

**MINUTES OF THE CLINTON CITY COUNCIL
OCTOBER 18, 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, October 18, 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 October 14, 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: Arnold Adams, Mary Helen Jones, Jason Hulin, Jeremy Brush Gene McCullough, Bruce Metheny, Toby Anders, L.R. Sights, K.D. Kappel and others.

Dale Nease of the Cumberland Presbyterian Church 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 October 4, 2011

Moved by Councilwoman Smith and seconded by Councilman Marcy, that Consent Agenda Item No. 3 (a) 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 CONDEMNATION OF PROPERTY AT 527 SOUTH 13TH - OWNER: BRUCE METHENY

Code Enforcement Officer Toby Anders presented additional pictures and information to the presentation he had given to the Council at the August meeting. He said at that meeting Mr. Metheny had been given 30 days which has actually be 42 days to bring back to the Council for review. He said that a wall has been partially put in place but is not secure and little to no other work has been done. The recommendation to continue with condemnation was made.

Bruce Metheny said the jack shown in the picture has been removed and he now needs to pull the wall out and move dirt for the footings. He said he needs an additional 60 days.

Mayor Bryson suggested bringing this item back for the second meeting in November.

Councilwoman Smith asked Mr. Metheny if he has a plan or idea for the property.

Mr. Metheny stated that he intends to rebuild the structure but it takes time. He said he plans to have it completed in four months.

Motion was made by Councilman Rodolph and seconded by Councilwoman Smith to bring the condemnation back for Council review at the second meeting in November.

Mayor put the motion to a roll call vote:

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

Mayor declared the motion carried.

4B. CONSIDER APPROVAL OF WORKERS COMPENSATION REFUND FROM THE OKLAHOMA MUNICIPAL ASSURANCE GROUP FOR 2008-2009 PLAN YEAR

City Manager Steve Hewitt reported that OMAG has notified the City of a \$28,257.43 refund from the 2008-2009 Plan Year for the Workers Compensation insurance program. Staff recommends that the refund be applied to the 2011-2012 premiums.

Motion was made by Councilman Jones and seconded by Councilwoman Smith to approve the staff recommendation to apply the Workers Compensation refund from the 2008-2009 Plan Year to the 2011-2012 premiums.

Mayor put the motion to a roll call vote:

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

Mayor declared the motion carried.

4C. CONSIDER SURPLUSING OF ADDITIONAL 15 ACRE TRACT OF LAND PREVIOUSLY KNOWN AS OLD LANDFILL SITE

City Manager Steve Hewitt reported that previously Council had taken action to surplus two tracts of land at the landfill but he has been approached by several about also selling the other tract of land at the site. He recommended pulling out five acres from the site to reserve for the animal control shelter and surplus the balance and go to bid to sell the three tracts.

Councilman Rodolph suggested conducting the sale like the City bids the oil and gas leases to include an auction from those submitting sealed bids.

Mayor Bryson asked if the owners of the racetrack had contacted the City Manager.

Assistant City Attorney Ryan Meacham said the property has been surveyed.

Mayor Bryson suggested calling for an executive session to discuss the property at the first meeting in November.

4D. REQUEST AUTHORIZATION TO GO TO BID FOR SALE OF SURPLUS PROPERTY

This item was tabled until the action of the first meeting in November.

4E. CONSIDER BIDS ON ASPHALT OVERLAY OF VARIOUS STREETS

Staff had advertised for bids on asphalt overlay of various streets. Two bids were received:

Howard's Excavating & Paving Newcastle, OK \$141,833.00	Circle S Paving Company Clinton, OK \$82,745.00
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Motion was made by Councilman Rodolph and seconded by Councilman Jones to refer the bids to staff and approve the lowest and best bid.

Mayor put the motion to a roll call vote:

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

Mayor declared the motion carried.

4F. CONSIDER BIDS ON SEAL COAT ON VARIOUS STREETS

Staff advertised for bonds on seal coat on various streets. Two bids were received:

Circle R Asphalt Clinton, OK \$40,573.00	Howard's Excavating & Paving Newcastle, OK \$55,777.00
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Motion was made Councilwoman Smith and seconded by Councilman Rodolph to refer the bids to staff and approve the lowest and best bid.

Mayor put the motion to a roll call vote:

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

Mayor declared the motion carried.

4G. CONSIDER AUTHORIZATION TO REPAIR GUTTERING SYSTEM AT ACME BRICK PARK

City Manager Steve Hewitt reported that the guttering system at Acme Brick Park is the original frame of the building and has constant leaks causing many repairs. He explained that there is a building inside a building and was not designed properly. He said it is necessary to get the moisture away from the interior building. He recommended accepting the quote presented by Nurnberg Roofing Company for \$22,380.00 to fix this problem. Additionally he discussed long term plans and a feasibility study for the facility.

Motion was made by Councilwoman Smith and seconded by Councilman Marcy to authorize the expenditure of funds for repairing the guttering system at Acme Brick Park.

Mayor put the motion to a roll call vote:

Aye: Smith, Marcy, Rodolph, Jones, Bryson

Nay: None

Mayor declared the motion carried.

4D. DISCUSS AND CONSIDER 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 Marcy and seconded by Councilwoman Smith to go into executive session to discuss the purchase or appraisal of real property.

Mayor put the motion to a roll call vote:

Aye: Marcy, Smith, Rodolph, Jones, Bryson

Nay: None

Mayor declared the meeting in executive session at 6:15 P.M.

RECONVENE INTO REGULAR SESSION

Motion was made by Councilman Marcy and seconded by Councilwoman Smith to reconvene into regular session.

Mayor put the motion to a roll call vote:

Aye: Marcy, Smith, Jones, Rodolph, Bryson

Nay: None

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

Motion was made by Councilwoman Smith and seconded by Councilman Jones to authorize the City Manager to negotiate the purchase of property for the development of a new housing addition.

Mayor put the motion to a roll call vote:

Aye: Smith, Jones, Marcy, Rodolph, Bryson

Nay: None

Mayor declared the motion carried.

5. CITY MANAGER'S REPORT

City Manager Steve Hewitt reported on the many activities going on at Acme Brick Park.

Councilman Rodolph reported that funeral services are scheduled for Saturday for long-time City Manager James Luckett.

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, Marcy, Rodolph, Jones, Bryson

Nay: None

Mayor declared the meeting adjourned at 6:45 P.M.