

**MINUTES OF THE CLINTON CITY SPECIAL COUNCIL MEETING
SEPTEMBER 28, 2021**

Minutes of the meeting of the Mayor and Council of the Clinton City Council, City of Clinton, Oklahoma, Custer County, held in the City Council Room, City Hall on Tuesday, September 28, 2021, at 5:30 p.m. A notice of this meeting with AMENDED agenda was posted on the bulletin board in the lobby of Clinton City Hall on September 27, 2021, at 4:15 p.m.

Mayor David Berrong called the meeting to order at 5:01 p.m. with the following present:

MAYOR: David Berrong

TRUSTEES: Patch McComas (absent), Ernie Dowdell, Arthur Lloyd, Chris Jones

MANAGER: Robert Johnston

CITY TREASURER: Debra Blanchard

CITY ATTORNEY: Ryan Meacham

CITY CLERK: Amy Jones

NEWS MEDIA: Mike Smith, Kelcie Hartley-Wolfe

OTHERS: Gene McCullough, Tyler Wolfe, and others.

Councilman Chris Jones opened the meeting with prayer and Mayor David Berrong led the Pledge of Allegiance.

AGENDA ITEM NO. 2: CONSENT AGENDA

A. Minutes from September 21, 2021 Regular Meeting;

Motion was made by Councilman Jones and seconded by Councilman Dowdell that Consent Agenda Items be approved.

Chairman put the motion to a roll call vote:

Aye: Lloyd, Dowdell, Jones, Berrong

Nay: None

Chairman declared the motion carried.

AGENDA ITEM NO. 3 DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING

A. Acceptance of Professional Engineering Services Proposal from Garver for the Preparation of a Feasibility Study and Cost Estimate for the Possible Construction of Water Resiliency Infrastructure between the Cities of Clinton and Weatherford

City Manager Johnston presented the Professional Engineering Services Proposal from Garver for the preparation of a feasibility study and cost estimate for the possible

construction of water resiliency infrastructure between the cities of Clinton and Weatherford. Several meetings had been held between Clinton and Weatherford over the past few weeks to discuss this idea to help each other and possibly other communities with water supply issues. At the conclusion of those discussions, it was agreed that the governing bodies of Clinton and Weatherford would each consider hiring Garver to analyze the water supply portfolios for Weatherford and Clinton, historic water demand, pipe size & pumping requirements and other relevant factors as component of the report. The cost of the proposed engineering study would be borne 50:50 between the two cities. The Weatherford City Commission voted this morning to approve their agreement with Garver; Now it is up to the Clinton City Council to decide. This study would be the first step for a potential water resiliency program to benefit both cities and Custer County. Once the report is received in approx. 120 days further consideration and action will likely be justified.

City Attorney Meacham commented that there would be changes to the final agreement as agreed to earlier today with Garver's attorney: in paragraphs 6.2.4 regarding license; in paragraph 6.7 regarding confidentiality; paragraph 9.1.2 regarding owner indemnity will be deleted; 9.2.3 regarding insurance exhibit C; and 11.5 termination for convenience the last sentence . Discussion was held regarding the revised proposal and each Councilman was given an opportunity to comment.

Motion was made by Councilman Chris Jones and seconded by Councilman Dowdell to accept the Professional Engineering Services Proposal from Garver for the Preparation of a Feasibility Study and Cost Estimate for the Possible Construction of Water Resiliency Infrastructure, subject to the revisions that City Attorney Meacham has noted to sections 6.2.4, 6.7, 9.1.2, 9.2.3 and 11.5.

Chairman put the motion to a roll call vote:

Aye: Lloyd, Dowdell, Jones, Berrong
Nay: None

Chairman declared the motion carried.

B. Proposed Adjustment to the Financial Terms of the American Towers Lease-Clinton #4

City Manager Johnston presented the proposed adjustment to the Financial Terms of the American Towers Lease – Clinton #4 to the Council. A copy of the agreement and terms was available for review. Discussion was held regarding the current lease and the proposed options.

Motion was made by Councilman Lloyd and seconded by Councilman Jones to decline the proposed adjustment to the financial terms of the American Towers Lease – Clinton #4 opportunity and acknowledge that it could be subject to further review in the future.

Chairman put the motion to a roll call vote:

Aye: Lloyd, Dowdell, Jones, Berrong

Nay: None

Chairman declared the motion carried.

AGENDA ITEM NO. 4 NEW BUSINESS (IF ANY PURSUANT TO SECTION 311.9 OF THE OKLAHOMA OPEN MEETING ACT.)

None

AGENDA ITEM NO. 5 COUNCIL COMMENTS

None

AGENDA ITEM NO. 6 CITY MANAGER'S COMMENTS

City Manager Johnston updated the Council on the MODA Grant: a written proposal from Merritt Paving has been obtained, within the grant budget, for the pickleball/basketball courts project for approval at the next Council meeting.

AGENDA ITEM NO. 8: ADJOURNMENT

Moved by Councilman Dowdell and seconded by Councilman Jones to adjourn the meeting.

Mayor put the motion to a roll call vote:

Aye: Dowdell, Jones, Berrong

Nay: None

Mayor declared the meeting adjourned at 5:31 p.m.

Date Approved

David D. Berrong, Mayor