

**MINUTES OF THE CLINTON CITY COUNCIL
APRIL 21, 2020**

Minutes of the regular meeting of the Mayor and Councilmen of the Clinton City Council, City of Clinton, Oklahoma, Custer County, held in the City Council Room, City Hall on Tuesday, April 21, 2020 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 Friday, April 16, 2020.

Mayor David Berrong called the meeting to order with the following present:

MAYOR: David Berrong

COUNCIL: Patch McComas, Chris Jones, Ernie Dowdell, Bobby Stewart

CITY MANAGER: Mark Skiles

CITY CLERK: Lisa Anders

CITY TREASURER: Absent

CITY ATTORNEY: Ryan Meacham

NEWS MEDIA: Mike Smith and Rod Serfoss

OTHERS: Paul Rinkel, Roland Mower, Jason Hulin

Chris Fields of First Baptist church opened the meeting with prayer and Councilman Bobby Stewart led the Pledge of Allegiance.

AGENDA ITEM NO. 3: CONSENT AGENDA

A. Minutes of Regular Meeting of April 7, 2020 and Public Hearing of April 7, 2020

Motion was made by Councilman Dowdell and second by Councilman Jones that Consent Agenda Item No. 3 (a) be approved.

Mayor put the motion to a roll call vote:

Aye: Dowdell, Jones, McComas, Stewart, Berrong

Nay: None

Mayor declared the motion carried.

AGENDA ITEM NO. 4: ACTION ITEMS

4A. CONSIDER ELECTION OF THREE MEMBERS TO THE BOARD OF TRUSTEES OF THE OKLAHOMA MUNICIPAL ASSURANCE GROUP

City Clerk Lisa Anders reported that three board members of the Oklahoma Municipal Assurance Group had completed their terms and a list of thirteen nominees has been provided.

Motion was made by Councilman McComas and seconded by Councilman Jones to vote for Russ Meacham, Lindsey Griff and Ernie Dowdell for the Oklahoma Municipal Assurance Group board.

Mayor put the motion to a roll call vote:

Aye: McComas, Jones, Dowdell, Stewart, Berrong

Nay: None

Mayor declared the motion carried.

4B. CONSIDER RESOLUTION 902 REGARDING MATCHING FUNDS FOR 2020 COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION

City Manager Mark Skiles explained that Resolution 902 confirms that the City has matching fund available should the CDBG grant be awarded to the City for the Carbon Black system for the water treatment plant.

Motion was made by Councilman Jones and seconded by Councilman McComas to approve Resolution 902 regarding matching funds for 2020 CDBG grant.

Mayor put the motion to a roll call vote:

Aye: Jones, McComas, Dowdell, Berrong

Abstain: Stewart

Nay: None

Mayor declared the motion carried.

Johnny O'Connor of Inframark explained that the Carbon Black System would resolve the taste and odor issue the water plant had last fall. He said the carbon absorbs the taste and odor. He said the water treatment plant had this type of system at one point and currently staff is doing this process manually. He said that the Department of Environmental Quality requires this system at treatment plants and he did not know how long the system had not been operational.

4C. CONSIDER AND TAKE ACTION ON RECOMMENDATION OF OKLAHOMA MUNICIPAL ASSURANCE GROUP REGARDING TORT CLAIM #207562-ME FILED BY MILES DONALDSON

City Clerk Lisa Anders explained that a tort claim had been filed with the Oklahoma Municipal Assurance Group by Miles Donaldson. Following the insurance company's investigation, OMAG notified the City that their recommendation is that this claim be denied. They found no liability on the city's part regarding the incident.

City Attorney Ryan Meacham explained the state statutes requirements.

Motion was made by Councilman Dowdell and seconded by Councilman Jones to follow the recommendation of Oklahoma Municipal Assurance Group to deny the tort claim filed by Miles Donaldson.

Mayor put the motion to a roll call vote:

Aye: Dowdell, Jones, Stewart, McComas, Berrong

Nay: None

Mayor declared the motion carried.

4D. CONSIDER, DISCUSS AND ACT ON ADJOURNING TO EXECUTIVE SESSION FOR THE PURPOSE OF CONFIDENTIAL COMMUNICATION BETWEEN THE BOARD AND ITS ATTORNEY CONCERNING A PENDING INVESTIGATION, CLAIM OR ACTION PURSUANT TO 25 OS 307 (B)(4)

Motion was made by Councilman Dowdell and seconded by Councilman Jones to enter into executive session and invite the City Manager and City Attorney to discuss a pending investigation, claim or action.

Mayor put the motion to a roll call vote:

Aye: Dowdell, Jones, Stewart, McComas, Berrong

Nay: None

Mayor declared the meeting in executive session at 6:20 p.m.

4E. RETURN TO OPEN SESSION

Motion was made by Councilman Stewart and seconded by Councilman McComas to return to regular session.

Mayor put the motion to a roll call vote:

Aye: Stewart, McComas, Dowdell, Jones, Berrong

Nay: None

Mayor declared the motion meeting in regular session at 6:40 p.m.

4F. CONSIDERATION, DISCUSSION AND POSSIBLE ACTION ON ANY ITEM DISCUSSED IN EXECUTIVE SESSION

Motion was made by Councilman Jones and seconded by Councilman McComas to retain Kane Russell Coleman Logan PC to represent the City of Clinton as legal counsel in connection with a dispute with Swayam Properties, LLC.

Mayor put the motion to a roll call vote:

Aye: Jones, McComas, Dowdell, Stewart, Berrong

Nay: None

Mayor declared the motion carried.

AGENDA ITEM NO 5: TRUSTEE REPORT

None

AGENDA ITEM NO. 6: MANAGER'S REPORT

City Manager Mark Skiles said he had received a request from a Clinton High School senior parent regarding a caravan on May 15 at 11 am and an event on Frisco that evening. She said the graduation will be a virtual ceremony so this would be a public way to honor the graduates. Skiles said he would provide this information to the Police/Fire Departments.

7. AUDIENCE PARTICIPATION

None

AGENDA ITEM NO. 8: ADJOURNMENT

Motion made by Councilman McComas and second by Councilman Dowdell to adjourn the meeting.

Mayor put the motion to a roll call vote:

Aye: McComas, Dowdell, Stewart, Jones, Berrong

Nay: None

Mayor declared the meeting adjourned at 6:40 p.m.



RESOLUTION: 902

A resolution of the City Council of the City of Clinton, Oklahoma to provide funds toward and for the completion of the 2020 Community Development Block Grant (CDBG) project.

BE IT RESOLVED, by the City Council of the City of Clinton to provide the amount of \$807,400.00 as Matching Funds toward the 2020 Community Development Block Grant (CDBG Application).

These funds are available as listed:

City of Clinton Capital Improvement Fund: \$807,700.00

PASSED, APPROVED AND ADOPTED, by the City Council of the City of Clinton, Oklahoma this 21st day of April, 2020.

A handwritten signature in black ink, appearing to read "Lisa Anders".

Lisa Anders, City Clerk

A handwritten signature in black ink, appearing to read "David Berrong".

David Berrong, Mayor

CITY SEAL