

**MINUTES OF THE CLINTON CITY COUNCIL  
APRIL 6, 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, April 6, 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 April 2, 2010.

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

**MAYOR:** Allen Bryson

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

**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, Charles Fry, Gene McCullough, Wade Anders, Janna Harris, Mary Helen Jones and others.

Charles Murphy of the Free Will 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 March 2, 2010
- B. Consider Claims

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

Mayor put the motion to a roll call vote:

Aye: Marcy, Jones, Jordan, Wheeler, Bryson

Nay: None

Mayor declared the motion carried.

**AGENDA ITEM NO. 4 ACTION ITEMS**

**4A. CONSIDER ORDINANCE NO. 923 REGARDING HOME OCCUPATION DEFINITIONS REGARDING SIGNAGE**

City Manager Grayson Bottom explained that earlier the Council had approved an ordinance about signage. This ordinance is a follow-up to that with definitions clarifying the previous ordinance.

Assistant City Attorney Ryan Meacham said the previous ordinance had affected other areas in the code book and this cleans up some of the items.

Mayor Bryson pointed out a misspelled word in the ordinance and asked that it be corrected.

Motion was made by Councilman Jones and seconded by Councilman Wheeler to approve Ordinance No. 923 with the correction of spelling.

Mayor put the motion to a roll call vote:

Aye: Jones, Wheeler, Marcy, Jordan, Bryson

Nay: None

Mayor declared the motion carried.

Motion was made by Councilman Wheeler and seconded by Councilman Jones to approve the Emergency Clause for Ordinance No. 923.

Mayor put the motion to a roll call vote:

Aye: Wheeler, Jones, Jordan, Marcy, Bryson

Nay: None

Mayor declared the motion carried.

**4B. CONSIDER ORDINANCE NO. 924 REGARDING ANNEXATION OF PROPERTY OWNED BY TROY LEE ALONG AIRPORT ROAD**

City Manager Grayson Bottom explained that several years ago Troy Lee had requested that his home be annexed into the city limits. An ordinance was adopted and it has been treated as annexed since that time. He explained that the City later became aware that the legal description given was actually for the property behind the house. The ordinance presented tonight is actually for the house.

Motion was made by Councilman Marcy and seconded by Councilman Jordan to adopt Ordinance 924 annexing property owned by Troy Lee along Airport Road.

Mayor put the motion to a roll call vote:

Aye: Marcy, Jordan, Jones, Wheeler, Bryson

Nay: None

Mayor declared the motion carried.

**4C. CONSIDER RESOLUTION 789 REGARDING CITY OF CLINTON'S POLICY ON USE OF CELL PHONES**

City Manager Grayson Bottom explained that the proposed resolution is a policy statement for the City regarding the use of cell phones. He said this addresses any type of moveable equipment or vehicles with the exception of "hands free devices and emergency vehicles.

Councilman Wheeler asked about enforcing this for the entire town.

City Manger Bottom said to enforce this for the town, it would require an ordinance but he said that the state is in the process of preparing a law regarding cell phone usage.

Motion was made by Councilman Jones and seconded by Councilman Wheeler to approve Resolution No. 789 regarding City of Clinton's Policy on Use of cell phones.

Mayor put the motion to a roll call vote:

Aye: Jones, Wheeler, Marcy, Jordan, Bryson

Nay: None

Mayor declared the motion carried.

**4D. CONSIDER COMMUNITY WILDFIRE PROTECTION PLAN GRANT APPLICATION WITH OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD AND FORESTRY SERVICE**

City Manager Grayson Bottom said as a Storm Ready Community, Clinton can apply for additional grants.

Fire Chief Wade Anders said SWODA had notified the City of the availability of the \$10,000.00 grant. He said they would prepare plans with maps for recommendations.

Janna Harris, representative of SWODA said SWODA would gather data and prepare the information for the grant which is a 100% grant.

Motion was made by Councilman Jordan and seconded by Councilman Wheeler to approve the preparation of the grant application for the Community Wildfire Protection Plan with the Oklahoma Department of Agriculture, Food and Forestry Services.

Mayor put the motion to a roll call vote:

Aye: Jordan, Wheeler, Jones, Marcy, Bryson

Nay: None

Mayor declared the motion carried.

**4E. CONSIDER MEMORANDUM OF UNDERSTANDING WITH SOUTH WESTERN OKLAHOMA DEVELOPMENT AUTHORITY REGARDING COMMUNITY WILDFIRE PROTECTION PLAN**

City Manager Grayson Bottom said that SWODA and the City would partner together on this project. The Memorandum of Understanding would authorize SWODA to act on the behalf of the City of Clinton.

Motion was made by Councilman Jones and seconded by Councilman Marcy to approve the Memorandum of Understanding with South Western Oklahoma Development Authority regarding Community Wildfire Protection Plan.

Mayor put the motion to a roll call vote:

Aye: Jones, Marcy, Jordan, Wheeler, Bryson

Nay: None

Mayor declared the motion carried.

**4F. CONSIDER PROCLAMATION DECLARING APRIL AS FAIR HOUSING MONTH**

City Manager Grayson Bottom explained that the proclamation is presented annually for Fair Housing Month. He said this allows the City to qualify for criteria in other grant applications.

Motion was made by Councilman Marcy and seconded by Councilman Wheeler to approve the proclamation declaring April as Fair Housing Month.

Mayor put the motion to a roll call vote:

Aye: Marcy, Wheeler, Jordan, Jones, Bryson

Nay: None

Mayor declared the motion carried.

#### **5. CITY MANAGER'S REPORT**

City Manager Grayson Bottom reported that work has begun on the budget for the 2010-2011 fiscal year.

Fire Chief Wade Anders reported that storm warning sirens are being tested on each Friday at noon. He emphasized that they are outside warning devices and not designed for inside alarms. He suggested citizens look into a weather radio and said there are storm radio grants that could be applied for.

Mayor Bryson asked about the telephone notification program.

City Manager Grayson Bottom said the system takes about 15 to 20 minutes to complete the notification calls. He said lead time would be necessary for the phone notification and it could be used if time allows.

Public Works Director Arnold Adams announced that April 17<sup>th</sup> would be the City Wide Cleanup Day and that dumpsters would be placed around town for this event.

#### **6. AUDIENCE PARTICIPATION**

None

#### **AGENDA ITEM NO. 7: ADJOURNMENT**

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

Mayor put the motion to a roll call vote:

Aye: Jones, Wheeler, Jordan, Marcy, Bryson

Nay: None

Mayor declared the meeting adjourned at 6:15 P.M.

ORDINANCE NO. 923

ORDINANCE AMENDING SECTION 11-1-5 OF THE CLINTON  
CITY CODE TO MODIFY THE HOME OCCUPATION DEFINITION  
REGARDING SIGNAGE AND DECLARE AN EMERGENCY

WHEREAS, the City of Clinton adopted a Sign Ordinance, codified as Clinton City Code 10-8-1  
et seq;

WHEREAS, there were pre-existing regulations for signage relating to Home Occupations;

WHEREAS, the City of Clinton intends to make the regulations uniform;

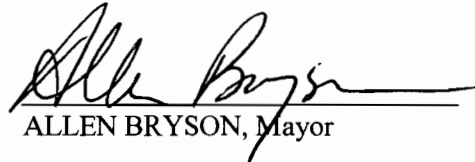
NOW THEREFORE be it ordained by the Council of the City of Clinton, Oklahoma as follows:

Section 11-1-5 Definition be amended to read:

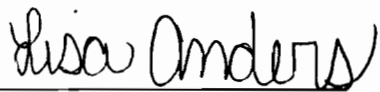
HOME OCCUPATION. Any occupation or profession carried on by the inhabitants which is clearly incidental and secondary to the use of the dwelling for dwelling purposes, which does not change the character thereof, and which is conducted entirely within the main or accessory buildings; provided, that no trading in merchandise is carried on and in connection with which there is no display of merchandise or sign other than two (2) nonilluminated nameplates not more than two (2) total square feet in area attached to the main or accessory building, and no mechanical equipment is used or activity is conducted which creates any noise, dust, odor or electrical disturbance beyond the confines of the lot on which such occupation is conducted. The conducting of a beauty or barbershop, tearoom or restaurant, rest home or clinic, doctor's or dentist's office, childcare center, tourist home, or cabinet, metal or auto repair shop shall not be deemed a "home occupation".

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 6 day of April, 2010.

  
ALLEN BRYSON, Mayor

ATTEST:

  
LISA ANDERS, City Clerk

**ORDINANCE NO. 924**

**AN ORDINANCE ANNEXING TO THE CITY OF CLINTON, OKLAHOMA CERTAIN TRACT OF LAND SITUATED IN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER (NE4NE4) OF SECTION THIRTEEN, TOWNSHIP 12 NORTH, RANGE 17 WEST OF THE INDIAN MERIDIAN (13-12-17) CUSTER COUNTY, OKLAHOMA CONTAINING .826 ACRES MORE OR LESS.**

**WHEREAS**, the City Council of the City of Clinton, Oklahoma, deems it proper to annex the property hereinbelow described and that such annexation will rebound to the benefit of said City of Clinton, and,

**WHEREAS**, the owners of the land lying within the area proposed for annexation have submitted a request to the City of Clinton that the subject property be annexed by and to the City of Clinton, and hereby made a part of the land area within the corporate boundaries of the City of Clinton, and,

**WHEREAS**, the subject property is hereby described as:

A tract of land lying in the Northeast Quarter of the Northeast Quarter (NE4NE4) of Section 13, Township 12 North, Range 17 West of the Indian Meridian, Custer County, Oklahoma, described by metes and bounds as follows: Beginning at a point 861.40 feet North of the Southeast corner of said NE1/4 NE1/4; thence North and along the East line of said NE1/4NE1/4 a distance of 150.00 feet; thence West a distance of 240.00 feet; thence South a distance of 150.00 feet; thence East a distance of 240.00 feet to the point of beginning, containing 0.826 acres more or less.

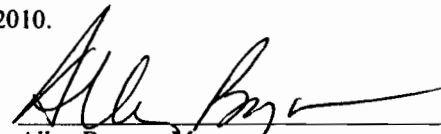
**NOW, THEREFORE**, be it ordained by the City Council of the City of Clinton, Oklahoma

**SECTION I.** The subject property is hereby annexed and added to the City of Clinton, Oklahoma.


**SECTION II.** The subject property shall be zoned A-1 Agricultural District.

**SECTION III.** It is deemed and declared necessary for the preservation of the public health, peace and safety that the subject property should be annexed and zoned from the after its passage, approval and publication.

**PASSED AND APPROVED** this 6<sup>th</sup> day of April, 2010.

  
Allen Bryson, Mayor

**ATTEST:**

  
Lisa Anders, City Clerk