

**MINUTES OF THE CLINTON CITY COUNCIL
DECEMBER 21, 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, December 21, 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 17, 2010.

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

MAYOR: Allen Bryson

COUNCIL: Phyllis Smith, 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: Rod Serfoss and Mike Smith

OTHERS: Arnold Adams, Mary Helen Jones, Charles Fry, Toby Anders, Wade Anders, Rusty Whisenhunt, Gene McCullough, Debbie Bryson, Frankie Bottom, Marcia Wheeler, Erin Wheeler, Johnnie & Ann Redd, Jerry Douglas, Julie Mengie, Brand Hartsell, Kent Powell, O.B. Williams, David Crabtree and others.

Curtis Burton of the Custer Avenue Baptist Church opened the meeting with prayer and Councilwoman Phyllis Smith led the Pledge of Allegiance.

AGENDA ITEM NO. 4: CONSENT AGENDA:

A. Minutes of Regular Meeting of December 7, 2010

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

Mayor put the motion to a roll call vote:

Aye: Marcy, Smith, Jones, Wheeler, Bryson

Nay: None

Mayor declared the motion carried.

Mayor Allen Bryson presented Councilman Terry Wheeler with a gift and expressed appreciation for the service he has given to the City of Clinton serving as Councilman.

AGENDA ITEM NO. 4 ACTION ITEMS

4A. PUBLIC HEARING REGARDING REZONE OF PROPERTY AT 1725 S HIGHWAY 183

Mayor Allen Bryson opened the public hearing regarding the rezoning of property owned by O.B. Williams located at 1725 S Highway 183.

City Manager Grayson Bottom said the request had been submitted to the Planning and Zoning Board for their review. The Board has approved the request and submitted to the City Council with a recommendation to approve the rezoning of the property.

Mr. O.B. Williams, owner of the property, said the property is under contract. He said the building was constructed in 1977 and he was not aware that it has been zoned R-3.

Kent Powell said the property is under contract and he intends to relocate his business, First Care Rehab to the site and he said he is pursuing a government contract for part of the building.

The Public Hearing was closed.

4B. CONSIDER ORDINANCE NO. 931 REGARDING REZONING OF PROPERTY AT 1725 S HIGHWAY 183

Motion was made by Councilman Jones and seconded by Councilman Marcy to rezone the property at 1725 S Highway 183 from R-3 to I-2 as recommended by the Planning and Zoning Board.

Mayor put the motion to a roll call vote:

Aye: Jones, Marcy, Smith, 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. 931.

Mayor put the motion to a roll call vote:

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

Mayor declared the motion carried.

4C. CONSIDER CONDEMNATION OF PROPERTY AT 1007 AVANT; OWNER: JOHN C. KINDRED

Code Enforcement Officer Toby Anders explained that this property was brought before the Council at the November 16, 2010 meeting. At that time the Council has given Mr. Kindred thirty days to clean up the property at 1007 Avant. Anders presented pictures of the property taken over the past year. He explained that the needed work discussed has not been completed and the property has had a lack of maintenance and is not safe. He said he has made several contacts with the property owner dating back to an abatement hearing on January 21, 2010. Anders recommendation was to condemn the property.

Mr. Kindred said he has hired someone to help with the work and he said he felt good about the progress of the work. He said he had told his neighbors that the work would be completed by the spring.

City Manager Grayson Bottom said condemnation does not cause foreclosure on the property. It does give the property owner 30 days to remove the nuisance and after the 30 days it allows the City to enter the property and remove the nuisance.

Mayor Bryson said this is not a new situation.

Motion was made by Councilman Wheeler and seconded by Councilwoman Smith to condemn the property at 1007 Avant.

Mayor put the motion to a roll call vote:

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

Mayor declared the motion carried.

4D. CONSIDER AUTHORIZING THE MAYOR TO SIGN MEMO OF UNDERSTANDING WITH OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY CONCERNING TRANSFER OF TITLE FOR NATIONAL GUARD ARMORY PROPERTY

City Manager Grayson Bottom said the National Guard Armory property is state owned property. He said the Memo of Understanding is an agreement between the City of Clinton and the Department of Environment Quality regarding abatement of asbestos, lead base paint and the cleanup of the firing range. The Agreement provides for the City to occupy the bay parking area. He said the plans are to relocation the fire equipment that is currently kept on Marshall Road. He said the occupancy of the office area will follow the completion of the cleanup.

Councilman Marcy asked about the timeline.

City Manager Grayson Bottom said the attorney for the Military Department had advised the deed of transfer would be before December 31, 2010 with completion of cleanup by the fall of 2011.

Motion was made by Councilwoman Smith and seconded by Councilman Jones to authorize the Mayor to sign the Memo of Understanding with the Oklahoma Department of Environmental Quality concerning the transfer of title for the National Guard Armory property.

Mayor put the motion to a roll call vote:

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

Mayor declared the motion carried.

5. CITY MANAGER'S REPORT

City Manager Grayson Bottom announced the submittal of his resignation as the City Manger and that he will be assuming the duties as City Manager for the City of Yukon.

Mayor Allen Bryson announced that the next Vision Session is scheduled for January 11, 2011 at the Frisco Center. He said there is an on-line survey on the city's website that he encouraged all residents to take. He said computers are available at City Hall and the Clinton Public Library to take the survey.

6. AUDIENCE PARTICIPATION

None

AGENDA ITEM NO. 7: ADJOURNMENT

Moved by Councilman Wheeler and seconded by Councilwoman Smith to adjourn the meeting.

Mayor put the motion to a roll call vote:

Aye: Wheeler, Smith, Jones, Marcy, Bryson

Nay: None

Mayor declared the meeting adjourned at 6:10 P.M.

ORDINANCE NUMBER 931

AN ORDINANCE CHANGING THE ZONING
FROM R-3(MULTI-FAMILY DISTRICT) TO I-2 (LIGHT INDUSTRIAL DISTRICT) FOR
PROPERTY LOCATED IN THE NORTHWEST QUARTER OF SECTION 26, TOWNSHIP
12 NORTH, RANGE 17 W.I.M. (1725 S HIGHWAY 183)
IN CLINTON, CUSTER COUNTY, OKLAHOMA;
AND DECLARING AN EMERGENCY.

WHEREAS, the owners of a tract of land located in the Northwest Quarter of Section 26, Township 12 North, Range 17 W.I.M. in Clinton, Custer County, Oklahoma request that the zoning of said land be changed from R-3 (Multi- Family District) to I-2 (Light Industrial District); and

WHEREAS, the Planning and Zoning Board of said City of Clinton, Oklahoma met on November 30, 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

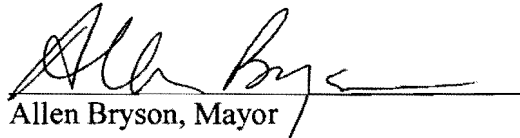
WHEREAS, the City Council did conduct a Public Hearing on this matter on this date in the Council Room of the Clinton City Hall pursuant to due legal notice thereof published in the Clinton Daily (Oklahoma) News on December 2~~X~~, 2010; and

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 Northwest Quarter of Section 26, Township 12 North, Range 17 W.I.M. (1725 S Highway 183) in 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 21st day of December, 2010.


Allen Bryson, Mayor

ATTEST:


Lisa Anders, City Clerk