

ORDINANCE NO. 4064-A

AN ORDINANCE AMENDING THE MUSKOGEE CODE OF ORDINANCES, CHAPTER 2, ADMINISTRATION, ARTICLE V, BOARDS AND COMMISSIONS, DIVISION 15, MUSKOGEE WELLNESS INITIATIVE, SECTIONS 2-532, APPOINTMENT AND MEMBERSHIP; AND 2-536, EX OFFICIO MEMBERS; REVISING MEMBERSHIP; PROVIDING FOR REPEALER, SEVERABILITY AND DECLARING AN EMERGENCY.

AN EMERGENCY ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MUSKOGEE, OKLAHOMA THAT CHAPTER 2, ADMINISTRATION, ARTICLE V, BOARDS AND COMMISSIONS, DIVISION 15, MUSKOGEE WELLNESS INITIATIVE, SECTIONS 2-532, APPOINTMENT AND MEMBERSHIP; AND 2-536, EX OFFICIO MEMBERS, BE AND THE SAME ARE HEREBY AMENDED AS FOLLOWS:

SECTION 1. That Division 15, Muskogee Wellness Initiative, is hereby amended as follows:

SEC. 2-530. - MUSKOGEE WELLNESS INITIATIVE COALITION CREATED.

There is hereby created the Muskogee Wellness Initiative Coalition, hereinafter referred to as "coalition", for the city and invested with the powers conferred upon it pursuant to this division and other applicable law.

SEC. 2-531. - POWERS AND FUNCTIONS.

It is the purpose of the coalition created in section 2-530 to serve in an advisory capacity to the parks and recreation department and the city council as to matters dealing with the health, wellness and well being of local community. The coalition shall make recommendations and give advisory opinions to the parks and recreation department director and to the city council for improving, promoting the health, wellness and well being of the community and for enactment resolutions and ordinances which will be of benefit to the citizens of the city in fulfilling the purposes of the coalition. The coalition with the approval of the city council may seek out and apply for funding of its programs from both public and private sources. In this regard the coalition shall submit, as a part of the parks and recreation department's budget request to the city manager, its purposes for the expenditure of the funds so solicited.

SEC. 2-532. - APPOINTMENT AND MEMBERSHIP.

The coalition shall be composed of nine members. Seven members shall be appointed in accordance with City Code 2-136, with at least one member being a licensed physician. The remaining members shall be the Chairman of Turning Point or his/her designee, who shall serve as the vice-chair, and the Director of the Muskogee County Health Department or his/her designee.

SEC. 2-533. - TERMS OF OFFICE.

Terms of office of members of the coalition shall be four years.

SEC. 2-534. - VACANCIES.

If at any time a vacancy occurs on the coalition, the vacancy shall be filled for the unexpired term following the procedure set out in section 2-136.

SEC. 2-535. - ABSENCES.

Failure to attend three consecutive meetings of the coalition within a one-year rolling period shall automatically result in forfeiture of office, and the member of the city council who exercised his or her power of appointment for the position vacated shall maintain the power of appointment for the new member.

SEC. 2-536. - EX OFFICIO MEMBERS.

The City of Muskogee Parks and Recreation Director, or designee shall serve as an ex officio member of the coalition to advise and counsel the coalition. Additionally, the Mayor of the City of Muskogee and his/her successor shall serve as an ex officio member to the coalition.

SEC. 2-537. - CHAIRPERSON.

The coalition shall select a person to serve as chairperson of the coalition from membership of the coalition.

SEC. 2-538. - QUORUM.

Five members of the coalition shall constitute a quorum and a majority vote of those members present at any given meeting shall be required for the transaction of any business.

SEC. 2-539. - COMPENSATION OF MEMBERS.

Members of the coalition shall serve without compensation except for such necessary expenses as a result of authorized travel. Reimbursement shall be in accordance with the City of Muskogee travel policy. The city manager shall approve all travel requests in advance of the anticipated travel.

SEC. 2-540. - ESTABLISHING RULES, BYLAWS AND HOLDING REGULAR MEETINGS.

The coalition shall establish and adopt rules and bylaws for its own procedures. Said rules and bylaws shall be in accordance with and subject to the Oklahoma Open Meetings Act. The coalition shall conduct meetings at least once per calendar quarter. The time and place of the meetings shall be determined by the chairperson of the coalition. Special meetings may be called at any time by the chairperson, at the request of a majority of the members of the coalition, or at the request of the parks and recreation director. All meetings and records of the coalition shall be governed by the Oklahoma Open Meetings Act and the Oklahoma Open Records Act.

SECTION 2: REPEALER. All ordinances or parts of ordinances in direct conflict herewith are repealed to the extent of the conflict only.

SECTION 3: SEVERABILITY. Should any part, section, subsection, sentence, provision, clause or phrase hereof be held invalid, void, or unconstitutional for any reason, such holding shall not render invalid, void or unconstitutional any other section, subsection, sentence, provision, clause, or phrase of this ordinance, and the same are deemed severable for this purpose.

SECTION 4. EMERGENCY DECLARED. This ordinance being designated to protect the public health, safety and welfare of the inhabitants of the City of Muskogee, Oklahoma, and its passage being immediately necessary, an emergency is hereby declared to exist and by reason whereof this ordinance shall take effect immediately upon its passage, approval and publication as provided by law.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MUSKOGEE, OKLAHOMA, THIS 28th Day of January, 2019.

JOHN R. COBURN, MAYOR

ATTEST:

TAMMY L. TRACY, CITY CLERK

(SEAL)

APPROVED as to form and legality this 28th day of January, 2019.

ROY D. TUCKER, CITY ATTORNEY