

**MINUTES OF THE CLINTON CITY COUNCIL REGULAR MEETING
DECEMBER 20, 2022**

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, December 20, 2022, 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 December 2, 2022, at 3:00 P.M. A notice of an amended agenda was posted on the bulletin board in the lobby of Clinton City Hall on December 16, 2022 at 4:00 p.m.

Mayor David Berrong called the meeting to order at 6:24 p.m.

MAYOR: David Berrong

COUNCILMAN: Patch McComas, Ernie Dowdell, Arthur Lloyd, Ernesto Villanueva

MANAGER: Robert Johnston

CITY TREASURER: Debra Blanchard

CITY ATTORNEY: Ryan Meacham (absent)

CITY CLERK: Amy Jones

NEWS MEDIA: Nydia Campbell, Todd Bruner

OTHERS: Gene McCullough, Joshua McGuire, Jordyn Case, Brett Russell, Paul Rinkel, Chasity Richardson, Janice Merrill, Johnnie Ward, Cris Hickerson, Tracy Yoder, Dacia Phillips, Ann Lambeth, Johnnie Red, and others.

Dan Day, Custer County Sheriff, opened the meeting with prayer and Don Miller, Post Commander, American Legion Post 41 led the Pledge of Allegiance.

AGENDA ITEM NO. 2: CONSENT AGENDA

- A. Minutes of the December 6, 2022, Regular Meeting
- B. Approval of Bid from LaBass Protection, LLC in the Amount of \$29, 435 to Replace Security Cameras in the City Hall/Police Department (Capital Improvement Fund Expenditure)
- C. Approval of Pay Application No. 4 by Walters Morgan Construction in the amount of \$129,105.00 for the PAC Feed Project at the Clinton Lake Water Treatment Plant (17852 CDBG 20)

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

Mayor put the motion to a roll call vote:

Aye: Dowdell, McComas, Lloyd, Villanueva, Berrong

Nay: None

Mayor declared the motion carried.

AGENDA ITEM 5. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION ITEMS:

A. FYE 22 Financial Audit Presentation - Britton, Kuykendall and Miller, CPA's

Mayor Berrong welcomed James Kuykendall, CPA with Britton, Kuykendall and Miller as he appeared to present the FYE 22 Financial Audit. Mr. Kuykendall thanked the City Staff that helped prepare documents for review.

Bound copies of the audit report prepared by Mr. Kuykendall's firm were provided for the Council members. Kuykendall stated that it was overall a good report. Continued increase in revenues and in expenses due to rise in cost of goods and services. Special large items reviewed were the ARPA funds and the insurance proceeds for the airport tornado damage. He reported the City's procedures and internal controls are working as intended.

The motion was made by Councilman Dowdell and seconded by Councilman Villanueva to accept the FYE 21 Financial Audit prepared by Britton, Kuykendall and Miller CPA's.

Mayor put the motion to a roll call vote:

Aye: Dowdell, McComas, Lloyd, Villanueva, Berrong

Nay: None

Mayor declared the motion carried

B. Ordinance No. 1023 (A) - An Ordinance of the City Council of the City of Clinton, Oklahoma, Amending Ordinance 800 of the City of Clinton, Oklahoma; To Allow for the Use of Principal Lease Payment Amounts Thereunder for the Purpose of Hospital Operations and for Providing for the Severability Thereof; and Providing for an Effective Date

Ordinance No. 1023 - An Ordinance of the City Council of the City of Clinton, Oklahoma, Amending Ordinance 800 of the City of Clinton, Oklahoma; To Allow for the Use of Principal Lease Payment Amounts Thereunder for the Purpose of Hospital Operations and Providing for the Severability Thereof; and Providing for an Effective Date was presented to the Council for review and approval. The Ordinance was presented by City Manager Johnston as he explained that when leasing hospital in 1997 the money from the lease was voted by the people to set it back and that it could not be used unless be the vote of the people. The ordinance would allow the City Council to use the principle for operations of the hospital beginning January 1, 2023. This ordinance amends the original ordinance number 800.

Motion was made by Councilman McComas and seconded by Councilman Lloyd to approve Ordinance - An Ordinance of the City Council of the City of Clinton, Oklahoma,

Amending Ordinance 800 of the City of Clinton, Oklahoma; To Allow for the Use of Principal Lease Payment Amounts Thereunder for the Purpose of Hospital Operations and Providing for the Severability Thereof; and Providing for an Effective Date was presented to the Council for review and approval

Mayor put the motion to a roll call vote:

Aye: Dowdell, McComas, Lloyd, Villanueva, Berrong
Nay: None

Mayor declared the motion carried

C. Resolution 947(A) – A Resolution Calling for an Election for Proposed Amending, Repealing, Replacing Portions of Ordinance 800 of the City of Clinton, Oklahoma; To Allow for the Use of Principal Lease Payment Amounts Thereunder for the Purpose of Hospital Operations and Providing for the Severability Thereof; And Providing for an Effective Date

Resolution 947 (A) – A Resolution Calling for an Election for the Proposed Amending, Repealing, Replacing Portions of Ordinance 800 of the City of Clinton, Oklahoma; To Allow for the Use of Principal Lease Payment Amounts Thereunder for the Purpose of Hospital Operations and Providing for the Severability Thereof; And Providing for an Effective Date was presented by City Manager Johnston. Stating that the resolution establishes the need for an election as designated in the Ordinance 800 to be able by the vote of the people to use the principal lease payment on deposit for the purpose of Hospital operations.

Motion was made by Councilman McComas and seconded by Councilman Dowdell to approve Resolution 947 (A) – A Resolution Calling for an Election for the Proposed Amending, Repealing, Replacing Portions of Ordinance 800 of the City of Clinton, Oklahoma; To Allow for the Use of Principal Lease Payment Amounts Thereunder for the Purpose of Hospital Operations and Providing for the Severability Thereof; And Providing for an Effective Date.

Mayor put the motion to a roll call vote:

Aye: Dowdell, McComas, Lloyd, Villanueva, Berrong
Nay: None

Mayor declared the motion carried

D. Election Proclamation -Resolution No. 947 (A) – A Proposition Allowing for Proposed Amending, Repealing, Replacing Portions of Ordinance 800 of the City of Clinton, Oklahoma; To Allow for the use of Principal Lease Payment

Amounts from the Lease of Clinton Regional Hospital to be used for the Purpose of Hospital Operations; Providing for the Severability Thereof; And Providing For An Effective Date

Election Proclamation – Resolution No. 947 (A) – A Proposition Allowing for the Proposed Amending, Repealing, Replacing Portions of Ordinance 800 of the City of Clinton, Oklahoma; To Allow for the use of Principal Lease Payment Amounts from the Lease of Clinton Regional Hospital to be used for the Purpose of Hospital Operations and was presented by City Manager Johnston. The proclamation needs approved as it identifies the proposition wording for the election and is submitted to the Election Board by the specified date.

Motion was made by Councilman McComas and seconded by Councilman Dowdell to approve Election Proclamation – A Proposition Allowing for the Proposed Amending, Repealing, Replacing Portions of Ordinance 800 of the City of Clinton, Oklahoma; To Allow for the use of Principal Lease Payment Amounts from the Lease of Clinton Regional Hospital to be used for the Purpose of Hospital Operations

Mayor put the motion to a roll call vote:

Aye: Dowdell, McComas, Lloyd, Villanueva, Berrong

Nay: None

Mayor declared the motion carried

E. Memorandum of Understanding with Sinor Emergency Medical Service (SEMS) Regarding City Employees Driving SEMS' Ambulances

City Manager Johnston stated that the Fire Chief, Police Chief, and Sinor met to discuss City Employees driving ambulances if the need arises. A draft with marked changes of the Memorandum of Understanding with Sinor Emergency Medical Service (SEMS) Regarding City Employees Driving SEMS' Ambulances was presented for review by the Council.

Motion was made by Councilman Dowdell and Seconded by Councilman Villanueva to approve the Memorandum of Understanding with Sinor Emergency Medical Service (SEMS) Regarding City Employees Driving SEMS' Ambulances is approved subject to the City Attorney final review.

Mayor put the motion to a roll call vote:

Aye: Dowdell, McComas, Lloyd, Villanueva, Berrong

Nay: None

Mayor declared the motion carried

AGENDA ITEM NO. 5 NEW BUSINESS (If any, pursuant to Section 311.9 of the Oklahoma Open Meeting Act.)

None

AGENDA ITEM NO. 6 COUNCIL COMMENTS

None

AGENDA ITEM NO. 7 CITY MANAGER'S COMMENTS

City Manager Johnston reported that the City of Clinton and Solid Waste Authority has been in contact with the City of Elk City for Land Fill Use and anticipate an Interlocal agreement coming soon. He also stated that it is expected to have one more Special Hospital Authority Meeting this calendar year regarding the transition away from Alliance.

AGENDA ITEM NO. 8: AUDIENCE PARTICIPATION (According to Audience participation Decorum Guidelines at Clinton City Council Public Meetings effective:2/14/2017)

None

AGENDA ITEM NO. 9: ADJOURNMENT

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

Mayor put the motion to a roll call vote:

Aye: Dowdell, McComas, Lloyd, Villanueva, Berrong

Nay: None

Mayor declared the meeting adjourned at 6:37 P.M.

Date Approved

David D. Berrong, Mayor

**MINUTES OF THE CLINTON CITY COUNCIL SEPCIAL MEETING
DECEMBER 27, 2022**

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, December 27, 2022, 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 December 21, 2022, at 5:00 P.M.

AGENDA ITEM 1. CALL TO ORDER

Mayor David Berrong called the meeting to order at 6:26 p.m.

MAYOR: David Berrong

COUNCILMAN: Patch McComas, Ernie Dowdell, Arthur Lloyd, Ernesto Villanueva

MANAGER: Robert Johnston

CITY TREASURER: Debra Blanchard

CITY ATTORNEY: Ryan Meacham

CITY CLERK: Amy Jones

NEWS MEDIA: Nydia Campbell, Mike Smith

OTHERS: Gene McCullough, Joshua McGuire, Russ Meacham. Chasity Richardson, Janice Merrill, Jill Atchley, Wade Anders and others.

OTHERS: Gene McCullough, Joshua McGuire, Jordyn Case, Brett Russell, Paul Rinkel,

AGENDA ITEM 2. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION ITEMS:

- A. Approval of the Funding Request from the CEDA for the Acquisition and Demolition of the Tradewinds Property

Clinton Economic Development Authority (CEDA) Trustee Russ Meacham presented information regarding the Funding Request from the CEDA for the Acquisition and Demolition of the Tradewinds Property. The requested funding for this project is specific funds identified through tax revenue set aside for economic development. The Tradewinds Property was identified as a possible property for development several months prior to this opportunity arising. The owner of the property posted the property for sale and the CEDA saw this property as an opportunity with the upcoming I-40/ Gary Boulevard interchange improvements propelling new developments between 1-40 and Modelle Avenue. The contract purchase amount agreed upon by the Authority is \$550,000 and \$100,000 in donation to the City with a tax letter. In addition, the Authority has approved an Interlocal Agreement with Clinton Public Schools who will pay up to \$300,000 to CEDA after demolition of the Tradewinds structures for the east half of the property.

Trustee Meacham stated that the CEDA is charged with looking towards the future and planning for growth in the future and see this property as potential economic growth for the City of Clinton. Councilman McComas asked how the special economic revenue fund

is replenished and City Treasurer Blanchard stated through tax dollars at an approximate amount of \$110,000 per year. Trustee Meacham stated that there are other communities in the state who purchase property for future development opportunities and gave examples to the Council. Trustee Dowdell stated that this transaction would give some peace of mind to the Clinton Public Schools.

Motion was made by Councilman Dowdell and seconded by Councilman McComas to approve the Funding Request from the CEDA for the Acquisition and Demolition of the Tradewinds Property.

Mayor put the motion to a roll call vote:

Aye: Dowdell, McComas, Lloyd, Villanueva, Berrong
Nay: None

Mayor declared the motion carried 4-0.

AGENDA ITEM NO. 3 NEW BUSINESS (If any, pursuant to Section 311.9 of the Oklahoma Open Meeting Act.)

None

AGENDA ITEM NO. 4 COUNCIL COMMENTS

None

AGENDA ITEM NO. 5 CITY MANAGER'S COMMENTS

None.

AGENDA ITEM NO. 6: AUDIENCE PARTICIPATION (According to Audience participation Decorum Guidelines at Clinton City Council Public Meetings effective:2/14/2017)

None

AGENDA ITEM NO. 7: ADJOURNMENT

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

Mayor put the motion to a roll call vote:

Aye: Dowdell, McComas, Lloyd, Villanueva, Berrong
Nay: None

Mayor declared the meeting adjourned at 6:46 P.M.

Date Approved

David D. Berrong, Mayor