PUBLIC NOTICE OF A REGULAR MEETING
OF THE INDUSTRIAL AUTHORITY
TUESDAY, MARCH 19, 2013 AT 5:30 PM
CLINTON CITY HALL

AGENDA

Meeting status: Completed

1. Call to Order
2. Opening Prayer /Pledge Blake Mohling , First Church of the Nazarene
3. Consent Agenda
    A. Consider Approval of Minutes on March 5, 2013
4. Action Items:
    A. Consider Change Order with Mega Contractors for Fire Station Construction
    B. Consider pricing of residential lots in Robinson Addition
5. Trustee's Report
6. City Manager's Report
7. Audience Participation
8. Adjournment

Filed this 15th day of March, 2013. Posted on the bulletin board in the lobby of the Clinton City Hall on March 15, 2013 at 1:30 p.m.

_____

Not recorded

IA030513

MINUTES OF THE CLINTON INDUSTRIAL AUTHORITY MARCH 5, 2013

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, March 5, 2013 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 March 1, 2013.

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

CHAIRMAN: Seth Adams
TRUSTEES: Bob Marcy, Jason Hulin, Don Rodolph, Lucas Martinez
CITY MANAGER: Steve Hewitt
CITY CLERK: Lisa Anders
CITY TREASURER: Debra Blanchard
DEPUTY CLERK: Rhonda Williams
CITY ATTORNEY: Ryan Meacham
NEWS MEDIA: Gerald Green and Mike Smith
OTHERS: Stephen Jones, Kris Wermy, Randy Carpenter, Jeremy Bush, David Crabtree, Mary Helen Jones, Gene McCullough, Jeff Weiford and others.

Gary Jones of the New Hope Fellowship Church opened the meeting with prayer and Trustee Bob Marcy led the Pledge of Allegiance.

AGENDA ITEM NO. 3: CONSENT AGENDA

A. Minutes of the Regular Meeting of February 19, 2013
B. Consider Claims

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

Chairman put the motion to a roll call vote:

Aye: Hulin, Marcy, Martinez, Rodolph, Adams
Nay: None

Chairman declared the motion carried.

AGENDA ITEM NO. 4. ACTION ITEMS

4A. CONSIDER ACCEPTANCE OF QUIT CLAIM DEED FROM TAS TRUCKING COMPANY

City Manager Steve Hewitt explained that the survey of the property sold to TAS Trucking Company did not indicate a water line or telephone line on the property. He said a 20 foot utility easement is necessary. He said TAS has agreed to deed back the property and the property line will be moved over 20 feet to allow for this easement. A new quit claim deed will be issued to TAS Trucking with the new legal description.

Motion was made by Trustee Rodolph and seconded by Trustee Marcy to accept the Quit Claim deed from TAS Trucking Company.

Chairman put the motion to a roll call vote:

Aye: Rodolph, Marcy, Hulin, Martinez, Adams
Nay: None

Chairman declared the motion carried.

4B. CONSIDER ISSUANCE OF QUIT CLAIM DEED TO TAS TRUCKING COMPANY

City Manager Steve Hewitt presented the new Quit Claim Deed to TAS Trucking Company with the legal description that is 20 feet over to allow for the utility easement.

Motion was made by Trustee Rodolph and seconded by Trustee Hulin to approve the issuance of the quit claim deed to TAS Trucking Company.

Chairman put the motion to a roll call vote:

Aye: Rodolph, Hulin, Martinez, Marcy, Adams
Nay: None

Chairman declared the motion carried.

4C. CONSIDER CHANGE ORDER TO FAWVER EXCAVATION & DOZER SERVICE FOR ROBINSON HOUSING ADDITION

City Manager Steve Hewitt explained that Oklahoma Natural Gas has a high pressure gas line along the south side of Robinson Addition. After review by the engineer and staff, it is recommended that the plat be amended to reduce the number of lots by one and allow for additional protection to the gas line. He said this would require a change order for additional fill of 1800 cubic yards. He said the work is required to meet standards.

Motion was made by Trustee Rodolph and seconded by Trustee Marcy to approve the Change Order with Fawver Excavation & Dozer Services for Robinson Housing Addition.

Chairman put the motion to a roll call vote:

Aye: Rodolph, Marcy, Martinez, Hulin, Adams
Nay: None

Chairman declared the motion carried.

4D. REQUEST AUTHORIZATION TO GO TO BID ON UTILITIES FOR ROBINSON HOUSING ADDITION

City Manager Steve Hewitt reported that engineer Joe Ridley is about ready to release specification for bidding of the utilities for Robinson Addition. He would like to advertise for bids and consider the bids at a bid opening at an April meeting. He said that he has been approached by a builder regarding the purchase of some lots. He said prices for lots needs to be discussed and established.

Trustee Marcy asked if the utilities would be underground.

City Manager Steve Hewitt said they would be underground. He said he would like to bring back a recommendation regarding lot price at the next meeting.

Motion was made by Trustee Hulin and seconded by Trustee Marcy to authorize staff to go to bid on utilities for Robinson Housing Addition.

Chairman put the motion to a roll call vote:

Aye: Hulin, Marcy, Martinez, Rodolph, Adams
Nay: None

Chairman declared the motion carried.

AGENDA ITEM NO .5: TRUSTEES REPORT

None

AGENDA ITEM NO. 6: CITY MANAGER'S REPORT

None

AGENDA ITEM NO. 7: AUDIENCE PARTICIPATION

None

AGENDA ITEM NO. 8: 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, Rodolph, Martinez, Adams
Nay: None

Chairman declared the meeting adjourned at 5:40 pm.

Clinton
Hub City of Western Oklahoma

Agenda Commentary

Item Title/ Subject: TAS Trucking LLC Quit Claim Deed Adjustment

Staff Source: City Manager, Steve Hewitt

Date: March 5, 2013

History/Background Information:

Council sold 5 acres to TAS Trucking last year. This area sits along Commerce next to our Cemetery (east).

Subject Summary:

It was brought to my attention that many years ago the City ran a water and phone line along the east side of the Cemetery. It was not provided to me or picked up on the survey due to the fact it's a private line. TAS wants to place a fence around their property. This was discovered, which creates issues for both.

Recommendation:

Staff recommends we simply create an easement of 20 ft to protect the Cemetery and its existing utilities. TAS is in agreement to simply move their property 20 ft. This is ideal time as we create new plat for entire 100 acres. Ryan Meacham (City Attorney) has drafted two deeds. First eliminates the original track and second move the track 20ft. This creates the 20ft easement and TAS has already agreed to this.

Price/Cost: **$0**

QUIT CLAIM DEED

KNOW ALL MEN BY THESE PRESENTS:

THAT, TAS TRUCKING, INC, an Oklahoma Corporation, ("Grantor"), for and in consideration of the sum of Ten and No/100 Dollars ($10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, does hereby quitclaim, grant, bargain, sell and convey unto, **CLINTON INDUSTRIAL AUTHORITY, an Oklahoma Municipal Trust,** ("Grantee"), all their right, title, interest, estate and every claim and demand, both at law and in equity, in and to all the following property situated in Custer County, State of Oklahoma, to-wit:

> SURFACE ONLY IN AND TO: A tract of land lying in the Northwest Quarter (NW¼) of Section 34, Township 12 North, Range 17 W.I.M., Custer County, Oklahoma, described by metes and bounds as follows: Beginning at a point 660.00 feet East of the Northwest corner of said NW¼, said point being on the North line of said NW¼; thence S 89°31'11"E and along said North line a distance of 466.69 feet; thence S 01°12'30"W and parallel with the West line of said NW¼ a distance of 466.69 feet; thence N 89°31'11"W a distance of 466.69 feet; thence N 0°12'30"E and parallel with said West line a distance of 466.69 feet to the point of beginning, containing 5.00 acres more or less.

together with all and singular the hereditaments and appurtenances thereunto belonging.

TO HAVE AND TO HOLD the above described premises unto Grantee and to their successors and assigns forever, so that Grantor, nor any person in their name and behalf, shall or will hereafter claim or demand any right or title to the said premises or any part thereof; but they and everyone of them shall by these presents be excluded and forever barred.

Dated this 29th day of January, 2013.

TAS TRUCKING, INC.

By: _____

State of Oklahoma)
):ss
County of Custer)

Before me, the undersigned, a Notary Public in and for said County and State on this ___ day of _____, 2013, personally appeared _____ to me known to be the identical person who executed the within and foregoing instrument and acknowledged to me that he executed the same as his free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal the day and year last above written.

_____
Notary Public

My commission number: _____

Clinton
Hub City of Western Oklahoma

Agenda Commentary

Item Title/ Subject: Fire Station Change Order

Staff Source: City Manager, Steve Hewitt

Date: March 15, 2013

Background/Subject Information:

Staff working with Architects and Contractor have agreed on some deducts and add-ons needed to make the project better.

Minor items... However, require an official change order.

Recommendation:

Staff recommends.

Price/Cost: Total $962.70 increase to contract.

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FEB 28 2013

Change Order

PROJECT *(Name and address)*:	**CHANGE ORDER NUMBER:** 001	OWNER: ☐
City of Clinton Fire Station 212 S. Fourth Street Clinton, OK 73601	**DATE:** February 26, 2013	ARCHITECT: ☐ CONTRACTOR: ☐
TO CONTRACTOR *(Name and address)*:	**ARCHITECT'S PROJECT NUMBER:** 11105.000	FIELD: ☐
Mega Contractors Inc. 914 N. Sylvania Ave. Fort Worth, TX 76111	**CONTRACT DATE:** July 16, 2012 **CONTRACT FOR:** General Construction	OTHER: ☐

THE CONTRACT IS CHANGED AS FOLLOWS:
(Include, where applicable, any undisputed amount attributable to previously executed Construction Change Directives)

Proposal Request 1:	
Add deadbolts to Door Hardware Set 16	$ 555.00
Delete framing pocket to accordion door	<325.00>
Contractor Change Order 1:	
Add electrical disconnect to adjacent building	1,844.95
Proposal Request 2:	
Delete TruVision TVR30 camera controller	<1,138.00>
Change bollards from galvanized to primed steel	<650.00>
Proposal Request 3:	
Delete carpet in Room 123 (Exercise Room)	<738.00>
Install dyed/polished concrete in Room 123	843.75
Contractor Change Order 3:	
Additional foundation work at hose tower	7,010.00
Value Engineer brick manufacturer and style	<8,300.00>
Delete Value Engineer Item 5; change back to carpet tile in lieu of roll carpet	1,860.00
Add 30 days to Contract Date for weather delays without cost impact to the Contract.	0.00
TOTAL:	$ 962.70

The original Contract Sum was	$	3,451,628.00
The net change by previously authorized Change Orders	$	0.00
The Contract Sum prior to this Change Order was	$	3,451,628.00
The Contract Sum will be increased by this Change Order in the amount of	$	962.70
The new Contract Sum including this Change Order will be	$	3,452,590.70

The Contract Time will be increased by ~~thirty (30) days~~ Forty (40) Days BM.
The date of Substantial Completion as of the date of this Change Order therefore is ~~July 1, 2013~~ July 11, 2013 BM

NOTE: This Change Order does not include changes in the Contract Sum, Contract Time or Guaranteed Maximum Price which have been authorized by Construction Change Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive.

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User Notes: (1212704098)

Clinton
Hub City of Western Oklahoma

Agenda Commentary

Item Title/ Subject: Robinson Plat / Lot sales

Staff Source: City Manager, Steve Hewitt

Date: March 15, 2013

Background/Subject Information:

Robinson Addition is currently under construction. 42 Lots. Infrastructure costs are estimated $425,000-450,000. Cost of property is $100,000. Staff has been approached by builders who want to purchase and/or develop lots now during our construction. Our construction should be wrapped up within 120 days, with minimal issues or delays.

This request isn't unreasonable. However, we need to look at cost per lot. $550,000 divided by 42 lots is $13,000 per lot.

Builders have told me if we want this development to create housing energy, the prices should be closer to $10,000.

Recommendation:

Staff recommends $10,000 per lot. Create energy and a new market of housing. City will benefit from sales tax and utilities to fund the gap. We recommend consistent pricing, no price difference for possibly larger or more attractive lots.

Price/Cost: **Economic Development Fund**

PUBLIC NOTICE OF A REGULAR MEETING
OF THE CITY COUNCIL
TUESDAY, MARCH 19, 2013 AT 5:30 PM
CLINTON CITY HALL

AGENDA

Meeting status: Completed

1. Call to Order

2. Opening Prayer /Pledge Blake Mohling , First Church of the Nazarene

3. Consent Agenda

    A. Consider Approval of Minutes on March 5, 2013

4. Action Items:

    A. Consider Resolution No. 811 applying for Community Development Block Grant 2013 Water and Wastewater Construction Program

    B. Consider Community Development Block Grant 2013 Water and Wastewater Construction Program Citizen Participation Plan

    C. Consider acquisition of easements for Chapman Road

    D. Request authorization to go to bid for a Jet A Refueler at Clinton Regional Airport with project funding from Capital Improvement Fund

5. Council Report

6. City Manager's Report

7. Audience Participation

8. Adjournment

Filed this 15th day of March, 2013. Posted on the bulletin board in the lobby of the Clinton City Hall on March 15, 2013 at 1:30 p.m.

_____

Not recorded

RM030513

MINUTES OF THE CLINTON CITY COUNCIL
MARCH 5, 2013

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, March 5, 2013 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 March 1, 2013.

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

MAYOR: Seth Adams
COUNCIL: Don Rodolph, Bob Marcy, Jason Hulin, Lucas Martinez
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 and Mike Smith
OTHERS: Stephen Jones, Kris Wermy, Randy Carpenter, Jeremy Bush, David Crabtree, Mary Helen Jones, Gene McCullough, Jeff Weiford and others.

Gary Jones to the New Hope Fellowship Church opened the meeting with prayer and Councilman Bob Marcy led the Pledge of Allegiance.

AGENDA ITEM NO. 3: CONSENT AGENDA

A. Minutes of Regular Meeting of February 19, 2013
B. Consider Claims

City Manager Steve Hewitt explained that prior to Lucas Martinez being appointed to the Council, he had done work for the City of Clinton and the payment for that work is on the claims list.

Councilman Lucas Martinez excused himself from the Council.

Motion was made by Councilman Rodolph and seconded by Councilman Marcy, that Consent Agenda Items No. 3 (a-b) be approved.

Mayor put the motion to a roll call vote:

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

Mayor declared the motion carried.

Councilman Lucas Martinez rejoined the meeting.

AGENDA ITEM NO. 4: ACTION ITEMS

4A. PRESENTATION BY GLMV REGARDING FEASIBILITY REPORT FOR ACME BRICK PARK

City Manager Steve Hewitt introduced Jeff Weiford of GLMV. GLMV had conducted a feasibility study on Acme Brick Park regarding the facility which included interviewed with employees and a review of programs.

Mr. Weiford gave recommendations for modifications to the building and recommended the needed space for the facility at 6,800 square feet larger than the present. He said the existing building would not make a good candidate for reuse.

Councilman Rodolph asked about the estimated cost per square foot for the building.

Weiford said the estimated cost is $110.00 per square foot with a metal building of 41,000 square feet. He said this would allow additional programs so the occupancy load of the building would be increased and additional restroom facility are also planned.

Councilman Marcy asked about the walking track facility. He said that older people would utilize the walking track.

Weiford said the walking track is around the basketball courts. He said it was not feasible to add additional space for a walking track. He said the improvements would be that the walking area would be heated and cooled and have a new surface.

Councilman Hulin asked if any other alternative plans were considered.

Weiford said other alternatives were considered but they were more expensive. He said that needs for the facility came for interviews of facility staff and their tour of the facility.

City Manager Steve Hewitt explained that the use of the facility has grown and there is more demand. He said the facility is ten years old and has been used well.

Councilman Hulin asked about the number using the facility excluding the after school program.

Kris Wermy said there averages between 200-300 people at the indoor facility daily. He said between 5:00 and 8:00 a.m. there are 50 people. He said additional equipment is needed but there is no space available.

Councilman Rodolph asked how many members are at Acme Brick Park.

Wermy said there are 650 members which are the most ever.

Councilman Marcy asked if the proposed plans would allow for expansion in the future.

Weiford confirmed that expansion is planned for.

Mayor Adams asked if the proposal would help with youth activities.

Wermy said yes that this would eliminate the dependence on Clinton Public Schools for use of their gyms.

Councilman Marcy asked what the time frame would be.

Weiford said it would take four to six months from the date of issuance of a Notice to Proceed, ten months for construction so he estimated September 2014.

City Manager Steve Hewitt said approval for the project is not being asked for at this time. He said models of the proposal would be made available to media outlets and discussion regarding financing would need to occur.

Councilman Rodolph asked about the cost of the feasibility study.

City Manager Hewitt said the study cost $25,000.00.

4B. CONSIDER INTERLOCAL AGREEMENT BETWEEN CITY OF CLINTON AND CUSTER COUNTY REGARDING STATE AND LOCAL AUTHORITIES EMERGENCY MANAGEMENT PERFORMANCE GRANTS

City Manager Steve Hewitt asked that this item be tabled. He said the County had some concerns about the terms and will be getting that information to the city at a later date.

4C. CONSIDER NOMINATION FOR TRUSTEE FOR OKLAHOMA MUNICIPAL ASSURANCE GROUP BOARD

Motion was made by Councilman Rodolph and seconded by Councilman Hulin to nominate City Manager Steve Hewitt as a trustee for the Oklahoma Municipal Assurance Group.

Mayor put the motion to a roll call vote:

Aye: Rodolph, Hulin, Martinez, Marcy, Adams
Nay: None

Mayor declared the motion carried.

4D. REQUEST AUTHORIZATION TO GO TO BID ON STREET OVERLAY AND SEAL

City Manager Steve Hewitt said a list has been compiled of the streets throughout town that are in need to overlay or seal. He said that South 23rd Place needs to be added to the published list. He said that $200,000 has been budgeted for this project. It is proposed the $150,000 to be spent on overlay and $50,000 for slurry seal.

He said that the streets are in all four wards of the city and not targeted for any specific area.

Motion was made by Councilman Hulin and seconded by Councilman Marcy to authorize staff to go to bid on Street Overlay and seal.

Mayor put the motion to a roll call vote:

Aye: Hulin, Marcy, Martinez, Rodolph, Adams
Nay: None

Mayor declared the motion carried.

AGENDA ITEM NO. 5. COUNCIL REPORT

None

AGENDA ITEM NO. 6: CITY MANAGER'S REPORT

City Manager Steve Hewitt updated the Council regarding the recent blizzard. He said that with power outage at the Foss Water Treatment Plant, Clinton was without water for approximately 32 hours. He said that Foss is working on a plan. He said the boil order was issued per the requirements from Department of Environmental Quality. He said this confirms the need for a secondary water source for Clinton.

City Manager Hewitt said that several city facilities have reported roof damages. He said evaluations are being made of the roads.

City Manager Hewitt reported:

- Appraisals for Chapman Road has been received
- Discussion regarding price of lots in Robinson Addition
- Economic Development City/Chamber committee appointment by Chamber is Patch McComas and Jason Smith
- Photos will be taken of Council members for the city's website

AGENDA ITEM NO. 7: AUDIENCE PARTICIPATION

None

AGENDA ITEM NO. 8: ADJOURNMENT

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

Mayor put the motion to a roll call vote:

Aye: Martinez, Hulin, Marcy, Rodolph, Adams
Nay: None

Mayor declared the meeting adjourned at 6:25 P.M.

Clinton
Hub City of Western Oklahoma

Agenda Commentary

Item Title/ Subject: CDBG Grant opportunity for Water Issues/Assistance

Staff Source: City Manager, Steve Hewitt

Date: March 15, 2013

Background/Subject Information:

Staff met with SWODA this week regarding potential grant opportunities. Also, Canute has obtained water agreements for the additional water Clinton needs. New MOU is being drafted for April meeting.

Infrastructure to get the water from Canute is required. CDBG funding is matching up to $350,000. Early estimates put a new line around $750,000. Deadlines for Applications, Resolutions, Surveys, and Public Hearings are approaching quickly. However, our situation is important and we believe we should be a strong candidate of any water grant.

Recommendation:

Staff recommends we move forward with all documentation of the CDBG Grant for Water infrastructure.

Price/Cost: **Grant 50/50 match…**

ATTACHMENT C

COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)
2013 WATER AND WASTEWATER CONSTRUCTION PROGRAM

RESOLUTION 811

WHEREAS, Title I of the Housing and Community Development Act of 1974, Public Law 93-383, as amended, authorized by the Secretary of Housing and Urban Development, as representative of the United States of America, to grant to the State of Oklahoma funds and administrative responsibility for the "Small Cities Community Development Block Grant" program; and

WHEREAS, the Oklahoma Department of Commerce, pursuant to designation by the Governor as the administering agency of the Community Development Block Grant Program for Small Cities in Oklahoma, is directed to further the purposes of community development in the State, and is authorized and empowered to accept funds from the Federal Government or its agencies and to enter into such contracts and agreements as are necessary to carry out the functions of the Department; and

WHEREAS, the City of Clinton, OK (Unit of Government) is a local unit of general purpose government that will provide opportunity for input by residents in determining and prioritizing community development needs through its written Citizen Participation Plan; and

NOW THEREFORE, BE IT RESOLVED by the (Governing Body) Clinton City Council that City of Clinton (Government Subdivision) desires to obtain assistance in community development and hereby requests the Oklahoma Department of Commerce to provide assistance under the policies, regulations, and procedures applicable to local communities in Oklahoma.

NOW THEREFORE, BE IT RESOLVED by the Clinton City Council (Governing Body) that City of Clinton (Government Subdivision) affirms its commitment to take all action within its power to facilitate the receipt of the assistance of community development funds if the City of Clinton (Government Subdivision) is awarded a Community Development Block Grant, and upon receipt to administer said grant by the rules and regulations established by the United States of America, the State of Oklahoma, and all empowered agencies thereof.

ADOPTED this 19th day of March, 2013, at a (regularly or specially) scheduled meeting of the governing body, in compliance with the Open Meeting Act, 25 O.S. §§ 301-314 (2001).

Seth Adams, Mayor
(Type) Name and Title of Chief Elected Official

_____
Date

_____
Signature of Chief Elected Official

(S E A L)

Attest:
Subscribed and sworn to before me _____, 20____ My commission expires _____, 20___. Commission No. _____

_____
Clerk Signature

Clinton
Hub City of Western Oklahoma

Agenda Commentary

Item Title/ Subject: CDBG Grant opportunity for Water Issues/Assistance

Staff Source: City Manager, Steve Hewitt

Date: March 15, 2013

Background/Subject Information:

Staff met with SWODA this week regarding potential grant opportunities. Also, Canute has obtained water agreements for the additional water Clinton needs. New MOU is being drafted for April meeting.

Infrastructure to get the water from Canute is required. CDBG funding is matching up to $350,000. Early estimates put a new line around $750,000. Deadlines for Applications, Resolutions, Surveys, and Public Hearings are approaching quickly. However, our situation is important and we believe we should be a strong candidate of any water grant.

Recommendation:

Staff recommends we move forward with all documentation of the CDBG Grant for Water infrastructure.

Price/Cost: **Grant 50/50 match…**

ATTACHMENT A

Community Development Block Grant (CDBG)
2013 Water and Wastewater Construction Program
Citizen Participation Plan

CITY OF CLINTON CITIZEN PARTICIPATION PLAN

City of Clinton intends to implement a Citizen Participation Program for its 2013 application process to accomplish the following objectives:

A. Provide for and encourage citizen participation, particularly by low and moderate income persons who reside in areas where Community Development Block Grant (CDBG) funds are proposed to be used. This will be accomplished by:

1. Providing frequent and timely public notice of CDBG program activities in the local newspaper and by posting at City/County Office.

2. Adopting a comprehensive CDBG Statement of Needs.

3. Conducting a Special Public Hearing to inform citizens of the proposed 2013 CDBG project and authorizing the Mayor to sign a CDBG application in a formal Council/Board of Commissioners meeting.

B. Ensure that citizens will be given reasonable and timely access to local meetings, information, and records relating to proposed and actual use of funds, including, but not be limited to:

1. The amount of CDBG funds to be made available for the current fiscal year, if the proposed project is approved.

2. The range of activities that may be undertaken with those funds.

3. The estimated amount of those funds proposed to be used for activities that will benefit low and moderate income persons.

4. The proposed CDBG activities likely to result in displacement and any anti-displacement and relocation plans developed by City of Clinton in accordance with Section 104(d)(1) and (2) of the Act.

5. The basis on which City of Clinton may provide technical assistance to groups representative of persons of low and moderate income that may request assistance in developing proposals. The level and type of assistance to be provided is at the discretion of City of Clinton and does not necessarily include providing funding to such groups.

6. This requirement will be accomplished by discussing the CDBG proposal during regular Council/Board of Commissioners meetings and in one formal public hearing prior to the submittal of City of Clinton 2013 CDBG application. During the hearing the five (5) items listed above will be explained to the public. Records of the 2013 CDBG process will be maintained in the City/County Office of City of Clinton by the Clerk and will be available upon request for review by the public. A brief summary of the proposed 2013 CDBG project will be available for public review after the Council/Board of Commissioners has made its final selection.

C. Provide for a minimum of two (2) public hearings; one (1) prior to submission of the application for funding of the project for the purpose of obtaining citizen views and formulating or responding to proposals and questions, and the other end of the grant period if City of Clinton receives funding, that discusses City of Clinton accomplishments in relation to initial plans. The application stage hearing will include discussion of CDBG needs, and the development of activities being proposed for CDBG funding. There will be reasonable notice of all hearings, which will be scheduled for times and locations convenient to the potential and actual beneficiaries and which will accommodate the handicapped. Regularly scheduled Council/Board of Commissioners meetings will not be used for this purpose.

1. This requirement will be met through scheduling a Special Public Hearing to discuss City of Clinton 2013 CDBG proposal. At this hearing, the proposed project will be reviewed for the public and further citizen input will be solicited. Notice will be given seven (7) to ten (10) days in advance of this hearing in the Clinton City Hall and by posting at the City/County Office. The hearing will be held in the early evening so those citizens who work may attend. A second hearing will be held at the end of the grant period if City of Clinton is funded in the 2013 CDBG process.

D. Meet the needs of non-English speaking residents in those instances where a significant number of non-English speaking residents can reasonably be expected to participate in the 2013 CDBG process. For example: City of Clinton does not currently have a significant population of non-English speaking citizens. However, every effort will be made to accommodate the needs of any non-English speaking citizens who wish to participate.

E. Provide citizens with reasonable advance notice of, and opportunity to comment on, proposed activities not previously described in City of Clinton funding request and on activities which are proposed to be deleted or substantially changed in terms of purpose, scope, location or beneficiaries.

Community Development Block Grant (CDBG)
2013 Water and Wastewater Construction Program
Citizen Participation Plan

The proposed seven (7) to ten (10) day notice for all public meetings and hearings in connection with City of Clinton 2013 CDBG application process is believed by City of Clinton to afford citizens with reasonable advance notice. In addition, if any change is proposed to the purpose, scope, location, or beneficiaries of the proposed project or if the CDBG project budget changes by more than 25%, the public will be notified and afforded an opportunity for additional input.

F. Provide the place, telephone number, and times when citizens are able to submit written complaints or grievances and the process City of Clinton will use to provide a timely, written response to such complaints or grievances. For example: Citizens with comments or grievances on the 2013 CDBG process may submit them in writing or in person at the City/County Office during regular business hours or may call 580-323-0265. City of Clinton will respond to such comments or grievances within fifteen (15) working days, where practicable.

By formally adopting this Citizen Participation Plan, the Clinton City Council/Board of Commissioners accepts the responsibility for implementing its provisions. The Council/Board of Commissioners further charges all employees and contractors with the responsibility of implementing this plan and living up to the spirit of the citizen participation requirements of the 2013 CDBG program.

Adopted this 19 day of March, 2013 by the City Council/Board of Commissioners of City of Clinton.

_____

Chief Elected Official

ATTEST:

_____

Clerk's Signature

Clinton
Hub City of Western Oklahoma

Agenda Commentary

Item Title/ Subject: Purchase of ROW/Easement Chapman Road

Staff Source: City Manager, Steve Hewitt

Date: March 15, 2013

Background/Subject Information:

Appraisal has been done on both Temporary and Permanent Easement ROW for Chapman Road.

For Temporary Easements we have sent out letters to two land owners offering $500. Scheduling appointments and signatures.

There are two permanent tracks, 1. GW Lowry (.25 acres) and 2. Hotelmacher, LLC (4 acres). I've met with both parties. Lowry has agreed to $2500 and wants reimbursed his fencing (They prefer to replace and be reimbursed, under staff approval of same type of fence). Hotelmacher, Walt Schumacher has verbally approved of the $33,000 sale (appraised value) and wants the City to replace fence.

Recommendation:

Staff recommends you allow the City Attorney & City Manager to continue contract proceedings and agree in principal to the amounts. City Attorney will write up Lowry contract specifics and have others sign off with ODOT Easement agreements they provided.

Project status is pending Easement acquisition…

Price/Cost: Approximately $37,000. Budgeted in Capital Improvement for the project.

Chapman Avenue Reconstruction from 28th Street to Neptune Drive, Clinton, OK JP 19669(04)

List of Proposed Easement Acquisitions

Parcel	Description	Book	Page	Owner	Proposed Acquisition	Area (acres)
1	SW/4 Sec 22 West of RR			City of Clinton	Permanent Right of Way	0.743
2	part of S/2 Sec 22	1493	365	Hotelmacher, LLC	Permanent Right of Way	3.632
3	part of NE/4 Sec 27	321	190	G W and Cheryl Lowry	Permanent Right of Way	0.156
4	part of NE/4 Sec 27	321	190	G W and Cheryl Lowry	Temporary Construction Esmt	0.106
5	part of SE/4 Sec 22	1493	365	Hotelmacher, LLC	Temporary Construction Esmt	0.039
6	part of SE/4 Sec 22	1493	365	Hotelmacher, LLC	Temporary Construction Esmt	0.071
[redacted]						
8	part of SE/4 Sec 22	335	199	James Bray, Jr.	Temporary Construction Esmt	0.121
9	part of SE/4 Sec 22	1398	625	Thomas and Penny Hargus	Temporary Construction Esmt	0.009
10	part of NE/4 Sec 27	1079	179	Walter and Carolyn Schumacher	Temporary Construction Esmt	0.033

The names of the owners listed above were obtained in May 2011 from copies of existing deeds as part of the survey for this project.

A Certified Ownership Report from a licensed abstractor should be obtained for each Parcel before entering an acquisition agreement.

EASEMENT for Public Highway



COPY

Project #: **STP-120B(070)UR**
Job piece: **19669(04)**
Parcel: **3 REVISED**

DEC 20 2012

KNOW ALL MEN BY THESE PRESENTS:

That _____

of **Custer** County, State of Oklahoma, hereinafter called the Grantors (whether one or more), for and in consideration of the sum of _____Dollars($_____)

and other good, valuable and sufficient considerations, do hereby grant, bargain, sell, convey and dedicate unto the City of **Clinton**, hereinafter called the Grantee, a perpetual easement over, under, and across the following described lots or parcels of land, to-wit:

A parcel of land located in the Northeast Quarter of Section 27, T12N, R17W, Indian Meridian, Custer County, Oklahoma, described as follows: Commencing at the Northwest corner of said Northeast Quarter; Thence on an assumed bearing of South 89° 51' 56" East along the North line of said Northeast Quarter, a distance of 23.11 feet; Thence South 0° 08' 04" West a distance of 33.00 feet being the Point of Beginning; Thence South 70° 34' 32" East a distance of 63.57 feet; Thence North 86° 07' 49" East a distance of 200.49 feet to a line 40.00 feet South of and parallel with the North line of said Northeast Quarter; Thence South 89° 51' 56" East along said line, a distance of 150.00 feet; Thence South 84° 09' 18" East a distance of 100.50 feet; Thence South 89° 51' 56" East a distance of 100.00 feet; Thence North 82° 41' 03" East a distance of 131.11 feet to a line 33 feet South of and parallel with the North line of said Northeast Quarter; Thence North 89° 51' 56" West along said line, a distance of 740.00 feet to the Point of Beginning, containing 0.195 acre more or less.

For the same considerations hereinbefore recited, this easement is granted for the purpose of enabling said Grantee, its officers, agents, contractors, and employees, now or at any time in perpetuity and at its discretion, to go upon, construct, build, maintain, and regulate a public highway or facilities necessary and incidental thereto, including the airspace above and removal of any and all dirt, rock, gravel, sand and other road building materials, reserving and excepting unto said Grantors the mineral rights therein provided, however, that any explorations or development of said reserved mineral rights shall not directly or indirectly interfere with the use of said land for the purposes herein granted; and reserving unto said Grantors the right of ingress and egress to said public highway from the remaining lands of the Grantors.

The supervision and control of said public highway to be in such municipality, county or other agency of the State of Oklahoma as has or may have jurisdiction thereof by the laws of the State of Oklahoma; and said Grantee, its officers, agents, contractors and employees are hereby granted free access to said property for the purpose of entering upon, constructing, maintaining or regulating the use of said public highway and incidental facilities.

Said Grantors hereby covenant and warrant that at the time of delivery of these presents they are the owners in fee simple of the above described premises and that same are free and clear of all liens and claims whatsoever, except _____.

The undersigned Grantors hereby designate and appoint _____ as agent to execute the claim and receive the compensation herein named.

IN WITNESS WHEREOF, the Grantors herein named have hereunto set their hands and seals this the_____day of _____, _____.

_____

_____

_____

AGREEMENT

WHEREAS, The City of Clinton ("City") has an existing roadway easement, identified as Chapman Road, which abuts G.W. and Cheryl Lowry's ("Owners") property described below.

WHEREAS, Owners own a tract of property identified as follows:

A parcel of land located in the Northeast Quarter of Section 27, T12N, R17W, Indian Meridian, Custer County, Oklahoma, described as follows: Commencing at the Northwest corner of said Northeast Quarter; Thence on an assumed bearing of South 89° 51' 56" East along the North line of said Northeast Quarter, a distance of 23.11 feet; Thence South 0° 08' 04" West a distance of 33.00 feet being the Point of Beginning; Thence South 70° 34' 32" East a distance of 63.57 feet; Thence North 86° 07' 49" East a distance of 200.49 feet to a line 40.00 feet South of and parallel with the North line of said Northeast Quarter; Thence South 89° 51' 56" East along said line, a distance of 150.00 feet; Thence South 84° 09' 18" East a distance of 100.50 feet; Thence South 89° 51' 56" East a distance of 100.00 feet; thence North 82° 41' 03" East a distance of 131.11 feet to a line 33 feet South of and parallel with the North line of said Northeast Quarter; Thence North 89° 51' 56" West along said line, a distance of 740.00 feet to the Point of Beginning, containing 0.195 acre more or less.

WHEREAS, The City of Clinton ("City") has an existing roadway easement, identified at Chapman Road, which abuts Owners' properties described above.

WHEREAS, The City is undertaking a project in conjunction with the Oklahoma Department of Transportation and Custer County, to widen and repair Chapman Road.

WHEREAS, the parties have negotiated The City's acquisition of additional land necessary for the above described improvements.

WHEREAS, in addition to monetary compensation, the parties have agreed that The City will pay for the labor and materials to replace Owners' existing fence and the acquisition of a new gate.

NOW THEREFORE, the parties agree as follows:

1. The City will purchase materials necessary for the construction of a five-wire barbed-wire fence, including "T" posts, set at twelve foot centers, line posts every 10th post and corner posts necessary for the construction of 3,020 feet of fence and will provide the same to the Owners.

2. The City agrees to purchase a _____ foot gate for installation in the subject fence and provide the same to the Owners.

3. The City agrees to compensate Owners a reasonable amount for labor associated with

the construction of the subject fence, which shall be submitted to the City Council for approval.

Assignment: This agreement shall be binding upon the parties hereto, the respective heirs, successors, and assigns and may be assigned by any party hereto only with the written consent of the other party.

Dated this ___ day of _____, 2013.

CITY OF CLINTON, OKLAHOMA

_____
G.W. LOWRY

_____
SETH ADAMS, Mayor

ATTEST:

_____
CHERYL LOWRY

_____
LISA ANDERS, City Clerk

Clinton
Hub City of Western Oklahoma

Agenda Commentary

Item Title/ Subject: Jet A Refueler for Clinton Regional Airport

Staff Source: City Clerk Lisa Anders

History/Background Information: Requests for Jet A continue to be received at Clinton Regional Airport. To maintain the status of a regional airport and to take the next step of justification for future expansion of the runway length, Jet A would be an asset to the facility. This item would be a Capital Improvement item for the Airport.

Maintaining the regional status is important so as not to jeopardize FAA funding for future projects at the airport.

Item/Subject Summary: Staff request authorization to go to bid for a Jet A refueler

Price/Cost: Range of $70,000 to $110,000

Recommendation: Authorize bids to be taken

General Specifications for Jet A Refueler (Gas or Diesel Engine)

Chassis

- Engine- Gas or Diesel
- Year- 1990 or later
- Transmission- Automatic
- Brakes- Air or Hydraulic
- Must meet all ODOT specs
- Warranty on power train

Tank

- New or refurbished
- 3000 gallon- stainless steel finish
- Manholes 20" with DOT venting
- Rear or Side mount system
- DOT rear bumper
- All lights FMVSS 108/ vapor proof
- Warranty against any leaks

Pumping System

- New or refurbished
- Stainless steel finish
- 300 GPM flow rate
- 3" pump- Gorman-Rupp 03H2 or equal
- Stainless steel piping
- Hydro test to 150 PSI
- Certified pressure gauges
- (2) electric rewind overwing hose reel with 1 ¼" X 50' aviation refueling hose with nozzles and nozzle holders
- (1) electric rewind single point hose reel with 2" X 50' aviation refueling hose with nozzle and nozzle holder
- Meter-(1) 300 GPM liquid controls meter with resettable register and totalizer calibrated and sealed for turbine fuel
- Meter-(1) 100 GPM liquid controls meter with resettable register and totalizer calibrated and sealed for turbine fuel
- 300 GPM Filter/separator with air elimination and differential pressure gauge
- Filter/separator sump with water slug switch to close in-line valve when encountering water- electric to operator solenoid to close in-line valve

- Bottom load with pre-check, gauge, strainer with high level shut down
- Deadman control
- Brake interlocks activated when bottom load door is opened, pump is engaged and when nozzles are removed from holders
- Static grounding reel with 50' cable with ball stop and 100 amp clamp
- Tank water draw-off system
- Water sump drain
- Fire extinguishers UL rated 20#, dry chemical with mounting brackets
- All operating decals installed per NFPA
- Warranty on all major components
-

*Note-

Final bid selection will be pending subject to city inspection

All bids shall be the equivalent to or greater than the specifications listed.