

**MINUTES OF THE CLINTON CITY COUNCIL
AUGUST 3, 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, August 3, 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 July 28, 2010.

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

MAYOR: Allen Bryson

COUNCIL: John Jordan, Steve Jones, Terry Wheeler, 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: Arnold Adams, David Crabtree, Charles Fry, Doug Moore, Mary Helen Jones and others.

Doug Moore 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 July 20, 2010
- B. Consider claims

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

Mayor put the motion to a roll call vote:

Aye: Marcy, Jordan, Jones, Wheeler, Bryson

Nay: None

Mayor declared the motion carried.

AGENDA ITEM NO. 4 ACTION ITEMS

4A. PUBLIC HEARING REGARDING REZONING PROPERTY OWNED BY LEOPOLDO DELGADO AND ERNIST SCOTT

Mayor Bryson opened the Public Hearing and explained the purpose of the hearing is to hear comments regarding the rezoning of property owned by Leopoldo Delgado and Ernest Scott.

There were no comments.

The public hearing was closed.

4B. CONSIDER ORDINANCE NO. 925 REGARDING REZONING PROPERTY AT 720 NORTH 6TH FROM R-1 (SINGLE FAMILY DISTRICT) TO C-4 (GENERAL COMMERCIAL DISTRICT) TO I-3 (HEAVY INDUSTRIAL DISTRICT)

RM080310

City Manager Grayson Bottom explained that Code Enforcement Officer Toby Anders has been working with property owners about cleaning up the area. He said the current zoning does not allow for the operation of a salvage yard but with the new zoning a salvage yard would be allowed. He said the requirements for salvage yards per the city code would require improvements to the area such as private fencing. He said this Planning and Zoning Board had reviewed the request and recommends the rezoning be granted.

Motion was made by Councilman Wheeler and seconded by Councilman Jones to adopt Ordinance 925 regarding rezoning of property at 720 North 6th to I-3 (Heavy Industrial District).

Mayor put the motion to a roll call vote:

Aye: Wheeler, Jones, Jordan, 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 for Ordinance 925.

Mayor put the motion to a roll call vote:

Aye: Jones, Wheeler, Jordan, Marcy, Bryson

Nay: None

Mayor declared the motion carried.

4C. CONSIDER ORDINANCE NO. 926 REGARDING REZONING PROPERTY AT 600 DOUGHERTY FROM R-1 (SINGLE FAMILY DISTRICT) TO I-3 (HEAVY INDUSTRIAL DISTRICT)

City Manager Bottom explained that this property is also contains a salvage yard and is in need of rezoning.

Councilman Jones asked how the rezoning would affect the overpass.

City Manager Bottom said the rezoning would only take in the private property.

Motion was made by Councilman Jones and seconded by Councilman Marcy to adopt Ordinance No. 926 regarding the rezoning of property at 600 Dougherty to I-3 (Heavy Industrial District).

Mayor put the motion to a roll call vote:

Aye: Jones, Marcy, Jordan, Wheeler, Bryson

Nay: None

Mayor declared the motion carried.

Motion was made by Councilman Jones and seconded by Councilman Marcy to approve the emergency clause for Ordinance No. 926.

Mayor put the motion to a roll call vote:

Aye: Jones, Marcy, Jordan, Wheeler, Bryson

Nay: None

Mayor declared the motion carried.

4D. CONSIDER RENEWAL OF AGREEMENT WITH C.A.R.E. INC.

City Manager Grayson Bottom explained that the funding for the agreement with C.A.R.E. was discussed during the budget session and included in the line item for Contributions to other Agencies. He said he had spoken with representatives from C.A.R.E. and Eastside Academy and has received the requested reports. He said the program of work for C.A.R.E. has changed. He said the feeding program is no longer under the operation of C.A.R.E. He said their scope of programming is more of a social services type.

Councilman Jordan asked why the feeding program had stopped.

City Manager explained the Eastside Academy would be assuming the duties for the feeding program. He said the funding for the program is through a grant from the Oklahoma Food Bank.

Motion was made by Councilman Jordan and seconded by Councilman Marcy to approve the renewal of the agreement with C.A.R.E. for the budgeted amount of \$3,200.00.

Mayor put the motion to a roll call vote:

Aye: Jordan, Marcy, Jones, Wheeler, Bryson

Nay: None

Mayor declared the motion carried.

4E. CONSIDER RENEWAL OF AGREEMENT WITH EASTSIDE ACADEMY, INC.

City Manager Grayson Bottom said that Eastside Academy scope of work focuses on education and feeding. The funding amount budgeted in the Contribution to Other Agencies is \$4,000.00.

Doug Moore, representative for Eastside Academy, said that ESA does not have a grant from the Oklahoma Food Bank at this time but the organization is seeking grants.

Motion was made by Councilman Jordan and seconded by Councilman Wheeler to approve the renewal of the agreement with Eastside Academy for the budgeted amount of \$4,000.00.

Mayor put the motion to a roll call vote:

Aye: Jordan, Wheeler, Jones, Marcy, Bryson

Nay: None

Mayor declared the motion carried.

4F. CONSIDER LEASE AGREEMENT WITH C.A.R.E AND EASTSIDE ACADEMY FOR PROPERTY AT 215 E MODELLE

City Manager Grayson Bottom explained that the lease of the property at 215 E. Modelle calls for joint occupancy for C.A.R.E. and Eastside Academy. He said C.A.R.E. occupies one room of the building.

Motion was made by Councilman Jordan and seconded by Councilman Jones to approve the lease agreement with C.A.R.E. and Eastside Academy for property located at 215 E. Modelle.

Mayor put the motion to a roll call vote;

Aye: Jordan, Jones, Wheeler, Marcy, Bryson

Nay: None

Mayor declared the motion carried.

4G. APPOINTMENT OF COUNCIL REPRESENTATIVE TO LOCAL DEVELOPMENT ACT REVIEW COMMITTEE

Mayor Allen Bryson explained that the creation of the committee call for the Mayor to serve as chairman of the committee.

City Manager Grayson Bottom said the City actually has two representatives to serve on the committee. The City Council appoints a representative from the Council and a representative from the Planning and Zoning Board serves on the committee. He explained that there are five statutory appointed positions and three people are appointed at large.

Motion was made by Councilman Wheeler and seconded by Councilman Marcy to appoint Councilman Steve Jones to service as the Council representative to the Local Development Act Review Committee.

Mayor put the motion to a roll call vote:

Aye: Wheeler, Marcy, Jones, Jordan, Bryson

Nay: None

Mayor declared the motion carried.

4H. CONSIDER REQUEST OF WILLIAM G FORREST FOR LUMP SUM PAYMENT FROM OKLAHOMA MUNICIPAL RETIREMENT FUND

No action taken.

4I. REQUEST AUTHORIZATION TO GO TO BID FOR STREET OVERLAY PROJECT

City Manager Grayson Bottom explained that \$110,000 has been allotted last year for street overlay but the project had not been undertaken. A city map had been provided to Council indicating the street that the Street Department felt were the most in need to repairs. City Manager Grayson Bottom said the list contains more streets repairs that the \$110,000 would cover and the cash forward would roll forward from the Capital Improvement Fund.

Motion was made by Councilman Wheeler and seconded by Councilman Jones to authorize staff to go to bid for street overlay project.

Mayor put the motion to a roll call vote:

Aye: Wheeler, Jones, Jordan, Marcy, Bryson

Nay: None

Mayor declared the motion carried.

5. CITY MANAGER'S REPORT

City Manager Grayson Bottom said the City is in need of housing and discussed platting housing areas. He explained that he felt this should be done by private developers but the city has not been successful at attracting a private developer. He said before jobs can be expanded, a place for the workers to live needs to be addressed.

6. AUDIENCE PARTICIPATION

None

AGENDA ITEM NO. 7: ADJOURNMENT

Moved by Councilman Wheeler and seconded by 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 6:10 P.M.

ORDINANCE NUMBER 926

AN ORDINANCE CHANGING THE ZONING
FROM R-1(SINGLE FAMILY DISTRICT) TO I-3 (HEAVY INDUSTRIAL DISTRICT) FOR
PROPERTY LOCATED IN LOT 4, BLOCK 6, COX III ADDITION (600 DOUGHERTY)
IN CLINTON, CUSTER COUNTY, OKLAHOMA;
AND DECLARING AN EMERGENCY.

WHEREAS, the owners of a tract of land located in Lot 4, Block 6, Cox III Addition in Clinton, Custer County, Oklahoma request that the zoning of said land be changed from R-1 (Single Family District) to I-3 (Heavy Industrial District); and

WHEREAS, the Planning and Zoning Board of said City of Clinton, Oklahoma met on July 13, 2010, 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 July 17, 2010; 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 Lot4, Block 6, Cox III Addition (600 Dougherty) in Clinton, Custer County, Oklahoma be and the same is hereby zoned I-3 (Heavy 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 3 day of August, 2010.


Allen Bryson, Mayor

ATTEST:


Lisa Anders, City Clerk

ORDINANCE NUMBER 925

AN ORDINANCE CHANGING THE ZONING
FROM R-1(SINGLE FAMILY DISTRICT) AND C-4 (GENERAL COMMERCIAL
DISTRICT) TO I-3 (HEAVY INDUSTRIAL DISTRICT) FOR PROPERTY
LOCATED IN THE IN LOTS 1-19, COX I ADDITION AND A TRACT OF LAND (720
NORTH 6TH) IN CLINTON, CUSTER COUNTY, OKLAHOMA;
AND DECLARING AN EMERGENCY.

WHEREAS, the owners of a tract of land located in Lots 1-19, Cox I Addition and a tract of land (720 North 6) in Clinton, Custer County, Oklahoma request that the zoning of said land be changed from R-1 (Single Family District) and C-4 (General Commercial District) to I-3 (Heavy Industrial District); and

WHEREAS, the Planning and Zoning Board of said City of Clinton, Oklahoma met on July 13, 2010, 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

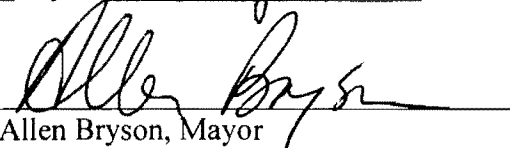
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WHEREAS, the matter was discussed in open forum at this Public Hearing before and by the members of the Council and the Council being fully informed in the premises does find that the interest of the City of Clinton will be served best by establishing 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 1-19, Cox I Addition and a tract of land (720 North 6th) in Clinton, Custer County, Oklahoma be and the same is hereby zoned I-3 (Heavy 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 3 day of August, 2010.


Allen Bryson, Mayor

ATTEST:


Lisa Anders, City Clerk