

**MINUTES OF THE CLINTON CITY COUNCIL
NOVEMBER 2, 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, November 2, 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 October 29, 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

OTHERS: Arnold Adams, Mary Helen Jones, Charles Fry, Phyllis Smith, David Crabtree 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: PUBLIC HEARING

A Public Hearing was called to discuss the rezoning of property at 531 South 10th. Mayor Bryson explained that the property is currently zoned R-1 but has been used for commercial purposes for a number of years.

No comment was received.

The hearing was closed.

AGENDA ITEM NO. 4: CONSENT AGEND:

- A. Minutes of Regular Meeting of October 19, 2010
- B. Consider

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

Mayor put the motion to a roll call vote:

Aye: Wheeler, Marcy, Jones, Jordan, Bryson

Nay: None

Mayor declared the motion carried.

AGENDA ITEM NO. 4 ACTION ITEMS

4A. CONSIDER ORDINANCE NO. 927 REGARDING REZONING OF PROPERTY AT 531 SOUTH 10TH FROM R-1 (SINGLE FAMILY DWELLING) TO C-4 (GENERAL COMMERCIAL DISTRICT)

City Manager Grayson Bottom explained that the Board of Adjustment had granted a variance on this property as it does not meet the criteria of being at least 22,000 square foot to be rezoned. Following consideration by the Board of Adjustments, the Planning and Zoning ruled in favor of recommending the rezoning of the property to a commercial zoning.

Motion was made by Councilman Jones and seconded by Councilman Wheeler to approve Ordinance 927 rezoning the property at 531 South 10th from R-1 to C-4.

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 Jones and seconded by Councilman Jordan to approve the Emergency Clause for Ordinance No. 927.

Mayor put the motion to a roll call vote:

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

Mayor declared the motion carried.

4B. CONSIDER AGREEMENT WITH JOE D. HALL FOR THE CONSTRUCTION MANAGER AT RISK FOR CITY HALL RENOVATIONS

City Manager Grayson Bottom said the plans will be finalized on Thursday for the renovation of City Hall.

Bottom said the agreement presented is for a guaranteed maximum price. He said Joe D. Hall has been chosen as the Construction Manager at Risk and the cost would be his fee plus an inspection fee of 10% along with reimbursable cost.

Bottom also explained that ARC's fee is based on a sliding scale based on the amount of bids. He said those number can be confirmed after bids are taken on the project.

Motion was made by Councilman Wheeler and seconded by Councilman Jones to approve the agreement with Joe D. Hall for the Construction Manager at Risk for the City Hall renovations.

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 presented City Clerk Lisa Anders with Service Award for Twenty-five years of service from the Oklahoma Municipal League.

City Manager Bottom said he had been out of the office recently due to the failing health of his mother. He said he would continue to be in and out of the office.

Bottom reported that a Clinton Community Planning Process Steering Committee meeting has been scheduled for November 10, 2010 at the Frisco Center.

6. AUDIENCE PARTICIPATION

Boy Scout Jay Davis was recognized as being in the audience. He said he was working on his Citizenship Badge.

Public Works Director Arnold Adams said the City Wide Cleanup is scheduled for the weekend of November 6th and roll-off dumpsters will be placed at various locations around Clinton.

Mayor Bryson introduced Phyllis Smith was a potential appointment for the vacancy in Ward One. He said an announcement would be coming in the near future.

AGENDA ITEM NO. 7: ADJOURNMENT

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

Mayor put the motion to a roll call vote:

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

Mayor declared the meeting adjourned at 6:20 P.M.

ORDINANCE NUMBER 927

AN ORDINANCE CHANGING THE ZONING
FROM R-1(SINGLE FAMILY DISTRICT) TO C-4 (GENERAL COMMERCIAL DISTRICT)
FOR PROPERTY LOCATED IN THE WEST 90 FEET OF LOTS 18, 19 & 20, BLOCK 11,
HARDEN'S ADDITION (531 SOUTH 10TH) TO THE CITY OF CLINTON, CUSTER
COUNTY, OKLAHOMA;
AND DECLARING AN EMERGENCY.

WHEREAS, the owners of a tract of land located in the west 90 feet of Lots 18, 19, & 20, Block 11, Harden's Addition in Clinton, Custer County, Oklahoma request that the zoning of said land be changed from R-1 (Single Family District) to C-4 (General Commercial District); and

WHEREAS, the Planning and Zoning Board of said City of Clinton, Oklahoma met on October 12, 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 October 20, 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 the west 90 feet of Lots 18, 19 & 20, Block 11, Harden's Addition (531 South 10th) 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 2nd day of November, 2010.


Allen Bryson, Mayor

ATTEST:


Lisa Anders, City Clerk