

**MINUTES OF THE CLINTON CITY COUNCIL
FEBRUARY 3, 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, February 3, 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 30, 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 and Mike Smith

OTHERS: David Crabtree, Arnold Adams, Brad Aneshansley, Charles Fry, Kelly Somner, Jerry Waltrip and others.

Councilman Mark Hendrickson 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 20, 2009 and Special Meeting of January 23, 2009 and January 27, 2009
- B. Consider Claims

Moved by Councilman Hendrickson and seconded Councilman Marcy, that Consent Agenda Item No. 3 (a-b) 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. PUBLIC HEARING REGARDING REZONING OF PROPERTY LOCATED IN THE WEST 35' OF BLOCK/TRACT 1 AND THE EAST 65' OF BLOCK/TRACT 2 IN MONROE ADDITION CONTAINING .12 ACRES FROM C-2 (CONVENIENCE COMMERCIAL DISTRICT) TO C-4 (GENERAL COMMERCIAL DISTRICT)

Mayor Bryson opened the meeting up to discussion and comment regarding the public hearing for the rezoning of property along Modelle Avenue. There were no comments and the hearing was closed.

4B. CONSIDER ORDINANCE NO. 915 REGARDING REZONING OF PROPERTY LOCATED IN THE WEST 35' OF BLOCK/TRACT 1 AND THE EAST 65' OF BLOCK/TRACT 2 IN MONROE ADDITION CONTAINING .12 ACRES FROM C-2(CONVENIENCE COMMERCIAL DISTRICT) TO C-4 (GENERAL COMMERCIAL DISTRICT)

City Manager Grayson Bottom said the rezoning of the property comes with a “do pass” recommendation from the Planning and Zoning Board. He said the reason for the request is to allow for the construction of a communication tower. He said there had been discussion at the Planning and Zoning Board meeting about any potential interference this could cause with the Highway Patrol tower. He reported that the tower company and the Department of Public Safety are working on a written agreement regarding the towers.

Motion was made by Councilman Marcy and seconded by Councilman Wheeler to approve Ordinance No. 915 regarding the rezoning of the designation property from C-2 to C-4.

Mayor put the motion to a roll call vote:

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

Mayor declared the motion carried.

Motion was made by Councilman Hendrickson and seconded by Councilman Marcy to approve the emergency clause for Ordinance No. 915.

Mayor put the motion to a roll call vote:

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

Mayor declared the motion carried.

4C. CONSIDER PURCHASE OF EQUIPMENT FOR GOLF COURSE AND PARKS & RECREATION DEPARTMENT

City Manager Grayson Bottom said a meeting had been held with Arnold Adams, Kelly Somner, Brad Aneshansley, Debra Blanchard and himself to review the Capital Budget items in the budget. It was determined that \$25,000 had been saved over what had been budgeted and items were identified that still need to be purchased. He reported that Kelly Somner had researched the items and presented a recommendation along with quotes. The recommendation is for the purchase of ProCore 648 48” walk behind greens aerifier, a used heavy duty trickster with 100 point inspection and a John Deere fertilizer spreader.

Councilman Marcy asked about the aerator program.

Kelly Somner explained that previous the city had rented the equipment but it is no longer available so most recently a contractor had been hired. He explained that with the new greens we need a more shallow aeration. Somner said if the City owns the equipment the process can be completed on our own schedule which is twice a year and it would be less disruptive to play.

Councilman Jordan asked about changing the size of the holes.

Somner said this equipment would allow for the changing of the size of the hole and he said it does need to have smaller and tighter holes.

Somner said the truckster that is being used now is twelve years old and he felt the recommended replacement should serve the city for ten years.

Councilman Hendrickson asked if any the items are under state contract.

City Manager Bottom said that used equipment is not under state contract and that equipment is not subject to competitive bidding requirements.

Motion was made by Councilman Wheeler and seconded by Councilman Jordan to approve the purchase of equipment as presented by Kelly Somner, the Greens keeper.

Mayor put the motion to a roll call vote:

Aye: Wheeler, Jordan, Hendrickson, Marcy, Bryson

Nay: None

Mayor declared the motion carried.

5. CITY MANAGER'S REPORT

No report

6. AUDIENCE PARTICIPATION

None

AGENDA ITEM NO. 7: ADJOURNMENT

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

Mayor put the motion to a roll call vote:

Aye: Wheeler, Hendrickson, Marcy, Jordan, Bryson

Nay: None

Mayor declared the meeting adjourned at 7:30 P.M.

ORDINANCE NUMBER 915

AN ORDINANCE CHANGING THE ZONING FROM C-2 (CONVENIENCE COMMERCIAL DISTRICT) TO C-4 (GENERAL COMMERCIAL DISTRICT) FOR PROPERTY LOCATED IN THE WEST 35' OF BLOCK/TRACT 1 AND THE EAST 65' OF BLOCK/TRACT 2 IN MONROE ADDITION CONTAINING APPROXIMATELY .12 ACRES IN CLINTON, CUSTER COUNTY, OKLAHOMA; AND DECLARING AN EMERGENCY.

WHEREAS, the owners of a tract of land located in the west 35' of Block/Tract 1 and the East 65' of Block/Tract 2 in Monroe Addition containing approximately .12 acres in Clinton, Custer County, Oklahoma request that the zoning of said land be changed from C-2 (Convenience Commercial District) to C-4 (General Commercial District); and

WHEREAS, the Planning and Zoning Board of said City of Clinton, Oklahoma met on January 13, 2009, 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

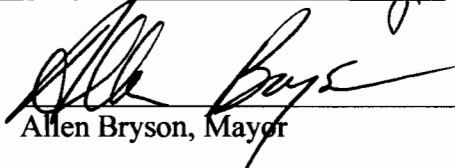
WHEREAS, the City Council did conduct a Public Hearing on this matter on this date in the Council Room of the Clinton City Hall pursuant to due legal notice thereof published in the Clinton Daily (Oklahoma) News on January 15, 2009; and

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 interest 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 West 35' of Block/Tract 1 and the East 65' of Block/Tract 2 in Monroe Addition containing approximately .12 acres in Clinton, Custer County, Oklahoma be and the same is hereby zoned C-4 (General Commercial District).

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

PASSED AND APPROVED this 3rd day of February, 2009.


Allen Bryson, Mayor

ATTEST:


Lisa Anders, City Clerk