

**MINUTES OF THE CLINTON CITY COUNCIL  
SEPTEMBER 6, 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, September 6, 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 September 1, 2011.

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

**MAYOR:** Allen Bryson

**COUNCIL:** Don Rodolph, Bob Marcy, Phyllis Smith, 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:** David Crabtree, Rusty Whisenhunt, Gene McCullough, Irving Schmidt, Gerrie Cordes, Bill Waldrop, Arnold Adams, Toby Anders, Patsy Rhodes, Mary Helen Jones, Robert Keil, Bruce Metheny, Curtis Maloy, Yanet Rodriguez and others.

Jarod Atha opened the meeting with prayer and Councilman Bob Marcy led the Pledge of Allegiance.

**AGENDA ITEM NO. 4: CONSENT AGENDA:**

- A. Minutes of Regular Meeting of August 16, 2011
- B. Consider Claims

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

Mayor put the motion to a roll call vote:

Aye: Smith, Marcy, Jones, Rodolph, Bryson

Nay: None

Mayor declared the motion carried.

**AGENDA ITEM NO. 4 ACTION ITEMS**

**4A. CONSIDER AGREEMENT WITH AARP**

City Manager Steve Hewitt explained that the agreement with AARP is for \$3,500.00 for fuel for the transportation services provided by AARP.

Motion was made by Councilman Rodolph and seconded by Councilman Jones to approve the agreement with AARP.

Mayor put the motion to a roll call vote:

Aye: Rodolph, Jones, Smith, Marcy, Bryson

Nay: None

Mayor declared the motion carried.

**4B. CONSIDER CONDEMNATION OF PROPERTY AT:**

A) 527 South 13<sup>th</sup>- Owner: Bruce Metheny

Code Enforcement Officer Toby Anders provided information and pictures regarding property at 527 South 13<sup>th</sup>. He said that following meetings with Mr. Metheny, he had not complied with the agreements. He said due to safety hazards and the storage of combustible materials, he recommended condemnation of the property and the allowance of 30 days for the property owner to remedy the situation.

Bruce Metheny said he did not meet the time limits as had been agreed.

Anders said the wall of the structure needs to be in place, the fence taken down and siding put back up. He said the Mr. Metheny could continue remodeling on the inside but he felt after ten years, it is time to fix the structure or remove it.

Mr. Metheny asked for 30 days and he said he would get the work done.

Councilman Rodolph suggested tabling the issue for 30 days and have a report on the progress in two weeks.

B) 711 Opal- Owner: Patsy Jean Rhodes

Code Enforcement Officer Toby Anders provided information and pictures regarding property at 711 Opal. He said notification was sent to Ms. Rhodes and her husband had signed for the letter but apparently had not informed her of the situation. He stated that the property is a safety hazard as well as a fire hazard. He recommended condemnation of the property and the allowance of 30 days for the property owner to remedy the situation.

Ms. Patsy Rhodes said she had been out of state when she became aware of the situation and she asked for more than 30 days to comply.

Code Enforcement Officer Toby Anders suggested tabling the item for sixty days to allow Ms. Rhodes time to work on the structure.

Motion was made by Councilman Rodolph and seconded by Councilman Marcy to allow 30 days extension for the property at 527 South 13<sup>th</sup> and allow 60 days extension for the property at 711 Opal.

Mayor put the motion to a roll call vote:

Aye: Rodolph, Marcy, Smith, Jones, Bryson

Nay: None

Mayor declared the motion carried.

C) 1420 Dunn- Owner: Frank Sambrano & Yanet Rodriguez

Code Enforcement Officer Toby Anders provided information and pictures regarding the property at 1420 Dunn. He said there is raw sewage in the basement. He said there are unsanitary life safety issues.

City Manager Steve Hewitt said this is an emergency situation since it is affecting the neighborhood.

Anders said the problems with the sewage and infestation of bugs needs to be addressed.

Mayor Bryson said we cannot allow the problem to affect the neighborhood.

Councilwoman Smith asked Ms. Rodriguez is she understood what is being discussed.

Ms. Rodriguez explained her family and financial situation and said that she would try to take care of it. She said she has no utilities and four small children.

Councilman Smith said this is to the point that professionals will need to address these problems. She said the basement would have to be cleaned out and the structure would need to be sprayed for bugs.

Ms. Rodriguez asked if she would owe the City money after this work is done.

Assistant City Attorney Ryan Meacham said a lien would be placed on the property for the amount of funds spent by the City.

Motion was made by Councilman Rodolph and seconded by Councilman Jones to condemn the property to allow for emergency services at 1420 Dunn.

Mayor put the motion to a roll call vote:

Aye: Rodolph, Jones, Smith, Marcy, Bryson

Nay: None

Mayor declared the motion carried.

#### **4C. CONSIDER ARCHITECT CONTRACT WITH GLMV REGARDING POLICE FACILITY**

City Manager Steve Hewitt presented the contract with GLMV for architect services for the Police Department. He reviewed a breakdown of estimated cost. He said the City Attorney Randy Meacham had reviewed the documents and the City would own the plans that would be prepared.

Motion was made by Councilman Rodolph and seconded by Councilman Smith to approve the architect contract with GLMV regarding the Police Facility.

Mayor put the motion to a roll call vote:

Aye: Rodolph, Smith, Marcy, Jones, Bryson

Nay: None

Mayor declared the motion carried.

Curtis Maloy asked if the documents have all been reviewed.

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City Manager Steve Hewitt said this document allows that process to begin with a meeting on September 23<sup>rd</sup>.

Maloy said he was concerned about a firm from out of state doing the work.

Councilman Rodolph said they also have an office in Tulsa, Oklahoma.

#### **4D. CONSIDER ARCHITECT CONTRACT WITH GLMV REGARDING FIRE STATION**

City Manager Steve Hewitt presented the contact with GLMV regarding the Fire Station.

Motion was made by Councilman Rodolph and seconded by Councilman Jones to approve the architect contract with GLMV regarding the Fire Station.

Mayor put the motion to a roll call vote:

Aye: Rodolph, Jones, Smith, Marcy, Bryson

Nay: None

Mayor declared the motion carried.

#### **4E. CONSIDER AND DISCUSS THE PURCHASE OR APPRAISAL OF REAL PROPERTY INCLUDING AN EXECUTIVE SESSION AS AUTHORIZED BY 25 O.S. ss 307B(3)**

Motion was made by Councilman Rodolph and seconded by Councilman Smith to go into executive session.

Mayor put the motion to a roll call vote:

Aye: Rodolph, Smith, Jones, Marcy, Bryson

Nay: None

Mayor declared the meeting in executive session at 6:20 P.M.

#### **RECONVENE TO REGULAR SESSION**

Motion was made by Councilman Jones and seconded by Councilwoman Smith to return to regular session.

Mayor put the motion to a roll call vote:

Aye: Jones, Smith, Marcy, Rodolph, Bryson

Nay: None

Mayor declared the meeting in regular session at 6:40 P.M.

The motion was made by Councilman Rodolph and seconded by Councilman Marcy to approve the Contract for Sale of Real Property with Boyce and Gail Ashcraft for the west 95' of Lots 1-12 of Block 61, Original Townsite of Clinton for \$40,000.00.

Mayor put the motion to a roll call vote:

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

Mayor declared the motion carried.

Motion was made by Councilman Rodolph and seconded by Councilman Jones to approve the Contract for Sale of Real Property from Vernon Flaming for the property in Lots 21-23, Block 61, Original Townsite of Clinton for \$35,000.00.

Mayor put the motion to a roll call vote:

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

Mayor declared the motion carried.

Motion was made by Councilman Rodolph and seconded by Councilwoman Smith to approve the Contract for Sale of Real Property from Jerry and Debra Keil for the property in Lots 24-26, Block 61, Original Townsite of Clinton for \$75,000.00.

Mayor put the motion to a roll call vote:

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

Mayor declared the motion carried.

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

City Manager Steve Hewitt said surveys would be given to Fire and Police personnel and working with the Chief, the architects would get ideas on design. He said he was working with local banks on financing the projects. He estimated the Police Department would be a twelve month project and the Fire Station would be an eighteen month project.

City Treasurer Debra Blanchard gave a report on sales tax collections. She said the sales tax rate had reduced on April 1, 2011 to 3.05% and return to 4.00% effective October 1, 2011. She said the Use Tax is the same rate but it is very hard to estimate since it is more sporadic.

## **6. AUDIENCE PARTICIPATION**

None

## **AGENDA ITEM NO. 7: ADJOURNMENT**

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

Mayor put the motion to a roll call vote:

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

Mayor declared the meeting adjourned at 7:00 P.M.