

**MINUTES OF THE CLINTON CITY COUNCIL
AUGUST 7, 2012**

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, August 7, 2012 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 August 3, 2012.

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

MAYOR: Allen Bryson

COUNCIL: Don Rodolph, Bob Marcy, Jason Hulin, 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

OTHERS: Julie Menge, Jeremy Bush, David Crabtree, Gene McCullough, Narci Smith, Seth Adams, Mary Helen Jones, and others.

Rev. Dr. C.W. Whitlow, President of the National Missionary Baptist opened the meeting with prayer and Betty Gaines led the Pledge of Allegiance.

AGENDA ITEM NO. 4: CONSENT AGENDA:

- A. Minutes of Regular Meeting of July 17, 2012
- B. Consider Claims

Moved by Councilman Hulin 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: Hulin, Marcy, Smith, Rodolph, Bryson

Nay: None

Mayor declared the motion carried.

AGENDA ITEM NO. 4 ACTION ITEMS

4A. CONSIDER ORDINANCE NO. 831B REGARDING REPEALING SECTION 3-5-2 AND 3-5-4 OF CLINTON CITY CODE REGARDING HOTEL/MOTEL ROOM TAX EXEMPTIONS

City Manager Steve Hewitt explained that Ordinance No. 831A had been approved in April to repeal the original ordinance of December 1999. This ordinance cleans up some of the language regarding definitions in this section of the City Code.

City Attorney Ryan Meacham said he had reviewed the City Code and this ordinance is necessary to clarify some definition regarding the Hotel/Motel Room Tax exemptions.

Motion was made by Councilman Rodolph and seconded by Councilman Marcy to approve Ordinance No. 831B with the emergency clause regarding repealing Section 3-5-2 and Section 3-5-4 of the Clinton City Code regarding Hotel/Motel Room Tax exemptions.

Mayor put the motion to a roll call vote:

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

Mayor declared the motion carried.

4B. CONSIDER INTERGOVERNMENTAL AGREEMENT WITH THE OKLAHOMA DEPARTMENT OF TRANSPORTATION

City Manager Steve Hewitt explained that the Oklahoma Department of Transportation has had an annual agreement with the City of Clinton in the amount of \$50,000 for maintenance to Gary Boulevard. This agreement pays the City to do the repairs. He said there are no changes being made to the previous agreement.

Motion was made by Councilman Marcy and seconded by Councilwoman Smith to approve the intergovernmental agreement with the Oklahoma Department of Transportation for \$50,000 to do maintenance to Gary Boulevard.

Mayor put the motion to a roll call vote:

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

Mayor declared the motion carried.

4C. CONSIDER CHANGE ORDER #3 WITH COLONY CONSTRUCTION FOR RENOVATION OF POLICE STATION

City Manager Steve Hewitt explained that during the remodeling of the Police Station, an issue with the HVAC was identified. The cost for the necessary repairs is \$3,555 to adequately have air loads to the proper areas. He said this is not a change in design and the contingency is available for this change order.

Motion was made by Councilman Hulin and seconded by Councilman Marcy to approve Change Order #3 with Colony Construction for \$3,555 for renovations to the Police Station.

Mayor put the motion to a roll call vote:

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

Mayor declared the motion carried.

5. CITY MANAGER'S REPORT

City Manager Steve Hewitt reported that the renovation of the Police Station is approximately 75 to 80% complete. He said the dispatch area will need to be temporarily relocated and the City is working with the state to accomplish this. He said it is hoped that the project will be completed in the next 60 days.

City Manager Steve Hewitt reported that a groundbreaking will be scheduled soon for the construction of the Fire Station.

City Manager Steve Hewitt reviewed the options previous presented to Council regarding election/filing periods. He explained that this year was unique for the filing period to be set in April rather than June.

Councilman Rodolph asked City Attorney Ryan Meacham to research election times. He said that Norman and Oklahoma City have a different time frame than Clinton.

City Manager Steve Hewitt presented letter from the Circuit Engineering District #7 regarding the intent to construct an emulsified asphalt mill. He said they have interest in property located on the southeast corner of property at Walton Road and Commerce owned by the City. He said he would work with City Attorney Ryan Meacham and bring back an agreement for consideration by the Council.

City Manager Steve Hewitt reported that Joe Ridley is working on the housing plat and hopes to present the plat to the Council at the August 21st meeting.

AGENDA ITEM. 7 AUDIENCE PARTICIPATION

Councilwoman Phyllis Smith introduced guest in the audience who are attending a conference at the Bethany Baptist Church.

Mayor Allen Bryson presented representative of the National Mission Baptist with a Proclamation.

Henry Caldwell addressed the Council with a request from the Masonic regarding dedication of the cornerstone of the proposed fire station.

AGENDA ITEM NO. 8: 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, Hulin, Rodolph, Bryson

Nay: None

Mayor declared the meeting adjourned at 6:00 P.M.

ORDINANCE NO. 831B

AN ORDINANCE AMENDING THE CLINTON CITY CODE BY DELETING A PORTION OF SECTION 3-5-2 AND REPEALING SECTION 3-5-4 RELATING TO HOTEL/MOTEL ROOM TAX EXEMPTIONS AND THEREBY RENUMBERING SECTIONS OF THAT ARTICLE AND DECLARING AN EMERGENCY

WHEREAS, Ordinance 831 was passed by the City Council on December 7, 1999;

WHEREAS, Ordinance 831a was passed by the City Council on April 3, 2012;

WHEREAS, Ordinance 831a removed the definition of "permanent resident" from 3-5-2 (831a) however all references to the defined term, "permanent resident" were not removed;

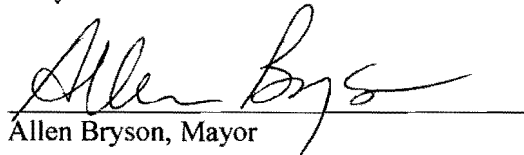
NOW THEREFORE, be it ordered by the Council of the City of Clinton, Oklahoma:

1. The definition of Hotel/Motel shall be amended to read as follows:

Any building or buildings, structures, trailers, or other facility in which the public may, for consideration, obtain sleeping accommodations in which five (5) or more rooms are used for the accommodation of such guests, whether such rooms are in one or several structures. The term shall include hotels, apartment hotels, motels, tourist homes, houses or courts, lodging houses, inns, rooming houses, trailer houses, trailer motels, dormitory space where bed space is rented to individuals or groups, apartments not occupied by permanent residents, and all other facilities where room or sleeping facilities or space are furnished for a consideration. The term shall not include hospitals, sanatoriums or nursing homes.

WHEREFORE, an emergency is hereby declared to exist and this Ordinance shall be in full force and effect immediately from and after its passage, approval and publication.

Passed and approved this 7th day of August, 2012.


Allen Bryson, Mayor

ATTEST:



Lisa Anders, City Clerk