PUBLIC NOTICE OF A REGULAR MEETING
OF THE PUBLIC WORKS AUTHORITY
TUESDAY, MARCH 18, 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 March 4, 2014
4. Action Items:
    A. Consider PEC Supplemental contract regarding water wells
    B. Consider Exploring Canute Raw Water Options
    C. Discussion with Legal Counsel regarding pending litigation regarding a sewer backup including an Executive Session as authorized by 25 O.S. ss 307B(4)
5. Trustee's Report
6. City Manager's Report
7. Audience Participation
8. Adjournment
    A. Proceed to Solid Waste Authority agenda

Filed this 14th day of March, 2014. Posted on the bulletin board in the lobby of the Clinton City Hall on March 14, 2014 at 2:00 p.m.

_____

Not recorded

MINUTES OF CLINTON PUBLIC WORKS AUTHORITY MEETING
MARCH 4, 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, March 4, 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 February 28, 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
CITY ATTORNEY: Ryan Meacham
NEWS MEDIA: Gerald Green
OTHERS: Randy Carpenter, Kris Wermy, Gene McCullough, Curtis Maloy, Stephen Jones, Conan Wilson, Julie Menge, Narci Smith, Jeremy Brush, Toby Anders, Kent Miller, Cheryl McCullers, Tina Challis, Bret Matlock, Donald Webb, Bobby Richardson, Mike Scott, Monty Proffit, Mike Abramson, Kalan Merrill, Jerry Douglas, Cheryl Lowry, Greg Adams, Keaton Modi, Jim Roberts, Mike Kyser, Kim and Gunner Hewitt, Elisa Sanders, Danny George, Chris & Maribel Brinkley and others.

Dan Day of the Ministerial Alliance opened the meeting with prayer and Trustee Lowry led the Pledge of Allegiance.

AGENDA ITEM NO. 3: CONSENT AGENDA

A. Minutes of Regular Meeting of February 18, 2014
B. Consider claims

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

Chairman put the motion to a roll call vote:

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

Chairman declared the motion carried.

AGENDA ITEM NO. 4 ACTION ITEMS

4A. CONSIDER LONG TERM WATER PLAN

City Manager Steve introduced Jim Roberts and Mike Kyser of Professional Engineering Consultants.

Jim Roberts said the golf course well pump test have been completed and with pleasant results. He said a step draw down test resulted in 600 gallon per minute. He said it is capable of between 600 to 625 gallons per minute. He recommended twinning the wells since the purposes for irrigation and public water supply are different.

Trustee Lowry asked why the twenty-four hour test was not conducted.

Mr. Roberts said the purpose of the twenty-four hour test was to determine stabilization and they were able to see stabilization before that point. He explained that stabilization means as much water is pumped as is being supplied. He said they were able to use the city's existing pump and this saved some money. He said there is no way they could have known this until conducting the test and they did not have to cut the column pipe. He said there was a delay in scheduling due to weather, the holidays and Lane's schedule.

Roberts said there is room for two more wells on the north end of the golf course. He said that the Oklahoma Water Resource Board determines the spacing of wells to be 660 feet apart. The proposed wells would be 745 feet apart. He estimated that three wells could result in 1.7 to 2.6 million gallons per day.

Roberts suggested mowing forward to geoprobe the test wells to see the profile and use this information to compare to the north end of hole #11. He said this would require about 1 ½ days work in the field and do the second test well for samples. The next step would be to pump test and get the radius of influence and water quality. He said this information would also be used in the design of a water treatment facility.

Jeremy Brush of Severn Trent said he has test results on the well.

Mike Kyser said PEC would like information on a fresh well to make sure information is current. He said the geoproble test would be necessary.

City Manager Steve Hewitt said he plans to bring the OSIDA agreement to the next Authority meeting. He said it has been discussed the potential of 240 gallons per minute at a rate of $.10 per 1,000 gallons.

City Manager Hewitt said he, Danny George and Jeremy Brush met with the Department of Environmental Quality and Oklahoma Water Resource Board. They were told that the water can't be put in the lake but could be sent directly to the treatment plant. He said a variance could be applied for a polypipe until a permanent pipe line could be constructed. He said an engineering report would also be required for this.

Trustee Rodolph requested that DEQ put these requirements in writing.

City Manager Hewitt reported that during the meeting recycling of wastewater was also discussed. He said this would also require an engineering report.

City Manager Hewitt confirmed there are two wells at Burns Flat that water could be pumped to Clinton Lake but the permit is for the treatment plant and not for storage into the lake.

Trustee Sami asked if the engineering report would include dollar amounts.

City Manager Steve Hewitt said the agreement would include an understanding of what would be provided, what test would be performed, and can include a breakdown of the charges.

Trustee Hulin asked if another engineering firm could be utilized to speed up the process.

City Manager Hewitt said he does not have a problem with speeding up the process.

4B. CONSIDER COMMITMENT LETTER REGARDING RATES AND USAGE WITH FOSS MASTER CONSERVANCY DISTRICT

City Manager Steve Hewitt said the letter presented is confirmation of a commitment to Foss Master Conservancy District for the purchase of overage at a rate of $2.90. This letter is to purchase 100% of commitment. Foss Board Chairman David Berrong asked for Public Works Authority action on the commitment.

Trustee Sami asked for confirmation that this commits the Authority to purchase overage.

City Manager Steve Hewitt said this is an adjustment to rates at the time. He said that this is a commitment and not a contract. He also reported that this will be reevaluated in six month.

Trustee Rodolph said they could increase the rates again in six months.

Motion was made by Trustee Sami and seconded by Trustee Rodolph to confirm that commitment letter regarding rates and usage with Foss Master Conservancy District.

Chairman put the motion to a roll call vote:

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

Chairman declared the motion carried.

4C. CONSIDER RESOLUTION NO. PW14-01 REGARDING ADJUSTMENT OF WATER RATES

City Manager Steve Hewitt said with the rate increase from Foss and the continuance of increased Capital Improvement costs, staff recommends a 20% increase across the board with the curve in rates currently in place.

City Treasurer Debra Blanchard gave a review of the expenses and reserve of the Water and Wastewater budgets. She reported on encumbered expenses for tank maintenance, treatment of discolored water, water line breaks, debt service and maintenance. She said the reserve balance for the water department is down to $600,000 and the wastewater department is down to $500,000.

Trustee Sami asked if there are any mandates regarding balances of reserve.

City Manager Hewitt said there are no mandates regarding reserve but it is recommended to be in the 40-50% range.

Trustee Lowry asked if Clinton's rates could be compared to other communities.

City Manager Hewitt said comparisons are available and that other communities have also seen major increases in rates primarily due to the drought.

Motion was made by Trustee Sami and seconded by Trustee Lowry to approve Resolution No. (W1401 regarding adjustments of water rates.

Chairman put the motion to a roll call vote:

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

Chairman declared the motion carried.

4D. CONSIDER CONTRACT WITH PEC ENGINEERING REGARDING DEPARTMENT OF ENVIRONMENTAL QUALITY APPROVED ENGINEERING REPORT FOR WATER TREATMENT PLANT CHEMICAL ROOM

City Manager Steve Hewitt reported that he had a meeting with Department of Environmental Quality to discuss the chemical room at the Water Treatment Plant. PEC has presented a contract for a review of the facility regarding potential rehab of the chemical room or construction of a new facility.

Trustee Rodolph asked if the letter along cost $30,000 with no plans included.

Mike Kyser, representative of PEC said the cost is for the comparison of the cost of rehab of the existing room or construction of a new facility. He said this will give comparisons and options. If the City wishes to go straight to the construction of a new facility, this step can be skipped. He said any updates to the existing facility must be at current code level.

Jeremy Brush said he has had conversations with DEQ regarding the chemical room but he has no written correspondence.

City Manager Steve Hewitt said that the $499,000 from Altivia for damages and additional funds from the City's insurance carrier, Oklahoma Municipal Assurance Group, will be available for the project.

Trustee Rodolph said he would prefer to wait on the evaluation until confirmation from DEQ is received.

Kyser said the code issues have to do with the fact the room is not sealed off from the water plant. If it is rebuilt, it must be brought into compliance with current code.

Trustee Hulin asked if prior to PEC, if the previous engineer, Garver Engineering had worked on the damage assessment.

City Manager Hewitt said Garver had completed an early evaluation. He said that OMAG hired PEC because the report from Garver was not in depth.

Kyser said once a recommendation has been confirmed regarding construction or use of existing facility, the engineer report will be prepared.

Motion was made by Trustee Sami and seconded by Trustee Rodolph to approve the contract with PEC Engineering regarding Department of Environmental Quality approved engineering report for the Water Treatment Plant Chemical Room.

Chairman put the motion to a roll call vote:

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

Chairman declared the motion carried.

AGENDA ITEM NO. 5 TRUSTEE REPORT

Trustee Rodolph asked for written communication from Department of Environmental Quality for justification on these projects.

City Manager Steve Hewitt said he would request documentation regarding the wells and the chemical room recommendation from DEQ.

AGENDA ITEM NO. 6: MANAGER'S REPORT

City Manager Steve Hewitt reported that during the lawsuit with Altivia a breakdown of the damages to the Water Treatment Plant were provided. He said he would ask Jeremy Brush of Severn Trent to provide a list of repairs that could be done in-house and a list of repairs that would have to be outsourced.

AGENDA ITEM NO. 7: AUDIENCE PARTICIPATION

None

AGENDA ITEM NO. 8: ADJOURNMENT

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

Chairman put the motion to a roll call vote:

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

Chairman declared the meeting adjourned at 6:35 p.m.

RESOLUTION NO. PW14-01

RESOLUTION ADJUSTING THE WATER RATES OF
THE CITY OF CLINTON

WHEREAS the City of Clinton Public Works Authority must continue to rely solely on Foss Reservoir as the sole source of water;

WHEREAS it is necessary for the City of Clinton to increase water rates, to make up for the increased costs of purchasing water from Foss Master Conservancy District .

NOW THEREFORE, be it resolved by the Chairman and Trustees of the Clinton Public Works Authority of Clinton, Oklahoma:

The rates charged for water shall be as follows:

INSIDE CITY LIMITS

Consumption Range						
Base Rate	**2,001-4,000**	**4,001-14,000**	**14,001-100,000**	**100,001-500,000**	**500,001-UP**	**Arapaho**
$15.96/ 2,000 gallons	$4.92/ 1,000 gallons	$5.34/ 1,000 gallons	$6.36/ 1,000 gallons	$5.88/ 1,000 gallons	$5.28/ 1,000 gallons	$6.36/ 1,000 gallons

OUTSIDE CITY LIMITS

Consumption Range					
Base Rate	**2,001-4,000**	**4,001-14,000**	**14,001-100,000**	**100,001-500,000**	**500,001-UP**
$23.94/ 2,000 gallons	$7.38/ 1,000 gallons	$8.01/ 1,000 gallons	$9.54/ 1,000 gallons	$8.82/ 1,000 gallons	$7.92/ 1,000 gallons

Passed and approved this 4 day of March, 2014.

Seth Adams, Chairman

ATTEST:

Lisa Anders

Lisa Anders, Secretary

Clinton
Hub City of Western Oklahoma

Agenda Commentary

Item Title/ Subject: Supplemental Agreement with PEC

Staff Source: City Manager, Steve Hewitt

Date: March 14, 2014

Background/Subject Information:

Council heard update by PEC on Water Well Flow test and recommendation from Geologist and Engineer was to continue with more Geoprope borings at the Golf Course. Supplemental agreement to the original agreement is enclosed.

Recommendation:

Staff recommends continued next steps. Geologist Jim Roberts will be at the meeting for questions and feedback if Council desires.

Price/Cost: $27,676

Supplemental Agreement No. 01

to

Agreement Dated March 12, 2014

With City of Clinton, OKlahoma

PEC Project No.: 535-13K61-01-6994

Project Description: Exploratory Boring Project

This Supplemental Agreement modifies the referenced Agreement, and previous Supplemental Agreements as may be noted herein.

MODIFICATION TO SCOPE

1. Installation of four (4 x 120') Geoprobe borings ($9,251)
2. Hydrogeological services ($14,000)
3. Groundwater chemistry ($3,100); Geotechnical ($575); Mileage & Expenses ($750)

TIME OF PERFORMANCE

☐ No Change.

☐ An additional _____ calendar days are added making the total _____ calendar days.

☒ The completion date shall be within 30 business days of PEC's receipt of all data formats

PAYMENT PROVISIONS

The Contract amount shall be increased by an estimated $27,676.00

making the lump sum contract amount $137,219.00

☐ The Contract upper limit shall be increased by _____

making the maximum contract amount _____

☐ Payment for Extra Work shall be on the basis of _____

AUTHORIZATION TO PROCEED

☐ We will consider this Supplemental Agreement accepted and proceed with the work specified herein unless otherwise instructed by return facsimile within _____ (hours)(calendar days).

☒ Return receipt of this executed Supplemental Agreement will be considered our authorization to proceed.

Accepted

Professional Engineering Consultants, P.A.	The City of Clinton, Oklahoma
By: Ethan G Schwab	By:
Title: Principal	Title:
Date: 3/12/14	Date:

Clinton
Hub City of Western Oklahoma

Agenda Commentary

Item Title/ Subject: Consider Investigating Canute Options

Staff Source: City Manager, Steve Hewitt

Date: March 14, 2014

Background/Subject Information:

Council didn't want to pursue further commitments with Canute and their finish water options and new plant. However, there have some conversations regarding purchasing raw water from Canute to send to Clinton Lake Water Plant

Staff needs direction and feedback regarding exploring this option.

Canute has some water wells that are not in use, if the Council so desires we could test those wells for flow and quality test. There is some cost to that, however if quality and good sustainable flow it could be a project to send to Clinton Lake.

Recommendation:

Staff recommends exploring the water quality and quantity (feasibility) of the water. After information is gathered, a formal agreement between Canute and City of Clinton can be negotiated.

Price/Cost: TBD

PUBLIC NOTICE OF A REGULAR MEETING
OF THE SOLID WASTE AUTHORITY
TUESDAY, MARCH 18, 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 March 4, 2014
4. Action Items:
    A. Request authorization to go to bid for a Solid Waste Truck/Packer Body
5. Trustee's Report
6. City Manager's Report
7. Audience Participation
8. Adjournment
    A. Proceed to Industrial Authority agenda

Filed this 14th day of March, 2014. Posted on the bulletin board in the lobby of the Clinton City Hall on March 14, 2014 at 2:00 p.m.

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Not recorded

MINUTES OF SOLID WASTE AUTHORITY MEETING
MARCH 4, 2014

Minutes of the regular meeting of the Chairman and Trustees of the Clinton Solid Waste Authority City of Clinton, Oklahoma, Custer County, held in the City Council Room, City Hall on Tuesday, March 4, 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 February 28, 2014.

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

MAYOR: Seth Adams
COUNCIL: Don Rodolph, Wheeler Lowry, Mustafa Sami, Jason Hulin
CITY MANAGER: Steve Hewitt
CITY CLERK: Lisa Anders
CITY TREASURER: Debra Blanchard
CITY ATTORNEY: Ryan Meacham
NEWS MEDIA: Gerald Green
OTHERS: Randy Carpenter, Kris Wermy, Gene McCullough, Curtis Maloy, Stephen Jones, Danny George, Conan Wilson, Julie Menge, Jeremy Brush, Narci Smith, Kalan Merrill, Cheryl McCullers, Elisa Sanders, Jim Roberts, Mike Kyser, Donald Webb, Monty Proffitt, Mike Abramson, Kent Miller, Bobby Richardson, Mike Scott, Tina Challis, Toby Anders, Jerry Douglas, Brett Matlock, Cheryl Lowry, Chris & Maribel Brinkley, Greg Adams, Keaton Modi and others.

Dan Day of the Ministerial Alliance opened the meeting with prayer and Trustee Wheeler Lowry led the Pledge of Allegiance.

AGENDA ITEM NO. 3: CONSENT AGENDA

A. Minutes of Regular Meeting of February 4, 2014
B. Consider claims

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

Chairman put the motion to a roll call vote:

Aye: Sami, Hulin, 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 Lowry and seconded by Trustee Sami to adjourn the meeting.

Chairman put the motion to a roll call vote:

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

Chairman declared the meeting adjourned at 5:34 pm

Clinton
Hub City of Western Oklahoma

Agenda Commentary

Item Title/ Subject: Authorization to bid Trash Truck/Packer Body

Staff Source: Steve Hewitt, City Manager

History/Background Information:

Budgeted item, Supervisor Robert Mayfield is ready to bid.

Recommendation:

Staff supports and recommends bidding.

Cost: $100,000 Truck / $85,000 Packer Body

PUBLIC NOTICE OF A REGULAR MEETING
OF THE INDUSTRIAL AUTHORITY
TUESDAY, MARCH 18, 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 March 4, 2014
4. Action Items:
    A. Consider Lease agreement with Friends for Life
    B. Consider Land proposal on Frisco Property
5. Trustee's Report
6. City Manager's Report
7. Audience Participation
8. Adjournment
    A. Proceed to City Council agenda

Filed this 14th day of March, 2014. Posted on the bulletin board in the lobby of the Clinton City Hall on March 14, 2014 at 2:00 p.m.

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Not recorded

MINUTES OF INDUSTRIAL AUTHORITY MEETING
MARCH 4, 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, March 4, 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 February 28, 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
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NEWS MEDIA: Gerald Green
OTHERS: Kris Wermy, Gene McCullough, Stephen Jones, Randy Carpenter, Curtis Maloy, Conan Wilson, Danny George, Julie Menge, David Crabtree, Narci Smith, Kalan Merrill, Elisa Sanders, Donald Webb, Monty Proffitt, Mike Abramson, Kent Miller, Bobby Richardson, Bret Matlock, Mike Scott, Cheryl Lowry, Chris & Maribel Brinkley, Cheryl McCullers, Greg Adams, Keaton Modi, Kim and Gunner Hewitt, Cheryl McCullers, Cheryl Lowry, Toby Anders, Jerry Douglas and others.

Dan Day of the Ministerial Alliance opened the meeting with prayer and Trustee Wheeler Lowry led the Pledge of Allegiance

AGENDA ITEM NO. 3: CONSENT AGENDA

A. Minutes of Regular Meeting of February 18, 2014
B. Consider claims

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

Chairman put the motion to a roll call vote:

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

Chairman declared the motion carried.

AGENDA ITEM NO. 4 ACTION ITEMS

4A. CONSIDER CHANGE ORDER #4 WITH MEGA CONTRACTORS, INC. FOR THE FIRE STATION

City Manager Steve Hewitt explained that the change order is for the liquidated damages assessed to the contractor for the delay. The change order is for $40,000.00. He said the change order has been reviewed and approved by the architects. He said this is the only time liquidated damages have been assessed.

Motion was made by Trustee Lowry and seconded by Trustee Sami to approve Change Order #4 with Mega Contractors, Inc to reduce the contract price by $40,000.00 for the fire station.

Chairman put the motion to a roll call vote:

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

Chairman declared the motion carried.

4B. CONSIDER ACCEPTANCE OF TRANSFER OF PROPERTY FROM THE CITY OF CLINTON

City Manager Steve Hewitt said that the City of Clinton has transferred ownership of property in Lots 18-22, Block 36 of Original Clinton to the Industrial Authority. This property is located at Frisco and Highway 183. He explained that Lot 23 is already owned by the Industrial Authority.

Motion was made by Trustee Rodolph and seconded by Trustee Sami to accept the transfer of property from the City of Clinton.

Chairman put the motion to a roll call vote:

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

Chairman declared the motion carried.

AGENDA ITEM NO. 5 TRUSTEES REPORT

Trustee Rodolph asked for an update on the progress of Robinson Addition.

City Manager Steve Hewitt said that David Fawver is finishing up on the work for the sewer line on Chapman Road and once that is complete he will be relocating to Robinson Addition.

AGENDA ITEM NO. 6: CITY MANAGER'S REPORT

City Manager Steve Hewitt reported that he had meet with SWODA representative to discuss an EDA 50/50 grant regarding infrastructure for the Industrial Park now that the plat has been completed.

AGENDA ITEM NO. 7: AUDIENCE PARTICIPATION

None

AGENDA ITEM NO. 8: ADJOURNMENT

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

Chairman put the motion to a roll call vote:

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

Chairman declared the meeting adjourned at 7:00 pm.

Clinton
Hub City of Western Oklahoma

Agenda Commentary

Item Title/ Subject: Agreement with Friends For Life

Staff Source: City Manager, Steve Hewitt

Date: March 14, 2014

Background/Subject Information:

FFL has been looking to build an Animal Sanctuary for a number of years. We were informed that their location was conducive to their needs, for multiple reasons including no available City Sewer. FFL was offered property at Weatherford, when informed of this staff reached out to FFL to search locations.

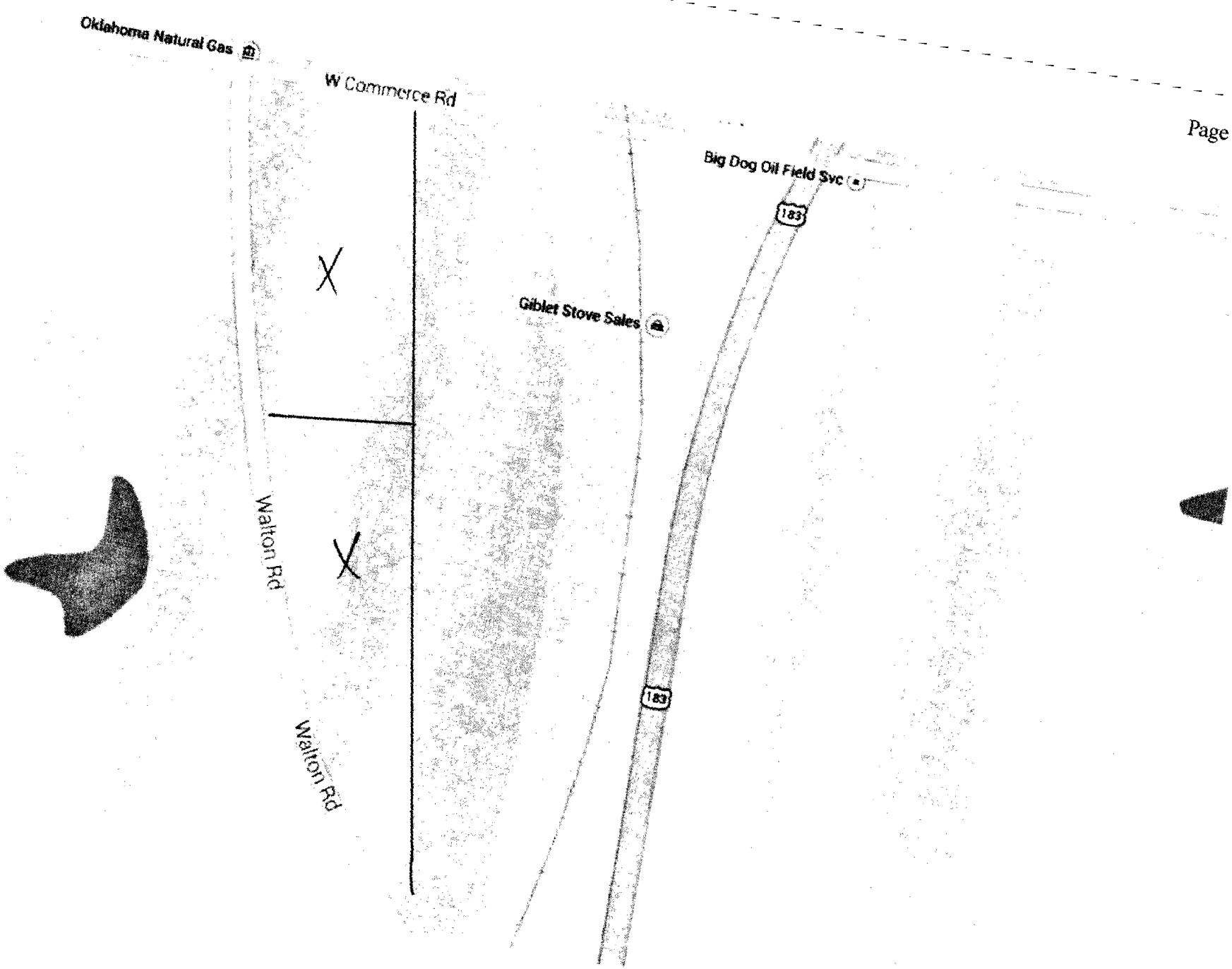
FFL is looking for 5 acres and an option for another 5 acres. They need Water & Sewer also provided.

After looking at proposed possible location, FFL is interested in the property at Commerce/Walton. This is industrial property that would fit their needs. City has Water / Sewer in that area.

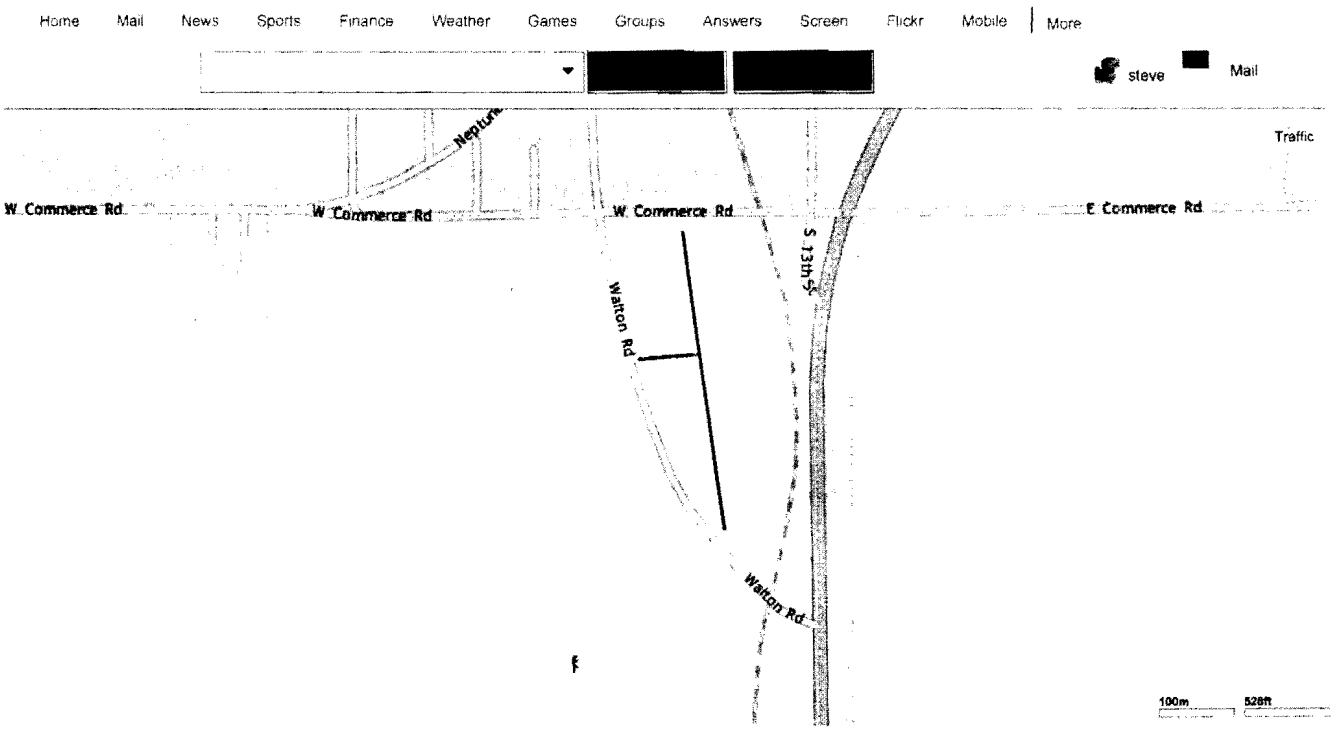
Recommendation:

Staff recommends the leasing this property for long-term to FFL for the construction and operation of an Animal Sanctuary.

Price/Cost: Minimal cost to extend water/sewer to location.



https://www.google.com/maps/@35.4772118,-98.9744971,17z



Terms Privacy Feedback

Clinton
Hub City of Western Oklahoma

Agenda Commentary

Item Title/ Subject: Proposal from Western Equipment John Deere (property HWY 183/Frisco)

Staff Source: City Manager, Steve Hewitt

Date: March 14, 2014

Background/Subject Information:

Council has transferred property to give flexibility and review proposals of the vacant property, which is in a key visible location in relationship to our downtown.

Western Equipment has provided a proposal for the Industrial Authority to consider. (see attached proposal)

Sale of $1. This will invest in Clinton and additional donations to Clinton Public School Foundation of $25,000 from Western Eq. and $10,000 from Bob Lorenz.

Early basic drawings are included....

Recommendation:

Staff strongly recommends. This would benefit our beautification efforts and economy. Western Equipment has a track record of building quality facilities with beatification included.

Price/Cost: Sale of $1.

JOHN DEERE

WESTERN EQUIPMENT L.L.C.

March 14, 2014

Mr. Steve Hewitt
City Manager
P.O. Box 1177
Clinton, OK 73601

Re: Proposal to Acquire Real Estate

Dear Steve:

Western Equipment, L.L.C. ("Western") would like to make a proposal to the City of Clinton and the Clinton Industrial Authority to acquire the following described real estate:

> Lots 18, 19, 20, 21 and 22 and the West 20.9 feet of Lot 23, Block 36, Original Town of Clinton, Custer County, Oklahoma, ("the Property"),

for the expansion of Western's administrative offices in downtown Clinton. The City owns Lots 18 through 22 and the portion of Lot 23 was conveyed to the Authority by the State of Oklahoma after the completion of the widening of United States Highway No. 183.

Western's administrative officers, who office in Clinton, are our general manager, corporate sales manager, corporate parts manager, corporate service manager, human resources director and IT director. All of the bookkeeping for Western's business locations in Clinton, Weatherford, Woodward, Alva, Altus, Hobart in Oklahoma and Childress and Amarillo in Texas is conducted in Clinton. Western's Clinton store presently has 71 employees of which 19 work in downtown Clinton.

In order to expand its operations in Clinton, Western needs additional real estate. If the City and the Authority will sell the above described real estate to Western for one dollar, Western will agree to construct a building on the property within two years of the date the deed is delivered with the architecture of such building to conform to the other historical buildings in the downtown area. Western will also agree to build asphalt parking lots East and West of the building for its employees' use and will landscape the property. The parking lots will be built and the landscaping will be completed as soon as practical after the property is conveyed.

JOHN DEERE

WESTERN EQUIPMENT L.L.C.

In the event Western can expand its operations in Clinton, Western will make a contribution of $25,000.00 to the Clinton Public School Foundation and Bob Lorenz will individually make a contribution of $10,000.00 to the Clinton Public School Foundation.

In order that the interests of the City of Clinton will be protected, Western will agree to reconvey the real estate to the City in the event Western fails to commence construction of a building within two years of the date the property is conveyed to Western or fails thereafter to timely complete construction of the building. In the event of such reconveyance, the City would have the benefit of having the parking lots that Western will construct and the landscaping.

The expansion of Western's operations in Clinton will be beneficial to Clinton's economy. If you or any of the members of the City Council have any questions about Western's proposal, please call Jeff Brown or myself.

Sincerely Yours,

Robert D. Lorenz

DMII:hj

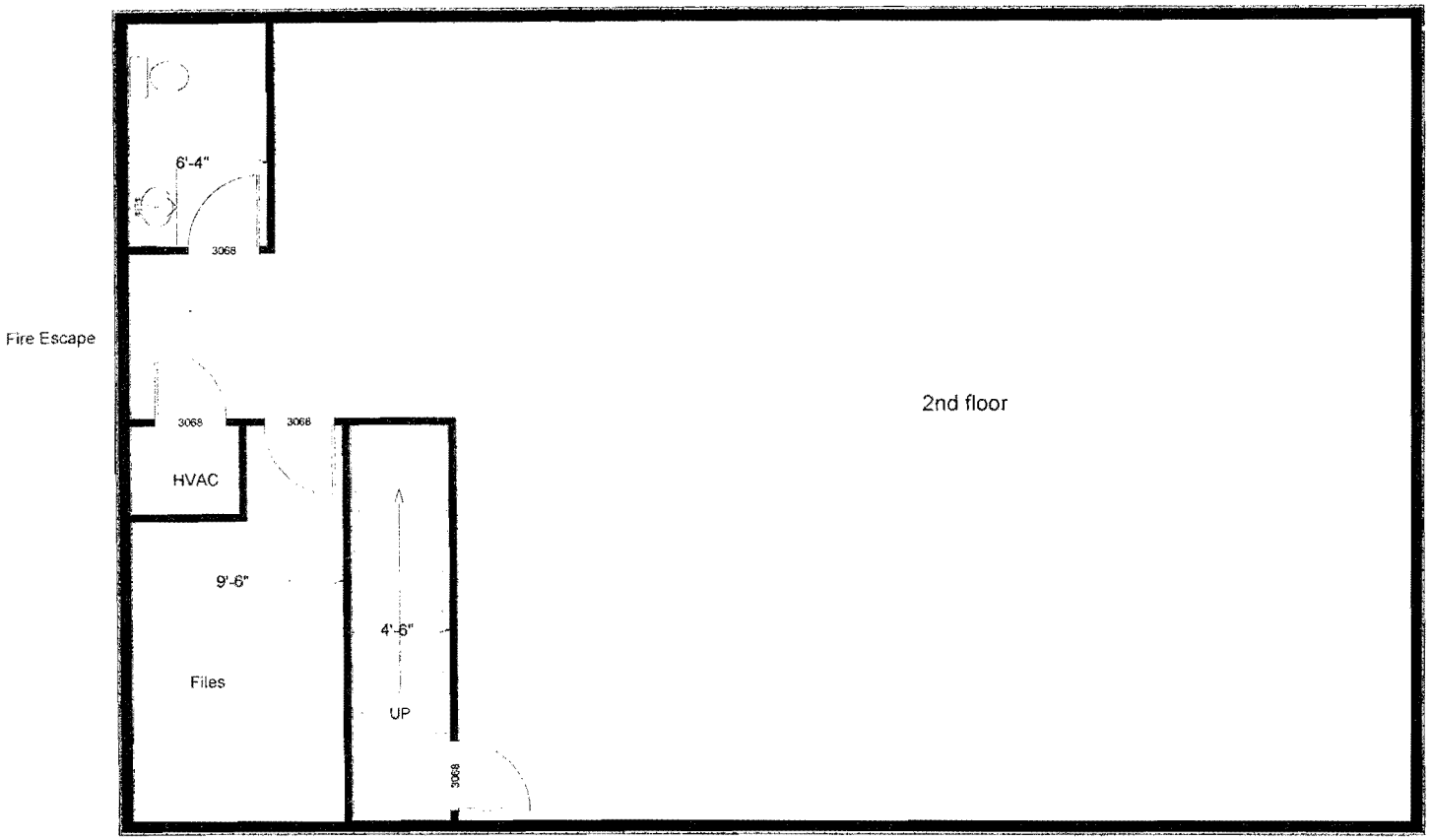
Enc.

cc: Mr. Jeff Brown



Western Equipment

jim Loomis Inc


6'-4"
3068
Fire Escape
3068
3068
HVAC
9'-6"
4'-6"
Files
UP
3068
2nd floor

PUBLIC NOTICE OF A REGULAR MEETING
OF THE CITY COUNCIL
TUESDAY, MARCH 18, 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 March 4, 2014

4. Action Items:

    A. Consider Proclamation declaring April as Fair Housing Month

    B. Consider Oklahoma Municipal Retirement Fund Lump Sum Retirement Request for Alexis Murphy

    C. Consider Oklahoma Department of Transportation Supplemental and Modification Agreement #2 regarding Chapman Road

    D. Consider and discuss the employment, hiring, appointment, promotion, resignation or designation of duties of the City Manager including an Executive Session as authorized by 25 O.S. ss 307B(1)

5. Council Report

6. City Manager's Report

7. Audience Participation

8. Adjournment

Filed this 14th day of March, 2014. Posted on the bulletin board in the lobby of the Clinton City Hall on March 4, 2014 at 2:00 p.m.

_____

Not recorded

MINUTES OF THE CLINTON CITY COUNCIL
MARCH 4, 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, March 4, 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, February 28, 2014.

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
CITY ATTORNEY: Ryan Meacham
NEWS MEDIA: Gerald Green
OTHERS: Randy Carpenter, Kris Wermy, Gene McCullough, Stephen Jones, Curtis Maloy, Conan Wilson, Julie Menge, David Crabtree, Narci Smith, Jeremy Brush, Toby Anders, Kent Miller, Cheryl McCullers, Tina Challis, Bret Matlock, Donald Webb, Bobby Richardson, Mike Scott, Elisa Sanders, Greg Adams, Keaton Modi, Kim and Gunner Hewitt, Kalan Merrill, Jerry Douglas, Jim Roberts, Mike Kyser and others.

Dan Day of the Ministerial Alliance 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 18, 2014
B. Consider Claims

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

Mayor put the motion to a roll call vote:

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

Mayor declared the motion carried.

AGENDA ITEM NO. 4 ACTION ITEMS

4A. CONSIDER STAFF RECOMMENDATION REGARDING POLICE DEPARTMENT UNITS BIDS

City Manager Steve Hewitt reported that staff recommendation is to accept the bid submitted by McKinsey Ford. He said the bid submitted by Ballard did not meet specifications. He said the specifications were for front wheel drive.

Motion was made by Councilman Hulin and seconded by Councilman Rodolph to follow staff recommendation and accept the bid from McKinsey Ford in the amount of $47,809.62 for two units.

Mayor put the motion to a roll call vote:

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

Mayor declared the motion carried.

4B. CONSIDER STAFF RECOMMENDATION REGARDING SWIMMING POOL FILTER/PUMPS BIDS

Kris Wermy, Parks and Recreation Director, said he reviewed the bids for the filter/pumps at the swimming pool. He said Leslie Pools had submitted the low bid and he recommended accepting that bid.

Motion was made by Councilman Rodolph and seconded by Councilman Sami to accept the bid submitted by Leslie Pools for $99,759.39 for the filter/pumps for the swimming pool.

Mayor put the motion to a roll call vote:

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

Mayor declared the motion carried.

4C. CONSIDER STAFF RECOMMENDATION REGARDING SWIMMING POOL GUTTERING BIDS

Kris Wermy, Parks and Recreation Director, recommended rejecting the bid for the guttering project and rebidding the project. He said he received several calls after the due date for the last bid and given only one bid was received, he suggested rejecting the single bid. He explained that major difference in the bid received and the estimated amount. He said the estimate was for equipment only and after further examination, additional labor and other hardware will be necessary.

Motion was made by Councilman Lowry and seconded by Councilman Sami to reject the bid for the swimming pool guttering and rebid the project.

Mayor put the motion to a roll call vote:

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

Mayor declared the motion carried.

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

City Manager Steve Hewitt reported the Public Works Director Stephen Jones, Street Superintendent Monty Proffit and Engineer, Joe Ridley have reviewed the streets and have compiled the following recommendations.

Councilman Rodolph said that some of the streets that were on the first list have been removed. He said he wanted them added to the list for the upcoming year.

Councilman Hulin said that a street that had been included in last year's project was included in the list

presented.

Motion was made by Councilman Rodolph and seconded by Councilman Hulin to authorize staff to go to bid for street grinding and overlay on items 1-8 of the presented plan.

Mayor put the motion to a roll call vote:

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

Mayor declared the motion carried.

4E. CONSIDER INTERLOCAL AGREEMENT WITH CUSTER COUNTY COMMISSIONERS PROVIDING TRUCKS AND EQUIPMENT TO THE FIRE DEPARTMENT

Fire Chief Randy Carpenter explained that the interlocal agreement with the Custer County Commissioners is documentation for a policy that had been a verbal agreement for some time. He said the County provides $100,000.00 each year that is split between the various fire departments of Custer County for the purchase or trucks and equipment. He said this agreement runs through 2017.

Motion was made by Councilman Rodolph and seconded by Councilman Lowry to approve the Interlocal Agreement with Custer County Commissioners regarding providing trucks and equipment to the Fire Department.

Mayor put the motion to a roll call vote:

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

Mayor declared the motion carried.

4F. REQUEST AUTHORIZATION TO PURCHASE MOWER FOR CEMETERY

City Manager Steve Hewitt explained that the Cemetery had budgeted for the replacement of a mower from the Cemetery Perpetual fund. Quotes were received per the state contract pricing and Lindley Farm Equipment quoted a price with a trade-in of the current mower at $8,169.30.

Motion was made by Councilman Sami and seconded by Councilman Hulin to authorize the purchase of a mower for the Cemetery from the Perpetual Fund for $8,169.30.

Mayor put the motion to a roll call vote:

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

Mayor declared the motion carried.

4G. CONSIDER NOMIATION FOR TRUSTEES FOR OKLAHOMA MUNICIPAL ASSURANCE GROUP BOARD

City Manager Steve Hewitt explained that three positions on the Oklahoma Municipal Assurance Group Board would be completing their terms. He asked if the Council would like to make a nomination for the board.

Motion was made by Councilman Rodolph and seconded by Councilman Hulin to vote for the incumbents.

Mayor put the motion to a roll call vote:

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

Mayor declared the motion carried.

4H. CONSIDER TRANSFER OF PROPERTY TO CLINTON INDUSTRIAL AUTHORITY

City Manager Steve Hewitt explained that the City of Clinton owns Lots 18-22 at Frisco and Highway 183. He said that Lot 23 is owned by the Clinton Industrial Authority. He said that there has been some interest in the property but with the City of Clinton owning the lots, they would have to be placed for bid. He explained that if the Clinton Industrial Authority owned them, there would be more flexibility.

Motion was made by Councilman Rodolph and seconded by Councilman Lowry to transfer ownership of the property in lots 18-22, Block 36 of Original Clinton to the Clinton Industrial Authority.

Mayor put the motion to a roll call vote:

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

Mayor declared the motion carried.

AGENDA ITEM NO 5.COUNCIL REPORT

None

AGENDA ITEM NO. 6: MANAGER'S REPORT

City Manager Steve Hewitt reported that a Pre-Construction conference is scheduled with the contract and Oklahoma Department of Transportation regarding Chapman Road.

AGENDA ITEM NO. 7 : AUDIENCE PARTICIPATION

Curtis Maloy asked why water samples were not taken at the time of the pump test.

Mike Abramson said the utility bill for his commercial rental property had been increased and he wanted it to be explained. He said he has one water meter, sewer system and solid waste service and that has not changed over the years.

City Attorney Ryan Meacham said that so as not to violate the Open Meeting laws, this topic should not be discussed at a public meeting. He suggested discussing this with the City Manager in his office.

AGENDA ITEM NO. 8: ADJOURNMENT

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

Mayor put the motion to a roll call vote:

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

Mayor declared the meeting adjourned at 6:50 p.m.

CITY OF CLINTON
OKLAHOMA

FAIR HOUSING
PROCLAMATION

WHEREAS, it is illegal under the Fair Housing Act to discriminate because of race, color, religion, sex, handicap, familial status, or national origin, or intention to make any such preference, limitation or discrimination in housing; and

WHEREAS, the City of Clinton shall not knowingly tolerate discrimination in housing within the City of Clinton, Oklahoma;

NOW THEREFORE, as Mayor of the City of Clinton, I hereby declare that the month of April shall henceforth be recognized as Fair Housing Month, to be honored annually and continuously, in the spirit and intent of fair housing for all residents of the City of Clinton, Oklahoma.

Proclaimed this_____ day of _____, 2014.

_____
Mayor

ATTEST:

_____
Clerk

SEAL

Clinton
Hub City of Western Oklahoma

Agenda Commentary

Item Title/ Subject: Retirement – Alexis Max Murphy (Lump Sum Request)

Staff Source: Mary Smith, Personnel Officer

History/Background Information:

On September 5, 2005 Max Murphy retired from the City of Clinton where he worked as the Streets Dept. Supervisor. He is requesting a Lump Sum as the method of pay on his retirement. He worked for the City for 8 years which makes him fully vested with the City's Define Benefit Plan through the Oklahoma Municipal Retirement Fund. (OMRF)

Item/Subject Summary:

OMRF advises, this request must be approved by City Council.

Recommendation:

This item be place on the March 18, 2014, agenda to obtain this approval.

Date: March 4, 2014

Clinton
Hub City of Western Oklahoma

Agenda Commentary

Item Title/ Subject: Add Alternate 1 for Chapman Road, Agreement Supplement with ODOT

Staff Source: City Manager, Steve Hewitt

Date: March 14, 2014

Background/Subject Information:

Recap: Bids were opened by ODOT last September for Chapman Road. ODOT only received one bid (Tom Hudson Paving). Additional Funding was provided by ODOT to assist in the Bid (over the ODOT estimate). Council approved the additional funding with ODOT's additional funding to begin this project; base bid only, ODOT stated that was all the funding the time..

Base Bid: Chapman Road: from railroad to Neptune. Alt. 1: railroad to 28th. Alt.: improvements to Red Wheat moving north to bridge. (See Attachment: Bid Sheet)

Project awarded to Tom Hudson Paving. I began conversations with Tom Hudson looking at ways to save money and complete Alt. 1 (bid was $330,000). I made formal request to ODOT asking them to review some items that would make Alt. 1 feasible and affordable. I received a letter Monday from ODOT that provides more money to the project. The contribution from the City for Alt. 1 is now only $112,806.

There will never be an opportunity at this price to complete this project.

Recommendation:

Staff recommends funding this Agreement for the Alternate 1 as an economic development improvement item. With the new Hotel, this project and its timing are appropriate. The pricing is the best the City will ever see; let's complete the critical needs of the project while it's affordable.

Price/Cost: $112,806 (funding from Economic Dev. Funds)

OKLAHOMA DEPARTMENT OF TRANSPORTATION
Local Government Division
200 N.E. 21st Street
Oklahoma City, OK 73105-3204

March 6, 2014

Mr. Steve Hewitt – City Manager
Clinton, Oklahoma

Re: Chapman Road - Change Order for Add Alternate 1

We have reviewed the information you have provided and we propose the following revised funding arrangements to help enable the completion of Add Alternate 1-

This additional work would be implemented as a Change Order to the current contract with Tom Hudson Paving.

We have determined that funds are available to provide an increase in the federal STP cap from $1,032,734 to $1,250,000 in order to participate with the City toward the cost of completion of Add Alternate 1. City funding would increase from $698,725 to $811,531.

The funding breakouts referenced above and on the following page are based on the bid proposal originally submitted by the contractor. -

At the close of the project and after all adjustments and audits are completed, the Department's Comptroller would compute the participating cost share at 80% federal up to the combined TCSP and STP federal cap ***($1,627,287).***

The balance of costs would be the responsibility of the City of Clinton.

These revised funding arrangements are reflected in the attached Supplemental and Modification Agreement #2 submitted for City review and approval. Please return (3) signed original agreements to my attention for Department approvals if you concur.

No additional City funds are due at this time to implement this agreement, although the Comptroller may issue an invoice to the City upon the Change Order approval.

If you have questions or comments, please contact me at (405) 521-2737.

Sincerely,

Mark Scott
Assistant Division Manager
Local Government Division

Cc: Brent Almquist – Division V Engineer
Will Snipes – Division V Construction Engineer

CUMULATIVE FUNDING BREAKOUT - BASE BID + ALTERNATE 1		
TCSP FUNDS	$377,287	CAPPED
FORMULA STP	$1,250,000	CAPPED
CITY FUNDS REQUIRED	$811,531	FLOAT
CITY FUNDS ON DEPOSIT	($698,725)	
ADDITIONAL CITY FUNDS	$112,806	
TOTAL	$2,438,818	

CLINTON CHAPMAN RD - BASE BID	**TOM HUDSON PAVING**	**6% Estimated Inspection**	**Total**
Roadway	$1,865,882	$111,953	**$1,977,835**
TRAFFIC	$21,248	$1,275	**$22,523**
Staking	$34,762	$0	**$34,762**
Construction	$69,458	$4,167	**$73,625**
		$0	**$0**
TOTALS	**$1,991,350**	**$117,395**	**$2,108,746**

CLINTON CHAPMAN RD - ADD ALT 1	**TOM HUDSON PAVING**	**6% Estimated Inspection**	**Total**
Roadway	$307,345	$18,441	**$325,786**
Staking	$4,287	$0	**$4,287**
TOTALS	**$311,632**	**$18,441**	**$330,073**

STATE OF OKLAHOMA
DEPARTMENT OF TRANSPORTATION
SUPPLEMENTAL AND MODIFICATION AGREEMENT NO. 2

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

CHAPMAN AVENUE: FROM 28TH STREET, EXTEND EAST TO NEPTUNE ROAD

Federal-Aid Project STP -120B (070) TC
State Job Number 19669(04)

This Supplemental and Modification Agreement, made the day and year last written below, by and between the City of Clinton, hereinafter referred to as the CITY, and the Department of Transportation of the State of Oklahoma, hereinafter referred to as the Department, said parties being the same who executed the original **PROJECT MAINTENANCE, FINANCING, AND RIGHT-OF-WAY AGREEMENT**, for the following intents and purposes and subject to the following terms and conditions, to wit:

WHEREAS, It is deemed necessary by the Department and CITY to revise the terms of the original **PROJECT MAINTENANCE, FINANCING, AND RIGHT-OF-WAY AGREEMENT**; and,

NOW, THEREFORE: the Department and CITY, in consideration of the mutual covenants and stipulations as set forth herein, do mutually promise and agree as follows:

A. The following section is hereby ENTIRELY replaced from the original CITY agreement; and reads as follows:

Section 15:

*Based on an estimated construction and contract administration cost of Two-Million-Four-Hundred-Thirty-Eight-Thousand-Eight-Hundred-Eighteen Dollars ($2,438,818) for the base bid plus add alternate 1, 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 **$1,250,000** shall be requested to provide a maximum of 80% of the participating project costs. Total Federal funds shall not exceed One-Million-Six-Hundred-Twenty-Seven-Thousand-Two-Hundred-Eighty-Seven Dollars ($1,627,287).*

The City shall be responsible for the balance of the project costs, estimated at Eight-Hundred-Eleven-Thousand-Five-Hundred-Thirty-One Dollars ($811,531).

The City understands and agrees that the federal funds associated with this project are limited to the amounts indicated and that any additional project costs, including, but not limited to change orders, modifications, overruns or adjustments are to be funded with 100% City funds.

B. That the original Agreement is hereby modified as above described, said agreement in all other respects shall remain unchanged and in full force and effect.

IN WITNESS WHEREOF, the Director of the Department of Transportation or his designee, pursuant to authority vested in him by the 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.

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