

MAR 23 2023

AT 2:00 O'CLOCK P M
PATRICIA CARTER, SECRETARY
BY Patricia Carter

RESOLUTION NO. 6691

A RESOLUTION AUTHORIZING THE CALLING AND HOLDING OF A SPECIAL ELECTION IN THE CITY OF SHAWNEE, OKLAHOMA ON TUESDAY THE 13TH DAY OF JUNE, 2023, FOR THE PURPOSE OF SUBMITTING TO THE REGISTERED QUALIFIED VOTERS OF SAID CITY THE QUESTION OF WHETHER ORDINANCE NO. 2781 NS, WHICH AMENDS ARTICLE III, SECTION 2 AND ARTICLE XIV, SECTIONS 3 AND 5 OF THE CHARTER OF THE CITY OF SHAWNEE BY LIMITING THE ELECTORATE FOR COMMISSIONERS TO THE QUALIFIED VOTERS RESIDING IN EACH COMMISSIONER'S SPECIFIC WARD; WHICH AMENDS ARTICLE XV, SECTION 2 OF THE CHARTER OF THE CITY OF SHAWNEE BY STATING THE CITY OF SHAWNEE SHALL FOLLOW ALL APPLICABLE STATE LAWS REGARDING COMPETITIVE BIDDING REQUIREMENTS; WHICH AMENDS ARTICLE III, SECTIONS 4 AND 6 OF THE CHARTER OF THE CITY OF SHAWNEE TO STATE WHEN THE TERM SHALL BEGIN FOR NEWLY ELECTED MAYOR AND COMMISSIONERS; WHICH AMENDS ARTICLE V, SECTION 8 OF THE CHARTER OF THE CITY OF SHAWNEE WHICH RELATES TO RESIDENCY AND QUALIFICATIONS REQUIREMENTS OF CITY EMPLOYEES; WHICH REPEALS AND REPLACES ARTICLE XVI, SECTION 1 OF THE CHARTER OF THE CITY OF SHAWNEE RELATED TO CONFLICT OF INTEREST POLICIES FOR COMMISSIONERS, CITY EMPLOYEES AND CITY OFFICERS; WHICH REPEALS ARTICLE IX, SECTION 1 OF THE CHARTER OF THE CITY OF SHAWNEE TO REMOVE PROVISIONS REGULATING RECREATIONAL USE OF THE SHAWNEE TWIN LAKES; WHICH REPEALS AND REPLACES ARTICLE XII, SECTION 6(b) OF THE CHARTER OF THE CITY OF SHAWNEE TO FOLLOW STATE LAW REGARDING THE CEMETERY PERPETUAL CARE FUND; AND PROVIDING FOR SAID ELECTION TO BE CONDUCTED BY THE POTTAWATOMIE COUNTY ELECTION BOARD; PROVIDING THAT POLLS SHALL BE OPEN CONTINUOUSLY FROM 7:00 A.M. TO 7:00 P.M.; PROVIDING FOR SEVERABILITY.

WHEREAS, the Mayor and Board of Commissioners of the City of Shawnee, Oklahoma, have passed Ordinance No. 2781 NS, which amends the Charter of the City of Shawnee Article II; and

WHEREAS, according to the provisions of Title 26, Oklahoma Statutes, Section 13-102, the City shall submit a Resolution to the Pottawatomie County Election Board, not fewer than sixty (60) days from the date of the election, notifying said Election Board that said election will be held.

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

That there shall be held on the 13th day of June, 2023, a special election on the following propositions:

Proposition 1

Shall Article III, Section 2 and Article XIV, Sections 3 and 5 of the Charter of the City of Shawnee be amended to limit the electorate for Commissioners to the qualified voters residing in each Commissioner’s specific ward, as more particularly described in Ordinance 2781 NS adopted on the 20th day of March, 2023?

The ballot setting for the above proposition shall also contain in connection with each of said proposition the following words:

For Against

If the voter desires to vote for the above proposition, the voter shall mark the box to the right of the word “For.”

If the voter desires to vote against the above proposition, the voter shall mark the box to the right of the word “Against.”

Proposition 2

Shall Article XV, Section 2 of the Charter of the City of Shawnee be repealed and replaced with language that states that the City of Shawnee shall follow all applicable State law regarding competitive bidding requirements, as more particularly described in Ordinance 2781 NS adopted on the 20th day of March, 2023?

The ballot setting for the above proposition shall also contain in connection with each of said proposition the following words:

For Against

If the voter desires to vote for the above proposition, the voter shall mark the box to the right of the word “For.”

If the voter desires to vote against the above proposition, the voter shall mark the box to the right of the word “Against.”

Proposition 3

Shall Article III, Sections 4 and 6 of the Charter of the City of Shawnee be amended to state that the term of the newly elected Mayor and Commissioners shall begin on the date of the first regularly scheduled meeting of the Board of Commissioners following the certification of the results of the general or runoff election, as applicable, as more particularly described in Ordinance 2781 NS adopted on the 20th day of March, 2023?

The ballot setting for the above proposition shall also contain in connection with each of said proposition the following words:

For Against

If the voter desires to vote for the above proposition, the voter shall mark the box to the right of the word "For."

If the voter desires to vote against the above proposition, the voter shall mark the box to the right of the word "Against."

Proposition 4

Shall Article V, Section 8 of the Charter of the City of Shawnee, which relates to potentially conflicting residency and citizenship qualification requirements for City employees, be repealed in its entirety, as more particularly described in Ordinance 2781 NS adopted on the 20th day of March, 2023?

The ballot setting for the above proposition shall also contain in connection with each of said proposition the following words:

For Against

If the voter desires to vote for the above proposition, the voter shall mark the box to the right of the word "For."

If the voter desires to vote against the above proposition, the voter shall mark the box to the right of the word "Against."

Proposition 5

Shall Article XVI, Section 1 of the Charter of the City of Shawnee be repealed and replaced with language that states that the City of Shawnee shall follow all applicable State law regarding conflict-of-interest policies for Commissioners, City employees, and City officers, as more particularly described in Ordinance 2781 NS adopted on the 20th day of March, 2023?

The ballot setting for the above proposition shall also contain in connection with each of said proposition the following words:

For Against

If the voter desires to vote for the above proposition, the voter shall mark the box to the right of the word "For."

If the voter desires to vote against the above proposition, the voter shall mark the box to the right of the word "Against."

Proposition 6

Shall Article IX, Section 1 of the Charter of the City of Shawnee be repealed to remove provisions regulating the recreational use of the Shawnee Twin Lakes, as more particularly described in Ordinance 2781 NS adopted on the 20th day of March, 2023?

The ballot setting for the above proposition shall also contain in connection with each of said proposition the following words:

For Against

If the voter desires to vote for the above proposition, the voter shall mark the box to the right of the word "For."

If the voter desires to vote against the above proposition, the voter shall mark the box to the right of the word "Against."

Proposition 7

Shall Article XII, Section 6(b) of the Charter of the City of Shawnee be repealed and replaced with language that states that the City of Shawnee shall follow all applicable State law regarding cemetery perpetual care funds, as more particularly described in Ordinance 2781 NS adopted on the 20th day of March, 2023?

The ballot setting for the above proposition shall also contain in connection with each of said proposition the following words:

For Against

If the voter desires to vote for the above proposition, the voter shall mark the box to the right of the word "For."

If the voter desires to vote against the above proposition, the voter shall mark the box to the right of the word "Against."

ELIGIBILITY OF VOTERS:

To be eligible to vote, a voter must be registered with the Pottawatomie County Election Board at an address within the geographical boundaries of the district.

BE IT FURTHER RESOLVED:

That said special election shall be conducted by the Pottawatomie County Election Board in accordance with the provisions of the Charter of the City of Shawnee and the general election

laws of the State of Oklahoma where applicable and that the polls shall remain open on Election Day continuously from 7:00 a.m. to 7:00 p.m.

BE IT FURTHER RESOLVED:

That if any section, sub-section, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance.

BE IT FURTHER RESOLVED:

That for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof, this Resolution shall be in full force and effect immediately upon its adoption.

PASSED AND APPROVED this 20th day of March, 2023.

ATTEST:

(SEAL)



Lisa Laszone
LISA LASZYONE, CMC, CITY CLERK

Ed Bolt
ED BOLT, MAYOR

Approved as to form and legality this 20th day of March, 2023.

Joseph M. Vorndran
JOSEPH M. VORNDRAN, CITY ATTORNEY