

**MINUTES OF THE CLINTON CITY COUNCIL
SEPTEMBER 15, 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, September 15, 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 September 11, 2009.

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

MAYOR: Allen Bryson

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

CITY MANAGER: Grayson Bottom

CITY CLERK: Lisa Anders

CITY TREASURER: Absent

DEPUTY CITY CLERK: Rhonda Williams

CITY ATTORNEY: Ryan Meacham

NEWS MEDIA: Gerald Green and Jared Atha

OTHERS: David Crabtree, Charles Fry, Gene McCullough, Mary Helen Jones, Toby Anders, Cheryl Lowry, Steve Jones, Arnold Adams and others.

Billy Mucker of the Bethany Baptist 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 September 1, 2009

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

Mayor put the motion to a roll call vote:

Aye: Marcy, Jordan, Wheeler, Hendrickson, Bryson

Nay: None

Mayor declared the motion carried.

AGENDA ITEM NO. 4 ACTION ITEMS

4A. CONSIDER ORDINANCE #918 REGARDING SIGNS

City Manager Grayson Bottom explained that the ordinance presented is designed to repeal the current code and declare an emergency. He said the only changes in the ordinance presented are the number of days for notification. He said it has been changed from 10 days to 30 days.

Councilman Hendrickson asked if digital signs were addressed in the ordinance.

City Manager Bottom said digital signs are addressed. He said he had contacted Oklahoma Municipal League and other city managers to see how other ordinance address digital signs. He said brightness of digital signs is not controlled in other ordinances and the amount of time the message changes is not controlled.

Mayor Bryson asked about the time limit for political signs. He asked if 30 days before an election is appropriate for signs and how this is address in the event there is a general election to follow.

Mayor Bryson listed the following changes to the ordinance as presented:

- 1) Clean up the language regarding political signs continuing through a general election
- 2) Page 9 Article 6 Section 7a to say "minimum of our (4) separate points".
- 3) Page 12 Article 8 Section 6 change from Section 21-14 to Section 6-6

Rhonda Williams asked about the specifying of the filing fee in the ordinance rather than listing the fee per resolution. She said the fees are evaluated each year and subject to change.

- 4) Change the fee rate to being set by resolution rather than a specific amount

Motion was made by Councilman Wheeler and seconded by Councilman Jordan to approve Ordinance Number 918 with the specified changes as discussed.

Mayor put the motion to a roll call vote:

Aye: Wheeler, Jordan, Hendrickson, Marcy, Bryson

Nay: None

Mayor declared the motion carried.

Motion was made by Councilman Wheeler and seconded by Councilman Marcy to approve the emergency clause for Ordinance No. 918 regarding signs.

Mayor put the motion to a roll call vote:

Aye: Wheeler, Marcy, Hendrickson, Jordan, Bryson

Nay: None

Mayor declared the motion carried.

4B. CONSIDER DECLARING VEHICLES AS SURPLUS

City Manager Grayson Bottom said that in preparation for the rotation of two new vehicles in the Police Department fleet, two vehicles have been identified for trade-in and need to be declared as surplus.

Motion was made by Councilman Hendrickson and seconded by Councilman Wheeler to surplus the two identified vehicles as surplus.

Mayor put the motion to a roll call vote:

Aye: Hendrickson, Wheeler, Marcy, Jordan, Bryson

Nay: None

Mayor declared the motion carried.

4C. CONSIDER BIDS ON TWO POLICE UNITS INCLUDING EQUIPMENT

Staff had advertised for bids on two police units. One bid was received.

McKinsey Ford
Clinton, OK
\$21,799.689 per unit
Trade in \$1,000 per unit

City Manager Grayson Bottom said that Police Chief David Crabtree had checked the state bid price for other vehicles for comparison.

Police Chief Crabtree said the state bid list for a Charger is \$21,111 and a Crown Victoria is \$21,742.

Motion was made by Councilman Marcy and seconded by Councilman Wheeler to approve the bid submitted by McKinsey Ford for the purchase of two police units with trade-in of the two surplus vehicles.

Mayor put the motion to a roll call vote:

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

Mayor declared the motion carried.

4D. CONSIDER AGREEMENT WITH CLINTON SUMMER PLAYGROUND

City Manager Grayson Bottom said the agreement presented is the same as in past years with the exception of the rate of support. He said as discussed during the budget workshops, the budgeted rate of \$8,000 has been included in the agreement.

Councilman Marcy asked when the payment would be made and noted that the service time should be June and July of 2010 rather than 2009.

City Manager Bottom said the year would be changed to 2010 and the payment would be made following execution of the agreement.

Motion was made by Councilman Hendrickson and seconded by Councilman Jordan to approve the agreement with Clinton Summer Playground.

Mayor put the motion to a roll call vote:

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

Mayor declared the motion carried.

4E. CONSIDER AGREEMENT WITH CARE/EAST SIDE ACADEMY AS CO-TENANTS OF EAST SIDE ACADEMY BUILDING

City Manager Bottom said that during the budget work sessions Council had asked him to work with the occupants of the building housing the East Side Academy. He said that negotiations between representatives of CARE and East Side Academy were held and an operating agreement between both parties has been completed. He said that the City requested information has been provided to the City.

Councilman Marcy asked if both parties are equally responsible for the facility.

Councilman Hendrickson asked if the City Manager was comfortable that the agreement specifies the specific purpose of the facility and that limitation on the use of the facility are defined.

City Manager Bottom said that he is comfortable with the lease.

Motion was made by Councilman Wheeler and seconded by Councilman Jordan to approve the agreement with CARE/East Side Academy as co-tenants of the East Side Academy Building.

Mayor put the motion to a roll call vote:

Aye: Wheeler, Jordan, Hendrickson, Marcy, Bryson

Nay: None

Mayor declared the motion carried.

4F. CONSIDER CONDEMNATION OF PROPERTY AT 103 E. COURT – OWNER: ROBIN A CRABTREE

Code Enforcement Officer Toby Anders presented photos and information regarding the property at 103 E. Court owned by Robin A. Crabtree. He said that an abatement hearing was held in June and the property owner said he would do the mowing the maintenance to the property. Since the owner did not follow through with the agreement, Anders reported that the City has had the property mowed twice this summer.

Anders said there are three houses on the property and none are secured. He said the last water service was February 2006. He recommended condemning all three structures.

City Manager Grayson Bottom said he had been contacted by Max Murphy who asked if the city would accept the deed to the property in lieu of other liens.

Motion was made by Councilman Jordan and seconded by Councilman Hendrickson to condemn the property at 103 E. Court

Mayor put the motion to a roll call vote:

Aye: Jordan, Hendrickson, Marcy, Wheeler, Bryson

Nay: None

Mayor declared the motion carried.

4G. CONSIDER CONDEMNATION OF PROPERTY AT 506 N 14TH- OWNER: DAVID RIOS

Code Enforcement Officer Toby Anders explained that he and Building Inspector Charles Fry had inspected the residence at 506 North 14th. He presented a list of code violations and photos of the structure. He stated that his recommendation is to condemn the property.;

A DHS representative said that the family has been removed from the home and relocated with a brother. She also stated that the house is beyond the condition that DHS or their cooperative agencies could assist.

Mrs. David Rios stated that she was very upset with this situation and asked that everyone stop trying to help them. She stated that she just wanted her property.

Motion was made by Councilman Hendrickson and seconded by Councilman Marcy to condemn the property owned by David Rios at 506 N. 14th.

Mayor put the motion to a roll call vote:

Aye: Hendrickson, Marcy, Wheeler, Jordan, Bryson

Nay: None

Mayor declared the motion carried.

5. CITY MANAGER'S REPORT

City Manager Grayson Bottom reported that noticed had been mailed to current greens fee holder regarding the limited re-opening of the front nine holes at Riverside Golf Course on September 26, 2009 through Sunday evening, November 2, 2009. He said the course would reopen the first of April.

Bottom reported that a .grant has been submitted by the City of Clinton and Custer County for a Tiger Grant for Interstate 40 East bound access, South Frontage Road and Oliver Street/Red Wheat Drive Improvement totaling \$25,841,500. He said the results should be available in 30-45 days. He said this would be a 100% grant.

6. AUDIENCE PARTICIPATION

Cheryl Lowry asked about the HOPE grant for downtown Clinton.

City Manager Bottom said the City had received a commitment for the funds and that Thursday he had a conference with the architect and engineer regarding bringing the project to budget.

Mrs. Lowry asked about extending the hours for the Solid Waste drop site for Sundays. She asked about additional days for free dumpster clean ups.

City Manager Bottom said the number of clean up days is determined by the Solid Waste contract the City has with All-American. He said the contract calls for two weekends and if additional were added it would be at an added cost to the City.

Mrs. Lowry asked about the funding for the golf course and advertising of public meetings.

Various board members made comments regarding the funding of the golf course and the attendance of public meeting.

AGENDA ITEM NO. 7: ADJOURNMENT

Moved by Councilman Jordan and seconded Councilman Marcy to adjourn the meeting.

Mayor put the motion to a roll call vote:

Aye: Jordan, Marcy, Hendrickson, Wheeler, Bryson

Nay: None

Mayor declared the meeting adjourned at 7:15 P.M.