

**MINUTES OF THE CLINTON CITY COUNCIL
SEPTEMBER 4, 2007**

Minutes of the regular meeting of the Mayor and City Council of the City of Clinton, Oklahoma, Custer County, held in the City Council Room, City Hall on Tuesday, September 4, 2007 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 August 30, 2007.

Mayor Norman called the meeting to order with the following present;

MAYOR: Lynn Norman

COUNCIL: Bob Marcy, Terry Wheeler, Mark Hendrickson, Allen Bryson

CITY MANAGER: Grayson Bottom

CITY CLERK: Lisa Anders

CITY TREASURER: Rhonda Williams

CITY ATTORNEY: Ryan Meacham

NEWS MEDIA: Gerald Green and Mike Smith

OTHERS: Brad Aneshansley, Bob Gauger, Charles Fry, Vicki Ratke, David & Janice Berrong, Leroy Livesay, Derek Adams, Clifton Cabaniss, Monte Goucher, Jerry Douglas, Dave Kahmeyer, David Crabtree, Gail Lewis, Mike Murley, Jeff McAdams, Miguel Gonzales, Ron McLemore and others.

Councilman Allen Bryson opened the meeting with prayer and Trustee Bob Marcy led the Pledge of Allegiance.

AGENDA ITEM NO. 3: CONSENT AGENDA

- A. Minutes of Regular Meeting of August 21, 2007
- B. Consider Claims

Moved by Councilman Marcy and seconded Councilman Hendrickson, that Consent Agenda Item No. 3 (a-b) be approved.

Mayor put the motion to a roll call vote:

Aye: Marcy, Hendrickson, Wheeler, Bryson, Norman
Nay: None

Mayor declared the motion carried.

AGENDA ITEM NO. 4 ACTION ITEMS

4A. CONSIDER APPOINTMENT TO BOARD OF ADJUSTMENTS TO FILL UNEXPIRED TERM

Motion was made by Councilman Bryson and seconded by Councilman Marcy to table the agenda item.

Mayor put the motion to a roll call vote:

Aye: Bryson, Marcy, Hendrickson, Wheeler, Norman
Nay: None

Mayor declared the motion carried.

4B. FIRST READING OF ORDINANCE NO. 906 REGARDING HOSTING AND PERMITTING GATHERINGS WHERE MINOR CONSUME ALCOHOLIC BEVERAGES

City Manager Grayson Bottom asked City Clerk Lisa Anders to read Ordinance No. 906.

Assistant City Attorney Ryan Meacham said he would accept specific questions regarding the proposed ordinance.

Councilman Marcy asked what the city ordinance is doing that the state is not already doing.

Meacham said the Council makes the policy and he had perceived the purpose of the ordinance to prevent underage drinking and provide the police department with a means of dealing with this problem when there is probable cause.

City Manager Grayson Bottom said this is the first step of a series and the next step would be to deal with the sale. The current maximum penalty is \$500 and 30 days in jail.

Mayor Norman asked Police Chief David Crabtree if this ordinance would be a helpful tool.

Police Chief David Crabtree said the department would enforce whatever the ordinance contains but would need training to prevent future problems for the City.

Janice Berrong, representative of Clinton High School organization SADD, said he was more interested in stopping the problem and felt the definition of a gathering should be changed to three persons rather than three minors.

City Manager Grayson Bottom suggested Mr. Meacham incorporate the changing of wording from minors to persons and then bring the draft ordinance back for Council review.

4C. REAFFIRM AND AUTHORIZE PURCHASE OF CLOCK AND SPEAKER SYSTEM WITH CENTENNIAL GRANT FUNDING

City Manager Grayson Bottom explained that at the previous meeting he had informed the Council of the receipt of the grant funds and the intention of purchasing the clock and speaker system. He requested the affirmation and authorization to make these purchases.

Motion was made by Councilman Wheeler and seconded by Councilman Hendrickson to reaffirm and authorize the purchase of a clock and speaker system with the Centennial Grant Funding.

Mayor Norman put the motion to a roll call vote:

Aye: Wheeler, Hendrickson, Marcy, Bryson, Norman

Nay: None

Mayor declared the motion carried.

4D. CONSIDER REQUEST TO CHANGE NAME OF STREET FROM DOANE ROAD TO MARS ROAD

Mars Pet Care USA has submitted a written request to rename the street just south of their facility from Doane Road to Mars Road.

Motion was made by Councilman Marcy and seconded by Councilman Bryson to authorize the name change of Doane Road to Mars Road.

Mayor put the motion to a roll call vote:

Aye: Marcy, Bryson, Wheeler, Hendrickson, Norman

Nay: None

Mayor declared the motion carried.

4E. CONSIDER CHANGE ORDER #1 TO VALUE ADDED MANAGEMENT CONTRACT FOR ADDITIONAL SURVEY AT ACME BRICK PARK FOR \$7,500.00

Construction Manager Monte Goucher reported that several days have been lost on the project due to rain but the dirt work is approximately 90% complete. He said light pole were being installed and footings would be poured for the Maintenance Building. He reported on the poor soil in the road/parking area.

Goucher explained the need for the change order to the survey contract was a result of not receiving a bid on the packet so Value Added Management submitted the original contract for \$7,500.00. As survey service is needed it is hired out and then billed to Value Added Management. He said the original contract of \$7,500.00 was an estimate but now additional survey work is needed. He said this should be a not to exceed amount.

Motion was made by Councilman Wheeler and seconded by Councilman Bryson to approve Change Order #1 to Value Added Management contract for additional survey at Acme Brick Park for \$7,500.00.

Mayor put the motion to a roll call vote:

Aye: Wheeler, Bryson, Hendrickson, Marcy, Norman

Nay: None

Mayor declared the motion carried.

City Manager Grayson Bottom said two reports have been submitted on addressing the soft spots in the road/parking areas and the recommendation will be brought to the Council.

4F. DISCUSS WITH LEGAL COUNSEL REGARDING PENDING LITIGATION INCLUDING AN EXECUTIVE SESSION AS AUTHORIZED BY 25 O.S. ss 307B.4

Motion was made by Councilman Hendrickson and seconded by Councilman Bryson to go into executive session with legal counsel to discuss pending litigation.

Mayor put the motion to a roll call vote:

Aye: Hendrickson, Bryson, Marcy, Wheeler, Norman
Nay: None

Mayor declared the meeting in executive session at 6:38 p.m.

RECONVENE INTO REGULAR SESSION

Motion was made by Councilman Bryson and seconded by Councilman Marcy to enter back into regular session with no action taken.

Mayor put the motion to a roll call vote:

Aye: Bryson, Marcy, Hendrickson, Wheeler, Norman
Nay: None

Mayor declared the meeting in regular session

5. CITY MANAGER'S REPORT

Police Chief David Crabtree introduced Officer Miguel Gonzales who serves as chairman of the Awards Committee. Presentations were made to Mike Murley and Ron McLemore in appreciation for the work and time they invested in the recent law enforcement event regarding the major drug bust in Clinton.

City Manager Bottom reported that FEMA and Emergency Management representatives had been in Clinton for a tour of the affected areas from the recent rains/flood.

City Manager Bottom reported that he had met with Custer County Commissioner J.M. Kelley, Assistant City Manager Bob Gauger, and Streets Superintendent Monty Proffit to discuss the condition of Chapman Road. He said the City and County would work together on the road.

Councilman Hendrickson announced that following the September 18, 2007 meeting, a Ward One and Two public meeting would be held.

6. RECOGNITION OF REGISTERED AUDIENCE

None

AGENDA ITEM NO. 7: ADJOURNMENT

Moved by Councilman Wheeler and seconded Councilman Marcy, to adjourn the meeting.

Mayor put the motion to a roll call vote:

Aye: Wheeler, Marcy, Hendrickson, Bryson, Norman
Nay: None

Mayor declared the meeting adjourned at 7:00 P.M.