90	900.00CR			900.00
SOLID	SOLICITOR DAILY LICENSE	7	21.00CR			21.00
TOTAL			16,475.00CR			16,475.00

09/10/2018 10:58 AM
STATUS: ALL
SEGMENT CODES: All
FEE CODES: All

P R O J E C T P A Y M E N T R E P O R T

PAGE: 6
PROJECTS: THRU-ZZZZZZZZZZ
PAYMENT DATES: 8/01/2018 TO 8/31/2018
SORTED BY: PROJECT

** GENERAL LEDGER DISTRIBUTION **

FUND G/L ACCOUNT	ACCOUNT NAME	AMOUNT
001-2133	UBCC FEE PAYABLE	316.00CR
001-4202	BUILDING PERMITS	5,460.56CR
001-4203	PLUMBING PERMITS	3,925.00CR
001-4204	ELECTRICAL PERMITS	600.00CR
001-4206	HEATING & A/C PERMITS	2,487.50CR
001-4249	OTHER PERMITS	800.00CR
001-4822	OTHER MISC. REVENUE	39.50CR
101-4249	OTHER PERMITS	100.00CR
501-4510	WATER TAPS	350.00CR
799-1023	BANCFIRST GENERAL	14,078.56

09/10/2018 10:58 AM
STATUS: ALL
SEGMENT CODES: All
FEE CODES: All

PROJECT PAYMENT REPORT

PAGE: 4

PROJECTS: THRU.ZZZZZZZZZZ
PAYMENT DATES: 8/01/2018 TO 8/31/2018
SORTED BY: PROJECT

** SEGMENT CODE TOTALS **

SEGMENT CODE	DESCRIPTION	TOTAL PAID
B1-NEW	BUILDING CONSTRUCTION NEW	6,384.93CR
B2-ADD	BUILDING CONSTRUCTION ADD	90.60CR
B3-REMODEL	BUILDING CONSTRUCTION REM	1,998.03CR
B4-CARPORT	BUILDING CARPORT	24.50CR
B4-SHELTER	BUILDING SHELTER	29.50CR
B4-STORAGE	BUILDING STORAGE SHED	314.00CR
E1-NEW	ELECTRICAL NEW CONSTRUCTI	25.00CR
E3-REMODEL	ELECTRICAL REMODEL/REPAIR	654.00CR
M3-REMODEL	MECHANICAL REMODEL/REPAIR	2,622.50CR
P3-REMODEL	PLUMBING REMODEL	1,035.50CR
X-CURBCUT	CURBCUT/DRIVEWAY/SIDEWALK	100.00CR
X-DEMO	DEMOLITION PERMIT	100.00CR
X-SIGN	SIGN PERMIT	450.00CR
Z-OCCUP	OCCUPANCY PERMIT	250.00CR

TOTAL 14,078.56CR

PLANNING COMMISSION MINUTES

DATE: AUGUST 1ST, 2018

The Planning Commission of the City of Shawnee, County of Pottawatomie, State of Oklahoma, met in the Commission Chambers, at City Hall, 9th and Broadway, on Wednesday, August 1st, 2018 at 1:30 p.m., pursuant to notice duly posted as prescribed by law.

AGENDA ITEM NO.1:

Roll Call

Upon roll call the following members were present:

Present: Deem, Matthews, Walker, Cowen, Kienzle, Rowell

Absent: Bergsten

Meeting was called to Order.

AGENDA ITEM NO.2:

Consideration of approval of the minutes from the July 5th, 2018 Planning Commission Meeting

Commissioner Walker asked to change his vote listed to show abstained. Vice-Chairman Cowen asked if there was a motion with that note. Commissioner Matthews made a motion to approve, seconded by Commissioner Deem.

Motion passes:

AYE: Deem, Matthews, Walker, Cowen, Rowell

NAY:

ABSTAIN: Kienzle

AGENDA ITEM NO.3:

Citizens' Participation

Vice-Chairman Cowen opened the public portion of the meeting and announced that this is an open time for discussion for those with questions on topics not on the Agenda and asked if anyone would like to come forward. No one came forward and Vice-Chairman Cowen closed the public portion of the meeting.

AGENDA ITEM NO.4:

Case #S04-18 – Consideration of approval of a Preliminary Plat for Maple Development, LLC located on Shawnee Mall Drive, East of the BNSF Railroad Tracks, Shawnee, OK (Deferred from June 6th, 2018 Planning Commission)

Applicant: Sid and Javal, INC

Justin Debruin presented staff report, informing the board that the case has been deferred since March with hopes the applicant would submit documents staff could make a recommendation to approve. Staff has not received anything new within the last two months and recommends denial of request. Mr. Debruin stated the recommendation would not prohibit applicant from submitting new application in future and asked if there were any questions. Vice-Chairman Cowen opened the public portion of the meeting and asked if anyone in opposition to the case would like to come forward to speak. No one came forward and Vice-Chairman Cowen asked if anyone in favor would like to

come forward. No one came forward. Vice-Chairman Cowen closed the public portion of the meeting and asked for any comments, questions or a motion. Commissioner Matthews made a motion to deny, seconded by Commissioner Kienzle.

Motion to deny:

AYE: Deem, Matthews, Walker, Cowen, Kienzle, Rowell

NAY:

ABSTAIN:

AGENDA ITEM NO.5:

Case #S10-18 – Consideration of approval of a Preliminary Plat for The Grove Retirement Homes located at 3900 N. Union Avenue, Shawnee, OK (Deferred from July 5th, 2018 Planning Commission)

Applicant: Crafton Tull

Justin Debruin presented staff report and stated subject site is located south of the Middle School off Union Avenue and intent is to construct a retirement community with roughly 150 structures, divided by floodplain in center. With necessary corrections made regarding the floodplain and sewer lines, Staff finds request to be in conformance with subdivision regulations and recommends approval with three conditions. Mr. Debruin discussed conditions and asked if there were any questions. Commissioner Kienzle asked about the sidewalks on Union Avenue and where it is showed on plat. Justin Debruin mentioned that since sidewalk is existing, applicant may have not listed on plat and also informed board that they would be responsible to repair any potential damages made to them. Commissioner Kienzle asked if there were two drives and Mr. Debruin agreed. Commissioner Kienzle stated she had a hard time differentiating between the front and back of the units. Mr. Debruin agreed and explained applicant is not required to submit site plan with preliminary plat. Commissioner Matthews asked if applicant would be required to construct sidewalk somewhere else since there is one existing and code requires sidewalk with new construction. Mr. Debruin informed him that they would be exempt from this since there is one already existing. Vice-Chairman Cowen opened the public portion of the meeting and asked if anyone in opposition to the case would like to come forward to speak. No one came forward and Vice-Chairman Cowen asked if anyone in favor would like to come forward. Chris Gray with Crafton Tull came forward to speak in favor. Mr. Gray stated he would be happy to answer any questions. Commissioner Kienzle mentioned her questions and Mr. Gray informed her they would replace sidewalks if they need to cut into them and site plans would be submitted along with the building permit. Commissioner Kienzle expressed her opinions of the driveway and façade. Mr. Gray stated he would speak to developer. Vice-Chairman Cowen closed the public portion of the meeting and asked for any comments, questions or a motion. Commissioner Kienzle made a motion to approve with listed conditions, seconded by Commissioner Walker.

Motion to approve:

AYE: Deem, Matthews, Walker, Cowen, Kienzle, Rowell

NAY:

ABSTAIN:

AGENDA ITEM NO.6:

Case #P13-18 – A public hearing in consideration of approval of a Conditional Use Permit located at 24 Post Office Lane, Shawnee, OK

Applicant: Julie Thompson

Joseph Barker introduced himself as the Assistant City Planner and presented staff report. Mr. Barker explained request is for construction of a manufactured home on an agriculturally zoned lot. Mr. Barker stated requested use is not unprecedented with at least two other existing manufactured homes in area. The lot is considered non-conforming at 1.67 acres and Mr. Barker discussed stipulations required to allow conditional use permit. Staff recommends approval of application. Mr. Barker informed board of the letter of concern from neighboring home owner. Commissioner Deem asked what the mechanisms for addressing the concerns were. Mr. Debruin explained the permitting process to move home onto site and code enforcement would be working that. Vice-Chairman Cowen discussed the easements and property lines. Vice-Chairman Cowen opened the public portion of the meeting and Mr. Childers came forward to speak. Mr. Childers stated he was not against proposal but questioned making the turn on corner without coming over onto his property and does not want to cut down any trees or having fence taken down. Mr. Childers expressed the issue with another resident years prior but is willing to work with applicant and just wants to know what the plan is so he can be notified of moving date. Vice-Chairman Cowen closed the public portion of the meeting and asked for any comments, questions or a motion. Commissioner Kienzle made a motion to approve with listed conditions and addition that Mr. Childers is notified of moving date, seconded by Commissioner Matthews.

Motion passes:

AYE: Deem, Matthews, Walker, Cowen, Kienzle, Rowell

NAY:

ABSTAIN:

AGENDA ITEM NO.7:

Presentation by Blue Zones Project regarding Broadway Avenue Marquee Project process

Rachael Melot with the Blue Zones Project presented report.

AGENDA ITEM NO.8:

Planning Director's Report

Justin Debruin introduced Joseph Barker to the board and went over the dates that the comprehensive plan consultants would be in town. Mr. Debruin also discussed the design studio dates for the comprehensive plan update. Commissioner Kienzle offered posting dates on social media. Commissioner Deem stated stoplight is still down.

AGENDA ITEM NO.9:

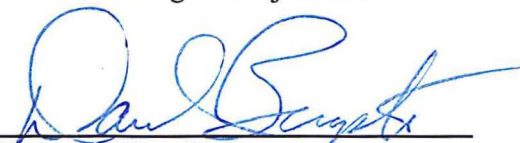
Commissioners Comments and/or New Business

No comments.

AGENDA ITEM NO.10:

Adjournment

Meeting was adjourned.


Chairman/Vice-Chairman

Cheyenne Pettigrew
Planning Commission Secretary

Regular Board of Commissioners

1.c.

Meeting Date: 09/17/2018

Garage Sale

Submitted By: Kacie Eck, City Clerk

Department: City Clerk

Information

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

Acknowledge waiving Sections 8-431 and 8-434 of the Code of the City of Shawnee involving Garage Sale licenses and fees for the days of September 28-30, 2018.

Attachments

No file(s) attached.

Regular Board of Commissioners

1.d.

Meeting Date: 09/17/2018

Mayor's Appointment

Submitted By: Kacie Eck, City Clerk

Department: City Clerk

Information

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

Mayor's Appointment

Shawnee Library Board

Melanne Greenwood 1st Partial Term Expires 06/30/2021

Replaces Kevin Huddleston – Term expired.

Attachments

Greenwood App

RECEIVED
AUG 24 2018
CITY CLERK



APPLICATION TO SERVE
Boards, Committees and Commissions

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

Name: <u>Melanne Greenwood</u>	Application Date: <u>8/21/18</u>
Address: <u>1 Juel Drive</u>	Date of Birth: <u>12/18/71</u>
Mailing Address: <u>(same) Shawnee, OK 74804</u>	
Daytime Phone: <u>405 273 7493</u>	Fax: _____ Email: <u>melanneg@gtech.edu</u>
Profession: <u>STEM Coordinator / Educator</u>	
Business Name: <u>Gordon Cooper Technology Center</u>	
Business Address: <u>1 John Bruton Drive Shawnee, OK 74804</u>	
Cell Phone: <u>550-2557</u>	Fax: <u>273-4704</u> Email: <u>melanneg@gtech.edu</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? 26

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 ☐ Planning Commission ☐ Shawnee Hospital Authority ☐ Shawnee Urban Renewal Authority ☐ Traffic Commission ☐ Other _____
---	---

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

I am very interested in literacy in our area. I am a certified Library Media Specialist and with my 25 year history in public ed and now in career tech, I feel I can be a great asset to help, promote, and compliment the public library system.

Revised April 4, 2017

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 listener, open minded, come with literary background and community longevity.

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

Church, Community Renewal, Gateway to Preventive Recovery

List education, including degree(s) earned:

Bachelors in Education, Masters in Admin Education
Masters Cert in Library Media National Board Certified X2

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

Pott. Co. Reading Association

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? Yes

If so, please explain:

After we were married in early 90's my husband lost wages and we had a bad investment in Prisma that made it difficult. We were only a partial filing, Not on my record.

Please include up to three personal or professional references:

Name	Relationship	Telephone Number
Vickie Benson	former boss	405 250 4450
Kathy Solie	former colleague	405 831-7966

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 8/21/18

Revised April 4, 2017

Regular Board of Commissioners

4.

Meeting Date: 09/17/2018

Medical Marijuana

Submitted By: Kacie Eck, City Clerk

Department: City Clerk

Information

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

Discussion, consideration, and possible approval of an ordinance to amend Chapter 8 of the City Code to add an article regarding medical marijuana. (*Deferred form the September 4, 2018 City Commission meeting.*)

Attachments

Ordinance

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 8 (BUSINESSES, PERMITS AND LICENSES), BY ADDING ARTICLE VIII. – MEDICAL MARIJUANA TO THE CODE OF ORDINANCES OF THE CITY OF SHAWNEE, MAKING FINDINGS OF FACT; 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,

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

Section 1. Amendment.

Chapter 8 is amended by adding Section 8-514 through 8- 517 to read as follows:

“Section 8-514, Definitions

1. “Retail Marijuana Dispensary” means a building, room, or other area that is open to the public, upon the licensed retailer premises in which cannabis goods are sold or displayed.
2. “Marijuana Processor” is defined as any method used to prepare marijuana or its byproducts for commercial sale, including but not limited to: drying, cleaning, curing, packaging, and extraction of active ingredients to create marijuana related products and concentrates.
3. “Commercial Marijuana Grower” is the planting, growing, harvesting, and storage of one or more marijuana plants or any part thereof in any location.
4. “Commercial Marijuana Research Facility” is a facility that conducts potency and contaminants testing and research for Medical Marijuana business licensees.

Section 8-515, 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.
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 any of the following uses:

- a. private or public preschool, elementary, middle, high school, secondary, vocational or trade school, college or university;
 - b. any juvenile or adult halfway house, correctional facility or substance abuse rehabilitation or treatment center;
 - c. any commercial daycare facilities;
 - d. another licensed establishment, unless such establishment is owned and operated by the same entity and is located on adjacent or contiguous lots.
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.

Section 8-516 Marijuana Growing Facilities for Personal Medical Use; Security.

1. All owners of Marijuana Growing Facilities for Personal Medical Use are required to register with the City Clerk.
2. The City Commission will establish by resolution a fee to register as a Marijuana Growing Facilities for Personal Medical Use. The fee shall be used to offset municipal expenses covering costs related to the administration of the registry. Those on fixed income or disability may apply to the City Clerk to have the registration fee waived.
3. All Marijuana Growing Facilities for Personal Medical Use shall be subject to security provisions as stated herein prior to registration. Failing to comply with security provisions as stated herein will be treated as a violation of City Code and applicable state law.
4. 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.
5. 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.
6. Growing Marijuana for personal use without first obtaining a license from the State of Oklahoma and registering with the City Clerk is punishable by a fine of \$200.00 per day while the violation exists.

Section 2. 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 _____ day of _____, 2018.

RICHARD FINLEY, MAYOR

ATTEST:

(SEAL)

LISA LASYONE, CMC, CITY CLERK

Emergency separately approved this _____ day of _____, 2018.

RICHARD FINLEY, MAYOR

ATTEST:

(SEAL)

LISA LASYONE, CMC, CITY CLERK

Approved as to form and legality this _____ day of _____, 2018.

JOSEPH VORNDRAN, CITY ATTORNEY

Regular Board of Commissioners

5.

Meeting Date: 09/17/2018

Medical Marijuana - Resolution

Submitted By: Kacie Eck, City Clerk

Department: City Clerk

Information

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

Consider a resolution for establishing a fee for the permitting of a medical marijuana establishment of the registration of a marijuana growing facility for personal medical use.

Attachments

Resolution

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF SHAWNEE, OKLAHOMA ESTABLISHING A FEE FOR THE PERMITTING OF A MEDICAL MARIJUANA ESTABLISHMENT OR THE REGISTRATION OF A MARIJUANA GROWING FACILITY FOR PERSONAL MEDICAL USE.

WHEREAS, an Ordinance regarding medical marijuana was passed which requires all medical marijuana establishments licensed by the State of Oklahoma to apply for a permit from the City Clerk; and

WHEREAS, said Ordinance requires individuals operating a marijuana growing facility for personal medical use to register with the City Clerk; and

WHEREAS the Mayor and the City Commission, Oklahoma recognize the necessity of establishing a fee for the requisite permit and registration described above;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Commission of Shawnee, Oklahoma:

- A. That the fee for a permit for a medical marijuana establishment, as defined in Ordinance No. _____, is \$100.00.
- B. That the fee to register as a marijuana growing facility for personal medical use, as defined in Ordinance No. _____, is \$25.00.
- C. If any one or more of the sections, sentences, clauses or parts of this resolution, 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 resolution. It is hereby declared to be the intention of the Mayor and City Commission of the City of Shawnee, Oklahoma that this section of the ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

PASSED AND APPROVED this _____ day of _____, 2018.

RICHARD FINLEY, MAYOR

ATTEST:

LISA LASYONE, CMC, CITY CLERK

(SEAL)

Regular Board of Commissioners

6.

Meeting Date: 09/17/2018

P14-18 1 Country Club Rd

Submitted By: Kacie Eck, City Clerk

Department: City Clerk

Information

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

Public hearing and consideration of an ordinance to rezone property located at 1 Country Club Road from A-1; Rural Agricultural District to R-1; Single Family Residential District. Case No. P14-18. Applicant: Charles and Connie Rutherford.

Attachments

Staff Rpt

Ordinance

RECOMMENDATION TO:

MAYOR
BOARD OF CITY COMMISSIONERS
CITY OF SHAWNEE

RECOMMENDATION FROM:

CITY OF SHAWNEE
PLANNING COMMISSION

SUBJECT:

APPLICANT: Charles and Connie Rutherford

FOR: Rezone

LOCATION: 1 Country Club Road, Shawnee, OK

PROJECT#: 180703 Case# P14-18

LEGAL DESCRIPTION:

SEE OWNERSHIP LIST

CURRENT CLASSIFICATION:

A-1; Rural Agricultural District

REQUESTED CLASSIFICATION:

R-1; Single Family Residential District

PROPOSED PROPERTY USE:

Residential

PLANNING COMMISSION MEETING DATE: September 5th, 2018

PLANNING COMMISSION RECOMMENDATION: Approve

VOTE OF THE PLANNING COMMISSION:

MEMBERS PRESENT: 6

MEMBERS:	1ST	2ND	AYE	NAY	ABSTAIN	COMMENTS
DEEM						ABSENT
MATTHEWS		X	X			
WALKER			X			
BERGSTEN (CHAIRMAN)			X			
COWEN (VICE-CHAIRMAN)	X		X			
KIENZLE			X			
ROWELL			X			

RESPECTFULLY SUBMITTED,

Cheyenne Pettigrew

SECRETARY, PLANNING COMMISSION

ACTION BY CITY COMMISSION:

PUBLIC HEARING SET: _____

DATE OF ACTION: _____

ADOPTED _____ DENIED _____

ORDINANCE NO. _____

City of Shawnee Planning Department 222. N. Broadway Shawnee, OK 74801 (405) 878-1616 Fax: (405) 878-1587 www.ShawneeOK.org			CASE # P14-18 PUBLIC HEARING DATE: September 5 th , 2018 CITY COMMISSION DATE: September 17 th , 2018	
APPLICANT: Charles H. & Connie A. Rutherford	44944 Kingsbury Lane Shawnee, Oklahoma, 74801			
PROPERTY ADDRESS/LOCATION: 1 Country Club Road Shawnee, OK 74801				
SUMMARY OF REQUEST: The applicants, Charles and Connie Rutherford, are requesting a rezone from A-I (Rural Agricultural) to R-1 (Single Family Residential) for a property located at 1 Country Club Road. This property is located east of Bryan Avenue, on Highland Street.				
EXISTING ZONING: A-I	EXISTING LAND USE: Vacant	SURROUNDING ZONING & LAND USE: A1 (Rural Agricultural) R1 (Single Family Residential)	Number of Lots: 1	PROPERTY SIZE: 0.67 Acres

STAFF REVIEW AND ANALYSIS

The applicant has indicated a desire to construct a single-family residence on the proposed lot. According to the submitted survey plat, the subject site is 0.67 acres in size and abuts Country Club Heights I and Highland Farm Estates Additions. Adjacent properties are zoned R-1 (Single Family Residential) and A-1 (Rural Agricultural), making the requested R-1 zoning consistent with surrounding land uses. Also, the request is in conformance with the Comprehensive Plan's residential designation for this area.

The rezone is required to conform to Section 22-160.2 of the Zoning Code, "Uses," which assures that the R-1 zoning district is used for single family dwellings and related recreational activities. The rezone is also required to conform to Section 22.160.4 of the Zoning Code, "Dimensional Standards,". Based on the submitted survey plat, it does appear that the property meets all the dimensional standards of Table 22-160.4.1.

The subject request is in conformance with the City Zoning Code and Comprehensive Plan; Therefore, Staff hereby recommends approval on the requested rezone from A-1 (Rural Agriculture) to R-1 (Single Family Residential).

APPROVE

APPROVE WITH CONDITIONS

DENY

**ATTACHMENTS:
(CIRCLE)**

**SUBMITTED
PLANS**

**PUBLIC HEARING
PETITION/
APPLICATION FORM**

LEGAL NOTICE

LEGAL DESCRIPTION

PUBLIC COMMENTS

AGENCY COMMENTS

RESPONSE TO STANDARDS

Attachments:



PLANNING COMMISSION APPLICATION

Planning Department

222 N. Broadway
Shawnee, OK 74801
(405) 878-1616 Fax (405) 878-1587
www.ShawneeOK.org

For Office Use Only

Case Number: PK-18
Project Number: 180703
Date Filed: July 13th, 2018
Cherene Pettigrew
Planning Commission Secretary

REQUEST:

☒ Rezoning
☐ Conditional Use Permit
☐ Rezoning w/Conditional Use Permit
☐ Planned Unit Development

I, the undersigned, do hereby respectfully make application and petition to the City Commission to amend the zoning map, and to change the zoning district of the Shawnee area, from A-1 District to R-1 District, as hereinafter requested, and in support of this application, the following facts are shown:

PROPERTY LOCATION (STREET ADDRESS): 1 Country Club, Shawnee, OK 74801

LEGAL DESCRIPTION:

PROPERTY OWNER (S): Charles H and Connie A. Rutherford

PROPERTY AGENT (APPLICANT): _____

APPLICANT'S ADDRESS: 44944 Kingsbury Ln.

CITY: Shawnee STATE: OK ZIP: 74801

EMAIL ADDRESS: Charley H Rutherford@gmail.com

TELEPHONE NUMBER: (405) 833-8974 CONTACT NUMBER: () Same

DIMENSIONS OF PROPERTY:

AREA: _____ WIDTH: _____

LENGTH: _____ FRONTAGE: _____

CURRENT ZONING: A-1 CURRENT USE: Vacant

PROPOSED ZONING: R-1 PROPOSED USE: Home

With the filing of this application, I acknowledge that I have been informed of off-street parking, fencing and paving requirements in regard to the zoning I have requested as witnessed by my signature.

APPLICATION, OFFICIAL OWNERSHIP LIST AND PAYMENT
MUST BE RECEIVED 30 DAYS PRIOR TO MEETING

Charles H. Rutherford
SIGNATURE OF APPLICANT

FOR STAFF USE ONLY

REZONING &/OR C.U.P FEE \$ 280.00

RECEIPT NO. 02191023

PLANNED UNIT DEVELOPMENT FEE \$ 550.00

SIGN DEPOSIT \$ 50.00

(Refundable if Applicant returns 48 hrs. after City Commission Meeting)

PLANNING COMMISSION ACTION: _____ DATE: _____

CITY COMMISSION ACTION: _____ DATE: _____

PLACE ON ZONING MAP: _____ ORDINANCE NO.: _____

CITY OF SHAWNEE
PUBLIC HEARING NOTICE
CASE #P14-18

Notice is hereby given that the City of Shawnee, Oklahoma, will conduct a public hearing on a proposed Rezone of property located within the City of Shawnee.

The property requesting rezoning is described as follows:

A tract of land in the SW/4 of Section 16 Township 10 N Range 4 E described further and shown on Survey Plat drawing number JN 1522 from Knight Land Survey, Pottawatomie County, Oklahoma.

General Location Known As:	<u>1 Country Club Road, Shawnee, OK</u>
Current Zoning Classification:	<u>A-1; Rural Agricultural District</u>
Requested Zoning Classification:	<u>R-1; Single Family Residential District</u>
Proposed Use of Property:	<u>Residential</u>
Applicant:	<u>Charles and Connie Rutherford</u>

The "Zoning Map of the City of Shawnee, Oklahoma" will be amended accordingly to reflect such change if approved by the City Commission.

The public hearings will be held in the City Commission Chambers in City Hall, 16 W. 9th St. Shawnee, Oklahoma, as follows:

September 5th, 2018 AT 1:30 P.M.: CITY OF SHAWNEE PLANNING COMMISSION
September 17th, 2018 AT 6:00 P.M.: CITY OF SHAWNEE CITY COMMISSION

At this time any interested citizen of Shawnee, Oklahoma will have the opportunity to appear and be heard with regard to the rezone. The Commission reserves the right to limit discussion and debate on the proposed rezone in the public hearing, in which event those persons appearing in support or opposition of the proposed rezone will be allotted equal time. Any formal protest must be filed in writing with the City Clerk during normal working hours before 5:00 p.m. a minimum of three (3) days prior to the hearing. If there are any questions about the proposal, or you need additional information prior to the public hearing, please contact the Planning Department at 878-1616. A copy of the application is available for public inspection during normal working hours in the Planning Secretary's office at 222 N. Broadway.

Witness my hand this 15th day of August, 2018.

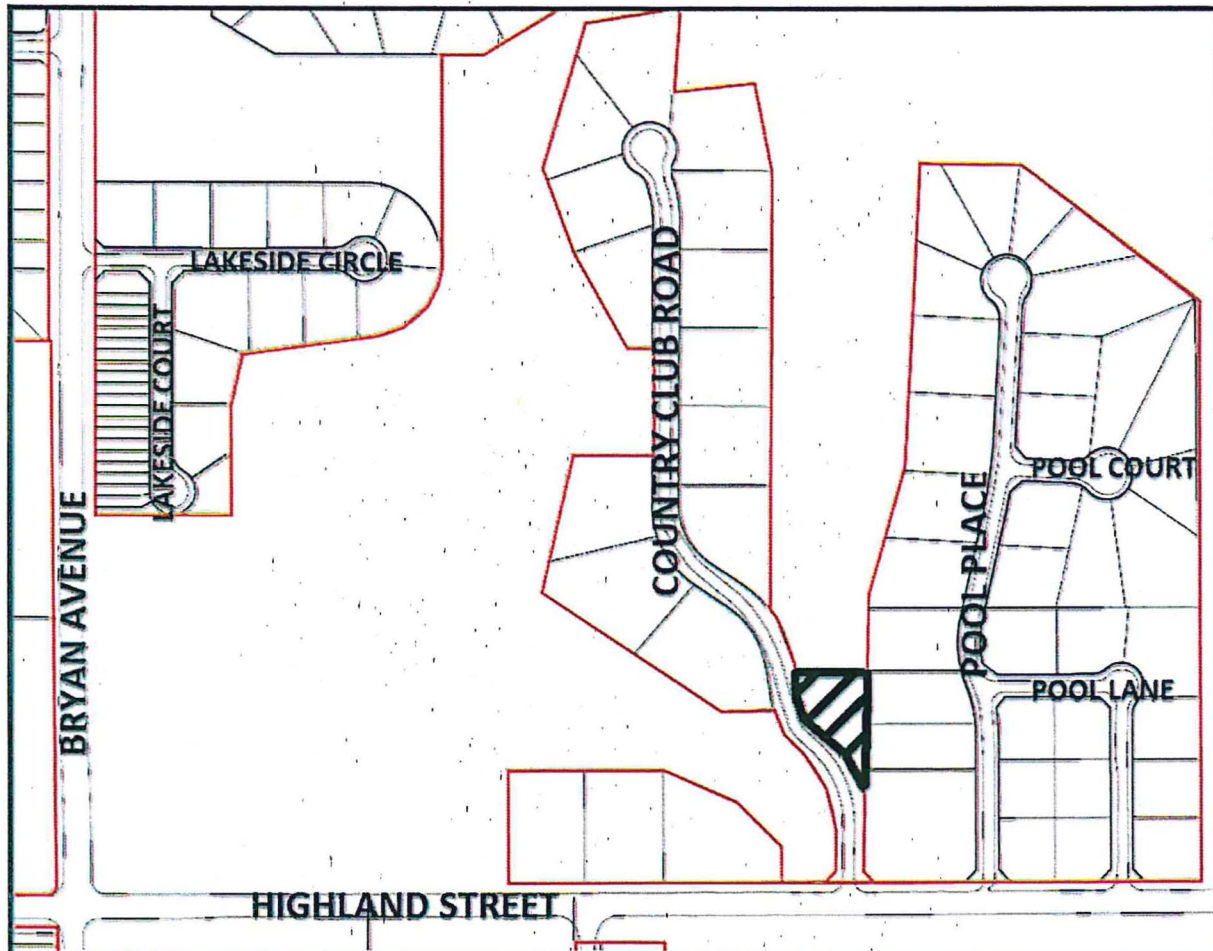


Phyllis Loftis
for Phyllis Loftis, City Clerk

CASE #P14-18

CONSIDERATION FOR REZONE FROM A-1 TO RQ

1 COUNTRY CLUB ROAD



*CHOICE TITLE & ABSTRACTING INSURANCE
ESCROW/CLOSING/ABSTRACTING AGENCY*

*118 N. Broadway
Shawnee, Oklahoma 74801*

July 12, 2018

Attn:
Charles & Connie Rutherford
1 Country Club Road
Shawnee, Oklahoma 74801
405-833-8974
Re: Choice File No. 8295

LEGAL DESCRIPTION

A tract of land in the SW/4 of Section 16 Township 10 N Range 4 E described further and shown on Survey Plat drawing number JN-1522 from Knight Land Survey, Pottawatomie County, Oklahoma.

Property Address: 1 Country Club Road, Shawnee, OK 74801

Property Owner: Charles & Connie Rutherford 102 Kingsbury Lane, Shawnee, OK 74801

300' SURROUNDING PROPERTY OWNERS

Shawnee Country Club, Dan Overland, P.O. Box 250 Earlsboro, OK 74840

43305 HWY 3, Cynthia Jean Oliver Harden, 311 W MacArthur Shawnee, OK 74801

43401 HWY 3, Dennis & Cynthia Harden, 43401 HWY 3 Shawnee, OK 74801

Lots 1 & 2 Block 1 Country Club Heights, The 19th LLC, P.O. Box 1584 Shawnee OK 74802

Lot 3 Block 1 Country Club Heights, Jeff Diamond, PO BOX 336, Shawnee OK 74802

Lot 4 Block 1 Country Club Heights, Raymond & Laverne Shaffer, 2 Country Club Road, Shawnee OK 74801

Lot 5 Block 1 Country Club Heights, Jacob Goodson, 2209 Bryant Via, Shawnee OK 74804
Lot 6 Block 1 Country Club Heights, Loyd Drain, P.O. Box 711 Shawnee OK 74802

Lots 7 & 8 Block 1 Country Club Heights, Steven & Lenita Olsen, 3 Country Club Road, Shawnee OK 74802

Lot 1 Block 1 Highland Farms Estates, Ricky & Sherri Streight, 501 Pool Place, Shawnee OK 74801

Lot 2 Block 1 Highland Farms Estates, Randy & Paula Lauderdale, 503 Pool Place, Shawnee OK 74801

Lot 3 Block 1 Highland Farms Estates, Robert Chin, Robert W Chin Revocable Trust, 505 Pool Place, Shawnee OK 74801

Lot 1 & 2 Block 2 Highland Farms Estates, Henry & Peggy Chesney, 2500 E Highland, Shawnee OK 74801

Lot 3 Block 2 Highland Farms Estates, Ronald & Joleen Lewis, 600 Pool Place, Shawnee OK 74801

Lot 4 Block 2 Highland Farms Estates, Frank & Betty Howard, 602 Pool Place, Shawnee OK 74801

Lot 5 Block 2 Highland Farms Estates, Rod & Kim Huffman, Rod & Kim Huffman 2000 Revocable Trust, 604 Pool Place, Shawnee OK 74801

Lot 6 Block 2 Highland Farms Estates, Peter & Velma Welch, 606 Pool Place, Shawnee OK 74801

Lot 23 Block 2 Highland Farms Estates, Gary & Sue Cantrell, 603 Pool Place, Shawnee OK 74801

Lot 24 Block 2 Highland Farms Estates, Jeff & Jilene Wade, 601 Pool Place, Shawnee OK 74801

End of Report

ORDINANCE NO. ____NS

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: A TRACT OF LAND IN THE SW/4 OF SECTION 16 TOWNSHIP 10 N RANGE 4 E DESCRIBED FURTHER AND SHOWN ON SURVEY PLAT DRAWING NUMBER JN 1522 FROM KNIGHT LAND SURVEY, POTTAWATOMIE COUNTY, OKLAHOMA 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.

WHEREAS, pursuant to notice duly given as required by law, a public hearing conducted by the Board of Commissioners of the City of Shawnee, Oklahoma on the 17th day of September, 2018, upon an application to rezone certain properties located in the City of Shawnee, Oklahoma from zoning classification A-1; Rural Agricultural District to R-1; Single Family Residential District.

WHEREAS, the Planning Commission of the City of Shawnee has conducted one or more public hearings on said application pursuant to notice as required by law and has submitted its final report and recommendation upon said application to the Board of Commissioners; and,

WHEREAS, it appears to be in the best interest of the City of Shawnee and the inhabitants thereof for said properties to be rezoned to R-1; Single Family Residential District.

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

SECTION 1: That the following described property located in the City of Shawnee, Oklahoma, to-wit: A TRACT OF LAND IN THE SW/4 OF SECTION 16 TOWNSHIP 10 N RANGE 4 E DESCRIBED FURTHER AND SHOWN ON SURVEY PLAT DRAWING NUMBER JN 1522 FROM KNIGHT LAND SURVEY, POTTAWATOMIE COUNTY, OKLAHOMA 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.

PASSED AND APPROVED this _____ day of _____, 2018.

RICHARD FINLEY, MAYOR

(SEAL)

ATTEST:

LISA LASYONE, CMC, CITY CLERK

Approved as to form and legality this _____ day of _____, 2018.

JOSEPH VORNDRAN, CITY ATTORNEY

Regular Board of Commissioners

7.

Meeting Date: 09/17/2018

Sales Tax/Treasurer Rpt

Submitted By: Kacie Eck, City Clerk

Department: City Clerk

Information

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

Acknowledge monthly Sales Tax and City Treasurer Report.

Attachments

Sales Tax/Treasurer Rpt



Date: September 17, 2018

To: Honorable Mayor and City Commissioners

From: Chance Allison, CPA, Finance Director and City Treasurer

Subject: September Sales Tax Deposit for August Collections

Sales Tax Collections: The Oklahoma Tax Commission (the “OTC”) collects and enforces collection of sales and use taxes, including special earmarked taxes such as alcohol and tobacco, for the entities responsible for remitting taxes to the City of Shawnee. Entities with monthly tax liabilities exceeding \$2,500 are required to remit tax estimates each month by the 20th; in addition, entities are required to report their final tax collections for the previous month along with a final payment of taxes for the previous month on the 20th. To summarize, tax collections remitted to the City of Shawnee by the OTC in September consist of August estimates and July final reported collections. Any taxes collected for months prior to July will include accrued late penalty interest.

The August sales tax deposit was \$1,499,363.37, including interest of \$1,569.58, to be allocated as follows:

<u>Fund</u>	<u>Allocation</u>
General Fund	\$ 999,575.58
Capital Improvements Fund	193,667.78
Street Improvements Fund	218,657.16
Economic Development Fund	24,989.39
Police Sales Tax Fund	31,236.73
Fire Sales Tax Fund	<u>31,236.73</u>
Total Sales Taxes Collected	<u>\$ 1,499,363.37</u>

Finance Department Report:

Sales tax receipts fell \$54,093.07, or 3.48%, over the previous months collection which is in line with historical trends for September receipts. Overall, sales taxes collected in fiscal year 2019 for July, August and September are \$4,619,189.89, which is up \$28,408.72, or 0.62%, over the same period of collections in fiscal year 2018. On an annualized basis, we are projecting sales tax collections for fiscal year 2019 to be approximately 0.50%—1.00% above fiscal year 2018 collections.

Cash Basis Sales Tax Revenues Received:

Fiscal year ended:	6/30/2010	6/30/2011	6/30/2012	6/30/2013	6/30/2014	6/30/2015	6/30/2016	6/30/2017	6/30/2018	6/30/2019
July	1,393,065.38	1,336,598.54	1,361,273.21	1,422,363.47	1,385,054.66	1,477,552.39	1,442,218.10	1,476,672.07	1,537,860.34	1,566,370.08
August	1,265,208.30	1,390,085.66	1,417,308.10	1,339,538.73	1,466,249.51	1,432,226.82	1,588,409.79	1,530,245.89	1,559,594.15	1,553,456.44
September	1,281,234.19	1,389,701.76	1,330,419.92	1,349,281.73	1,412,707.63	1,426,359.98	1,494,202.66	1,490,836.34	1,493,326.68	1,499,363.37
October	1,281,416.20	1,386,986.88	1,309,924.31	1,386,657.10	1,465,062.92	1,428,920.96	1,545,244.93	1,496,732.04	1,565,342.78	
November	1,130,650.83	1,235,389.82	1,289,143.36	1,253,140.20	1,499,183.22	1,374,142.89	1,426,191.82	1,468,286.54	1,412,194.97	
December	1,218,404.15	1,248,648.63	1,262,400.89	1,349,458.62	1,315,025.27	1,442,851.22	1,506,784.29	1,405,364.73	1,436,804.46	
January	1,278,370.19	1,476,823.68	1,491,647.35	1,470,565.79	1,556,616.47	1,499,066.52	1,546,950.76	1,552,154.89	1,573,267.35	
February	1,435,608.06	1,448,965.56	1,624,567.83	2,245,070.35	1,569,452.67	1,580,604.02	1,605,201.69	1,676,413.03	1,652,541.17	
March	1,165,926.62	1,256,429.83	1,258,045.40	1,291,532.12	1,265,687.44	1,292,780.53	1,316,044.02	1,370,990.01	1,308,462.80	
April	1,308,463.11	1,311,386.95	1,417,533.07	1,236,568.95	1,421,539.56	1,427,533.14	1,552,529.31	1,469,440.96	1,420,532.46	
May	1,317,167.16	1,337,028.54	1,452,759.21	1,312,710.08	1,394,971.65	1,466,535.54	1,493,399.18	1,575,109.27	1,628,425.45	
June	1,298,026.04	1,276,541.96	1,284,871.93	1,318,546.13	1,390,154.79	1,438,144.08	1,437,412.36	1,556,868.55	1,423,043.36	
	15,373,540.23	16,094,587.81	16,499,894.58	16,975,433.27	17,141,705.79	17,286,718.09	17,954,588.91	18,069,114.32	18,011,395.97	4,619,189.89

Changes in Actual Sales Tax Revenues Received:

	FY 2010 to 2011	FY 2011 to 2012	FY 2012 to 2013	FY 2013 to 2014	FY 2014 to 2015	FY 2015 to 2016	FY 2016 to 2017	FY 2017 to 2018
Percentage change:	4.69%	2.52%	2.88%	0.98%	0.85%	3.86%	0.64%	-0.32%
Amount change:	721,047.58	405,306.77	475,538.69	166,272.52	145,012.30	667,870.82	114,525.41	(57,718.35)

Average Change in Cash Basis Sales Tax Revenues:

Average (9-year):	1.39%
Average (5-year):	1.20%
Average (3-year):	1.39%

Anticipated Budget to Actual Sales Tax Performance:

	Budget	Actual	Amount Variance	Percentage Variance
Sales Tax Receipts (year-to-date):	\$ 19,852,560.00	\$ 3,119,826.52	\$ (16,732,733.48)	-84.29%
Sales Tax Receipts (annualized):	19,852,560.00	20,227,867.50	375,307.50	1.89%