

**MINUTES OF THE CLINTON CITY COUNCIL
NOVEMBER 20, 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, November 20, 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 November 16, 2007.

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

MAYOR: Lynn Norman

COUNCIL: Bob Marcy, Mark Hendrickson, Terry Wheeler

ABSENT; Allen Bryson

CITY MANAGER: Grayson Bottom

CITY CLERK: Lisa Anders

CITY TREASURER: Debra Blanchard

DEPUTY CITY CLERK: Rhonda Williams

CITY ATTORNEY: Ryan Meacham

NEWS MEDIA: Gerald Green and Mike Smith

OTHERS: Brad Aneshansley, Bob Gauger, Charles Fry, Toby Anders, Monte Goucher and others.

Rick Brewster of the First Church of the Nazarene opened the meeting with prayer and Councilman Bob Marcy led the Pledge of Allegiance.

AGENDA ITEM NO. 3: CONSENT AGENDA

A. Minutes of Regular Meeting of November 6, 2007

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

Mayor put the motion to a roll call vote:

Aye: Marcy, Hendrickson, Wheeler, Norman

Nay: None

Mayor declared the motion carried.

AGENDA ITEM NO. 4 ACTION ITEMS

4A. CONSIDER BIDS ON 30 ACRES OF MINERALS ON PROPERTY COMMONLY KNOWN AS CLINTON CEMETERY

Staff had advertised for bids on leasing of 30 acres of minerals at the Clinton Cemetery. Four bids were received.

| | | | |
|---------------------|---------------------|---------------------|---------------------|
| Superior Resources | TODCO Properties | John West, Jr. LLC | Capital Land Srv. |
| Sentinel, OK | Norman, OK | Elk City, OK | Edmond, OK |
| \$1,133.00 per acre | \$1,000.00 per acre | \$1,100.00 per acre | \$1,000.00 per acre |

Mayor Norman said that the bid notice had explained that bidders present would be able to increase their bids in an auction type setting if they wanted.

Bidding went as follows:

| | |
|--------------|---------------------|
| Capital Land | \$1,125.00 per acre |
| TODCO | \$1,175.00 |
| John West | \$1,400.00 |
| Capital Land | \$1,425.00 |
| TODCO | \$1,500.00 |
| John West | \$1,550.00 |
| Capital Land | No Bid |
| TODCO | \$1,600.00 |
| John West | \$1,700.00 |
| TODCO | \$2,000.00 |
| John West | \$2,100.00 |
| TODCO | \$2,200.00 |
| John West | \$2,300.00 |
| TODCO | \$2,400.00 |
| John West | \$2,500.00 |
| TODCO | No Bid |

Councilman Hendrickson stated that he would leave the room to prevent a conflict on interest.

Motion was made by Councilman Wheeler and seconded by Councilman Marcy to approve the high bid of John West for \$2,500.00 per acre for the 30 acres of minerals at the Clinton Cemetery.

Mayor put the motion to a roll call vote:

Aye: Wheeler, Marcy, Norman

Nay: None

Mayor declared the motion carried.

Councilman Hendrickson re-entered the room and joined the meeting.

4B. CONSIDER CHANGE ORDER #2 TO WILLIAMS ELECTRIC CONTRACT FOR LIGHTING AND POWER AT ACME BRICK PARK FOR \$38,236.00

Construction Manager Monte Goucher explained the reason for the change order was due to the change of items taken out from other packages. He said the speaker system, lighting, score boards, and security lighting was part of the change order to the electrical contract. He said these are not additional items but they were pulled before being in the contract so that they could be handled in the project. He said they were in the original scope of work but not included in the contract. He said the estimate was included in the project cost estimate.

Goucher reported the currently the project is under budget and the weather has been cooperating. He also explained that during the drilling process that testing had not been done in the area of the soft spot.

Motion was made by Councilman Wheeler and seconded by Councilman Hendrickson to approve Change Order #2 to Williams Electric contract for Lighting and Power at Acme Brick Park for \$38,236.00.

Mayor put the motion to a roll call vote:

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

Mayor declared the motion carried.

4C. CONSIDER APPOINTMENT FROM GOVERNING BOARD TO LOCAL DEVELOPMENT ACT REVIEW COMMITTEE

Mayor Norman explained that the Council has authorized the creation of a Local Development Act Review Committee. The resolution that established the creation of this committee defined the members of the committee. The Governing Board has an appointment to the committee and Mayor Norman recommended appointing Allen Bryson to serve on this committee.

Motion was made by Councilman Marcy and seconded by Councilman Wheeler to appoint Allen Bryson to the Local Development Act Review Committee.

Mayor put the motion to a roll call vote:

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

Mayor declared the motion carried.

4D. CONSIDER APPOINTMENT FROM PLANNING AND ZONING BOARD TO LOCAL DEVELOPMENT ACT REVIEW COMMITTEE

Mayor Norman explained that the resolution of the Local Development Act Review Committee identified a member of the Planning and Zoning Board as a member of the committee. Mayor Norman recommended Jay Wyer be the representative from the Planning and Zoning Board to serve on this committee.

Motion was made by Councilman Wheeler and seconded by Councilman Marcy to affirm the recommendation of appointing Jay Wyer as the representative of the Planning and Zoning Board to the Local Development Act Review Committee.

Mayor put the motion to a roll call vote:

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

Mayor declared the motion carried.

4E. CONSIDER CONDEMNATION:

1) 408 South 15th- Owner: Romualdo Lopez

Proper notification was made to property owners and the property was posted. There was no contract with the owners and all mail was returned.

Code Enforcement Officer Toby Anders provided information to the Council regarding the property. He reported that the City has filed liens on the property for mowing in the past.

Motion was made by Councilman Marcy and seconded by Councilman Hendrickson to proceed with condemnation.

Mayor put the motion to a roll call vote:

Aye: Marcy, Hendrickson, Wheeler, Norman

Nay: None

Mayor declared the motion carried.

2) 119 E. Court- Owner: Manford Olden

Proper notification was made to property owners and the property was posted. The notice was returned by mail.

Code Enforcement Officer Toby Anders provided information to the Council regarding the property. He said there had been no response from the property owners.

Motion was made by Councilman Wheeler and seconded by Councilman Marcy to proceed with condemnation.

Mayor put the motion to a roll call vote:

Aye: Wheeler, Marcy, Hendrickson, Norman

Nay: None

Mayor declared the motion carried.

4F. CONSIDER RESOLUTION 777 REGARDING RETURN OF ONE-HALF CENT OF STATE SALES TAX TO CITIES FOR ROAD, BRIDGE AND TRANSPORTATION IMPROVEMENTS

City Manager Bottom explained that the resolution proposed the refund of one-half cent of the four and one-half cent sales tax collected by the state for improvements to cities roads, bridges and transportation improvements.

Mayor Norman asked if this were passed if the city would still get grants.

City Manager Bottom said the funds could even be used as matching funds for grants.

Motion was made by Councilman Hendrickson and seconded by Councilman Wheeler to approve Resolution 777 regarding return of one-half cent of state sales tax to cities for road, bridge and transportation improvements.

Mayor put the motion to a roll call vote:

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

Mayor declared the motion carried.

5. CITY MANAGER'S REPORT

City Manager Bottom reported that City office would be closed on November 22 and November 23rd for Thanksgiving and on December 24 and December 25th for Christmas.

Bottom reported that Acme Brick Park was well underway considering that we had lost 70 days of construction due to heavy rains this past spring and summer.

Bottom reported that the newly ordered Christmas decorations had been delivered and were installed today so they would be up for the Festival of Lights to be held on November 27th.!

6. RECOGNITION OF REGISTERED AUDIENCE

None

AGENDA ITEM NO. 7: ADJOURNMENT

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

Mayor put the motion to a roll call vote:

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

Mayor declared the meeting adjourned at 6:10 P.M.

RESOLUTION 777

A RESOLUTION OF THE CITY OF CLINTON TO SUPPORT THE RETURN ONE-HALF CENT (1/2 CENT) OF THE STATE SALES TAX TO CITIES AND TOWNS TO INVEST IN ROAD, BRIDGE, AND TRANSPORTATION IMPROVEMENTS.

WHEREAS, eighty-eight percent (88%) of STATE sales tax is generated from sales within town and city boundaries.

WHEREAS, municipalities spend local funds to provide for public safety, water, sewer, roads, bridges, stop lights, tax incentives and more as well as to develop business within their respective communities, counties, and Oklahoma in general, and

WHEREAS, the State has a diversified revenue base which causes it to rely on sales tax for less than one-fourth of total revenues; while in contrast towns and cities do not have a diversified revenue base causing cities to rely on sales tax for one-half or more of their general fund revenues; and

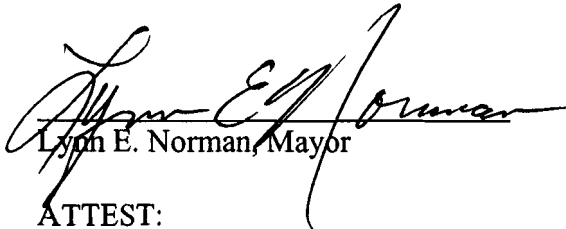
WHEREAS, the proposal would extend county road dollars by providing small communities with new funds to help with local roads, and

WHEREAS, good roads and streets reduce injuries and death, decrease damage to vehicles, and attract increased economic development, all of which benefit the state, schools, counties, cities and towns; and

WHEREAS, the State has allocated additional funds to build state and county roads but has not allocated funds to help towns and cities, therefore,

NOW BE IT RESOLVED, that the City of Clinton, Custer County, Oklahoma supports the return of one-half cent (1/2 cent) of the current state sales tax to cities and towns for road, transportation, and maintenance improvements.

Adopted this 20 day of November, 2007.


Lynn E. Norman, Mayor

ATTEST:


Lisa Anders, City Clerk