



**NOTICE
GLENPOOL CITY COUNCIL
SPECIAL MEETING**

A Special Session of the Glenpool City Council will be held at 6:00 p.m. on November 18, 2020, at Glenpool City Hall, City Council Chambers, 12205 S. Yukon Ave., 3rd Floor, Glenpool, Oklahoma.

NOTE: The Glenpool City Council will be assembled for the meeting at the City Council Chambers, 12205 S. Yukon Ave, Glenpool, Oklahoma. Members of the public are invited to attend the in-person meeting, or join a live broadcast at this link:

Join Zoom Meeting

<https://us02web.zoom.us/j/89303327868?pwd=N0hSTHRnZWV6QXVOc1lHOEZGZEVUQT09>

Meeting ID: 893 0332 7868

Passcode: 117788

One tap mobile

+12532158782,,89303327868#,,,,,0#,,117788# US (Tacoma)

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Dial by your location

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

Meeting ID: 893 0332 7868

Passcode: 117788

The City Council welcomes comments from citizens of Glenpool who wish to address any item on the agenda.

- Speakers attending in **PERSON** are required to complete the Request to Speak form located on the agenda table and return to the City Clerk **PRIOR TO THE CALL TO ORDER.**
- Speakers attending via **ZOOM** are required to complete the Request to Speak form located on our website: <https://glenpoolonline.civicweb.net/document/19057/Request%20to%20Speak%20Form.pdf> and email it to the City Clerk: Wknight@cityofglenpool.com **PRIOR TO 6:00 PM NOVEMBER 18, 2020.**

AGENDA

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- A) **Call to Order - Timothy Lee Fox, Mayor**
- B) **Roll Call, Declaration of Quorum – Wendy Knight, City Clerk; Timothy Lee Fox, Mayor**
- C) **Invocation - Jason Yarbrough, First Baptist Church**
- D) **Pledge of Allegiance – Timothy Lee Fox, Mayor**
- E) **Public Comments**
- F) **Scheduled Business**

- 1) Discussion and possible action to approve and adopt Ordinance No. 783, An Ordinance of the City of Glenpool, Oklahoma, Amending Title 6 of the City Code Of Ordinances (Misdemeanors, Nuisances, And Animals), Chapter 1 (General Offenses), Article C (Offenses Against Public Peace And Decency), by Adding New Section 6-1C-15 Entitled “Face Covering and Social Distancing During Covid-19 Pandemic Civil

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Emergency”; Mandating the Use of Face Coverings with Limited Exceptions;
Providing an Expiration Date; Providing a Penalty for Non-Compliance; Repealing All
Ordinances and Resolutions in Conflict Herewith; and Declaring an Emergency.
(David Tillotson, City Manager)

[Final Ordinance No. 783](#)

- 2) Discussion and possible action to approve the Emergency Clause causing Ordinance
No. 783 to take effect and be in full force from and after its passage as provided by
law.

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(David Tillotson, City Manager)

[Emergency Clause](#)

G) Adjournment

This notice was posted at Glenpool City Hall, 12205 S. Yukon Ave., Glenpool, Oklahoma, on November 16, 2020, by
5:00 pm.

Signed: Wendy Knight
City Clerk

ORDINANCE NO. 783

AN ORDINANCE OF THE CITY OF GLENPOOL, OKLAHOMA, AMENDING TITLE 6 OF THE CITY CODE OF ORDINANCES (MISDEMEANORS, NUISANCES, AND ANIMALS), CHAPTER 1 (GENERAL OFFENSES), ARTICLE C (OFFENSES AGAINST PUBLIC PEACE AND DECENCY), BY ADDING NEW SECTION 6-1C-15 ENTITLED “FACE COVERING AND SOCIAL DISTANCING DURING COVID-19 PANDEMIC CIVIL EMERGENCY”; MANDATING THE USE OF FACE COVERINGS WITH LIMITED EXCEPTIONS; PROVIDING AN EXPIRATION DATE; PROVIDING A PENALTY FOR NON-COMPLIANCE; REPEALING ALL ORDINANCES AND RESOLUTIONS IN CONFLICT HEREWITH; AND DECLARING AN EMERGENCY

WHEREAS, on March 11, 2020, the World Health Organization declared the Coronavirus Disease of 2019 (“COVID-19”) to be a pandemic; and

WHEREAS, on March 13, 2020, the President of the United States declared a National Emergency; due to the COVID-19 pandemic; and

WHEREAS, on March 15, 2020, the Governor of the State of Oklahoma declared an emergency caused by the impending threat of COVID-19 to the people of this State and the public’s peace, health and safety; and

WHEREAS, by its Resolution No. 2020002 adopted on March 17, 2020, the City Council of the City of Glenpool declared that a state of emergency existed within the corporate limits of the City of Glenpool and authorized the City Manager, upon verbal notification by the Mayor to do so, to take various measures to reduce the spread of the disease in Glenpool, which state of emergency expired by its terms on April 18, 2020; and

WHEREAS, by its Resolution No. 2020003 adopted on April 6, 2020, the City Council of the City of Glenpool declared that the state of emergency declared by Resolution No. 2020002 was extended through May 6, 2020 and otherwise incorporated and extended all emergency powers conferred by Resolution No. 2020002; and

WHEREAS, Title 11 of the Oklahoma Statutes, Oklahoma Municipal Code, Section 22-120, Public Health, Hospitals and Quarantine, gives a municipal governing body authority to enact and enforce such ordinances, rules, and regulations as it deems necessary for the protection of the public health that are not inconsistent with state law, and specifically states that a governing body may make regulations to prevent the introduction of contagious diseases into a municipality; and

WHEREAS, There have been recent substantial increases in COVID-19 positive cases and increases in the COVID-19 positivity rate and hospitalizations resulting from COVID-19 in Tulsa County; and

WHEREAS, The Tulsa County COVID-19 Hazard Map published by the Tulsa City-County Board of Health and the Tulsa Health Department Director of Health places the City of Glenpool zip code in the risk category of a “severe and uncontrolled level of COVID-19, meaning outbreaks are present and worsening and testing and contact tracing capacity is exceeded”; and

WHEREAS, the United States Centers for Disease Control and Prevention (“CDC”) and the Oklahoma State Department of Health (“OSDH”) recommend that people wear cloth face coverings in public settings, particularly when other social distancing measures are difficult or impossible to maintain, and when around people who do not live in the same household; and

WHEREAS, Health authorities have consistently encouraged people to use face coverings and have repeatedly emphasized that wearing face coverings is one of the most important and effective tools for reducing the spread of COVID-19; and

WHEREAS, Given the current status of COVID-19 risk in the City of Glenpool, requiring the use of face coverings is a targeted response that can combat the threat to public health using the least restrictive means, and may avoid the need for more extreme measures; and

WHEREAS, Wearing a face covering is important not only to protect oneself, but also to avoid unknowingly harming fellow residents, guests and visitors with whom they may come into contact, especially given that many people who go into public may have COVID-19 without knowing it because they have no symptoms; and

WHEREAS, In consideration of the foregoing premises, the City Council deems it lawful and prudent to enact an ordinance of the City of Glenpool to prevent the introduction and spread of the contagious disease COVID-19, preserve the peace and public welfare, and to provide civil defense and emergency functions.

THEREFORE, pursuant to Title 11 of the Oklahoma Statutes, Oklahoma Municipal Code, Section 22-120(A), **BE IT ORDAINED AND ENACTED BY THE CITY OF GLENPOOL THAT:**

Section 1.

TITLE 6 OF THE CITY CODE OF ORDINANCES (MISDEMEANORS, NUISANCES, AND ANIMALS), CHAPTER 1 (GENERAL OFFENSES), ARTICLE C (OFFENSES AGAINST PUBLIC PEACE AND DECENCY), BE AND HEREBY IS AMENDED BY ADDING SECTION 6-1C-15 ENTITLED “FACE COVERING AND SOCIAL DISTANCING DURING COVID-19 PANDEMIC CIVIL EMERGENCY”, AS FOLLOWS:

6-1C-15: FACE COVERING AND SOCIAL DISTANCING DURING COVID-19 PANDEMIC CIVIL EMERGENCY

A. DEFINITIONS

“Face Covering” means a cloth covering that fully covers a person’s nose and mouth. The term “Face Covering” includes but is not limited to: cloth face masks, towels, scarves, and bandanas as recommended by the Center for Disease Control (“CDC”) or Oklahoma State Department of Health (“OSDH”), an N95, KN95, or other mask that would be appropriate for a health care setting, or a surgical mask. The Face Covering should fit snugly on a person’s face but allow the person to breathe easily and must be worn in a manner consistent with the guidance provided by the CDC or the OSDH.

“Social Distancing” or “Physical Distancing” means maintaining at least six (6) feet of distance between persons who are not part of the same Household while in a Place Of Public Accommodation, Educational Building, Public Service Area or Public Setting.

“Household,” for purposes of compliance with this section, means persons who reside in a single residence or guests of such persons intentionally gathered together in an identifiable unit. Being part of the same Household is an exemption from Social Distancing or Physical Distancing but not from the Face Covering mandate.

“Place of Public Accommodation” means all places offering items, goods, products or services for purchase or rent, including without limitation retail businesses, personal services, entertainment venues, food service facilities, restaurants and bars, hotels, motels and travel-related services, professional offices and services, banks and financial services, repair facilities, hair salons, motor vehicle dealerships and similar locations where more than one household regularly gather.

“Public Service Area(s)” means area(s) of a Place of Public Accommodation or an Educational Building wherein employees or other staff persons interact with the public in the normal course of business.

“Public Setting” means any public place where persons congregate which is not a Place of Public Accommodation, including without limitation offices, workplaces, houses of worship and ancillary facilities, child care facilities, hospitals and health facilities, gymnasiums and physical fitness facilities, adult and youth sports facilities, communal outdoor spaces such as sidewalks, trails, and parks, food trucks and other outdoor retail entities.

“Educational Building” means any structure, building or facility used for academic or athletic purposes on any public school campus or any private school or preschool. This term excludes the playing surface of any athletic facility during organized activities and practices.

B. FACE COVERINGS MANDATE AND EXEMPTION UNDER CERTAIN CIRCUMSTANCES

Except as otherwise provided in this section, persons located within any Public Service Area, Place of Public Accommodation or Educational Building are required to wear Face Coverings at all times when present therein. Except as otherwise provided herein, persons in any Public Setting wherein Social Distancing or Physical Distancing cannot be maintained are required to wear Face Coverings.

The following persons, locations and activities are exempt from this requirement:

1. Persons who fall into the Centers for Disease Control's guidance for those who should not wear Face Coverings due to a medical or mental health condition or developmental disability;
2. Children under 10 years of age;
3. Restaurant patrons while they are eating or drinking;
4. Individual persons or persons from the same Household walking or exercising in communal outdoor spaces, provided that Social Distancing or Physical Distancing is maintained between persons not from the same Household;
5. Settings where it is not practical or feasible to wear a Face Covering, such as dental services, medical treatments or while swimming;
6. Occupants in a personal vehicle, personal office, or similarly private space while other persons outside of any such occupant's Household are not present;
7. Private homes; and
8. Offices and workplaces that are not Public Service Areas and where Social Distancing or Physical Distancing between employees and other occupants can be consistently maintained during hours of operation.

C. PENALTY FOR VIOLATION OF SUBSECTION B.

There is no specific penalty for violation of this ordinance. However, persons refusing to wear a Face Covering into and within a Place of Public Accommodation, Educational Building, Public Service Area, or Public Setting as defined herein may be subject to prosecution under criminal trespass, disturbing the peace, disorderly conduct or similar offenses as circumstances warrant.

D. EXPIRATION OF ORDINANCE

This ordinance shall expire the earlier of: January 31, 2021, or repeal, modification or extension by the City Council through a subsequent ordinance.

Section 2. Severability Clause

If any section, sentence, clause, or phrase of this ordinance or any part hereof is for any reason found to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remainder of this ordinance or any other part hereof.

Section 3. Repeal of Conflicting Ordinances or Resolutions

All ordinances or parts of ordinances, and resolutions or parts of resolutions, in conflict herewith shall be and the same are now expressly repealed.

Section 4. Declaration of Emergency
Emergency Clause separately approved.

APPROVED and ADOPTED by the City Council of the City of Glenpool on the _____ day of
November 2020.

Timothy Lee Fox, Mayor

ATTEST:

Wendy Knight, City Clerk

APPROVED AS TO FORM:

Lowell Peterson, City Attorney

EMERGENCY CLAUSE

WHEREAS, the immediate operation of the provisions of the foregoing Ordinance No. 783 is necessary for the preservation of the peace, health, welfare and best interests of the City of Glenpool and the citizens thereof, *to wit* specifically to address promptly and efficiently actions needed to minimize the risk of spreading the COVID-19 contagion in the City of Glenpool, an emergency is hereby declared to exist and the Ordinance shall take effect and be in full force from and after its passage as provided by law.

PASSED and this Emergency Clause ruled upon separately and approved this _____ day of November 2020.

Timothy Lee Fox, Mayor

ATTEST:

Wendy Knight, City Clerk

[SEAL]

APPROVED AS TO FORM:

Lowell Peterson, City Attorney