

**MINUTES OF THE CLINTON CITY COUNCIL  
JUNE 7, 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, June 7, 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 June 2, 2011.

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

**MAYOR:** Allen Bryson

**COUNCIL:** Don Rodolph, Bob Marcy, Phyllis Smith

**ABSENT:** Steve Jones

**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, Rusty Whisenhunt, David Crabtree, Gene McCullough, Wade Anders, Mark Gardner, Toby Anders, K.D. Kappel, Jason Hulin, Nancy Smith, Clint Lively, Julie Menge, D'Lese Travis, L.R. Sights, Jim Holmes, Jerry Romannose, and others.

Russ Lambert of the Trinity Lutheran 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 May 17, 2011  
Special Meetings of May 17, 2011
- B. Consider Claims

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

Mayor put the motion to a roll call vote:

Aye: Marcy, Smith, Rodolph, Bryson

Nay: None

Mayor declared the motion carried.

**AGENDA ITEM NO. 4 ACTION ITEMS**

**4A. CONSIDER SUPPLEMENTAL APPROPRIATIONS TO FISCAL YEAR 2010-2011  
BUDGET**

- 1) 2005 4<sup>TH</sup> Cent Education Fund- Supplemental appropriation to budget additional 4<sup>th</sup> Cent Education Sales Tax excess revenue collections over estimated and appropriate to Transfers Out to PWA for 2006 Revenue Bond Issue Debt Service
- 2) 2005 4<sup>th</sup> Cent Acme Park- Supplemental appropriation to budget additional 4<sup>th</sup> Cent Acme Construction and Operations Sales Tax Collections received and appropriate Transfers Out to PWA for 2006 Revenue Bond Issue Debt Service and Recreation Authority for Park Operations.

- 3) Capital Improvement Fund- Supplemental appropriation to budget additional Sales Tax Collections and Transfers Out to meet revenue bond requirements and to appropriate Loan Proceeds and Expenditures for City Hall Roof/Window Project.
- 4) Recreation Capital Construction Fund- Appropriate balance remaining in Fund Balance for Acme project for additional sod work and scoreboard replacement o close out fund.

City Treasurer Debra Blanchard explained the purpose for the supplemental appropriations and said it is to "clean up" the funds and close out completed projects as required by state statutes.

Motion was made by Councilman Marcy and seconded by Councilwoman Smith to approve the Supplemental Appropriations to Fiscal Year 2010-2011 budget.

Mayor put the motion to a roll call vote:

Aye: Marcy, Smith, Rodolph, Bryson  
Nay: None

Mayor declared the motion carried.

**4B. CONSIDER AND ADOPT RESOLUTION NO. 799 APPROVING THE PROPOSED FISCAL YEAR 2011-2012 BUDGET BEGINNING JULY 1, 2011 AND ENDING JUNE 30, 2012**

Motion was made by Councilman Marcy and seconded by Councilwoman Smith to adopt Resolution No. 799 approving the proposed fiscal year 2011-2012 budget beginning July 1, 2011 and ending June 30, 2012.

Mayor put the motion to a roll call vote:

Aye: Marcy, Smith, Rodolph, Bryson  
Nay: None

Mayor declared the motion carried.

**4C. CONFIRM APPLICATION OF INTEREST CREDIT OF \$2,296.47 TO WORKERS COMPENSATION PREMIUMS WITH OKLAHOMA MUNICIPAL ASSURANCE GROUP**

City Manager Steve Hewitt said that the Oklahoma Municipal Assurance Group has notified the City of a credit of \$2,296.47 on the workers compensation policy. Hewitt recommended applying the credit to the 2011-2012 premiums.

Motion was made by Councilwoman Smith and seconded by Councilman Marcy to apply the credit on the workers compensation premium for the 2011-2012 workers compensation insurance.

Mayor put the motion to a roll call vote:

Aye: Smith, Marcy, Rodolph, Bryson  
Nay: None

Mayor declared the motion carried.

**4D. CONSIDER REQUEST OF STREET CLOSINGS, PARADES AND PERMIT WAIVERS FOR 2011-2012**

City Manager Steve Hewitt presented the list from the various groups for request of the City's assistance for various activities. He said he had reviewed the request and wanted the Council to be aware of the activities.

Motion was made by Councilwoman Smith and seconded by Councilman Marcy to approve the request of Street Closings, parades and permit waivers for 2011-2012.

Mayor put the motion to a roll call vote.

Aye: Smith, Marcy, Rodolph, Bryson  
Nay: None

Mayor declared the motion carried.

**4E. CONSIDER APPOINTMENT TO THE BOARD OF ADJUSTMENTS FOR 3-YEAR TERM**

City Manager Steve Hewitt explained that two board members terms will be expiring June 30<sup>th</sup> and the July meeting is already scheduled with action items. He explained that without the appointments to the board, there would not be a quorum. He said that Matt Graybill and David Mosburg would be completing their terms.

Motion was made by Councilman Rodolph and seconded by Councilman Marcy to reappoint Matt Graybill and David Mosburg to the Board of Adjustments.

Mayor put the motion to a roll call vote:

Aye: Rodolph, Marcy, Smith, Bryson  
Nay: None

Mayor declared the motion carried.

**4F. CONSIDER APPOINTMENT TO THE PLANNING AND ZONING BOARD FOR 3-YEAR TERM**

City Manager Steve Hewitt reported that Jay Wyer and Julie Strong would be completing their term on the Planning and Zoning Board on June 30, 2011.

Motion was made by Councilman Rodolph and seconded by Councilman Marcy to reappoint Jay Wyer and Julie Strong to the Planning and Zoning Board.

Mayor put the motion to a roll call vote:

Aye: Rodolph, Marcy, Smith, Bryson  
Nay: None

Mayor declared the motion carried.

**4G. CONSIDER APPOINTMENT TO THE WESTERN PLAINS LIBRARY BOARD FOR 3-YEAR TERM**

City Manger Steve Hewitt explained that Cheryl Lowry will be completing her second term on the Western Plains Library Board on June 30, 2011. Given that an individual cannot serve more that two consecutive terms on this board, a new appointment will need to be made. Western Plains Library Board has recommended appointing Juan Garcia to serve in this position.

Motion was made by Councilman Rodolph and seconded by Councilman Marcy to appoint Juan Garcia to the Western Plains Library Board.

Mayor put the motion to a roll call vote:

Aye: Rodolph, Marcy, Smith, Bryson  
Nay: None

Mayor declared the motion carried.

**4H. CONSIDER EASEMENT OPTION WITH ONEOK ON PROPERTY IN WASHITA COUNTY**

City Manager Steve Hewitt reported that he had been contacted by ONEOK regarding an easement for the placement of a gas line in the Burns Flat area.

Councilman Rodolph suggested that Assistant City Attorney Ryan Meacham review the agreement and include a provision for the size of the pipeline and confirmation of payment for crop damages to be paid by ONEOK. Rodolph suggested other details that need to be included in this agreement.

City Manager Hewitt said that the rate is \$110.00 per rod and he said that was not negotiable.

Councilman Rodolph said the agreement need to be filed with the plat as a matter of record.

Motion was made by Councilman Rodolph and seconded by Councilman Marcy to approve the agreement with the amendments as outlined in the discussion.

Mayor put the motion to a roll call vote:

Aye: Rodolph, Marcy, Smith, Bryson  
Nay: None

Mayor declared the motion carried.

**4I. CONSIDER APPROVAL OF FIRE WISE PLAN FOR CITY OF CLINTON**

City Manager Steve Hewitt introduced Mark Gardner of SWODA to present the Fire Wise Plan for the City of Clinton.

Mark Gardner explained that the Fire Wise Board has reviewed and recommended the plan that is being presented. He said the documents include information to establish wildland fire risk assessments, establish priorities and strategies for plans. He said the pamphlets for general public distribution are included. Gardner introduced the City of Clinton Fire Wise Board Chairman Toby Anders.

Gardner explained that this plan will lead into another grant with a plan to submit to the state for approval. He said after approval of the plan the City will be recognized as a Fire Wise Community.

Toby Anders explained that projects can be done to continue to reduce the risk of fires in the community. He said grant funds can be used on private property with an agreement to enter on private property in order to reduce fire risks.

Fire Chief Wade Anders said grant funds can also be used to purchase wildland gear.

Motion was made by Councilwoman Smith and seconded by Councilman Marcy to approve the Fire Wise Plan for the City of Clinton.

Mayor put the motion to a roll all vote:

Aye: Smith, Marcy, Rodolph, Bryson

Nay: None

Mayor declared the motion carried.

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

City Manager Steve Hewitt reported on the policy of dealing with nuisances. He said he had meet with the Chief and Code Enforcement Officer and instructed them to be aggressive in dealing the nuisance situations. He said the property at 2312 Sunup is an example of property that is causing a nuisance and there has been no reply from the correspondence sent by the City. He said a hearing is scheduled for June 29<sup>th</sup> regarding mowing. He said a lien of \$415 is already filed on the property for past mowing.

Councilman Marcy asked about the issue of cars parking on grass.

City Manager Hewitt said the City is taking an aggressive position on that topic also. He said a common sense approach is necessary since some streets are very narrow. He said this will be an on-going challenge.

Councilwoman Smith asked about the church property on Locust that was to be discussed at the last hearing.

City Manager Hewitt said that no one responded to the hearing.

City Manager Steve Hewitt thanked the Council for allowing him to go to Joplin, MO as a volunteer following the recent tornado. He said he would be absent from the next Council meeting as he will be a speaker for an out-of-state meeting.

## **6. AUDIENCE PARTICIPATION**

Mayor Allen Bryson reported the City-Wide Town Meeting will be held on Thursday, June 9<sup>th</sup> at 5:30 P.M. at the Frisco Center. He said election questions will be addressed. The Special Election for the 4<sup>th</sup> Cent Sales Tax will be held on Tuesday, June 14<sup>th</sup>.

Jerry Romannose thanked the City for the assistance with the recent Hub City Pow Wow.

**AGENDA ITEM NO. 7: ADJOURNMENT**

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

Mayor put the motion to a roll call vote:

Aye: Rodolph, Marcy, Smith, Bryson

Nay: None

Mayor declared the meeting adjourned at 6:25 P.M.









## **RESOLUTION NO. 799**

### **A RESOLUTION OF THE CITY OF CLINTON, CLINTON PUBLIC WORKS AUTHORITY, CLINTON HOSPITAL AUTHORITY, CLINTON RECREATIONAL AUTHORITY, CLINTON AIRPORT AUTHORITY, CLINTON INDUSTRIAL AUTHORITY, CLINTON SOLID WASTE AUTHORITY APPROVING THE 2011-2012 BUDGET**

**WHEREAS**, the Oklahoma State Statues, Title 11, Section 201 authorizes a municipality to prepare and approve an annual budget, and


**WHEREAS**, the City of Clinton has met all requirements for publications and public input on the 2011-2012 budget, and

**WHEREAS**, the City Council/ Authorities of the City of Clinton has reviewed the proposed budget and is aware of the operations and projects planned for the 2011-2012 budget;


**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Clinton, and the Board of Trustees of the Clinton Public Works Authority, Clinton Hospital Authority, Clinton Recreational Authority, Clinton Airport Authority, Clinton Industrial Authority, and Clinton Solid Waste Authority of Clinton, Oklahoma:

1. That the 2011-2012 budget be approved for the funds and amounts as outlined.
2. That the City Treasurer or the City Manager may make transfers between departments and line item accounts within a fund as needed. Supplemental appropriations must be approved by the City Council prior to implementation.
3. That the City Treasurer or designated deputy shall be given blanket authority and directed to invest and reinvest available funds on a continuing basis during the fiscal year ending June 30, 2012 in a manner described in the City of Clinton's Investment Policy.

**PASSED** by the City Council, Board of Trustees of the Clinton Public Works Authority, Clinton Hospital Authority, Clinton Recreational Authority, Clinton Airport Authority, Clinton Industrial Authority and Clinton Solid Waste Authority this 7th day of June, 2011.

  
Allen Bryson, Mayor/Chairman

ATTEST:

  
Lisa Anders, City Clerk