PUBLIC NOTICE OF A REGULAR MEETING
OF THE PUBLIC WORKS AUTHORITY
TUESDAY, OCTOBER 16, 2012 AT 5:30 PM
CLINTON CITY HALL

AGENDA

Meeting status: Completed

1. Call to Order
2. Opening Prayer Father Rex Arnold St. Mary's Catholic Church
3. Consent Agenda
    A. Consider Approval of Minutes on October 2, 2012
4. Action Items:
    A. Consider and adopt Resolution No. PW12-01 authorizing and directing BOSC, Inc., a subsidiary of BOK Financial Corporation, as Financial Advisor to the Authority and Johanning and Byrom , P.C., as Bond Counsel to the Authority; respectively, to…
    B. Consider and adopt Resolution No. PW12-02 authorizing the sale, issuance and delivery of bonds of the Authority; and waiving competitive bidding thereon
5. City Manager's Report
6. Audience Participation
7. Adjournment

Filed this 12th day of October, 2012. Posted on the bulletin board in the lobby of the Clinton City Hall on October 12, 2012 at 1:45 p.m.

PW100212

MINUTES OF THE PUBLIC WORKS AUTHORITY MEETING, OCTOBER 2, 2012

Minutes of the regular meeting of the Chairman and Trustees of the Clinton Public Works Authority of Clinton, Oklahoma, Custer County, held in the City Council Room, City Hall on Tuesday, October 2, 2012 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 September 28, 2012.

Vice-Chairman Marcy called the meeting to order with the following present:

CHAIRMAN: Absent
TRUSTEES: Bob Marcy, Jason Hulin, Don Rodolph, Phyllis Smith
CITY MANAGER: Steve Hewitt
CITY CLERK: Lisa Anders
CITY TREASURER: Debra Blanchard
DEPUTY CLERK: Absent
CITY ATTORNEY: Ryan Meacham
NEWS MEDIA: Gerald Green and Mike Smith
OTHERS: Julie Menge, Mary Helen Jones, Jeremy Bush, Seth Adams, Stephen Jones, Dave Thorpe, Curtis Maloy, Bobby Hoffman, Ray Challis, Bill Strecker, Chris Gander, Mike Murley, K.D. Kappel and others.

Jim Westmoreland of the First Baptist Church opened the meeting with prayer and Trustee Phyllis Smith led the Pledge of Allegiance.

AGENDA ITEM NO. 3: CONSENT AGENDA

A. Minutes of the Regular Meeting of September 4, 2012
B. Consider Claims

Moved by Trustee Hulin and seconded by Trustee Smith, that Consent Agenda Item No. 3 (a-b) be approved.

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

Aye: Hulin, Smith, Rodolph, Marcy
Nay: None

Vice-Chairman declared the motion carried.

AGENDA ITEM NO. 4. ACTION ITEMS

4A. CONSIDER PROPOSED REFINANCE OF 2003 BONDS

City Manager Steve Hewitt introduced Bill Strecker and Chris Gander of BOSC, Inc. to discuss the refinancing of a 2003 Public Works Authority bonds for the Clinton Water Line and sewer plant upgrades. He said there is an opportunity to save $300,000.00.

Chris Gander said currently the interest rates for the bonds are 4.27% and with the proposed financing it would drop to 1.85%. He reviewed several different options regarding early pay-offs showing annual savings or back-end savings.

Vice-Chairman Bob Marcy asked about the refinancing costs.

Mr. Gander was it would be approximately 2 ½% which would total approximately $100,000.00.

City Manager Steve Hewitt said he had negotiated the refinance fee with BOSC and had discussed this with Russ Meacham, city financial advisor. He said the decision would need to be made which option the City would like to take. He said this would determine when the City would recognize the savings. He said the City can continue to make the current payments. He asked if BOSC would have the underwriting ready to bring this back to the Authority in two weeks.

Mr. Gander said the process would take longer than that. He said after official authorization has been given, he could market the bonds in 30 days.

Trustee Hulin asked if the savings would really be $300,000 even with the financing costs considered.

Mr. Gander said the fees had already been included so the saving would really be the $300,000.00.

Curtis Maloy asked if there is a penalty for early pay-off.

Mr. Gander said there is no penalty.

Motion was made by Trustee Rodolph and seconded by Trustee Hulin to approve the refinancing of the 2003 Public Works Authority bonds using Option #2 as presented and have the pay-off one year early.

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

Aye: Rodolph, Hulin, Smith, Marcy
Nay: None

Vice-Chairman declared the motion carried.

AGENDA ITEM NO .5: CITY MANAGER'S REPORT

City Manager Steve Hewitt said the test results from the water well on Haggard Road have been received. He said the wells is running twenty-four hours per day and another test will be taken with the results to be back in a couple of days. He said he would continue to work with the landowner.

Trustee Rodolph asked about having a private entity to analyze the water since the state had conducted the first analysis.

City Manager Steve Hewitt reported that Clinton Lake had received two inches of rain over the last several days. He said this is a step forward in being able to reduce the amount of water being purchased from Foss.

Trustee Hulin asked if there are future plans for work at Clinton Lake in the fall.

City Manager Steve Hewitt said a dredging plan would begin once there is water in the lake. He said it would take dredging for two year to get the lake back to its original state. He said there is not as much run off as in the past during due to the number of ponds above the lake.

AGENDA ITEM NO. 6: AUDIENCE PARTICIPATION

None

AGENDA ITEM NO. 7: ADJOURNMENT

Moved by Trustee Hulin and seconded by Trustee Rodolph that the meeting adjourn.

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

Aye: Hulin, Rodolph, Smith, Marcy
Nay: None

Vice-Chairman declared the meeting adjourned at 5:50 pm.

RESOLUTION NO. PW12-01

WHEREAS, the Trustees of The Clinton Public Works Authority have determined upon a project (the "Project") to refund and retire the Series 2003 Revenue Bonds of the Authority; and

WHEREAS, the Authority has determined to obtain financing upon the aforesaid Project on terms most favorable to the Authority and to that end, desire that the Authority's Financial Advisor and Financial Legal Advisor proceed to obtain such financing; and

WHEREAS, it would be in the best interests of the Trust Estate of the Authority that obtaining such financing for the Project should be confirmed at this time;

BE IT RESOLVED BY THE TRUSTEES OF THE CLINTON PUBLIC WORKS AUTHORITY:

The Trustees of the Authority hereby authorize and direct BOSC, Inc., A subsidiary of BOK Financial Corporation, as Financial Advisor to the Authority and Johanning and Byrom, P.C., as Financial Legal Advisor to the Authority to proceed with taking all necessary actions to obtain financing for the Project.

ADOPTED this _____ day of October, 2012.

_____

Chairman of Trustees

ATTEST: (Seal)

_____

Secretary of Trustees

I, the undersigned Secretary of Trustees of The Clinton Public Works Authority, a public trust, hereby certify that the foregoing is a true, correct and complete copy of a Resolution adopted by the Trustees of said Authority at a meeting held on the date therein stated, as the same appears on file in my office as a part of the official records thereof.

_____

Secretary of Trustees

(Seal)

RESOLUTION NO. PW-12-02

WHEREAS, the Trustees of The Clinton Public Works Authority have determined to issue an aggregate principal amount of not to exceed $4,500,000.00 Refunding Revenue Bonds Series 2012 of the Authority to provide funds to refund certain outstanding indebtedness of the Authority; and

WHEREAS, the Authority has offered to sell its Refunding Revenue Bonds evidencing the aforesaid indebtedness at a purchase price of par of the principal amount thereof as further described herein, plus accrued interest on said Bonds from the date thereof to the date of delivery thereof, said Bonds to bear interest at the average annual rate of not to exceed Two and one-quarter percent (2.25%); and

WHEREAS, it would be in the best interests of the Trust Estate of the Authority that the sale and issuance of said Bonds be contractually confirmed at this time;

BE IT RESOLVED BY THE TRUSTEES OF THE CLINTON PUBLIC WORKS AUTHORITY:

SECTION 1. The aforesaid Bonds of the Authority hereby are sold to The Baker Group LP, Oklahoma City, Oklahoma. The Chairman and Secretary of Trustees hereby are authorized and directed, for and on behalf of the Authority, to determine the form and substance of, and to execute, attest and deliver a Contract for the sale of said Bonds, all for and on behalf of the Authority. Competitive bidding upon the aforesaid Bonds hereby is expressly waived. The sale of said Bonds at a purchase price of par of the principal amount thereof hereby is expressly approved.

SECTION 2. The Chairman and Secretary of Trustees hereby are authorized and directed, for and on behalf of the Authority, to determine the form, series designation and substance of and to execute, attest and affix the seal of the Authority to and deliver said Bonds, a Continuing Disclosure Agreement and a Revenue Bond Indenture providing for the issuance of and securing them, and any and all certificates, receipts, instruments and other writings, and to do and perform any and all acts upon behalf of the Authority and the Trustees thereof requisite to the issuance and delivery of said Bonds and of said Revenue Bond Indenture in accordance with the terms and provisions

thereof, and the Chairman of Trustees of the Authority further is authorized, for and on behalf of the Authority and the Trustees thereof, to direct the disbursement and disposition of the proceeds of said Bonds, and to do and perform all other acts necessary or convenient to the delivery of the aforesaid Bonds and Revenue Bond Indenture, and to effect such disbursement and disposition in meeting the obligations of the Authority and the Trustees thereof in relation to the purposes for which said bonded indebtedness is incurred.

ADOPTED this _____ day of October, 2012.

_____

Chairman of Trustees

ATTEST: (Seal)

_____

Secretary of Trustees

I, the undersigned Secretary of Trustees of The Clinton Public Works Authority, a public trust, hereby certify that the foregoing is a true, correct and complete copy of a Resolution adopted by the Trustees of said Authority at a meeting held on the date therein stated, as the same appears on file in my office as a part of the official records thereof.

_____

Secretary of Trustees

(Seal)

PUBLIC NOTICE OF A REGULAR MEETING
OF THE INDUSTRIAL AUTHORITY
TUESDAY, OCTOBER 16, 2012 AT 5:30 PM
CLINTON CITY HALL

AGENDA

Meeting status: Completed

1. Call to Order
2. Opening Prayer Father Rex Arnold, St. Mary's Catholic Church
3. Consent Agenda
    A. Consider Approval of Minutes on October 2, 2012
4. Action Items:
    A. Consider termination of Brainerd Chemical Company lease agreement
5. City Manager's Report
6. Audience Participation
7. Adjournment

Filed this 12th day of October, 2012. Posted on the bulletin board in the lobby of the Clinton City Hall on October 12, 2012 at 1:45 p.m.

IA100212

MINUTES OF THE CLINTON INDUSTRIAL AUTHORITY, OCTOBER 2, 2012

Minutes of a regular meeting of the Chairman and Trustees of the Clinton Industrial Authority of Clinton, Oklahoma, Custer County, held in the City Council Room, City Hall on Tuesday, October 2, 2012 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 September 28, 2012.

Vice-Chairman Marcy called the meeting to order with the following present;

CHAIRMAN: Absent
TRUSTEES: Bob Marcy, Jason Hulin, Don Rodolph, Phyllis Smith
CITY MANAGER: Steve Hewitt
CITY CLERK: Lisa Anders
CITY TREASURER: Debra Blanchard
DEPUTY CLERK: Absent
CITY ATTORNEY: Ryan Meacham
NEWS MEDIA: Gerald Green and Mike Smith
OTHERS: Julie Menge, Jeremy Brush, Mary Helen Jones, Seth Adams , Curtis Maloy, Stephen Jones, Dave Thorpe, Ray Challis, Eddie Peck, Bobby Hoffman, K.D. Kappel, Bill Strecker, Chris Gander, and others.

Jim Westmoreland of the First Baptist Church opened the meeting with prayer and Trustee Phyllis Smith led the Pledge of Allegiance.

AGENDA ITEM NO. 3: CONSENT AGENDA

A. Minutes of September 18, 2012 meeting
B. Consider Claims

Moved by Trustee Smith and seconded by Trustee Hulin that Consent Agenda Item No. 3 (a-b) be approved.

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

Aye: Smith, Hulin, Rodolph, Marcy
Nay: None

Vice-Chairman declared the motion carried.

AGENDA ITEM NO. 4 ACTION ITEMS

4A. REQUEST AUTHORIZATION TO GO TO BID ON EARTHWORK ON ROBINSON ADDITION

City Manager Steve Hewitt reported that things are ready to go to bid for the earthwork on Robinson Addition. He said we need to keep the project moving forward. It is estimated that the cost of the earthwork would be in the $53,000.00 to $55,000.00.

Motion was made by Trustee Rodolph and seconded by Trustee Smith to authorize staff to go to bid on the earthwork for Robinson Addition.

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

Aye: Rodolph, Smith, Hulin, Marcy
Nay: None

Vice-Chairman declared the motion carried.

AGENDA ITEM NO .5: CITY MANAGER'S REPORT

None

AGENDA ITEM NO. 6: AUDIENCE PARTICIPATION

None

AGENDA ITEM NO. 7: ADJOURNMENT

Moved by Trustee Smith and seconded by Trustee Hulin that the meeting adjourn.

Vice-Chairman put the motion to a roll call vote

Aye: Smith, Hulin, Rodolph, Marcy
Nay: None

Vice-Chairman declared the meeting adjourned at 6:00 pm.

Clinton
Hub City of Western Oklahoma

Agenda Commentary

Item Title/ Subject: Property Rental with Brainerd Chemical

Staff Source: City Manager, Steve Hewitt

Date: Oct. 13, 2012

History/Background Information:

City agreed to lease industrial property to Brainerd Chemical Company 202 Glenn Smith in 2008. This was a 5 year lease, $1500 per month. (ending June 2013)

Subject Summary:

Brainerd contacted the City last year looking to possibly get out of the lease, that wasn't agreed unless the City could see another potential business replace them. Recently another company has approached us in coming to Clinton and leasing this property (similar company), and would also agree to extend this term on for another 5 years. Staff contacted Brainerd regarding their future intentions and thoughts. This was in favor of Brainerd.

Recommendation:

Staff would recommend that pending this new potential client signoff on the written agreement to the same terms, the City should agree to a mutual resolved contract with Brainerd. This would protect the City and help a new business to come in this location and continue the revenue stream.

Price/Cost: $1500.00 per month, 5 years.

Steve Hewitt

From: Mathew A. Brainerd <mat@brainerdchemical.com>
Sent: Friday, October 12, 2012 12:23 PM
To: Steve Hewitt
Cc: Greg Nicka
Subject: Clinton Lease dated 3 June 2008

Steve Hewitt
City Manager
City of Clinton

Steve,

Pursuant to conversations conducted during the past few weeks I am writing to convey Brainerd Chemical's willingness to terminate the lease agreement dated 3 June 2008 between Brainerd Chemical Co., Inc. and Clinton Industrial Authority of Custer County, Oklahoma. Yesterday I authorized AquaTerra to conduct a Phase I with limited Phase II environmental study on the property in anticipation of the lease termination. I understand the formal termination date would be approximately October 31, 2012. I am in hopes this date would give time to empty the two rail cars, remove the cars from the property and conduct the soil testing necessary to finalize our environmental study.

Obviously Brainerd Chemical will continue to pay rent on the property until all matters of lease termination are concluded. We are in time of the essence mode and will diligently try to conclude our due diligence as we understand the spirit of this agreement to terminate said lease.

I would appreciate a formal response from you regarding a confirmation of my understanding so I am not wasting time and money moving towards a misunderstood end.

Thanks for your consideration and courtesy.

Kindest Regards,

Mathew A. Brainerd
Brainerd Chemical Co., Inc.
1200 North Peoria
Tulsa, Oklahoma 74106
U.S.A.

"Deus Lo Vult"

☎: 918-622-1214 ext 4911
☎: 918-301-6376 fax
✉: **mat@brainerdchemical.com**

AGREEMENT

THIS AGREEMENT is made and entered into by and between the Clinton Industrial Authority of Custer County, Oklahoma, hereinafter referred to as "Lessor", and Brainerd Chemical Co., Inc., hereinafter referred to as "Lessee", this 3rd day of June, 2008.

For the consideration of $1,500 per month, Tenant does hereby rent the property owned by the Clinton Industrial Authority at ~~213 E. Hayes~~ and described more particularly as: 202 Glenn Smith GB

The terms and conditions of the lease between the parties shall be as follows:

A tract of land lying in the Northeast Quarter of the Southeast Quarter (NE/4 SE/4) of Section 14, Township 12 North, Range 17 West of the Indian Meridian, Custer County, Oklahoma, said tract being more particularly described by metes and bounds as follows:

Beginning at the Southeast corner of said NE/4 SE/4; thence North 89° 30'58" West along the South line of said NE/4 SE/4 a distance of 310.76 feet to a point; thence North 10° 08'41" East a distance of 388.64 feet to a point; thence South 79° 51'59" East a distance of 249.56 feet to a point on the East line if said NE/4 SE/4; thence South 00° 33'53" West along the East line of said NE/4 SE/4 a distance of 341.30 feet to the point of beginning. Containing 2.33 acres more or less, and being subject to easements and conveyances of record.

Term.

1. This lease shall extend for a period of five *(5)* years beginning on the date executed by both parties. The lease may be extended by Lessee upon the same terms and conditions, with a reasonable increase in rent, for successive periods of five *(5)* years each with sixty (60) days written notice to Lessor.

General.

2. Lessee agrees to pay all real estate taxes or assessments if any are levied against the leased premises before the same become delinquent. In the event Lessee fails to pay such taxes, Lessor may, at its option, pay any such taxes and assessments that may be levied against the premises, and add such amounts to the following month's rent.

3. Lessee agrees to indemnify Lessor against liability on all claims for damages and injuries to persons on the property, which result from the activities or omission of Lessee or its agents or its employees upon the demised premises during the term thereof.

4. Nothing in this lease shall be construed to prevent the Lessor from making such use of the leased premises as they may see fit, so long as such use in no way restricts, limits, or interferes with the operations of, and the use of the premises by Lessee.

5. All improvements and equipment placed on the leased premises by Lessee shall remain the property of the Lessee, and Lessee shall have the right to remove such property prior to the expiration of this lease, provided that the removal will not cause injury to the subject property.

6. This agreement shall inure to the benefit of and shall be binding upon the heirs, legal representative, successors and assigns of the parties, provided that Lessee may not assign this lease without the permission of Lessor.

7. Tenant shall use best efforts to avoid damaging the property, ordinary wear and tear accepted. In spite of best efforts, should damage occur, outside of normal wear and tear, the tenant will indemnify the Lessor against any loss of any nature.

8. Tenant shall not make any alterations or additions or improvements in or to said premises without written consent of the Lessor.

9. Tenant is responsible for all utility services at the subject premises.

Default.

10. Upon default, Lessor shall have the right to terminate this lease and immediately reenter the property.

Witness the hands of the parties the day and date first above written.

CLINTON INDUSTRIAL AUTHORITY

Lynn E. Norman, Chairman

ATTEST

Lisa Anders, Secretary

BRAINERD CHEMICAL CO., INC.

Pres.

Mathew A. Brainerd, President

ATTEST

Pam Flusche, Secretary

MUTUAL TERMINATION OF LEASE AGREEMENT

The parties mutually agree to terminate the agreement entered into on _____, attached hereto as Exhibit A.

CLINTON INDUSTRIAL AUTHORITY

_____

Lynn E. Norman, Chairman

ATTEST

_____

Lisa Anders, Secretary

BRAINERD CHEMICAL CO., INC.

_____

Mathew A. Brainerd, President

ATTEST

_____

Pam Flusche, Secretary

PUBLIC NOTICE OF A REGULAR MEETING
OF THE CITY COUNCIL
TUESDAY, OCTOBER 16, 2012 AT 5:30 PM
CLINTON CITY HALL

AGENDA

Meeting status: Completed

1. Call to Order
2. Opening Prayer Father Rex Arnold, St. Mary's Catholic Church
3. Consent Agenda
    A. Consider Approval of Minutes on October 2, 2012
4. Action Items:
    A. Presentation by Western Technology Center regarding a Fire Training Center
    B. Consider Resolution 806 regarding support for the Oklahoma US Bike Route 66
    C. Consider approval of Workers Compensation Refund from the Oklahoma Municipal Assurance Group for the 2009-2010 Workers Compensation Plan Year
    D. Mayor's Proclamation honoring 1967 Red Tornado Football Team
    E. Consider and adopt Resolution 807 relating to the incurring of indebtedness by the Clinton Public Works Authority; waiving competitive bidding thereon; and declaring an emergency
5. City Manager's Report
6. Audience Participation
7. Adjournment

Filed this 12th day of October, 2012. Posted on the bulletin board in the lobby of the Clinton City Hall on October 12, 2012 at 1:45 p.m.

RM100212

MINUTES OF THE CLINTON CITY COUNCIL
OCTOBER 2, 2012

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, October 2, 2012 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 September 28, 2012.

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

MAYOR: Absent
COUNCIL: Don Rodolph, Bob Marcy, Jason Hulin, Phyllis Smith
CITY MANAGER: Steve Hewitt
CITY CLERK: Lisa Anders
CITY TREASURER: Debra Blanchard
DEPUTY CITY CLERK: Absent
CITY ATTORNEY: Ryan Meacham
NEWS MEDIA: Gerald Green and Mike Smith
OTHERS: Julie Menge, Jeremy Bush, Seth Adams, Mary Helen Jones, Curtis Maloy, Dave Thorpe, Stephen Jones, Ray Challis, Bill Strecker, Chris Gander, Mike Murley, Bobby Hoffman, K.D. Kappel, Eddie Peck and others.

Jim Westmoreland of the First Baptist Church opened the meeting with prayer and Councilwoman Phyllis Smith led the Pledge of Allegiance.

AGENDA ITEM NO. 4: CONSENT AGENDA:

A. Minutes of Regular Meeting of September 18, 2012
B. Consider Claims

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

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

Aye: Smith, Hulin, Marcy, Rodolph
Nay: None

Vice-Mayor declared the motion carried.

AGENDA ITEM NO. 4 ACTION ITEMS

4A. CONSIDERATION REGARDING INVOLVEMENT OF WESTERN TECHNOLOGY CENTER FIRE TRAINING PROJECT

City Manager Steve Hewitt said the Western Technology Center has the potential for a Fire Training Center in Western Oklahoma. He said representative had discussed the possibility of the placement in Clinton. He asked for input from the Council regarding the City's involvement with the project.

Councilman Hulin asked for more information regarding the proposed classes for the facility.

City Manager Hewitt said he felt this would benefit the community but cautioned that the cost and the acreage necessary for the facility could be difficult for the city financially. He said he did not want to discourage the project but thought it might not be the best financial time for the City to be involved given the other large projects such as the water issue.

Councilman Hulin said this would be a long term unique benefit to offer and he thought it would be nice to have this type of facility in Clinton and he would recommend looking into the project more.

Councilman Rodolph asked if class rooms would be required.

City Manager Steve Hewitt said they are not for sure on the plans. He said the representatives need confirmation if the City is willing to make a commitment. He said Weatherford has committed $400,000 for the facility.

Councilman Hulin said he would need more information before he could make a recommendation.

Councilwoman Smith asked where the City has ten acres that could be dedicated to this project.

Councilman Hulin asked if that is the amount of acreage that is required.

Ray Challis, representative of the Western Technology Center said ten acres would not be the minimum but would leave room for expansion.

Councilman Rodolph asked about the usage of the facility.

Mr. Challis said the tower training is necessary to insure the recertification requirements.

Councilwoman Smith asked if volunteer firefighters are required to take this same training.

Mr. Challis said volunteer firefighters have the same requirements. He said he would get more information on the project.

Councilman Rodolph said he would not be willing to commit without additional information.

Motion was made by Councilman Rodolph and seconded by Councilwoman Smith to table the item until additional information is provided.

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

Aye: Rodolph, Smith, Hulin, Marcy
Nay: None

Vice-Mayor declared the motion carried.

4B. CONSIDER RESOLUTION NO. 805 REGARDING ESTABLISHING PROCEDURE OF VACATING PLAT AND PUBLIC WAYS

City Manager Steve Hewitt explained that Resolution No. 805 establish procedures for vacating plats and public ways such as alleys.

Assistant City Attorney Ryan Meacham said the resolution is based on state statutes.

Motion was made by Councilman Rodolph and seconded by Councilman Hulin to approve Resolution No. 805 regarding establishing procedures of vacating plat and public ways.

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

Aye: Rodolph, Hulin, Smith, Marcy
Nay: None

Vice-Mayor declared the motion carried.

5. CITY MANAGER'S REPORT

City Manager Steve Hewitt said Ward meeting have been scheduled at the following times:

October 15, 2012 for Ward Three and Ward Four
October 22, 2012 for Ward Two
October 29, 2012 for Ward One
October 23, 2012 for Mayoral Meeting

AGENDA ITEM NO. 8: ADJOURNMENT

Moved by Councilwoman Smith and seconded by Councilman Hulin to adjourn the meeting.

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

Aye: Smith, Hulin, Rodolph, Marcy
Nay: None

Vice-Mayor declared the meeting adjourned at 6:15 P.M.

RESOLUTION #805

A RESOLUTION ESTABLISHING THE PROCEDURE FOR VACATING PLATS AND PUBLIC WAYS PURSUANT TO 11 OKLA. STAT. SECTION 42-110.

WHEREAS, 11 Okla. Stat. § 42-110 requires that the City pass a resolution adopting a procedure for closing a public way or easement.

NOW THEREFORE, be it resolved by the Council of the City of Clinton, Oklahoma:

1. The municipal governing body may close any public way or easement, within the municipality, whenever deemed necessary or expedient, by adopting an ordinance explicitly closing the same.

2. Prior to adoption of any ordinance, as described in Section 1, the municipality shall give written notice of any proposed closing of a public way or easement to any holder of a governing body to have a special right or privilege to use the public way, at least 30 days prior to the adoption.

3. All powers given the City under 11 Okla. Stat. § 42-110 are herby retained and preserved.

Passed and approved this 2 day of October, 2012.

ALLEN BRYSON, Mayor

ATTEST:

LISA ANDERS, City Clerk

Clinton
Hub City of Western Oklahoma

Agenda Commentary

Item Title/ Subject: Resolution procedure for vacating plats and public ways

Staff Source: City Manager, Steve Hewitt

Date: September 28, 2012

History/Background Information:

Recent closing of a Public Way (Fire Station Alley) showed us this was something the City needed to adopt.

Item/Subject Summary:

City Attorney Ryan Meacham has informed us that a resolution is required by the City Council for vacating plats and public ways.

Any questions refer to City Attorney.

Price/Cost:

Recommendation:

Recommend..

RESOLUTION #805

A RESOLUTION ESTABLISHING THE PROCEDURE FOR VACATING PLATS AND PUBLIC WAYS PURSUANT TO 11 OKLA. STAT. SECTION 42-110.

WHEREAS, 11 Okla. Stat. § 42-110 requires that the City pass a resolution adopting a procedure for closing a public way or easement.

NOW THEREFORE, be it resolved by the Council of the City of Clinton, Oklahoma:

1. The municipal governing body may close any public way or easement, within the municipality, whenever deemed necessary or expedient, by adopting an ordinance explicitly closing the same.

2. Prior to adoption of any ordinance, as described in Section 1, the municipality shall give written notice of any proposed closing of a public way or easement to any holder of a governing body to have a special right or privilege to use the public way, at least 30 days prior to the adoption.

3. All powers given the City under 11 Okla. Stat. § 42-110 are herby retained and preserved.

Passed and approved this _____ day of _____, 2012.

_____
ALLEN BRYSON, Mayor

ATTEST:

_____
LISA ANDERS, City Clerk

RESOLUTION NO. 806

Oklahoma US Bike Route 66 Support Resolution

Whereas bicycle tourism is a growing industry in North America, contributing $47 billion a year to the economies of communities that provide facilities for such tourists; and

Whereas the American Association of State Highway and Transportation Officials (AASHTO) has designated a corridor known as Route 66 beginning in Illinois and terminating in California to be developed as United States Bike Route 66 (USBR 66), and

Whereas the Oklahoma Bicycling Coalition, the Adventure Cycling Association, and other stockholders, have proposed a specific route to be designated as USBR 66, a map of which is herein incorporated into this resolution by reference, and

Whereas the proposed route for USBR comes through Clinton, Oklahoma and can therefore provide a benefit to our residents and businesses, and

Whereas we have investigated the proposed route and found it to be a suitable route, and desire that the route be designated so that it can be mapped and signed, thereby promoting bicycle tourism in our area,

Therefore be it resolved that Clinton, Oklahoma hereby expresses its approval and support for the development of USBR 66, and requests that the appropriate officials see to it that the route is officially designated by AASHTO as soon as this can be achieved, and authorizes the posting of signs when available or appropriate within the City of Clinton, Oklahoma right-of-way identifying the route through the community once the official designation has been made.

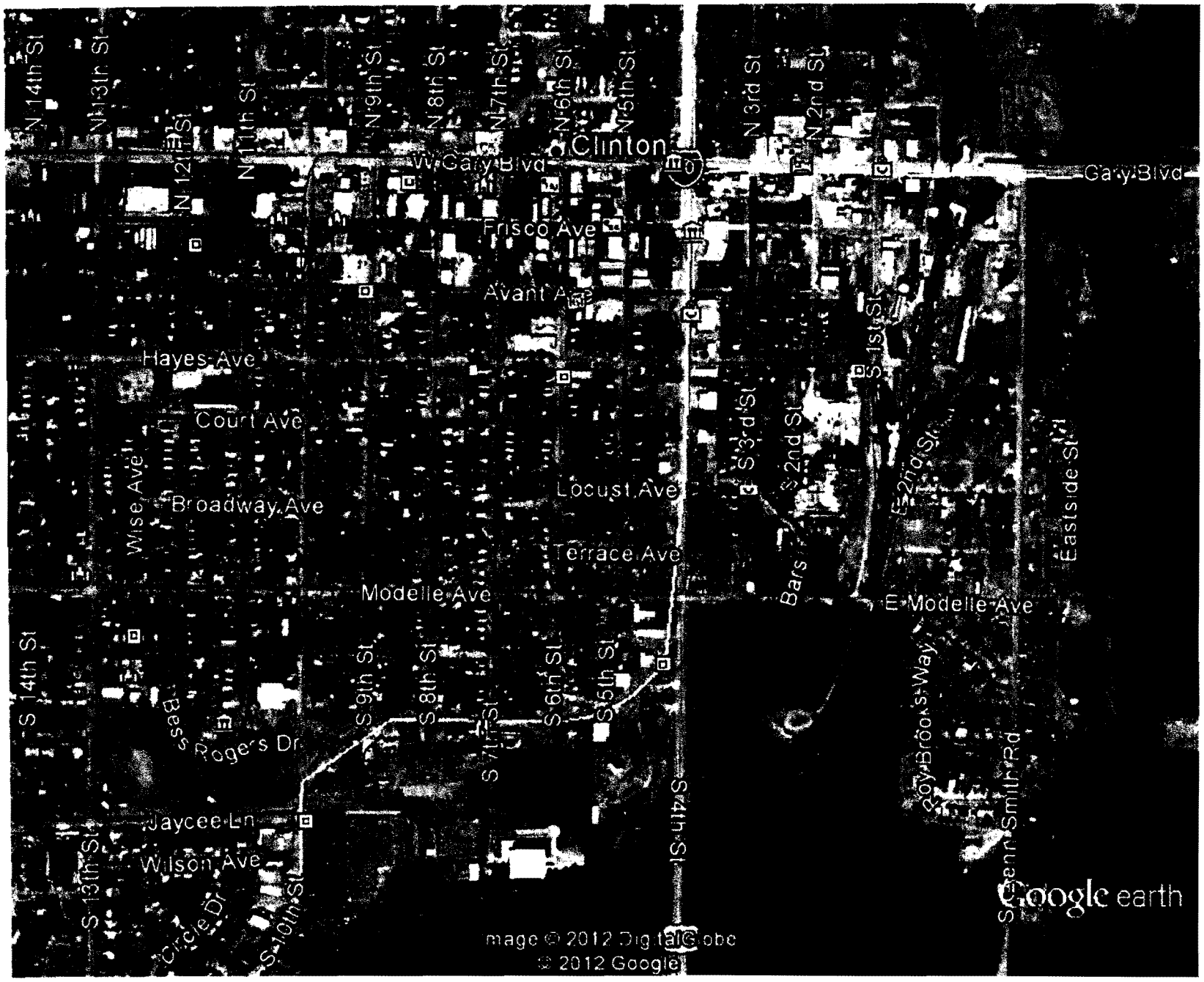
Passed and approved this _____ day of _____, 2012.

_____
Allen Bryson, Mayor

ATTEST:

_____
Lisa Anders, City Clerk

Clinton



Google earth feet 4000
km 1

S 10km to Neptune across I-40 to West Commerce Rd. (E. 106 Rd)

PO Box 2614
Stillwater,
OK 74076

Mike Flenniken
President
Membership Chair

Talesa Flenniken
Vice-President /
President Elect
Governance Chair
Events Chair
Hogback Attack
Event Chair

Betsy Morehead
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Arletta Webster
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Board Member

Peter Wright
Communications
Chair

Kevin Mussett
Route 66 Corridor
Chair

Shawn Gibson
Law Enforcement
Chair

Jim Beach
Webmaster

OBC 1 VOICE
One Voice for Oklahoma Cyclists

Oklahoma Bicycling Coalition

Promoting bicycle access, safety and education throughout Oklahoma. *obc1voice.org*

To: Road Agency Managers and Engineers, DOT, and Metro Region Engineers

Subject: U.S. Bicycle Route 66 Development and Adventure Cycling Route Maps

Date: July 9, 2012

Ladies and Gentlemen:

In Oklahoma, the planning of Bicycle Route 66 and mapping is being coordinated by the Oklahoma Bicycling Coalition (OBC) and Adventure Cycling Association (ACA).

Your cooperation in the development of the proposed route is invaluable. We would like to meet with you to get your input and will be contacting you to set up an appointment.

Bicycle Route 66, is not a new facility. It will consist of available roads, established bike trails, and regional rail-trails that create a road network to help the long distance bicyclist travel across the state.

Bicycle tourism is a $4.6 billion dollar industry. A designated route will allow communities to receive the benefit of touring cyclists who support local restaurants, hotels, campgrounds, bike shops, and other service establishments as they travel. They contribute to the local economy and the tax base through lodging and sales tax without contributing to congestion, or other negative social or environmental impacts.

Once we have proposed a route that is acceptable to the stakeholders, and approved by Oklahoma DOT, they will request a route designation from AASHTO. Once designated, it can be signed. Information on the U.S. Bicycle Route System is available at www.adventurecycling.org/usbrs.

Please contact Bonnie Winslow, (OBC Route 66 Liaison) at bwinslowok@gmail.com or Lary Willis, (ODOT) at lwillis@odot.org or me if you need more information or have questions.

Regards,

Kevin Mussett

Route 66 Corridor Committee Chair
(405) 880-2568
muskrat911@aol.com

Enc: US Bike Route 66 Summary Sheet
Frequently Asked Questions

Designation of Route 66 in Oklahoma as a US Bike Route

In 1978 the United States Bike Route System (USBRS) was established to promote bike travel by linking urban, suburban, and rural areas. To date routes have been established in Virginiaand South Carolina; Kentucky, and Illinois; Michigan; Alaska; and in Maine and New Hampshire. US Bike Routes (USBR) are nominated by the state department of transportation to the American Association of State Highway and Transportation Officials (AASHTO.) The Association sets standards for highway system development, and is responsible for the numbering of national highways and interstates. In 2008 AASHTO approved a National Corridor Plan for Bicycling Routes that was developed by the Task Force on US Bicycle Routes. Route 66 from Illinois to California is one of the nationally significant corridors in the plan.

Route 66, the mother road, is a popular tourist attraction that brings in visitors from all over the country and the world seeking an authentic, Americana experience. In its heyday, the 2,400 mile long highway linked the urban Midwest to the scenic Southwest and the California coast. Unlike other cross country highways, Route 66 has and will continue to inspire blogs, websites, books, movies, songs, and even television shows romanticizing the adventures and traveling opportunities along the way. Oklahoma is proud to host the most remaining drivable miles, nearly 460 miles. The "father of Route 66", Cyrus Avery, was a Tulsa citizen and Oklahoma Transportation official. It is only fitting that Oklahoma takes the lead among eight states in establishing Oklahoma's portion of Route 66 as a US Bike Route.



In spring 2011, Adventure Cycling as a member of the AASHTO's Task Force on US Bicycle Routes, began working with Oklahoma Bicycling Coalition to map a proposed Route 66 bike route through Oklahoma. As Adventure Cycling's number one priority, this is part of a larger effort for mapping a bike-friendly Route 66 through all eight states. Based on the proposed route a draft map is being prepared, and will be shared with local jurisdiction/agencies, Route 66 stakeholders, and the biking community for their input.

To complete the application process, the Oklahoma Department of Transportation (ODOT) will require letters or resolutions of support from the various jurisdictions associated with the route. Oklahoma Bicycling Coalition is currently contacting each agency, providing them with a draft route map, and asking for their support. Letters or resolutions will be collected by OBC and forwarded to ODOT. Once there is an acceptable route, and it is approved by ODOT, Oklahoma Department of Transportation will then forward a route designation request to AASHTO.

The State of Oklahoma, local communities and businesses, and Oklahoma cyclists are all stakeholders and have interest in the designation of USBR 66. Items for consideration:

- The designation of US Bike Route 66 will have minimal impact on Oklahoma State's or local municipalities' budget. In fact, riders will add to the governments' coffers through lodging tax, sale taxes, and other taxes such as the transportation tax (airport taxes.)
- US Bike Route 66 will be under the jurisdiction of Oklahoma State, the county, or a local jurisdiction. AASHTO specifically declined in establishing road standards for US Bike Routes, differing to each state's own requirements or engineering judgment. Although signing, route improvements, and bicycling facilities would be preferred, they are not required in order for a route to be designated.
- This is an opportunity for communities and other stakeholders to define the best route through their area and to publicize their services and tourism opportunities. Regardless of Route 66 being designated as a US Bike Route, it will be mapped and included on the Adventure Cycling Route 66 Map. Bicyclists are already riding Route 66, and with a published map, numbers will increase.



- Most bicycle touring occurs in small groups of 1-15 riders. A community may experience 1,000 riders **over the course of a season**, April – October. This differs from an event ride where hundreds descend on a community for lunch, or an overnight stay affecting road travel, restaurant service, etc.
- Services required for touring cyclists are similar to what other travelers need: food, shelter, an occasional bike repair shop, a store for supplies, locatable tourist sites, good maps or signing, a laundromat, or medical facilities along the route. Most touring cyclists travel light and are used to fewer comforts provided in urban settings.
- US Bike Route 66 can complement an already well-established and promoted Route 66 tourism industry. Biking tourists tend to be heritage tourists seeking out authentic experiences such as a Route 66 ride. As the cyclist takes the trip at a much slower pace, this provides ample opportunity to visit local museums, purchase tourist items or locally made handicrafts, resupply, and sample the local fare. Whereas the average motorist may spend an average of 5 - 11days traversing all of Route 66, a bicycling tourist will spend an average of 7 days just traveling through Oklahoma.

Contacts:

Kevin Mussett
Muskrat911@aol.com
Bonnie Winslow
bwinslowok@gmail.com
Bill Elliott
belliott23@cox.net

Clinton
Hub City of Western Oklahoma

Agenda Commentary

Item Title/ Subject: **2009-2010 Worker's Compensation Plan Refund**

Staff Source: **City Clerk Lisa Anders**

Date: **October 11, 2012**

History/Background Information: As a result of favorable worker's compensation claims activity, the Board of Trustees of the Oklahoma Municipal Assurance Group has authorized the refund of the unused portion of the Loss Fund of the City of Clinton in the amount of $47,784.03.

Subject Summary: Selection of method of refund of 2009-2010 Workers Compensation Loss Run

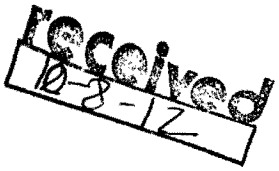
Recommendation: apply the full amount as credit toward the current Workers Compensation payment for 2012-2013 premiums.

Price/Cost:

Oklahoma Municipal Assurance Group

3650 S. Boulevard • Edmond, OK 73013-5581 • 405/657-1400 • 800/234-9461 • fax: 405/657-1401 • www.omag.org

October 2, 2012



Ms. Lisa Anders
City Clerk
City of Clinton
P.O. Box 1177
Clinton, OK 73601-1353

Re: Refunds from the 2009-2010 Workers' Compensation Plan Year

Dear Ms. Anders:

CONGRATULATIONS! Your municipality will receive a return from the loss fund that you deposited with the Oklahoma Municipal Assurance Group (OMAG) for the **2009-2010 Workers' Compensation Plan Year**. The refund is the result of your favorable claims activity for that plan year.

Refunds totaling *$ 1,509,805.78* are being returned to 169 eligible plan members.

In the first 29 years of this Plan, the participants have received over $47 million in interest earnings and refunds.

We hope you will share this good news with your organization, citizens and neighboring municipalities. Enclosed is your 2009-2010 Workers' Compensation Plan Refund Voucher Agreement to be completed and returned to us. You may choose to invest your refund by putting it in an Escrow Account with OMAG, or apply it to the current 2012-2013 premium if you are making quarterly payments this year, or receive a check.

> ***To receive your refund*, you will need to mark your choice on the back of the Refund Voucher Agreement (choose a, b or c), and sign and return this form to the OMAG office.*****

*** **NOTE: If we do not receive notification of your selection prior to December 31, your refund will automatically be transferred to your escrow account.** ***

Congratulations, again! Keep up the good work.

Sincerely,

Chuck Smith

Chuck Smith
Director of Plan Services

Encl

Oklahoma Municipal Assurance Group

An Interlocal Cooperation Act Agency of Cities and Towns Providing:
Municipal Liability Protection Plan • Workers' Compensation Plan • Municipal Property Protection Plan

2009-2010 WORKERS' COMPENSATION PLAN REFUND VOUCHER AGREEMENT

This Agreement made and entered into this 2nd day of October, 2012, shall remain in full force and effect between the **City of Clinton,** hereinafter referred to as the "Member," and the Oklahoma Municipal Assurance Group, hereinafter referred to as the "Group," witnesseth:

WHEREAS, as a result of favorable workers' compensation claims activity on the part of the member, the Board of Trustees of the Group has authorized the refund of the unused portion of your 2009-2010 Loss Fund in the amount of **$47,784.03**; and

WHEREAS, the Group Workers' Compensation Plan was created pursuant to 74 O.S. § 1001 et seq., thereby enabling cities and towns to cooperate with others on the basis of mutual advantage and to exercise and enjoy all of their powers, privileges and authority to the extent that laws of the state permit such joint exercise or enjoyment; and

WHEREAS, the Member by adopting and subscribing to the said Workers' Compensation Plan for the Fiscal Year ending June 30, 2010, hereinafter referred to as the "Fiscal Year," made payment of an annual fee to the Group for statutory benefits under 85 O.S. § 1 et seq., the Workers' Compensation Act of the State of Oklahoma; and

WHEREAS, the Board of Trustees of the Group has authorized the distribution of the whole or part of said annual fee paid by the Member to the Group and identified as the Member's Loss Fund for the Fiscal Year; and

WHEREAS, the Member hereby makes application for a distribution of the whole or part of the Loss Fund it paid to the Group for the Fiscal Year subject to the following terms and conditions.

NOW, THEREFORE, the Member does hereby declare and agree as considered under this Agreement:

1. The Member hereby acknowledges, affirms, and states, upon acceptance of the amount stated above as a conditional distribution of a whole or part of its Loss Fund paid to the Group for the Fiscal Year; that it may be liable for a whole or part of said amount to the Group for benefits payable under 85 O.S. § 1 et seq. contingent upon notification to the Group by the CompSource Oklahoma that benefits are due and payable for claims against the Member made for the Fiscal Year.

2. Upon notice by the CompSource Oklahoma to the Group as described herein, the Member shall make payment of the distribution described herein to the Group within sixty (60) days receipt of written notice from the Group.

(over)

OMAG
Oklahoma Municipal Assurance Group

3. In the event the Member fails to make payment to the Group as set forth in par. 2 herein, Member agrees and authorizes the Group to debit the amount due for benefits from either the Member's Loss Fund, Escrow or Rate Stabilization Reserve Account.

4. This refund can be processed in one of three different ways. You may select one of the following options:

** NOTE: **If we do not receive notification of your selection prior to December 31, 2012 your refund will automatically be transferred to your escrow account.** **

PLEASE INITIAL YOUR SELECTION

_____ a. We wish to place the full amount in Escrow with the Group to be used at any time at our request. We understand that we will receive interest earnings on any amounts so held.

_____ b. We wish to apply the full amount as credit toward the current quarterly payments for the 2012-2013 Workers' Compensation Premium. *(Only choose this option if your city or town's annual premium is greater than $5,000 or you are currently making quarterly payments for the 2012-2013 Plan.)*

_____ c. Please issue a refund check for the entire amount.

This Agreement shall be construed and enforced according to the laws of the State of Oklahoma.

In witness whereof, signed as designated below.

_____ Mayor

Patrick Parsons
_____ For the Oklahoma Municipal Assurance Group

_____ Attested: City/Town Clerk

October 2, 2012
_____ Date

_____ Date

(Select and initial your refund option above. **Return with original signatures of Mayor and Clerk to the Oklahoma Municipal Assurance Group**, 3650 South Boulevard, Edmond, OK 73013-5581).

A Resolution

ENROLLED SENATE
CONCURRENT
RESOLUTION NO. 47

BY: BERRONG, DACUS, ATKINSON, BAGGETT, BALDWIN, BERRY, BIRDSONG, BOECHER, BRADLEY, BRECKINRIDGE, FERRELL, FIELD, FINDEISS, GARRETT, GARRISON, GEE, GRANTHAM, GRAVES, HAM, HAMILTON, HARGRAVE, HOLDEN, HORN, HOWARD, KEELS, LUTON, McCLENDON, McGRAW, McSPADDEN, MARTIN, MASSAD, MASSEY, MILLER, MURPHY, NICHOLS, PAYNE, PORTER, ROMANG, SELMAN, SHORT, SMALLEY, SMITH, STANSBERRY, STIPE, TALIAFERRO, TERRILL, WILLIAMS, and YOUNG of the SENATE

and

DICKEY, ABBOTT, ALLARD, ANDREWS, BAMBERGER, BARR, BEAN, BEAUCHAMP, BENGTSON, BERNARD, BICKFORD, BLANKENSHIP, BOREN, BRADLEY, BRISCOE, BROWN, BYNUM, CAMP, CATE, CLEMONS, COLE, CONAGHAN, CONNOR, CONVERSE, COX, DERRYBERRY, DOORNBOS, DUNN, FAIR, FERGUSON, FERRELL, FINCH, FINE, FORD, FOWLER, FRIX, GOODFELLOW, GREEN, GREENHAW, GREY, HARGRAVE, HARRISON, HATCHETT, HESSER, HILL, HOLADAY, HOPKINS, HOWARD, HUNTER, HUTCHENS (David), HUTCHINS (Walter), INHOFE, JOHNSON, JONES, KAMAS, LANE, LAWSON, LEVERGOOD, McCUNE, MISKELLY, MOUNTFORD, MUSGRAVE, NIGH, ODOM (Martin), ODOM (V. H.), PAGE, PATTERSON (Frank), PATTERSON (Ruth), PETERSON, POULOS, PRIVETT, RAIBOURN, RUSHING, SANDLIN, SANGUIN, SKEITH, SMITH (E. W.), SMITH (Norman), SMITH (Vondel), SMITHEY, SOKOLOSKY, SPARKMAN, SPEARMAN, TABOR, TAGGART, TARWATER, THOMPSON, THORNHILL, TOWNSEND, TRENT, VANN, WATKINS, WILLIAMS, WILLIAMSON, WILLIS, WITT, WIXSON, WOLF (Leland), and WOLFE (Stephen) of the HOUSE

A CONCURRENT RESOLUTION COMMENDING CLINTON HIGH SCHOOL "RED TORNADOS" FOR THEIR ASTONISHING ATHLETIC ACHIEVEMENTS; PAYING TRIBUTE TO THE MEMBERS OF THE TEAM AND ESPECIALLY TO TEAM MEMBER ROY BELL FOR AMAZING ABILITY AND PERFORMANCE AND FOR BEING SELECTED HIGH SCHOOL ALL-AMERICAN; CONGRATULATING HEAD COACH JIM FRAZIER AND ASSISTANT COACHES; AND DIRECTING DISTRIBUTION.

WHEREAS, the 1967 Clinton High School "Red Tornados" are the recipients of the distinct and deserving honor of being the first Oklahoma high school football team to be selected the Number One high school football team in the nation; and

WHEREAS, the team displayed unlimited and unyielding valor,

Correctly Enrolled: Richard E. Romang *Chairman, COMMITTEE ON ENGROSSED AND ENROLLED BILLS*

with a total score of 507 points; and

WHEREAS, this renowned athletic program has in the past three years produced seven All-Staters and one High School All-American; and

WHEREAS, all members of this football team have at all times displayed daring ability, courage, sportsmanship and a sense of fair play; and

WHEREAS, among the many other exceptional athletes on the Clinton High School football team there is one who has displayed praiseworthy perseverance, ability and an unyielding determination to excel; and

WHEREAS, this team member, Roy Bell, who has held the state scoring and rushing titles for two years and who has scored a total of 605 points and rushed 6,000 yards in three years and who was deservingly and meritoriously honored by being selected Oklahoma's Football Player of the Year and has been named to four high school All-American football teams; and

WHEREAS, this team was composed of such outstanding athletes as Mike Owens, Denny Gabler, DeWade Langley, Jeep Dewberry, Randy Kiesau, Roy Bell, Alvin Baumwart, Butch Brown, Greg Reim, Billy Price and others; and

WHEREAS, these fine young men should also be commended and congratulated for their scholastic ability in that among the seven starting seniors there are four with a four-year scholastic average above 90% and the other three possess averages above 80%; and

WHEREAS, this amazing football team has been expertly coached by Jim Frazier, who is a star in his own right, along with the other members of his coaching staff, Ron Engel, Jerry Havens and Dennis Skinner; and

WHEREAS, the members of the State Legislature and the people of the State are exceedingly proud.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE SECOND SESSION OF THE THIRTY-FIRST OKLAHOMA LEGISLATURE, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

SECTION 1. The Second Session of the Thirty-first Oklahoma

Correctly Enrolled: Richard E. Romang *Chairman, COMMITTEE ON ENGROSSED AND ENROLLED BILLS*

Legislature does hereby commend and congratulate the members of the 1967 Clinton High School "Red Tornados," and does hereby pay tribute to Roy Bell and express congratulations and appreciation to Coach Jim Frazier and his staff.

SECTION 2. Duly authenticated copies of this Resolution, after consideration and enrollment, shall be prepared for and sent to each member of the Clinton High School football team and to the members of the coaching staff.

Adopted by the Senate the 15th day of February, 1968.

acting President of the Senate

Adopted by the House of Representatives the 19th day of February, 1968.

Speaker pro tempore of the House of Representatives

CERTIFICATION

STATE OF OKLAHOMA)
) ss
COUNTY OF OKLAHOMA)

I, Basil R. Wilson, Secretary of the Senate of the State of Oklahoma, do hereby certify that the above and foregoing is a true and correct copy of Enrolled Senate Concurrent Resolution No. 47 as the same was adopted by the Senate and the House of Representatives of the Second Session of the Thirty-first Legislature of the State of Oklahoma, the original hereof being on file in the office of the Secretary of State of the State of Oklahoma.

WITNESS my hand and the seal of my office at the State Capitol this _____ day of February, 1968.

Secretary of the Senate

bd

Correctly Enrolled: Richard E. Romang *Chairman, COMMITTEE ON ENGROSSED AND ENROLLED BILLS*

RESOLUTION NO. 807

A RESOLUTION RELATING TO THE INCURRING OF INDEBTEDNESS BY THE TRUSTEES OF THE CLINTON PUBLIC WORKS AUTHORITY TO BE ACCOMPLISHED BY THE ISSUANCE OF REFUNDING REVENUE BONDS SERIES 2012 IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED $4,500,000.00 TO PROVIDE FUNDS TO REFUND CERTAIN OUTSTANDING INDEBTEDNESS OF THE AUTHORITY; AND DECLARING AN EMERGENCY

WHEREAS, The Clinton Public Works Authority, a public trust (the "Authority"), has been created by a Declaration of Trust for the use and benefit of the City of Clinton, Oklahoma (the "City"), under authority of and pursuant to the provisions of Title 60, Oklahoma Statutes 2011, Sections 176-180.3, inclusive, as amended and supplemented, the Oklahoma Trust Act and other applicable Statutes of the State of Oklahoma; and

WHEREAS, the Trustees of the Authority have determined upon a financing plan consisting of providing funds to refund certain outstanding indebtedness of the Authority; and

WHEREAS, in order to effect the said financing, the Trustees of the Authority intend to incur indebtedness in the aggregate principal amount of not to exceed $4,500,000.00, said indebtedness to be evidenced by the issuance of Refunding Revenue Bonds Series 2012 (the "Bonds") of the Authority, pursuant to the terms and conditions contained in a Revenue Bond Indenture securing the Bonds (the "Indenture");

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CLINTON,
OKLAHOMA:

SECTION 1. The refunding plan and the financing thereof, as submitted, will provide for the restructuring and rescheduling of payments on indebtedness, thus relieving financial pressures upon the Authority and the City of Clinton, Oklahoma. The aforesaid project will serve the public purposes of the City and hereby is expressly determined to be in furtherance of the public purposes for which the Authority was created.

SECTION 2. The incurring of indebtedness by the Trustees of The Clinton Public Works Authority in the aggregate principal amount of not to exceed $4,500,000.00, in order to provide funds to refund certain outstanding indebtedness of the Authority, is hereby consented to and approved by the City Council of the City of Clinton, Oklahoma, the governing body of said City. The sale of the Bonds at a purchase price of par of the principal amount thereof is hereby expressly approved and competitive bidding upon the Bonds evidencing said indebtedness hereby is expressly waived.

SECTION 3. By reason of the need to provide funds to refund certain outstanding indebtedness of the Authority and for the immediate preservation of the public peace, health and safety, an emergency hereby is declared to exist and this Resolution shall be effective immediately upon its adoption.

ADOPTED this _____ day of October, 2012.

_____

Mayor, City of Clinton, Oklahoma

ATTEST: (Seal)

_____

City Clerk, City of Clinton, Oklahoma

I, the undersigned City Clerk of the City of Clinton, Oklahoma, hereby certify that the foregoing is a true, correct and complete copy of a Resolution adopted by the governing body of said City at a meeting held on the date therein stated, as the same appears in the Minutes of said meeting on file in my office as a part of the official records thereof.

_____

City Clerk, City of Clinton, Oklahoma

(Seal)