

**PUBLIC HEARING
TUESDAY, AUGUST 7, 2007
CITY HALL
5:30 P.M.**

Minutes of a Public Hearing held in the Clinton City Council Room, City Hall on Tuesday, August 7, 2007 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 2, 2007.

The public hearing was to discuss the application to rezone property located in Lots 3,4,5,6,7,8,9, and 10 of the Marcy Business Park, a part of the North Half of Section 23, Township 12 North Range 17 W.I.M in Clinton, Custer County, Oklahoma.

There were no questions, comments or statements from the audience.

The public hearing was adjourned

Those present included:

Vice Chairman Allen Bryson
Council members: Mark Hendrickson
Bob Marcy
Terry Wheeler
City Manager Grayson Bottom
City Clerk Lisa Anders
Vicki Ratke
Brad Aneshansley
Ryan Meacham
Gerald Green
Bob Gauger
Wade Anders
Debra Blanchard
Rhonda Williams
Betty Schumacher
C.B. & Trisha Graft
Keith Marcy
Luke Adams
Eddie Peck
Charles Fry
Kay Morrison
Mary Rayner
Ken Haman
Leroy Livesay
and others.

**MINUTES OF THE CLINTON CITY COUNCIL
AUGUST 7, 2007**

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, 2007 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, 2007.

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

VICE-MAYOR: Allen Bryson

COUNCIL: Bob Marcy, Terry Wheeler, Mark Hendrickson

ABSENT: Lynn Norman

CITY MANAGER: Grayson Bottom

CITY CLERK: Lisa Anders

CITY TREASURER: Rhonda Williams

CITY ATTORNEY: Ryan Meacham

NEWS MEDIA: Gerald Green and Mike Smith

OTHERS: Brad Aneshansley, Bob Gauger, Charles Fry, Vicki Ratke, Betty Schumacher, Keith Marcy, Luke Adams, C.B. & Trisha Graft, Wade Anders, Eddie Peck, Leroy Livesay, Kay Morrison, Mary Rayner, Ken Hamar and others.

Councilman Mark Hendrickson opened the meeting with prayer and Trustee Terry Wheeler led the Pledge of Allegiance.

AGENDA ITEM NO. 3: CONSENT AGENDA

- A. Minutes of Regular Meeting of July 17, 2007
- B. Consider Claims

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

Vice-Mayor put the motion to a roll call vote:

Aye: Hendrickson, Wheeler, Marcy, Bryson
Nay: None

Vice-Mayor declared the motion carried.

AGENDA ITEM NO. 4 ACTION ITEMS

4A. CONSIDER ORDINANCE NUMBER 905 REGARDING REZONING OF MARCY BUSINESS PARK PROPERTY

City Manager Grayson Bottom reported that the Planning and Zoning Board had reviewed and recommended the rezoning of the property in the Marcy Business Park to I-2 Light Industrial District.

Luke Adams said earlier this year a variance had been granted by the Board of Adjustments for this property and that variance would still be utilized for the property. The rezoning is for lots 3-10 in the Marcy Business Park.

City Manager Grayson Bottom noted that Councilman Bob Marcy had left the room since he was a principle in the property.

Motion was made by Councilman Hendrickson and seconded by Councilman Wheeler to approve Ordinance 905 regarding the rezoning of property in the Marcy Business Park from I-1 (Restricted Light Industrial District) to I-2 (Light Industrial District.)

Vice-Mayor put the motion to a roll call vote:

Aye: Hendrickson, Wheeler, Bryson

Nay: None

Vice-Mayor declared the motion carried.

Councilman Bob Marcy re-entered the room.

Motion was made by Councilman Wheeler and seconded by Councilman Hendrickson to approve the emergency clause included in Ordinance Number 905.

Vice-Mayor put the motion to a roll call vote:

Aye: Wheeler, Hendrickson, Marcy, Bryson

Nay: None

Vice-Mayor declared the motion carried.

4B. REQUEST AUTHORIZATION TO APPLY FOR RURAL FIRE VEHICLE EQUIPMENT GRANT

City Manager Grayson Bottom reported that this is the second time the City has applied for this grant. He said last year Clinton did not make the cut for receiving the grant.

Fire Chief Wade Anders said the allocated match has been included in the budget. He explained that the vehicle would become city property and the city would have to provide the equipment for the vehicle. He said he felt the odds on being award the grant were good. He said one vehicle is allotted per county and there are eight counties in our region.

Motion was made by Councilman Marcy and seconded by Councilman Wheeler to authorize the application for Rural Fire Vehicle Equipment Grant.

Vice-Mayor put the motion to a roll cal vote:

Aye: Marcy, Wheeler, Hendrickson, Bryson

Nay: None

Vice-Mayor declared the motion carried.

4C. CONSIDER RESOLUTION NO. 773 REGARDING TRANSFER OF LAND LOCATED IN LOTS 19-24 OF BLOCK 17 IN CLINTON ORIGINAL TOWNSITE (NORTH OF CITY HALL ALONG HIGHWAY 183)

City Manager Grayson Bottom said other properties along Highway 183 that are owned by the City of Clinton have been transferred to the Clinton Industrial Authority. He recommended this piece of property also be transferred to the Authority.

Councilman Hendrickson asked if the City is still pursuing purchasers for these properties.

City Manager Bottom said yes.

Motion was made by Councilman Hendrickson and seconded by Councilman Marcy to approve Resolution 773 regarding the transfer of land located in Lots 19-24 of Block 17 in Clinton Original Townsite to the Clinton Industrial Authority.

Vice-Mayor Bryson put the motion to a roll call vote:

Aye: Hendrickson, Marcy, Wheeler, Bryson

Nay: None

Vice-Mayor declared the motion carried.

5. CITY MANAGER'S REPORT

City Manager Grayson Bottom reported that the City had received notice whereby the City of Clinton has been recommended for a \$30,000 grant from the Oklahoma Centennial Commission. He said this had been received too late to include on the agenda but the due date for submittal of the grant is August 15th so the next agenda will have an item to affirm the action taken.

City Manager Bottom reported that Assistant City Attorney Ryan Meacham has been reviewing and preparing a Social Host Ordinance that will be presented for Council consideration.

City Manager Bottom reported that the City has received a request for permits from Veritas DGC Land Incorporated for 3-D seismic survey on various properties owned by the City of Clinton inside city limits. Bottom said he has concerns and wanted a chance to discuss this project with the Council.

Michael Wilks, representative of Veritas, said the proposed survey within Clinton is for property south of Modelle. He said the total project covers 454 square miles. He explained that cable would be laid in a grid and a vibrator truck would serve as the energy source. He said the target areas are city parks so as to avoid going through homeowner's yards.

Councilman Marcy asked as a property owner, what would happen on private property?

Mr. Wilks said that if the City approved the request, homeowners would be contacted and neighborhoods would be notified before work began. He said the advantage of the survey would be to the mineral owner.

Councilman Marcy asked about damages.

Mr. Wilks said there would be no damages and said this same type of survey had been completed in Sayre, Marlow and Rush Springs. He recommended those communities be contacted as references.

Councilman Hendrickson said the shaking would be to city streets, water and sewer lines and city property. He asked if the company is insured and bonded and about long-term coverage.

Mr. Wilks said if there were any damages, they would be immediate.

Vice-Mayor Bryson asked that Veritas provide a list of the cities personnel they dealt with in the other communities. He said the rate of \$10.00 per acre is stated on the permit so the city would receive a small amount of compensation but asked if the homeowner would receive compensation.

Mr. Wilks said the majority of lines would be in the alley.

Betty Schumacher asked if the city approves the permit, does the landowner have the right to reject.

Mr. Wilks said the homeowner does have the right to reject.

Vice-Mayor Bryson restated that the permit would allow the usage of city facilities and if the private property owner wished to reject, they would have that right.

C.B. Graft said he disagreed with the information being presented. He stated that guidelines with the Oklahoma Corporation Commission would have to be complied with such as a 15-day notice and he said there are limitations on locations.

Councilman Hendrickson said that Attorney Mart Tisdal could give Council additional information on this topic.

Leroy Livesay asked why Veritas wants to do this work inside city limits.

Mr. Wilks said they do not want to leave a void in the area they are trying to map out. He said sometimes there is consideration for wells inside city limits.

Keith Marcy asked what the timeframe on a project of this type was.

Mr. Wilks said the cable would be on the ground for approximately two weeks and the shaking would be 7 to 10 days.

Ken Hamar said he was concerned for water lines and structure damage that might take time to surface.

Mr. Wilks said motion companies monitor the project to insure industrial standards are met.

C.B. Graft asked about the vehicles that would be utilized for this project.

Mr. Wilks said four vibrators, pickups, a.t.v's and helicopters but probably not inside the city limits. He said the work could be conducted 24 hours per day but inside city limits it would be approximately 9:00 a.m. to 4:30p.m. and would last from 10 to 15 seconds.

Tom Snider asked about leased property.

Luke Adams said that Mart Tisdal is prepared to advise the Council on the project.

6. RECOGNITION OF REGISTERED AUDIENCE

None

AGENDA ITEM NO. 7: ADJOURNMENT

Moved by Councilman Marcy and seconded Councilman Hendrickson, to adjourn the meeting.

Vice-Mayor put the motion to a roll call vote:

Aye: Marcy, Hendrickson, Wheeler, Bryson

Nay: None

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

RESOLUTION NO. 773

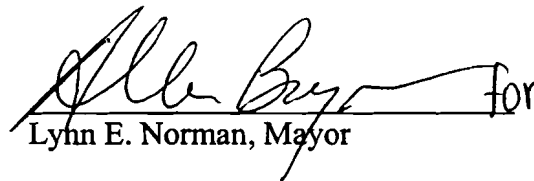
WHEREAS, the Councilmen of the City of Clinton desire to enter into an agreement whereby the City of Clinton, Oklahoma (the "City") shall transfer to the Clinton Industrial Authority the ownership of property located in Lots 19-24 of Block 17 in Clinton Original Townsite;

BE IT RESOLVED BY THE COUNCILMEN OF THE CLINTON CITY COUNCIL:


SECTION 1. It is hereby determined to be in the best interest of the City of Clinton to transfer ownership of the property located in Lots 19-24 of Block 17 in Clinton Original Townsite to the Clinton Industrial Authority under the terms now before this meeting.

SECTION 2. The Mayor and Councilmen of the Clinton City Council hereby are authorized and directed to execute, attest and affix the seal of the City of Clinton to the aforesaid transfer and deliver to the Clinton Industrial Authority.

ADOPTED this 7th day of August, 2007.

 for
Lynn E. Norman, Mayor

ATTEST:



Lisa Anders, City Clerk

(SEAL)