

**MINUTES OF THE CLINTON CITY COUNCIL  
AUGUST 5, 2008**

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, August 5, 2008 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 1, 2008.

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

**MAYOR:** Lynn Norman

**COUNCIL:** Terry Wheeler, Bob Marcy, Mark Hendrickson

**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:** Gene McCullough, David Crabtree, Arnold Adams, Charles Fry, Rusty Minnix and others.

Dale Nease of the Cumberland Presbyterian Church 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 July 15, 2008 and Special Meeting of July 23, 2008
- B. Consider Claims

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

Mayor put the motion to a roll call vote:

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

Mayor declared the motion carried.

**AGENDA ITEM NO. 4 ACTION ITEMS**

**AGENDA ITEM 4A, CONSIDER ORDINANCE 910 REGARDING CITY CODE AMENDMENT FOR LICENSING OF PLUMBERS, MECHANICAL CONTRACTORS AND ELECTRICIANS**

Assistant City Attorney Ryan Meacham presented the revised Ordinance 910. Changes had been made to it since the first reading at the last meeting. He said the purpose of the ordinance is regarding the expiration date of the license to coincide with the birth date of the applicant.

Motion was made by Councilman Hendrickson and seconded by Councilman Wheeler to adopt Ordinance 910 regarding the City Code amendment for licensing of plumbers, mechanical contractors and electricians.

Mayor Norman put the motion to a roll call vote:

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

Mayor declared the motion carried.

Motion was made by Councilman Marcy and seconded by Councilman Hendrickson to approve the emergency clause for Ordinance No. 910.

Mayor put the motion to a roll call vote:

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

Mayor declared the motion carried.

#### **AGENDA ITEM 4B. CONSIDER BIDS ON POLICE DEPARTMENT UNITS**

Staff had advertised for the purchase of two Police Department units. One bid was received.

McKinsey Motors  
Clinton, OK  
\$25,315.00 per unit

Motion was made by Councilman Marcy and seconded by Councilman Wheeler to refer the bid to staff for confirmation of specifications and award to bidder once confirmed.

Mayor put the motion to a roll call vote:

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

Mayor declared the motion carried.

#### **AGENDA ITEM 4C. PUBLIC HEARING REGARDING REZONING OF PROPERTY**

A Public Hearing was held to discuss the rezoning of 9.343 acres of property between The Hills Subdivision and Rolling Hills Subdivision in Clinton. There was no comment received from the audience.

#### **AGENDA ITEM 4D. CONSIDER ORDINANCE NO. 911 REGARDING REZONING OF 9.343 ACRES OF PROPERTY LOCATED IN FOX HOLLOW ADDITION FROM A-1 TO R-1 (SINGLE FAMILY DISTRICT)**

Assistant City Attorney Ryan Meacham left the room.

Motion was made by Councilman Wheeler and seconded by Councilman Marcy to adopt Ordinance No. 911 rezoning 9.343 acres of property located in Fox Hollow Addition from A-1 to R-1 (Single Family District).

Mayor put the motion to a roll call vote:

Aye: Wheeler, Marcy, Hendrickson, Norman

Nay: None

Mayor declared the motion carried.

Motion was made by Councilman Marcy and seconded by Councilman Hendrickson to approve the emergency clause for Ordinance No. 911.

Mayor put the motion to a roll call vote:

Aye: Marcy, Hendrickson, Wheeler, Norman

Nay: None

Mayor declared the motion carried.

**4E. CONSIDER APPROPRIATION OF FUNDS FOR REFURBISHING OF EXISTING CHRISTMAS DECORATIONS AND PURCHASE OF CHRISTMAS BANNERS**

City Manager Grayson Bottom explained that during the 2007-2008 budget a two year project as developed regarding Christmas decorations. The first year included ground display decorations for City Hall and The Frisco Center. The 2008-2009 budget included funding for the second phase of the plan. He explained the same company proposes refurbishing the existing decorations and placing banners on alternative poles with the lighted decoration to cover more area. He said they will pick up the existing decorations, refurbish and then deliver them back.

Motion was made by Councilman Wheeler and seconded by Councilman Marcy to authorize the appropriation of funds for refurbishing the existing Christmas decorations and purchase Christmas banners.

Mayor put the motion to a roll call vote:

Aye: Wheeler, Marcy, Hendrickson, Norman

Nay: None

Mayor declared the motion carried.

**4F. CONSIDER CHANGE ORDER #1 WITH VALUE ADDED MANAGEMENT REGARDING BID PACKAGE #12 FOR \$12,800.00 FOR ACME BRICK PARK PROJECT**

City Manager Grayson Bottom explained that the change order is for pump house construction. He said the item had originally been taken out of the project as a cost saving measure but since there is an abundance of block left over from the other construction, it was decided to proceed with the construction of the pump house. He explained the building would have electric lighting and a hatch roof.

Motion was made by Councilman Hendrickson and seconded by Councilman Wheeler to approve Change Order #1 with Value Added Management regarding Bid Package #12 for \$12,800.00 for Acme Brick Park.

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 encouraged Council to review their financial reports for year ending June 30, 2008.

Bottom reported that 64 cities had applied for CDBG funding. Clinton's application was for the Northeast water line replacement but it was not awarded funding. He said the plan is now to proceed in phases. He said the DEQ permit would have to be submitted.

#### **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, Norman  
Nay: None

Mayor declared the meeting adjourned at 6:00 P.M.

ORDINANCE NO. 910

ORDINANCE AMENDING CODE AND  
SECTIONS 10-6-2; 10-5-3; 10-2-3; AND 6-4-3.

Whereas the State Statutes regarding licensure of plumbers, mechanical contractors, electricians, and alarm managers were amended with respect to renewal dates;

Whereas it is beneficial to both the City and plumbers, mechanical contractors, electricians, and alarm managers for the City and State renewal dates to coincide;

NOW THEREFORE, the Clinton City Code shall be amended as follows:

A. Title 10-6-2 shall be amended as follows:

Plumbing contractors and plumbers working or doing business in the City shall register annually with the City Clerk. Registration shall expire on the birth date of the license. A registration fee in the amount established by ordinance shall be paid to the City at the time of registration. License fees shall be prorated, as established by the Construction Industry's Board, to coincide with the birth date of the license. Licenses shall be renewed upon application made more than thirty days following the date of expiration, upon payment of the renewal and an additional fee as prescribed by the Construction Industry's Board, and upon compliance with any applicable continuing education requirements as established by the Construction Industry's Board and the Plumbing License Law of 1955. Provided that no penalty for renewal shall be charged to any holder of the license which expires while such holder is in military service if application is made within one year following his service discharge.

B. Title 10-5-3, A(3) will read:

The license registration shall be for one year or part thereof expiring on the birth date of the license. A registration fee in the amount established by ordinance shall be paid to the City at the time of registration. License fees shall be prorated, as established by the Construction Industry's Board, to coincide with the birth date of the license. Licenses shall be renewed upon application made more than thirty days following the date of expiration, upon payment of the renewal and an additional fee as prescribed by the Construction Industry's Board, and upon compliance with any applicable continuing education requirements as established by the Construction Industry's Board. Provided that no penalty for renewal shall be charged to any holder of the license which expires while such holder is in military service if application is made within one year following his service discharge.

C. Title 10-2-3, D(1)(b) shall be amended as follows:

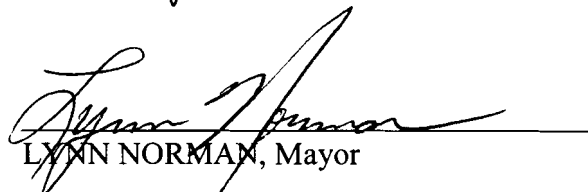
The City Clerk, upon receipt of such evidence and the payment of the initial license fee in the amount established by ordinance, shall issue an electrical contractor license registration to such applicant which shall authorize the contractor to work or function as such electrical contractor within the city for a full year or part thereof remaining and expiring on the birth date of the license. A registration fee in the amount established by ordinance shall be paid to the City at the time of registration. License fees shall be prorated, as established by the Construction Industry's Board, to coincide with the birth date of the license. Licenses shall be renewed upon application made more than thirty days following the date of expiration, upon payment of the renewal and an additional fee as prescribed by the Construction Industry's Board, and upon compliance with any applicable continuing education requirements as established by the Construction Industry's Board. Provided that no penalty for renewal shall be charged to any holder of the license which expires while such holder is in military service if application is made within one year following his service discharge.

D. Title 6-4-3, A(3) shall be amended as follows:

The license registration shall be for one year or part thereof expiring on birth date of license. A registration fee in the amount established by ordinance shall be paid to the City at the time of registration. License fees shall be prorated, as established by the Construction Industry's Board, to coincide with the birth date of the license. Licenses shall be renewed upon application made more than thirty days following the date of expiration, upon payment of the renewal and an additional fee as prescribed by the Construction Industry's Board, and upon compliance with any applicable continuing education requirements as established by the Construction Industry's Board. Provided that no penalty for renewal shall be charged to any holder of the license which expires while such holder is in military service if application is made within one year following his service discharge.

WHEREFORE, an emergency is hereby declared to exist and this ordinance shall be in full force and effect immediately from and after its passage and proof of publication.

Passed and approved this 5<sup>th</sup> day of August, 2008.

  
LYNN NORMAN, Mayor

ATTEST:

  
LISA ANDERS, City Clerk

**ORDINANCE NUMBER 911**

**AN ORDINANCE CHANGING THE ZONING FROM A-1 (AGRICULTURAL DISTRICT) TO R-1 (SINGLE FAMILY DISTRICT) FOR PROPERTY LOCATED IN THE NW/4 OF SECTION 15, TOWNSHIP 12 NORTH, RANGE 17 W.I.M. CONTAINING 9.343 ACRES LOCATED BETWEEN THE HILLS SUBDIVISION AND ROLLING HILLS SUBDIVISION IN CLINTON, CUSTER COUNTY, OKLAHOMA; AND DECLARING AN EMERGENCY.**

**WHEREAS, the owners of a tract of land located in the northwest quarter of Section 15, Township 12 North, Range 17 W.I.M. containing 9.343 acres located between The Hills Subdivision and Rolling Hills Subdivision in Clinton, Custer County, Oklahoma requests that the zoning of said land be changed from A-1 (Agricultural District) to R-1 (Single Family District); and**

**WHEREAS, the Planning and Zoning Board of said City of Clinton, Oklahoma met on July 8, 2008, after due legal notice thereof to all owners of property situated within a radius of 300 feet of subject tract of land and has reviewed the said Application and has recommended to this Council that the zoning of such property be approved as requested; and**

**WHEREAS, the City Council did conduct a Public Hearing on this matter on this date in the Council Room of the Clinton City Hall pursuant to due legal notice thereof published in the Clinton Daily (Oklahoma) News on July 20, 2008; and**

**WHEREAS, the matter was discussed in open forum at this Public Hearing before and by the members of the Council and the Council being fully informed in the premises, does find that the interests of the City of Clinton will be served best by establishing the subject zoning district as requested in the subject application and as recommended by the Clinton Planning and Zoning Board; and**

**NOW THEREFORE, be it ordained by the City Council of the City of Clinton, Oklahoma, that the following described property in the northwest quarter of Section 15, Township 12 North, Range 17 W.I.M. containing 9.343 acres located between The Hills Subdivision and Rolling Hills Subdivision in Clinton, Custer County, Oklahoma be and the same is hereby zoned R-1 (Single Family District).**

**WHEREOF, an emergency is hereby declared to exist and this Ordinance shall be in full force and effect from and after its passage and proof of publication.**

**PASSED AND APPROVED this** 5<sup>th</sup> **day of** August, 2008.

**ATTEST:**

Lisa Anders  
**Lisa Anders, City Clerk**

Lynn E. Norman  
**Lynn E. Norman, Mayor**