

**MINUTES OF THE CLINTON CITY COUNCIL  
FEBRUARY 19, 2013**

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, February 19, 2013 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 February 14, 2013.

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

**MAYOR:** Seth Adams

**COUNCIL:** Don Rodolph, Bob Marcy, Jason Hulin, Lucas Martinez

**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, Rod Serfoss and Mike Smith

**OTHERS:** Julie Menge, Stephen Jones, Kris Wermey, Tyler Daniels, Randy Carpenter, Jeremy Bush, David Crabtree, Roy Dobbs, Dan Day, Doyle Kinney, Dave Gerbrandt, Mary Helen Jones, Bobby Hoffman, Louis Williams, Bill & Connie Cummins, Julie Strong, Donna Burton, Narci Smith, Mary Smith, Alicia Howell and others.

Jean Simpson of St. Paul's Episcopal Church opened the meeting with prayer and Councilman Bob Marcy led the Pledge of Allegiance.

**AGENDA ITEM NO. 3: CONSENT AGENDA**

- A. Minutes of Regular Meeting of January 15, 2013
- B. Consider Claims

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

Mayor put the motion to a roll call vote:

Aye: Marcy, Hulin, Rodolph, Adams

Nay: None

Mayor declared the motion carried.

**AGENDA ITEM NO. 4: ACTION ITEMS**

**4A. CONSIDER PROCLAMATION REGARDING AMBUCS**

City Clerk Lisa Anders explained that AMBUCS is a civic organization that emphasizes on helping dependent people live independent lives. AMBUCS has partnered with the City of Clinton to assist with the purchase of a handicap accessible chair lift for the Clinton Public Swimming Pool. The organization presented a check for \$4591.00 that was collected from the various civic organizations and private donations.

Mayor Seth Adams presented a proclamation declaring February as Visibility Month in recognition of AMBUCS.

**4B. REQUEST AUTHORIZATION TO PURCHASE LASER FINGERPRINT MACHINE FOR THE POLICE DEPARTMENT**

City Manager Steve Hewitt said the department is working with old technology. He said the proposed laser fingerprint machine would be the final piece of equipment needed to complete the rehab of the Police Department. He said the new equipment would make the fingerprinting process quicker and more accurate. The estimated cost of the machine is \$16,000.00.

Motion was made by Councilman Marcy and seconded by Councilman Hulin to authorize the purchase a laser fingerprint machine for the Police Department.

Mayor put the motion to a roll call vote:

Aye: Marcy, Hulin, Rodolph, Martinez, Adams  
Nay: None

Mayor declared the motion carried.

**4C. CONSIDER STAFF RECOMMENDATION REGARDING PURCHASE OF POLICE UNITS**

City Manager Steve Hewitt said that following staff review of the bids opened at the previous meeting for police units, staff recommends the purchase of two Ford Taurus all-wheel drive with the upgraded V-6 engine and the road ready package.

Councilman Marcy asked when delivery could be made.

Police Chief Crabtree said three to four months.

Motion was made by Councilman Rodolph and seconded by Councilman Marcy to approve staff recommendation regarding the purchase of two police units.

Mayor put the motion to a roll call vote:

Aye: Rodolph, Marcy, Hulin, Martinez, Adams  
Nay: None

Mayor declared the motion carried.

**4D. DISCUSS AND CONSIDER CREATING AN ECONOMIC DEVELOPMENT ADVISORY COMMITTEE WITH CHAMBER OF COMMERCE**

Councilman Rodolph said he liked the concept of a joint committee but recommended modifying the membership to include an additional member of the City Council. He recommended the addition of Councilman Jason Hulin to the membership. He said he liked the two entities working together.

Motion was made by Councilman Rodolph and seconded by Councilman Marcy to amend the proposal for an advisory committee to include six members.

Mayor put the motion to a roll call vote:

Aye: Rodolph, Marcy, Martinez, Hulin, Adams  
Nay: None

Mayor declared the motion carried.

Motion was made by Councilman Marcy and seconded by Councilman Martinez to appoint Jason Hulin to the Economic Development Advisory Committee.

Mayor put the motion to a roll call vote:

Aye: Marcy, Martinez, Hulin, Rodolph, Adams  
Nay: None

Mayor declared the motion carried.

Motion was made by Councilman Rodolph and seconded by Councilman Hulin to create an Economic Development Advisory Committee with the Chamber of Commerce.

Mayor put the motion to a roll call vote:

Aye: Rodolph, Hulin, Martinez, Marcy, Adams  
Nay: None

Mayor declared the motion carried.

Julie Menge, President of the Chamber of Commerce, said the Chamber has accepted the creation of the committee.

#### **4E. CONSIDER ORDINANCE NO. 943 REGARDING ASSESSMENT AND COLLECTION OF COURT COSTS**

City Manager Steve Hewitt explained that Ordinance No. 942 that had been presented at the January 15, 2013 meeting had the wrong language in the first paragraph of Item 1. He said it should have read "Upon entry of judgment" rather than "If judgment of conviction is entered". He said the correct language allows for flexibility for the assessment and collection of court costs.

Motion was made by Councilman Hulin and seconded by Councilman Rodolph to approve and adopt Ordinance No. 943 regarding assessment and collection of court costs.

Mayor put the motion to a roll call vote:

Aye: Hulin, Rodolph, Marcy, Martinez, Adams  
Nay: None

Mayor declared the motion carried.

#### **4F. CONSIDER ORDINANCE NO. 944 REGARDING ESTABLISHING A FARMERS MARKET**

City Manager Steve Hewitt explained that the following five agenda items are related to the certification of Health Communities program that is administered by the Oklahoma State Department of Health. He said the communities receiving this certification are eligible to apply for a grant of \$13,000.00. He said the Oklahoma Tobacco Settlement Endowment Trust is offering the grant to cities receiving the certification. The ordinances that are not currently part of the Clinton City Code are being presented.

Alisha Howell, Public Information Officer for the Oklahoma Department of Health, said Clinton is already recognized as a health community but the ordinances would continue the path of healthy living.

Councilman Rodolph said he felt the city already has enough licenses and fees and does not need to have additional.

Councilman Marcy said the proposed ordinances are restrictive. He said everyone wants to reduce smoking but these ordinances are overwhelming.

Councilman Hulin said he was not sure that these ordinances would be enforceable.

Motion was made by Councilman Rodolph and seconded by Councilman Hulin to disapprove Ordinance No. 944 regarding establish a Farmers' Market, Ordinance No. 945 regarding establishing a license process for retail distribution of tobacco and tobacco products, Ordinance No. 946 regarding implementing restrictions on Smoking in Public Places, Ordinance No. 947 regarding implementing restrictions on the Advertising of Tobacco and Tobacco Products at City Sponsored Events and Resolution No. 811 regarding supporting of the Complete Street Philosophy to expand transportation choices in the City of Clinton.

Mayor put the motion to a roll call vote:

Aye: Rodolph, Hulin, Martinez, Marcy, Adams

Nay: None

Mayor declared the motion carried.

#### **AGENDA ITEM NO. 5. COUNCIL REPORT**

Council members welcomed Lucas Martinez to the City Council serving as Ward Four Council member.

#### **AGENDA ITEM NO. 6: CITY MANAGER'S REPORT**

City Manager Steve Hewitt said the City would still be committed to improve parks.

City Manager Hewitt said Assistant City Attorney Ryan Meacham, Mayor Adams and he had met with the Ministerial Alliance. He said a policy will be implemented regarding scheduled youth activities on Wednesday evenings and Sundays. He said that recreational facilities will continue to be open but no youth activities will be scheduled for those times. He explained that part of the reason for scheduling activities during those times was due to lack of gym space. He said at the next meeting architects will be making a presentation regarding a review of the recreational facilities at Acme Brick Park.

City Manager Hewitt said work continues on the Chapman Road project. He said an appraiser is working on the right-of-way and discussion has begun with the land owners.

City Manager Hewitt said the Today in America has been airing the Clinton filming in the New York area. He said it can also be viewed on the city's website.

City Manager Hewitt said the water right agreement with Canute passed last week.

Councilman Rodolph said water needs to be the primary focus for the City. He said the City needs to pursue our own treatment plant. He suggested setting up a meeting to discuss streamlining the process.

**AGENDA ITEM NO. 7: AUDIENCE PARTICIPATION**

Doyle Kinney expressed his appreciation to the Council members for the exceptional job they are doing.

Bobby Hoffman asked for clarification on the activities on Wednesday afternoons and Sundays.

City Manager Steve Hewitt said the city would not be organizing events for youth during those times. He said the City would not stop other organizations for holding events during those times.

Mr. Hoffman said the city's new website is very nice. He said he also appreciates the placement of Audience Participation at the end of the meeting to allow for comments.

Assistant City Attorney Ryan Meacham said he had recommended placing the Audience Participation at the beginning of the meeting to eliminate the potential of violating Open Meeting regulations. He said some communities do not have Audience Participation on the agenda because the purpose of the meeting is to conduct business rather than to take public comments. He said the Ward meetings are for public comments.

Irving Schmidt expressed his appreciation for the handicap accessible chair lift for the public swimming pool.

**AGENDA ITEM NO. 8: ADJOURNMENT**

Moved by Councilman Martinez and seconded by Councilman Hulin to adjourn the meeting.

Mayor put the motion to a roll call vote:

Aye: Martinez, Hulin, Marcy, Rodolph, Adams  
Nay: None

Mayor declared the meeting adjourned at 6:15 P.M.

**ORDINANCE NO. 943**

**AN ORDINANCE AMENDING 1-10-9  
OF THE CLINTON CITY CODE  
AUTHORIZING THE ASSESSMENT AND  
COLLECTION OF COURT COSTS  
IN ACCORDANCE WITH STATE STATUTE**

WHEREAS, The City of Clinton has passed an Ordinance that allows the Court Clerk to tax fees and costs to a Defendant, which has been Codified at 1-10-9.

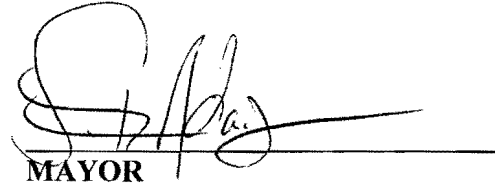
WHEREAS, State legislation regulates the maximum amount to be charged as fees and costs.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF CITY OF CLINTON, OKLAHOMA:

- I. Section 1-10-9 shall be amended to read as follows:

Upon entry of judgment, the clerk of the court shall tax the costs to the defendant in a sum not exceeding the amount established by Title 11 Okla. Stat. § 27-126, plus any fees assessed by the Court, all of which the defendant shall pay, in addition to any fine that may be imposed.

**PASSED AND DULY ADOPTED** by the Council of the City of Clinton, Oklahoma this  
19 day of February, 2013.

  
MAYOR

**ATTEST:**

  
CITY CLERK

(SEAL)