PUBLIC NOTICE OF A REGULAR MEETING
OF THE SOLID WASTE AUTHORITY
TUESDAY, JANUARY 20, 2015 AT 5:30 PM
CLINTON CITY HALL

AGENDA

Source listing: 1/20/15 Meetings
Original source: https://agendas.clintonok.gov/archive/2015/012015/launch.htm
Original authority agenda: https://agendas.clintonok.gov/archive/2015/012015/council.htm
Original authority agenda: https://agendas.clintonok.gov/archive/2015/012015/solidwaste.htm
Original reference document:
https://agendas.clintonok.gov/archive/2015/012015/CDBGPUBLICHEARING.pdf
Original reference document:
https://agendas.clintonok.gov/archive/2015/012015/CIPPUBLICHEARING.pdf

1. Call to Order
2. Opening Prayer /Pledge Dave Gerbrandt , Ministerial Alliance
3. Consent Agenda
    A. Consider Approval of Minutes on January 6, 2015
    B. Action Items:
    C. Consider Agreement with Mars Petcare regarding a Recycling Service
4. Trustee's Report
5. City Manager's Report
6. Audience Participation
7. Adjournment
    A. Proceed to City Council agenda

Filed this 15th day of January, 2015. Posted on the bulletin board in the lobby of the Clinton City Hall on January 15, 2015 at 2:00 p.m.

_____

Not recorded

MINUTES OF SOLID WASTE AUTHORITY MEETING
JANUARY 6, 2015

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, January 6, 2015, 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 2, 2015.

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

MAYOR: Seth Adams
COUNCIL: Don Rodolph, Jason Hulin, Wheeler Lowry, Lucas Martinez
CITY MANAGER: Mark Skiles
CITY CLERK: Lisa Anders
CITY TREASURER: Debra Blanchard
DEPUTY CLERK: Shona Stermer
CITY ATTORNEY: Absent
NEWS MEDIA: Gerald Green and Corianne Fairchild
OTHERS: Kris Wermy, Jeremy Brush, John Banne, Toby Anders, David Crabtree, Gene McCullough, Donald Webb, Conan Wilson, Joyce Kenney, Jim Holmes and others.

Ed Cox of The Edge Church opened the meeting with prayer and Trustee Lucas Martinez led the Pledge of Allegiance.

AGENDA ITEM NO. 3: CONSENT AGENDA

A. Minutes of Regular Meeting of December 16, 2014
B. Consider Claims

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

Chairman put the motion to a roll call vote:

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

Chairman declared the motion carried.

AGENDA ITEM NO. 4 ACTION ITEMS

None

AGENDA ITEM NO. 5 TRUSTEES REPORT

None

AGENDA ITEM NO. 6: CITY MANAGER'S REPORT

None

AGENDA ITEM NO. 7: AUDIENCE PARTICIPATION

None

AGENDA ITEM NO. 8: ADJOURNMENT

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

Chairman put the motion to a roll call vote:

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

Chairman declared the meeting adjourned at 5:35 pm

AGREEMENT TO ALLOW RECYCLING SERVICES

WHEREAS, 9-4-1 of the Clinton City Code establishes the City as the sole agent for the collection, removal and disposal of garbage.

WHEREAS, the City has assigned the responsibilities of solid waste collection to the Clinton Solid Waste Authority.

WHEREAS, the Clinton Solid Waste Authority has contracted with Republic Services for the collection, removal and disposal of garbage in an Agreement dated August 14, 2006 (the "Agreement").

WHEREAS, Mars Petcare, as a commercial client of the Solid Waste Authority, is subject to 9-4-1 of the City Code, to the extent that the City can provide the subject service.

WHEREAS, Mars Petcare has initiated a Green Initiative with the goal of achieving a "zero waste" facility.

WHEREAS, the City and Authority are incapable of providing the services required by Mars for the disposal of waste, under the definitions of waste in the agreement with Republic, specifically §§ 2.2 and 2.6 of the Agreement.

NOW THEREFORE all parties agree as follows:

1. Mars Petcare may outsource the collection, removal and disposal of some waste, which falls within the definitions of §§ 2.2 and 2.6 of the Agreement, to be transported to an incinerator which will harness energy from the burning process.

Dated this 8th day of January, 2015

MARS PETCARE

REPUBLIC SERVICES

CLINTON SOLID WASTE

PUBLIC NOTICE OF A REGULAR MEETING
OF THE CITY COUNCIL
TUESDAY, JANUARY 20, 2015 AT 5:30 PM
CLINTON CITY HALL

AGENDA

Source listing: 1/20/15 Meetings
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Original reference document:
https://agendas.clintonok.gov/archive/2015/012015/CIPPUBLICHEARING.pdf

1. Call to Order

2. Opening Prayer /Pledge Dave Gerbrandt , Ministerial Alliance

3. Consent Agenda

    A. Consider Approval of Minutes of January 6, 2015

4. Action Items:

    A. Consider Resolution No. 838 regarding adoption of Capital Improvement Plan

    B. Consider and take action on Ordinance No. 954 providing for continuing the levy and collection of five tenths percent (0.5%) sales tax

    C. Consider and take action on Ordinance No. 955 providing for continuing the levy and collection of a ninety-five hundredths percent (0.95%) sales tax

    D. Consider Agreement with Mars Petcare regarding a Recycling Service

    E. Consider and take action on surplus of 1982 Ford/Boardman Ladder Truck to donate to Western Technology Center

5. Council Report

6. City Manager’s Report

7. Audience Participation

8. Adjournment

Filed this 15th day of January, 2015. Posted on the bulletin board in the lobby of the Clinton City Hall on January 15, 2015 at 2:00 p.m.

_____

Not recorded

MINUTES OF THE CLINTON CITY COUNCIL
JANUARY 6, 2015

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 6, 2015 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 Thursday, January 2, 2015.

The Oath of Office was administered by City Clerk Lisa Anders to Seth Adams, Don Rodolph and Lucas Martinez.

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

MAYOR: Seth Adams
COUNCIL: Don Rodolph, Wheeler Lowry, Jason Hulin, Lucas Martinez
CITY MANAGER: Mark Skiles
CITY CLERK: Lisa Anders
CITY TREASURER: Debra Blanchard
DEPUTY CLERK: Shona Stermer
CITY ATTORNEY: Absent
NEWS MEDIA: Gerald Green and Corianna Fairchild
OTHERS: Kris Wermy, Jeremy Brush, John Banne, Gene McCullough, Toby Anders, David Crabtree, Conan Wilson, Mary Helen Jones, Joyce Kenney, Jim Holmes, Donald Webb and others.

Ed Cox of The Edge Church opened the meeting with prayer and Councilman Lucas Martinez led the Pledge of Allegiance.

AGENDA ITEM NO. 3: CONSENT AGENDA

A. Minutes of Regular Meeting of December 16, 2014
B. Minutes of Public Hearing on December 16, 2014
C. Consider Claims

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

Mayor put the motion to a roll call vote:

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

Mayor declared the motion carried.

AGENDA ITEM NO. 4 ACTION ITEMS

4A. CONSIDER RESOLUTION NO. 837 REGARDING LICENSE PERMITS AND INSPECTION FEES

Building Inspector Toby Anders presented a proposal to increase license permits and inspections fees. He said the rates have not been adjusted in at least the past eight years. He said the cost of some permits do not cover the cost of time and expenses.

Councilman Hulin asked if the City is losing money.

City Manager Mark Skiles said the changes are user fees and if the people who are required to pay do not then the public subsidizes. He said these permits and fees require staff time.

Councilman Rodolph said now is not a good time to raise rates and suggested further review.

Councilman Lowry said eight years is too long. He said his business reviewed fees annually and from the information presented there has been research completed.

Councilman Martinez said he was concerned about the timing and would like more research.

Councilman Hulin said he would like to see cost of service to justify any possible raise in rates. He said if might be that some of the rates need to be increased more than proposed.

Building Inspector Toby Anders said he could provide numbers and estimate time for generating licenses.

4B. CONSIDER CONDEMNATION OF PROPERTY AT 500 NORTH 15TH – OWNER: LARRY ROLLINS

Building Inspector Toby Anders presented information on property at 500 North 15th. He said it is unsecure and has not had water service since December 2009. Proper notification has been sent to the property owner with no response. Anders recommended condemning the property.

Councilman Hulin asked if the owner is deceased.

Anders said that the abstract office has completed a title search and the property is owned by a sole owner and the taxes are current.

Motion was made by Councilman Rodolph and seconded by Councilman Lowry to proceed with the condemnation of property at 500 North 15th.

Mayor put the motion to a roll call vote:

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

Mayor declared the motion carried.

4C. CONSIDER APPOINTMENTS TO MIDWESTERN OKLAHOMA INDUSTRIAL FOUNDATION

City Manager Mark Skiles explained that the City of Clinton has five seated on the Midwestern Oklahoma Industrial Foundation board. Two terms will be expiring in February and Steve Hewitt needs to be replaced to complete his unexpired term.

Motion was made by Councilman Rodolph and seconded by Councilman Martinez to reappoint Jason Hulin and appoint Wheeler Lowry and Mark Skiles to the MOIF board.

Mayor put the motion to a roll call vote:

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

Mayor declared the motion carried.

4D. CONSIDER INCREASE TO OKLAHOMA NATURAL GAS FRANCHISE FEE

City Manager Mark Skiles reported that Oklahoma Natural Gas had contacted the City regarding the franchise fee. Due to a "favored nations" clause in the franchise agreement, the City of Clinton has the option to raise the franchise fee from 3% to 4%. He said in comparing to other communities, Weatherford has an agreement with a different company and Elk City has not been contacted about this option.

Motion was made by Councilman Rodolph and seconded by Councilman Martinez to decline the option to increase the franchise fee with Oklahoma Natural Gas.

Mayor put the motion to a roll call vote:

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

Mayor declared the motion carried.

City Manager Skiles explained that staff was not recommending the increase but it was necessary for the Council to take action on the option.

AGENDA ITEM NO 5.COUNCIL REPORT

None

AGENDA ITEM NO. 6: MANAGER'S REPORT

City Manager Mark Skiles reported that the demolition of a condemned property had been completed today.

AGENDA ITEM NO. 7 : AUDIENCE PARTICIPATION

None

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, Martinez, Rodolph, Adams
Nay: None

Mayor declared the meeting adjourned at 6:05 p.m.

Capital Improvement 5-Year Plan Adoption

Resolution 838

A Resolution by the City of Clinton adopting the Capital Improvement Plan for the City of Clinton.

Whereas, the City of Clinton recognizes the necessity of establishing a Long Range Capital Improvement Plan to properly plan for future community growth and development of the community in an orderly and affordable manner, and

Whereas, the Local Planning Activities Committee (LPAC) and Community Volunteers have completed the Inventory, Mapping, Analysis, and 5-Year Plan Development segments of the Capital Improvement Planning Project, and

Whereas, the Plan has been open to public review and comment for 30 days,

Therefore, be it resolved, that the City of Clinton accepts the Capital Improvement Plan and that the Plan is hereby adopted this day, January 20, 2015, at a scheduled meeting in compliance with the Open Meeting Act, 25 O.S. §§ 301-314 (2001).

Authorized Official	Title	Date

Attest: Subscribed & sworn to before me this _____, 20_____.

My Commission expires: _____, 20_____.

_____

Signature

ORDINANCE NO. 954

AN ORDINANCE AMENDING SECTION 3-2-7 OF THE "CITY OF CLINTON SALES TAX CODE", OF THE CITY OF CLINTON, OKLAHOMA, AS AMENDED, BY PROVIDING FOR CONTINUING THE LEVY AND COLLECTION OF A FIVE TENTHS PERCENT (0.5%) SALES TAX; PROVIDING FOR THE PURPOSE THEREOF; PROVIDING EFFECTIVE DATE; PROVIDING THE PROVISIONS ARE CUMULATIVE; AND PROVIDING FOR SEVERABILITY

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

SECTION 1. The City of Clinton Sales Tax Code shall be amended to include a Subsection "C" which shall read as follows:

C. Limited Additional Tax: There is hereby levied a limited additional Five Tenths percent (.5%) sales tax, effective July 1, 2015, under the following stipulations.

SECTION 1. It is hereby declared to be the purpose of the revenues provided by the .5% sales tax to provide revenues for the purpose of alleviating the continued increase of utility rates necessary for the repayment of the Utility System and Sales Tax Revenue Bonds Services 2014, for the construction of the Clinton Water Treatment Plant.

SECTION 2. Said .5% sales tax shall cease to be collected on September 30, 2019.

SECTION 3. This Ordinance shall become and be effective only after approval by a majority of the qualified electors of the City of Clinton, Oklahoma, voting on the proposition of approving the same in the manner prescribed by law. The levy of the aforesaid sales tax shall continue on and after July 1, 2015 until September 30, 2019.

SECTION 4. The provisions hereof shall be cumulative and in addition to any and all other taxing provisions of City Ordinances.

SECTION 5. The provisions of this Ordinance are severable, and if any part or provision hereof shall be adjudged invalid by any court of competent jurisdiction, such adjudication shall not affect or impair any of the remaining parts or provisions hereof.

PASSED AND APPROVED by the Council of the City of Clinton, Oklahoma, this _____ day of _____, 2015.

_____
Mayor, City of Clinton, Oklahoma

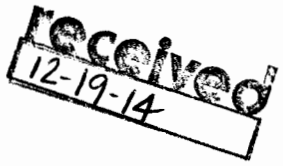
ATTEST:

(Seal)

_____
City Clerk, City of Clinton, Oklahoma

Midwestern Oklahoma Industrial Foundation

Fax: 580-562-3113
Phone 580-562-3111



December 16, 2014

Clinton City Government,

It will soon be time for the annual meeting of the Midwestern Oklahoma Industrial Foundation. Please refer to the attached list of Directors whose terms expire as of February 2015.

According to the MOIF Charter, local governments of various communities in the Beckham, Custer, Kiowa, and Washita county areas select directors to serve a three-year term. Please take the appropriate action necessary to fill your vacancy (ies) on the MOIF Board.

Submit your selections by January 16, 2015 either by phone or fax, followed by a written letter. I will also need the address and phone number of the person(s) selected, so that I can extend an invitation to the annual MOIF meeting. A self addressed, stamped envelope has been provided for your convenience.

If you have any questions, please don't hesitate to call me.

Sincerely,

Kathy Carlisle
Executive Director of MODA

Enclosures:
Self addressed, stamped envelope
Expiring terms of Directors

MEMBERS WHOSE TERM EXPIRES FEBRUARY, 2015

Burns Flat	Don Greteman PO Box 293 Burns Flat OK 73624	2015
Canute	Denise Mahl PO Box 275 Canute OK 73626	2015
Clinton	Jason Hulin 1120 Blackstone Clinton OK 73601	2015
	Mustafi Sami 515 E 3rd Clinton OK 73601	2015
Cordell	Rick Lindley PO Box 457 Cordell OK 73632	2015
	Charlie Greene 1100 N Temple Cordell OK 73632	2015
	Jim Price 706 N College Cordell, OK 73632	2015
Elk City	Basil Weatherly PO Box 795 Elk City OK 73648	2015
Hobart	Jeff Casida City Hall Hobart OK 73651	2015

ORDINANCE NO. 955

AN ORDINANCE AMENDING SECTION 3-2-7 OF THE "CITY OF CLINTON SALES TAX CODE", OF THE CITY OF CLINTON, OKLAHOMA, AS AMENDED, BY PROVIDING FOR CONTINUING THE LEVY AND COLLECTION OF A NINETY-FIVE HUNDREDTHS PERCENT (0.95%) SALES TAX; PROVIDING FOR THE PURPOSE THEREOF; PROVIDING EFFECTIVE DATE; PROVIDING THE PROVISIONS ARE CUMULATIVE; AND PROVIDING FOR SEVERABILITY

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

SECTION 1. Subsection B of 3-2-7 of the City of Clinton Sales Tax Code levied an additional one percent (1%) sales tax, effective April 1, 2005; which is set to cease collection on March 31, 2011, except for five hundredths percent (0.05%) which is perpetually dedicated to the operation and maintenance of Acme Brick Park; and was amended on September 15, 2011 to recapture the .95% which had lapsed and took effect on October 1, 2011.

Subsection B of 3-2-7 of the City of Clinton Sales Tax Code is hereby amended, effective September 1, 2019, by replacing "October 1, 2011" with "October 1, 2019" anywhere it appears in Subsection B and by replacing "August 31, 2019" with "December 31, 2044".

Subsection (B)(2) of 3-2-7 of the City of Clinton Sales Tax Code is hereby amended, effective October 1, 2019 by replacing "Fifty two percent (52%) for the purpose of repairs and rehabilitation of the city of Clinton police department and fire department facilities, including potential expansion, demolition, and construction; Forty percent (40%) for the continued debt service at Acme Brick Park; Eight percent (8%) for future economic development within the city" with "Eighty-five percent (85%) of the proceeds shall be applied to the continued debt service of the Utility System and Sales Tax Revenue Bonds Series 2014, for the purpose of constructing a water treatment plant and assorted facilities and infrastructure and Fifteen percent (15%) shall be paid into the City's Economic Development Fund; unless the Bond issue pays off prior to termination of this sales tax, at which time proceeds shall be allocated 25% to repair, maintenance and refurbishment of the water treatment plant and 75% to the general fund."

SECTION 2. It hereby is declared to be the purpose of the revenues provided by the ninety-five hundredths percent (0.95%) sales tax extended by this Ordinance to provide revenues for the following purposes:

1. Eighty-five percent (85%) of the proceeds shall be applied to the continued debt service of the Utility System and Sales Tax Revenue Bonds Series 2014, for the purpose of constructing a water treatment plant and assorted facilities and infrastructure and Fifteen percent (15%) shall be paid into the City's Economic Development Fund; unless the Bond issue pays off prior to termination of this sales tax, at which time proceeds shall be allocated 25% to repair, maintenance and refurbishment of the water treatment plant and 75% to the general fund.

SECTION 3. This Ordinance shall become and be effective only after approval by a majority of the qualified electors of the City of Clinton, Oklahoma, voting on the proposition of approving the same in the manner prescribed by law. The levy of the aforesaid sales tax shall continue on and after October 1, 2019 until December 31, 2044.

SECTION 4. The provisions hereof shall be cumulative and in addition to any and all other taxing provisions of City Ordinances.

SECTION 5. The provisions of this Ordinance are severable, and if any part or provision hereof shall be adjudged invalid by any court of competent jurisdiction, such adjudication shall not affect or impair any of the remaining parts or provisions hereof.

PASSED AND APPROVED by the Council of the City of Clinton, Oklahoma, this _____ day of _____, 2015.

_____
Mayor, City of Clinton, Oklahoma

ATTEST:

(Seal)

_____
City Clerk, City of Clinton, Oklahoma

Oklahoma Natural Gas
A Division of ONE Gas

5848 E. 15th Street
Tulsa, OK 74112-6402
oklahomanaturalgas.com

December 15, 2014



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

Dear Mr. Hewitt:

Oklahoma Natural Gas recently accepted a franchise agreement with another city that contains a four percent (4%) franchise fee. This exceeds the 3% fee we are currently paying the City of Clinton. According to the "favored nations" clause in our existing franchise agreement, Clinton now has the option to raise our ONG franchise fee to four percent (4%) also. According to Section 11.D. in the Franchise Ordinance, the city's governing body can direct us to increase our fee to match the higher 4% rate at its' discretion

In the event your City Commission determines they would like to raise the franchise fee to 4% due to the "favored nations" provision, please sign and return this document to advise us accordingly.

1. The Clinton City Commission has voted to increase the franchise fee from 3% to 4% as attested by the mayor, city clerk, and city attorney.

_____
Mayor

_____
City Clerk

_____
City Attorney

You may have questions or need additional information so please feel free to contact me at (918) 831-8374 or by e-mail at Jim.Stout@onegas.com. I look forward to hearing from you and what the City chooses to do on this matter.

Sincerely,

Jim Stout
Manager – Community Relations
Oklahoma Natural Gas Company