PUBLIC NOTICE OF A REGULAR MEETING
OF THE AIRPORT AUTHORITY
TUESDAY, MAY 21, 2013 AT 5:30 PM
CLINTON CITY HALL

AGENDA

Meeting status: Completed

1. Call to Order

2. Opening Prayer/Pledge Roland Youngberg, First United Methodist Church

3. Consent Agenda

    A. Consider Approval of Minutes of Previous Meeting
    Hospital Authority Airport Authority Industrial Authority
    Solid Waste Authority Recreational Authority

4. Action Items:

    A. Consider additional budget questions or comments

5. Trustee Report

6. City Manager's Report

7. Audience Participation

8. Adjournment

9. Supporting documents

    A. Public Hearing for CDBG Grant

Filed this 17th Day of May, 2013. Posted on the bulletin board in the lobby of the Clinton City Hall on May 17, 2013 at 1:30 p.m.

_____

Not recorded

AA050713

MINUTES OF AIRPORT AUTHORITY MEETING ON MAY 7, 2013

Minutes of the regular meeting of the Chairman and Trustees of the Clinton Airport Trust Authority of Clinton, Oklahoma, Custer County, held in the City Council Room, City Hall on Tuesday, May 7, 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 May 3, 2013.

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

CHAIRMAN: Seth Adams
TRUSTEES: Jason Hulin, Don Rodolph, Lucas Martinez, Wheeler Lowry
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: Stephen Jones, Kris Wermy, Gene McCullough, Randy Carpenter, Jeremy Bush, David Crabtree, Julie Menge, Wade Anders, Cheryl Lowry, Keith & Michelle Marcy, Ann Marcy, Brent & Jill Atchley and family, Roberta Atchley, Johnnie Redd, Conan Wilson, Mary Helen Jones and others.

Fire Chief Randy Carpenter opened the meeting with prayer and Trustee Wheeler Lowry led the Pledge of Allegiance.

AGENDA ITEM NO. 3: CONSENT AGENDA

A. Consider approval of Minutes of April 2, 2013
B. Consider Claims

Moved by Trustee Hulin and seconded by Trustee Martinez, that Consent Agenda Item No. 6 (a-b) be approved.

Chairman put the motion to a roll call vote:

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

Chairman declared the motion carried.

AGENDA ITEM NO. 4. ACTION ITEMS

None

AGENDA ITEM NO .5: TRUSTEE'S 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 Lowry that the meeting adjourn.

Chairman put the motion to a roll call vote:

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

Chairman declared the meeting adjourned at 5:34 pm.

PUBLIC HEARING NOTICE

The City of Clinton is conducting a public hearing on May 21, 2013 at 5:30 p.m. The hearing will be held at the Clinton City Hall, 415 Gary Blvd, Clinton, Oklahoma.

The purpose of the hearing is .....

> To discuss the possibility of the City of Clinton submitting a Community Development Block Grant (CDBG) application to the Oklahoma Department of Commerce for 2013 funding.

The City of Clinton requests and encourages all interested citizens to attend this meeting and to contribute information and ideas toward this program.

PUBLICLY POSTED THIS 8th DAY OF May, 2013.

POSTED AT: Clinton City Hall
415 Gary Boulevard
Clinton, OK 73601

Lisa Anders

Lisa Anders, City Clerk

CITY SEAL

PUBLIC NOTICE OF A REGULAR MEETING
OF THE INDUSTRIAL AUTHORITY
TUESDAY, MAY 21, 2013 AT 5:30 PM
CLINTON CITY HALL

AGENDA

Meeting status: Completed

1. Call to Order

2. Opening Prayer/Pledge Roland Youngberg, First United Methodist Church

3. Consent Agenda

    A. Consider Approval of Minutes of Previous Meeting
    Hospital Authority Airport Authority Industrial Authority
    Solid Waste Authority Recreational Authority

4. Action Items:

    A. Consider additional budget questions or comments

5. Trustee Report

6. City Manager's Report

7. Audience Participation

8. Adjournment

9. Supporting documents

    A. Public Hearing for CDBG Grant

Filed this 17th Day of May, 2013. Posted on the bulletin board in the lobby of the Clinton City Hall on May 17, 2013 at 1:30 p.m.

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Not recorded

IA050713

MINUTES OF THE CLINTON INDUSTRIAL AUTHORITY MAY 7, 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, May 7, 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 May 3, 2013.

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

CHAIRMAN: Seth Adams
TRUSTEES: Jason Hulin, Don Rodolph, Lucas Martinez, Wheeler Lowry
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: Stephen Jones, Kris Wermy, Randy Carpenter, Jeremy Bush, Gene McCullough, Julie Menge, Ann Marcy, Keith & Michelle Marcy, Todd Marcy, Brent & Jill Atchley and family, Roberta Atchley, Mary Helen Jones, Bob Smith, Johnnie Redd, Conan Wilson, Cheryl Lowry, Wade Anders and others.

Fire Chief Randy Carpenter opened the meeting with prayer and Trustee Wheeler Lowry led the Pledge of Allegiance.

AGENDA ITEM NO. 3: CONSENT AGENDA

A. Minutes of the Regular Meeting of April 16, 2013
B. Consider claims

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

Chairman put the motion to a roll call vote:

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

Chairman declared the motion carried.

AGENDA ITEM NO. 4. ACTION ITEMS

None

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 Lowry that the meeting adjourn.

Chairman put the motion to a roll call vote:

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

Chairman declared the meeting adjourned at 5:37 pm.

PUBLIC NOTICE OF A REGULAR MEETING
OF THE RECREATIONAL AUTHORITY
TUESDAY, MAY 21, 2013 AT 5:30 PM
CLINTON CITY HALL

AGENDA

Meeting status: Completed

1. Call to Order

2. Opening Prayer/Pledge Roland Youngberg, First United Methodist Church

3. Consent Agenda

    A. Consider Approval of Minutes of Previous Meeting
    Hospital Authority Airport Authority Industrial Authority
    Solid Waste Authority Recreational Authority

4. Action Items:

    A. Consider additional budget questions or comments

5. Trustee Report

6. City Manager's Report

7. Audience Participation

8. Adjournment

9. Supporting documents

    A. Public Hearing for CDBG Grant

Filed this 17th Day of May, 2013. Posted on the bulletin board in the lobby of the Clinton City Hall on May 17, 2013 at 1:30 p.m.

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Not recorded

RA050713

MINUTES OF RECREATIONAL AUTHORITY MEETING, MAY 7, 2013

Minutes of a regular meeting of the Chairman and Trustees of the Clinton Recreational Trust Authority of Clinton, Oklahoma, Custer County, held in the City Council Room, City Hall on Tuesday, May 7, 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 May 3, 2013.

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

CHAIRMAN: Seth Adams
TRUSTEES: Jason Hulin, Don Rodolph, Lucas Martinez, Wheeler Lowry
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: Stephen Jones, Kris Wermy, Randy Carpenter, Jeremy Bush, David Crabtree, Julie Menge, Ann Marcy, Keith & Michelle Marcy, Todd Marcy, Brent & Jill Atchley and family, Roberta Atchley, Johnnie Redd, Conan Wilson, Cheryl Lowry, Wade Anders, Mary Helen Jones and others.

Fire Chief Randy Carpenter opened the meeting with prayer and Trustee Wheeler Lowry led the Pledge of Allegiance.

AGENDA ITEM NO. 3: CONSENT AGENDA

A. Minutes of meeting of April 2, 2013
B. Consider Claims

Moved by Trustee Hulin and seconded by Trustee Martinez, that Consent Agenda Items No. 6 (a-b) be approved.

Chairman put the motion to a roll call vote:

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

Chairman declared the motion carried.

AGENDA ITEM NO. 4. ACTION ITEMS

None

AGENDA ITEM NO .5: TRUSTEES REPORT

None

AGENDA ITEM NO. 6: CITY MANAGER'S REPORT

City Manager Steve Hewitt reported that over the weekend a soccer tournament and baseball tournament had been held at Acme Brick Park. It was estimated that over 400 out of town children participated in the events. He said the activities at Acme Brick Park play a part in the increase economy of Clinton.

Trustee Martinez said he had two more soccer tournaments scheduled for this year and hopes they will become annual events. He said there were many positive comments regarding the condition of the playing fields.

City Manager Steve Hewitt said that Kris Wermy is working with multiple groups regarding utilizing the facility. He said that the City is also responsible for the concessions at the park this year.

AGENDA ITEM NO. 7: AUDIENCE PARTICIPATION:

None

AGENDA ITEM NO. 8: ADJOURNMENT

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

Chairman put the motion to a roll call vote:

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

Chairman declared the meeting adjourned at 5:33 pm.

PUBLIC NOTICE OF A REGULAR MEETING
OF THE SOLID WASTE AUTHORITY
TUESDAY, MAY 21, 2013 AT 5:30 PM
CLINTON CITY HALL

AGENDA

Meeting status: Completed

1. Call to Order

2. Opening Prayer/Pledge Roland Youngberg, First United Methodist Church

3. Consent Agenda

    A. Consider Approval of Minutes of Previous Meeting
    Hospital Authority Airport Authority Industrial Authority
    Solid Waste Authority Recreational Authority

4. Action Items:

    A. Consider additional budget questions or comments

5. Trustee Report

6. City Manager's Report

7. Audience Participation

8. Adjournment

9. Supporting documents

    A. Public Hearing for CDBG Grant

Filed this 17th Day of May, 2013. Posted on the bulletin board in the lobby of the Clinton City Hall on May 17, 2013 at 1:30 p.m.

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Not recorded

SW050713

MINUTES OF THE SOLID WASTE AUTHORITY, MAY 7, 2013

Minutes of the regular meeting of the Chairman and Trustees of the Clinton Solid Waste Authority of Clinton, Oklahoma, Custer County, held in the City Council Room, City Hall on Tuesday, May 7, 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 May 3, 2013.

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

CHAIRMAN: Seth Adams
TRUSTEES: Jason Hulin, Don Rodolph, Lucas Martinez, Wheeler Lowry
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: Stephen Jones, Kris Wermy, Gene McCullough, Randy Carpenter, Jeremy Bush, David Crabtree, Julie Menge, Ann Marcy, Keith & Michelle Marcy, Todd Marcy, Brent & Jill Atchley and family, Roberta Atchley, Johnnie Redd, Bob Smith, Wade Anders, Cheryl Lowry, Conan Wilson, Mary Helen Jones and others.

Fire Chief Randy Carpenter opened the meeting with prayer and Trustee Wheeler Lowry led the Pledge of Allegiance.

AGENDA ITEM NO. 3: CONSENT AGENDA

a. Consider approval of minutes of April 2, 2013
b. Consider Claims

Moved by Trustee Hulin and seconded by Trustee Martinez, that Consent Agenda Item No. 6 (a-b) be approved.

Chairman put the motion to a roll call vote:

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

Chairman declared the motion carried.

AGENDA ITEM NO. 4. ACTION ITEMS

None

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 Lowry that the meeting adjourn.

Chairman put the motion to a roll call vote:

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

Chairman declared the meeting adjourned at 5:36 pm.

PUBLIC NOTICE OF A REGULAR MEETING
OF THE HOSPITAL AUTHORITY
TUESDAY, MAY 21, 2013 AT 5:30 PM
CLINTON CITY HALL

AGENDA

Meeting status: Completed

1. Call to Order

2. Opening Prayer/Pledge Roland Youngberg, First United Methodist Church

3. Consent Agenda

    A. Consider Approval of Minutes of Previous Meeting
    Hospital Authority Airport Authority Industrial Authority
    Solid Waste Authority Recreational Authority

4. Action Items:

    A. Consider additional budget questions or comments

5. Trustee Report

6. City Manager's Report

7. Audience Participation

8. Adjournment

9. Supporting documents

    A. Public Hearing for CDBG Grant

Filed this 17th Day of May, 2013. Posted on the bulletin board in the lobby of the Clinton City Hall on May 17, 2013 at 1:30 p.m.

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Not recorded

MINUTES OF HOSPITAL AUTHORITY MEETING, MAY 7, 2013

Minutes of a regular meeting of the Chairman and Trustee of the Clinton Hospital Authority of Clinton, Oklahoma, Custer County, held in the City Council Room, City Hall on Tuesday, May 7, 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 May 3, 2013.

Chairman Adams acknowledged the family of Trustee/Councilman Bob Marcy. He said Mr. Marcy had served the City of Clinton for many years and would be missed. A plaque was presented to Mr. Marcy's family.

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

CHAIRMAN: Seth Adams
TRUSTEES: Jason Hulin, Don Rodolph, Lucas Martinez, Wheeler Lowry
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: Stephen Jones, Kris Wermy, Gene McCullough, Randy Carpenter, Jeremy Bush, David Crabtree, Julie Menge, Keith & Michelle Marcy, Brent & Jill Atchley and family, Ann Marcy, Mary Helen Jones, Conan Wilson, Johnnie Redd, Bob Smith, Cheryl Lowry, Wade Anders, and others.

Fire Chief Randy Carpenter opened the meeting with prayer and Trustee Wheeler Lowry led the Pledge of Allegiance.

AGENDA ITEM NO. 3: CONSENT AGENDA

A. Consider approval of minutes of April 2, 2013
B. Consider Claims

Motion was made by Trustee Hulin and seconded by Trustee Martinez to approve the minutes of the previous meeting.

Chairman put the motion to a roll call vote:

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

Chairman declared the motion carried.

AGENDA ITEM NO. 4. ACTION ITEMS

None

AGENDA ITEM NO .5: TRUSTEE'S REPORT

None

AGENDA ITEM NO. 6: CITY MANAGER REPORT

None

AGENDA ITEM NO. 7: AUDIENCE PARTICIPATION

None

AGENDA ITEM NO. 8: ADJOURNMENT

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

Chairman put the motion to a roll call vote:

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

Chairman declared the meeting adjourned at 5:32 pm.

PUBLIC NOTICE OF A REGULAR MEETING
OF THE PUBLIC WORKS AUTHORITY
TUESDAY, MAY 21, 2013 AT 5:30 PM
CLINTON CITY HALL

AGENDA

Meeting status: Completed

1. Call to Order
2. Opening Prayer /Pledge Roland Youngberg, First United Methodist Church
3. Consent Agenda:
    A. Consider approval of minutes for May 7, 2013
4. Action Items:
    A. Presentation and Discussion regarding Water and Sewer Rates
    B. Consider additional budget questions or comments
    C. Request authorization to purchase Vacuum Excavator
5. Trustee Report
6. City Manager's Report
    A. Water Restriction Update
7. Audience Participation
8. Adjournment

Filed this 17th day of May, 2013. Posted on the bulletin board in the lobby of the Clinton City Hall on May17, 2013 at 1:30 p.m.

Not recorded

PW050713

MINUTES OF THE PUBLIC WORKS AUTHORITY MEETING, MAY 7, 2013

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, May 7, 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 May 3, 2013.

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

CHAIRMAN: Seth Adams
TRUSTEES: Jason Hulin, Don Rodolph, Lucas Martinez, Wheeler Lowry
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: Stephen Jones, Kris Wermy, Randy Carpenter, Jeremy Bush, Gene McCullough, Julie Menge, Ann Marcy, Keith & Michelle Marcy, Todd Marcy, Brent & Jill Atchley and family, Roberta Atchley, Bob Smith, Mary Helen Jones, Conan Wilson, Cheryl Lowry, Wade Andersand others.

Fire Chief Randy Carpenter opened the meeting with prayer and Trustee Wheeler Lowry led the Pledge of Allegiance.

AGENDA ITEM NO. 3: CONSENT AGENDA

a. Consider approval of minutes of April 16, 2013
b. Consider Claims

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

Chairman put the motion to a roll call vote:

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

Chairman declared the motion carried.

AGENDA ITEM NO. 4. ACTION ITEMS

4A. ACKNOWLEDGE RECEIPT OF SEWER LINE PERMIT FOR COMMERCE ROAD FROM THE OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY

City Manager Steve Hewitt said the permit is for the extention of the sewer line on Commerce Road for Marcus Wright and TAS Trucking and will also serve the new platted industrial park.

Trustee Hulin asked about the time frame.

City Manager Steve Hewitt said it would be approximately two weeks.

Motion was made by Trustee Martinez and seconded by Trustee Lowry to acknowledge receipt of the sewer line permit for Commerce Road from the Oklahoma Department of Environmental Quality.

Chairman put the motion to a roll call vote:

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

Chairman declared the motion carried.

AGENDA ITEM NO .5: TRUSTEE REPORT

Trustee Rodolph asked about the bidding for the roads for Robinson Addition.

City Manager Steve Hewitt reported that Joe Ridley has had some draftsman issued but the plans should be completed in two weeks. He said the specification for the utilities and road should both be completed in the next two weeks. He said bid advertisement would be for 21 days so hopefully this could be underway in June.

Trustee Rodolph asked for an update on Chapman Road.

City Manager Steve Hewitt said that ODOT has requested for information so that is being compiled and set to them before the process can move forward.

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 Martinez that the meeting adjourn.

Chairman put the motion to a roll call vote:

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

Chairman declared the meeting adjourned at 5:40 pm.

Legal Publication one time, Thursday, July 18, 1996

ORDINANCE NO. 781

AN ORDINANCE OF THE CITY OF CLINTON, OKLAHOMA, AMENDING CHAPTER 23, UTILITIES, ARTICLE IV, SEWERS AND SEWAGE DISPOSAL, DIVISION 4. RATES AND CHARGES; PROVIDING FOR REPEALER AND SEVERABILITY AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE CLINTON CITY COUNCIL OF CITY OF CLINTON OKLAHOMA, THAT THE CLINTON CITY CODE BE AMENDED AS FOLLOWS:

Section 23-186. Sewer User Charge.

b. Delete

Replace with:

b. The users monthly wastewater contribution shall be established by the City Council as needed.

Paragraph c) Add the word "or" after the word period.

c. The estimated monthly wastewater contribution from a user shall prevail for a twelve month period or until a new estimated monthly wastewater contribution is obtained.

Section 23-190 Minimum sewer charge.

Add:

a. A sewer surcharge of $2.00 shall be applied to every account, plus sixty percent (60%) of total water billed.

b. Sewer charges shall be applied against occupied multi-family units (Mobile home parks, apartments, duplex, four plex) as follows:

1. A $5.00 Minimum for each unit monthly or (60%) of total water billed, whichever is greater.

2. A sewer surcharge of $2.00 shall be applied for each unit monthly .

The owner of any multi-family unit may notify the billing authority quarterly (January, April, July, October) of the number of units occupied.

c. For single family residential, the maximum amount to be billed shall not exceed twenty-five ($25.00) dollars per month

Any ordinance inconsistent with the terms and provisions of this Ordinance is hereby repealed; provided, however, that such repeal shall be only to the extent of such inconsistency and in all other respects this Ordinance shall be cumulative of other ordinances regulating and governing the subject matter covered by this Ordinance.

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

Passed and approved this 16 day of July, 1996.

Don Rodolph, Mayor

ATTEST:

Glendene Goucher, City Clerk

Water Rate Increase Proposals

Base Price					**Proposed Base**	**Difference/Incr**	
Approx. Number of Customers	4,287	11,361,900			4287	4287	
Base Price	12.88	0-2000 gallons covered by base price			13.30	0.42	
Price per month	55,216.56				57,017.10	1,800.54	
Collection per year	**662,598.72**				**684,205.20**	**21,606.48**	

Volume Price	Consumption Range	Consumption Range	Consumption Range	Consumption Range	Consumption Range	Consumption Range	
Schedule A Current	2100-4000	4100-14000	14100-100000	100000-500000	500100-99999999	Arapaho	
Est. Avg Consumption	40,121,000	164,702,400	88,552,000	63,688,600	145,671,300	23,626,000	537,723,200
Divide 1000	40,121.0	164,702.4	88,552.0	63,688.6	145,671.3	23,626.0	
Per 1000 Price	**4.03**	**4.07**	**4.64**	**4.28**	**4.08**	**4.36**	
Total Consumption Category	161,687.63	670,338.77	410,881.28	272,587.21	594,338.90	103,009.36	
Total Volume Price A	**2,212,843.15**		**Total Base + Consumption**		**2,875,441.87**		

Volume Price	Consumption Range	Consumption Range	Consumption Range	Consumption Range	Consumption Range	Consumption Range
Schedule B	2100-4000	4100-14000	14100-100000	100000-500000	500100-99999999	Arapaho
Est. Avg Consumption	40,121,000	164,702,400	88,552,000	63,688,600	145,671,300	23,626,000
Divide 1000	40,121.0	164,702.4	88,552.0	63,688.6	145,671.3	23,626.0
Per 1000 Price	4.15	4.50	5.05	4.75	4.35	5.05
Total Consumption Category	166,502.15	741,160.80	447,187.60	302,520.85	633,670.16	119,311.30
Total Volume Price B	**2,410,352.86**		**Total Base + Consumption**		**3,072,951.58**		

Volume Price	Consumption Range	Consumption Range	Consumption Range	Consumption Range	Consumption Range	Consumption Range
Schedule C	2100-4000	4100-14000	14100-100000	100000-500000	500100-99999999	Arapaho
Est. Avg Consumption	40,121,000	164,702,400	88,552,000	63,688,600	145,671,300	23,626,000
Divide 1000	40,121.0	164,702.4	88,552.0	63,688.6	145,671.3	23,626.0
Per 1000 Price	4.30	4.55	5.10	4.80	4.40	5.10
Total Consumption Category	172,520.30	749,395.92	451,615.20	305,705.28	640,953.72	120,492.60
Total Volume Price C	**2,440,683.02**		**Total Base + Consumption**		**3,103,281.74**		

Volume Price	Consumption Range	Consumption Range	Consumption Range	Consumption Range	Consumption Range	Consumption Range
Schedule D	2100-4000	4100-14000	14100-100000	100000-500000	500100-99999999	Arapaho
Est. Avg Consumption	40,121,000	164,702,400	88,552,000	63,688,600	145,671,300	23,626,000
Divide 1000	40,121.0	164,702.4	88,552.0	63,688.6	145,671.3	23,626.0
Per 1000 Price	4.15	4.50	5.20	4.90	4.40	5.20
Total Consumption Category	166,502.15	741,160.80	460,470.40	312,074.14	640,953.72	122,855.20
Total Volume Price D	**2,444,016.41**		**Total Base + Consumption**		**3,106,615.13**		

Volume Price	Consumption Range	Consumption Range	Consumption Range	Consumption Range	Consumption Range	Consumption Range
Schedule E	2100-4000	4100-14000	14100-100000	100000-500000	500100-99999999	Arapaho
Est. Avg Consumption	40,121,000	164,702,400	88,552,000	63,688,600	145,671,300	23,626,000
Divide 1000	40,121.0	164,702.4	88,552.0	63,688.6	145,671.3	23,626.0
Per 1000 Price	4.10	4.45	5.30	4.90	4.40	5.30
Total Consumption Category	164,496.10	732,925.68	469,325.60	312,074.14	640,953.72	125,217.80
Total Volume Price E	**2,444,993.04**		**Total Base + Consumption**		**3,107,591.76**		

Volume Price	Consumption Range	Consumption Range	Consumption Range	Consumption Range	Consumption Range	Consumption Range
Schedule F	2100-4000	4100-14000	14100-100000	100000-500000	500100-99999999	Arapaho
Est. Avg Consumption	40,121,000	164,702,400	88,552,000	63,688,600	145,671,300	23,626,000
Divide 1000	40,121.0	164,702.4	88,552.0	63,688.6	145,671.3	23,626.0
Per 1000 Price	4.05	4.60	5.30	4.85	4.40	5.30
Total Consumption Category	162,490.05	757,631.04	469,325.60	308,889.71	640,953.72	125,217.80
Total Volume Price F	**2,464,507.92**		**Total Base + Consumption**		**3,127,106.64**		

Revenue	**Curr Base + Volume**	**Proposed Incr to Vol Price**		**Proposed Incr to Base $.42**	**New Revenue Generated**
Schedule A	**2,875,441.87**	**0.00**	**current**	**0.00**	**0.00**
Schedule B	**3,072,951.58**	**197,509.71**	**increase**	**21,606.48**	**219,116.19**
Schedule C	**3,103,281.74**	**227,839.87**	**increase**	**21,606.48**	**249,446.35**
Schedule D	**3,106,615.13**	**231,173.26**	**increase**	**21,606.48**	**252,779.74**
Schedule E	**3,107,591.76**	**232,149.89**	**increase**	**21,606.48**	**253,756.37**
Schedule F	**3,127,106.64**	**251,664.77**	**increase**	**21,606.48**	**273,271.25**

Currently, PWA is losing approximately $21,000 per month, calculated over the last 9 months. Estimating 12 month loss of $252,000.

Clinton
Hub City of Western Oklahoma

Agenda Commentary

Item Title/ Subject: **Vacuum Excavator**

Staff Source: **Public Works Director, Stephen Jones**

Date: **May 17, 2013**

History/Background Information: Vacuum excavation is excavating by high-powered vacuum suction machines. This process significantly reduces the risk of loss of property and injury to workers associated with contacting or cutting underground utilities, as often happens if backhoe, auger, hand digging, or other mechanical methods are used.

Subject Summary: With the water line breaks or installation on new lines, a vacuum excavator can cut down on the risk of damaging other lines such as phone, cable, fiber optic, etc. We have looked into State prices on this particular piece of equipment and the money is set aside in capital. There were two quotes that we received: McLaughlin V250D Vacuum Excavation unit for $35,431.00 and the Vactron LP "Mini" 305DT Vacuum Excavation unit for $39,448.60, both quotes are state contract prices. See attachment.

Recommendation: After reviewing the quotes for the vacuum excavator with staff, we recommend the Vactron LP "Mini" 305DT Vacuum Excavation unit. Due to more power on the suction and water output is why we prefer this unit. We also spoke with a contractor that uses this type of equipment, this model was his recommendation for us with the type of work that the Water Department does.

Price/Cost: Vactron LP "Mini" 305DT Vacuum Excavation unit is $39,448.60.

Vermeer®
Great Plains

8300 N. I-35 Service Road
Oklahoma City, OK 73131
405-782-2900 Fax 405-507-1115
800-201-4778
www.vermeergreatplains.com

QUOTATION

Customer Name: City of Clinton
Address: P.O. Box 1177
Clinton, OK 73601

Ship to: Customer Jobsite

Contact: Kyle Bloomer/Water Department

Date: May 9, 2013
Modified:
Purchase Order #
Phone: 580-799-3890
Fax:
Sales Rep.: James Kirk
Date needed:

Description: **TOTAL**

New 2013 McLaughlin V250D Vacuum Excavation unit - Includes:

250 gallon spoil tank, 31hp water-cooled Yanmar diesel engine, insulated and lockable engine enclosure, 22 gallon fuel tank, 575cfm, 3 stage filtration using cyclonic seperator and 2 micron washable poly filter, 5.6gpm @ 3000 psi adjustable high pressure water system with auto throttle, two 50 gallon water tanks, full debris tank electronic float shut down and secondary ball float shut off, two 10' x 3" vacuum hoses, rotary digging lance, 5' vacuum tool, 5' reduction tool, wash wand and tool holder. 7000GVW trailer, 1yr/1000hr limited warranty

List Price:	$36,700.00
SW190 State Contract Discount (Less 7%)	-$2,569.00
Subtotal:	$34,131.00
Add Freight and Prep	$1,300.00
Grand Total:	**$35,431.00**

Trade-in Details:

Trade Amount Allowed

Sub Total	**$35,431.00**
Freight & Prep	**included**
Less Trade-in	
Total Net	**$35,431.00**

Vermeer Great Plains

By: _____

Customer: _____

By: _____

Prices valid until 1st day of following month. Sales tax, if applicable, not included.

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8300 N. I-35 Service Road
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Date: May 9, 2013
Modified:
Purchase Order #
Phone: 580-799-3890
Fax:
Sales Rep.: James Kirk
Date needed:

Description: **TOTAL**

New 2013 Vactron LP "Mini" 305DT Vacuum Excavation unit - Includes:

25hp Yanmar Diesel Engine
580CFM Vacuum pump
300 gallon debris tank
4000psi @ 4gpm High pressure water system
(2) 50 gallon water tanks
reverse pressure to offload liquids and dislodge debris in hose
33' x 3" suction hose
spin wheel rear door
water knife and cleanup wand
Low profile torsion axles (7000GVWR)
Two year factory warranty

List Price:	$41,020.00
SW190 State Contract Discount (Less 7%)	-$2,871.40
Subtotal:	$38,148.60
Add Freight and Prep	$1,300.00
Grand Total:	**$39,448.60**

*****For hydraulic rear door option add: $2810.00 to list price*****

Trade-in Details:

Trade Amount Allowed

Sub Total	**$39,448.60**
Freight & Prep	**included**
Less Trade-in	
Total Net	**$39,448.60**

Vermeer Great Plains

By: _____

Customer: _____

By: _____

Prices valid until 1st day of following month. Sales tax, if applicable, not included.

ORDINANCE NO. 935A

AN ORDINANCE TO APPLY WATER USE RESTRICTIONS

WHEREAS, the City has previously adopted Ordinance No. 935.

WHEREAS, implementation of Ordinance No. 935 has failed to properly address water shortage issues.

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

I. Section 3 of Ordinance 935 (Codified as 9-5-3), of the Clinton City Code of Ordinances, shall be repealed and replaced as follows:

Section 3. WATER USE RESTRICTION

1. Water use restrictions will begin with voluntary implementation beginning March 1st of each year and mandatory implementation beginning June 1st, until September 30th of each year. Use restrictions shall include the following restrictions:

A. Outdoor irrigation of landscaping with sprinkler systems and hose-end sprinklers will be limited to two (2) hours once a week

1. Residents and business with even numbered addresses will be allowed to water on Tuesdays for any two (2) hours between 8:00 p.m. and 12:00 a.m. only.

2. Residents and business with odd numbered addresses will be allowed to water on Thursdays for any two (2) hours between 8:00 p.m. and 12:00 a.m. only.

B. Outdoor irrigation of landscaping utilizing hand watering, drip irrigation and soaker hoses shall be allowed every day of the week for two (2) hours per day from 7:00 p.m. to 11:00 p.m. All hoses must be equipped with a positive shutoff valve.

C. After June 1st of each year, existing swimming pools can only be filled to replace normal water loss due to evaporation.

1. Permits for new swimming pools (either above or below ground) will be delayed until after October 1st of each year.

D. Use of fountains is prohibited.

E. Restaurants may only serve a glass of water upon request by the customer.

F. Vehicle washing is limited to commercial and mobile car washing only.

1. Personal washing of vehicles is prohibited at any location not specifically designed and permitted for vehicle washing.

G. Washing down of sidewalks, walkways, driveways, parking lots, streets and gutters is prohibited.

H. Washing down of buildings is prohibited, unless for fire protection.

I. All water leaks must be repaired within a reasonable time frame.

II. Emergency Clause. This ordinance shall take effect immediately upon adoption.

PASSED AND DULY ADOPTED by the Council of the City of Clinton, Oklahoma this 3 **day of** July **, 2012.**

MAYOR

ATTEST:

Lisa Anders

CITY CLERK

(SEAL)

PUBLIC NOTICE OF A REGULAR MEETING
OF THE CITY COUNCIL
TUESDAY, MAY 21, 2013 AT 5:30 PM
CLINTON CITY HALL

AGENDA

Meeting status: Completed

1. Call to Order

2. Opening Prayer /Pledge Roland Youngberg, First United Methodist Church

3. Consent Agenda

    A. Consider Approval of Minutes on May 7, 2013 and
    Special Meeting May 14, 2013

4. Action Items:

    A. Consider Clinton High School Reunion Proclamation

    B. Consider Bids on Various City Owned properties

    C. Consider Resolution 814 regarding 2013 CDBG GeoCIP

    D. Consider Resolution 815 regarding 2013 CDBG Geo CIP Fair Housing

    E. Consider 2013 CDBG Geo CIP Residential Anti-Displacement and Relocation Assistance Plan

    F. Consider Resolution 816 establishing the 2013 CDBG GeoCIP Local Planning Activities Committee

    G. Consider Resolution 817 regarding Chapman Road project with the Oklahoma Department of Transportation

    H. Consider Maintenance, Financing and Right-of-Way Agreement with the Oklahoma Department of Transportation

    I. Consider additional budget questions or comments

5. Council Report

6. City Manager’s Report

7. Audience Participation

8. Adjournment

Filed this 17th day of May, 2013. Posted on the bulletin board in the lobby of the Clinton City Hall on May 17, 2013 at 1:30 p.m.

_____

Not recorded

MINUTES OF THE CLINTON CITY COUNCIL
MAY 7, 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, May 7, 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 May 3, 2013.

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

MAYOR: Seth Adams
COUNCIL: Don Rodolph, Wheeler Lowry, Jason Hulin, Lucas Martinez
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: Stephen Jones, Kris Wermy, Randy Carpenter, Jeremy Bush, David Crabtree, Mary Helen Jones, Gene McCullough, Ann Marcy, Keith & Michelle Marcy, Todd Marcy, Brent & Jill Atchley and family, Roberta Atchley, Wade Anders, Cheryl Lowry, Conan Wilson, Johnnie Redd, and others.

Fire Chief Randy Carpenter opened the meeting with prayer and Councilman Wheeler Lowry led the Pledge of Allegiance.

AGENDA ITEM NO. 3: CONSENT AGENDA

A. Minutes of Regular Meeting of February 16, 2013 and Special Meeting May 1, 2013
B. Consider Claims

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

Mayor put the motion to a roll call vote:

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

Mayor declared the motion carried.

AGENDA ITEM NO. 4: ACTION ITEMS

4A. CONSIDER APPOINTMENT OF VICE-MAYOR

Councilman Rodolph made the motion to appointment Jason Hulin to serve as the Vice-Mayor and the motion was seconded by Councilman Martinez.

Mayor put the motion to a roll call vote:

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

Mayor declared the motion carried.

4B. CONSIDER APPOINTMENT TO MODA BOARD

Mayor Adams reported that he is currently serving on the MODA Board that meets monthly. He said he will not be able to attend the monthly meeting and would recommend that Jason Hulin serve on the Board.

City Manager Steve Hewitt said the board oversees the handling of rental property at the base in Burns Flat. He explained that this is a development authority.

Motion was made by Councilman Rodolph and seconded by Councilman Lowry to appoint Jason Hulin to serve on the MODA Board.

Mayor put the motion to a roll call vote:

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

Mayor declared the motion carried.

4C. CONSIDER STAFF RECOMMENDATION REGARDING ASPHALT BIDS

City Manager Steve Hewitt explained that staff had advertised for bids and after review it was determined that Circle S Paving submitted the best bid. The list of streets that were included in the bid was presented and those recommended for repairs was highlighted and total$175,100.00.

Councilman Rodolph recommended that the streets that were included in the bid but not accepted for this year should be first to be considered during the next street overlay project.

Motion was made by Councilman Rodolph and seconded by Councilman Hulin approve the staff recommendation regarding asphalt bids awarded to Circle S Paving in the amount of $175,100.00.

Mayor put the motion to a roll call vote:

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

Mayor declared the motion carried.

4D. CONSIDER STAFF RECOMMENDATION REGARDING SLURRY SEAL BIDS

City Manager Steve Hewitt said one bid was submitted for the slurry seal project. It was recommended by staff to accept the bid from Vance Brothers in the amount of $54,476.58

Motion was made by Councilman Hulin and seconded by Councilman Martinez to award the bid from Vance Brothers for the slurry seal for $54,476.58.

Mayor put the motion to a roll call vote:

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

Mayor declared the motion carried.

4E. CONSIDER PURCHASE OF POLICE DEPARTMENT UNIT

City Manager Steve Hewitt reported that earlier in the year a police unit was involved in an accident and insurance had totaled the vehicle in the amount of $18,000.00. He said the plan is to transfer a Charger driven by a detective and put it into the fleet and purchase a SUV for the detective. He said quotes have been compiled and staff recommends the purchase of a 2007 Tahoe in the amount of $18,079.00.

Motion was made by Councilman Rodolph and seconded by Councilman Lowry to authorize the purchase of a Police Department unit.

Mayor put the motion to a roll call vote.

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

Mayor declared the motion carried.

4F. CONSIDER RENEWAL OF AGREEMENT WITH SINOR EMERGENCY MEDICAL SERVICES FOR AMBULANCE SERVICE

City Manager Steve Hewitt said the current agreement with Sinor Emergency Medical Service will expire on June 30, 2013. He said the new agreement is for a five year term in one year increments with no price change. He said the agreement has been review by the City Attorney. The activation of a Public Safety Board is included in the agreement.

Councilman Lowry asked about the number of water meters.

City Manager Steve Hewitt said there are approximately 4,000 meters.

Johnny Redd, representative of Sinor Emergency Medical Services said the agreement is for a three year term.

Motion was made by Councilman Rodolph and seconded by Councilman Hulin to approve the renewal of the agreement with Sinor Emergency Services for a three year term in one year increments.

Mayor put the motion to a roll call vote:

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

Mayor declared the motion carried.

4G. CONSIDER SURPLUS OF PROPERTY AT 103 EAST COURT

City Manager Steve Hewitt explained that the city acquired property through abatement and then must surplus the property to sell it. He said there are other pieces of property that Council has previously surplused. He said the properties will be bundled and sold by sealed bid at the next City Council meeting.

Motion was made by Councilman Lowry and seconded by Councilman Rodolph to surplus the property at 103 East Court and advertise for sealed bids to be considered at the May 21st Council meeting.

Mayor put the motion to a roll call vote:

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

Mayor declared the motion carried.

4H. CONSIDER ELECTION OF TWO TRUSTEES TO THE OKLAHOMA MUNICIPAL ASSURANCE GROUP

City Manager Steve Hewitt reported that two Trustees on the OMAG Board will be completing their terms.

Motion was made by Councilman Rodolph and seconded by Councilman Hulin to vote for John Sheppard and Mike Brown for the Oklahoma Municipal Assurance Board trustees.

Mayor put the motion to a roll call vote:

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

Mayor declared the motion carried.

4I. DISCUSS WITH LEGAL COUNSEL REGARDING PENDING LITIGATION INCLUDING AN EXECUTIVE SESSION AS AUTHORIZED BY 25 O.S. ss 307B4

Motion was made by Councilman Hulin and seconded by Councilman Martinez to enter into executive session and invite the City Manager to the session.

Mayor put the motion to a roll call vote:

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

Mayor declared the meeting in executive session at 5:55 p.m.

RECONVENE

Motion was made by Councilman Hulin and seconded by Councilman Martinez to enter into regular session

Mayor put the motion to a roll call vote:

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

Mayor declared the meeting in regular session at 6:05 P.M.

Mayor Adams reported no action taken.

AGENDA ITEM NO. 5. COUNCIL REPORT

None

AGENDA ITEM NO. 6: CITY MANAGER'S REPORT

City Manager Steve Hewitt announced that a special meeting would be held at the Frisco Center on Tuesday, May 14th at 5:30 to review the City of Clinton's budget for the 2013-2014 year. He said staff will make every effort to have the draft budget to the Council members by Friday afternoon but if that is not possible, the meeting could be rescheduled for Thursday, May 16th.

He reported that the Fire Station is nearing completion and should be ready in June with a move in date in July. He said that boring is currently being done along 5th Street to the Fire Station.

City Manager Steve Hewitt said that panels are being replaced on Gary Boulevard utilizing the $50,000 grant from the Oklahoma Department of Transportation for maintenance and repairs.

AGENDA ITEM NO. 7: AUDIENCE PARTICIPATION

None

AGENDA ITEM NO. 8: ADJOURNMENT

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

Mayor put the motion to a roll call vote:

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

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

Spm051413

MINUTES OF A SPECIAL MEETING OF CLINTON CITY COUNCIL, CLINTON PUBLIC WORKS AUTHORITY, CLINTON HOSPITAL AUTHORITY, CLINTON SOLID WASTE AUTHORITY, CLINTON RECREATIONAL AUTHORITY, CLINTON AIRPORT AUTHORITY AND CLINTON INDUSTRIAL AUTHORITY

TUESDAY, MAY 14, 2013

Minutes of a special meeting of the Mayor/ Chairman and Council/Trustees of the City of Clinton, Oklahoma, Custer County, held at the Frisco Center on Tuesday, May 14, 2013, 5:30 P.M. A notice of this meeting with agenda was posted on the bulletin board in the lobby of the Clinton City Hall on May 10, 2013.

Mayor/Chairman Seth Adams called the meeting to order with the following present:

Trustee/ Council: Don Rodolph, Wheeler, Lowry, Jason Hulin, Lucas Martinez
City Manager: Steve Hewitt
City Clerk: Lisa Anders
News Media: Gerald Green and Mike Pilosof
Others: David Crabtree, Kris Wermy, Debra Blanchard, Randy Carpenter, Rhonda Williams, Stephen Jones, Gene McCullough, Julie Menge, and others.

2. REVIEW OF 2013-2014 FISCAL YEAR BUDGET

City Manager Steve Hewitt presented the draft budget to the Council. He said the plan for each department has been reviewed with each department head. He said the plan is to build a reserve in the General Fund while the Public Works is a concern due to water and the Solid Waste will have a CPI increase. He said a rate increase will be discussed regarding water rates.

City Manager Hewitt said the budget includes a 3% Cost of Living increase and a 9% increase in the cost of health insurance. He said that Chapman Road project will be bid in September and the City will be paying their portion upfront and will not be responsible for the bidding process.

GENERAL FUND

City Treasurer Debra Blanchard explained the budget structure and said that reserves are being used to make up the 2013-2014 budget.

City Manager Steve Hewitt pointed out that the Code Enforcement Officer and the Building Inspector have been combined and included in the Public Works Department. He said that the Recreation Department has been expanded to provide new services such as the operation of the concession at Acme Brick Park. He said this provides a new revenue source and plans are to expand the tournament schedules.

City Manager Steve Hewitt said that various agencies have submitted request for funding. He said two requests have been received since the draft budgets were compiled. He said that the Clinton Roundup Club plans to begin an upgrade in the lighting at Nance Rotary Park and have requested funding of $8,000 to assist with the project. He said that Action Associates have requested $20,000 which is the amount of funding they received last year.

City Manager Hewitt said the increases in the budget are the result of the COLA increase, health insurance premium increase, expanded Recreation Department and $175,000 for subsidy to the golf course which is the same amount as last year.

City Treasurer Debra Blanchard said the estimates for revenue were made conservatively.

City Manager Hewitt said the TIF District is doing better than projected but the funding is not included in the General Fund budget. He said the Use Tax is increased over last year but it is not expected to continue through the next year.

Councilman Hulin asked about the dollar value of health care.

City Manager Hewitt said the $147,000 includes health insurance and COLA.

Councilman Rodolph suggested approval of the $20,000 funding for Action Associates and $8,000 to the Clinton Roundup Club for the facility improvement project at Nance Rotary Park.

CAPITAL

City Manager Steve Hewitt said originally the City understood that the full project would need to be budgeted and would receive reimbursements but this has changed. The City will be budgeting the expenditure for City's matching funds at $500,000.

City Treasurer Debra Blanchard said the Canute waterline is included in the Capital Budget for $550,000 as well as new business sales tax reimbursement commitments and the TIF commitments.

City Manager Steve Hewitt said funds have been requested for the replacement of the Administration Vehicle. He said the current vehicle will be transferred to Police Chief vehicle and the Charger he has been driving will be transferred to the Police Department fleet.

Other items included in the Capital Budget:

- Court Clerk- renovation for counter/reception area
- One Police Department unit
- Fire Department: bunker gear and replacement of truck
- Parks: vehicle, playground equipment, sprayer, mower deck, tennis courts repair ; City Manager Hewitt said he is working on a partnership with Clinton Public Schools

regarding the tennis courts.

- Pool: Renovation/upgrades to get through the year; inflatable
- Acme Brick Park – equipment, tables/chairs, HVAC unit for McLain Rogers Park building
- Sports Fields- equipment and fencing
- Golf Course- lease payments, mower, top dresser will be purchased and old top dresser will be transferred to Acme to be used on sports fields; security system
- Streets- sidewalks; ODOT $50,000 agreement, street overlay, replacement of vehicle
- Facility – pay off City Hall roof, phone system, AV/Audio infrastructure; carpet cleaner/scrubber

City Manager Steve Hewitt said a cushion of $200,000 was left.

Gene McCullough explained that the wireless structure is so that all city facilities will be connected which will result in a monthly internet savings and improve availability.

City Manager Steve Hewitt said the City is currently working with SWODA regarding applying for a 5 year Capital Improvement Plan grant. There would be a review of capital improvement needs for city facilities and infrastructure.

PWA

City Treasurer Debra Blanchard said a rate analysis has been completed and it has been determined that a $21,000 per month lose in operation cost has occurred. A rate adjustment was implemented in November 2011 but following that time there were extraordinary water line breaks.

City Manager Steve Hewitt said in addition to the loss due to water line breaks, there have been additional engineering costs. He said the last rate increase was based on estimated usage and due to water restrictions, the usage was reduced and therefore, revenues dropped. He said the Capital Improvement items are budgeted in the Public Works Authority budget rather than in Capital Improvement Fund. He said this includes the clarifier repairs.

Options for rate increases were presented and reviewed. He said it is preferred to cover cost and hope for a slow recovery. He said the rate for Canute water is not certain yet.

Councilman Hulin asked about the possibility of reducing the percentage on sewer charges.

Treasurer Debra Blanchard said there is a cap on sewer. Currently the rate is 60% of water revenue with a cap of $25.00.

City Manager Hewitt said the numbers regarding the sewer rates will be brought to Council and a review of the City ordinances and DEQ requirements will be made.

Councilman Lowry asked what made up the line item for contractual services.

Treasurer Debra Blanchard said $800,000 is for the contract with Foss and $950,00 is for the usage of water in excess of the allotment.

City Manager Hewitt said the contract with Severn Trent to manage the Water Treatment Plant and the Wastewater Treatment Plant is also included in that line item.

Councilman Lowry asked if Severn Trent is responsible for Lake Clinton.

City Manager Hewitt said they maintain and operate the wells, lake and plants under a five year contract. He said the contract was modified last year to include a CPI increase.

Public Works Director Stephen Jones said the budget also includes funding for a contract with a company to do a process to eliminate discolored water from our water lines.

Treasurer Blanchard said Public Works Capital projects include the Canute water line and the sewer line along Chapman Road for the new hotel. She said the budget includes the revenue of $350,000 grant funds for the water line.

SOLID WASTE AUTHORITY

Treasurer Blanchard said revenues for the Solid Waste Authority have been more than expected. She said the funds will be used to building the Solid Waste budget. She reported there is a 2% increase included in the Solid Waste contract.

City Manager Hewitt said that the capital request for the Solid Waste Authority are larger than usual because last year the request were delayed until a decision was made regarding the Solid Waste/Recycling program. The following items have been included: polycarts, a truck, packer body, pickup and a backhoe.

AIRPORT

City Manager Hewitt said the budget includes funding for engineering for upcoming projects for a fuel farm/ fencing. He said estimates were made regarding fuel sales of Jet A. The only capital request for the Airport Authority is a mower.

RECREATIONAL AUTHORITY

Treasurer Blanchard said that $175,000 has been budgeted as a subsidy to the Golf Couse. She said the capital request for the Golf Course is included in the Capital Improvement Fund.

City Manager Steve Hewitt explained that Acme has been moved out of the Recreational Authority since it is a more service oriented facility. He said golf is more of a business. He

reported that there is an addition of one full-time position at the Golf Course. He said that the club house needs consistency and the addition did not cause an increase is the required subsidy.

INDUSTRIAL AUTHORITY

Treasurer Debra Blanchard said the business tax incentive sharing program is included in the Industrial Authority budget. She said it also includes economy development training and travel. She said the Frisco Center operation and maintenance is included and funded using lodging tax proceeds. The said the lodging tax generated from the TIF district is going to pay the TIF.

Treasurer Blanchard said the Fire Station loan is run through the Industrial Authority and construction should be completed in late June. She said the first debt service semi-annual payment will be October 2013.

Other items budgeted in the Industrial Authority include:

- Robinson Addition
- Industrial platting of property along Commerce

Capital request: phone and projector for Frisco Center; It was noted that the current screen and projector at the Frisco Center will be utilized at other City facilities. Painting of the hallway and lobby at the Frisco Center is included.

CENTRAL GARAGE

Treasurer Debra Blanchard said the Central Garage fund is an internal service fund that provides services to other departments and then bills for the services.

HOSPITAL

Treasurer Blanchard said the rent for the hospital facility is now paid monthly for a total of $125,000 per year. She said only the interest earnings are spent.

HOPE

Treasurer Blanchard said this department is for the operation of the four apartments on Frisco. She said they stay at full occupancy most of the time.

4TH CENT ACME/ ECONOMIC DEVELOPMENT/FD/PD

Treasurer Blanchard said these are pass through funds. She said the Fire Department/Police Department funds were used for the remodeling of the Police Station and the balance used for the construction of the new Fire Station. She said the balance will then be applied to the debt service.

ECONOMIC DEVELOPMENT

Treasurer Debra Blanchard said the budget includes an estimated $290,000 to be paid back from TIF. She said this includes sales tax, lodging tax and ad valorem.

CEMETERY PERPETUAL

Treasurer Blanchard said that 12.5% of revenue from the sale of lots goes into the Cemetery Perpetual Fund. The funds are used to make capital purchases for the cemetery. The budget this year provides for the purchase of a mower and asphalt seal for the roads in the cemetery.

City Manager Steve Hewitt said that water and sewer information will be compiled and presented at the Council meeting on May 21st.

ADJOURN

Motion was made by Councilman/Trustee Hulin and seconded by Councilman/Trustee Rodolph to adjourn the meeting.

Chairman/Mayor put the motion to a roll call vote:

Aye: Hulin, Rodolph, Lowry, Martinez, Adams

Nay: None

Chairman/Mayor declared the meeting adjourned at 7:15 PM.

PROCLAMATION

WHEREAS IT IS FITTING AND PROPER TO TAKE

OFFICIAL NOTICE OF SPECIAL EVENTS THAT OCCUR

FROM TIME TO TIME IN ORDER THAT ALL HAVE THE

OPPORTUNITY TO SHARE IN THEIR SIGNIFICANCE AND RECOGNITION;

Whereas, such an event shall occur on May 24 and 25, 2013; and

Whereas, the Clinton High School All-School Reunion will be held in downtown Clinton, Oklahoma with the theme of Main Street Clinton, Oklahoma;

Whereas, graduates, teachers and administrators will be meeting together to celebrate their years at Clinton High School;

I, THEREFORE, as Mayor of Clinton, Oklahoma, declare

May 24 and 25, 2013

As

Clinton High School All-School Reunion Weekend

By the power vested in me as Mayor of the City of Clinton, I authorize this special proclamation.

Approved this _____ day of _____, 2013.

_____

Seth Adams, Mayor

City of Clinton, OK

_____

Lisa Anders, City Clerk

NOTICE OF LAND FOR SALE

BY CITY OF CLINTON, OKLAHOMA

Sealed bids will be accepted at the City Clerk's Office, City Hall, Clinton, Oklahoma not later than 5:30 P.M. Tuesday, May 21, 2013. The property is identified as:

1) 414 Dunn (Clinton Original Block 17 Lot 8-10)

2) Northeast corner of 4th and Orient- (Clinton Original Block 16 S 88' of Lot 13 & 14 and Block 16 Lot 15-18)

3) 224 South 2 and 209 Hays (E 80' of S 10" of Lot 12 and E 80' of Lot 13 and W 60' of S 10' of Lot 12 and the W 60' of Lot 13, Block 59, Clinton Original Townsite)

4) 1215 Hayes- (Clinton Original Lots 24-25, Block 69)

5) 611 South 7th – (All of Lot 17, except S 5' of W 80' of 18, Block 1, Lancaster Addition)

6) Broadway Heights Lots 41-46, Block 5 – (24,673 square feet)

7) 503 North 16th – (Maker Addition, Lots 27-28, Block 3)

8) 520 North 13th – (Maker Addition Lots 3-4, Block 1)

9) 103 East Court – (Lincoln Addition Lots 13-14, Block 1)

Conveyance will be made by Quit Claim Deed and will be limited to the SURFACE INTEREST ONLY.

Bids need to be marked on the outside of the envelope with the address of the property being bid on. Bidders submitting sealed bids by the stated time and who are present at the meeting, may raise their written bid orally at the time the bids are opened. If additional information is needed regarding this property, you may contact the Clerk's office at City Hall at 580-323-0265.

The City reserves the right to waive any irregularities in bids received and reserves the right to reject any and all bids and the right to accept the best bid submitted.

Clinton
Hub City of Western Oklahoma

Agenda Commentary

Item Title/ Subject: Capital Improvement Planning Update

Staff Source: City Manager, Steve Hewitt

History & Summary Information:

City of Clinton had a Capital Improvement Plan completed in 2006. Speaking with SWODA regarding any grants that would be beneficial to City of Clinton, I was informed we are eligible for a 100% CIP Plan Grant. Timing is excellent, as we continue to face aging infrastructure, potential new development, and water needs.

Two items to consider/approve will help establish our local planning committee to help guide the process with staff and Council

This creates Inventory Analysis, Strategy and Implementation programs recommendations. A great guide for current and future Council's to reference as well as new staff and administrators, building capital budgets in the future.

Recommendation:

Staff strongly recommends creating and updating a new CIP. We also recommend our newly created Economic Development Committee to become our Local Planning Activities Committee.

Cost: 100% Grant/no cost to City

2013 CDBG GeoCIP Resolution 814

City of Clinton

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 "Capital Improvement Planning Community Development Block Grant" program; and

Whereas, the Oklahoma Department of Commerce, pursuant to designation by the Governor as the administrating agency of the Community Development Block Grant Program for Capital Improvement Planning 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 are necessary to carry out the functions of the Department; and

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

Now, therefore, be it resolved by the City of Clinton that it 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 City of Clinton that it affirms its commitment to take all action within its power to facilitate the receipt of the assistance of community development funds, 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.

Authorized Official	Title	Date

2013 CDBG GeoCIP Fair Housing Resolution 815

City of Clinton

Let it be known to all persons of the City of Clinton that discrimination in the sale, rental, leasing, financing of housing or land to be used for construction of housing or in the provision of brokerage services because of race, color, religion, sex or national origin is prohibited by Title VIII of the 1968 Civil Rights Act (Federal Fair Housing Law).

It is the policy of City of Clinton to implement programs to ensure equal opportunity in housing for all persons regardless of race, color, religion, sex or national origin. The Fair Housing Amendment Act of 1988 expands coverage to include disabled persons and families with children. Therefore, the City of Clinton does hereby pass the following resolution.

Be it resolved that within available resources, City of Clinton will assist all persons who feel they have been discriminated against because of race, color, religion, sex, national origin, disability of familial status to seek equity under federal and state laws by filing a complaint with the U.S. Department of Housing and Urban Development, Office of Fair Housing and Equal Opportunity, Compliance Division.

Be it further resolved that the City of Clinton shall publicize this Resolution and through this publicity shall encourage owners of real estate, developers and builders to become aware of their respective responsibilities and rights under the Federal Fair Housing Law and amendments and any applicable state or local laws or ordinances.

Said program will at a minimum include:

1. Printing and publicizing of this policy and other applicable fair housing information through local media and community contacts;

2. Distribution of posters, flyers and any other means that will bring the attention of those affected, the knowledge of their respective responsibilities and rights concerning equal opportunity in housing;

3. Prepare an analysis of impediments to fair housing choices and actions to mitigate such impediments.

Authorized Official	Title	Date

2013 CDBG GeoCIP Residential Anti-Displacement & Relocation Assistance Plan

City of Clinton

The City of Clinton will undertake public facility improvements funded through the Community Development Block Group Program. No demolition and conversion of low/moderate income dwelling units is anticipated by the City of Clinton in conjunction with the activities assisted with these funds. Under Section 104(d) of the Housing and Community Development Act of 1974, as amended (the Act), if such demolition occurs, before obligating or expending funds that will directly result in such demolition of conversion the City of Clinton will make public and submit to the Oklahoma Department of Commerce the following information in writing:

1. A description of the proposed assisted activity;

2. The location on a map and the number of dwelling units by size (number of bedrooms) that will be demolished or converted to a use other than as low/moderate income dwelling units as a direct result of the assisted activity;

3. A time schedule for the commencement and completion of the demolition conversion;

4. The location on a map and number of dwelling units by size (number of bedrooms) that will be provided as replacement dwelling units;

5. The source of funding and a time schedule for the provision of replacement dwelling units;

6. The basis for concluding that each replacement dwelling unit will remain a low/moderate income dwelling unit for at least 10 years from the date of initial occupancy;

7. Information demonstrating that any proposed replacement of dwelling units with smaller dwelling units is consistent with the housing needs of low/moderate income households in the jurisdiction.

If displacement of low/moderate income households occurs in conjunction with the public facilities improvements funded with CDBG funds, City of Clinton will provide relocation assistance, as described in 570.496(b)(2) to each low/moderate income household displaced by the demolition of housing or by the conversion of a low/moderate-income dwelling to another use as a direct result of assisted activities.

Authorized Official	Title	Date

2013 CDBG GeoCIP Local Planning Activities Committee Establishment

City of Clinton

Resolution Number 816

A Resolution by the City of Clinton creating a Local Planning Activities Committee (LPAC).

Whereas, City of Clinton understands the requirement for an LPAC to be established and for that committee to develop a Capital Improvement 5 Year Plan and submit that plan to the town for 30 day review and final adoption;

Now, therefore, be it resolved, that the City of Clinton hereby establishes an LPAC consisting of the following members:

	Name	Title
1.	Seth Adams	Mayor
2.	Steve Hewitt	City Manager
3.	Jason Hulin	Councilmember
4.	Julie Menge	Chamber President
5.	Patch McComas	Chamber Chairman of Board
6.	Jason Smith	Chamber member
7.		
8.		
9.		
10.		
11.		
12.		
13.		
14.		
15.		

Authorized Official _____ Title _____ Date _____

RESOLUTION NO. 817

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF

CLINTON OKLAHOMA:

THAT, WHEREAS it is in the best interest of the City of CLINTON, Oklahoma, to execute that certain Project Agreement by and between the City of CLINTON and the Oklahoma Department of Transportation for the Federal- aid Project described below:

JP No.	Project No.	Work Type	Description
19669(04)	STP -120B (070) TC	GRADE, DRAIN & SURFACE	CHAPMAN AVENUE: FROM 28TH STREET, EXTEND EAST TO NEPTUNE ROAD

NOW, THEREFORE, it is hereby resolved that the Mayor is authorized and directed to execute the above described agreement on behalf of the City of CLINTON, and duly signed by the Mayor on this _____ day of _____, _____.

CITY OF CLINTON

_____
Mayor

ATTEST:

_____
City Clerk

Approved as to form and legality this _____ day of _____, _____

_____
City Attorney

PROJECT MAINTENANCE, FINANCING, AND RIGHT-OF-WAY AGREEMENT BETWEEN THE OKLAHOMA DEPARTMENT OF TRANSPORTATION AND THE CITY OF CLINTON

This Project Agreement ("Agreement") is made by and between the Oklahoma Department of Transportation, hereinafter referred to as the "Department," and the City of CLINTON, hereinafter referred to as the "City," which may be referred to collectively as the "Parties," for the following intents and purposes and subject to the following terms and conditions, to wit:

W I T N E S S E T H

WHEREAS, the Department is charged under the laws of the State of Oklahoma with construction and maintenance of State Highways; and,

WHEREAS, the Department is, by terms of agreements with the Federal Highway Administration, responsible for the management and construction of certain federally funded projects within the corporate limits of cities within the State of Oklahoma; and,

WHEREAS, the City has been identified as the beneficiary and sub-recipient of such federally funded project; and,

WHEREAS, receipt of the benefits of this project will require that the City assume certain financial responsibilities; and,

WHEREAS, the City is a municipal corporation and a charter city created and existing under the constitution and laws of the State of Oklahoma; and,

WHEREAS, the laws and constitution of the State of Oklahoma impose financial restrictions on the City and its ability to ensure financial obligations; and,

WHEREAS, the Parties hereto recognize those financial limitations and agree that the financial obligations assumed by the City, by the terms of this Agreement, are enforceable only to the extent as may be allowed by law or as may be determined by a court of competent jurisdiction; and,

WHEREAS, it is understood that, by virtue of the Article 10, Section 26 of the Oklahoma Constitution, the payment of City funds in the future will be limited to appropriations and available revenues in the then current City fiscal year.

NOW THEREFORE, subject to the limitations hereinbefore described, the Department and the City do agree as follows:

1. The City requested that certain street improvements be approved by the Oklahoma Transportation Commission, as were previously programmed by the City and designated as **Federal-Aid Project STP -120B (070) TC - State Job Number 19669(04)** and which consist of actual improvements as follows:

the Department. The Department shall be notified in writing within seven (7) days of the date of the offer to the property owner on any parcel which will require relocation assistance. Written notifications of offers to acquire shall be addressed to Project Manager, Right-of-Way Division, Oklahoma Department of Transportation, 200 N. E. 21st Street, Oklahoma City, Oklahoma 73105.

5. The City agrees to the location of the subject project and acknowledges receipt of and adopts the plans for said project as the official plans of the City for the streets, boulevards, arterial highways and/or other improvements contained therein; and further, the City affirmatively states that is has fully and completely examined these plans and does hereby warrant to the Department, the City's complete satisfaction with these plans and the fitness of the plans to construct aforesaid project.

6. A. The City certifies that the project design plans comply, and the project when completed will comply, with the requirements of the Americans with Disabilities Act (ADA) of 1990 (42 U.S.C. §§ 12101 – 12213), 49 CFR Parts 27, 37 and 38 and 28 CFR parts 35 and 36. The City shall be exclusively responsible for integrated ADA compliance planning for all City streets, sidewalks and other facilities provided for public administration, use and accommodation, which is required of recipients and sub-recipients by 49 CFR § 27.11. State highways continued through corporate limits of the City shall be included in the City's comprehensive compliance plans.

   B. The CITY agrees to comply with the **The Americans with Disabilities Act Non-Discrimination Clause** which is incorporated into this agreement as the attached ADA Exhibit.

7. The Parties hereto agree to comply with all applicable laws and regulations meeting Environmental Protection Agency (EPA) requirements for pollution prevention, including discharges from storm water runoff on this project. The Department shall require the contractor who may be awarded the project to meet all Oklahoma Department of Environmental Quality (ODEQ) requirements for storm water runoff on this project. It is agreed that the project plans and specifications, required schedules for accomplishing the temporary and permanent erosion control work, the Storm Water Management Plan (SWMP) sheet and appropriate U.S. Geological Survey (USGS) topographic map contained in the plans constitute the SWMP for the project described previously in this document. Further, if required, the Department shall require the contractor to file a Notice of Intent (NOI) for storm water discharges associated with construction activity under the Oklahoma Pollutant Discharges Elimination System (OPDES) General Permit with ODEQ, which authorizes the storm water discharges associated with construction activity from the construction site, and to develop, if required, a Storm Water Pollution Prevention Plan (SWPPP).

8. That prior to the advertising of the project for bids (as to that part of the project lying within the present corporate limits) it will:

   (a) Grant to the Department and its contractors, the right-of-entry to all existing streets, alleys, and City owned property when required, and other rights-of-way shown on said plans.

(b) Remove at its own expense, or cause the removal of, all encroachments on existing streets as shown on said plans, including all signs, buildings, porches, awnings, porticos, fences, gasoline pumps and islands, and any other such private installations. Said removal shall be accomplished immediately on execution of this agreement and shall include necessary legal action where required.

(c) To prohibit parking on that portion of the project within the corporate limits of the City, except as may be indicated in the plans or hereafter approved by agreement with the Department. The City further agrees not to install, or permit to be installed, any signs, signals or markings not in conformance with the standards approved by the Federal Highway Administration and Manual on Uniform Traffic Control Devices (MUTCD).

(d) Comply with the Department's standards for construction of driveway entrances from private property to the highway, in accordance with the Department's manual entitled "Policy on Driveway Regulation for Oklahoma Highways", Rev. 5/96, 69 O.S. (2001) § 1210.

(e) Maintain all right of way acquired for the construction of this project, as shown on said plans, in a manner consistent with applicable statutes, codes, ordinances and regulations of the Department and the State of Oklahoma.

(f) The City shall have the authority pursuant to 69 O.S. 2001 § 1001 and 69 O.S. 2001 § 1004 to sell any lands, or interest therein, which were acquired for highway purposes as long as such sale is conducted in accordance with the above cited statutes. Prior written approval by the Chief, Right-of-Way Division for the Department shall be required before any sale is made.

9. The City further agrees and warrants to the Department that, subsequent to the construction of said project, the City will:

a. Erect, maintain and operate traffic control devices, including signals, signs and pavement markings only in accordance with 47 O.S. 2011 §§ 15-104- 15-106, and subject to agreement of the Department:

1) In the event that any traffic signal installed hereunder is no longer needed for the purposes designated herein, then the traffic signal installed hereunder shall not be removed by the City to any other point other than that which is approved by the Department prior to such removal.

2) In the event there is no mutually agreed location for the reinstallation, the City will assume complete ownership of the equipment following removal if the installation is ten (10) years old or older. If the installation is less than ten (10) years old and:

a) In the event City desires total ownership of the equipment, the City shall reimburse the Department the original federal funding percentage share for the original equipment cost only, amortized for a ten (10) year service life, interest ignored, and assuming straight line depreciation.

b) In the event the City does not desire total ownership of the equipment, the City shall sell the equipment at public auction to the highest bidder. The City shall reimburse the Department the original federal funding percentage share of the proceeds of such sale.

b. Subject to agreement with the Department, regulate and control traffic on said project, including but not limited to, the speed of vehicles, parking, stopping and turns only in accordance with 47 O.S. 2011 §§ 15-104- 15-106, and to make no changes in the provisions thereof without the approval of the Department. It shall be the responsibility of the City to notify the Department of any changes necessary to ensure safety to the traveling public.

c. Maintain all drainage systems and facilities constructed, installed, modified or repaired in conjunction with this project or as may be otherwise necessary to ensure proper drainage for road surfaces constructed under the terms of this Agreement.

d. Maintain all curbs and driveways abutting road surfaces constructed under the terms of this Agreement and all sidewalks adjacent thereto.

e. Maintain all right-of-way areas adjacent to road surfaces, including erosion control and period mowing of vegetation, in a manner consistent with applicable codes, ordinances and regulations.

f. Make ample provision annually for proper maintenance of items heretofore delineated as the responsibility of the City, including the provision of competent personnel and adequate equipment, and specifically, to provide all required special maintenance of the project during the critical period immediately following constructions.

g. Keep all permanent right-of-way shown on said plans free from any encroachment and take immediate action to effect the removal of any encroachments upon notification by the Department.

h. For any portion of the project encompassed under this agreement that is part of the State Highway System, the City shall maintain all that part of said project within the corporate limits of the City between the gutter lines and the right-of-way lines, and if no gutter exists, between the shoulder lines and the right-of-way lines, including storm sewers, all underground facilities, curbs and mowing, all in accordance with 69 O.S. Supp. 1994 §901 and all other applicable law.

10. The City further agrees and warrants to the Department concerning sign and highway facility lighting:

a. The City will, upon notice from the Department Engineer, provide at its own expense all required electrical energy necessary for all preliminary and operational tests of the highway lighting facilities.

b. Upon completion of the construction of said project, the City will be responsible for the maintenance and cost of operation of these highway lighting facilities, including all appurtenances thereto and including the sign lighting facilities.

c. It is specifically understood and agreed that the highway lighting and sign lighting facilities specified hereunder shall be continuously operated during the hours of darkness, between sunset and sunrise, and shall not be altered, removed or be allowed to cease operation without the mutual written consent of the Department and the City.

d. The City agrees to provide, on a periodic schedule, an inspection, cleaning and re-lamping maintenance program to assure the maximum efficiency of the highway lighting facilities.

e. In the event that the highway lighting facilities installed hereunder are no longer needed for the purposes designated herein, then the highway lighting facilities installed hereunder shall not be removed by the City to any point other than which is approved by the Department prior to such removal.

f. In the event there is no mutually agreed location for reinstallation, the City will assume complete ownership of the equipment following removal if the installation is twenty (20) years old or older. If the installation is less than twenty years old and:

1) In the event the City desires total ownership of the equipment, the City shall reimburse the Department the original federal funding percentage share of the original equipment costs only, amortized for a twenty (20) year service life, interest ignored, and assuming straight line depreciation.

2) In the event the City does not desire total ownership of the equipment, the City shall sell the equipment at public auction to the highest bidder. The City shall reimburse the Department the original federal funding percentage share of the proceeds of such sale.

11. The City agrees, affirms and warrants to the Department that the City will be responsible, during the period of construction, for any repairs or maintenance to the approved detour route or any other street which may be required as a result of additional traffic.

12. The City agrees to comply with Title VI of the Civil Rights Act of 1964, 78 O.S. § 252.42, 42 U.S.C. §§ 200d et seq., and all requirements imposed by or pursuant to 49 CFR, Part 21, "Nondiscrimination in Federally Assisted Programs of the Department of Transportation – Effectuation of Title VI of the Civil Rights Act of 1964."

13. The City agrees that it will, by resolution, duly authorize the execution of this Agreement by the proper officials and attach copies of such resolution to this Agreement.

14. To the extent permitted by the ***Oklahoma Governmental Tort Claims Act***, Title 51 Oklahoma Statutes, Sections 151 *et seq.* and by Oklahoma Constitution Article 10, section 26 and as otherwise permitted by law, the City shall indemnify and save harmless the Department, it's officers and employees, and shall process and defend at its own expense all claims, demands, or

suits whether in law or equity brought against the City or the Department arising from the City's execution, performance, or failure to perform, and provisions of this agreement or alleged negligence in the location, design, construction, operation, or maintenance of a portion of the City Street System within the corporate limits of the City. Provided, nothing herein shall require the City to reimburse the Department for damages arising out of bodily injury to persons or damage to property caused by or resulting from the sole negligence of the Department. When any alleged act, omission, negligence, or misconduct may be subject to the limitations, exemptions, or defenses which may be raised under the ***Oklahoma Governmental Tort Claims Act***, 51 O.S. § 151 et seq., all such limitations, exemptions, and defenses shall be available to and may be asserted by City. No liability shall attach to the Department except as expressly provided herein.

15. Based on an estimated construction and contract administration cost of One-Million-Nine-Hundred-Eighty-Nine-Thousand-Six-Hundred-Forty-Five Dollars ($1,989,645) for the base bid and add alternates 1 & 2, *the Department agrees that available Federal Transportation, Community, and System Preservation Program funds (TCSP) in an amount not to exceed $377,287, and Federal-aid Surface Transportation Program funds (STP) in an amount not to exceed $750,000 shall be requested to provide a maximum of 80% of the participating project costs.* Federal funds are capped at One-Million-One-Hundred-Twenty-Seven-Thousand Two-Hundred-Eighty-Seven Dollars ($1,127,287).

    The City shall be responsible for the balance of the project costs, estimated at Eight-Hundred-Sixty-Two-Thousand-Three-Hundred-Fifty Eight Dollars ($862,358).

    The City may elect to reject or award any or all of the add alternates as designated in the approved plans upon receipt and review of bids.

16. It is understood by the City and the Department that the funding participation stipulated herein may be altered due to bid prices, construction supervision costs and non-participating costs incurred during construction. The City will be responsible for payment of estimated local funding prior to advertising the project for bid. Upon final acceptance of this project, the amount of federal funds and the amount previously deposited by the City will be deducted from the total cost and a refund will be made by the Department to the City or additional funding will be requested from the City. The City agrees to make arrangements for payment of any Department invoice within 45 days of receipt.

17. It is understood by the City that no state funds are to be utilized in any phase or aspect of this project. Only City and federal funds are to be utilized.

18. Upon approval of this Agreement and the plans, specifications and estimates by the Department and the Federal Highway Administration, if applicable, the Department shall agree to advertise and let the contract for this project in the usual and customary legal manner. It is agreed that the project herein described is proposed to be financed as previously set forth, and that this Agreement, all plans, specifications, estimates of costs, acceptance of work, payments and procedures in general hereunder are subject in all things at all times to all federal laws, regulations, orders and approvals as may be applicable hereto.

19. The Department agrees to construct said project in strict accordance with the plans furnished and approved by the City, provided that upon consultation with and agreement by the City, the Department shall have the right to make such changes in the plans and specifications as are necessary for the proper construction of the project. The Department shall provide competent supervision at all times that the work is in progress. The City shall have inspectors on the project site as the City determines necessary to ensure construction of the project to the satisfaction of the City and shall have representatives available for consultation with the Department representatives to cooperate fully to the end of obtaining work strictly in accordance with the City's approved plans and specifications.

20. The City agrees that it will intervene as a party defendant in all actions where a contractor may allege delay due to failure of the City to accomplish timely utility relocations, site conditions which are not represented on the plans or plan errors which impact on project constructability, whether in the District Court or in an alternative dispute resolution forum, will defend all such actions and will pay all damages relating to delay as may be assessed by such court or alternative dispute resolution forum against the City for its adjudged failure.

21. Failure by the City to fulfill its responsibilities under this Agreement will disqualify the City from future participation in any Federal-aid project. Federal funds are to be withheld until such time as the deficiencies in regulations have been corrected or the improvements to be constructed under this Agreement are brought to a satisfactory condition of maintenance.

22. It is further specifically agreed between the City and the Department that the project will be built in accordance with the plans and specifications, and upon final acceptance by the City and the Department of this project, the City does hereby accept full, complete and total responsibility for maintenance of this project as provided in this Agreement. The City does not waive any rights against any contractor(s) with respects to defects, hidden or otherwise, in materials or workmanship. The City does not, pursuant to this provision or any other provision in this Agreement, waive its sovereign immunity or any exemption from, exception to or limitation of liability as provided in the Governmental Tort Claims Act.

24. The Secretary of the Department may terminate this Agreement in whole or, from time to time, in part whenever:

    a. The requisite federal funding becomes unavailable through failure of appropriation or otherwise.

    b. The contractor is prevented from proceeding with the work as a direct result of an Executive Order of the President with respect to the prosecution of war or in the interest of national defense or an Executive Order of the President or Governor of the State with respect to the preservation of energy resources.

    c. The contractor is prevented from proceeding with the work by reason of a preliminary, special or permanent restraining order of a court of competent jurisdiction where the issuance of such order is primarily caused by the acts or omissions of persons or agencies other than the contractor.

    d. The Secretary determines that such termination is in the best interest of the State.

IN WITNESS WHEREOF, the Director of the Department of Transportation, pursuant to authority vested in him by the State Transportation Commission, has hereunto subscribed his name as Director of the Department of Transportation and the City has executed same pursuant to authority prescribed by law for the City.

The City, on this _____ of _____, 20__, and the Department on the _____ day of _____, 20__.

The City of CLINTON,
an Oklahoma Municipal Corporation

_____
Mayor

(SEAL)

ATTEST:

_____
City Clerk

Approved as to Form and Legality:

_____
City Attorney

STATE OF OKLAHOMA
DEPARTMENT OF TRANSPORTATION

Recommended for Approval

_____
Local Government Division Manager

_____
Director of Capital Programs

APPROVED AS TO FORM
AND LEGALITY

APPROVED

_____
General Counsel

_____
Deputy Director

The Americans with Disabilities Act Non-Discrimination Clause

The CITY assures that no qualified person with a disability shall, solely by reasons of their disability, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity administered by the CITY.

Specifically, the following discriminatory actions are prohibited:

1) In providing any aid, benefit, or service, CITY will not directly or through contractual, licensing, or other arrangements, on the basis of disability:
    a. Deny a qualified person with a disability the opportunity to participate in or benefit from the aid, benefit or service.
    b. Afford a qualified person with a disability an opportunity to participate in or benefit from the aid, benefit, or service that is not substantially equal to that afforded persons who do not have a disability.
    c. Provide a qualified person with a disability an aid, benefit or service that is not as effective in affording equal opportunity to obtain the same result, to gain the same benefit, or to reach the same level of achievement as persons without disabilities.
    d. Provide different or separate aid, benefits, or services to persons with disabilities or to any class of persons with disabilities unless such action is necessary to provide the aids, benefits or services that are as effective as those provided to persons without disabilities.
    e. Aid or perpetuate discrimination against a qualified person with a disability by providing financial or other assistance to an agency, organization, or person that discriminates on the basis of disability.
    f. Deny a qualified person with a disability the opportunity to participate in conferences, planning or advising opportunities.
    g. Otherwise limit a qualified person with a disability in the enjoyment of any right, privilege, advantage or opportunity enjoyed by others receiving an aid, benefit, or service.
2) For purposes of these assurances, aids, benefits, and services, to be equally effective, are not required to produce the identical result or level of achievement for disabled and nondisabled persons, but must afford persons with disabilities equal opportunity to obtain the same result, to gain the same benefit, or to reach the same level of achievement, in the most integrated setting that is reasonable achievable.
3) Even if separate or different aids, benefits or services are available to persons with a disability, CITY will not deny a qualified person with a disability the opportunity to participate in the programs or activities that are not separate or different.
4) CITY will not, directly or through contractual or other arrangements, utilize criteria or methods of administration:

a. That have the effect of subjecting qualified persons with a disability to discrimination on the basis of disability,
b. That have the purpose or effect of defeating or substantially reducing the likelihood that persons with disabilities can benefit from the objectives of the program or activity, or
c. That yield or perpetuate discrimination against another recipient of federal funds if both recipients are subject to common administrative control or are agencies of the same State.

5) In determining the site or location of a facility, CITY will not make selections:
   a. That have the effect of excluding persons with disabilities from, denying them the benefits of, or otherwise subjecting them to discrimination under any program or activity, or
   b. That has the purpose or effect of defeating or substantially impairing the accomplishment of the objectives of the program or activity with respect to persons with disabilities.
6) As used in these assurances, the aid, benefit or service provided under a program or activity includes any aid, benefit or service provided in or through a facility that has been constructed, expanded, altered, leased or rented, or otherwise acquired, in whole or in part, with Federal financial assistance.

Future Effect of Assurances

Recipients of Federal financial assistance, and transferees of property obtained by a recipient with the participation of Federal financial assistance, are bound by the above assurances under the following circumstances:

1) When Federal financial assistance is provided in the form of a conveyance of real property or an interest in real property from the U.S. Department of Transportation, the instrument of conveyance shall include a covenant running with the land binding the recipient and subsequent transferees to comply with the requirements for so long as the property is used for the purpose of which the Federal financial assistance was provided or for a similar purpose.
2) When Federal financial assistance is used to purchase or improve real property, these assurances shall obligate the recipient to comply with the requirements and require any subsequent transferee of the property, who is using the property for the purpose for which Federal financial assistance was provided, to agree in writing to comply with the requirements. The obligations of the recipient and transferees shall continue in effect for as long as the property is used for the purpose for which Federal financial assistance was provided or for a similar purpose.
3) When Federal financial assistance is provided in the form of, or is used to obtain, personal property, these assurances shall obligate the recipient to comply with the requirements for the period it retains ownership or possession of the property or the property is used by a transferee for purposes directly related to the operations of the recipient.

4) When Federal financial assistance is used for purposes other than to obtain property, these assurances shall obligate the recipient to comply with the requirements for the period during which the Federal financial assistance is extended to the program or activity.

Notice

CITY will take appropriate initial and continuing steps to notify participants, beneficiaries, applicants and employees, including those with impaired vision or hearing, and unions or professional organizations holding collective bargaining or professional agreements with CITY that it does not discriminate on the basis of disability using the notice in Appendix A (Public Notice).

Methods of initial and continuing notification may include the posting of notices, publication in newspapers and magazines, placement of notices in agency publications and distribution of memoranda or other written communications.

Effect of State or local law

The obligation to comply with Section 504 of the Rehabilitation Act of 1973 is not obviated or affected by any State or local law.

OKLAHOMA DEPARTMENT OF TRANSPORTATION

INVOICE

Make check **PAYABLE** *and* **MAIL TO:**

Oklahoma Department of Transportation
Comptroller Division
200 N. E. 21st Street
Oklahoma City, OK 73105-3204

To: City of Clinton
415 Gary Boulevard - PO Box 1177
Clinton, OK 736010-1177

Division Invoice No. 19669(04)
Division Name: Local Government
Date: 5/14/13

Description – Explanation of Charge	Quantity	Price Each	Total
Due Date: Upon Receipt			
STP-120B(070)TC			
Chapman Rd Construction			
From 28th Street to Neptune Road			
Estimated Construction and Inspection Cost - Base Bid			**$1,576,012**
Less Federal Funds (TCSP)			**-$377,287**
Less Federal Funds (STP)			**-$750,000**
City funds now due			**$448,725**
		Invoice Total	$448,725

Accounting Use Only

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Purchaser
Remit with Payment
Division Project File
Division Accounting
Division Acctg-Invoice File
Comptroller

CMPT-IV 6349 11/94

CLINTON CHAPMAN RD - BASE BID	ESTIMATE	6% Estimated Inspection	Total
Roadway	$1,421,167	$85,270	**$1,506,437**
TRAFFIC	$13,316	$799	**$14,115**
Staking	$12,000	$0	**$12,000**
Construction	$41,000	$2,460	**$43,460**
TOTALS	**$1,487,483**	**$88,529**	**$1,576,012**

CUMULATIVE FUNDING BREAKOUT - BASE BID		
TCSP FUNDS	$377,287	CAPPED
FORMULA STP	$750,000	CAPPED
CITY FUNDS REQD	$448,725	FLOAT
TOTAL	$1,576,012	28.47%

CLINTON CHAPMAN RD - ADD ALT 1	ESTIMATE	6% Estimated Inspection	Total
Roadway	$208,749	$12,525	**$221,274**
TRAFFIC	$2,500	$150	**$2,650**
Staking	$3,000	$0	**$3,000**
TOTALS	**$214,249**	**$12,675**	**$226,924**

CUMULATIVE FUNDING BREAKOUT - BASE BID + ALTERNATE 1		
TCSP FUNDS	$377,287	CAPPED
FORMULA STP	$750,000	CAPPED
CITY FUNDS REQD	$675,649	FLOAT
TOTAL	$1,802,936	37.47%

CLINTON CHAPMAN RD - ADD ALT 2	ESTIMATE	6% Estimated Inspection	Total
Roadway	$170,810	$10,249	**$181,059**
TRAFFIC	$2,500	$150	**$2,650**
Staking	$3,000	$0	**$3,000**
TOTALS	**$176,310**	**$10,399**	**$186,709**

CUMULATIVE FUNDING BREAKOUT - BASE BID + ALTERNATE 1 + ALTERNATE 2		
TCSP FUNDS	$377,287	CAPPED
FORMULA STP	$750,000	CAPPED
CITY FUNDS REQD	$862,358	FLOAT
TOTAL	$1,989,645	43.34%

GRAND TOTALS	**$1,878,042**	**$111,603**	**$1,989,645**

Cost of RR Crossing Force Account Project JP19669(05), estimated at $34,650, to be funded separately with 100% Rail Safety STP Funds