

BOARD OF CITY COMMISSIONERS PROCEEDINGS
SEPTEMBER 17, 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, Monday, September 17, 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 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.

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

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

NAY: None

AGENDA ITEM NO. 2:

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

Animal Control Officer Derek Woody presented Terry, a two-and-a-half-year-old neutered male Pitbull. Officer Woody stated the adoption fee is \$5.00. 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. Norma Sapp, Mr. James McLeod, Mr. Shawn Cook, Mr. Ron Loftis and Ms. Pamela Street spoke regarding the medicinal use marijuana ordinance and resolution that is to be considered at tonight's meeting.

AGENDA ITEM NO. 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 from the September 4, 2018 City Commission meeting.)*

Community Development Director Justin DeBruin provided updates to the ordinance from the previous City Commission meeting. He noted research facilities may be located in areas zoned C-3; Highway Commercial District and C-4; Central Business District by conditional use permit. After further discussion,

Section 8-515 8(d) “another licensed establishment, unless such establishment is owned and operated by the same entity and is located on adjacent or contiguous lots.” was requested to be stricken from the presented ordinance. Mr. DeBruin noted all fees are annual.

A motion was made by Mayor Finley, seconded by Commissioner Bolt, to approve an ordinance to amend Chapter 8 of the City Code to add an article regarding medical marijuana and striking Section 8-515(8)(d).

Ordinance No. 2641NS was introduced.

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.

Motion carried 7-0.

AYE: Finley, Bolt, Gillham, Harrod, Rutherford, Sehorn, Salter
NAY: None

Ordinance No. 2641NS was adopted by the City Commission.

A motion was made by Vice Mayor Harrod, seconded by Commissioner Sehorn, to approve emergency clause relating to Ordinance No. 2641NS. Motion carried 7-0.

AYE: Harrod, Sehorn, Salter, Bolt, Gillham, Finley, Rutherford
NAY: None

AGENDA ITEM NO. 5:

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

A motion was made by Commissioner Gillham, seconded by Commissioner Bolt, to approve 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.

Resolution No. 6572 was introduced.

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.

Motion carried 7-0.

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

NAY: None

AGENDA ITEM NO. 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.

Community Development Director Justin DeBruin provided a staff report.

Mayor Finley declared a public hearing in session to consider an ordinance rezoning property from A-1; Rural Agricultural District to R-1; Single Family Residential District for property located at 1 Country Club Road. No one appeared in favor or against said rezoning. The public hearing was closed.

A motion was made by Vice Mayor Harrod, seconded by Commissioner Gillham, to approve an ordinance to rezone property located at 1 Country Club Road from A-1; Rural Agricultural District to R-1; Single Family Residential District.

Ordinance No. 2642NS was introduced.

AN ORDINANCE CONCERNING THE ZONING CLASSIFICATION OF THE FOLLOWING DESCRIBED PROPERTY LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY OF SHAWNEE, POTTAWATOMIE COUNTY, OKLAHOMA, TO-WIT: 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.

Motion carried 7-0.

AYE: Harrod, Gillham, Finley, Rutherford, Sehorn, Salter, Bolt
NAY: None

Ordinance No. 2642NS was adopted by the City Commission.

AGENDA ITEM NO. 7: Acknowledge monthly Sales Tax and City
Treasurer Report.

Finance Director Chance Allison provided the monthly Sales Tax and City
Treasurer Report.

AGENDA ITEM NO. 8: City Manager Report

Interim City Manager Eric Benson had no additional information to report.

AGENDA ITEM NO. 9: 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. 10: Commissioners Comments

Commissioner Bolt thanked everyone who spoke at the City Commission
meeting. He stated he appreciated everyone who attended the Comprehensive Plan
meeting and provided input. He encouraged everyone to get involved and provide
input in the Comprehensive Planning.

Commissioner Gillham stated he understood the need for medical marijuana.
He stated he was happy of the success of the Cops and Kids event. He also stated
he believes the relationships between police officers and children is important.

Commissioner Sehorn stated that people who need marijuana should have
access to it but he does not want it to be abused.

Mayor Finley clarified that the City set out to do the minimum required by
state law regarding medical marijuana. He stated changes will most likely be made
at the state level, which will require changes at the City level. He welcomed
feedback from citizens.

AGENDA ITEM NO. 11:

Adjournment

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

ATTEST:



Lisa Laszone

LISA LASYONE, CMC
CITY CLERK

Richard Finley

RICHARD FINLEY, MAYOR