



## *Agenda Commentary*

**Item Title/ Subject:** Healthy Communities Incentive Grants 2013

**Staff Source:** Mary Smith, Personnel Officer

**History/Background Information:**

Oklahoma Tobacco Settlement Endowment Trust is offering *Healthy Communities Incentive Grants* to cities that receive certification through the newly created certified Healthy Communities (CHC) program, which is administered by the Oklahoma State Department of Health (OSDH). Communities receiving CHC certification are eligible to apply for the grant.

**Item/Subject Summary:** Due to ordinance that the City of Clinton already has in place we have earned the Merit Award, which will allot us \$13,000 if we meet all requirements. Certain criteria from within the CHC program have been selected as Incentive Grants requirements, (as shown in Attachment A). This funding will be used to replace and/or repair the tennis courts and basketball goals at McClain Rogers Park. This will help increase the use of the park, as well as increase the awareness of physical fitness within the community.

**Recommendation:** I recommend that the required ordinances are discussed, voted upon and passed in order for the City of Clinton to receive the funding from this grant.

Date: February 14, 2013

## Attachment A

Healthy Communities Incentive Grants 2013	Incentive Basic	Incentive Merit	Incentive Excellence	Examples of Documentation to be Submitted
All city-owned/operated properties are smoke free indoors (no indoor smoking rooms) ✓	X			Copy of ordinance or policy and date approved
Community has ordinances or policy allowing Farmer's markets ✓	X			Copy of ordinance or policy and date approved
Community makes information available to general public about the Oklahoma Tobacco Helpline 1-800-QUIT-NOW/1-800-784-8669 (i.e. health fairs, flyers, pamphlets, billboards, media, etc.)	X			Provide link (URL) or description how and when information is published (on community website, billboards or on handouts available to citizens, etc.)
Community makes information available to general public about the Suicide Prevention Lifeline 1-800-273-TALK/1-800-273-8255 (i.e. health fairs, flyers, pamphlets, billboards, media, etc.)	X			Provide link (URL) or description how and when information is published (on community website, billboards or on handouts available to citizens, etc.)
Community requires approval for new retailers selling alcohol for off-site consumption near schools and places of worship.	X			Copy of ordinance or policy and date approved
Community requires approval for new retailers selling tobacco products near schools and parks. ✓	X			Copy of ordinance or policy and date approved
Local educational institutions (including primary, secondary and higher education) have adopted policies ensuring "24/7" tobacco, alcohol and drug free properties. (largest school district in community)	X Largest district			Copy of adopted "24/7" tobacco, alcohol and drug free policies from the <b>largest</b> school district for primary, secondary and higher education institutions.
There are Certified Healthy Businesses in our community (certified in 2012)	X			List the number of business(es) in the community who achieved certification in 2012

Healthy Communities Incentive Grants 2013	Incentive Basic	Incentive Merit	Incentive Excellence	Examples of Documentation to be Submitted
Community enforces the Social Host ordinance/law to hold those who allow underage drinking or drug use legally accountable if the property it occurs on is under their control		X		Copy of city's enforcement policy and date approved
Community ensures equal consideration for safety and mobility for all users of all modes of transportation "complete streets" (in planning efforts) ✓		X		Copy of city's Master Plan or pertinent sections
Community does not allow alcohol marketing/advertising at city-sponsored events (i.e. county fairs, rodeos, motor sports, other sporting events, parades, concerts, museums, dances, festivals, etc.) ✓		X		Copy of ordinance or policy and date approved
Community does not allow tobacco marketing/advertising at city-sponsored events (i.e. county fairs, rodeos, motor sports, other sporting events, parades, concerts, museums, dances, festivals, etc.) ✓		X		Copy of ordinance or policy and date approved
Community makes information available to the general population about the Problem Gambling Hotline 1-800-522-4700		X		Provide link (URL) or description how and when information is published (on community website, billboards or on handouts available to citizens, etc.)
Community provides information on how to access mental health and substance abuse treatment and clinical health services (i.e. faith-based community efforts, local mental health and substance abuse providers, local website, flyers, pamphlets, billboards, media, etc.)		X		Provide link (URL) or description how and when information is published (on community website, billboards or on handouts available to citizens, etc.)
Public health advocates and stakeholders are included in community development and zoning regulations (health in policies)		X		Copy of roster of members or public hearing sign-in sheet, noting anyone from coalition or health dept on the planning committee.

**OKLAHOMA TOBACCO SETTLEMENT ENDOWMENT TRUST**  
**Healthy Communities Incentive Grant**  
**Community Information**

Applications are accepted from January 1 through February 28 at 4:00 pm.  
(Grants will be awarded based on funds available.)

Community Information
City Name: Clinton, Ok
Population Size: 8,833
Mailing Address: PO Box 1177 Clinton, Ok 73601
Physical Address: 415 Gary Blvd. Clinton, Ok 73601
Mayor's name: Seth Adams
Mayor's email address: 
Application Contact Name: Mary D Smith
Job Title: Personnel Officer
Telephone: 580-323-7897
Fax Number: 580-323-7873
Email Address: personnel@clintonokla.org

Oklahoma Tobacco Settlement Endowment Trust  
Certification of Non-Acceptance of Tobacco Funds

City Of Clinton Steve Hewitt (City Manager)

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Company/Organization/Principal Investigator Name

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The applicant named above hereby certifies that it will not accept funding from, nor have an affiliation or contractual relationship with, a company engaged in the manufacture of tobacco or tobacco products for the purpose of event sponsorships, curriculum, grants programs, research, evaluation or other similar activities during the term of the grant from the Oklahoma Tobacco Settlement Endowment Trust. The applicant further certifies that it will not engage in the manufacture of tobacco products during the term of the grant. This restriction does not apply to the growth or use of non-commercial tobacco for ceremonial use.

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**CERTIFICATION**

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I, the official named below, hereby swear that I am duly authorized legally to bind the grant recipient, contractor, or principal investigator (as applicable) to the above described certification. I am fully aware that this certification, executed on the date below, is made under penalty of perjury under the laws of the State of Oklahoma.

Director of Agency or Principal Investigator:

 2-12-13  
Signature Date

Steve Hewitt - City Manager  
Printed Name and Title

**OKLAHOMA TOBACCO SETTLEMENT ENDOWMENT TRUST**  
**Healthy Communities Incentive Grant**  
**Application**

**Level of certification community achieved from the 2012 Certified Healthy Communities Program:**

- Basic
- Merit
- Excellence



**Brief description of the intended use of the incentive funds:**

To replace and/or repair the tennis courts and basketball goals  
this will help increase use of the park, as well as increase the  
awareness of physical fitness within the community

McLain Rogers Park

Project Start Date: June 2013

**Certification of Non-Acceptance of Tobacco Funds**

The applicant named above hereby certifies that it will not accept funding from, nor have an affiliation or contractual relationship with, a company engaged in the manufacture of tobacco or tobacco products for the purpose of event sponsorships, curriculum, grants programs, research, evaluation or other similar activities during the term of the grant from the Oklahoma Tobacco Settlement Endowment Trust. The applicant further certifies that it will not engage in the manufacture of tobacco products during the term of the grant. This restriction does not apply to the growth or use of non-commercial tobacco for ceremonial use.

	<u>2/17/13</u>
Signature of Mayor	Date

ORDINANCE NO. 944

AN ORDINANCE ESTABLISHING FARMERS' MARKETS  
AND PROVIDING FOR LICENSE AND REGULATION  
THEREFORE.

BE IT ORDAINED BY THE COUNCIL OF CITY OF CLINTON, OKLAHOMA, §4.7.1 through 4.7.14. of the Clinton City Code are hereby established to read as follows:

**4.7.1. Definitions.**

The following terms are defined for the purpose of this chapter as follows:

- (A) "Health Officer" means the individual appointed by the City Manager to fill the office of Health Officer as identified in the Charter.
- (B) "Manager" means the City Manager.
- (C) "Farmers' markets" means areas designated by the commissioner where on designated days and times, growers and producers may sell directly to the public in accordance with the ordinances of the City of Clinton.
- (D) "Grower" or "producer" means any person offering for sale articles for human consumption, such as fruits or their juices, vegetables, edible grains, nuts and berries and apiary products or nonedible articles such as cut or potted flowers, which articles have been raised or prepared by the grower or producer, members of his family or by persons in his employ.
- (E) "Letter of agreement" means the document signed by the commissioner and the applicant grower or producer. The letter of agreement sets forth the terms and conditions governing the farmers' market areas.

**4.7.2. Issuance of rules and regulations.**

The Manager shall have the authority to issue rules and regulations as are necessary to effectuate the provisions of this chapter.

**4.7.3. Letter of agreement.**

The letter of agreement is signed by the Manager and the applicant grower or producer. The letter of agreement contains the relevant rules and regulations with which the applicant grower or producer must comply.

**4.7.4. Permit – Application.**

An applicant for a permit to sell goods within the market shall submit to the Manager, together with the required fee, an application shall be in writing, including, but not limited to, the following information:

- (a) Name, address of the applicant;
- (b) Products for which a sale license or permit is sought;
- (c) Source of the products;
- (d) A warranty that such products are fit for human consumption or use; and
- (e) State sales tax permit number or proof of application for same.

**4.7.5. Permit required – Fee.**

No grower or producer shall sell or offer for sale products without first having obtained a permit therefor. The fee for a permit shall be established by Resolution. The permit fee shall not be reduced, abated or apportioned due to the failure of the grower or producer to sell or offer for sale products in accordance with a permit.

**4.7.6. Manager – Duties and responsibilities.**

The Manager shall provide the letter of agreement and the application for a permit to the applicant grower or producer. The Manager shall collect fees for the permit and assign spaces to the growers and producers.

**4.7.7. Permit – Issuance conditions.**

No permit shall be issued to a grower or producer by the commissioner until a letter of agreement is executed and an application is approved by the commissioner.

**4.7.8. Establishment and relocation.**

The Manager shall have the authority to establish areas upon the public ways, and, following consultation with affected city departments, upon other city property, to be designated as farmers' markets. The Manager shall have the authority to relocate or discontinue the markets, to specify the days of the week and hours of the day they may be operated and to determine which goods may be sold.

**4.7.9. Sales items designated.**

A grower or producer may sell or offer for sale whole and uncooked fruits and vegetables, fruit juices, edible grains, nuts and berries and apiary products or cut or potted flowers.

**4.7.10. Sales items prohibited.**

No grower or producer shall sell or offer for sale any meat, fish, poultry, milk or dairy products.

**4.7.11. Sales items restrictions.**

No grower or producer shall sell or offer for sale any edible or nonedible products which have not been raised or prepared by the grower or producer, members of his family or by persons in his employ.

**4.7.12. Assignment of space.**

Spaces shall be assigned in accordance with the order in which applications are filed with the City of Clinton. Permit fees shall be paid in advance of occupancy. Sellers shall submit, in advance of occupancy, an affidavit certifying that articles offered for sale are of the growers' or producers' own raising or production.

**4.7.13. Care of food requirements.**

(a) All food to be sold or offered for sale shall be protected from contamination and the elements while being stored, displayed or sold at a farmers' market and during the transportation to the market.

(b) All foods to be sold or offered for sale at a farmers' market must be clean, wholesome, free from spoilage, adulteration, contamination or misbranding and safe for human consumption. The standards for judging wholesomeness for human consumption shall be those promulgated and amended from time to time by the United States Public Health Services, Food and Drug Administration and published in the Code of Federal Regulations.

(c) The use, preparation, display, sale or storage of home-canned foods is prohibited, and no other foods which have been processed in a private home shall be stored, used or kept for sale at a farmers' market.

(d) Without the express written permission of the Manager, no grower or producer shall cook, cut or otherwise prepare food at a farmers' market.

**4.7.14. Violation – Penalty.**

Any person violating any of the provisions of this chapter shall be subject to a fine as identified in 1-4-1. A separate offense shall be deemed committed for each day such violations continue.

Passed and approved this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
SETH ADAMS, Mayor

ATTEST:

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LISA ANDERS, City Clerk