(This item is placed on the agenda so the Clinton City Council, by unanimous consent, can designate those routine items they wish to be approved by one motion. If an item does not meet the approval of all members, that item will be heard in regular order)

PUBLIC NOTICE OF A REGULAR MEETING
OF THE CITY COUNCIL
TUESDAY, APRIL 19, 2022 AT 5:30 PM
CLINTON CITY HALL

AGENDA

Source listing: 04/19/2022 Meetings
Original source: https://agendas.clintonok.gov/archive/2022/041922/launch.html
Original authority agenda: https://agendas.clintonok.gov/archive/2022/041922/PWA0401922.htm
Original authority agenda: https://agendas.clintonok.gov/archive/2022/041922/RM041922.htm

1. CALL TO ORDER, OPENING PRAYER/PLEDGE OF ALLEGIANCE

    A. Joel Miller, First Christian Church
    Don Miller, Post Commander, American Legion, Post 41

2. CONSIDER APPROVAL OF CONSENT AGENDA

    A. Minutes of the April 5, 2022, Regular Meeting

    B. Acknowledge Receipt of DEQ Permit No. WL000020220072 – Water Line Construction Related to Twin Oaks Ridge Subdivision

3. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING

    A. Resolution No. 938 – Scheduling of 2022 Municipal Elections

    B. Potential Summary Abatement – Pursuant to Section 5-1-9 of the Clinton City Code

    C. Public Hearing Regarding the Proposed Abatement of the Accumulation of Junk & Debris on the Property located at 120 S. 11 th Street

    D. Finding that a Nuisance Does/Does Not Exist and Directing Abatement within a Specified Time

    E. Presentation from Western OK Coop Representatives Regarding Route 66/Downtown Clinton Redevelopment/Enhancement Opportunities

    F. Interlocal Agreement with CED7 to Complete a Bridge Safety Report for the City of Clinton of the Railroad Bridge at Acme Brick Park

4. NEW BUSINESS (If any, pursuant to Section 311.9 of the Oklahoma Open Meeting Act.)

5. COUNCIL COMMENTS

6. CITY MANAGER'S COMMENTS

7. AUDIENCE PARTICIPATION (According to Audience Participation Decorum Guidelines at Clinton City Council Public Meetings effective: 2/14/2017)

8. ADJOURN

Filed this 1st Day of April, 2022. Posted on the bulletin board in the lobby of the Clinton City Hall on April 1, 2022 at 5:00 p.m.

_____

Not recorded

MINUTES OF THE CLINTON CITY COUNCIL REGULAR MEETING
APRIL 5, 2022

Minutes of the meeting of the Mayor and Council of the Clinton City Council, City of Clinton, Oklahoma, Custer County, held in the City Council Room, City Hall on Tuesday, April 5, 2022, 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 April 1, 2022, at 4:30 P.M.

Mayor David Berrong called the meeting to order at 5:31 p.m.

CHAIRMAN: David Berrong
TRUSTEES: Patch McComas, Ernie Dowdell, Arthur Lloyd, Ernesto Villanueva (absent)
MANAGER: Robert Johnston
CITY TREASURER: Debra Blanchard
CITY ATTORNEY: Ryan Meacham
CITY CLERK: Amy Jones
NEWS MEDIA: Mike Smith, Kelcie Hartley-Wolfe
OTHERS: Gene McCullough, Samantha Aispuro, Paul Rinkel, Joe Cloninger, Tyler Wolfe, Susana Williams, Jeff Johnson, Michelle Tayler, and others.

Jeff Johnson, First Christian Church opened the meeting with prayer and Joe Cloninger, Chaplain. American Legion Post 41 led the Pledge of Allegiance.

AGENDA ITEM NO. 2: CONSENT AGENDA

A. Minutes of the March 15, 2022, Regular Meeting
B. Consider Claims
C. Acknowledge the Execution of Purchase Order No. 115328 by Fire Chief Russel and City Manager Johnston for a Budgeted Expenditure in the amount of $26,295.84 for a New Model 2001 Federal Signal Rotating Siren as Proposed by Chickasaw Communications.

Motion was made by Councilman Dowdell and seconded by Councilman McComas that the Consent Agenda Items be approved.

Mayor put the motion to a roll call vote:

Aye: Dowdell, McComas, Lloyd, Villanueva, Berrong
Nay: None

Mayor declared the motion carried.

AGENDA ITEM NO. 3 DISCUSSION, CONSIDERATION AND POSSIBLE ACTION ITEMS:

A. Resolution No. EDA 22-01- Ratifying the CEDA's Updating of the "Economic Growth Incentive Program";

Mayor Berrong presented Resolution No. EDA22-01– which authorizes this program yet needed to be updated to clarify the definition of "net tax" for expanding businesses. The Resolution was approved by the Clinton Economic Development Authority today at their meeting about an hour ago and is now presented to the Council for ratification.

The motion was made by Councilman Dowdell and seconded by Councilman Lloyd to approve Resolution No. EDA 22-01 A Resolution Providing for a Means to Attract Business and Economic Growth within the Clinton Community with the updates presented

Mayor put the motion to a roll call vote:

Aye: Dowdell, McComas, Lloyd, Villanueva, Berrong
Nay: None

Mayor declared the motion carried.

A. Resolution No. 936 – Electing the Standard Allowance Available Under the Revenue Loss Provision of the Coronavirus Local Fiscal Recovery Fund Established Under the American Rescue Plan in the Full Amount of the ARPA Grant ($1,587,092.88) to be used for the General Provision of Government Services

City Manager Johnston commented that this ARPA funding provides an opportunity to meet some unfunded capital needs. The ARPA guidelines have changed several times in the last year, so staff waited before bringing an action item to the Council. Since the Final Rules went into effect on 4/1/22, the best way to report our use of the ARPA funds allocated to Clinton is as 'lost revenue' during the COVID-19 pandemic. The ARPA funds will be used for the general provision of government services after specific appropriation during the FYE23 budget process.

The motion was made by Councilman Dowdell and seconded by Councilman McComas to approve Resolution No. 936.

Mayor put the motion to a roll call vote:

Aye: Dowdell, McComas, Lloyd, Villanueva, Berrong
Nay: None

Mayor declared the motion carried.

B. Resolution 937 – Regarding Fair Housing; the City of Clinton Opposes Discrimination in the Sale, Rental, Leasing, Financing of Housing or Land

Used for the Construction of Housing or In the Provision of Brokerage Services Because of Races, Color, Religion, Sex or National Origin as Prohibited by Title VIII of the 1968 Civil Right (Federal Fair Housing Law).

Motion was made by Councilman Dowdell and seconded by Councilman McComas to approve Resolution 937 – Fair Housing.

Mayor put the motion to a roll call vote:

Aye: Dowdell, McComas, Lloyd, Villanueva, Berrong
Nay: None

Mayor declared the motion carried

C. Fair Housing Proclamation

City Manager Johnston presented the Fair Housing Proclamation declaring the month of April "Fair Housing Month" is considered annually in the spirit and intent of fair housing for all residents of the City of Clinton, Oklahoma.

The motion was made by Councilman Dowdell and seconded by Councilman Villanueva to approve the Fair Housing Proclamation and declare April Fair Housing Month.

Mayor put the motion to a roll call vote:

Aye: Dowdell, McComas, Lloyd, Villanueva, Berrong
Nay: None

Mayor declared the motion carried.

E. Repairs to Train Tracks at Acme Brick Park

City Manager Johnston reported that Recreation Director Summer Pennington had been persistently pursuing quotes to repair the train tracks which were damaged by flooding at Acme Brick Park. She succeeded by obtaining three proposals. Since all three proposals address the repairs with slightly different solutions they will be carefully compared and brought back to the Council with a recommendation as soon as possible. The repair companies suggested that the bridge be inspected by an engineer prior to any track repairs commencing to identify any undetected issues be addressed as well. The CED7 has been approached to conduct the engineer's inspection as soon as practicable so that this matter can be finalized.

Motion was made by Councilman Dowdell and seconded by Councilman Villanueva to table the decision regarding the proposals for train track repairs until the bridge

inspection had been completed.

Mayor put the motion to a roll call vote:

Aye: Dowdell, McComas, Lloyd, Villanueva, Berrong
Nay: None

Mayor declared the motion carried

AGENDA ITEM NO. 4 NEW BUSINESS (If any, pursuant to Section 311.9 of the Oklahoma Open Meeting Act.)

None

AGENDA ITEM NO. 5 COUNCIL COMMENTS

None

AGENDA ITEM NO. 6 CITY MANAGER'S COMMENTS

City Manager Johnston stated that a survey crew would be at McClain Rogers Parks next week as the first step in the SORTPO grant-funded "ADA and Active Living Assessment". He also, at the encouragement of the Oklahoma Water Resources Board, had submitted a project into the ARPA portal for $750,000 in grant money to fund repairs to the Lake Clinton earthen dam. The dam inspection conducted in December 2021 revealed some issues to be resolved.

AGENDA ITEM NO. 7: AUDIENCE PARTICIPATION (According to Audience participation Decorum Guidelines at Clinton City Council Public Meeting s effective:2/14/2017)

None

AGENDA ITEM NO. 8: ADJOURNMENT

Moved by Councilman Dowdell and seconded by Councilman Villanueva to adjourn the meeting.

Mayor put the motion to a roll call vote:

Aye: Dowdell, McComas, Lloyd, Berrong
Nay: None

Mayor declared the meeting adjourned at 6:42 P.M.

_____
Date Approved

_____
David D. Berrong, Mayor

RESOLUTION NO. 938

BE IT RESOLVED BY the City Council of the City of Clinton that for the purpose of electing officers of said City that said City of Clinton will conduct:

1. **A primary election, if needed, to be held on Tuesday, August 23, 2022**; *Should there be only two candidates for an office to be filed, their names will be placed on the November General Election ballot and the names will not appear on the August Primary ballot;* and

2. **A general election, if needed, to be held on Tuesday, November 8, 2022**;

BE IT FURTHER RESOLVED that the following officers will be elected for the terms of office;

Councilman representing **Ward Two** and Councilman representing **Ward Four**, and **Mayor -at-Large**, each for term of two years, beginning at 5:30 P.M, on Tuesday, November 15, 2022.

Filing period for the above-mentioned office will be from 8 o'clock A.M., Monday, June 13, 2022 through 5 o'clock P.M. Wednesday, June15, 2022, in the office of the Custer County Election Board located at 633 North 6th in Clinton, Oklahoma; and

BE IT FURTHER RESOLVED that candidates for Councilman for the aforementioned wards must be qualified electors of their respective wards, and candidates for councilman from the aforementioned wards shall be nominated and elected by the qualified electors of their respective wards. Both primary and general elections shall be nonpartisan; and no party designation or emblem shall be placed on the ballots.

Adopted this _____ day of _____, 2022.

_____
David Berrong, Mayor

ATTEST:

_____
Amy E. Jones, City Clerk

I, _____, Custer County Election Board Secretary have

this day received a copy of the above Resolution of the City of Clinton, Oklahoma.

Date; _____

_____
Ann Brown, Custer County Election Boar

Clinton
Hub City of Western Oklahoma

HAND DELIVERED BY CLINTON POLICE OFFICER

April 11, 2022

Virginia L. Paulsen
Post Office Box 1131
Clinton, OK 73601

Re: 120 S. 11th, Clinton, OK

Ms. Paulsen:

Pursuant to Section 5-1-9 (copy enclosed) of the *Clinton City Code*, notice is hereby given to you that the Clinton City Council during its April 19, 2022, Regular Meeting commencing at 5:30 PM in the Council Chambers of the City Hall at 415 Gary Boulevard will conduct a hearing to discuss the present condition of your property.

Numerous complaints from many Clinton citizens and my own observations of your property demonstrate to me that your property's present condition is a "nuisance" that needs to be abated. As the person responsible for the condition of your property listed above, you should be prepared to explain your intentions to clean up your property within a specified time frame approved by the City Council. If your clean-up is not completed by you, then the City will have it cleaned for you at your expense.

Since several previous notifications to you have not resulted in your property being cleaned and kept clean, summary abatement is the legal remedy which apparently must be utilized to remedy this situation.

Sincerely,

Robert B. Johnston

Robert B. Johnston
City Manager

Enclosure

5-1-9: SUMMARY ABATEMENT OF NUISANCES:

A. Nuisances Constituting Immediate Danger:

1. Some nuisances are of such nature as to constitute a grave and immediate danger to the peace, health, safety, morals or welfare of one or more persons or of the public generally.

2. It is recognized that circumstances may be such as to justify, and even to require, the city manager or other appropriate officer or agency of the city government to take immediate and proper action summarily to abate such nuisances, or to reduce or suspend the danger until more deliberate action can be taken toward such abatement.

B. Submission Of Statement Of Nuisance Condition:

1. The chief of the fire department, the chief of police, the city attorney, the building inspector, the electrical inspector, the plumbing inspector or any other officer subordinate to the city manager, may submit, through or with the consent of the city manager, to the city council, a statement as to the existence of a "nuisance" as defined by the ordinances of the city or law, and a request or recommendation that it be abated.

2. The city manager himself, the health officer, any councilman or any resident of the city may submit such a statement and request such recommendation to the city council.

C. Council Determination; Hearing; Notice:

1. The council shall determine whether or not the alleged nuisance is a nuisance in fact. For the purpose of gathering evidence on the subject, the council shall have power to subpoena and examine witnesses, books, papers and other effects.

2. Before proceeding to abate the nuisance or to have it abated, the council shall give notice of a hearing on the proposed abatement to the owner of any property concerned and to any other person alleged or deemed responsible for or to be causing the nuisance, and an adequate opportunity to be heard, if such notice and opportunity for a hearing can be given. Such notice to the owner and other persons concerned shall be given in writing by mail or by service by a police officer, if their names and addresses are known; but, if the names or addresses are not known, and the peace, health, safety, morals or welfare of the person or public adversely affected would not be unduly jeopardized by the necessary delay, a notice of the hearing shall be published in a newspaper of general circulation within the city.

D. Abatement By City; Assessment Of Costs:

1. If the council finds that a nuisance does in fact exist, it shall direct the owner and/or other person responsible for or causing the nuisance to abate such nuisance within a specified time if the peace, health, safety, morals or welfare of the person or public adversely affected would not be unduly jeopardized by the consequent delay. If such peace, health, safety, morals or welfare would be unduly jeopardized by the consequent delay, or if the owner or other person responsible for or causing the nuisance does not abate it within the specified time, the council shall direct the city manager to abate the nuisance or to have it abated, if summary abatement is practical, as authorized by 50 Oklahoma Statutes section 16.

2. The city clerk shall send a statement of the cost of such summary abatement to the owner and/or other person responsible for or causing the nuisance, as may be just under the circumstances, if their names and addresses are known. Until paid, such cost shall constitute a debt to the city collectible as other debts of the city may be collected. (1991 Code § 13-9)

INTERLOCAL COOPERATION AGREEMENT

THIS AGREEMENT, entered into on this _____ Day of _____, 20___ between the City of Clinton and Circuit Engineering District #7, to provide bridge inspection services for your municipal project.

ARTICLE I, DURATION

This Agreement will be in full force and binding upon the parties thereto upon the execution of the Agreement and shall continue in full force and effect indefinitely at the mutual consent of both parties.

ARTICLE II, PURPOSE

The parties hereto, through their respective governing bodies, hereby find and declare;

WHEREAS, the City of Clinton has the need for bridge safety inspection services and agree to provide the specifications and requirements for the projects; and

WHEREAS, Circuit Engineering District #7 has the certified personnel and the expertise to provide needed inspection services and reports required for the projects; and

WHEREAS, Circuit Engineering District #7 agrees to provide a one-time bridge safety inspection of a railroad bridge over the pond at ACME Brick Park; and

WHEREAS, the City of Clinton's total payment to Circuit Engineering District #7 for inspection of said bridge will not exceed $1000.00,

NOW THEREFORE, in consideration of the foregoing and in compliance with and pursuant to the provisions, terms and conditions. Circuit Engineering District #7 and the City of Clinton agree to the direct services as approved by the individual governing bodies, and thereby to provide services and facilities in a manner pursuant to governmental organization.

IN WITNESS WHEREOF, the said parties have caused this instrument to be executed by their respective officers the day and year first above written.

City of Clinton

_____

_____

_____

Attest:_____

Notary

Date: _____

Circuit Engineering District #7

_____

_____

_____

Attest: _____

Notary

Date: _____

(This item is placed on the agenda so the Authority, by unanimous consent, can designate those routine items they wish to be approved by one motion. If an item does not meet the approval of all members, that items will be heard in regular order.)

PUBLIC NOTICE OF A REGULAR MEETING OF THE PUBLIC WORKS AUTHORITY TUESDAY, APRIL 19, 2022 AT 5:30 PM CLINTON CITY HALL

AGENDA

Source listing: 04/19/2022 Meetings
Original source: https://agendas.clintonok.gov/archive/2022/041922/launch.html
Original authority agenda: https://agendas.clintonok.gov/archive/2022/041922/PWA0401922.htm
Original authority agenda: https://agendas.clintonok.gov/archive/2022/041922/RM041922.htm

1. CALL TO ORDER, OPENING PRAYER/PLEDGE OF ALLEGIANCE

    A. Joel Miller, First Christian Church
    Don Miller, Post Commander, American Legion, Post 41

2. CONSENT AGENDA

    A. Minutes of the April 5, 2022, Regular Meeting

3. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING:

    A. Engagement of the Tisdal Law Firm to Market Oil Wells

4. NEW BUSINESS (If any, pursuant to Section 311.9 of the Oklahoma Open Meeting Act.)

5. TRUSTEES' COMMENTS

6. CITY MANAGER'S COMMENTS

7. AUDIENCE PARTICIPATION (According to Audience Participation Decorum Guidelines at Clinton City Council Public Meetings effective: 2/14/2017)

8. ADJOURN

Filed this 1st Day of April 15, 2022. Posted on the bulletin board in the lobby of the Clinton City Hall on April 15, 2022 at 4:30 p.m.

_____

Not recorded

MINUTES OF CLINTON PUBLIC WORKS AUTHORITY MEETING
APRIL 5, 2022

Minutes of the regular meeting of the Chairman and Trustees of the Clinton Public Works Authority City of Clinton, Oklahoma, Custer County, held in the City Council Room, City Hall on Tuesday, April 5, 2022, at 5:30 p.m. A notice of this meeting was posted on the bulletin board in the lobby of Clinton City Hall on February 25, 2022, Chairman David Berrong called the meeting to order at 6:10 p.m. with the following present:

CHAIRMAN: David Berrong
TRUSTEES: Patch McComas, Ernie Dowdell, Arthur Lloyd, Ernesto Villanueva
MANAGER: Robert Johnston
CITY TREASURER: Debra Blanchard
CITY ATTORNEY: Ryan Meacham
CITY CLERK: Amy Jones
NEWS MEDIA: Mike Smith, Kelcie Hartley-Wolfe
OTHERS: Gene McCullough, Samantha Aispuro, Paul Rinkel, Jeff Johnson, Joe Cloninger, Tyler Wolfe, Susana Williams, Michelle Taylor and others.

Jeff Johnson, Pastor First Christian Church opened the meeting with prayer and Joe Cloninger, Chaplain. American Legion Post 41 led the Pledge of Allegiance.

AGENDA ITEM NO. 2: CONSENT AGENDA

A. Minutes of Regular Meeting of March 1, 2022
B. Consider Claims

Motion was made by Trustee Dowdell and seconded by Trustee Villanueva that the Consent Agenda items be approved.

Chairman put the motion to a roll call vote:

Aye: Dowdell, Lloyd, McComas, Villanueva, Berrong
Nay: None

Chairman declared the motion carried.

AGENDA ITEM NO. 3: DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION ITEMS

A. Quotes for Fence Repair/Replacement at West High Zone Tower

City Manager Johnston updated the Trustees regarding the quotes for fence repair/replacement at the West High Zone Water Tower on S. 28th Street. Three quotes were presented by Public Works Director Gene McCullough for initial review. The quotes were brought to the Trustees as information as the third one was received just minutes ago so they have not yet been thoroughly reviewed in order to make a recommendation. The quotes' presentations were each different regarding linear feet of fencing and in other

key price components. It was noted that the fence's present poor condition has been previously discussed, it is a DEQ requirement, project funding was in this year's budget and that more clarification is needed before taking any action at this meeting

The motion was made by Trustee McComas and seconded by Trustee Dowdell to table the quotes for the fence repair/replacement at the West High Zone Tower until clarification can be made regarding the differences in the information received.

Chairman put the motion to a roll call vote:

Aye: Dowdell, Lloyd, McComas, Villanueva, Berrong
Nay: None

Chairman declared the meeting adjourned at 6:25 p.m.

AGENDA ITEM NO. 4 NEW BUSINESS (If any, pursuant to Section 311.9 of the Oklahoma Open Meeting Act)
None

AGENDA ITEM NO. 5: TRUSTEE COMMENTS
None

AGENDA ITEM NO. 6: CITY MANAGER COMMENTS
None

AGENDA ITEM NO. 7: ADJOURNMENT

Moved by Trustee Dowdell and seconded by Trustee Villanueva to adjourn the meeting.

Chairman put the motion to a roll call vote:

Aye: Dowdell, McComas, Villanueva, Berrong
Nay: None

Chairman declared the meeting adjourned at 6:20 p.m.

_____
Date Approved

_____
David D. Berrong, Chairman