# PUBLIC NOTICE OF A REGULAR MEETING
# OF THE RECREATIONAL AUTHORITY
# TUESDAY, DECEMBER 18, 2007 AT 5:30 PM
# CLINTON CITY HALL

## AGENDA

Meeting status: Completed

1. Call to Order
2. Opening Prayer Shane Hall, First Baptist Church
3. Consent Agenda
    A. Consider Approval of Minutes of Regular Meeting on December 4, 2007
4. Action Items:
    A. Consider two appointments to the Golf Advisory Board
5. City Managers Report
6. Recognition of Registered Audience
7. Adjournment

Filed this 14th Day of December, 2007. Posted on the bulletin board in the lobby of the Clinton City Hall on December 14, 2007 at 1:15 p.m.

RA120407

# MINUTES OF RECREATIONAL AUTHORITY MEETING, DECEMBER 4, 2007

Minutes of a regular meeting of the Chairman and Trustees of the Clinton Recreational Trust Authority of Clinton, Oklahoma, Custer County, held in the City Council Room, City Hall on Tuesday, December 4, 2007 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 November 30, 2007.

Chairman Norman called the meeting to order with the following present;

**CHAIRMAN:** Lynn Norman
**TRUSTEES:** Bob Marcy, Mark Hendrickson, Allen Bryson, Terry Wheeler
**CITY MANAGER:** Grayson Bottom
**CITY CLERK:** Lisa Anders
**CITY TREASURER:** Debra Blanchard
**DEPUTY CLERK:** Absent
**CITY ATTORNEY:** Ryan Meacham
**NEWS MEDIA:** Steve Belcher and Mike Smith
**OTHERS:** Brad Aneshansley, Bob Gauger, Charles Fry, Toby Anders, Dacia Phillips, James Kuykendall, Brett Matlock, Robert Johnston, Mary Rayer and others.

Roy Dobbs of the First Church of God opened the meeting with prayer and Trustee Bob Marcy led the Pledge of Allegiance.

## AGENDA ITEM NO. 3: CONSENT AGENDA

A. Minutes of the Regular Meeting of November 6, 2007
B. Consider Claims

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

Chairman put the motion to a roll call vote:

Aye: Hendrickson, Bryson, Wheeler, Marcy, Norman
Nay: None

Chairman declared the motion carried.

## AGENDA ITEM NO. 4 ACTION ITEMS

## 4A. PRESENTATION AND CONSIDERATION OF 2006-2007 AUDIT

James Kuykendall of Britton, Kuykendall & Miller presented the audit for the 2006-2007 fiscal year. He explained that a single audit was preformed with no findings. He said the audit is clean or unqualified. He said it was found that the city provides the required services and maintains the infrastructure and fixed assets. He said the audit is a good report for the city and the entities.

City Manager Grayson Bottom expressed his appreciation to City Treasurer Debra Blanchard and her staff for a job well done. He asked Kuykendall to explain the reduction in the net fixed assets.

James Kuykendall explained that the fixed assets of the city had a major reduction and this was due to the transfer of Clinton-Sherman Industrial Airpark to OSIDA.

Motion was made by Trustee Wheeler and seconded by Trustee Marcy to accept the 2006-2007 audit prepared by Britton, Kuykendall & Miller as presented.

Chairman Norman put the motion to a roll call vote:

Aye: Wheeler, Marcy, Hendrickson, Bryson, Norman
Nay: None

Chairman declared the motion carried.

**AGENDA ITEM NO .5: CITY MANAGER'S REPORT**

None

**AGENDA ITEM NO. 6: RECOGNITION OF REGISTERED AUDIENCE**

None

**AGENDA ITEM NO. 7: ADJOURNMENT**

Moved by Trustee Bryson and seconded by Trustee Hendrickson that the meeting adjourn.

Chairman put the motion to a roll call vote

Aye: Bryson, Hendrickson, Wheeler, Marcy, Norman
Nay: None

Chairman declared the meeting adjourned at 5:50 pm.

# Memorandum

**To:** Grayson Bottom, City Manager

**CC:**

**From:** Lisa Anders, City Clerk

**Date:** 12/12/2007

**Re:** Golf Advisory Board

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Two terms on the Golf Advisory Board will be completed on December 20, 2007. Jay Wyer and Luke Adams will be completing their terms.

The terms are for a three year period.

# PUBLIC NOTICE OF A REGULAR MEETING
# OF THE INDUSTRIAL AUTHORITY
# TUESDAY, DECEMBER 18, 2007 AT 5:30 PM
# CLINTON CITY HALL

## AGENDA

Meeting status: Completed

1. Call to Order
2. Opening Prayer Shane Hall, First Baptist Church
3. Consent Agenda
    A. Consider Approval of Minutes of Regular Meeting on December 4, 2007
4. Action Items:
    A. Consider appropriations for Industrial Access Road with funding from Economic Development Funds
5. City Managers Report
6. Recognition of Registered Audience
7. Adjournment

Filed this 14th Day of December, 2007. Posted on the bulletin board in the lobby of the Clinton City Hall on December 14, 2007 at 1:15 p.m.

IA120407

# MINUTES OF THE CLINTON INDUSTRIAL AUTHORITY, DECEMBER 4, 2007

Minutes of a regular meeting of the Chairman and Trustees of the Clinton Industrial Authority of Clinton, Oklahoma, Custer County, held in the City Council Room, City Hall on Tuesday, December 4, 2007 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 November 30, 2007.

Chairman Norman called the meeting to order with the following present;

**CHAIRMAN:** Lynn Norman
**TRUSTEES:** Bob Marcy, Mark Hendrickson, Allen Bryson, Terry Wheeler
**CITY MANAGER:** Grayson Bottom
**CITY CLERK:** Lisa Anders
**CITY TREASURER:** Debra Blanchard
**DEPUTY CLERK:** Absent
**CITY ATTORNEY:** Ryan Meacham
**NEWS MEDIA:** Steve Belcher and Mike Smith
**OTHERS:** Brad Aneshansley, Bob Gauger, Charles Fry, Toby Anders, Dacia Phillips, James Kuykendall, Brett Matlock Robert Johnston, Mary Rayner, and others.

Roy Dobbs of the First Church of God opened the meeting with prayer and Trustee Bob Marcy led the Pledge of Allegiance.

## AGENDA ITEM NO. 3: CONSENT AGENDA

A. Minutes of the Regular Meeting of November 6, 2007
B. Consider Claims

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

Chairman put the motion to a roll call vote:

Aye: Hendrickson, Bryson, Wheeler, Marcy, Norman
Nay: None

Chairman declared the motion carried.

## AGENDA ITEM NO. 4 ACTION ITEMS

## 4A. PRESENTATION AND CONSIDERATION OF 2006-2007 AUDIT

James Kuykendall of Britton, Kuykendall & Miller presented the audit for the 2006-2007 fiscal year. He explained that a single audit was preformed with no findings. He said the audit is clean or unqualified. He said it was found that the city provides the required services and maintains the infrastructure and fixed assets. He said the audit is a good report for the city and the entities.

City Manager Grayson Bottom expressed his appreciation to City Treasurer Debra Blanchard and her staff for a job well done. He asked Kuykendall to explain the reduction in the net fixed assets.

James Kuykendall explained that the fixed assets of the city had a major reduction and this was due to the transfer of Clinton-Sherman Industrial Airpark to OSIDA.

Motion was made by Trustee Bryson and seconded by Trustee Hendrickson to accept the 2006-2007 audit prepared by Britton, Kuykendall &Miller as presented.

Chairman put the motion to a roll call vote:

Aye: Bryson, Hendrickson, Wheeler, Marcy, Norman
Nay: None

Chairman declared the motion carried.

**AGENDA ITEM NO .5: CITY MANAGER'S REPORT**

None

**AGENDA ITEM NO. 6: RECOGNITION OF REGISTERED AUDIENCE**

None

**AGENDA ITEM NO. 7: ADJOURNMENT**

Moved by Trustee Bryson and seconded by Trustee Hendrickson that the meeting adjourn.

Chairman put the motion to a roll call vote

Aye: Bryson, Hendrickson, Marcy, Wheeler, Norman
Nay: None

Chairman declared the meeting adjourned at 5:47 pm.

# PUBLIC NOTICE OF A REGULAR MEETING
# OF THE CITY COUNCIL
# TUESDAY, DECEMBER 18, 2007 AT 5:30 PM
# CLINTON CITY HALL

## AGENDA

Meeting status: Completed

1. Call to Order

2. Opening Prayer Shane Hall, First Baptist Church

3. Consent Agenda

    A. Consider Approval of Minutes of Regular Meeting on December 4, 2007

4. Action Items:

    A. Consider request for authorization to expend funds for drilling water well for irrigation at Acme Brick Park

    B. Consider request for authorization to expend funds for heating system at Clinton Public Library

    C. Consider Resolution 779 regarding CDBG Grant for 2008 Water and Wastewater Engineering Program

    D. Consider Citizens Participation Plan

    E. Consider approval of contract with Oklahoma Department of Transportation for Lake Access Project at Acme Brick Park

5. City Managers Report

6. Recognition of Registered Audience

7. Adjournment

Filed this 14th Day of December, 2007. Posted on the bulletin board in the lobby of the Clinton City Hall on December 14, 2007 at 1:15 p.m.

# MINUTES OF THE CLINTON CITY COUNCIL
# DECEMBER 4, 2007

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, December 4, 2007 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 November 30, 2007.

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

**MAYOR:** Lynn Norm
**COUNCIL:** Bob Marcy, Mark Hendrickson, Terry Wheeler, Allen Bryson
**CITY MANAGER:** Grayson Bottom
**CITY CLERK:** Lisa Anders
**CITY TREASURER:** Debra Blanchard
**DEPUTY CITY CLERK:** Absent
**CITY ATTORNEY:** Ryan Meacham
**NEWS MEDIA:** Steve Belcher and Mike Smith
**OTHERS:** Brad Aneshansley, Bob Gauger, Charles Fry, Toby Anders, Dacia Phillips, James Kuykendall, Brett Matlock, Robert Johnston, Mary Rayner and others.

Roy Dobbs of the First Church of God opened the meeting with prayer and Councilman Bob Marcy led the Pledge of Allegiance.

## AGENDA ITEM NO. 3: CONSENT AGENDA

A. Minutes of Regular Meeting of November 20, 2007
B. Consider Claims

Moved by Councilman Hendrickson and seconded Councilman Marcy, that Consent Agenda Item No. 3 (a-b) be approved.

Mayor put the motion to a roll call vote:

Aye: Hendrickson, Marcy, Wheeler, Bryson, Norman
Nay: None

Mayor declared the motion carried.

## AGENDA ITEM NO. 4 ACTION ITEMS

### 4A. CONSIDER REDUCTION OF RATAINAGE OF JOE D HALL CONTRACT FOR BID PACKET #1 SITE WORK

City Manager Grayson Bottom explained that a retainage of 10% is held on each bid package. Joe D. Hall has presented a request for a reduction on the retainage on the bid packet for the site work at Acme Brick Park from 10% to 5%.

Councilman Hendrickson asked if this is a common practice.

City Manger Grayson Bottom said this is a common practice.

Motion was made by Councilman Bryson and seconded by Councilman Marcy to approve the reduction of retainage of Joe D. Hall contract for bid packet #1 for Site Work at Acme Brick Park.

Mayor put the motion to a roll call vote:

Aye: Bryson, Marcy, Hendrickson, Wheeler, Norman
Nay: None

Mayor declared the motion carried.

**4B. CONSIDER CONDEMNATION OF PROPERTY AT 1309 NOWAHY- OWNER: SUE MCDONOUGH**

Code Enforcement Officer Toby Anders presented information on the property at 1309 Nowahy. He presented picture of the property as well as documentation regarding notification and posting of legal notices for the property. It was noted that the structure has a basement.

Councilman Hendrickson asked if the structure were removed if the basement would be filled.

Anders said the basement would be filled and that other structures that had progressed through the condemnation process had basements that required being filled.

Councilman Bryson asked for clarification of the address used to notify the owner of the action taken to the property.

Anders said he had used the address he obtained during the title search at the Court House with the County Clerk's Office.

Motion was made by Councilman Hendrickson and seconded by Councilman Wheeler to proceed with condemnation of the property at 1309 Nowahy.

Mayor put the motion to a roll call vote:

Aye: Hendrickson, Wheeler, Bryson, Marcy, Norman
Nay: None

Mayor declared the motion carried.

**4C. CONSIDER RESOLUTION #778 REGARDING TERMINATION OF ICMA RC RETIREMENT PLANS**

City Manager Grayson Bottom explained that in 1985 the City of Clinton had entered into a deferred compensation plan with ICMA. Since the program initiated, other plans were added to the agreement to allow for payroll deductions. The resolution presented is to confirm the agreement is to be resolved.

City Manager Grayson Bottom introduced Brett Matlock of One America. Bottom explained that a Request for Proposals was sent out and those submitting proposals were evaluated. One America was chosen as the program to provide these services to city employees. He said the new plan does not require Council action.

Motion was made by Councilman Wheeler and seconded by Councilman Marcy to approve Resolution #778 regarding termination of ICMA RC Retirement Plans.

Mayor put the motion to a roll call vote:

Aye: Wheeler, Marcy, Hendrickson, Bryson, Norman
Nay: None

Mayor declared the motion carried.

## 4D. CONSIDER CHANING DATE OF JANUARY MEETING TO JANUARY 3, 2008

Mayor Norman explained that the first Tuesday of January is on the holiday on January 1, 2008.

Motion was made by Councilman Marcy and seconded by Councilman Hendrickson to change the date for the first meeting in January to Thursday, January 3, 2008.

Mayor put the motion to a roll call vote:

Aye: Marcy, Hendrickson, Wheeler, Bryson, Norman
Nay: None

Mayor declared the motion carried.

## 4E. CONSIDER LEASE WITH VERITAS FOR REVISED PLAN FOR 3-D SEISMIC SURVEYING

Michael Wilk of Veritas presented a revised plan for 3-D seismic surveying. He explained that cable would be down in alley or streets throughout town but not vibration would occur in town or on city property. A list was provided of property owners outside of city limits who have given their approval for Veritas to conduct geophysical operations on their property located in and around the City of Clinton.

Councilman Hendrickson expressed his appreciation to Veritas for seeking a way to complete their operation.

City Manager Grayson Bottom said he had consulted C.B. Graft on this revised plan. Graft had expressed his concerns to the previous plan but is satisfied with this plan as presented.

Motion was made by Councilman Wheeler and seconded by Councilman Marcy to approve the lease agreement with Veritas for the revised plan for 3-D seismic surveying.

Mayor put the motion to a roll call vote:

Aye: Wheeler, Marcy, Bryson, Hendrickson, Norman
Nay: None

Mayor declared the motion carried.

## 4F. PRESENTATION AND CONSIDERATION OF 2006-2007 AUDIT

James Kuykendall of Britton, Kuykendall & Miller presented the audit for the 2006-2007 fiscal year. He explained that a single audit was preformed with no findings. He said the audit is clean or unqualified. He said it was found that the city provides the required services and maintains the infrastructure and fixed assets. He said the audit is a good report for the city and the entities.

City Manager Grayson Bottom expressed his appreciation to City Treasurer Debra Blanchard and her staff for a job well done. He asked Kuykendall to explain the reduction in the net fixed assets.

James Kuykendall explained that the fixed assets of the city had a major reduction and this was due to the transfer of Clinton-Sherman Industrial Airpark to OSIDA.

Motion was made by Councilman Marcy and seconded by Councilman Bryson to accept the 2006-2007 audit prepared by Britton, Kuykendall & Miller as presented.

## 5. CITY MANAGER'S REPORT

City Manager Bottom reported that a waterline had been cut in city hall during the heat/air renovation and new water shut-off had been installed.

City Manager Bottom also reported that the 20-ton heat/air unit at Clinton Public Library has stopped working. He said information is being obtained on replacement of the fourteen-year-old unit and will be an item on the December 18th agenda.

## 6. RECOGNITION OF REGISTERED AUDIENCE

None

## AGENDA ITEM NO. 7: ADJOURNMENT

Moved by Councilman Hendrickson and seconded Councilman Marcy, to adjourn the meeting.

Mayor put the motion to a roll call vote:

Aye: Hendrickson, Marcy, Wheeler, Bryson, Norman
Nay: None

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

# RESOLUTION NUMBER 778

TO TERMINATE ICMA RC RETIREMENT PLANS
DEFERRED COMPENSATION PLAN
MONEY PURCHASE PLAN

At a meeting of the Clinton City Council of the City of Clinton duly called and held in accordance with the law and the by laws in Oklahoma on Tuesday, December 4, 2007, at which a quorum of the Council Members was present, the following Resolution was adopt to wit:

WHEREAS, The City of Clinton deems it to be for the best interest of the City of Clinton; and

WHEREAS, the parties hereto entered into these Plans effective:

**DEFERRED COMPENSATION PLAN (457) - NOVEMBER 1, 1985**
**MONEY PURCHASE PLAN (401 QUALIFIED PLAN)- JUNE 17, 1998**

WHEREAS, the City of Clinton wishes to terminate this Plan and allow participation in other plans;

NOW THEREFORE, be it:

RESOLVED, the City of Clinton ROTH IRA #705446, 457 PLAN #302095, 401 PLAN #107057 is hereby terminated as of December 4, 2007. Plan assets will be distributed according to the wishes of participants. To include:

- Retain their account, including current investment options
- Receive the 457 account funds as a lump sum distribution (which will be subject to a 20% federal mandatory income tax withholding)
- Directly roll 457 funds to a Roth IRA and pay taxes
- Transfer account to another 457 plan provider, or, into a 401 plan, 403(b) plan, or a traditional individual retirement account.

Excess plan assets and any assets not allocated to participant accounts, if any, after all benefit commitments under the plan are satisfied shall revert to the City of Clinton.

I, Lynn Norman, Mayor, do hereby certify that the foregoing is a full, true, and correct copy of a resolution of the Clinton City Council acting for the Governing Board of said municipality, duly and regularly called and held in all respects as required by law, and the bylaws of said City of Clinton at the office hereof on the December 4 , 2007 at which meeting a majority of the Council members of said municipality was present and voted in favor of said resolution; and that said resolution is in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand as such City Clerk and affixed the corporate seal of said City of Clinton this December 4 , 2007.

Lynn Norman, Mayor

Lisa Anders, City Clerk

(Seal of City)

Proposal

ARTIC AIR REFRIGERATION
1410 South 14th Street
Clinton, Oklahoma 73601
580/323-5144



| Proposal Submitted To: | Date: DECEMBER 17, 2007 |
|---|---|
| Name: CITY OF CLINTON | Job Name: CLINTON PUBLIC LIBRARY |
| Address: P.O. BOX 1177 | Location: 721 FRISCO AVE. |
| City & State: CLINTON, OK | City & State: CLINTON, OK |

We hereby submit specifications and estimates for:

TO REMOVE EXISTING 25 TON ROOF TOP UNIT.
TO PROVIDE EQUIPMENT, LABOR & MATERIALS TO REPLACE UNIT.
TO USE EXISTING ROOF MOUNTING CURB WITHOUT DISTURBING EXISTING ROOF DECK.
TO PROVIDE ONE 25 TON ROOF TOP UNIT WITH A MINIMUM OF 302,000 BTU GROSS COOLING CAPACITY AT 9.5 EER. NEW UNIT WILL HAVE A NATURAL GAS HEATING CAPACITY MINIMUM OF 480,000 BTU INPUT. UNIT WILL INCLUDE ECONOMIZER WITH ALL ASSOCIATED CONTROLS. NEW UNIT WILL BE A LENNOX M/N-TGA300S2BH OR EQUIVALENT. NEW ROOF TOP UNIT WILL INCLUDE HAIL GUARDS & A 7 DAY PROGRAMABLE TOUCHSCREEN THERMOSTAT.
CONTRACTOR WILL PROVIDE ALL HIGH VOLTAGE ELECTRICAL MODIFICATIONS.
CONTRACTOR WILL PROVIDE ALL REQUIRED CRANE FEES, REMOVAL & LEGAL DISPOSAL OF OLD UNIT.

**We Propose hereby to furnish material and labor-complete in accordance with above specifications, for the sum of:** $24,175.00 **dollars.**

**NOTE:** This proposal can be withdrawn by us if not accepted within 30 days.

AUTHORIZED SIGNATURE: Tony Tuttle

**ACCEPTANCE OF PROPOSAL**

The above prices, specifications and conditions are satisfactory and are hereby accepted.

DATE:_____ Signature:_____

Signature:_____

**Company Name Here**

# Memo

**To:** City Manager Grayson Bottom

**From:** Lisa Anders, City Clerk

**CC:**

**Date:** 12/18/2007

**Re:** Clinton Public Library

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On December 11, 2007 the following heat and air companies were notified of the request for quotes for the Clinton Public Library:

Artic Air

Hinz Refrigeration

Wisdom Refrigeration

Action Aire

Four Seasons

The deadline for submittal of quotes was Tuesday, December 18, 2007 at 12:00 Noon.

One quote was received from Artic Air Refrigeration of Clinton, Oklahoma.

**ATTACHMENT I**

## COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)
## 2008 WATER AND WASTEWATER ENGINEERING PROGRAM

**RESOLUTION** 779

**WHEREAS,** Title I of the Housing and Community Development Act of 1974, Public Law 93-383, as amended, authorized by the Secretary of Housing and Urban Development, as representative of the United States of America, to grant to the State of Oklahoma funds and administrative responsibility for the "Small Cities Community Development Block Grant" program; and

**WHEREAS,** the Oklahoma Department of Commerce, pursuant to designation by the Governor as the administering agency of the Community Development Block Grant Program for Small Cities in Oklahoma, is directed to further the purposes of community development in the State, and is authorized and empowered to accept funds from the Federal Government or its agencies and to enter into such contracts and agreements as are necessary to carry out the functions of the Department; and

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

**NOW THEREFORE, BE IT RESOLVED** by the Clinton City Council (Governing Body) that City of Clinton (Government Subdivision) desires to obtain assistance in community development and hereby requests the Oklahoma Department of Commerce to provide assistance under the policies, regulations, and procedures applicable to local communities in Oklahoma.

**NOW THEREFORE, BE IT RESOLVED** by the Clinton City Council (Governing Body) that City of Clinton (Government Subdivision) affirms its commitment to take all action within its power to facilitate the receipt of the assistance of community development funds if the City of Clinton (Government Subdivision) is awarded a Community Development Block Grant, and upon receipt to administer said grant by the rules and regulations established by the United States of America, the State of Oklahoma, and all empowered agencies thereof.

**ADOPTED** this _____ day of _____, 20___, at a (regularly or specially) scheduled meeting of the governing body, in compliance with the Open Meeting Act, 25 O.S. §§ 301-314 (2001).

Lynn E. Norman, Mayor

(Type) Name and Title of Chief Elected Official

Date

Signature of Chief Elected Official

(S E A L)

Attest:

Subscribed and sworn to before me _____, 20____ My commission expires _____, 20_____. Commission No. _____

Clerk Signature

**ATTACHMENT C**

***Community Development Block Grant (CDBG)***
***2008 Water and Wastewater Engineering Program***
***Citizen Participation Plan***

City of Clinton **CITIZEN PARTICIPATION PLAN**

The City of Clinton intends to implement a citizen participation program for its 2008 application process to accomplish the following objectives:

A. Provide for and encourage citizen participation, particularly by low and moderate income persons who reside in areas where Community Development Block Grant (CDBG) funds are proposed to be used. This will be accomplished by:

1. Providing frequent and timely public notice of CDBG program activities in the local newspaper and by posting at City Hall/County Courthouse.

2. Adopting a comprehensive CDBG Statement of Needs.

3. Conducting a Special Public Hearing to inform citizens of the proposed 2008 CDBG project and authorizing the Mayor to sign a CDBG application in a formal Council meeting.

B. Ensure that citizens will be given reasonable and timely access to local meetings, information, and records relating to proposed and actual use of funds, including, but not be limited to:

1. The amount of CDBG funds to be made available for the current fiscal year, if the proposed project is approved.

2. The range of activities that may be undertaken with those funds.

3. The estimated amount of those funds proposed to be used for activities that will benefit low and moderate income persons.

4. The proposed CDBG activities likely to result in displacement and any anti-displacement and relocation plans developed by City of Clinton in accordance with Section 104(d)(1) and (2) of the Act.

5. The basis on which City of Clinton may provide technical assistance to groups representative of persons of low and moderate income that may request assistance in developing proposals. The level and type of assistance to be provided is at the discretion of City of Clinton and does not necessarily include providing funding to such groups.

6. This requirement will be accomplished by discussing the CDBG proposal during regular Council meetings and in one formal public hearing prior to the submittal of City of Clinton 2008 CDBG application. During the hearing the five (5)

items listed above will be explained to the public. Records of the 2008 CDBG process will be maintained in the City Hall/County Courthouse of City of Clinton by the Clerk and will be available upon request for review by the public. A brief summary of the proposed 2008 CDBG project will be available for public review after the Council has made its final selection.

C. Provide for a minimum of two (2) public hearings; one (1) prior to submission of the application for funding of the project for the purpose of obtaining citizen views and formulating or responding to proposals and questions, and the other end of the grant period if City of Clinton receives funding, that discusses City of Clinton accomplishments in relation to initial plans. The application stage hearing will include discussion of CDBG needs, and the development of activities being proposed for CDBG funding. There will be reasonable notice of all hearings, which will be scheduled for times and locations convenient to the potential and actual beneficiaries and which will accommodate the handicapped. Regularly scheduled Council meetings will not be used for this purpose.

1. This requirement will be met through scheduling a Special Public Hearing to discuss City of Clinton 2008 CDBG proposal. At this hearing, the proposed project will be reviewed for the public and further citizen input will be solicited. Notice will be given seven (7) to ten (10) days in advance of this hearing in the City of Clinton and by posting at the City Hall/County Courthouse. The hearing will be held in the early evening so those citizens who work may attend. A second hearing will be held at the end of the grant period if City of Clinton is funded in the 2008 CDBG process.

D. Meet the needs of non-English speaking residents in those instances where a significant number of non-English speaking residents can reasonably be expected to participate in the 2008 CDBG process. For example: City of Clinton does not currently have a significant population of non-English speaking citizens. However, every effort will be made to accommodate the needs of any non-English speaking citizens who wish to participate.

E. Provide citizens with reasonable advance notice of, and opportunity to comment on, proposed activities not previously described in City of Clinton funding request and on activities which are proposed to be deleted or substantially changed in terms of purpose, scope, location or beneficiaries.

The proposed seven (7) to ten (10) day notice for all public meetings and hearings in connection with City of Clinton 2008 CDBG application process is believed by City of Clinton to afford citizens with reasonable advance

notice. In addition, if any change is proposed to the purpose, scope, location, or beneficiaries of the proposed project or if the CDBG project budget changes by more than 25%, the public will be notified and afforded an opportunity for additional input.

F. Provide the place, telephone number, and times when citizens are able to submit written complaints or grievances and the process City of Clinton will use to provide a timely, written response to such complaints or grievances. For example: Citizens with comments or grievances on the 2008 CDBG process may submit them in writing or in person at the Town/City Hall/County Courthouse during regular business hours or may call City of Clinton will respond to such comments or grievances within fifteen (15) working days, where practicable.

By formally adopting this Citizen Participation Plan, the City of Clinton Town/ City Council/Board of Commissioners accepts the responsibility for implementing its provisions. The Council further charges all employees and contractors with the responsibility of implementing this plan and living up to the spirit of the citizen participation requirements of the 2008 CDBG program.

Adopted this _____ day of _____, 20___ by the City Council/Board of Commissoners of the Town/City/County City of Clinton.

_____
Chief Elected Official

ATTEST:

_____
Clerk's Signature

FORM LA-101-C
(8-00)

# *AGREEMENT*

## BETWEEN THE OKLAHOMA DEPARTMENT OF TRANSPORTATION AND THE CITY OF CLINTON IN THE CONSTRUCTION OF A LAKE ACCESS PROJECT

**State Project No. SAP-120D(156)**
**Job/Piece No. 24707(04)**

WHEREAS, The Oklahoma State legislature provides that certain funds available to the Department of Transportation for obligation during a Fiscal Year shall be used for the construction or improvement of access roads to existing lake and recreational sites and roads, and

WHEREAS, the Oklahoma Transportation Commission did at its regular meeting of June 4, 2007 approve Agenda Item No. 90(a), No. 8, allocating $284,000.00 (two hundred eighty-four thousand dollars), for the purpose of participating with the City of Clinton, hereinafter referred to as the "CITY", in the construction and/or improvement of Lake and Recreational Access Roads serving the Acme Brick Park and Lake. The project begins at SH-73 (Modelle Avenue) approximately 0.4 mile west of 28th Street and extending south toward the lake area, generally located as shown on the attached map hereby made part of this Agreement.

WHEREAS, the Department of Transportation is in receipt of a request by the CITY and that the CITY be permitted to improve or cause the improvement of the above described Lake & Recreational Access Project and be reimbursed for the cost of surfacing, by the Department, upon satisfactory completion of the work from the funds allocated by the Transportation Commission for the project, and

NOW, THEREFORE, it is mutually agreed by the CITY and the Oklahoma Department of Transportation that:

1. The CITY shall be entirely responsible for the initiation, construction, and completion for all work associated with the project.

2. The CITY hereby certifies to the Department of Transportation that the entire project is to be constructed on public right-of-way.

3. The CITY hereby agrees to place signs on the access road indicating the type of public facility the road serves(i.e., boat ramp, park, campground, etc.).

4. The CITY hereby agrees to place temporary signs at each end of the project explaining what type of project, length, funds, participating parties, etc.

5. The CITY agrees that as a condition to receiving any financial assistance from the Department, it will comply with title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42, U.S.C. 2000d et Seq., and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, "Nondiscrimination of Federally-Assisted Programs of the Department of Transportation-Effectuation of Title VI of the Civil

7. Payment will be made upon receipt of a properly executed Claim Form D.T. 324A accompanied by suitable evidence of expenditures made by the CITY in the execution of the project.

8. In all events, the entire project shall remain the maintenance responsibility of the CITY.

THEREFORE BE IT AGREED by the Oklahoma Department of Transportation and the COUNTY, Oklahoma that the stipulations set forth in this agreement shall govern the construction of this Lake Access Project.

IN WITNESS WHEREOF, we have hereunto set out hands and seals this _____ day of _____, 20____.

CITY OF CLINTON
FEI NO. _____

BY: _____
MAYOR

ATTEST:_____
(Seal) (City Clerk)

APPROVED AS TO FORM AND LEGALITY:

_____
(Date) (City Attorney)

STATE OF OKLAHOMA
DEPARTMENT OF TRANSPORTATION

APPROVED AS TO FORM AND LEGALITY:

_____
(Date) (General Counsel)

_____
(Chief Engineer)

# LAKE ACCESS

## ACME BRICK PARK AND LAKE

## CITY OF CLINTON

## SAP-120D(156), 24707(04)

