

**MINUTES OF THE CLINTON CITY COUNCIL
JANUARY 20, 2009**

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, January 20, 2009 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 January 15, 2009.

Mayor Allen Bryson called the meeting to order with the following present;

MAYOR: Allen Bryson

COUNCIL: Terry Wheeler, Mark Hendrickson, Bob Marcy, John Jordan

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

OTHERS: David Crabtree, Arnold Adams, Brad Aneshansley, Charles Fry and others.

Roland Youngberg of the First United Methodist 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 January 6, 2009

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

Mayor put the motion to a roll call vote:

Aye: Hendrickson, Marcy, Jordan, Wheeler, Bryson

Nay: None

Mayor declared the motion carried.

AGENDA ITEM NO. 4 ACTION ITEMS

4A. CONSIDER LIST OF EQUIPMENT AND VEHICLES TO SURPLUS AND SELL AT AUCTION TO BE HELD ON JANUARY 24, 2009

City Manager Grayson Bottom said a list of vehicles and equipment were presented to Council to officially surplus and call for an auction to be held on Saturday, January 24, 2009.

Motion was made by Councilman Marcy and seconded by Councilman Wheeler to surplus the equipment and vehicles listed and to call for an auction to be held January 24, 2009.

Mayor put the motion to a roll call vote:

Aye: Marcy, Wheeler, Jordan, Hendrickson, Bryson

Nay: None

Mayor declared the motion carried.

4B. CONSIDER INTERLOCAL AGREEMENT WITH DEWEY COUNTY REGARDING PURCHASE OF CRS II ROAD OIL NEEDED FOR ROAD MAINTENANCE

City Manager Grayson Bottom explained that Dewey County has a heated tank for oil storage. This is the closet location for the City to purchase the oil that is necessary for the product that is used in our road maintenance. He said Dewey County has agreed to sell the oil at their cost. Bottom recommended approved the interlocal agreement with Dewey County for the purchase of the oil needed for road maintenance.

Motion was made by Councilman Wheeler and seconded by Councilman Marcy to approve the interlocal agreement with Dewey County regarding purchase of CRS II road oil needed for road maintenance.

Mayor put the motion to a roll call vote:

Aye: Wheeler, Marcy, Jordan, Hendrickson, Bryson

Nay: None

Mayor declared the motion carried.

4C. CONSIDER SUPPLEMENTAL BUDGET AMENDMENTS TO FISCAL YEAR 2008-2009 BUDGET FOR RECREATIONAL CAPITAL IMPROVEMENT CONSTRUCTION FUND

City Manager Bottom explained that the supplemental budget would amend the budget numbers approved in June 2008. The project for the construction of the golf course improvements began in July and August. The approval of the amendment is needed to bring the project up to the needed levels.

Motion was made by Councilman Hendrickson and seconded by Councilman Jordan to approve the Supplemental Budget amendments to Fiscal Year 2008-2009 budget for the Recreational Capital improvement Construction Fund.

Mayor put the motion to a roll call vote:

Aye: Hendrickson, Jordan, Marcy, Wheeler, Bryson

Nay: None

Mayor declared the motion carried.

4D. CONSIDER ORDINANCE NO. 914 REGARDING PARTIAL CLOSURE OF ALLEY BETWEEN ORIENT AND DUNN WEST OF HIGHWAY 183

City Manager Grayson Bottom said this item is a result of the sale of property by the Industrial Authority to Kevin and Katherine Kreizenbeck. The plot plan and partial closure of the alley has been approved by the Planning and Zoning Board and is being presented to the Council for consideration. Bottom explained the closure would be from the right of way on North 4th street to the west side of the property purchased by Kreizenbeck.

Councilman Marcy asked if the alley is still owned by the City.

City Manager Bottom said the City does own the alley.

Public Works Director Arnold Adams said one dumpster would have to be relocated but that is the only change that would need to be made.

Motion was made by Councilman Hendrickson and seconded by Councilman Wheeler to approve Ordinance No. 914 regarding the partial closure of the alley between Orient and Dunn west of Highway 183.

Mayor put the motion to a roll call vote:

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

Mayor declared the motion carried.

Motion was made by Councilman Marcy and seconded by Councilman Jordan to approve the emergency clause for Ordinance No. 914.

Mayor put the motion to a roll call vote:

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

Mayor declared the motion carried.

5. CITY MANAGER'S REPORT

City Manager Bottom referred to an Oklahoma Municipal League Task Force study regarding different issues that OML is monitoring that affect municipalities.

Bottom reported that the study on the pigeon problem had been completed and returned with suggested remedies. He said he would be contacting property owners regarding relocation of the pigeons.

6. AUDIENCE PARTICIPATION

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, Jordan, Hendrickson, Bryson
Nay: None

Mayor declared the meeting adjourned at 6:25 P.M.

ORDINANCE NO. 914

AN ORDINANCE PROVIDING APPROVAL BY THE CITY OF CLINTON, OKLAHOMA, OF AN APPLICATION REQUESTING THE CLOSING OF A STRIP OF LAND BETWEEN A STRIP, PIECE OR PARCEL OF LAND LYING IN PART OF LOT 2 AND ALL OF LOTS 3, 4, 5, AND 6, BLOCK 17 OF THE ORIGINAL TOWNSITE OF CLINTON, ACCORDING TO THE RECORDED PLAT THEREOF, IN CUSTER COUNTY, OKLAHOMA; AND ALL OF LOTS 19, 20, 21, 22 AND THE WEST 1.26 FEET OF LOT 23 OF BLOCK 17 OF THE ORIGINAL TOWNSITE OF THE CITY OF CLINTON, ACCORDING TO THE RECORDED PLAT THEREOF, IN CUSTER COUNTY, OKLAHOMA.

WHEREAS, the State of Oklahoma has taken Lots 1 and 2 and Lots 23 and 24 of Block 17 of the Original Townsite of the City of Clinton as highway easement for U.S. Highway 183;

WHEREAS, the governing body of the City of Clinton, Oklahoma, has been presented with an application by Kevin and Katherine Kreizenbeck of Clinton requesting the closing to the public of the East 101.26 feet of the 20 foot wide alley in Block 17 of the Original Townsite of the City of Clinton, the same being that portion of the alley between Lots 3, 4, 5, and 6 on the North of said Block 17, and Lots 19, 20, 21, and 22 on the South side;

WHEREAS, this matter was reviewed by the Clinton Planning and Zoning Board in accordance with the provisions of Clinton City Code As Amended and such Application for Closing has been recommended by such Board; and

WHEREAS, the closing to the public of this portion of the said alley will in no way impair or diminish the City's need for the subject area, but will add to the utility of its use by Kevin and Katherine Kreizenbeck of Clinton, as owners of the Lots 3 and 4, and 19, 20, 21 and 22 of Block 17 as added and supplementary space for vehicle parking;

WHEREAS, a Public Hearing was held on this date in accordance with the published Agenda for such Regular Meeting of this Council and the matter was discussed and considered and it was determined by this Council that the best interests of the City of Clinton would be served by granting of said Application;

NOW, THEREFORE, be it ordained by the City Council of the City of Clinton, Oklahoma, that the East 101.26 feet of the Alley in Block 17 of the Original Townsite of the City of Clinton be and the same is closed to public use and the Applicant is granted its use as stated above.

It is further determined that for the immediate preservation of the peace, health or safety of the City of Clinton, Oklahoma, and to expedite the most desirable use of the subject alley area that this ordinance become effective without delay.

WHEREFORE, an EMERGENCY is hereby declared to exist and this Ordinance shall be in full force and effect immediately from and after its passage, approval and publication.

Passed and approved this 20 day of January, 2009.


Allen Bryson, Mayor

ATTEST:


Lisa Anders, City Clerk