# PUBLIC NOTICE OF A REGULAR MEETING
# OF THE PUBLIC WORKS AUTHORITY
# TUESDAY, JUNE 16, 2009 AT 5:30 PM
# CLINTON CITY HALL

## AGENDA

Meeting status: Completed

1. Call to Order
2. Opening Prayer Carol Waters, First Presbyterian Church
3. Consent Agenda
    A. Consider Approval of Minutes of June 2, 2009
4. Action Items:
    A. Consider Supplemental Budget Amendment to Fiscal Year 2008-2009 Budget
    B. Consider Approving the proposed Fiscal Year 2009-2010 Budget beginning July 1, 2009 and ending June 30, 2010
5. City Managers Report
6. Audience Participation
7. Adjournment
    A. Proceed to Industrial Authority Authority

Filed this 12th Day of June, 2009. Posted on the bulletin board in the lobby of the Clinton City Hall on June 12, 2009 at 1:30 p.m.

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Not recorded

PW060209

## MINUTES OF THE PUBLIC WORKS AUTHORITY MEETING, JUNE 2, 2009

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, June 2, 2009 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 May 29, 2009.

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

**CHAIRMAN:** Allen Bryson
**TRUSTEES:** Mark Hendrickson, Bob Marcy, John Jordan, Terry Wheeler
**CITY MANAGER:** Grayson Bottom
**CITY CLERK:** Lisa Anders
**CITY TREASURER:** Debra Blanchard
**DEPUTY CLERK:** Rhonda Williams
**CITY ATTORNEY:** Ryan Meacham
**NEWS MEDIA:** Gerald Green, Mike Smith and Jared Atha
**OTHERS:** Arnold Adams, David Crabtree, Gene McCullough, Brad Aneshansley, and others.

Trustee Mark Hendrickson 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 May 19, 2009
B. Consider Claims

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

Chairman put the motion to a roll call vote:

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

Chairman declared the motion carried.

### 4A. CONSIDER RESOLUTION PW09-01A REGARDING A FINANCING AGREEMENT FOR THE PURPOSE OF PROCURING "VARIOUS PERSONAL PROPERTY"

City Manager Grayson Bottom explained that during the budget work sessions there was discussion regarding a Master Lease Purchase plan for the new budget year. The first step in preparing the Master Lease Purchase Agreement is the consideration of a resolution for each of the entities that will be participating in the plan. He said the resolution is not specific in naming equipment but is listed as "business personal property". He explained this is a four year agreement but would be reviewed annually. He said this give the City flexibility in uncertain times and allows an evaluation time while making budget decisions.

Motion was made by Trustee Hendrickson and seconded by Trustee Jordan to approve Resolution PW09-01A regarding a Financing Agreement for the purpose of procuring "Various Personal Property".

Chairman put the motion to a roll call vote:

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

Chairman declared the motion carried.

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

City Manager Grayson Bottom reported that street repairs are being made. He said this is requiring weekly trips to Vici to get the oil needed for the machine.

Chairman Bryson asked about the gravel on the patches from the street repairs.

Public Works Director Arnold Adams explained the process on patching and said the loose gravel is cleaned up by the street sweeper after a couple of days and is recycled.

**AGENDA ITEM NO. 6: AUDIENCE PARTICIPATION**

None

**AGENDA ITEM NO. 7: ADJOURNMENT**

Moved by Trustee Marcy and seconded by Trustee Jordan that the meeting adjourn.

Chairman put the motion to a roll call vote

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

Chairman declared the meeting adjourned at 6:00 pm.

## RESOLUTION # PW09-01

A RESOLUTION REGARDING A FINANCING AGREEMENT FOR THE PURPOSE OF PROCURING ***"VARIOUS PERSONAL PROPERTY".***

WHEREAS, Clinton Public Works Authority desires to enter into that certain Financing Agreement, by and between Government Capital Corporation and Clinton Public Works Authority, for the purpose of procuring ***"Various Personal Property".*** The Authority desires to designate this Agreement as a "qualified tax exempt obligation" of the Authority for the purposes of Section 265 (b) (3) of the Internal Revenue Code of 1986, as amended. The Clinton Public Works Authority desires to designate Grayson Bottom, City Manager, as an authorized signer of the Agreement.

NOW THEREFORE, BE IT RESOLVED BY THE CLINTON PUBLIC WORKS AUTHORITY:

Section 1. That the Authority enters into a Financing Agreement with Government Capital Corporation for the purpose of procuring **"Various Personal Property".**

Section 2. That the Financing Agreement, by and between the Clinton Public Works Authority and Government Capital Corporation is designated by the Authority as a "qualified tax exempt obligation" for the purposes of Section 265 (b) (3) of the Internal Revenue Code of 1986, as amended.

Section 3. That the Clinton Public Works Authority designates Grayson Bottom, City Manager, as an authorized signer of the Financing Agreement, by and between the Clinton Public Works Authority and Government Capital Corporation.

This Resolution has been PASSED upon Motion made by Board Member Hendrickson, seconded by Board Member Jordan by a vote of 5 to 0 and is effective this June 2, 2009.

LESSEE: Clinton Public Works Authority

Allen Bryson, Chairman

Witness Signature

Lisa Anders

Lisa Anders, City Clerk

BUDGET AMENDMENT FORM

FY 2008-2009

TYPE OF AMENDMENT:
01 - SUPPLEMENTAL
02 - DECREASE
03 - TRANSFER

CITY OF CLINTON - PUBLIC WORKS AUTHORITY

| | | ACCOUNTS DECREASED | | |
|---|---|---|---|---|
| TYPE | EXPL. | ACCT # | NAME | AMOUNT |
| 01 | A | | | |
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| ACCOUNTS INCREASED | | |
|---|---|---|
| ACCT # | NAME | AMOUNT |
| **ESTIMATED REVENUE** | | |
| 700-507-59020 | Sales Tax Transfer In | 575,088 |
| 700-522-59020 | Sales Tax Transfer In | 87,100 |
| **CASH BALANCE FORWARD** | | |
| Cash Balance Forward 2006 Constr Fund | | 494,107 |
| 700-522-58040 | Int Earnings - 06 Const | 2,125 |
| | | |
| **TOTAL ESTIMATED REVENUE** | | 1,158,420 |
| | | |
| **APPROPRIATIONS** | | |
| 700-40799-2981 | Sales Tax Transfers Out | 575,088 |
| 700-42200-2981 | 4th Cent S.T. Transfer | 87,100 |
| | | |
| 700-42200-2980 | Transfer to Acme Const Proj | 496,232 |
| | | |
| **TOTAL APPROPRIATIONS** | | 1,158,420 |
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EXPLANATIONS:

A. Supplemental appropriation to budget additional Sales Tax Transfers In and Out due to higher collections.

Transfers required since Sales Tax is pledged against all PWA Revenue Bond Issues

Supplemental appropriation for transfer of remaining 06 Construction Funds and Interest to Acme Project for completion.

Project was assumed to have completion before end of FY07-08 when FY08-09 budget was approved. Since it was not

completed prior to end of that fiscal year, had to carry those remaining numbers into this fiscal year.

DONE BY ORDER OF THE TRUSTEES OF SAID AUTHORITY AND RECORDED IN THE MINUTES
OF THE CLERK AT CLINTON, OKLAHOMA, THIS 16TH DAY OF JUNE, 2009.
ATTEST:

CHAIRMAN

CLERK

# PUBLIC NOTICE OF A REGULAR MEETING
# OF THE AIRPORT AUTHORITY
# TUESDAY, JUNE 16, 2009 AT 5:30 PM
# CLINTON CITY HALL

## AGENDA

Meeting status: Completed

1. Call to Order
2. Opening Prayer Carol Waters, First Presbyterian Church
3. Consent Agenda
    A. Consider Approval of Minutes of Meeting on June 2, 2009 Hospital Authority Recreation Authority Airport Authority Solid Waste Authority
4. Action Items:
    A. Consider Approving the proposed Fiscal Year 2009-2010 Budget beginning July 1, 2009 and ending June 30, 2010
5. City Managers Report
6. Audience Participation
7. Adjournment

Filed this 12th Day of June, 2009. Posted on the bulletin board in the lobby of the Clinton City Hall on June 12, 2009 at 1:30 p.m.

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Not recorded

AA060209

# MINUTES OF AIRPORT AUTHORITY MEETING ON JUNE 2, 2009

Minutes of the regular meeting of the Chairman and Trustees of the Clinton Airport Trust Authority of Clinton, Oklahoma, Custer County, held in the City Council Room, City Hall on Tuesday, June 2, 2009 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 May 29, 2009.

Chairman Allen Bryson called the meeting to order with the following present;

**CHAIRMAN:** Allen Bryson
**TRUSTEES:** Mark Hendrickson, Bob Marcy, John Jordan, Terry Wheeler
**CITY MANAGER:** Grayson Bottom
**CITY CLERK:** Lisa Anders
**CITY TREASURER:** Debra Blanchard
**DEPUTY CLERK:** Rhonda Williams
**CITY ATTORNEY:** Ryan Meacham
**NEWS MEDIA:** Gerald Green, Mike Smith and Jared Atha
**OTHERS:** Arnold Adams, Gene McCullough, David Crabtree, Brad Aneshansley and others.

Trustee Mark Hendrickson 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 May 19, 2009
B. Consider Claims

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

Chairman put the motion to a roll call vote:

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

Chairman declared the motion carried.

## AGENDA ITEM NO. 4 ACTION ITEMS

## 4A. CONSIDER RENEWAL OF FIXED BASE OPERATOR AGREEMENT

City Manager Grayson Bottom explained that the revenue source for the airport consists of oil and gas revenue and hangar rentals and land rental. The previous FBO contract required the operator to collect hangar rentals. The changes made to the current agreement include the City collecting the hangar rentals and the FBO being responsible for the mowing at the airport. The rate will change to $4,500 per month and 20% of the collections for hangar rentals.

Trustee Marcy asked about the operation hours and number of employees at the airport.

City Manager Bottom said the contract calls for the terminal building to be open seven days a week from 8 am to 5 pm. He said that Tracy Yoder has three employees on her staff.

Motion was made by Trustee Jordan and seconded by Trustee Hendrickson to approve the renewal of the Fixed Base Operator Agreement at Clinton Regional Airport.

Chairman put the motion to a roll call vote:

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

Chairman declared the motion carried.

## 4B. CONSIDER RESOLUTION AA-09-01A REGARDING A FINANCING AGREEMENT FOR THE PURPOSE OF PROCURING "VARIOUS PERSONAL PROPERTY"

City Manager Grayson Bottom explained that during the budget work sessions there was discussion regarding a Master Lease Purchase plan for the new budget year. The first step in preparing the Master Lease Purchase Agreement is the consideration of a resolution for each of the entities that will be participating in the plan. He said the resolution is not specific in naming equipment but is listed as "business personal property". He explained this is a four year agreement but would be reviewed annually. He said this give the City flexibility in uncertain times and allows an evaluation time while making budget decisions.

Motion was made by Trustee Wheeler and seconded by Trustee Hendrickson to approve Resolution AA-09-01A regarding a Financing Agreement for the purpose of procuring "various personal property".

Chairman put the motion to a roll call vote:

Aye: Wheeler, Hendrickson, Marcy, Jordan, Bryson
Nay": None

Chairman declared the motion carried.

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

City Manager Grayson Bottom reported that the Unicom radio and AWOS are in the process of repairs/replacement. Staff is working with the insurance company regarding the claims.

## AGENDA ITEM NO. 6: AUDIENCE PARTICIPATION

None

## AGENDA ITEM NO. 7: ADJOURNMENT

Moved by Trustee Marcy and seconded by Trustee Wheeler that the meeting adjourn.

Chairman put the motion to a roll call vote

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

Chairman declared the meeting adjourned at 5:50 pm.

## RESOLUTION # AA09-01

A RESOLUTION REGARDING A FINANCING AGREEMENT FOR THE PURPOSE OF PROCURING ***"VARIOUS PERSONAL PROPERTY".***

WHEREAS, Clinton Airport Authority desires to enter into that certain Financing Agreement, by and between Government Capital Corporation and Clinton Airport Authority, for the purpose of procuring ***"Various Personal Property".*** The Authority desires to designate this Agreement as a "qualified tax exempt obligation" of the Authority for the purposes of Section 265 (b) (3) of the Internal Revenue Code of 1986, as amended. The Clinton Airport Authority desires to designate Grayson Bottom, City Manager, as an authorized signer of the Agreement.

NOW THEREFORE, BE IT RESOLVED BY THE CLINTON AIRPORT AUTHORITY:

Section 1. That the Authority enters into a Financing Agreement with Government Capital Corporation for the purpose of procuring **"Various Personal Property".**

Section 2. That the Financing Agreement, by and between the Clinton Airport Authority and Government Capital Corporation is designated by the Authority as a "qualified tax exempt obligation" for the purposes of Section 265 (b) (3) of the Internal Revenue Code of 1986, as amended.

Section 3. That the Clinton Airport Authority designates Grayson Bottom, City Manager, as an authorized signer of the Financing Agreement, by and between the Clinton Airport Authority and Government Capital Corporation.

This Resolution has been PASSED upon Motion made by Board Member Jordan, seconded by Board Member Hendrickson by a vote of 5 to 0 and is effective this June 2, 2009.

LESSEE: Clinton Airport Authority

Allen Bryson, Chairman

Witness Signature

Lisa Anders, City Clerk

# PUBLIC NOTICE OF A REGULAR MEETING
# OF THE RECREATIONAL AUTHORITY
# TUESDAY, JUNE 16, 2009 AT 5:30 PM
# CLINTON CITY HALL

## AGENDA

Meeting status: Completed

1. Call to Order
2. Opening Prayer Carol Waters, First Presbyterian Church
3. Consent Agenda
    A. Consider Approval of Minutes of Meeting on June 2, 2009 Hospital Authority Recreation Authority Airport Authority Solid Waste Authority
4. Action Items:
    A. Consider Approving the proposed Fiscal Year 2009-2010 Budget beginning July 1, 2009 and ending June 30, 2010
5. City Managers Report
6. Audience Participation
7. Adjournment

Filed this 12th Day of June, 2009. Posted on the bulletin board in the lobby of the Clinton City Hall on June 12, 2009 at 1:30 p.m.

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Not recorded

RA060209

## MINUTES OF RECREATIONAL AUTHORITY MEETING, JUNE 2, 2009

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, June 2, 2009 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 May 29, 2009.

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

**CHAIRMAN:** Allen Bryson
**TRUSTEES:** Terry Wheeler, Mark Hendrickson, Bob Marcy, John Jordan
**CITY MANAGER:** Grayson Bottom
**CITY CLERK:** Lisa Anders
**CITY TREASURER:** Debra Blanchard
**DEPUTY CLERK:** Rhonda Williams
**CITY ATTORNEY:** Ryan Meacham
**NEWS MEDIA:** Gerald Green, Mike Smith and Jared Atha
**OTHERS:** Arnold Adams, Charles Fry, Brad Aneshansley, David Crabtree, Gene McCullough, and others.

Trustee Hendrickson 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 May 5, 2009
B. Consider Claims

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

Chairman put the motion to a roll call vote:

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

Chairman declared the motion carried.

### AGENDA ITEM NO. 4 ACTION ITEMS

None

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

City Manager Grayson Bottom reported that with recent rains and higher temperatures, the grass is growing at the golf course. He also reported that Allen Farms will be coming in next week to re-spring seed and sod the failed areas of Acme Brick Park at no cost to the City. He said he hopes there will be continued improvements to the park. He said that Gholston Station is nearing completion.

City Manager Grayson Bottom explained some organizational changes in the Parks Department. He said that Brad Aneshansley would be in charge of maintenance at all parks but Acme Brick Park. He said that Mark Stapleton would be in charge of Acme Brick Park maintenance. The Parks maintenance would be under the supervision of Arnold Adams. Bottom said he is unsure about having a Parks/Recreation Director but feels the changes being implemented are in the best interest of the City.

**AGENDA ITEM NO. 6: AUDIENCE PARTICIPATION**

None

**AGENDA ITEM NO. 7: ADJOURNMENT**

Moved by Trustee Marcy and seconded by Trustee Wheeler that the meeting adjourn.

Chairman put the motion to a roll call vote

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

Chairman declared the meeting adjourned at 5:37 pm.

# PUBLIC NOTICE OF A REGULAR MEETING
# OF THE SOLID WASTE AUTHORITY
# TUESDAY, JUNE 16, 2009 AT 5:30 PM
# CLINTON CITY HALL

## AGENDA

Meeting status: Completed

1. Call to Order
2. Opening Prayer Carol Waters, First Presbyterian Church
3. Consent Agenda
    A. Consider Approval of Minutes of Meeting on June 2, 2009 Hospital Authority Recreation Authority Airport Authority Solid Waste Authority
4. Action Items:
    A. Consider Approving the proposed Fiscal Year 2009-2010 Budget beginning July 1, 2009 and ending June 30, 2010
5. City Managers Report
6. Audience Participation
7. Adjournment

Filed this 12th Day of June, 2009. Posted on the bulletin board in the lobby of the Clinton City Hall on June 12, 2009 at 1:30 p.m.

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Not recorded

SW060209

# MINUTES OF THE SOLID WASTE AUTHORITY, JUNE 2, 2009

Minutes of the regular meeting of the Chairman and Trustees of the Clinton Solid Waste Authority of Clinton, Oklahoma, Custer County, held in the City Council Room, City Hall on Tuesday, June 2, 2009 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 May 29, 2009.

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

**CHAIRMAN:** Allen Bryson
**TRUSTEES:** Terry Wheeler, Mark Hendrickson, Bob Marcy, John Jordan
**CITY MANAGER:** Grayson Bottom
**CITY CLERK:** Lisa Anders
**CITY TREASURER:** Debra Blanchard
**DEPUTY CLERK:** Rhonda Williams
**CITY ATTORNEY:** Ryan Meacham
**NEWS MEDIA:** Gerald Green, Mike Smith and Jared Atha
**OTHERS:** Charles Fry, Arnold Adams, Brad Aneshansley, David Crabtree, Gene McCullough, and others.

Trustee Mark Hendrickson 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 May 5, 2009
B. Consider Claims

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

Chairman put the motion to a roll call vote:

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

Chairman declared the motion carried.

## AGENDA ITEM NO. 4 ACTION ITEMS

### 4A. CONSIDER RESOLUTION SW09-01A REGARDING A FINANCING AGREEMENT FOR THE PURPOSE OF PROCURING "VARIOUS PERSONAL PROPERTY"

City Manager Grayson Bottom explained that during the budget work sessions there was discussion regarding a Master Lease Purchase plan for the new budget year. The first step in preparing the Master Lease Purchase Agreement is the consideration of a resolution for each of the entities that will be participating in the plan. He said the resolution is not specific in naming equipment but is listed as "business personal property". He explained this is a four year agreement but would be reviewed annually. He said this give the City flexibility in uncertain times and allows an evaluation time while making budget decisions.

Motion was made by Trustee Wheeler and seconded by Trustee Marcy to approve Resolution SW09-01A regarding a Financing Agreement for the purpose of procuring "Various Personal Property".

Chairman put the motion to a roll call vote:

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

Chairman declared the motion carried.

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

City Manager Grayson Bottom reported on the progress of the construction of the building on Glen Smith Road. He estimated operations would begin at the new site by the end of the month.

**AGENDA ITEM NO. 6: AUDIENCE PARTICIPATION**

None

**AGENDA ITEM NO. 7: ADJOURNMENT**

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

Chairman put the motion to a roll call vote

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

Chairman declared the meeting adjourned at 6:05 pm.

# RESOLUTION # SW09-01

A RESOLUTION REGARDING A FINANCING AGREEMENT FOR THE PURPOSE OF PROCURING ***"VARIOUS PERSONAL PROPERTY".***

WHEREAS, Clinton Solid Waste Authority desires to enter into that certain Financing Agreement, by and between Government Capital Corporation and Clinton Solid Waste Authority, for the purpose of procuring ***"Various Personal Property".*** The Authority desires to designate this Agreement as a "qualified tax exempt obligation" of the Authority for the purposes of Section 265 (b) (3) of the Internal Revenue Code of 1986, as amended. The Clinton Solid Waste Authority desires to designate Grayson Bottom, City Manager, as an authorized signer of the Agreement.

NOW THEREFORE, BE IT RESOLVED BY THE CLINTON SOLID WASTE AUTHORITY:

Section 1. That the Authority enters into a Financing Agreement with Government Capital Corporation for the purpose of procuring ***"Various Personal Property".***

Section 2. That the Financing Agreement, by and between the Clinton Solid Waste Authority and Government Capital Corporation is designated by the Authority as a "qualified tax exempt obligation" for the purposes of Section 265 (b) (3) of the Internal Revenue Code of 1986, as amended.

Section 3. That the Clinton Solid Waste Authority designates Grayson Bottom, City Manager, as an authorized signer of the Financing Agreement, by and between the Clinton Solid Waste Authority and Government Capital Corporation.

This Resolution has been PASSED upon Motion made by Board Member Wheeler, seconded by Board Member Marcy by a vote of 5 to 0 and is effective this June 2, 2009.

LESSEE: Clinton Solid Waste Authority

Allen Bryson

Allen Bryson, Mayor

Witness Signature

Lisa Anders

Lisa Anders, City Clerk

# PUBLIC NOTICE OF A REGULAR MEETING
# OF THE HOSPITAL AUTHORITY
# TUESDAY, JUNE 16, 2009 AT 5:30 PM
# CLINTON CITY HALL

## AGENDA

Meeting status: Completed

1. Call to Order
2. Opening Prayer Carol Waters, First Presbyterian Church
3. Consent Agenda
    A. Consider Approval of Minutes of Meeting on June 2, 2009 Hospital Authority Recreation Authority Airport Authority Solid Waste Authority
4. Action Items:
    A. Consider Approving the proposed Fiscal Year 2009-2010 Budget beginning July 1, 2009 and ending June 30, 2010
5. City Managers Report
6. Audience Participation
7. Adjournment

Filed this 12th Day of June, 2009. Posted on the bulletin board in the lobby of the Clinton City Hall on June 12, 2009 at 1:30 p.m.

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Not recorded

# MINUTES OF HOSPITAL AUTHORITY MEETING, JUNE 2, 2009

Minutes of a regular meeting of the Chairman and Trustee of the Clinton Hospital Authority of Clinton, Oklahoma, Custer County, held in the City Council Room, City Hall on Tuesday, June 2, 2009 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 May 29, 2009.

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

**CHAIRMAN:** Allen Bryson
**TRUSTEES:** Terry Wheeler, Mark Hendrickson, Bob Marcy. John Jordan
**CITY MANAGER:** Grayson Bottom
**CITY CLERK:** Lisa Anders
**CITY TREASURER:** Debra Blanchard
**DEPUTY CLERK:** Rhonda Williams
**CITY ATTORNEY:** Ryan Meacham
**NEWS MEDIA:** Gerald Green, Mike Smith and Jared Atha
**OTHERS:** Charles Fry, Arnold Adams, Gene McCullough, Brad Aneshansley, David Crabtree and others.

Trustee Mark Hendrickson 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 May 5, 2009

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

Chairman put the motion to a roll call vote:

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

Chairman declared the motion carried.

## AGENDA ITEM NO. 4 ACTION ITEMS

None

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

None

## AGENDA ITEM NO. 6: AUDIENCE PARTICIPATION

None

## AGENDA ITEM NO. 7: ADJOURNMENT

Moved by Trustee Marcy and seconded by Trustee Wheeler that the meeting adjourn.

Chairman put the motion to a roll call vote

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

Chairman declared the meeting adjourned at 5:33 pm.

# PUBLIC NOTICE OF A REGULAR MEETING
# OF THE INDUSTRIAL AUTHORITY
# TUESDAY, JUNE 16, 2009 AT 5:30 PM
# CLINTON CITY HALL

## AGENDA

Meeting status: Completed

1. Call to Order
2. Opening Prayer Carol Waters, First Presbyterian Church
3. Consent Agenda
    A. Consider Approval of Minutes of Regular Meeting on June 2, 2009
4. Action Items:
    A. Consider renewal of Clinton Chamber of Commerce Staffing and Operations Agreement for the Frisco Center
    B. Consider Approving the proposed Fiscal Year 2009-2010 Budget beginning July 1, 2009 and ending June 30, 2010
5. City Managers Report
6. Audience Participation
7. Adjournment

Filed this 12th Day of June, 2009. Posted on the bulletin board in the lobby of the Clinton City Hall on June 12, 2009 at 1:30 p.m.

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Not recorded

IA060209

# MINUTES OF THE CLINTON INDUSTRIAL AUTHORITY, JUNE 2, 2009

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, June 2, 2009 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 May 29, 2009.

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

**CHAIRMAN:** Allen Bryson
**TRUSTEES**, Terry Wheeler, Mark Hendrickson, Bob Marcy, John Jordan
**CITY MANAGER:** Grayson Bottom
**CITY CLERK:** Lisa Anders
**CITY TREASURER:** Debra Blanchard
**DEPUTY CLERK:** Rhonda Williams
**CITY ATTORNEY:** Ryan Meacham
**NEWS MEDIA:** Gerald Green and Mike Smith
**OTHERS:** Arnold Adams, Charles Fry, David Crabtree, Gene McCullough, Brad Aneshansley, and others.

Trustee Mark Hendrickson opened the meeting with prayer and Trustee Bob Marcy led the Pledge of Allegiance.

## AGENDA ITEM NO. 3: CONSENT AGENDA

A. Minutes of May 5, 2009 meeting
B. Consider Claims

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

Chairman put the motion to a roll call vote:

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

Chairman declared the motion carried.

## AGENDA ITEM NO. 4 ACTION ITEMS

None

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

None

## AGENDA ITEM NO. 6: AUDIENCE PARTICIPATION

None

## AGENDA ITEM NO. 7: ADJOURNMENT

Moved by Trustee Marcy and seconded by Trustee Wheeler that the meeting adjourn.

Chairman put the motion to a roll call vote

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

Chairman declared the meeting adjourned at 5:40 pm.

ADDENDUM TO
STAFFING AND OPERATION AGREEMENT FOR THE
FRISCO CENTER

THIS ADDENDUM to the Staffing and Operation Agreement for the Frisco Center, previously dated June 21, 2005, by and between the Clinton Industrial Authority, hereinafter referred to as the "Authority" and the Clinton Chamber of Commerce, hereinafter referred to as the "Chamber," is hereby amended to state as follows:

WHEREAS, the Authority and the Chamber wish to further consolidate and share resources;

WHEREAS, the Authority and the Chamber desire to meet staffing needs of the growing Conference Center and the growing Chamber;

NOW THEREFORE, in consideration of the mutual promise, covenants, and conditions herein stated and in consideration of the mutual benefits which will accrue to each of the parties hereto, the receipt and sufficiency of which consideration is hereby acknowledged by the parties, is agreed by and between the parties as follows:

This addendum shall be a one year agreement commencing July 1, 2009 and ending June 30, 2010.

In addition to the duties provided for in Section 2 of the original agreement, the Chamber shall provide total office management of the Frisco Center Conference Center, including, but not limited to:

1. A receptionist from 8:00 a.m. to 5:00 p.m., Monday through Friday;
2. Answering all phone calls and greeting all guests;
3. Full booking and scheduling of meetings and events
4. Handling of all billing and purchase orders with the signed consent and approval of the Frisco Center Director;
5. Sending of faxes, filing and other office tasks;
6. Daily check of Frisco Center voicemail; and
7. Daily check of Frisco Center general email.

Further duties of the Chamber shall be to:

1. Stock and replenish all visitor information;
2. Provide visitor packets by request for meetings and events;
3. Provide backup facilities, support, including, making coffee, refilling water, making copies, etc., for meeting guests in the event a City employee is not available between 8:00 a.m. and 5:00 p.m.;
4. Provide complementary Chamber memberships and promotion for all City entities, including City Parks, Riverside Golf Course, the Frisco Center, and the Airport; and

5. Update current schedule of events to Clinton Daily News, Frisco Center website, and relevant information for digital sign.

Further, the Chamber will recognize the City of Clinton as a member of the Chamber.

The City of Clinton shall be obligated to provide the following:

1. A full time custodian;
2. Meeting planning software to assist with booking and billing meetings;
3. A minimum of one part time employee, working 20 hours per week, who's responsibilities shall include:
   (1) Facility staffing, before and after normal business hours; and,
   (2) Meeting services such as, making coffee, setting up audio/visual equipment, and other services as requested by the customer, to ensure total satisfaction.
4. The City shall be obligated to pay to the Chamber, as an operator's fee, $30,000.00 per year, payable in monthly installments of $2,500.00.
5. Create a unique email address for general and booking inquiries for the Frisco Center.
6. Frisco Center staff will check this email daily.
7. Create a general voicemail box for the Frisco Center for messages regarding general and booking inquiries, to be checked daily.

In addition. in order to further reaffirm Section 6 of the original contract, it is expressly understood, and the parties agree, the City has no control over the manner in which the Chamber conducts business.

Section 23. Priority of Occupancy. The parties agree that, as the purpose of the Frisco Center is to produce additional revenues for the Authority and provide a meeting place for local, regional and national conferences, priority shall be given to all profit producing customers when scheduling occurs. Any conference/activity scheduled for use of the facilities, that is paying less than the normal fee for the facilities, may be preempted with three (3) days notice to the previously booked event/activity, excluding the Home and Garden Expo, the Chamber of Commerce Banquet, Job Fair, and the Festival of Lights.

Section 24. Chamber Payment for Usage of the Frisco Center. The Frisco Center will be held free of charge to the Chamber of Commerce for: regularly scheduled meetings including, but not limited to, those of the Board of Directors and Chamber committees; the Annual Banquet; (2) two yearly membership luncheons; Legislative Breakfast; the Festival of Lights, Job Fair; and other events or meetings upon Frisco Center Director approval. The Chamber will pay $2,500.00 or the equivalent of (1) one month's fees from the City for the use of the Frisco Center for the Home and Garden EXPO. Usage of the facility for any additional special events will be charged to the Chamber at a rate of $20.00 per hour, per Frisco staff member utilized to work on event set-up, tear down, or clean-up.

The remainder of the provisions in the agreement, dated June 21, 2005, are hereby reaffirmed.

IN WITNESS WHEREOF, the parties have hereunto set their hands in counterparts, each of which will constitute an original, on this _____ day of _____, 2009..

CLINTON INDUSTRIAL AUTHORITY

_____

Allen Bryson, Chairman

ATTEST: (SEAL)

_____

Secretary

CLINTON CHAMBER OF COMMERCE

_____

Karen Sanchez, Board Chairman

_____

Erin Adams, Board President

# PUBLIC NOTICE OF A REGULAR MEETING
# OF THE CITY COUNCIL
# TUESDAY, JUNE 16, 2009 AT 5:30 PM
# CLINTON CITY HALL

## AGENDA

Meeting status: Completed

1. Call to Order

2. Opening Prayer Carol Waters, First Presbyterian Church

3. Consent Agenda

    A. Consider Approval of Minutes on June 2, 2009
    Special Meeting on June 10, 2009

4. Action Items:

    A. Public Hearing regarding rezoning of property

    B. Consider Ordinance 917 regarding rezoning of .80 acres of property located in Lots 1-10 Block 43, Maker's Second Addition from R-1 (Single Family District) to R-2 (Two- Family District)

    C. Consider Intergovernmental Agreement with Oklahoma Department of Transportation regarding Road Maintenance

    D. Consider Supplemental Budget Amendment to Fiscal Year 2008-2009 Budget

5. General Fund

    A. General Fund

6. Capital Improvement Fund

    A. Capital Improvement Fund

7. 2005 4th Cent Education Fund

    A. 2005 4th Cent Education Fund

8. 2005 4th Cent Acme Park

    A. 2005 4th Cent Acme Park

9. Recreation Capital Improvement Construction Fund

    A. Recreation Capital Improvement Construction Fund

    B. Consider and Adopt Resolution 787 approving the proposed Fiscal Year 2009-2010 Budget beginning July 1, 2009 and ending June 30, 2010

    C. Consider Expenditure of Funds from 2009-2010 Capital Improvement Fund for Signage at Riverside Golf Course

    D. Consider Expenditure of Funds from 2009-2010 Capital Improvement Fund for the rehab and update of the Water Slide at McLain Rogers Park

    E. Consider and Discuss the Purchase or Appraisal of Real Property including an Executive Session as authorized by 25 O.S. ss 307B(3)

10. City Managers Report

11. Audience Participation

12. Adjournment

Filed this 12th Day of June, 2009. Posted on the bulletin board in the lobby of the Clinton City Hall on June 12, 2009 at 1:30 p.m.

_____

Not recorded

# MINUTES OF THE CLINTON CITY COUNCIL
# JUNE 2, 2009

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, June 2, 2009 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 May 29, 2009.

Mayor Allen Bryson called the meeting to order with the following present;

**MAYOR:** Allen Bryson
**COUNCIL:** Mark Hendrickson, Bob Marcy, John Jordan, Terry Wheeler
**CITY MANAGER:** Grayson Bottom
**CITY CLERK:** Lisa Anders
**CITY TREASURER:** Debra Blanchard
**DEPUTY CITY CLERK:** Rhonda Williams
**CITY ATTORNEY:** Ryan Meacham
**NEWS MEDIA:** Gerald Green, Mike Smith and Jared Atha
**OTHERS:** Arnold Adams, David Crabtree, Gene McCullough, Brad Aneshansley and others.

Councilman Mark Hendrickson 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 May 19 and special meeting of May 27, 2009
B. Consider Claims

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

Mayor put the motion to a roll call vote:

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

Mayor declared the motion carried.

## AGENDA ITEM NO. 4 ACTION ITEMS

## 4A. CONSIDER REQUEST OF STREET CLOSING, PARADES AND PERMIT WAIVERS FOR 2009-2010

City Manager Grayson Bottom explained that staff had sent letter to various groups regarding request for street closing, parades and permit waivers asking them to submit the information about their scheduled event and the request of city services. This allows the request to come before Council all at one time.

Motion was made by Councilman Marcy and seconded by Councilman Jordan to approve the 2009-2010 requests for street closings, parades and permit waivers.

Chairman put the motion to a roll call vote:

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

Chairman declared the motion carried.

## 4B. CONSIDER APPOINTMENT TO PLANNING AND ZONING BOARD AND BOARD OF ADJUSTMENTS

City Manager Grayson Bottom reported that Corky Heard's term on the Planning and Zoning Board and the Board of Adjustments will be completed July 1, 2009. He said Mr. Heard has agreed to serve another term if so appointed.

Mayor Bryson said Heard is very knowledgeable and he recommended that Heard be reappointed to a three year term on the Planning and Zoning Board and the Board of Adjustments.

Motion was made by Councilman Jordan and seconded by Councilman Marcy to reappoint Corky Heard to the Planning and Zoning Board and the Board of Adjustments.

Mayor put the motion to a roll call vote:

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

Mayor declared the motion carried.

## 4C. CONSIDER EXPENBDITURE OF FUNDS FOR THE REHAB AND UPDATE OF THE WATER WELL AT RIVERSIDE GOLF COURSE

City Manager Grayson Bottom explained that for the third time in six years the water well at the golf course has broken. He said a submersible pump is needed and an outline of work prepared by A.W. Pool was presented to the Council for consideration. He said the itemized list does not include the electrical expense.

Councilman Jordan said a submersible pump will work in a crooked casing.

Motion was made by Councilman Hendrickson and seconded by Councilman Wheeler to approve the expenditure of funds for the rehab and update of the water well at Riverside Golf Course with authorization to up to $22,500.00.

Mayor put the motion to a roll call vote:

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

Mayor declared the motion carried.

## 4D. CONSIDER RESOLTUION 786 REGARDING A FINANCING AGREEMENT FOR THE PURPOSE OF PROCURING "VARIOUS PERSONAL PROPERTY"

City Manager Grayson Bottom explained that during the budget work sessions there was discussion regarding a Master Lease Purchase plan for the new budget year. The first step in preparing the Master Lease Purchase Agreement is the consideration of a resolution for each of the entities that will be participating in the plan. He said the resolution is not specific in naming equipment but is listed as "business personal property". He explained this is a four year agreement but would be reviewed annually. He said this give the City flexibility in

uncertain times and allows an evaluation time while making budget decisions.

City Manager Bottom said part of reason for the Master Lease Purchase will include new cardio equipment and weight lifting equipment for the recreational center.

Councilman Marcy asked about the time frame.

City Manager Bottom said the process will begin shortly after the agreement is approved and then the equipment will be ordered.

Motion was made by Councilman Wheeler and seconded by Councilman Hendrickson to approve Resolution 786 regarding a Financing Agreement for the purpose of procuring "Various Personal Property".

Mayor put the motion to a roll call vote:

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

Mayor declared the motion carried.

## 5. CITY MANAGER'S REPORT

The Public Hearing for the budget meeting was set for Wednesday, June 10, 2009 at 12:00 noon in the Council Chambers.

Councilman Hendrickson noted that Erin Adams, director of the Chamber of Commerce, will be leaving June 30, 2009. He said she has done a great job for the Chamber and the City of Clinton.

## 6. AUDIENCE PARTICIPATION

None

## AGENDA ITEM NO. 7: ADJOURNMENT

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

Mayor put the motion to a roll call vote:

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

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

# RESOLUTION # 786

A RESOLUTION REGARDING A FINANCING AGREEMENT FOR THE PURPOSE OF PROCURING ***"VARIOUS PERSONAL PROPERTY"***.

WHEREAS, City of Clinton desires to enter into that certain Financing Agreement, by and between Government Capital Corporation and City of Clinton, for the purpose of procuring ***"Various Personal Property"***. The City desires to designate this Agreement as a "qualified tax exempt obligation" of the City for the purposes of Section 265 (b) (3) of the Internal Revenue Code of 1986, as amended. The City of Clinton desires to designate Grayson Bottom, City Manager, as an authorized signer of the Agreement.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF THE CITY OF CLINTON:

Section 1. That the City enters into a Financing Agreement with Government Capital Corporation for the purpose of procuring ***"Various Personal Property"***.

Section 2. That the Financing Agreement, by and between the City of Clinton and Government Capital Corporation is designated by the City as a "qualified tax exempt obligation" for the purposes of Section 265 (b) (3) of the Internal Revenue Code of 1986, as amended.

Section 3. That the City of Clinton designates Grayson Bottom, City Manager, as an authorized signer of the Financing Agreement, by and between the City of Clinton and Government Capital Corporation.

This Resolution has been PASSED upon Motion made by Board Member Wheeler, seconded by Board Member Hendrickson by a vote of 5 to 0 and is effective this June 2, 2009.

LESSEE: City of Clinton

Allen Bryson, Mayor

Witness Signature

Lisa Anders, City Clerk

# MINUTES OF A SPECIAL MEETING OF CLINTON CITY COUNCIL, CLINTON PUBLIC WORKS AUTHORITY, CLINTON HOSPITAL AUTHORITY, CLINTON SOLID WASTE AUTHORITY, CLINTON RECREATIONAL AUTHORITY, CLINTON AIRPORT AUTHORITY AND CLINTON INDUSTRIAL AUTHORITY

## WEDNESDAY, JUNE 10, 2009

Minutes of a special meeting of the Mayor/ Chairman and Council/Trustees of the City of Clinton, Oklahoma, Custer County, held at the Frisco Center on Wednesday, June 10, 2009, 12:00 Noon. A notice of this meeting with agenda was posted on the bulletin board in the lobby of the Clinton City Hall on June 4, 2009.

Mayor/Chairman Allen Bryson called the meeting to order with the following present:

**Trustee/ Council:** Terry Wheeler, John Jordan, Bob Marcy
**City Manager:** Grayson Bottom
**City Clerk:** Lisa Anders
**News Media:** Gerald Green
**Others:** Gene McCullough, David Crabtree, Debra Blanchard, Charles Fry and Rhonda Williams.

## 2. REVIEW OF 2009-2010 FISCAL YEAR BUDGET

Mayor/Chairman Allen Bryson opened the meeting and asked for public comment on the 2009-2010 Fiscal Year budget. He explained that this meeting is a required by law.

No comments were made

## 3. ADJOURN

Motion was made by Councilman/Trustee Marcy and seconded by Councilman/Trustee Jordan to adjourn the meeting.

Mayor/Chairman Bryson put the motion to a roll call vote:

Aye: Marcy, Jordan, Wheeler, Bryson

Nay: None

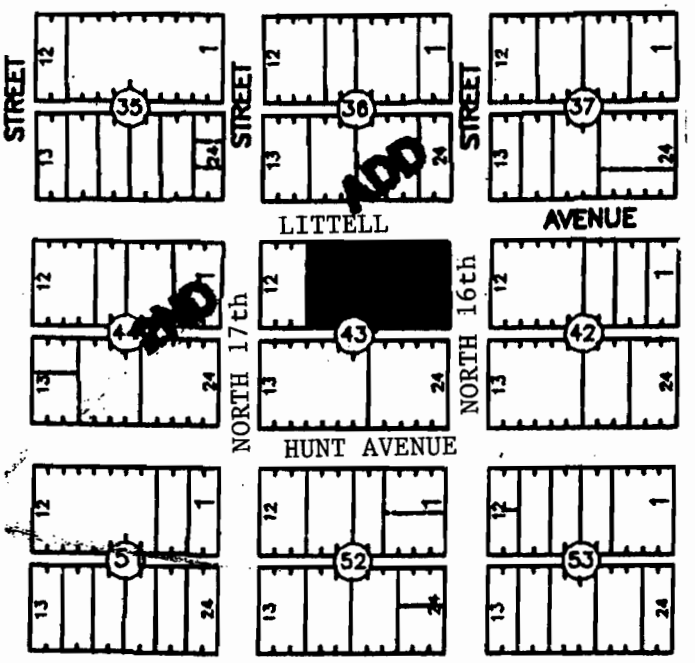
Mayor declared the meeting adjourned at 12:05 p.m.

## NOTICE OF REZONING - PUBLIC HEARING

Notice is hereby given that on Tuesday, June 16, 2009, beginning at 5:30 p.m .a Public Hearing will be held before the Mayor and City Council of the City of Clinton, Oklahoma in the Council Room of the Clinton City Hall, 415 Gary Boulevard, on the application to rezone a parcel of land located in Lots 1-10 in Block 43, Maker's Second Addition containing approximately .80 acres (between North 16 and North 17th on Littell Avenue) in Clinton, Custer County, Oklahoma.

Requesting that the zoning of said property be changed from R-1 (Single Family District) to R-2 (Two-Family District).

The subject tract is located as shown on the following schematic drawing.




Any person may file protest in writing with the Clinton City Clerk, City Hall, P.O. Box 1177, Clinton, Oklahoma, 73601, at any time before such Public Hearing begins, and/or may appear in person or by representative at the time and place and be heard on this matter.

Dated this 18th day of May, 2009.

Lisa Anders

Lisa Anders, City Clerk
City of Clinton, OK

# ORDINANCE NUMBER 917

## AN ORDINANCE CHANGING THE ZONING FROM R-1 (SINGLE FAMILY DISTRICT) TO R-2 (TWO FAMILY DISTRICT) FOR PROPERTY LOCATED IN LOTS 1-10 IN BLOCK 43, MAKER'S SECOND ADDITION CONTAINING APPROXIMATELY .80 ACRES IN CLINTON, CUSTER COUNTY, OKLAHOMA; AND DECLARING AN EMERGENCY.

**WHEREAS, the owners of a tract of land located in Lots 1-10 in Block 43, Maker's Second Addition containing approximately .80 acres in Clinton, Custer County, Oklahoma requests that the zoning of said land be changed from R-1 (Single Family District) to R-2 (Two-Family District); and**

**WHEREAS, the Planning and Zoning Board of said City of Clinton, Oklahoma met on May 12, 2009, after due legal notice thereof to all owners of property situated within a radius of 300 feet of subject tract of land and has reviewed the said Application and has recommended to this Council that the zoning of such property be approved as requested; and**

**WHEREAS, the City Council did conduct a Public Hearing on this matter on this date in the Council Room of the Clinton City Hall pursuant to due legal notice thereof published in the Clinton Daily (Oklahoma) News on May 21, 2009; and**

**WHEREAS, the matter was discussed in open forum at this Public Hearing before and by the members of the Council and the Council being fully informed in the premises, does find that the interests of the City of Clinton will be served best by establishing the subject zoning district as requested in the subject application and as recommended by the Clinton Planning and Zoning Board; and**

**NOW THEREFORE, be it ordained by the City Council of the City of Clinton, Oklahoma, that the following described property in Lots 1-10 in Block 43, Maker's Second Addition containing .80 acres in Clinton, Custer County, Oklahoma be and the same is hereby zoned R-2 (Two-Family District).**

**WHEREOF, an emergency is hereby declared to exist and this Ordinance shall be in full force and effect from and after its passage and proof of publication.**

**PASSED AND APPROVED this _____ day of _____, 2009.**

_____

**ATTEST:** **Allen Bryson, Mayor**

_____

**Lisa Anders, City Clerk**

# INTERGOVERNMENTAL AGREEMENT
# BY AND BETWEEN
# THE OKLAHOMA DEPARTMENT OF TRANSPORTATION
# AND
# THE CITY/TOWN OF CLINTON, OKLAHOMA

THIS Agreement made the day and year last written below, by and between the Oklahoma Department of Transportation (hereinafter called the "DEPARTMENT") and the City/Town of Clinton, Oklahoma, (hereinafter called the "CITY/TOWN"), for the following intents and purposes:

## WITNESSETH

WHEREAS, the DEPARTMENT is charged under the laws of the State of Oklahoma with the construction and maintenance of highways which are designated as a part of the State Highway System; and

WHEREAS, the DEPARTMENT, pursuant to Title 69 Oklahoma Statutes § 901, must pay for the maintenance of streets within cities and towns which such streets are the continuation of State or Federal highway; and

WHEREAS, reduced manning levels within the DEPARTMENT has caused a marked reduction in the availability of DEPARTMENT employees to perform maintenance on state highways; and

WHEREAS, the DEPARTMENT is authorized under the provisions of Title 69, Oklahoma Statutes § 1502 and Title 74, Oklahoma Statutes § 85.12 to contract for necessary services; and

WHEREAS, the CITY/TOWN has employees who have training and experience in maintenance of roadway surfaces; and

WHEREAS, the DEPARTMENT and the CITY/TOWN have agreed on terms under which CITY/TOWN employees will provide roadway maintenance on municipal streets which are continuations of State or Federal highways and the DEPARTMENT will reimburse the CITY/TOWN for the reasonable costs of such services and materials used in the performance of such maintenance.

NOW, THEREFORE, for and in consideration of the mutual covenants contained herein, the DEPARTMENT and the CITY/TOWN do hereby mutually promise and agree as follows:

SECTION 1 Purpose of the Agreement

The DEPARTMENT and the CITY/TOWN hereby agree that the CITY/TOWN will perform

all routine maintenance of State or Federal highways within the corporate limits of such CITY/TOWN from curb line to curb line or, where no curb exists, from shoulder line to shoulder line when such State or Federal highways are continued as CITY/TOWN streets within the corporate limits of such CITY/TOWN.

SECTION 2 Scope of Services

The CITY/TOWN is to perform surface repair on all State or Federal highways within the corporate limits of such CITY/TOWN such as, but not limited to, concrete and asphalt patching, crack sealing and such other routine repairs as may be approved by the DEPARTMENT and as are within the capabilities of such CITY/TOWN when such repairs are necessary to maintain the appearance and serviceability of such highways, to prolong the interval between major repairs and to maximize the overall service life.

SECTION 3 Time for Performance

Unless terminated as provided in Section 7, the roadway maintenance to be provided by the CITY/TOWN shall be performed from time to time and as needed from the date of execution of this Agreement by the DEPARTMENT's Deputy Director/Chief Engineer until the end of Fiscal Year 2010 but may be extended by a Supplemental Agreement for additional fiscal years by mutual agreement of the parties hereto.

SECTION 4 Compensation

The DEPARTMENT will compensate the CITY/TOWN for performance of roadway maintenance for actual costs for labor, to include the actual hourly pay rates plus additives of CITY/TOWN employees engaged in maintenance of streets subject to this Agreement during the time such employees are actually providing maintenance for such streets. The CITY/TOWN will be compensated for machinery or special equipment (other than small tools) used in performance of roadway maintenance at a maximum rate determined from the most current edition of Rental Rate Blue Book for Construction Equipment as published by Equipment Watch for the type and year of the equipment actually used by the CITY/TOWN for maintenance of streets subject to this Agreement during the time such equipment is actually in use performing maintenance on streets subject to this Agreement in accordance with the following formula:

$$\text{Hourly rate} = \frac{\text{Monthly Rate} \times \text{Regional Adjustment} \times \text{Age Adjustment} + \text{Operating Cost}}{176}$$

The CITY/TOWN will be compensated at cost for materials actually used in such roadway maintenance when such cost can be documented by supply invoices. Payment will be made monthly, in arrears, within forty-five (45) days of receipt of itemized invoice detailing costs for approved roadway maintenance. This Agreement is entered into for a total amount not to exceed Fifty Thousand Dollars ($50,000.00).

SECTION 5 Travel

No reimbursable travel is contemplated under the terms of this Agreement.

SECTION 6 Dispute Resolution

Any dispute concerning a question of fact in connection with the work not disposed of by the Agreement between the parties hereto shall be referred to the DEPARTMENT's Director or his duly authorized representative for determination, whose decision in this matter shall be final and conclusive as the parties to this Agreement.

SECTION 7 Termination

This Agreement may be terminated upon thirty (30) days written notice by either the DEPARTMENT or the CITY/TOWN without fault. In the event of such termination the CITY/TOWN shall be entitled to compensation for the actual costs of labor, equipment, and material such are defined in Section 4 which may be used or expended for roadway maintenance services rendered prior to the date of termination.

SECTION 8 Hold Harmless Clause

The DEPARTMENT and the CITY/TOWN hereby mutually agree to indemnify and save harmless each and the other from any and all claims, suits in law or in equity, of any nature whatsoever, praying for any damages or otherwise arising from any alleged negligent act or omission of any of their respective employees or agents which may occur during the prosecution or the performance of this Agreement.

SECTION 9 Insurance

It is understood by the DEPARTMENT that the CITY/TOWN is self-insured and subject to the Governmental Tort Claims Act (51 O.S., § 151, et seq.) and will therefore, subject to any defenses, exemptions or limitations which may be available to the CITY/TOWN, provide workers' compensation, public liability and property damage protection for the CITY/TOWN and its employees and for the actions or omissions of those employees in accordance with the ordinances, rules and procedures of the CITY/TOWN as may be approved by its mayor and governing body.

SECTION 10 Non-Compensable Maintenance

The DEPARTMENT shall not compensate the CITY/TOWN for costs incurred in mowing the right-of-way or for striping for parking and miscellaneous markings, nor shall the DEPARTMENT pay for any maintenance on drainage systems and facilities, curbs, sidewalks or driveways, for any damage caused by drainage systems or utilities or for any maintenance performed outside of the curb of shoulder line on any roadway without curbs on any State or Federal highway which is continued as a municipal street within the CITY/TOWN.

SECTION 11 Major Repairs

The DEPARTMENT will perform major reconstruction or repair such as milling and overlay/resurfacing, widening, reconstructing, realignment and bridge structure repair on State and Federal highways continued as municipal streets within the CITY/TOWN.

SECTION 12 Reserved Maintenance

The DEPARTMENT will maintain all permanent signing adjacent to, and roadway striping on, the driving surface of municipal streets which are continuations of State or Federal highways within the CITY/TOWN.

SECTION 13 Departmental Authorization and Inspection

The CITY/TOWN must secure written authorization from the DEPARTMENT for all roadway maintenance prior to commencement of any maintenance for which reimbursement will be requested by the CITY/TOWN in accordance with terms of this Agreement. In emergency situations the CITY/TOWN may effect temporary or stabilizing repairs upon telephone authorization. Minor routine repairs such as small pot hole patching may be performed throughout this Agreement period upon approval by DEPARTMENT of a CITY/TOWN maintenance program which includes methods and materials to be used for such repairs. The CITY/TOWN must notify the DEPARTMENT within forty-eight (48) hours of completion of any approved roadway maintenance activity in order that the department may inspect and accept the completed work prior to final reimbursement. Any work determined by the DEPARTMENT not to be in conformance with the DEPARTMENT standards of quality and workmanship will be corrected or removed and replaced at CITY/TOWN expense as directed by the DEPARTMENT field personnel.

SECTION 14 Traffic Control During Maintenance

The CITY/TOWN will provide appropriate temporary signage, barricades and channeling devices, markings, light devices and traffic control through work areas as are described and required by the Manual on Uniform Traffic Control Devices for maintenance and construction zones.

SECTION 15 Utilities

Roadway restoration necessitated by installation or repair of underground utilities is not maintenance within the contemplation of this Agreement and is not compensable. Utility permits must be obtained from DEPARTMENT for all utility associated work performed within the right-of-way limits before such work may commence.

SECTION 16 Authorization to Execute Agreement

The CITY/TOWN agrees that it will, by resolution of its governing body, duly authorizes the execution of this Agreement by proper officials, and will attach copies of such resolution to this Agreement.

SECTION 17 Prior Understandings

This Agreement incorporates and reduces to writing all prior understandings, promises, agreements, commitments, covenants, or conditions, and constitutes the full and complete understanding and contractual relationship of the parties. This Agreement is entered into for a total amount not to exceed Fifty Thousand Dollars ($50,000.00).

SECTION 18 Amendments of Modification of Agreement

No changes, revisions, amendments or alterations in the manner, scope, or type of work or compensation to be paid by DEPARTMENT shall be effective unless reduced to writing and executed by the parties with same formalities as are observed in the execution of this Agreement.

SECTION 19 Records

The CITY/TOWN is to maintain all books, documents, papers, accounting records and other evidence pertaining to cost incurred and to make such materials available at its respective offices at all reasonable times, during this Agreement period and for three (3) years from the date of final payment under this Agreement, for inspection by the DEPARTMENT and the State Auditor and Inspector, and copies thereof shall be furnished to the DEPARTMENT, if requested.

SECTION 20 Governing Law and Regulations

This Agreement shall be governed and construed in accordance with the laws of the State of Oklahoma and the applicable rules, regulations, policies, and procedures of the Oklahoma Transportation Commission.

SECTION 21 Notices

All notices, demands, requests, or other communications which may be or are required to be given, served or sent by either party to the other pursuant to the Agreement shall be in writing and shall be deemed to have been properly given or sent:

(a) if intended for the DEPARTMENT, by mailing by first class mail or, if sender prefers, by registered or certified mail, return receipt requested, with postage prepaid, addressed to State at:

Oklahoma Department of Transportation
PO Box 1449
Clinton, OK 73601

(b) if intended for the CITY/TOWN, by mailing by first class mail or, if sender prefers, by registered or certified mail, return receipt requested, with postage prepaid addressed to the CITY/TOWN at:

Grayson Bottom, City Manager
City of Clinton
PO Box 1177
Clinton, OK 73601

SECTION 22 Civil Rights Act of 1964

The CITY/TOWN agrees to comply with Title VI of the Civil Rights Act of 1964, 78 O.S. §252, 42 U.S.C. § 2000d et seq., and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Part 21 - "Nondiscrimination in federally assisted programs of the Department of Transportation - effectuation of Title VI of the Civil Rights Act 1964".

SECTION 23 Headings

Article headings used in this Agreement are inserted for convenience in reference only and shall not be deemed a part of this Agreement for any purpose.

SECTION 24 Binding Effect

This Agreement shall be binding upon and insure to the benefit of the DEPARTMENT and the CITY/TOWN and shall be binding upon their successors and assigns subject to the limitations of Oklahoma law.

SECTION 25 Severability

If any provision, clause, or paragraph of this Agreement or any document incorporated by reference shall be determined invalid by a court of competent jurisdiction, such determination shall not affect the other provisions, clauses, or paragraphs of this Agreement which are not affected by the determination. The provisions, clauses, or paragraphs of this Agreement and any documents incorporated by reference are declared severable.

SECTION 26 Effective Date

This Agreement shall become effective on July 1, 2009.

IN WITNESS THEREOF, _____ of the CITY/TOWN of _____, has set his hand and seal this _____ day of _____, 2009, and John Fuller, Deputy Director/Chief Engineer, has set his hand and seal this _____ day of _____, 2009.

CITY/TOWN OF _____

_____
CITY/TOWN Official

ATTEST:

_____
CITY/TOWN Clerk

(SEAL)

Approved as to form and legality:

_____
CITY/TOWN Attorney

OKLAHOMA DEPARTMENT OF TRANSPORTATION

RECOMMENDED APPROVAL:

_____
Brent Almquist, Division Five Engineer

_____
Kevin Bloss, State Maintenance Engineer

_____
Gary Evans, Asst. Chief Engineer/Dir. - Operations

Approved as to form and legality:

_____
General Counsel

Approved:

_____
John Fuller, Deputy Director/Chief Engineer

BUDGET AMENDMENT FORM

TYPE OF AMENDMENT:
01 - SUPPLEMENTAL
02 - DECREASE
03 - TRANSFER

FY 2008-2009

CITY OF CLINTON - GENERAL FUND

| | | ACCOUNTS DECREASED | | |
|---|---|---|---|---|
| TYPE | EXPL. | ACCT # | NAME | AMOUNT |
| 01 | A | | | |

| ACCOUNTS INCREASED | | |
|---|---|---|
| ACCT # | NAME | AMOUNT |
| **ESTIMATED REVENUE** | | |
| 100-500-59020 | Sales Tax Transfers In | 466,726 |
| **TOTAL ESTIMATED REVENUE** | | 466,726 |
| **APPROPRIATIONS** | | |
| 100-40100-2981 | Sales Tax Transfers Out | 466,726 |
| **TOTAL APPROPRIATIONS** | | 466,726 |

EXPLANATIONS:

A. Supplemental appropriation to budget additional Sales Tax Collections Transferred in and out to meet revenue bond requirements.

DONE BY ORDER OF THE GOVERNING BOARD OF SAID MUNICIPALITY AND RECORDED IN THE MINUTES OF THE CLERK AT CLINTON, OKLAHOMA, THIS 16th DAY OF JUNE, 2009.
ATTEST:

MAYOR

CLERK

BUDGET AMENDMENT FORM

TYPE OF AMENDMENT:
01 - SUPPLEMENTAL
02 - DECREASE
03 - TRANSFER

FY 2008-2009

CITY OF CLINTON - CAPITAL IMPROVEMENT FUND

| | | ACCOUNTS DECREASED | | |
|---|---|---|---|---|
| TYPE | EXPL | ACCT # | NAME | AMOUNT |
| 01 | A | | | |

| ACCOUNTS INCREASED | | |
|---|---|---|
| ACCT # | NAME | AMOUNT |
| **ESTIMATED REVENUE** | | |
| 430-500-51011 | Sales Tax Collection | 198,363 |
| **TOTAL ESTIMATED REVENUE - INCR** | | 198,363 |
| **APPROPRIATIONS** | | |
| 430-40000-2981 | Sales Tax Transfers Out | 198,363 |
| **TOTAL APPROPRIATIONS** | | 198,363 |

EXPLANATIONS:

A. Supplemental appropriation to budget additional Sales Tax Collections and Transfers Out to meet revenue bond requirements.

DONE BY ORDER OF THE GOVERNING BOARD OF SAID MUNICIPALITY AND RECORDED IN THE MINUTES OF THE CLERK AT CLINTON, OKLAHOMA, THIS 16TH DAY OF JUNE, 2009.
ATTEST:

MAYOR

CLERK

BUDGET AMENDMENT FORM

FY 2008-2009

TYPE OF AMENDMENT:
01 - SUPPLEMENTAL
02 - DECREASE
03 - TRANSFER

CITY OF CLINTON - 2005 4TH CENT EDUCATION FUND

| | | ACCOUNTS DECREASED | | |
|---|---|---|---|---|
| TYPE | EXPL. | ACCT # | NAME | AMOUNT |
| 01 | A | | | |

| ACCOUNTS INCREASED | | |
|---|---|---|
| ACCT # | NAME | AMOUNT |
| **ESTIMATED REVENUE** | | |
| | | |
| **CPS** | | |
| 511-541-51017 | 4th Cent CPS S.T. | 13,004 |
| | | |
| **EASTSIDE ACADEMY** | | |
| 511-542-51017 | 4th Cent Eastside S.T. | 4,335 |
| | | |
| | | |
| **TOTAL ESTIMATED REV** | | 17,339 |
| | | |
| **APPROPRIATIONS** | | |
| 511-44100-2980 | Oper.Transfer Out-CPS | 13,004 |
| | | |
| 511-44200-2980 | Oper. Transfer Out-Eastside | 4,335 |
| | | |
| | | |
| **TOTAL APPROPRIATIONS** | | 17,339 |

EXPLANATIONS:

A. Supplemental appropriation to budget additional 4th Cent Education Sales Tax excess revenue collections over estimated and appropriate to Transfers Out to PWA for 2006 Revenue Bond Issue Debt Service.

DONE BY ORDER OF THE GOVERNING BOARD OF SAID MUNICIPALITY AND RECORDED IN THE MINUTES OF THE CLERK AT CLINTON, OKLAHOMA, THIS 16th DAY OF JUNE, 2009.
ATTEST:

MAYOR

CLERK

BUDGET AMENDMENT FORM
FY 2008-2009

TYPE OF AMENDMENT:
01 - SUPPLEMENTAL
02 - DECREASE
03 - TRANSFER

CITY OF CLINTON - 2005 4TH CENT ACME PARK

| | | ACCOUNTS DECREASED | | |
|---|---|---|---|---|
| TYPE | EXPL. | ACCT # | NAME | AMOUNT |
| 01 | A | | | |
| 02 | B | **CASH BALANCE FORWARD** | | |
| | | Cash Balance Forward | | (195,625) |
| | | **TOTAL CASH BALANCE FORWARD** | | (195,625) |
| | | **APPROPRIATIONS** | | |
| | | 512-44300-2980 | Operating Transfer Out | (195,625) |
| | | **TOTAL APPROPRIATIONS** | | (195,625) |

| ACCOUNTS INCREASED | | |
|---|---|---|
| ACCT # | NAME | AMOUNT |
| **ESTIMATED REVENUE** | | |
| 512-543-51017 | 4th Cent S.T.- Acme Const | 28,925 |
| 512-544-51017 | 4th Cent S.T.- Acme Op | 5,918 |
| **TOTAL ESTIMATED REV** | | 34,843 |
| **APPROPRIATIONS** | | |
| 512-44300-2980 | Operating Transfer Out | 28,925 |
| 512-44400-2980 | Operating Transfer Out | 5,918 |
| **TOTAL APPROPRIATIONS** | | 34,843 |

EXPLANATIONS:

A. Supplemental appropriation to budget additional 4th Cent Acme Construction and Operations Sales Tax Collections received and appropriate Transfers Out to PWA for 2006 Revenue Bond Issue Debt Service and Recreation Authority for Park Operations.

B. Decrease in Cash Balance Forward for 7-1-08 and appropriations for Operating Transfers Out for Acme Construction. Balance was transferred out to PWA for 2006 Revenue Bond Issue Debt Service at end of FY 07-08, but after budget for FY08-09 was already approved to include that transfer out.

DONE BY ORDER OF THE GOVERNING BOARD OF SAID MUNICIPALITY AND RECORDED IN THE MINUTES OF THE CLERK AT CLINTON, OKLAHOMA, THIS 16th DAY OF JUNE, 2009.
ATTEST:

MAYOR

CLERK

BUDGET AMENDMENT FORM

TYPE OF AMENDMENT:
01 - SUPPLEMENTAL
02 - DECREASE
03 - TRANSFER

FY 2008-2009

CITY OF CLINTON - RECREATION CAP IMPR. CONSTR. FUND

| | | ACCOUNTS DECREASED | | |
|---|---|---|---|---|
| TYPE | EXPL. | ACCT # | NAME | AMOUNT |
| 01 | A | | | |

| ACCOUNTS INCREASED | | |
|---|---|---|
| ACCT # | NAME | AMOUNT |
| **ESTIMATED REVENUE** | | |
| 735-543-53022 | State Grants | 59,084 |
| 735-543-56010 | Misc. | 25,738 |
| 735-543-59010 | Oper Transfer In - Other Funds | 56,199 |
| **TOTAL** | | 141,021 |
| **APPROPRIATIONS** | | |
| **ACME BRICK CONST PROJ** | | |
| 735-44300-3005 | Building Remodeling | 16,500 |
| 735-44300-3060 | Proj Const Costs | 54,521 |
| 735-44300-3062 | Train Depot Const | 70,000 |
| **TOTAL APPROPRIATIONS** | | 141,021 |

EXPLANATIONS:

A. Appropriate additional funds received for Acme Constr Project from Fema Grant funds, Insurance Recovery Funds, Capital Improvement grant match funds, and PWA 06 Constr Funds remaining.

DONE BY ORDER OF THE GOVERNING BOARD OF SAID MUNICIPALITY AND RECORDED IN THE MINUTES OF THE CLERK AT CLINTON, OKLAHOMA, THIS 16TH DAY OF JUNE, 2009.
ATTEST:

MAYOR

CLERK

# RESOLUTION NO. 787

**A RESOLUTION OF THE CITY OF CLINTON, CLINTON PUBLIC WORKS AUTHORITY, CLINTON HOSPITAL AUTHORITY, CLINTON RECREATIONAL AUTHORITY, CLINTON AIRPORT AUTHORITY, CLINTON INDUSTRIAL AUTHORITY, CLINTON SOLID WASTE AUTHORITY APPROVING THE 2009-2010 BUDGET**

**WHEREAS,** the Oklahoma State Statues, Title 11, Section 201 authorizes a municipality to prepare and approve an annual budget, and

**WHEREAS,** the City of Clinton has met all requirements for publications and public input on the 2009-2010 budget, and

**WHEREAS,** the City Council/ Authorities of the City of Clinton has reviewed the proposed budget and is aware of the operations and projects planned for the 2009-2010 budget;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Clinton, and the Board of Trustees of the Clinton Public Works Authority, Clinton Hospital Authority, Clinton Recreational Authority, Clinton Airport Authority, Clinton Industrial Authority, and Clinton Solid Waste Authority of Clinton, Oklahoma:

1. That the 2009-2010 budget be approved for the funds and amounts as outlined.

2. That the City Treasurer or the City Manager may make transfers between departments and line item accounts within a fund as needed. Supplemental appropriations must be approved by the City Council prior to implementation.

3. That the City Treasurer or designated deputy shall be given blanket authority and directed to invest and reinvest available funds on a continuing basis during the fiscal year ending June 30, 2010 in a manner described in the City of Clinton's Investment Policy.

**PASSED** by the City Council, Board of Trustees of the Clinton Public Works Authority, Clinton Hospital Authority, Clinton Recreational Authority, Clinton Airport Authority, Clinton Industrial Authority and Clinton Solid Waste Authority this 16 day of June, 2009

_____
Allen Bryson, Mayor/Chairman

ATTEST:

_____
Lisa Anders, City Clerk

**WadeMade Customs**
525 N 2ND
Weatherford, OK 73096
580-774-9398

# Estimate

Number: **E101**

Date: **May 23, 2009**

**Bill To:**

Kris Wermy
City of Clinton
Cinton, OK 73601

**Ship To:**

| PO Number | Project |
|---|---|
| 1099 | Clinton Waterslide |

| Date | Description | Hours | Rate | Amount |
|---|---|---|---|---|
| 05/23/2009 | Chromaone paint | 11.00 | 496.99 | 5,466.89 |
| | Primer/Sealer | 6.00 | 157.97 | 947.82 |
| | Caulking/Crack and Seamsealer | 24.00 | 28.99 | 695.76 |
| | Abrasives/Sand Paper | 400.00 | 0.89 | 356.00 |
| | Fiber Glass/Resin | 4.00 | 42.99 | 171.96 |
| | Masking/Plastic, Tape, Paper | | 250.00 | 250.00 |
| | Thinner/Paint Prep/Reducer | 11.00 | 84.99 | 934.89 |
| | Repair/Prep for Paint | 180.00 | 35.00 | 6,300.00 |
| | Refinish | 90.00 | 35.00 | 3,150.00 |
| | 18.00% discount | | | (3,289.20) |



**WadeMade Customs**
525 N 2ND
Weatherford, OK 73096
580-774-9398

# Estimate

Number: **E101**

Date: **May 23, 2009**

**Bill To:**

Kris Wermy
City of Clinton
Cinton, OK 73601

**Ship To:**

| PO Number | Project |
|---|---|
| 1099 | Clinton Waterslide |

| Date | Description | Hours | Rate | Amount |
|---|---|---|---|---|
| | | | | |

**The project described above is painting the inside part of the waterslide only. This is an estimate. Prices maybe subject to change. A down payment of $7,500.00 will be paid to get started. The remaining balance will be do at the completion of the project.**

**AUTHORIZATION FOR REPAIR. You are hearby authorized to make the above repairs:**

**SIGNED:**_____

**DATE:**_____

| | | | **Total** | $14,984.12 |
|---|---|---|---|---|