PUBLIC NOTICE OF A REGULAR MEETING
OF THE PUBLIC WORKS AUTHORITY
TUESDAY, JANUARY 21, 2014 AT 5:30 PM
CLINTON CITY HALL

AGENDA

Meeting status: Completed

1. Call to Order
2. Opening Prayer /Pledge Joe Jefferson, Christ Holy Sanctified Church
3. Consent Agenda
    A. Consider Approval of Minutes on January 7, 2014
4. Action Items:
    A. Consider and discuss Foss Reservoir Master Conservancy District rates
5. Trustee's Report
6. City Manager's Report
7. Audience Participation
8. Adjournment
    A. Proceed to Industrial Authority agenda

Filed this 16th day of January, 2014. Posted on the bulletin board in the lobby of the Clinton City Hall on January 16, 2014 at 1:30 p.m.

Not recorded

MINUTES OF CLINTON PUBLIC WORKS AUTHORITY MEETING
JANUARY 7, 2014

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, January 7, 2014, 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 January 3, 2014.

Chairman Seth Adams called the meeting to order with the following present;

MAYOR: Seth Adams
COUNCIL: Don Rodolph, Wheeler Lowry, Jason Hulin, Mustafa Sami
CITY MANAGER: Steve Hewitt
CITY CLERK: Lisa Anders
CITY TREASURER: Debra Blanchard
DEPUTY CLERK: Rhonda Williams
CITY ATTORNEY: Ryan Meacham
NEWS MEDIA: Gerald Green and Rod Serfoss
OTHERS: Randy Carpenter, Kris Wermy, Gene McCullough, Curtis Maloy, Stephen Jones ,Danny George, Conan Wilson, Julie Menge, Dusty & Ali Mayfield, Brennan Hendershot, Mike Ward, Josh Froman and others.

Roland Youngberg of the First United Methodist Church opened the meeting with prayer and Trustee Mustafa Sami led the Pledge of Allegiance.

AGENDA ITEM NO. 3: CONSENT AGENDA

A. Minutes of Regular Meeting of December 17, 2013
B. Consider Claims

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

Chairman put the motion to a roll call vote:

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

Chairman declared the motion carried.

AGENDA ITEM NO. 4 ACTION ITEMS

None

AGENDA ITEM NO. 5 TRUSTEE REPORT

Trustee Rodolph asked about an update on the water well testing.

City Manager Steve Hewitt said a date has not been confirmed for the test. He said he would pass along the date once it has been confirmed.

AGENDA ITEM NO. 6: MANAGER'S REPORT

None

AGENDA ITEM NO. 7: AUDIENCE PARTICIPATION

None

AGENDA ITEM NO. 8: ADJOURNMENT

Moved by Trustee Sami and seconded by Trustee Hulin to adjourn the meeting.

Chairman put the motion to a roll call vote:

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

Chairman declared the meeting adjourned at 5:35 p.m.

Clinton
Hub City of Western Oklahoma

Agenda Commentary

Item Title/ Subject: Consider Rate Adjustment by Foss Con. District

Staff Source: City Manager, Steve Hewitt

Date: January 15, 2014

Background/Subject Information:

Foss Water Conservancy District has passed a new budget which includes a large rate adjustment. (New Rates: Assessment goes to $3.67/1000 20% increase – Overage to $3.42/1000 26% increase)

After multiple conversations with the Board Chairman and Chief Operating Manager, they have nearly $800,000 in capital improvements that need to be addressed. These are not related to the new upgrade they are considering. These are items that have been neglected for years and must be resolved. Those items, we understand and agree with. Revenues must be increased to cover those improvements, thus the rate increase.

See the attached budget they provided. Extra Water Sales they only budgeted $50,000 in revenue. 2012, because Clinton is purchasing 100% Foss Water, they receipted $1.2 Million in extra water sales (over our assessment), and collected over $1 Million in 2013. The concern is that have only budgeted $50,000 of extra water sales (see marked budget sheet attached). City of Clinton has nearly $70,000 of overages in January.

Foss Management informed staff that it tries to be conservative and cannot assume large extra sales. This isn't realistic and irresponsible budgeting. This was an issue last year that we discovered and the Foss Board reviewed and agreed to no increased rates. I understand conservative revenue budgeting. However, knowing Clinton Lake is still down, a conservative $300,000-400,000 budget of Extra Sales could and should be considered. This would reduce any rate increase to 10-15%.

Recommendation:

City Council/PWA should consider a public review/request to the Foss Board to revisit this rate hike and make in more appropriate and realistic to actual water sales. The budget method is simply not accurate and fiscally inappropriate. This is a large impact to our citizens and business district. Add an addition $.65 cents/1000 gal. for the upgrade project debt service, this current rate hike must be reconsidered and properly adjusted.

Price/Cost: Potential Estimated over $400,000 impact to PWA Budget

2014 BUDGET

FOSS RESERVOIR MASTER CONSERVANCY DISTRICT PLANT & AQUEDUCT

	2013 BUDGET	2013 EXPENSES	2014 BUDGET
PAYROLL, TAXES, INS.	$345,000.00	$345,000.00	$385,000.00
PLANT PAYMENT	$262,000.00	$262,000.00	$262,000.00
ELECTRIC ENERGY	$175,000.00	$218,256.37	$219,200.00
UTILITIES	$9,000.00	$5,991.16	$8,500.00
ALARM MONITORING	$2,600.00	$2,432.02	$2,600.00
REPAIRS, SERVICE CONT.	$90,000.00	$126,136.74	$125,000.00
REPAIRS (OUTSIDE PLANT)	$90,000.00	$81,381.20	$100,000.00
PLANT SUPPLIES	$3,000.00	$2,409.95	$3,000.00
STACK SUPPLIES (IONICS)	$122,000.00	$123,324.70	$166,000.00
COST OF CHEMICALS	$350,000.00	$392,747.00	$391,349.00
D.E.Q. REG SERVICE	$10,000.00	$4,815.00	$9,000.00
DISCHARGE (TESTING & REG)	$55,000.00	$38,170.86	$60,000.00
INSURANCE	$52,000.00	$51,931.66	$54,000.00
TELEPHONE EXPENSES	$3,000.00	$2,168.37	$2,900.00
INTERNET SERVICE	$500.00	$426.76	$550.00
GASOLINE & OIL	$20,000.00	$13,743.36	$19,000.00
ENGINEERING SERVICES	$88,000.00	$141,790.10	$40,000.00
PROFESSIONAL FEES	$28,500.00	$33,001.56	$37,500.00
BANK CHARGES	$750.00	$600.00	$700.00
SECRETARY EXPENSES	$1,075.00	$1,066.32	$1,075.00
DIRECTORS FEES	$2,800.00	$4,049.95	$4,200.00
TRAVEL	$800.00	$1,429.55	$1,350.00
OFFICE & POSTAGE	$4,400.00	$4,994.62	$5,500.00
LABORATORY SUPPLIES	$8,000.00	$6,166.26	$8,000.00
EMPLOYEES TRAINING	$3,000.00	$3,693.08	$3,500.00
TOTAL	**$1,726,425.00**	**$1,867,726.59**	**$1,909,924.00**
STACK RESERVE ACCOUNT	$0.00	$0.00	
MAJOR UPDATES & REPAIRS	$660,000.00	$254,110.97	$800,000.00
CONTINGENCY FUND	$20,000.00	$0.00	$15,000.00
NEW PICKUP	$14,500.00	$10,908.00	$14,000.00
DAM & RES. OPERATING EXP.	$201,000.00	$180,842.02	$197,200.00
TOTAL	**$895,500.00**	**$445,860.99**	**$1,026,200.00**
GRAND TOTAL	**$2,621,925.00**	**$2,313,587.58**	**$2,936,124.00**
DEPRECIATION			
INCOME			
CITIES (ALLOCATION	$1,569,682.50	$1,569,682.50	$1,888,765.50
CITIES DAM & RES. ASSESSMENTS	$70,000.00	$70,000.00	$70,000.00
EXTRA WATER SALES	$101,500.00	$1,050,007.91	$50,000.00
INTEREST EARNED	$0.00	$7,396.03	$0.00
DAM & RES. REIMB. EST	$131,000.00	$132,619.80	$118,858.50
RESERVE FUNDS	$749,742.36	$0.00	$808,500.00
MISCELLANEOUS INCOME	$0.00	$1,036.20	$0.00
WATER REV. OTHER	$0.00	$0.00	$0.00
TOTAL	**$2,621,924.86**	**$2,830,742.44**	**$2,936,124.00**

FIXED OPERATION & MAINT. OF PLANT & AQUEDUCT (WATER ALLOCATION)

	%	WTR LOSS %	TTL%	2013	2014
CITY OF CLINTON	48.63249	0.0297	48.66219	$763,841.88	$919,114.65
CITY OF HOBART	35.63249	0.0297	35.66219	$559,783.16	$673,575.14
CITY OF CORDELL	14.03484	0.0297	14.06454	$220,768.62	$265,646.18
TOWN OF BESSIE	1.58138	0.0297	1.61108	$25,288.84	$30,429.53
TOTAL				**$1,569,682.50**	**$1,888,765.50**

FIXED TOTAL ASSESSMENT TO PROJECT CITIES FOR OPERATION IN 2014

CITY OF CLINTON	$802,901.88	$958,174.65
CITY OF HOBART	$581,581.16	$695,373.14
CITY OF CORDELL	$229,672.62	$274,550.18
TOWN OF BESSIE	$25,526.84	$30,667.53

City of Clinton Annual Assessment and Overage Costs for calendar year 2013 as compared to year 2014 new rates
Foss Master Conservancy District

Mthly Assessment	Year 2013 at $3.05/1000	20.32% Increase New Rate 2014 at $3.67/1000	Increase
01/01/2013	$67,210.43	$80,867.59	
02/01/2013	$66,906.06	$80,501.37	
03/01/2013	$67,210.43	$80,867.59	
04/01/2013	$66,841.66	$80,423.89	
05/01/2013	$66,841.66	$80,423.89	
06/01/2013	$66,841.66	$80,423.89	
07/01/2013	$66,841.66	$80,423.89	
08/01/2013	$66,841.66	$80,423.89	
09/01/2013	$66,841.66	$80,423.89	
10/01/2013	$66,841.66	$80,423.89	
11/01/2013	$66,841.66	$80,423.89	
12/01/2013	$66,841.66	$80,423.89	
	$802,901.86	$966,051.56	**$163,149.70**

Mthly Overage	Year 2014 at $2.70/1000	26.67% Increase New Rate 2014 at $3.42/1000	Increase
Dec-13	$72,036.28	$91,245.95	
Jan-14	$61,504.82	$77,906.11	
Feb-14	$55,093.13	$69,784.63	
Mar-14	$52,609.13	$66,638.23	
Apr-14	$75,357.01	$95,452.21	
May-14	$75,588.83	$95,745.85	
Jun-13	$86,267.60	$109,272.29	
Jul-13	$124,177.06	$157,290.94	
Aug-13	$83,203.37	$105,390.94	
Sep-13	$108,344.80	$137,236.75	
Oct-13	$66,563.81	$84,314.16	
Nov-13	$55,949.03	$70,868.77	
	$916,694.87	$1,161,146.83	**$244,451.96**

Increase in next 12 months based on 2013 data and 2014 increased rates **$407,601.66**

PUBLIC NOTICE OF A REGULAR MEETING
OF THE INDUSTRIAL AUTHORITY
TUESDAY, JANUARY 21, 2014 AT 5:30 PM
CLINTON CITY HALL

AGENDA

Meeting status: Completed

1. Call to Order
2. Opening Prayer /Pledge Joe Jefferson, Christ Holy Sanctified Church
3. Consent Agenda
    A. Consider Approval of Minutes on January 7, 2014
4. Action Items:
    A. Consider regulations for Commerce Industrial Center
    B. Consider proposal from Okie Construction and Welding regarding purchase of property
5. Trustee's Report
6. City Manager's Report
7. Audience Participation
8. Adjournment
    A. Proceed to City Council agenda

Filed this 16th day of January, 2014. Posted on the bulletin board in the lobby of the Clinton City Hall on January 16, 2014 at 1:30 p.m.

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Not recorded

MINUTES OF INDUSTRIAL AUTHORITY MEETING
JANUARY 7, 2014

Minutes of the regular meeting of the Chairman and Trustees of the Clinton Industrial Authority City of Clinton, Oklahoma, Custer County, held in the City Council Room, City Hall on Tuesday, January 7, 2014, 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 January 3, 2014.

Chairman Seth Adams called the meeting to order with the following present;

MAYOR: Seth Adams
COUNCIL: Don Rodolph, Wheeler Lowry, Jason Hulin, Mustafa Sami
CITY CLERK: Lisa Anders
CITY TREASURER: Debra Blanchard
DEPUTY CLERK: Rhonda Williams
CITY ATTORNEY: Ryan Meacham
NEWS MEDIA: Gerald Green and Rod Serfoss
OTHERS: Kris Wermy, Gene McCullough, Stephen Jones, Randy Carpenter, Curtis Maloy, Conan Wilson, Danny George, Julie Menge, David Crabtree, Dusty & Ali Mayfield, Brennan Hendershot, Mike Ward, Josh Froman and others.

Roland Youngberg of the First United Methodist Church opened the meeting with prayer and Trustee Mustafa Sami led the Pledge of Allegiance

AGENDA ITEM NO. 3: CONSENT AGENDA

A. Minutes of Regular Meeting of December 17, 2013
B. Consider claims

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

Chairman put the motion to a roll call vote:

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

Chairman declared the motion carried.

AGENDA ITEM NO. 4 ACTION ITEMS

4A. CONSIDER PURCHASE FROM OKIE CONSTRUCTION AND WELDING REGARDING PURCHASE OF PROPERTY

City Manager Steve Hewitt reported that Okie Construction and Welding has submitted a proposal to purchase the acreage frontage on Commerce that consists of 2.17 acres. They feel this would meet the needs to their business. He also recommended this be the last lot sold until the utility and road is ready.

Trustee Lowry said Okie Construction and Welding is a great candidate to purchase the property but he asked if the City had looked at covenants. He asked about items such as an entrance off the road, dirt or gravel parking lots, and minimum size of building. He said he felt more details

Trustee Lowry said Okie Construction and Welding is a great candidate to purchase the property but he asked if the City had looked at covenants. He asked about items such as an entrance off the road, dirt or gravel parking lots, and minimum size of building. He said he felt more details are needed. He said that others might express an interest in the property and he felt the price needed to be reviewed.

City Manager Steve Hewitt said the two other purchasers paid $2,000 per acre. He said there was a cost share sewer agreement with the other two companies. He said the Building Inspector would be verifying the ingress and egress and the culvert issue would be referred to him. He said if the Authority would prefer to have the property advertised and establish covenants that could be done but the two previous purchasers were not subject to covenants.

Trustee Hulin asked if water and sewer was not available at the time the other two lots were sold.

City Manager Steve Hewitt said that water was available and a sewer agreement was made with the first two purchasers. He said this price can be added to the purchase of the third lot also.

Trustee Hulin asked if there is time to draw up covenants.

City Attorney Ryan Meacham said they can be presented at the next meeting.

City Manager Steve Hewitt said the Authority can make recommendation for covenants but he was trying to not micro-manage the industrial park. He said they must meet city code.

Trustee Hulin asked if this item could be tabled and look at covenants for the addition.

Trustee Lowry said it is the Authority's duty to protect this big investment.

Trustee Rodolph said there should be covenants but he did not want them to be more restrictive. He asked that they be provided to the Authority within ten days and recommended that this lot be reserved for Mayfields and give them an opportunity to look and see if they are comfortable with the covenants.

City Manager Steve Hewitt asked that the Authority give their recommendation for covenants to him as quickly as possible.

Trustee Sami asked how the value of the land was established.

City Manager Steve Hewitt said the previous two lots were sold at $2,000 per acre.

Motion was made by Trustee Rodolph and seconded by Trustee Hulin to table this item until the next meeting to allow for the review of covenants prepared by the City Attorney and City Manager with the review of the covenants before the meeting and reserve the lot as proposed by Dusty and Ali Mayfield at the proposed price.

Chairman put the motion to a roll call vote:

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

Chairman declared the motion carried.

AGENDA ITEM NO. 5 TRUSTEES REPORT

Trustee Lowry said that at a previous meeting Curtis Maloy had inquired about the property and Walton Rd/ Commerce and he asked if it is being actively marketed for sale. He suggested involving the Chamber of Commerce with advertising and utilize FarmRail to assist with advertising.

City Manager Steve Hewitt said he has discussed this property with FarmRail and has received other calls inquiring about the property. He said the Department of Commerce is also aware of the property. He said there are no realtors or developers involved in the marketing but it the Authority would like to do that, it can be done. He said the Chamber refers all calls they receive regarding property and development to the office of the City Manager.

Trustee Rodolph recommended working with FarmRail since they are the only line in town and utilize their contacts for people needing a rail spur.

Trustee Lowry asked about the lot being TAS Trucking in the industrial park.

City Manager Steve Hewitt said during the construction of Boulevard of Champions, dirt was borrowed from that location and now the large hole is being cleaned up and brought to code.

Trustee Lowry asked if the road for the industrial park would be started.

City Manager Steve Hewitt said he is working with SWODA regarding applying for an EDA grant. He said Engineer Joe Ridley is writing a report and working with SWODA on the grant application.

Trustee Hulin asked about the payment on the claims list of Mega Contractors for over $406,000.00. He asked if this is the final payment.

City Manager Steve Hewitt said this is a progress payment. He said there is another approximately $175,000.00 to settle on. He said work is ongoing on the punch list. He said he hopes for the final inspection of the fire station to be next week. He said the final payment would be following that and the acceptance of the keys and manuals need to be provided.

AGENDA ITEM NO. 6: CITY MANAGER'S REPORT

None

AGENDA ITEM NO. 7: AUDIENCE PARTICIPATION

Brennan Hendershot asked if TAS Trucking and Wright would be subject to the covenants of the industrial park.

Trustee Rodolph said their property was not included in the plat therefore their property was not included in the subdivision.

AGENDA ITEM NO. 8: ADJOURNMENT

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

Chairman put the motion to a roll call vote:

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

Chairman declared the meeting adjourned at 5:55pm.

Clinton
Hub City of Western Oklahoma

Agenda Commentary

Item Title/ Subject: Consider Business Park Regulations

Staff Source: City Manager, Steve Hewitt

Date: January 15, 2014

Background/Subject Information:

Per Council / Industrial Authority Request.

These regulations are consistent to the I-2 Zoning of the area and to surrounding Business/Industrial Parks in Western, OK.

Recommendation:

Staff recommends regulations..... However, discussion and comments encouraged.

Price/Cost:

CLINTON BUSINESS PARK

PARK DEVELOPMENT RULES, REGULATIONS & RESTRICTIVE COVENANTS CLINTON, CUSTER COUNTY, OKLAHOMA

SECTION 1. PROPERTY AND PERSONS EFFECTED.

A. **Location**. The real property which is the subject of these Rules, Regulations and Restrictions (the "Rules"), is located in Clinton, Custer County, State of Oklahoma, and known as the Clinton Business Park (the "Park"), is more particularly described as follows:

B. **Ownership and Intent**. The Park is owned by the Clinton Industrial Authority. The Rules that are set forth herein for the Park are intended for the Park to be professionally designed, fully developed, and created for business and industry. Its purpose is to provide industrial and development areas that are regulated with uniform standards for the benefit of all parties locating in the Park.

C. **Management and Review Board.** The Park shall be managed by a Review Board which shall consist of the currently sitting members of the Clinton Industrial Authority (the "Authority"). The City Inspector shall have responsibility for approving all site and plan improvements, enforcement, and any other duty required to maintain the Park in the manner required by the Clinton City Code. The Review Board shall have the authority to enforce all provisions of these covenants, once construction has completed.

Once Fifty Percent (50%) of the Park lots have been sold, the Authority shall cease to serve as the Review Board and the owners of the lots within the Park shall elect Five (5) owners to serve as the Review Board.

SECTION 2. PRIMARY INTENDED USE.

The purposes of these Rules are:

A. To ensure proper development and use of the Park, to protect the owner of each building site against improper development and use of surrounding building sites, to preserve, enhance and protect the value, desirability and attractiveness of all the Park, and in general to provide adequately for a high quality of development within the Park.

B. To provide an environment conducive to the development and protection of warehousing, wholesaling, and service uses.

C. In addition to the above-referenced uses, the City shall have the right to construct and maintain such public utility systems and improvements as are necessary for the Park, including without limitation streets, water tanks and storm water detention ponds.

SECTION 3. PROHIBITED USES.

A. The following uses are specifically prohibited:

1. Residential (other than as specifically permitted in Section 5, Paragraph L)
2. Commercial Incineration
3. Junk yards
4. Rubbish, Garbage, Trash Dumps or Refuse Centers
5. Retail sales; except for the sale of food, beverage and other such convenience items to occupant's employees so long as these items are not offered for sale to the general public.
6. Restaurants
7. Motels
8. Gas Stations
9. Membership Clubs
10. Manufacturing or processing of meat food products, including slaughter operations
11. Agricultural uses, except field crops
12. Outside storage; unless approved by the Review Board
13. Storage, handling, treatment or disposal of hazardous, toxic or radioactive wastes
14. Any use which produces excessive smoke, dust, noise, odor or vibration in violation of city ordinances
15. The sale of any products or merchandise to the public.

SECTION 4. REQUIRED CONDITIONS.

A. **Setbacks**. No building, structure, parking or loading areas, except screening walls, landscaping, drives or monument signs shall be constructed or maintained in the following setbacks:

1. Front and exterior side yard setbacks shall not be less than twenty-five (25) feet as measured from the back side of the street curb.
2. Interior side and rear yard setbacks shall not be less than twenty five (25) feet.

B. **Raw Materials and Equipment**. All raw materials and equipment shall be stored in completely enclosed buildings or shall otherwise be screened by such walls, fences or landscaping so as to attractively conceal areas visible from outside of the lot boundaries.

C. **Maintenance Standards**. All buildings and surrounding portions of the Property shall be maintained in a manner wherein the grass shall be kept cut, weeds shall be kept cut, trash and other refuse must be contained within closed containers or canisters.

D. **Signs**. Any and all signs must comply with the City's sign ordinance.

E. **Landscaping**. A landscaped area not less than fifteen (15) feet wide shall be required along all street frontages. This area shall be measured from the back side of the street curb and shall be parallel to the street lines. Landscaped area not less than ten percent (10%) of the gross parking area shall be provided in and adjacent to the parking lot. Care should be taken by the property owners that landscaping does not in any way impair the line of sight for traffic at any intersection.

Each owner in the Park shall be required to maintain landscaping and property in a safe, clean and attractive condition. Should the Review Board find any owner negligent in this regard, it may give notice of the fact to the offending party. Within ten (10) days of the receipt thereof, such owner shall initiate corrective measures. Effective disregard of notices shall give the Review Board right to enter the offending property and undertake necessary maintenance at the expense of the owner thereof. Failure to reimburse the Review Board for these services within thirty (30) days after billing shall create a materialman's lien against the property in question.

No fence, masonry wall, hedge or mass planting shall be permitted to extend beyond the building lines established herein.

F. **Parking**. It shall be the responsibility of each owner to provide sufficient parking space for employees, customers and visitors. Public streets and interior access roads shall not be used for parking.

No more than fifty (50%) percent of any front yard may be used for parking purposes.

Off-street parking areas shall be located at least fifteen (15) feet from a public street or public easement adjoining said streets as measured from the back side of the street curb and at least ten (10') feet from any building. Off-street parking shall also be located at least fifteen (15') feet from any interior property lines.

G. **Paving**. All driveways and parking areas shall be constructed with a hard surfaced pavement (i.e. asphalt or concrete) with curb and gutter and shall include adequate drainage facilities to dispose of all storm water. Ingress and egress to property in the Park shall have a minimum of a thirty (30) feet radius entrance opening onto streets.

The percentage area of impervious surface material area shall not exceed seventy five (75%) percent of the lot area excluding buildings.

It shall be the owner's responsibility to extend driveways to the existing or presently

projected streets at no expense to the City or the Trust, even though part of this construction may be within the street right-of-way.

H. **Loading and Unloading**. Loading and unloading space visible from the street shall be properly maintained to ensure a neat and orderly appearance.

No loading or unloading spaces will be permitted in front yard areas.

I. **Construction and Appearance**. It is the purpose of the regulations and restrictions to promote an atmosphere where buildings are pleasing in appearance and harmonize with their surroundings.

Buildings on corner lots shall have or be considered to have two (2) front yards (i.e. one facing each street).

J. **Subdividing.** Any further subdividing of any portion of the Property in the Park shall be prohibited without prior written approval of the Review Board.

K. **Temporary Structures**. Temporary structures are prohibited except when used to perform a function which will be performed by a permanent structure which is in the planning or construction stage. The use of such a temporary structure is restricted to one year. All proposed temporary structures shall be approved by the City Inspector. A building permit will be required, prior to the erection of any temporary structure.

Excluded are construction trailer offices or related office structures to a particular project, except construction job site materials trailers.

Mobile storage units will not be permitted.

L. **Temporary Lodging**. The property shall be used for commercial purposes only; however, an owner shall have the right to construct and maintain one residential living quarter on the property, and incorporated within the main building structure, for the sole purpose of temporary and not permanent residential occupancy for the owner, employees and/or family. "Temporary" under this Section, shall mean a time of occupancy for any one employee not totaling more than 30 consecutive days within one calendar year. This provision shall not be interpreted as in any way permitting even temporary use of a mobile home or manufactured home for lodging on the premises.

SECTION 5. PERFORMANCE STANDARDS.

A. All of the following minimum standards must be complied with:

1. **Standard Requirements**. All construction must be done in compliance with the building and fire safety codes of the City, which include but are not

limited to: The National Electric Code, I.C.C. Building Code, I.C.C. Plumbing Code, I.C.C.. Mechanical Code, I.C.C. Fire prevention Code and the N.F.P.A. Life Safety Code.

2. **Fire and Explosion Hazards**: All activities shall be carried on only in structures which conform to the standards of the National Board of Fire Underwriters concerning the plant operation and storage of explosive raw materials, fuels, liquids, and finished products.

3. **Radioactivity**: All activities located within the Park shall comply with TITLE 10, Chapter 1, Part 20, Code of Federal Regulations, "Standards for Protection Against Radiation".

4. **Smoke, Fumes, Gases, Dust, Odors**: There shall be no excessive emission of any smoke, gas, fumes, dust or odors. These and any other atmospheric pollutant which is detectable to the human senses at the boundaries of the lot occupied by such use is prohibited. In any case, the limit of such emission of air pollutants shall be subject to the approval or acceptance of the Review Board.

5. **Vibration**: There shall be no vibration, which is discernible to the human sense of feeling beyond the immediate site on which such use is conducted.

6. **Noise**. Noise which is determined by neighbors to be objectionable because of volume, frequency, or beast shall be muffled or otherwise controlled, except fire sirens and related apparatus used solely for public purposes shall be exempt from this requirement.

7. **Liquid or Solid Wastes**. The discharge of untreated industrial wastes into a stream or open or closed drain is prohibited. The Department of Environment Quality shall approve all methods of sewage and industrial waste treatment and disposal. More specifically, all sanitary and process liquid waste shall be discharged into the sewer in strict accordance with the regulations of the Sewer Utility of the City.

8. **Site Drainage**. No driveways, walks, parking areas, etc. may be constructed across any drainage ditch, channel, or swale without providing adequate culverts or waterway openings for natural drainage. Such culverts, etc. shall provide minimum waterway opening and shall be at the proper gradient as established in the Property Development Plans as furnished by the City. No rain and storm water run-off or such drainage as roof water, street pavement and surface water caused by natural precipitation or ground water from footing or foundation drains or other sub-surface water drainage shall at any time be discharged into or permitted to flow into the sanitary sewer system, which shall be a separate

sewer system. No sanitary sewage shall at any time be discharged or permitted to flow into the above mentioned storm water, surface and sub-surface sewer system.

SECTION 6. GENERAL PROVISIONS.

A. **Term**. These Rules are to be construed as covenants that run with the land and they shall be binding on owners on any and all of said lots in the Park, and on all persons claiming under them for a period of twenty five (25) years from the date these Rules are recorded, after which time these Rules shall be automatically extended for successive periods of ten (10) years each. The Rules may be amended by an instrument approved by the Review Board and ratified by an instrument signed by the owners representing seventy five (75%) percent of the Park.

B. **Enforcement and Invalidation**. The Review Board may enforce these Rules by injunctive process or other available legal remedies. Property owners aggrieved by violations of the Rules shall bring them to the attention of the Review Board for action and enforcement. The Review Board shall have the option of assigning enforcement responsibilities or working in conjunction with the City to enforce these Rules or any other restrictions or regulations imposed by the City or other governing bodies. In no way shall the invalidation of any provision of these Rules affect any of the other provisions which shall remain in full force and effect.

C. **Constructive Notice and Acceptance**. Every person or business entity who now or hereafter buys, acquires, leases or subleases any right of any interest in any portion of the Property is and shall be conclusively deemed to have consented and agreed to every term, covenant, condition and restriction contained herein, whether or not any reference to these Rules are contained in the instrument by which such person acquired an interest in the Property.

These Rules are adopted and approved by unanimous vote in the City of Clinton, Custer County, Oklahoma, this ____day of _____, 20___.

Chairman of the Clinton Industrial Authority:

By:_____
SETH ADAMS, Chairman

ACKNOWLEDGMENT

STATE OF OKLAHOMA,)
):ss

COUNTY OF CUSTER,)

On this ___day of _____, 20___, before me, the undersigned, a Notary Public in and for the county and state aforesaid, personally appeared Seth Adams, Chairman of the Clinton Industrial Authority, to me known to be the identical person who executed the within and foregoing instrument for the uses and the purposes set forth, and acknowledged to me that he executed the same as his free and voluntary act and deed.

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

_____
Notary Public

My commission expires:

_____

My commission number:

_____

Clinton
Hub City of Western Oklahoma

Agenda Commentary

Item Title/ Subject: Consider Business Park Lot Sale to Okie Construction

Staff Source: City Manager, Steve Hewitt

Date: January 15, 2014

Background/Subject Information:

See request (Tabled from past meeting)

Recommendation:

Staff recommends sale.

Price/Cost: $2000 per acre – total $4000.



Thursday December 19, 2013

To: Steve Hewitt, Clinton City Manager

We, Okie Construction & Welding LLC, are interested in purchasing a lot at the new Industrial Park Area. Specifically, we would like to purchase lot 1 that sits along Commerce Road (Approximately 2 Acres), for $4000.

We are a pipeline construction company and have been in business 15 months. The majority of our work is in far western Oklahoma. We currently have 15 employees and intend to grow and build our business.

Please let us know if you have any questions.

Sincerely,
Okie Construction & Welding LLC
Dusty Mayfield

Ali Mayfield

Brennan Hendershot

PUBLIC NOTICE OF A REGULAR MEETING
OF THE CITY COUNCIL
TUESDAY, JANUARY 21, 2014 AT 5:30 PM
CLINTON CITY HALL

AGENDA

Meeting status: Completed

1. Call to Order
2. Opening Prayer /Pledge Joe Jefferson, Christ Holy Sanctified Church
3. Consent Agenda
    A. Consider Approval of Minutes on January 7, 2014
4. Action Items:
    A. Request authorization to replace Police Department unit and purchase additional Police Department unit
    B. Consider condemnation of property at 500 North 17 th - Owner: Yvette Cavazos Caben
    C. Consider appointment of Vice-Mayor
    D. Consider Swimming Pool repairs
5. Council Report
6. City Manager's Report
7. Audience Participation
8. Adjournment

Filed this 16th day of January, 2014. Posted on the bulletin board in the lobby of the Clinton City Hall on January 16, 2014 at 1:30 p.m.

Not recorded

MINUTES OF THE CLINTON CITY COUNCIL
JANUARY 7, 2014

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, January 7, 2014 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 Friday, January 3, 2014.

The oath of office was administered by City Clerk Lisa Anders to Jason Hulin, Wheeler Lowry and Mustafa Sami.

Mayor Seth Adams called the meeting to order with the following present.

MAYOR: Seth Adams
COUNCIL: Don Rodolph, Wheeler Lowry, Jason Hulin, Mustafa Sami
CITY CLERK: Lisa Anders
CITY TREASURER: Debra Blanchard
DEPUTY CLERK: Rhonda Williams
CITY ATTORNEY: Ryan Meacham
NEWS MEDIA: Gerald Green and Rod Serfoss
OTHERS: Randy Carpenter, Kris Wermy, Gene McCullough, Stephen Jones, Curtis Maloy, Danny George, Conan Wilson, Julie Menge, David Crabtree, Dusty & Ali Mayfield, Brennan Hendershot, Mike Ward, Josh Froman and others.

Roland Youngberg of the First United Methodist Church opened the meeting with prayer and Councilman Mustafa Sami led the Pledge of Allegiance.

AGENDA ITEM NO. 3: CONSENT AGENDA

A. Minutes of Regular Meeting of December 17, 2013
B. Consider Claims

Motion was made by Councilman Hulin and second by Councilman Rodolph that Consent Agenda Item No. 3 (a-b) be approved.

Mayor put the motion to a roll call vote:

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

Mayor declared the motion carried.

AGENDA ITEM NO. 4 ACTION ITEMS

4A. CONSIDER APPOINTMENT TO MIDWESTERN OKLAHOMA INDUSTRIAL FOUNDATION

City Manager Steve Hewitt explained that Chris Jones term would be expiring in February and an appointment needs to be made to fill the remaining term of Bob Marcy.

Motion was made by Councilman Rodolph and seconded by Councilman Hulin to appoint Mustafa Sami to fill the unexpired term of Bob Marcy.

Mayor put the motion to a roll call vote:

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

Mayor declared the motion carried.

Motion was made by Councilman Rodolph and seconded by Councilman Sami to reappoint Chris Jones to the MOIF Board.

Mayor put the motion to a roll call vote:

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

Mayor declared the motion carried.

4B. REQUEST AUTHORIZATION TO GO TO BID ON OIL AND GAS LEASE ON CEMETERY PROPERTY

City Manager Steve Hewitt reported that the current oil and gas lease on the cemetery property will expire on February 14, 2014. Staff is requesting authorization to go to bid to release the 30 acres of cemetery property.

Motion was made by Councilman Rodolph and seconded by Councilman Lowry to authorize staff to go to bid on Oil and Gas lease on Cemetery property.

Mayor put the motion to a roll call vote:

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

Mayor declared the motion carried.

4C. CONSIDER PROPOSAL FROM ADVENTURE SIGN REGARDING LED COMMUNITY SIGN

City Manager Steve Hewitt introduced Mike Ward and Josh Froman of Adventure Sign. He explained that they had presented a concept and would like to report to the Council.

Mike Ward of Adventure Sign explained that they are looking for a partner town to install two LED message centers with the right to the city at 50% of the time and 50% to be sold for advertising. He said that Adventure Sign would handle the installation and update of the messages. He said the City would be responsible for providing the land, utilities and insurance. He explained this would be a ten year contract and at the end of ten years the City would own the sign. He said he hoped to negotiate another ten year contract with updates and continue. He said the proposed site if at the Gary Freeway and Modelle intersection. He said that Adventure Sign currently has this same agreement with Claremore and Clinton is the second community to be presented this agreement.

Councilman Rodolph said the City is not in the advertising business. He said radio and newspaper provide information and make announcements on behalf of the city as well as a city website. He said if the City Manager feels a message center is necessary he should put it in the budget.

Mr. Ward said the message boards would require an investment of $85,000.00 and they would be responsible for soliciting advertising for the sign. He explained that this is the most effective way to brand a city by use of an outdoor sign.

Mayor Adams asked with Adventure Sign was open to absorbing the cost of the electrical and insurance.

Mr. Ward said he could look at it and said that an amendment to 60/40 or 70/30 would probably result. He said that Clinton is at the bottom of the demographics for this type of offer. He said he has to look at the affordability for the advertising business.

Councilman Hulin asked if Clinton is at the bottom of the demographics why Clinton is only the second town to be presented this offer.

Mr. Ward said it is based on population. He said the advertising would not be offered to businesses outside Clinton and his company would assume the risk for selling of advertising. He said he looks at price of sign and the cost to advertisers.

City Manager Steve Hewitt said the cost of insurance has not been determined. He said only the concept of the proposal has been reviewed. He said that other cities do have digital message centers and the reason this has not been included in the Capital Budget is due to the cost of the sign.

The items died for the lack of a motion.

AGENDA ITEM NO 5.COUNCIL REPORT

Councilman Rodolph asked when the Fire Department would be moving to the new station.

City Manager Steve Hewitt said it would be a couple of weeks before the tile will be installed. He said they can start moving but thought it would take 30 days once the keys are received. He said an Open House would be scheduled.

Councilman Hulin asked about the professional engineering/ consultants claims on the claims list.

City Manager Steve Hewitt said that is for the report regarding the Canute transmission line. That is necessary for the EDA grant application being compiled through SWODA.

Councilman Rodolph asked if there is an update of the Canute negotiations.

City Manager Steve Hewitt said he is not aware of an update.

Councilman Hulin also asked about a claim for fees for transportation for the After School program for snow tubing

Kris Wermy said Acme coordinates with Clinton Public Schools for transportation for the After School program activities. He said that Acme has a van for the daily pickups.

AGENDA ITEM NO. 6: MANAGER'S REPORT

City Manager Steve Hewitt reported that hopefully in 2014 the City will receive the Armory building. He said the plans are for the After School Program to be headquartered there so the program can be expanded.

AGENDA ITEM NO. 7 : AUDIENCE PARTICIPATION

Curtis Maloy asked about the housing development on West Modelle.

City Manager Hewitt said the city is concentrating on the housing development on Commerce Road. He said he would like to finish a few projects before starting new ones.

Maloy said the progress is slow on the Commerce housing development. He asked how the sewer is being handled.

City Manager Hewitt said that Engineer Joe Ridley is preparing a review and the City has not yet received the DEQ permit for that project.

Maloy asked about the high pressure gas line on the Industrial property.

Councilman Rodolph pointed out that it is identified on the plot map presented earlier in the meeting.

Maloy asked if the City has a yard sale permit.

Councilman Rodolph said the city has enough permits but not a yard sale permit.

Mr. Maloy said there should be a penalty for people putting out advertisements on utility poles and not removing them after the event. He also commented that the community sign should be placed so as not to obstruct vision of traffic if approved.

Mr. Maloy suggested contacting FarmRail to confirm there is room on the City's property for a spur.

AGENDA ITEM NO. 8: ADJOURNMENT

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

Mayor put the motion to a roll call vote:

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

Mayor declared the meeting adjourned at 6:30 p.m.

Clinton
Hub City of Western Oklahoma

Agenda Commentary

Item Title/ Subject: police units

Staff Source: D.E. Crabtree, Chief of Police

History/Background Information: scheduled replacement of patrol units. The first unit is the regular scheduled rotation for the fleet and budgeted. The second unit is to replace a unit that was in involved in a one vehicle accident that was totaled by the insurance carrier; the reason for the unit being totaled was the age of the unit 2005.

Price/ Budgeted: 75,000.00 for two units with equipment / installation. We will receive $5,850.00 for the unit from insurance.

Recommendation: It is my recommendation that we proceed with the ordering of the units to keep the fleet up to date.

Clinton
Hub City of Western Oklahoma

To: City of Clinton Mayor and City Council

From: Toby Anders Building Inspector/ Code Enforcement Officer

Date: 1/14/2014

Re: 500 N. 17th

The property that I am bringing to the City Council for consideration of condemnation is owned by Yvette Cavazos Caven, and is located at 500 N. 17th. Located on this property is a house with an attached garage along with a basement that opens to outside. Both the house and basement are unsecured. Due to the lack of maintenance and repair the house is not suitable for human occupancy. The removal of the house will improve the safety for the surrounding properties.

Toby Anders
Building Inspector/ Code Enforcement Officer

Clinton
Hub City of Western Oklahoma

Agenda Commentary

Item Title/ Subject: Authorization to bid Municipal Pool Repairs

Staff Source: City Manager, Steve Hewitt

Date: January 15, 2014

Background/Subject Information:

See Kris Wermy Memo

I have been warning Council that the Municipal Pool infrastructure was aging and we were anticipating major repairs. Hoping to manage another summer due to other capital needs, unfortunately we are at cross roads.

The repairs are not budgeted, however we can eliminate some budgeted capital equipment items and budget those items for next fiscal year 14-15. Those cuts will generate $200,000 from capital. The remaining costs can be funded by General Fund Reserves. (example of why we build reserves)

Repairs must be competitively bid due to costs and our efforts must go quick to guarantee a Memorial Day opening.

Pool is a vital part of our services we provide in Clinton for our youth and families.

Recommendation:

Staff recommends the repairs bid and completed, to assure the pool is open by this summer.

**If Council chooses not to repair items, the pool would be shut down until such dollars and items are available. Staff/Manager strongly recommends Council moves forward on repairs. It would be a tragedy to not have the Municipal pool open for the summer.

Price/Cost: Estimated $257,991.45 (pending bids)

Clinton
Hub City of Western Oklahoma

Agenda Commentary

Item Title/ Subject: Clinton Municipal Pool Filter/ Pumps/ Gutter Rehab

Staff Source: Kris Wermy, Director of Parks and Recreation

Date: 1/9/2014

History/Background Information: The pool was opened the summer of 1989 and at that time one of the largest public pools in western Oklahoma. It also had the longest water slide that you could access all in one area. It was also comprised of two 1 meter diving boards, one 3 meters high dive, zero entry kiddie pool and a fully operational concession stand. Patrons would come as far away as Altus and it wasn't uncommon for groups like churches, baseball team and etc. of 50 or more just for the slide. Currently we average approximately 9000 general admissions, 10 single memberships and 55 family memberships for each summer.

Subject Summary: Since opening its doors in the summer of 1989 there have been no major upgrades to the pool. The majority of the original parts/equipment is still in place and was being used through the end of this last summer.

For the last 20+ years, the water that is pumped into the pool every year is cleaned by 4 filter tanks. The types of filters are comprised of pea gravel, sand and made out of cast iron. Over the last couple of years the iron has been rusting and flaking off, seals have been cracking and small leaks have started to develop on the exterior side of takes. Once the pool closed for the summer, I had taken the media out of one of the tanks to find the inner wall pitted. Further investigation showed multiple cracks in welds and on pressure joints.

As you are aware, this past summer I have had to replace an impeller on a pump. The pumps we have are no longer in production and neither are parts. I had to have someone fabricate an impeller with the hopes that it would work. Once we received the part it took two days to get the pump run without the impeller hitting the inside of the pump. The pumps are what basically push the water through the filters to get cleaned. By law all the water in the pool has to have run

through the filter once in 6 hours. Our current pumps barely keep up with this rate and at the end of each season we have to send pumps off for maintenance to be performed in hopes that it will make it through another season.
There is fiberglass grating integrated guttering around the pool, just below the deck that aids in cleaning the water surface debris. Initially when the pool was built, it had underwater lighting mounted in the gutter. This allowed for extended pool hours and to have more pool rentals. Also the pool has an automatic fill valve that is activated when the water level reached a certain level. This is supposed to aid in conserving chemicals that are added to maintain state laws that are in place to keep patrons safe.
Currently the coating that was on the fiberglass is completely gone due to years of wear and tear. The stainless steel supports that hold the fiberglass grating and that are supposed to hold the weight of anyone walking on them have pulled out of the gutter wall in multiple locations. The gutter is in such poor condition that the supports are unable to be re-anchored in.
With the lighting, it is my understanding that when the lights burned out the bulbs and housing were uninstalled and filled in with plaster and concrete. This process once completed reduced the integrity of the gutter and didn't leave it water tight.
With any pool, the water has to be circulated. There are small nozzles connected to a main line that runs the length of the gutter system throughout the pool, underwater that perform this task. Over the years due to the pool being drained and not covered, the nozzles and pipe are exposed to the elements. The process of draining a pool for any length of time causes multiple costly problems. When we get a large amount of moisture, it causes the pool to become buoyant and rise out of the ground. This causes cracks in the shell of the pool, deck and sloping of the deck. It also forces the circulation line to break in multiple areas.
With the gutter system not working as intended, it is costing additional funds to maintain chemical and water levels throughout the summer.

Recommendation: To replace filters, pumps and gutters as soon as possible to be able to open Memorial Day weekend 2014. Also to look ahead to 2014-15 budget and make plans for a cover for the main pool. If these issues I have listed above are not addressed immediately I cannot open the pool.

Price/Cost:

Filter/Pumps: $79,351.45

Replacement of Guttering: $178,640.00

Total: $257,991.45