PUBLIC NOTICE OF A REGULAR MEETING
OF THE PUBLIC WORKS AUTHORITY
TUESDAY, NOVEMBER 20, 2012 AT 5:30 PM
CLINTON CITY HALL

AGENDA

Meeting status: Completed

1. Call to Order
2. Opening Prayer Carol Waters, First Presbyterian Church
3. Consent Agenda
    A. Consider Approval of Minutes on November 6, 2012
4. Action Items:
    A. Presentation regarding Water Distribution Infrastructure
    B. Consider approval for Disinfectant Residential Plan with PEC Engineering
5. City Manager's Report
6. Audience Participation
7. Adjournment

Filed this 16th day of November, 2012. Posted on the bulletin board in the lobby of the Clinton City Hall on November 16, 2012 at 1:30 p.m.

_____

Not recorded

PW110612

MINUTES OF THE PUBLIC WORKS AUTHORITY MEETING, NOVEMBER 6, 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, November 6, 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 November 2, 2012.

Chairman Bryson called the meeting to order with the following present:

CHAIRMAN: Allen Bryson
TRUSTEES: Bob Marcy, Jason Hulin, Don Rodolph, Phyllis Smith
CITY MANAGER: Steve Hewitt
CITY CLERK: Lisa Anders
CITY TREASURER: Debra Blanchard
DEPUTY CLERK: Rhonda Williams
CITY ATTORNEY: Ryan Meacham
NEWS MEDIA: Gerald Green
OTHERS: Julie Menge, Mary Helen Jones, Stephen Jones, Chris Gander, Chris Byrom, David Crabtree, Randy Carpenter, Ron Stephenson, Shane Fawver, Tracy Crawford, Carrie Miller, Glendene Goucher, Buzz & Nancy Goodwin, Patch McComas, Narcy Smith, Gene McCullough, Cheryl Lowry, L.R. Sights, Jerry Douglas, Brian Aneshansley, Keith Smith, Mike Taylor, Robert Mayfield, Howard McCormack, Dale Conley and others.

Interim Fire Chief Randy Carpenter 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 October 16, 2012
B. Consider Claims

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

Chairman put the motion to a roll call vote:

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

Chairman declared the motion carried.

AGENDA ITEM NO. 4. ACTION ITEMS

4A. CONSIDER AND ADOPT RESOLUTION NO. PW12-03 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 PROCEED WITH TAKING ALL NECESSARY ACTIONS TO OBTAIN THE REFINANCING OF THE AUTHORITY'S SERIES 2003 REVENUE BONDS AND SERIES 2006 REVENUE BONDS

City Manager Steve Hewitt introduced Chris Gander.

Mr. Gander explained that it was found that including the Series 2006 Revenue Bonds in the refinancing would increase the saving that they City would receive. A charter presented showed the average rate for the 2003 and 2006 bonds is 4.36% while the refinancing was result in a rate of 1.65%. He said the net savings to the City would be an estimated $405,527. He said the reason for the two resolutions is to include the 2006 Revenue Bonds in the project.

City Manager Steve Hewitt said this would save the City money and pay off debt earlier.

Motion was made by Trustee Smith and seconded by Trustee Marcy to adopt Resolution No. PW12-03.

Chairman put the motion to a roll call vote:

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

Chairman declared the motion carried.

4B. CONSIDER AND ADOPT RESOLUTION NO. PW12-04 AUTHORIZING THE SALE, ISSUANCE AND DELIVERY OF BONDS OF THE AUTHORITY; AND WAIVING COMPETITIVE BIDDING THEREON

Chris Gander said this resolution is necessary to include the 2006 Revenue Bonds in the project.

Motion was made by Trustee Hulin and seconded by Trustee Rodolph to adopt Resolution No. PW12-04 authorizing the sale, issuance and delivery of bonds of the Authority and waive competitive bidding.

Chairman put the motion to a roll call vote:

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

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 Hulin and seconded by Trustee Marcy that the meeting adjourn.

Chairman put the motion to a roll call vote:

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

Chairman declared the meeting adjourned at 5:45 pm.

LAW OFFICE
JOHANNING AND BYROM, P.C.
OKLAHOMA CITY

RESOLUTION NO. PW12-03

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 and Series 2006 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 6 day of November, 2012.

Chairman of Trustees

ATTEST: (Seal)

Lisa Anders

Secretary of Trustees

LAW OFFICE
JOHANNING AND BYROM, P.C.
OKLAHOMA CITY

RESOLUTION NO. PW12-04

WHEREAS, the Trustees of The Clinton Public Works Authority have determined to issue an aggregate principal amount of not to exceed $6,000,000.00 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 6 day of November, 2012.

Chairman of Trustees

ATTEST: (Seal)

Lisa Anders

Secretary of Trustees

Clinton
Hub City of Western Oklahoma

Agenda Commentary

Item Title/ Subject: Disinfectant Plan for Water System

Staff Source: City Manager, Steve Hewitt

Date: Nov. 16, 2012

History/Background Information:

Areas of our Water Distribution System struggle to maintain Chlorine levels due to low flow. To keep the water safe for consumption, the City has practiced Flushing Hydrants, which resolves the concerns on a temporary basis. Staff must do this nearly every day to maintain safe levels. Thousands of Gallons of Water is wasted.

Subject Summary:

Clinton (as many communities) has some older metal water lines that have sediment built up (mostly iron residue). Flushing causes much of this sediment to break apart which creates the discolored water and bad taste (however it is safe). This will travel throughout our system. It is impossible to replace all the lines tomorrow and locating the worst issue is an on-going daily operation. The Goal is to treat the water at the locations needed with a Chlorine Booster. To have this put in place, it requires an Engineering report and plan of action. PEC can provide this and we hope to obtain a permit and place a booster at the needed location to resolve the water quality issue and cause some relief with the discoloration issue.

Recommendation:

The contract proposal from PEC is within my authorization capability as a City Manager to authorize. However, I want the Council and the Community to be aware that we are working towards a resolution. Other issues have contributed to the problem (drought, temperatures, and the 100% Foss Water chemical combination in our lines).

Staff (Severn Trent and City PWA Director) will be providing an update of what actions/steps are being taken and this one element.

Staff recommends (this is required for DEQ permitting) the approval of this contract. This will conserve water (stop with the waste of flushing) and help the sediment discoloration, and chlorine disinfection levels will be resolved.

This project could take more than 6 months waiting for DEQ permitting authorization.

Price/Cost: **Not to Exceed $9000.00**

November 8, 2012

PEC
PROFESSIONAL ENGINEERING CONSULTANTS, P.A.

City of Clinton
415 Gary Blvd
Clinton, OK 73601

Attention: Mr. Steve Hewitt, City Manager

Reference: East Clinton Disinfectant Residual Optimization Study
PEC Project No. 12K14-6994

Dear Mr. Hewitt:

This letter is written to serve as an agreement between the City of Clinton, Oklahoma, (OWNER) and Professional Engineering Consultants, P.A. (PEC) to perform professional services to assist the City of Clinton in developing methods to maximize disinfectant residual levels in the areas identified above, hereinafter called the PROJECT.

Specifically, PEC proposes to perform the Scope of Services as outlined in Paragraph A below.

A. Scope of Services:

Task 431.a – Environmental – East Clinton Disinfectant Residual Optimization Study

1. Conduct one (1) onsite field meetings with water distribution staff to gain a better understanding of the operational function of the water distribution system.
2. Develop trip report and submit to the OWNER.
3. Evaluation of nitrification testing and results.
4. Develop distribution system nitrification evaluation technical memorandum.
5. Utilize nitrification testing data to evaluate storage tower operation and determine the potential effectiveness of mechanical mixing.
6. Utilize nitrification testing data to evaluate storage tower biofilm growth.
7. Utilize residual testing data to determine proper locations for the injection of 12.5% sodium hypochlorite, 19% aqua ammonia and/ or both.
8. Ten (10) hard copies and one (1) electronic copy of each deliverable shall be provided to the OWNER at no additional cost.
9. Present study findings to OWNER during a maximum of one (1) stakeholder workshop.
10. At the conclusion of the study, an approvable ODEQ engineering report and construction plans letter contract will be submitted to the OWNER for consideration.

B. Responsibility of OWNER:

The OWNER agrees to provide the following items pursuant to PEC accomplishing the Scope of Services outlined herein:

1. Provide available data such as water usage records, functionality of storage towers, and total chlorine residuals.
2. Physical works and all necessary lab costs associated with nitrification testing.
3. Provide other information requested by PEC to assist in the development of the final deliverable.

C. Exclusions:

The following items are specifically excluded from the Scope of Services provided by PEC:

1. Modeling of distribution system including but not limited to storage tanks.
2. Review of any CT calculations as may be required by ODEQ in accordance with the 1986 SWTR.
3. If required, variance negotiations with ODEQ.
4. Coordination with OWRB or any other financing sources to obtain funds for construction.
5. Investigation of taste/ odor issues, LCR, LTLCR, TCR, RTCR, investigations of alternative Stage 2 D/ DBP Rule (including but not limited to TOC/ DOC removal) and/ or LT2ESWTR compliance strategies, and oversight of pilot testing.
6. Evaluation and assessment of the facility security.
7. Review and recommendations of the Water Treatment Facility RMP in accordance with EPA 40 CFR Part 68.
8. Employee notification, personnel protective equipment, hazard assessment, training program, and respiratory protection program as described under OSHA 29 CFR Part 1910.
9. Notification requirements as described under EPA 40 CFR Part 370.
10. Documentation and reporting requirements as described under EPA 40 CFR Part 302, Part 355 and Part 372.
11. Notification requirements to the State Emergency Response Commission and Local Emergency Response Commission as described under EPA 40 CFR Part 355.
12. Vulnerability assessment as required under the Bioterrorism Act of 2002.
13. All associated ODEQ permitting costs.

D. Payment Provisions:

PEC proposes to perform the Scope of Services described above at a rate of 2.95 times direct labor cost, plus reimbursable expenses, for a not to exceed (NTE) amount of $9,000.

Unless otherwise agreed upon, billings will be made monthly based on completion of the items listed above.

Taxes are not included in stated fees. OWNER shall reimburse PEC for any sales, use and value-added taxes, which apply to these services.

E. Time of Performance:

PEC proposes to begin work on the PROJECT within five (5) business days following receipt of an executed copy of this agreement and to complete the Scope of Services in accordance within thirty (30) business days, exclusive of any delays beyond the control of PEC.

This letter and the Standard Conditions attached hereto comprise the entire agreement between the OWNER and PEC. They may be altered only by written supplemental agreement agreed to by both parties. Furthermore, this agreement may be canceled by OWNER, for any reason, by providing PEC with thirty (30) day prior written notice.

Thank you for contacting us to provide professional services on the subject PROJECT. Should you have questions or need additional information, please do not hesitate to call. Return receipt of an executed copy of this letter will serve as our contract and notice to proceed with the work.

Very truly yours,

PROFESSIONAL ENGINEERING CONSULTANTS, P.A.

Ethan J.L. Edwards, P.E.
Tulsa Division Manager/Principal

PROFESSIONAL ENGINEERING CONSULTANTS, P.A.

By: Ethan J L Ed

Ethan J.L. Edwards, P.E.

Date: 11/9/12

City of Clinton, Oklahoma

By: _____

Title: _____

Date: _____

ATTEST:

By: _____

PUBLIC NOTICE OF A REGULAR MEETING
OF THE CITY COUNCIL
TUESDAY, NOVEMBER 20, 2012 AT 5:30 PM
CLINTON CITY HALL

AGENDA

Meeting status: Completed

1. Call to Order
2. Opening Prayer Carol Waters, First Presbyterian Church
3. Consent Agenda
    A. Consider Approval of Minutes on November 6, 2012
4. Action Items:
    A. Presentation of Financial Update
5. City Manager's Report
6. Audience Participation
7. Adjournment

Filed this 16th day of November, 2012. Posted on the bulletin board in the lobby of the Clinton City Hall on November 16, 2012 at 1:30 p.m.

Not recorded

MINUTES OF THE CLINTON CITY COUNCIL
NOVEMBER 6, 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, November 6, 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 November 2, 2012.

Mayor Bryson called the meeting to order with the following present;

MAYOR: Allen Bryson
COUNCIL: Don Rodolph, Bob Marcy, Jason Hulin, Phyllis Smith
CITY MANAGER: Steve Hewitt
CITY CLERK: Lisa Anders
CITY TREASURER: Debra Blanchard
DEPUTY CITY CLERK: Rhonda Williams
CITY ATTORNEY: Ryan Meacham
NEWS MEDIA: Gerald Green
OTHERS: Julie Menge, Mary Helen Jones, Stephen Jones, Chris Gander, Chris Byron, David Crabtree, Randy Carpenter, Ron Stephenson, Shane Fawver, Tracy Crawford, Carrie Miller, Glendene Goucher, Buzz & Nancy Goodwin, Patch McComas, Narcy Smith, Gene McCullough, Cheryl Lowry, L.R. Sights, Jerry Douglas, Brian Aneshansley, Keith Smith, Mike Taylor, Robert Mayfield, Howard McCormack, Dale Conley and others.

Interim Fire Chief Randy Carpenter 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 October 16, 2012 and Special Meetings on October 15, 2012, October 22, 2012 and October 29, 2012
B. Consider Claims

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

Mayor put the motion to a roll call vote:

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

Mayor declared the motion carried.

AGENDA ITEM NO. 4 ACTION ITEMS

4A. PUBLIC HEARING REGARDING ANNEXATION OF ROBINSON ADDITION

Mayor Bryson opened the public hearing asking for comments regarding the annexation of Robinson Addition.

There were no comments.

4B. CONSIDER ORDINANCE NO. 938 REGARDING ANNEXATION OF ROBINSON ADDITION

City Manager Steve Hewitt explained that this property was purchased by the Clinton Industrial Authority with the purpose of establishing a new housing development but the property is not inside the City limits.

Motion was made by Councilman Hulin and seconded by Councilwoman Smith to adopt Ordinance No. 938 annexing Robinson Addition to the City of Clinton.

Mayor put the motion to a roll call vote:

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

Mayor declared the motion carried.

4C. CONSIDER TRANSFER OF OWNERSHIP OF PROPERTY FROM THE CITY OF CLINTON TO THE CLINTON INDUSTRIAL AUTHORITY

City Manager Steve Hewitt explained that the property at Highway 183 and Frisco is owned by two entities. He said that Lot 23 is owned by the Clinton Industrial Authority and Lots 18-22 are owned by the City of Clinton. He said there has been some interest in the property so it needs to be owned by the Clinton Industrial Authority. He said if the transfer is approved, the City Attorney will prepare a Quit Claim deed.

Motion was made by Councilman Rodolph and seconded by Councilwoman Smith to approve the transfer of Lots 18-22 to the Clinton Industrial Authority.

Mayor put the motion to a roll call vote:

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

Mayor declared the motion carried.

4D. CONSIDER CHANGE ORDER #4 WITH COLONY CONSTRUCTION FOR RENOVATION OF POLICE STATION

City Manager Steve Hewitt explained the changes associated with Change Order #4 with Colony Construction. He said the change order is a credit of $240.00. He said that interior signage was added, changed bollards to primed and omitted some concrete work in the lobby for a savings.

Motion was made by Councilwoman Smith and seconded by Councilman Hulin to approve Change Order #4 with Colony Construction for renovation of the Police Station.

Mayor put the motion to a roll call vote:

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

Mayor declared the motion carried.

4E. CONSIDER ORDINANCE NO. 939 REGARDING AMENMENT TO 1-10-3 OF CLINTON CITY CODE REGARDING APPOINTMENT OF MUNICIPAL JUDGE

City Manager Steve Hewitt explained that a conflict with the City Code and City Charter exists regarding the appointment of the Municipal Judge. He reported that the City Charter states that the City Manager will appoint the Municipal Judge but the City Charter states that the Mayor shall appoint the municipal judge in the event of any vacancy. He said the proposed ordinance will clean up the city code.

Councilman Rodolph said the City Charter prevails over the City Code and the change needs to be made to bring the City Code in compliance.

Motion was made by Councilman Rodolph and seconded by Councilman Marcy to adopt Ordinance No. 939 regarding amendment to 1-10-3 of Clinton City Code regarding appointment of Municipal Judge.

Mayor put the motion to a roll call vote:

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

Mayor declared the motion carried.

4F. CONSIDER AND ADOPT RESOLUTION NO. 808 RELATING TO THE INCURRING OF INDEBTEDNESS BY THE CLINTON PUBLIC WORKS AUTHORITY; WAIVING COMPETITIVE BIDDING THEREON; AND DECLARING AN EMERGENCY

City Manager Steve Hewitt explained that Resolution 808 is necessary so that the 2006 Revenue Bonds can be included in the refinancing project.

Motion was made by Councilman Hulin and seconded by Councilman Rodolph to adopt Resolution No. 808 relating to the incurring of indebtedness by the Clinton Public Works Authority, waiving competitive bidding thereon and declaring an emergency.

Mayor put the motion to a roll call vote:

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

Mayor declared the motion carried.

4G. CONSIDER ORDINANCE NO. 940 REGARDING CLOSING OF ALLEYWAY AT NEW FIRE STATION SITE

City Manager Steve Hewitt explained that the closing of the alley in the block of the new Fire Station is necessary.

Assistant City Attorney Ryan Meacham said that state statutes have changed and that appropriate action is necessary to close the alley.

Motion was made by Councilman Rodolph and seconded by Councilwoman Smith to adopt Ordinance No. 940 regarding the closing of the alleyway at the new Fire Station site.

Mayor put the motion to a roll call vote:

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

Mayor declared the motion carried.

5. CITY MANAGER'S REPORT

City Manager Steve Hewitt reported that the second set of test has gone out of the water well. He said the metal counts are being double checked. He said negotiations continue with property owners.

Hewitt reported that he and Public Works Director Stephen Jones would be attending the Governors Rural Water Conference next week.

6. AUDIENCE PARTICIPATION

Councilwoman Smith expressed her appreciation for the citizen coming the ward meeting and Mayor's forum held during October.

AGENDA ITEM NO. 8: ADJOURNMENT

Moved by Councilman Rodolph and seconded by Councilman Hulin to adjourn the meeting.

Mayor put the motion to a roll call vote:

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

Mayor declared the meeting adjourned at 6:30 P.M.

Published 11-9-12 CDN

ORDINANCE NO. 938

AN ORDINANCE ANNEXING TO THE CITY OF CLINTON, OKLAHOMA, PROPERTY SITUATED IN THE NORTHEAST QUARTER OF SECTION 34, TOWNSHIP 12 NORTH, RANGE 17 W.I.M., CUSTER COUNTY

Whereas, the City Council of the City of Clinton, Oklahoma, deems it proper to annex the property herein below described and that such annexation will rebound to the benefit of said City of Clinton; and

Whereas, the owner of the land lying within the area proposed for annexation have submitted a request to the City of Clinton that the subject property be annexed by and to the City of Clinton, and hereby made a part of the land area within the corporate boundaries of the City of Clinton; and

Whereas, the subject property is hereby described as:

SURFACE AND SURFACE INTEREST ONLY IN AND TO: A tract of land in the northwest quarter of the northwest quarter of the northeast quarter of Section 34, Township 12 North, Range 17 W.I.M, Custer County, Oklahoma. Also being described by metes and bounds as follows: Beginning at the Northwest corner of said NE 1/4; thence S89°37'25"E and along the north line of said NE ¼ a distance of 661.38 feet; thence S0°21'15"W a distance of 663.87 feet; thence N89°36'56"W a distance of 662.17 feet to a point on the west line of said NE ¼; thence N0°25'20"E and along said west line a distance of 663.78 feet to the point of beginning, containing 10.085 computed acres more or less.

Now therefore, be it ordained by the City Council of the City of Clinton, Oklahoma.

SECTION 1. The Subject property is hereby annexed and added to the City of Clinton, Oklahoma.

SECTION 2. The subject property shall be zoned R-1 Single Family District.

SECTION 3. It is deemed and declared necessary for the preservation of the public health, peace and safety that the subject property should be annexed and zoned from and after its passage, approval and publication.

Passed and approved this 6 day of November, 2012.

ALLEN BRYSON, Mayor

ATTEST:

Lisa Anders

LISA ANDERS, City Clerk

Published 11-9-12 CDN

ORDINANCE NO. 939

AN ORDINANCE AMENDING 1-10-3 OF THE CLINTON CITY CODE TO COMPLY WITH ARTICLE 5-1 OF THE CITY CHARTER

WHEREAS, 1-10-36(B) Of the Clinton City Code provides that the Mayor shall appoint the municipal judge, with the consent of the Council.

WHEREAS, 1-10-3 (C)(2) provides that the Mayor shall appoint the municipal judge in the event of any vacancy.

WHEREAS, 5-1 of the City Charter provides that the municipal judge shall be appointed by the City Manager.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF CITY OF CLINTON, OKLAHOMA:

I. Section 1-10-3(B) shall read as follows:

The judge shall be appointed by the City Manager.

II. Section 1-10-3 (C)(2) shall read as follows:

Upon the occurrence of a vacancy in the office of judge, the City Manager shall appoint a successor to complete the unexpired term, upon the same procedure as an original appointment is made.

PASSED AND DULY ADOPTED by the Council of the City of Clinton, Oklahoma this 6 **day of** November **, 2012.**

MAYOR

ATTEST:

Lisa Anders

CITY CLERK

(SEAL)

Published 11-9-12 in CDN

ORDINANCE NO. 940

AN ORDINANCE PROVIDING APPROVAL BY THE CITY OF CLINTON, OKLAHOMA, OF THE CLOSING OF A STRIP OF LAND BETWEEN LOTS 1-26, BLOCK 61 OF THE ORIGINAL TOWNSITE OF CLINTON, ACCORDING TO THE RECORDED PLAT THEREOF, IN CUSTER COUNTY, OKLAHOMA.

WHEREAS, The City of Clinton owns all of the West 95' of Lots 1-13 and all of Lots 19-26 in Block 61 of the Original Townsite of Clinton.

WHEREAS, The City of Clinton intends to construct a fire station on the subject property, including the alleyway that divides the block.

WHEREAS, The City of Clinton has complied with all provisions of 11 Okla. Stat. § 42-110 and City of Clinton Resolution 805.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF CITY OF CLINTON, OKLAHOMA: That the 20' strip of land identified as an alley, in Block 61 of the Original Townsite of the City of Clinton shall be and the same is closed to public use.

It is further determined that for the immediate preservation of the peace, health or safety of the City of Clinton, Oklahoma, and to expedite the most desirable use of the subject alley area that this ordinance become effective without delay.

WHEREFORE, an EMERGENCY is hereby declared to exist and this Ordinance shall be in full force and effect immediately from and after its passage, approval and publication.

PASSED AND DULY APROVED this 6 **day of** November, **2012.**

Allen Bryson, Mayor

ATTEST:

Lisa Anders, City Clerk

(SEAL)

LAW OFFICE
JOHANNING AND BYROM, P.C.
OKLAHOMA CITY

RESOLUTION NO. 808

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 $6,000,000.00 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 $6,000,000.00, 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 $6,000,000.00, 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 6 day of November, 2012.

Mayor, City of Clinton, Oklahoma

ATTEST: (Seal)

City Clerk, City of Clinton, Oklahoma