

MINUTES OF THE CLINTON CITY COUNCIL REGULAR MEETING APRIL 1, 2025

Minutes of the special meeting of the Mayor and Council of the Clinton City Council, City of Clinton, Oklahoma, Custer County, held in the City Council Room, City Hall on Tuesday, April 1, 2025, at 5:30 p.m. A notice of this meeting with agenda was posted on the bulletin board in the lobby of Clinton City Hall on March 28, 2025, at 4:00 P.M.

AGENDA ITEM No. 1. CALL TO ORDER, OPENING

Mayor David Berrong called the meeting to order at 5:29 p.m. with the following present:

MAYOR: David Berrong

COUNCIL: Ernie Dowdell, Stormie Hill, Arthur Lloyd, Ernesto Villanueva

COUNCIL ABSENT: None

MANAGER: Robert Johnston

CITY TREASURER: Debra Blanchard

CITY ATTORNEY: Ryan Meacham

CITY CLERK: Amy Jones

NEWS MEDIA: Gena Trent, Sean Stephens

OTHERS: Gene McCullough, Luis De La Torre, Kent and Beth Dewees, Julie Caldwell, Troy and Christine Calvert, Danny Tharp, Toby Anders, Don Miller, Mark Miner, Gary and Mitzi McArthur, Dillon Mach, Steve Weichel, Temple Diehl, and others.

Temple Diehl, Pastor First United Methodist Church opened the meeting with prayer and Donald Miller, Post Commander, American Legion Post No. 41 led the Pledge of Allegiance.

AGENDA ITEM NO. 2: CONSENT AGENDA

- A. Minutes from March 18, 2025, Regular Meeting,
- B. Consider Claims
- C. Acknowledgement of the Receipt of the Financial Statement from February 28, 2025

Motion was made by Councilmember Dowdell and seconded by Councilmember Villanueva that the Consent Agenda Items be approved.

Mayor David Berrong put the motion to a roll call vote:

Aye: Dowdell, Hill, Lloyd, Villanueva, Berrong

Nay: None

Mayor declared the motion carried.

AGENDA ITEMS 3. PUBLIC HEARING REGARDING ALLEGED DILAPIDATED STRUCTURES ON PROPERTIES AT: 1007 AVANT OWNED BY JOHN C. KINDRED; 505 N 20TH OWNED BY SERGIO BORJAS; 316 VAN BUREN OWNED BY TAMMY & DERYK LONG.

Mayor Berrong called the Public Hearing to order at 5:48 p.m. regarding alleged dilapidated structures on properties at 1007 Avant owned by John C. Kindred; 505 n 20th owned by Sergio Borjas; 316 Van Buren owned by Tammy & Deryk Long.

Code Enforcement Toby Anders presented the property information and provided pictures of the property condition. Each property was presented separately. Emails from Mr. John Kindred were provided to the Council and those present for review as he resides in New Mexico. Neighboring property owners Gary and Mitzi McArthur were asked if they would like to comment; they stated that Toby had covered it all. Mrs. Tammy Long was present to speak regarding her property. There was not anyone present to address the Borjas property. Discussion was held regarding the process of condemnation.

The Public Hearing ended at 6:01 pm and Mayor Berrong continued to the regular meeting.

AGENDA ITEMS 4. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION(S) REGARDING:

A. Condemnation of the Properties at 1007 Avant owned by John C. Kindred.

Motion was made by Councilmember Dowdell and seconded by Councilmember Villanueva to approve the condemnation of the Properties at 1007 Avant owned by John C. Kindred and move forward with the condemnation process.

Mayor David Berrong put the motion to a roll call vote.

Aye: Dowdell, Hill, Lloyd, Villanueva, Berrong
Nay: None

Mayor declared the motion carried.

B. Condemnation of the Properties at 505 N 20th owned by Sergio Borjas.

Motion was made by Councilmember Dowdell and seconded by Councilmember Villanueva to approve the condemnation of the Properties at 505 N 20th owned by Sergio Borjas and move forward with the condemnation process.

Mayor David Berrong put the motion to a roll call vote.

Aye: Dowdell, Hill, Lloyd, Villanueva, Berrong
Nay: None

Mayor declared the motion carried.

C. Condemnation of the Properties at 316 Van Buren owned by Tammy & Deryk Long

Motion was made by Councilmember Dowdell and seconded by Councilmember Villanueva to approve the condemnation of the Properties at 1007 Avant owned by John C. Kindred and move forward with the condemnation process.

Mayor David Berrong put the motion to a roll call vote.

Aye: Dowdell, Hill, Lloyd, Villanueva, Berrong

Nay: None

Mayor declared the motion carried.

D. Resolution No. 997- Declaring Certain Property Surplus Pursuant to Section 4-3 of the Clinton City Charter Authorizing the Sale of Property

City Manager Johnston presented Resolution No. 997- Declaring Certain Property Surplus Pursuant to Section 4-3 of the *Clinton City Charter* Authorizing the Sale of Property. Resolution 997 Declaring the former Public Works Building at 110 Orient Avenue to be Surplus Property and Transferring Same to the Clinton Industrial Authority for Disposal. The information regarding the property was reviewed by the Council members.

Motion was made by Councilmember Dowdell and seconded by Councilmember Villanueva to approve Resolution 997 Declaring the former Public Works Building at 110 Orient Avenue to be Surplus Property and Transferring Same to the Clinton Industrial Authority for Disposal.

Mayor David Berrong put the motion to a roll call vote.

Aye: Dowdell, Hill, Lloyd, Villanueva, Berrong

Nay: None

Mayor declared the motion carried.

E. Resolution No. 998 – Restating and Affirming the City of Clinton's Continued Utilization of LEXIPOL: Public Safety Policy Management System & Solutions Policies by the Clinton Police Department and Acknowledging & Approving the Necessary Process

City Manager Johnston presented the Resolution No. 998 – Restating and Affirming the City of Clinton's Continued Utilization of LEXIPOL: Public Safety Policy Management System & Solutions Policies by the Clinton Police Department and Acknowledging & Approving the Necessary Process. Discussion was held regarding LEXIPOL. It is also noted that the City of Clinton insurance carrier, Oklahoma Municipal Assurance Group

recommends the use of LEXIPOL and pays for a basic subscription.

Motion was made by Councilmember Dowdell and seconded by Councilmember Villanueva to approve Resolution No. 998 – Restating and Affirming the City of Clinton's Continued Utilization of LEXIPOL: Public Safety Policy Management System & Solutions Policies by the Clinton Police Department and Acknowledging & Approving the Necessary Process.

Mayor David Berrong put the motion to a roll call vote.

Aye: Dowdell, Hill, Lloyd, Villanueva, Berrong

Nay: None

Mayor declared the motion carried.

F. Approval of Construction Contract and Associated Documents with Krapff Reynolds Construction Company for Water & Sanitary Sewer Line Construction Related to the I-40 Exit 65 Highway Improvement Project.

The proposed Construction Contract and Associated Documents with Krapff Reynolds Construction Company for Water & Sanitary Sewer Line Construction Related to the I-40 Exit 65 Highway Improvement Project was presented by Robert Johnston City Manager to the Council. The contract is in the amount of \$2,302,949.00.

Motion was made by Councilmember Dowdell and seconded by Councilmember Villanueva to approve the Construction Contract and Associated Documents with Krapff Reynolds Construction Company for Water & Sanitary Sewer Line Construction Related to the I-40 Exit 65 Highway Improvement Project in the amount of \$2,302,949.00.

Mayor David Berrong put the motion to a roll call vote.

Aye: Dowdell, Hill, Lloyd, Villanueva, Berrong

Nay: None

Mayor declared the motion carried.

G. Request for Executive Session as Authorized by the *Oklahoma Open Meeting Act* Section 307(B)4 for Confidential Communications Between a Public Body and Its Attorney Concerning Litigation – Case No. CIV-22-569-J, Clinton HMA, LLC vs Clinton Hospital Authority and City of Clinton.

Motion was made by Councilmember Dowdell and seconded by Councilmember Lloyd to Request for Executive Session as Authorized by the *Oklahoma Open Meeting Act* Section 307(B)4 for Confidential Communications Between a Public Body and Its Attorney Concerning Litigation – Case No. CIV-22-569-J, Clinton HMA, LLC vs Clinton Hospital Authority and City of Clinton and invite City Attorney Ryan Meacham and City Manger

Robert Johnston to join at 5:30 p.m.

Mayor David Berrong put the motion to a roll call vote.

Aye: Dowdell, Hill, Lloyd, Villanueva, Berrong

Nay: None

Mayor declared the motion carried.

H. Reconvene from Executive Session

Motion was made by Councilmember Dowdell and seconded by Councilmember Villanueva to Reconvene from Executive Session at 5:43 p.m.

Mayor David Berrong put the motion to a roll call vote.

Aye: Dowdell, Hill, Lloyd, Villanueva, Berrong

Nay: None

Mayor declared the motion carried.

I. Any Action(s) Arising from the Executive Session

Mayor Berrong gave report of No Action.

J. Update on Sale of Clinton Regional Hospital to Rural Health Solutions, LLC

City Attorney Ryan Meacham provide and update on the sale of the Clinton Regional Hospital to Rural Health Solutions, LLC. He reported that the due diligence is nearly completed and the negotiations have started to negotiate a contract. The issue has now arisen regarding a third-party lender and therefore the City would need to take this issue to a vote of the people to approve this. Therefore, we will need to hold a special meeting before April 10, 2025 to prepare for an election on June 10, 2025.

Information only.

AGENDA ITEM NO. 5 NEW BUSINESS (If any, pursuant to Section 311.9 of the Oklahoma Open Meeting Act.):

None

AGENDA ITEM NO. 6: COUNCIL COMMENTS

None

AGENDA ITEM NO. 7: CITY MANAGER'S COMMENTS

None

AGENDA ITEM NO. 8: AUDIENCE PARTICIPATION (According to Audience participation Decorum Guidelines at Clinton City Council Public Meetings effective:2/14/2017)

None

AGENDA ITEM NO. 9: ADJOURNMENT

Moved by Councilmember Dowdell seconded by Councilmember Villanueva to adjourn the meeting.

Mayor put the motion to a roll call vote:

Aye: Dowdell, Hill, Lloyd, Villanueva, Berrong

Nay: None

Mayor declared the meeting adjourned at 6:08 P.M.

Date Approved

David Berrong, Mayor

MINUTES OF THE CLINTON CITY COUNCIL REGULAR MEETING
APRIL 9, 2025

Minutes of the special meeting of the Mayor and Council of the Clinton City Council, City of Clinton, Oklahoma, Custer County, held in the City Council Room, City Hall on Tuesday, April 9, 2025, at 5:00 p.m. A notice of this meeting with agenda was posted on the bulletin board in the lobby of Clinton City Hall on April 7, 2025, at 4:00 P.M.

AGENDA ITEM No. 1. CALL TO ORDER, OPENING

Mayor David Berrong called the meeting to order at 5:00 p.m. with the following present:

MAYOR: David Berrong

COUNCIL: Ernie Dowdell, Stormie Hill, Arthur Lloyd, Ernesto Villanueva

COUNCIL ABSENT: None

MANAGER: Robert Johnston

CITY TREASURER: Debra Blanchard

CITY ATTORNEY: Ryan Meacham

CITY CLERK: Amy Jones

NEWS MEDIA: Sean Stephens

OTHERS: Shauna Hacker and others.

AGENDA ITEMS 2 DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION(S) REGARDING:

A. Lease Agreement of Clinton Regional Hospital by Rural Health Solutions, Inc.

City Attorney Ryan Meacham updated the Council Members on the status of the Lease Agreement of Clinton Regional Hospital by Rural Health Solutions, Inc. He reported that the contract is about 90% complete. Currently working on a few fine points that have been brought to our attention by Clinton Hospital Authority Board. The goal is to have an agreement to approve at the next Council meeting on April 15, 2025.

Information only.

B. Ordinance No. 1032A - Amending Section Three of Ordinance 1032 Requiring Immediate Reverter of Real Property in the Event It Ceases to be Utilized as a Hospital by Rural Hospital Solutions, Inc. to Subordinate the Right to a Purchase Money Lender and Providing for This Ordinance to Be Referred to a Vote of the Electors of the City.

Motion was made by Councilmember Dowdell and seconded by Councilmember Villanueva to approve Ordinance No. 1032A-Amending Section Three of Ordinance 1032 Requiring Immediate Reverter of Real Property in the Event It Ceases to be Utilized as a Hospital by Rural Hospital Solutions, Inc. to Subordinate the Right to a Purchase Money

Lender and Providing for This Ordinance to Be Referred to a Vote of the Electors of the City.

Mayor David Berrong put the motion to a roll call vote.

Aye: Dowdell, Hill, Lloyd, Villanueva, Berrong

Nay: None

Mayor declared the motion carried.

C. Resolution 999 - Authorizing the Calling and Holding of a Special Election In The City of Clinton, County of Custer, State of Oklahoma, on Tuesday the 10th Day of June, 2025, for the Purpose of Submitting to the Qualified Electors of the City of Clinton, Oklahoma, The Question of Authorizing the Amendment of Section Three of Ordinance 1032 Requiring Immediate Reverter of Real Property in the Event it Ceases to Be Utilized as a Hospital by Rural Hospital Solutions, Inc. and to Subordinate That Right to a Purchase Money Lender and Providing for this Ordinance to be Referred to a Vote of the Electors of the City.

Motion was made by Councilmember Dowdell and seconded by Councilmember Villanueva to approve Resolution 999 - Authorizing the Calling and Holding of a Special Election In The City of Clinton, County of Custer, State of Oklahoma, on Tuesday the 10th Day of June, 2025, for the Purpose of Submitting to the Qualified Electors of the City of Clinton, Oklahoma, The Question of Authorizing the Amendment of Section Three of Ordinance 1032 Requiring Immediate Reverter of Real Property in the Event it Ceases to Be Utilized as a Hospital by Rural Hospital Solutions, Inc. and to Subordinate That Right to a Purchase Money Lender and Providing for this Ordinance to be Referred to a Vote of the Electors of the City.

Mayor David Berrong put the motion to a roll call vote.

Aye: Dowdell, Hill, Lloyd, Villanueva, Berrong

Nay: None

Mayor declared the motion carried.

D. Election Proclamation - Shall Ordinance No. 1032A Authorizing the Amendment of Section Three of Ordinance 1032 Requiring Immediate Reverter of Real Property in the Event it Ceases to Be Utilized as a Hospital by Rural Hospital Solutions, Inc. and to Subordinate That Right to a Purchase Money Lender

Motion was made by made by Councilmember Dowdell and seconded by Councilmember Villanueva to approve Election Proclamation - Shall Ordinance No. 1032A Authorizing the Amendment of Section Three of Ordinance 1032 Requiring Immediate Reverter of Real Property in the Event it Ceases to Be Utilized as a Hospital by Rural Hospital Solutions, Inc. and to Subordinate That Right to a Purchase Money Lender.

Mayor David Berrong put the motion to a roll call vote.

Aye: Dowdell, Hill, Lloyd, Villanueva, Berrong

Nay: None

Mayor declared the motion carried.

AGENDA ITEM NO.3: ADJOURNMENT

Moved by Councilmember Dowdell seconded by Councilmember Villanueva to adjourn the meeting.

Mayor put the motion to a roll call vote:

Aye: Dowdell, Hill, Lloyd, Villanueva, Berrong

Nay: None

Mayor declared the meeting adjourned at 5:08 P.M.

Date Approved

David Berrong, Mayor