

**MINUTES OF THE CLINTON CITY COUNCIL
MARCH 15, 2011**

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, March 15, 2011 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 March 11, 2011.

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

MAYOR: Allen Bryson

COUNCIL: Steve Jones, Don Rodolph, Bob Marcy, Phyllis Smith

CITY MANAGER: Steve Hewitt

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, Mary Helen Jones, Gene McCullough, Wade Anders, David Crabtree, Nicole Glance, Troy Calvert, Ron Stephenson, Geri Cordes, Bill Waldrop, Judith Jones, Juanita Jenks and others.

Charles Murphy of the Free Will 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 March 1, 2011

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, Rodolph, Bryson

Nay: None

Mayor declared the motion carried.

AGENDA ITEM NO. 4 ACTION ITEMS

4A. REQUEST AUTHORIZATION TO GO TO BID FOR TWO POLICE UNITS

City Manager Steve Hewitt explained that the Contingency Capital Budget has a balance of \$129,000.00. Hewitt explained the need to maintain the fleet replacement program, he suggested going to bid for two police units. He anticipated that the cost of the units would be \$55,000 for the two.

Motion was made by Councilman Rodolph and seconded by Councilman Jones to authorize staff to go to bid for two police units and to surplus two other police units.

Mayor put the motion to the roll call vote:

Aye: Rodolph, Jones, Marcy, Smith, Bryson

Nay: None

Mayor declared the motion carried.

4B. CONSIDER SURPLUSING OF TWO POLICE UNITS

Councilman Rodolph included in the motion to go to bid for the new police units to also surplus two other police units. The items were approved in the same motion.

4C. REQUEST AUTHORIZATION TO PURCHASE A GREENS MOWER

City Manager Steve Hewitt explained that \$27,000 is in the Capital Improvement line item in the Golf Budget. He reported that quotes have been submitted for the purchase of a greens mower. Staff had recommended purchasing the greens mower from Toro since it would allow for the transfer of parts.

Motion was made by Councilman Rodolph and seconded by Councilman Smith to authorize the purchase of a greens mower from Toro in the amount of \$25,128.00

Mayor put the motion to a roll call vote:

Aye: Rodolph, Smith, Jones, Marcy, Bryson

Nay: None

Mayor declared the motion carried.

4D. CONSIDER APPROVAL OF PROGRESS PAYMENT TO FISCHER BROTHERS FOR REPAIRS TO WATER SLIDE

City Manager Steve Hewitt explained that under the agreement with Fischer Brothers for doing to repairs to the water slide, a down payment of \$12,500 had been made earlier and now a progress payment of \$12,500 is being presented. He said the workers will be back to the site in four to five weeks to complete the project.

Motion was made by Councilman Jones and seconded by Councilman Smith to approve the payments of the progress payment to Fischer Brothers for repairs to the water slide.

Mayor put the motion to a roll call vote:

Aye: Jones, Smith, Rodolph, Marcy, Bryson

Nay: None

Mayor declared the motion carried.

4E. CONSIDER ORDINANCE NO. 934 REGARDING AMENDING SECTION 3-2-7 OF THE CITY OF CLINTON SALES TAX CODE OF THE CITY OF CLINTON, OKLAHOMA, AM AMENDED, BY PROVIDING FOR CONTINUING THE LEVY AND COLLECTION OF NINETY-FIVE HUNDREDTHS PERCENT (0.95%) EXCISE TAX; PROVIDING FOR THE PURPOSE THEREOF; PROVIDING EFFECTIVE DATE; PROVIDING FOR SEVERABILITY

City Manager Steve Hewitt explained that the ordinance had been prepared as a result of the

Special Meeting last Tuesday. He pointed out that during the discussion last that two options were discussed. He said the school had chosen to not be included in the issue. The wording of the ordinance includes a percentage designated for Fire Department, Police Department, Debt Service and Economic Development.

Motion was made by Councilman Rodolph and seconded by Councilman Jones to adopt ordinance 934 providing for continuing the levy and collection of ninety-five hundredths percent excise tax.

Mayor put the motion to a roll call vote:

Aye: Rodolph, Jones, Smith, Marcy, Bryson

Nay: None

Mayor declared the motion carried.

4F. CONSIDER RESOLUTION NO. 796 REGARDING AUTHORIZING THE CALLING AND HOLDING OF A SPECIAL ELECTION IN THE CITY OF CLINTON, COUNTY OF CUSTER, STATE OF OKLAHOMA, ON TUESDAY, THE 14TH DAY OF JUNE, 2011, FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED ELECTORS OF THE CITY OF CLINTON, OKLAHOMA, THE QUESTIONS OF THEIR APPROVAL OR REJECTION OF ALL OR PORTION OF ORDINANCE NO. 934 RELATING TO CONTINUING THE LEVY OF A NINE-FIVE HUNDREDTHS PERCENT (0.95%) CITY SALES TAX

City Manager Steve Hewitt explained that the resolution sets the date for the special election for June 14, 2011.

Motion was made by Councilman Jones and seconded by Councilman Marcy to approve Resolution 796 to Call and Hold a Special Election on June 14, 2011 relating to the levy of a nine-five hundredths percent City Sales Tax.

Mayor put the motion to a roll call vote:

Aye: Jones, Marcy, Smith, Rodolph, Bryson

Nay: None

Mayor declared the motion carried.

There was discussion regarding setting dates for Ward meetings.

5. CITY MANAGER'S REPORT

City Manager Steve Hewitt announced the date for the City Wide Clean up has been set for April 9 and 10, 2011.

6. AUDIENCE PARTICIPATION

Mary Helen Jones suggested included the information about the City Wide Cleanup in the water bills.

Councilman Jones asked about broadcasting the information regarding the City Wide Cleanup on the Blackboard Connect system.

AGENDA ITEM NO. 7: ADJOURNMENT

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

Mayor put the motion to a roll call vote:

Aye: Jones, Smith, Marcy, Rodolph, Bryson

Nay: None

Mayor declared the meeting adjourned at 5:50 P.M.

RESOLUTION NO. 796

A RESOLUTION AUTHORIZING THE CALLING AND HOLDING OF A SPECIAL ELECTION IN THE CITY OF CLINTON, COUNTY OF CUSTER, STATE OF OKLAHOMA, ON TUESDAY, THE 14TH DAY OF JUNE 2011, FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED ELECTORS OF THE CITY OF CLINTON, OKLAHOMA, THE QUESTION OF THEIR APPROVAL OR REJECTION OF ALL OR PORTIONS OF ORDINANCE NO. 934 RELATING TO CONTINUING THE LEVY OF A NINE-FIVE HUNDREDTHS PERCENT (0.95%) CITY SALES TAX

WHEREAS, the Council of the City of Clinton, Oklahoma, heretofore on the 15th day of March, 2011, enacted Ordinance No. 934 which relates to continuing the levy of a ninety-five hundredths percent (0.95%) excise tax on the gross receipts of specified sales from and after October 1, 2011; for the purpose of repairs and rehabilitation of the City of Clinton Police Department and Fire Department facilities, including potential expansion, demolition, and construction (52%), continued Debt Service at Acme Brick Park (40%), and future economic development (8%);

WHEREAS, under the provisions of Oklahoma law, an Ordinance continuing such tax must be submitted to and approved by a majority of the registered voters of the City at an election called and held for such purpose before such Ordinance shall become effective;

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CLINTON, OKLAHOMA:

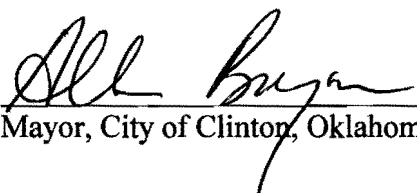
SECTION 1. The Mayor of the City of Clinton, Oklahoma, be and he is hereby authorized and directed to call a Special Election to be held in the City of Clinton, Oklahoma, on Tuesday the 14th day of June, 2011, for the purposed of submitting to the qualified electors of the City of Clinton, Oklahoma, for their approval or rejection the following propositions:

PROPOSITION NO. 1

Shall that portion of 3-2-7 of the City of Clinton Sales Tax Code continue the levy of ninety-five hundredths percent (0.95%) excise tax on the gross receipts of certain sales; providing that the purpose of such excise tax shall be solely for the following purposes: repairs and rehabilitation of the City of Clinton Police Department and Fire Department facilities, including potential expansion, demolition, and construction (52%) and for economic development within the City; continued Debt Service at Acme Brick Park (40%) and for economic development within the City; and future economic development (8%); providing said sales tax shall expire on August 31, 2019 fixing effective date; making provisions cumulative; and providing severability of provisions; be approved?


SECTION 2. That the call for such Special Election shall be by proclamation, signed by the Mayor and attested by the City Clerk, setting forth the propositions to be voted upon, and the hours of opening and closing of the polls. The ballots for the qualified electors shall set forth the propositions substantially as set out in Section 1 hereof, and the returns of such election shall be made to and canvassed by the Custer County Election Board.

PASSED AND APPROVED this 15 day of March, 2011.



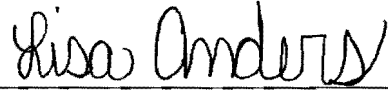
Mayor, City of Clinton, Oklahoma

ATTEST: (Seal)



City Clerk, City of Clinton, Oklahoma

I, the undersigned City Clerk of the City of Clinton, Oklahoma, hereby certify that the foregoing is a true, correct and complete copy of a Resolution of said City duly adopted by the governing body of said City at a meeting held on the date therein stated, as the same appears in the Minutes of said meeting on file in my office as a part of the official records thereof.



City Clerk, City of Clinton, Oklahoma

(Seal)

CERTIFICATE

I, the undersigned Secretary of the County Election Board of Custer County, Oklahoma, hereby certify that a copy of the within and foregoing Resolution was submitted to me on the 16 day of March, 2011.

Jeri Zitterkob
Secretary, County Election Board
Custer County, Oklahoma

(Seal)

