

**MINUTES OF THE CLINTON CITY COUNCIL
JANUARY 5, 2010**

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 5, 2010 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 December 31, 2009.

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

MAYOR: Allen Bryson

COUNCIL: John Jordan, Terry Wheeler, Steve Jones, Bob Marcy

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 Jarod Atha

OTHERS: David Crabtree, Charles Fry, Arnold Adams, Yolanda Jones, Berry Sewell, Eddie Peck, Greg & Lorie Adams, Julie Menge, Perry Adams, Ken Rose, Alan Burgdorf, Wheeler Lowry, Kevin & Cindy Wolters, L.R. Sights, Cheryl Lowry, Brent Clark, Judy Jordan and others.

Dave Gerbrandt of the First Mennonite 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 December 15, 2009
- B. Consider Claims

Moved by Councilman Wheeler and seconded Councilman Jones, that Consent Agenda Item No. 3 (a-b) be approved.

Mayor put the motion to a roll call vote:

Aye: Wheeler, Jones, Jordan, Marcy, Bryson

Nay: None

Mayor declared the motion carried.

AGENDA ITEM NO. 4 ACTION ITEMS

4A. APPOINTMENT OF VICE-MAYOR

City Manager Grayson Bottom explained that Councilman Mark Hendrickson had been serving as Vice-Chairman but with the completion of his term, a new Vice-Chairman needs to be appointed.

Motion was made by Councilman Jordan and seconded by Councilman Wheeler to appoint Bob Marcy as Vice-Chairman.

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Chairman put the motion to a roll call vote:

Aye: Jordan, Wheeler, Jones, Marcy, Bryson

Nay: None

Chairman declared the motion carried.

4B. PUBLIC HEARING REGARDING REZONING OF PROPERTY LOCATED IN LOTS 1-12 INCLUSIVE BLOCK 7, HAYES ADDITION FROM R-1 (SINGLE FAMILY DISTRICT) TO I-2 (LIGHT INDUSTRIAL DISTRICT)

Mayor Bryson opened the public hearing to discuss the rezoning of the property at 400, 406, 410, 416 and 420 South 3rd.

City Manager Grayson Bottom explained that Chris Gillen and his neighbors had presented a request to the Planning and Zoning Board to rezone the listed property to I-2 with the understanding that the houses at this location would remain as homes. He said the property south and east of the described property is currently zoned I-2.

There being no discussion, the public meeting was closed.

4C. CONSIDER ORDINANCE NO. 922 REGARDING REZONING OF PROPERTY LOCATED IN LOTS 1-12 INCLUSIVE, BLOCK 7, HAYES ADDITION FROM R-1(SINGLE FAMILY DISTRICT) TO I-2 (LIGHT INDUSTRIAL DISTRICT)

City Manager Grayson Bottom said the request for rezone comes to the Council with a “do pass” recommendation from the Planning and Zoning Board.

Motion was made by Councilman Jordan and seconded by Councilman Jones to approve Ordinance No. 922 regarding the rezoning of property located in Lots 1-12 inclusive Block 7, Hayes Addition from R-1 to I-2.

Mayor put the motion to a roll call vote:

Aye: Jordan, Jones, Wheeler, Marcy, Bryson

Nay: None

Mayor declared the motion carried.

Motion was made by Councilman Jones and seconded by Councilman Wheeler to approve the emergency clause of Ordinance No. 922.

Mayor put the motion to a roll call vote:

Aye: Jones, Wheeler, Marcy, Jordan, Bryson

Nay: None

Mayor declared the motion carried.

4D. CONSIDER BIDS FOR SIGNAL LIGHT MAINTENANCE PROJECT AT GARY BOULEVARD AND JAYCEE LANE AND AUTHORIZE EXPENDITURE OF FUNDS FROM THE ECONOMIC DEVELOPMENT FUND

Staff had advertised for bids for the signal light maintenance at Gary Boulevard and Jaycee Lane.

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Three bids were received.

Traffic Signals Inc. Edmond, Ok Base Bid: \$76,360 Alt #1- \$13,800 Alt #2- \$21,680 Alt #3- \$ 3,344	Traffic & Lighting Systems Oklahoma City, OK Base Bid: \$70,000 Alt #1- \$15,000 Alt #2- \$24,000 Alt #3- \$ 5,000	Midstate Traffic Control Oklahoma City, OK Base Bid: \$62,720 Alt #1- \$19,500 Alt #2- \$22,000 Alt #3- \$ 4,000
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Motion was made by Councilman Jones and seconded by Councilman Jordan to approve the lowest bid to meet specifications following staff review.

Mayor put the motion to a roll call vote:

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

Mayor declared the motion carried.

4E. CONSIDER APPROPRIATION FOR EXPENDITURE OF FUNDS FROM THE ECONOMIC DEVELOPMENT FUND FOR ADDITION OF A LEFT-HAND TURN LANE AT JAYCEE LANE AND GARY BOULEVARD

City Manager Grayson Bottom explained that with the anticipated increase in traffic at the intersection of Jaycee Lane and Gary Boulevard and the close proximity to Clinton High School, a left-hand turn lane has been proposed. Quotes have been received for the labor for the project and estimates for the City to purchase the materials have been taken.

Public Works Director Arnold Adams said the proposed lane would be 235 feet long, 12 foot wide and 10 inches thick to meet Oklahoma Department of Transportation requirements. He said this project would take up about half of the existing median.

City Manager Grayson Bottom said the newly constructed Kentucky Fried Chicken/Taco Bell has employed fifty people and this would tie to the expenditure from the Economic Development Fund.

Motion was made by Councilman Marcy and seconded by Councilman Wheeler to approve the expenditure of funds from the Economic Development Fund for the addition of a left-hand turn lane at Jaycee Lane and Gary Boulevard at a cost for materials at \$9,400.00 and Musick Concrete for the labor at \$6,200.00.

Mayor put the motion to a roll call vote:

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

Mayor declared the motion carried.

4F. CONSIDER PROPOSAL OF RETAIL ATTRACTIONS, LLC ECONOMIC DEVELOPMENT CONSULTING

City Manager Grayson Bottom said the only equation of the budget that can be affected by the economy is the collection of sales tax. A proposal from Ricky Hayes of Retail Attractions, LLC was presented. Bottom explained that the proposal is for a payment of \$1,000 per month with the City buying the demographic data at a cost of \$8,000. He said the pay is based on a performance fee and he recommended employing Mr. Hayes

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under contract for one year with a one year renewal to follow.

Councilman Marcy confirmed that Hayes would only be paid on businesses that were directly impacted by him.

Mayor Bryson said Mr. Hayes was involved in the success at Owasso. He said this would be a way for the story of Clinton's sales tax sharing programs to be publicized.

Councilman Jordan asked if Hayes was representing other towns.

City Manager Grayson Bottom said Hayes represents seven other towns.

Motion was made by Councilman Wheeler and seconded by Councilman Marcy to approve the proposal with Retail Attractions LLC Economic Development Consulting.

Mayor put the motion to a roll call vote:

Aye: Wheeler, Marcy, Jones, Jordan, Bryson

Nay: None

Mayor declared the motion carried.

4G. PRESENTATION BY PERRY ADAMS, KEN ROSE AND CITY MANAGER REGARDING CLINTON'S JUVENILE EDUCATION/DETENTION FACILITY INITIATIVE; AND SOLICITION OF LETTER OF SUPPORT

City Manager Grayson Bottom explained that Perry Adams became aware of an opportunity for Clinton and he said it is worthy of considering. He said this is a step to move forward. He introduced Bond Counsel, Brent Clark and Dr. Ken Rose of Southwestern Oklahoma State University.

Perry Adams explained that the facility at Sand Springs known as Rader Center is a dilapidated building and is looking at relocation. He estimated this would bring 150 to 300 jobs with 30 teachers at the rehabilitation center and education facility. He said this is an opportunity to help the state, the City of Clinton and the kids.

Dr. Ken Rose explained a summary of the programs provided by Southwestern Oklahoma State University. He identified other sites in Oklahoma similar to the one discussed. He said the newest site is a 11,000 square foot facility at Geronimo and sits on 160 acres of land. He said they try to obtain remote sites.

Bond Counsel Brent Clark discussed the application and a letter of support. He said concerns need to be expressed about the project when more information is available. He said one concern is if the citizens of Clinton would have to pay for the facility and he said the facility must be self-sufficient.

Mayor Bryson said this is no set thing and this time. He said the state does not have the funds to build a new facility and the City sees this as an opportunity of 150 jobs and a reason to pursue. He said the City has the resources that other cities do not have. He said the proposed site is four to seven miles west of town.

City Manager Bottom said the site has to be a minimum of four miles from town.

Councilman Jordan asked about security.

Dr. Rose said this program would be different from the Foss program and would be a rehabilitation center for 11 to 18 year olds in a facility similar to the new Custer County Jail. He said the problems at the Rader Center are more interior than exterior problems. He said the problems are operational and the facility is not suited for this type of kids. He said there is a lack of supervision and oversight.

Berry Sewell asked why Clinton would want to change its image. He said this could bring negative press that would not be good for the town. He felt this could taint future economic development opportunities.

Mayor Bryson said there are state facilities all over the City of Clinton and this facility could bring 150 jobs.

Cindy Wolters asked why Sand Springs is not fighting to keep the facility.

Mayor Bryson said they do not have the means of putting together a finance package.

L.R. Sights said the kids in the facility are the worst and their friends would be coming here to see them and he asked if that is what we want for Clinton. He said the current facility has a 100% employee turnover and he attributed that to fear of the kids so these are not quality jobs.

Mayor Bryson said the Rader Center was constructed in the 1940's so a new facility would not encounter the same problems.

Dr. Rose said the facility at Manitou should be the comparison rather than Rader. He said the objective is for the kids to be a skill by the time they are released from the facility. He said that Clinton Public Schools would be called upon for support and that would be a benefit regarding the number for state support. He said the facility would be like a jail with kids and they would need an isolated location that would allow for programs for the kids with no parental support.

Greg Adams asked about financing for the project.

Mayor Bryson said the financing would be through revenue bonds. It would have a 15 to 20 year pay off and the revenue would come from the state at a rate based on the number of beds in the facility.

Greg Adams asked if at the end of the 20 years if the City would own the facility.

Mayor Bryson said yes.

Brent Clark said the state can't prioritize. He said the tax exempt bonds would used to build the facility and the state would be on the hook for leasing the beds.

City Manager Bottom said it does not require a vote of the people for the issuance of revenue bonds. He further explained that this was due to the contractual nature of the revenue stream rather than a tax supported revenue stream.

Councilman Marcy asked if the state could issue bonds.

Brent Clark said the state could issue bonds but wouldn't. He said it makes sense for this area due to Weatherford, Clinton and SWOSU's relationships.

Cheryl Lowry asked what would happen if the bonds do not sell.

Clark said the City would not be held responsible; thirteen other cities have facilities similar to this one.

Berry Sewell recommended tabling the issue until more information is available.

Mayor Bryson said for Clinton to have a chance, the package needs to be put together soon.

City Manager Bottom said folders would be prepared and provided to OJA, the Correctional Committee, Senators and State Representatives for review and comparison. He said they would then pick three to five for further review. He said more information would be available at that time.

4H. CONSIDER AUTHORIZATION OF MAYOR TO SIGN LETTER OF SUPPORT FOR CLINTON'S JUVENILE EDUCATION/DETENTION FACILITY

Motion was made by Councilman Jones and seconded by Councilman Wheeler to authorize the Mayor to sign the letter of support for the Clinton's Juvenile Education/Detention facility.

Mayor put the motion to a roll call vote:

Aye: Jones, Wheeler, Marcy, Jordan, Bryson

Nay: None

Mayor declared the motion carried.

5. CITY MANAGER'S REPORT

City Manager Grayson Bottom said the City had received a grant for four video systems for installation into four Police Department vehicles. This would allow front and back recordings.

He reported that the City had received a thank you letter from the City of Hobart for the assistance on a recent fire.

6. AUDIENCE PARTICIPATION

None

AGENDA ITEM NO. 7: ADJOURNMENT

Moved by Councilman Wheeler and seconded Councilman Jones to adjourn the meeting.

Mayor put the motion to a roll call vote:

Aye: Wheeler, Jones, Jordan, Marcy, Bryson

Nay: None

Mayor declared the meeting adjourned at 7:20 P.M.

ORDINANCE NUMBER 922

AN ORDINANCE CHANGING THE ZONING
FROM R-1 (SINGLE FAMILY DISTRICT) TO
I-2 (LIGHT INDUSTRIAL DISTRICT) FOR PROPERTY LOCATED IN LOTS 1-12
INCLUSIVE, BLOCK 7, HAYES ADDITION TO THE CITY OF CLINTON,
, CUSTER COUNTY, OKLAHOMA; AND DECLARING AN EMERGENCY.

WHEREAS, the owners of a tract of land located in Lots 1-12 inclusive Block 7 Hayes Addition to the City of Clinton, Custer County, Oklahoma request that the zoning of said land be changed from R-1 (Single Family District) to I-2 (Light Industrial District); and

WHEREAS, the Planning and Zoning Board of said City of Clinton, Oklahoma met on December 8, 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

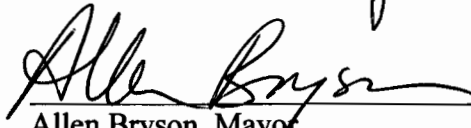
WHEREAS, the City Council did conduct a Public Hearing on this matter on this date in the Council Room of the Clinton City Hall pursuant to due legal notice thereof published in the Clinton Daily (Oklahoma) News on December 12, 2009; and

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 Lots 1-12 inclusive, Block 7, Hayes Addition to the City of Clinton, Custer County, Oklahoma be and the same is hereby zoned I-2 (Light Industrial 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 5th day of January, 2010.


Allen Bryson, Mayor

ATTEST:


Lisa Anders, City Clerk