

**MINUTES OF THE CLINTON CITY COUNCIL SPECIAL MEETING  
JANUARY 29, 2024**

Minutes of the regular 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 Monday, January 29, 2024, at 4:30 p.m. A notice of this meeting with agenda was posted on the bulletin board in the lobby of Clinton City Hall on January 25, 2024, at 3:30 P.M.

Mayor David Berrong called the meeting to order at 4:32 p.m. with the following present:

**MAYOR:** David Berrong

**COUNCILMEMBERS PRESENT:** Stormie Hill, Ernie Dowdell, Art Lloyd, Ernesto Villanueva

**MANAGER:** Robert Johnston

**CITY TREASURER:** Debra Blanchard

**CITY ATTORNEY:** Ryan Meacham

**CITY CLERK:** Amy Jones

**NEWS MEDIA:** Sean Stephens

**OTHERS:** Luis De la Torre, Shauna Hacker, Joshua McGuire, Gene McCullough, Doug Greer, Nancy Smith, Kent & Beth Dewees, Martie Oyler, Dustin Fredrick, and others.

Mayor Berrong opened the meeting with prayer and Doug Greer, Service Officer, American Legion Post 41 led the Pledge of Allegiance.

**AGENDA ITEM NO. 2: CONSENT AGENDA**

A. Minutes of the January 16, 2024 Regular Meeting

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

Mayor David Berrong put the motion to a roll call vote:

Aye: Dowdell, Hill, Lloyd, Villanueva, Berrong

Nay: None

Mayor declared the motion carried.

**AGENDA ITEMS 3. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION ITEMS:**

**A. Ordinance No. 1029 – Granting To One Gas, Inc., Acting by and Through its Oklahoma Natural Gas Company Division, and its Successors and Assigns, for a Period of Twenty-Five (25) Years from Approval and Acceptance of this Ordinance, a Non-Exclusive Franchise and Right to**

**Enter the Public Ways to Install, Operate and Maintain a Distribution System Within, Along, Across, Over and Under the Public Ways of the City of Clinton, Oklahoma for the Transportation, Distribution and/or Sale of Gas to Consumers and the Public Generally in the City; Defining the Words and Phrases Therein; Providing for Assignment, Sale or Lease of the Franchise; Providing That the City May Enact an Ordinance Charging Persons Transporting Gas Through Grantee's Distribution System a Fee on the Calculated Value of Such Transported Gas; Providing for Use and Repair of the Public Ways; Providing for Regulation of Service; Establishing Depth of Pipelines; Establishing Rights and Duties in the Movement and Alteration of Pipelines; Providing for Indemnification of the City of Clinton; Providing for Grantee's Rules and Regulations; Providing for Inspection of Grantee's Records; Requiring Grantee to Pay a Franchise Fee; Providing for Conditions of the Franchise; Providing for Construction of this Ordinance Upon the Invalidity of Any Part Thereof; Providing for the Submission of this Ordinance to an Election of the Qualified Voters of the City; Providing for Acceptance of this Franchise by Grantee and Both an Effective and an Operative Date Thereof; Repealing All Other Ordinances Directly in Conflict Herewith; and Providing for Severability.**

City Manager Johnston presented the final version of Ordinance No. 1029 for review and approval. Martie Oyler and Dustin Fredrick were present again to answer any additional questions regarding the ONG Franchise. City Attorney Ryan Meacham mention key points regarding Section 4 (B) to include notification to the property owner which was enhanced from the original ordinance and the possible need for a future ordinance regarding a transportation tariff for those ONG customers who do not purchase natural gas from ONG.

B. Motion was made by Councilmember Dowdell and seconded by Councilmember Villanueva that Ordinance No. 1029 be approved.

Mayor David Berrong put the motion to a roll call vote:

Aye: Dowdell, Hill, Lloyd, Villanueva, Berrong

Nay: None

Mayor declared the motion carried.

**C. Resolution No. 971 – A Resolution Calling and Providing for the Holding of a Special Election in the City of Clinton, Oklahoma for the Purpose of Granting to One Gas, Inc, Acting By and Through its Oklahoma Natural Gas Company Division an Election for the Proposed Amendment of Ordinance 821 of the**

**City of Clinton, Oklahoma; For a Period of Twenty-Five Years, a Non-Exclusive Franchise; Calling for and Giving Notice to the Secretary of the Custer County Election Board to Conduct Said Election; Providing for Hours of the Election**

Mayor Berrong asked the Council if they had any questions regarding the Resolution No. 971. No questions were asked.

Motion was made by Councilmember Dowdell and seconded by Councilmember Villaneuva that Resolution No. 971 be approved.

Mayor David Berrong put the motion to a roll call vote:

Aye: Dowdell, Hill, Lloyd, Villanueva, Berrong

Nay: None

Mayor declared the motion carried.

**D. Proclamation Resolution 971 Of The City Council Of The City Of Clinton, Oklahoma - Authorizing the Calling of an Election for the Purposes Hereinafter Set Forth, I, The Undersigned, David Berrong, Mayor of the City of Clinton, Custer County, Oklahoma, Hereby Call a Special Election to be Held on the 2<sup>nd</sup> Day of April, 2024, within Said City of Clinton, Oklahoma, for the Purpose of Submitting to the Qualified Electors of the City of Clinton, Oklahoma, For Their Approval or Rejection of the Following Proposition:**

Mayor Berrong asked the Council if they had any comments or questions regarding the Proclamation Resolution 971.

Motion was made by Councilmember Dowdell and seconded by Councilmember Villanueva to approve the Special Election Proclamation Resolution 971.

Mayor David Berrong put the motion to a roll call vote:

Aye: Dowdell, Hill, Lloyd, Villanueva, Berrong

Nay: None

Mayor 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

None

AGENDA ITEM NO. 7: AUDIENCE PARTICIPATION (According to Audience participation Decorum Guidelines at Clinton City Council Public Meetings effective:2/14/2017)

None

AGENDA ITEM NO. 8: ADJOURNMENT

Moved by Councilmember Dowdell seconded by Councilmember Villanueva to adjourn the meeting.

Mayor put the motion to a roll call vote:

Aye: Dowdell, Hill, Lloyd, Villanueva, Berrong

Nay: None

Mayor declared the meeting adjourned at 4:40 P.M.

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Date Approved

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David Berrong, Mayor