PUBLIC NOTICE OF A REGULAR MEETING
OF THE PUBLIC WORKS AUTHORITY
TUESDAY, JULY 20, 2010 AT 5:30 PM
CLINTON CITY HALL

AGENDA

Meeting status: Completed

1. Call to Order

2. Opening Prayer Nathan Marsh Broadway Heights Baptist Church

3. Consent Agenda

    A. Consider Approval of Minutes of July 6, 2010

4. Action Items:

    A. Authorize Mayor to sign Memorandum Agreement between Clinton Public Schools, Clinton City Council and Clinton Public Works Authority

    B. Consideration and action upon a resolution approving the incurring of indebtedness by the Clinton Public Works Authority (herein the "Authority") to be accomplished by the issuance of lease revenue bonds, notes or other evidences of indebtedness on…

    Consideration and action upon a resolution approving the incurring of indebtedness by the Clinton Public Works Authority (herein the "Authority") to be accomplished by the issuance of lease revenue bonds, notes or other evidences of indebtedness on a tax-exempt or taxable basis, in one or more series, in the aggregate principal amount of not to exceed Thirteen Million Five Hundred Thousand and no/100 ($13,500,000) to provide funds to Independent School District No. 99, Custer County, Oklahoma ("Clinton Public Schools) the acquisition, construction, equipping, renovating and remodeling of school building, acquiring school furniture, fixtures, and equipment and acquiring and improving school sites; establish a reserve fund, if any, capitalize interest, if any and pay costs of issuance; waiving competitive bidding in regard thereto; approving and authorizing the execution and delivery of documents in connection therewith, including, but not limited to, a bond indenture, a ground lease agreement, a sublease agreement, a preliminary official statement, an official statement, a continuing disclosure agreement and a bond purchase agreement; selection of professionals to effect said financing and the taking of other action with respect thereto.

5. City Managers Report
6. Audience Participation
7. Adjournment

Filed this 16th Day of July, 2010. Posted on the bulletin board in the lobby of the Clinton City Hall on July 16, 2010 at 2:15 p.m.

_____

Not recorded

PW050410

MINUTES OF THE PUBLIC WORKS AUTHORITY MEETING, MAY 4, 2010

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, May 4, 2010 at 5:30 P.M. A notice of this meeting with agenda was posted on the bulletin board in the lobby of Clinton City Hall on April 30, 2010.

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

CHAIRMAN: Allen Bryson
TRUSTEES: Steve Jones, 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 and Mike Smith
OTHERS: Charles Fry, Arnold Adams, Scott Moore, Toby Baker, Alvin Williams, Mary Helen Jones, Cody Farmer and others.

Alvin Williams 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 April 20, 2010
B. Consider Claims

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

Chairman put the motion to a roll call vote:

Aye: Marcy, Jones, 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 Jones and seconded by Trustee Wheeler that the meeting adjourn.

Chairman put the motion to a roll call vote:

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

Chairman declared the meeting adjourned at 5:34 pm.

MEMORANDUM AGREEMENT

This Memorandum Agreement dated August 1, 2010 by and between the Clinton Public Schools (the District) and the City of Clinton and the Clinton Public Work Authority (the City) shall provide as follows:

For and in consideration of the City acting as a conduit issuer in the Clinton Public Works Authority Lease Revenue Bonds Series 2010 (Clinton Public Schools Project) financing, the District does pledge and agree:

(a) *Construction.* To promptly commence and complete or cause the completion of the construction, furnishing and equipping of the Improvements in accordance with the "Plans and Specifications for Improvements and Schedule for Completion" as may be prepared at the direction of the District, said Plans and Specifications being incorporated herein for all purposes (the "Plans") and with any requirements in the Indenture; to pursue completion of construction of the Improvements with diligence and without cessation of work and shall complete the construction of the Improvements in accordance with the schedule set forth in the Plans.

(b) *Additional Construction Requirements.* The Improvements shall be constructed in a good and workmanlike manner using good grades of materials and an appropriately skilled work force and in accordance with all applicable local, state and Federal legal requirements; to promptly pay for all materials and Personal Property incorporated into or to be used in connection with the Improvements and for related labor costs of all contractors and subcontractors and keep the Premises free of Liens. During the course of the construction, the District shall maintain insurance in accordance with the Sublease and provide appropriate security for the job site to avoid damages to or the destruction of the Improvements or personal injury claims arising from the construction of the Improvements. The District shall not materially modify the Plans or construct or cause the constructions of the Improvements except substantially in accordance with the Plans without the prior written consent of the City.

(c) *Costs of Construction.* The Improvements shall be constructed, furnished and equipped solely at the direction of the District; provided, however, that so long as the District is not in default under the terms of the Sublease, it shall be entitled to seek payment for the costs of construction, furnishing and equipping of the Improvements from the proceeds of the Bonds pursuant to Section 4.02 of the Bond Indenture by the completion and submission to the Trustee of the "Form of Requisition Certificate" provided in the bond documents (the "Requisition"), which must be executed by the District, along with the documentation referred to in the Requisition and any further documentation or information requested by the Trustee or the City regarding the construction of the Improvements, including, but not limited to the following:

(i) Progress reports describing the progress of the construction of the Improvements and any problems which could affect the costs or timely completion of the Improvements in accordance with the Plans;

(ii) Copies of invoices verifying the costs of the construction of the Improvements;

(iii) Waivers or releases of mechanics' and materialmen's liens from contractors, subcontractors or suppliers who provide labor or materials for the construction of the Improvements;

(iv) Affidavits of commencement or completion of the Improvements and the payment of all costs in connection with the Improvements; or

(v) As-built plans or surveys on the completion of the construction of the Improvements.

(d) The execution of this Agreement and the implementation of the Resolutions regarding the financing and any undertaking contemplated hereby is strictly conditioned upon (i) the Authority's liability and undertakings contemplated by the foregoing Resolution shall be limited and shall not constitute an obligation of the Authority, the City of Clinton, Oklahoma, nor the State of Oklahoma, and said liability and obligation is payable solely from the pledged revenues and such other security as the Authority may provide; (ii) neither the general credit nor the taxing power of the Authority, the City of Clinton, Oklahoma, the State of Oklahoma nor any other political subdivision thereof being pledged for the payment of the bonds; and (iii) approval of the Indenture, the Bond Purchase Agreement and all other documents in connection therewith by the Authority.

Full responsibility for designing, bidding, and constructing the improvements shall rest with the District.

INDEPENDENT SCHOOL
DISTRICT 99, CUSTER COUNTY
(CLINTON PUBLIC SCHOOLS)

By: _____
President

ATTEST:

_____
Clerk

CLINTON PUBLIC WORKS AUTHORITY

By: _____
Chairman

ATTEST:

_____
Clerk

CITY OF CLINTON

By: _____
Mayor

ATTEST:

_____
City Clerk

PURSUANT TO THE LEGAL NOTICE AS IS REQUIRED BY THE OKLAHOMA OPEN MEETING ACT INCLUDING THE POSTING OF NOTICE AND AGENDA, THE CLINTON PUBLIC WORKS AUTHORITY, CITY OF CLINTON, STATE OF OKLAHOMA, MET IN ITS REGULAR SESSION AT THE CLINTON CITY HALL, CLINTON, OKLAHOMA, AT _____ O'CLOCK __.M. ON THE ____DAY OF JULY, 2010.

PRESENT:

ABSENT:

THEREUPON the Chairman introduced a Resolution which was read in full by the Secretary and upon motion by Trustee _____, and seconded by _____ said Resolution was adopted by the following vote:

AYE:

NAY:

Said Resolution was thereupon signed by the Chairman, attested by the Secretary of the Authority, sealed with the seal of said Authority, and is as follows:

RESOLUTION PW10-01

A RESOLUTION APPROVING THE INCURRING OF INDEBTEDNESS BY THE CLINTON PUBLIC WORKS AUTHORITY (HEREIN THE "AUTHORITY") TO BE ACCOMPLISHED BY THE ISSUANCE OF LEASE REVENUE BONDS, NOTES OR OTHER EVIDENCES OF INDEBTEDNESS ON A TAX-EXEMPT OR TAXABLE BASIS IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED THIRTEEN MILLION FIVE HUNDRED THOUSAND DOLLARS ($13,500,000) TO PROVIDE FUNDS TO INDEPENDENT SCHOOL DISTRICT NO. 99, CUSTER COUNTY, OKLAHOMA ("CLINTON PUBLIC SCHOOLS" OR THE "DISTRICT") REQUIRED TO COMPLETE THE ACQUISITION, CONSTRUCTION, EQUIPPING, RENOVATING, AND REMODELING OF SCHOOL BUILDINGS, ACQUIRING SCHOOL FURNITURE, FIXTURES AND EQUIPMENT AND ACQUIRING AND IMPROVING SCHOOL SITES; ESTABLISH A RESERVE FUND, CAPITALIZE INTEREST AND PAY COSTS OF ISSUANCE; WAIVING COMPETITIVE BIDDING IN REGARD THERETO; APPROVING AND AUTHORIZING THE EXECUTION AND DELIVERY OF DOCUMENTS IN CONNECTION THEREWITH, INCLUDING, BUT NOT LIMITED TO, A BOND INDENTURE, A GROUND LEASE AGREEMENT, A SUBLEASE AGREEMENT, A PRELIMINARY OFFICIAL STATEMENT, AN OFFICIAL STATEMENT, A CONTINUING DISCLOSURE AGREEMENT AND A BOND PURCHASE AGREEMENT; SELECTION OF PROFESSIONALS TO EFFECT SAID FINANCING AND THE TAKING OF OTHER ACTION WITH RESPECT THERETO.

WHEREAS, the Trustees of the Clinton Public Works Authority have determined to issue an aggregate principal amount of not to exceed Thirteen Million Five Hundred Thousand Dollars ($13,500,000) of lease revenue bonds, notes or other evidences of indebtedness of the Authority to provide funds to Independent School District No. 99, Custer County, Oklahoma ("Clinton Public Schools" or the "District") required to complete the acquisition, construction, equipping, renovating and remodeling of school building, acquiring school furniture, fixtures and equipment and acquiring and improving school sites; establish a reserve fund, capitalize interest and pay costs of issuance, (the "Project"); and

WHEREAS, the Authority has offered to sell its lease revenue bonds, notes or other evidences of indebtedness evidencing the aforesaid indebtedness and it is anticipated that competitive bidding upon the lease revenue bonds, notes or evidences of indebtedness (the "Bonds") will be waived; and

WHEREAS, it would be in the best interests of the Trust Estate of the Authority that the sale and issuance of said Bonds be contractually confirmed; and

WHEREAS, it has been determined to be necessary to retain the services of certain professionals to assist the Authority with the issuance of bonds, notes or other evidences of indebtedness in order to finance the Facilities.

BE IT RESOLVED BY THE TRUSTEES OF THE CLINTON PUBLIC WORKS AUTHORITY:

SECTION 1. The issuance of bonds, notes or other evidences of indebtedness, on a taxable or tax exempt basis, of the Clinton Public Works Authority in one or more series of a total aggregate principal amount not to exceed Thirteen Million Five Hundred Thousand Dollars ($13,500,000) on a tax-exempt or taxable basis (herein "Bonds"), the proceeds of which are to be utilized to provide funds to Independent School District No. 99, Custer County, Oklahoma ("Clinton Public Schools" or the "District") required to complete the acquisition, construction, equipping, renovating and remodeling of school buildings, acquiring school furniture, fixtures and equipment and acquiring and improving school sites; establish a reserve fund, capitalize interest and pay costs of issuance, (the "Project") are hereby and by these presents duly authorized and approved, based on the final legal documents being acceptable to the officers of the Authority with full and complete indemnification for the Authority in regard to the financing of the Project and the negotiated sale of the Bonds.

SECTION 2. The Chairman and Secretary of Trustees hereby are authorized and directed, upon behalf of the Authority, to determine the form and substance of, and to execute, attest and deliver a Contract for the sale of said Bonds, all for and on behalf of the Authority. Competitive bidding upon the aforesaid Bonds is hereby waived by a three-fourths (3/4) or greater vote.

SECTION 3. The Chairman and Secretary of Trustees hereby are authorized and directed, for and on behalf of the Authority, to determine the form and substance of, and to execute, attest and affix the seal of the Authority to and deliver said Bonds, a Continuing Disclosure Agreement, a

Bond Purchase Agreement, a Preliminary Official Statement, an Official Statement, a Bond Indenture and a Ground Lease Agreement and a Sublease Agreement providing for the issuance of and securing them, and any and all certificates, receipts, instruments and other writings, and to do and perform any and all acts upon behalf of the Authority and the Trustees thereof requisite to the issuance and delivery of said Bonds and of said Bond Indenture in accordance with the terms and provisions thereof, and the Chairman of Trustees of the Authority further is authorized, for and on behalf of the Authority and the Trustees thereof, to direct the disbursement and disposition of the proceeds of said Bonds, and to do and perform all other acts necessary or convenient to the delivery of the aforesaid Bonds and Bond Indenture and to effect such disbursement and disposition in meeting the obligations of the Authority and the Trustees thereof in relation to the purposes for which said bonded indebtedness is incurred.

SECTION 4. That the Officers of this Authority be and the same are hereby authorized to effect the negotiated sale of the aforedescribed Bonds, and upon such terms as they may in their discretion determine based on current market conditions, and their signatures on any related Bond Purchase Agreement shall be conclusive evidence of the exercise of such discretion and the approval of the related terms of such instrument under the terms of this Resolution, and competitive bidding with respect to any such sale of any and all series of the Bonds issued under the terms of this Resolution is hereby expressly waived.

SECTION 5. The Underwriter is hereby authorized to distribute copies of the Preliminary Official Statement to potential purchasers of the Bonds and other interested persons. Each Designated Officer is hereby authorized on behalf of the Authority to certify to the purchaser of the Bonds that the Preliminary Official Statement is deemed final by the Authority within the meaning of Rule 15c2-12 of the Securities and Exchange Commission.

SECTION 6. That the Authority covenants for the benefit of all of the holders of the Bonds, whether on initial purchase or subsequent purchase, that it will fully comply with other applicable provisions of the Internal Revenue Code of 1986, as amended, and applicable Regulations and Rulings (herein collectively the "Code"), with respect to the issuance of the Bonds in all respects so as to protect the legality and security relating to any Bonds issued under the terms of this Resolution, all such actions to be to the satisfaction of Bond Counsel, and the Authority and its officers hereby further covenant and agree with the holders of the Bonds and Bond Counsel that it will in the future take such action or refrain from such action as may be in the prior written opinion of Bond Counsel reasonably necessary or required to fully protect the Bonds.

SECTION 7. That the Floyd Law Firm, P.C., Norman, Oklahoma, be and the same is hereby designated Bond Counsel with respect to the issuance of the within described bonds, notes or other evidences of indebtedness and is hereby authorized and approved, and all series thereof.

SECTION 8. That Randolph S. Meacham, Esq., Clinton, Oklahoma, be and the same is hereby designated Authority Counsel with respect to the issuance of the within described bonds, notes or other evidences of indebtedness and is hereby authorized and approved, and all series thereof.

SECTION 9. That D.A. Davidson & Co., Norman, Oklahoma, is hereby designated Underwriter and is hereby directed to prepare to purchase the bonds at a later date at a negotiated sale.

SECTION 10. That said Bond Counsel and Authority Counsel shall be entitled to certain fees and expenses for such services, as enumerated in the Legal Services Agreement and such Legal Services Agreement is hereby authorized and approved.

SECTION 11. The implementation of this Resolution and any undertaking contemplated hereby is strictly conditioned upon (i) the Authority's liability and undertakings contemplated by the foregoing Resolution shall be limited and shall not constitute an obligation of the Authority, the City of Clinton, Oklahoma, nor the State of Oklahoma, and said liability and obligation is payable solely from the pledged revenues and such other security as the Authority may provide; (ii) neither the general credit nor the taxing power of the Authority, the City of Clinton, Oklahoma, the State of Oklahoma nor any other political subdivision thereof being pledged for the payment of the bonds; and (iii) approval of the Indenture, the Bond Purchase Agreement and all other documents in connection therewith by the Authority.

This resolution shall become effective immediately.

THIS RESOLUTION PASSED AND APPROVED THIS ____ DAY OF JULY, 2010.

CLINTON PUBLIC WORKS AUTHORITY

_____

Chairman

ATTEST:

_____

Secretary
(SEAL)

STATE OF OKLAHOMA)
)SS
COUNTY OF CUSTER)

I, the undersigned, the duly qualified and acting Secretary of the Clinton Public Works Authority, in said County and State, hereby certify that the attached copy of the Resolution is a true and complete copy of the Resolution duly adopted by the Board of Trustees and approved by the Chairman on the date therein set out, and recorded in my office, and of the proceedings had in the adoption of said Resolution, as shown by the records in my office. Further, I certify that in conformity with Title 25 Oklahoma Statutes, Sections 301-314, I gave or caused to be given notice of the meeting to the City Clerk as required by law and that I posted notice of the meeting at which said Resolution was adopted at least 48 hours prior to said special meeting, and that the notice contains the date, time, place, and agenda of said meeting, and that the minutes of said meeting reflect the time and manner of notice required by the Oklahoma Open Meeting Act.

WITNESS my hand and seal of said Authority this ____ day of July, 2010.

_____
Secretary

(SEAL)

PUBLIC NOTICE OF A REGULAR MEETING
OF THE CITY COUNCIL
TUESDAY, JULY 20, 2010 AT 5:30 PM
CLINTON CITY HALL

AGENDA

Meeting status: Completed

1. Call to Order

2. Opening Prayer Nathan Marsh, Broadway Heights Baptist Church

3. Consent Agenda

    A. Consider Approval of Minutes on July 6, 2010

4. Action Items:

    A. Consider renewal of Clinton Summer Playground Agreement

    B. Discuss Surplus Property and Equipment

    C. Authorize Mayor to sign Memorandum Agreement between Clinton Public Schools, City of Clinton and Clinton Public Works Authority

    D. Consider and action upon resolution relating to the incurring of indebtedness by the Trustees of the Clinton Public Works Authority to be accomplished by the issuance of lease revenue bonds, notes or other evidences of indebtedness on a tax-exempt…

    Consider and action upon resolution relating to the incurring of indebtedness by the Trustees of the Clinton Public Works Authority to be accomplished by the issuance of lease revenue bonds, notes or other evidences of indebtedness on a tax-exempt or taxable basis in the aggregate principal amount of not to exceed $13,500,000 to provide funds to Independent School District No. 99, Custer County, Oklahoma ("Clinton Public Schools" or the "District") required to complete the acquisition, construction, equipping, renovating and remodeling of school buildings, acquiring school furniture, fixtures and equipment and acquiring and improving school sites; establish a reserve fund, capitalize interest and pay costs of issuance and all matters related thereto, including but no limited to the waiver of competitive bidding thereof and declaring an emergency.

5. City Managers Report

6. Audience Participation

7. Adjournment

Filed this 16th Day of July, 2010. Posted on the bulletin board in the lobby of the Clinton City Hall on July 16, 2010 at 2:15 p.m.

_____

Not recorded

RM070610

MINUTES OF THE CLINTON CITY COUNCIL
JULY 6, 2010

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, July 6, 2010 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 July 1, 2010.

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

MAYOR: Allen Bryson
COUNCIL: John Jordan, Steve Jones, Terry Wheeler, Bob Marcy
CITY MANAGER: Grayson Bottom
CITY CLERK: Lisa Anders
CITY TREASURER: Debra Blanchard
DEPUTY CITY CLERK: Absent
CITY ATTORNEY: Ryan Meacham
NEWS MEDIA: Gerald Green and Mike Smith
OTHERS: Arnold Adams, David Crabtree, Gene McCullough, Edna Cryer, Cody Brittain and others.

Doug Lewis of the First Baptist Church opened the meeting with prayer and Councilman John Jordan led the Pledge of Allegiance.

AGENDA ITEM NO. 3: CONSENT AGENDA

A. Minutes of Regular Meeting of June 15, 2010
B. Consider Claims

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

Mayor put the motion to a roll call vote:

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

Mayor declared the motion carried.

AGENDA ITEM NO. 4 ACTION ITEMS

4A. CONSIDER RENEWAL OF CONTRACT WITH COMMUNITY INTERVENTION CENTER

City Manager Grayson Bottom said he has been pleased with the services Multi- County Youth Services has provided regarding the contract for the Community Intervention Center. He recommended the contract be renewed for the 2010-2011 fiscal year.

Motion was made by Councilman Jones and seconded by Councilman Marcy to approve the renewal of the contract with the Community Intervention Center.

Mayor put the motion to a roll call vote:

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

Mayor declared the motion carried.

4B. CONSIDER RESOLUTION NO. 793 AUTHORIZING THE RENEWAL OF LEASE PURCHASE AGREEMENT FOR 30 GOLF CARTS WITH PNC EQUIPMENT FORMERLY KNOWN AS TEXTRON

City Manager Grayson Bottom explained that for the past six years the fleet of golf carts at Riverside Golf Course has been leased. He said the proposal is to replace the fleet of 30 at a cost of $2.00 per cart less per month than the current lease. He explained that the leasing program has reduced the maintenance issues and increased the availability of carts ready for use.

Motion was made by Councilman Jordan and seconded by Councilman Marcy to approve Resolution No. 793 authorizing the renewal of the lease purchase agreement for 30 golf carts with PNC Equipment.

Mayor put the motion to a roll call vote:

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

Mayor declared the motion carried.

5. CITY MANAGER'S REPORT

A. Surplus Property and Equipment

City Manager Grayson Bottom presented a map with legend indicating thirteen city owned properties to be considered for an auction. He reviewed each site and asked for direction from the Council regarding the property. He said each of these properties is owned by the City of Clinton so they would have to be surplused and then put up for bid individually. He asked for input from the Council for further discussion at the next meeting.

B. Discuss process for replacing roof at City Hall

City Manager Grayson Bottom explained that the original roof on City Hall was built in 1968 and then a second roof was placed on top in the 1980 to 1990 time frame. He said there is very little insulation. Regarding replacing the roof, Bottom reviewed three options.

1) General Contractor
2) Construction Manager at Risk
3) State Bid contract for a raised seam metal roof

He said the estimated cost of a metal roof is $10 to $12 per square foot and that a raised seam metal roof would be 3 to 31/2 times more expensive but it would be for a roof that would last 30 to 50 years rather than 15 years.

Mayor Bryson said he preferred to look at option three.

City Manager Grayson Bottom said that a contract would be needed and it would require Council approval. He asked that Council members let him know there recommendation so he could prepare for future action.

6. AUDIENCE PARTICIPATION

None

AGENDA ITEM NO. 7: ADJOURNMENT

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

Mayor put the motion to a roll call vote:

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

Mayor declared the meeting adjourned at 6:10 P.M.

SUMMER PLAYGROUND AGREEMENT

This agreement made and entered into this _____ day of _____, 2010, by and between the City of Clinton, Oklahoma, a municipal corporation, hereinafter referred to as "City", and Clinton Summer Playground, Inc. a non-profit corporation, organized under the laws of the State of Oklahoma hereinafter referred to as "Summer Playground."

RECITALS

1. Whereas Summer Playground is a non-profit, self development, community service organization attempting to promote positive community relations in the Clinton area with programs that promote community pride and self development;

2. Whereas the programs of Summer Playground are primarily to provide services to the youth of our city.

3. Whereas there is a desire on the part of the Summer Playground to provide said youth activities and provide alternative programs for the youth of the community;

4. Whereas it would be beneficial for both the City and Summer Playground to enter into an agreement providing for these activities for the young people in the Summer Playground youth program which allows the youth an opportunity to learn team work and other life skills.

NOW THEREFORE, for and in consideration of the mutual covenants herein, the parties agree as follows:

SECTION I

OBLIGATIONS OF CLINTON SUMMER PLAYGROUND, INC.

Summer Playground includes 6 different activities:

Swimming
Sports
Move Your Body
Discovery Zone
Designs and Doodles
Campfire

Swimming includes activities in the pool that encourage campers to get acquainted with the water.

Sports include Tennis, Baseball, Basketball, Soccer, and Volleyball

Designs and Doodles ---Arts and Crafts

Move Your Body--Organized Games

Discovery Zone (a hands-on learning time) this includes...
Field trips to local sites (Clinton Regional Airport, Farmrail and Southwest Playhouse this year)
Community Guest speakers each week (Sunshine Nursery, chemistry teacher, policemen, firemen, PSO workers, military, horse owners, etc)

Campfire includes artistic based activities
play games with words
act out poems or plays
dance to age appropriate music

Summer Playground shall provide a list of all participants to the City. A schedule of events and programs scheduled for the period of this contract shall also be provided to the City when available.

Summer Playground shall provide these services during the months of June and July 2011.

Daily Attendance reports at the end of the program year shall be provided to the City indicating the activities and the number of youth signed up for each activity. The said report shall be furnished to the office of the City Clerk not later than the 15th of the month following.

Clinton Summer Playground shall provide these services to at least 200 young persons during the season.

Clinton Summer Playground shall provide the City with a certificate of insurance naming the City as additionally insured.

Clinton Summer Playground will be allowed the use of the swimming pool from the City at no cost.

SECTION II

OBLIGATIONS OF THE CITY OF CLINTON

The City shall provide a fee to Summer Playground in the amount of $8,000. Said fee is to be paid during the month of July 2010.

The City shall provide park facilities needed by the Clinton Summer Playground for its activities.

The City shall provide the use of the Municipal Swimming Pool to Clinton Summer Playground at no cost to the program.

SECTION III

SEVERANCE

The City Manager of said City or his designee shall be responsible for inspecting the areas of work to insure that the work by Clinton Summer Playground has been done in accordance with reasonable acceptable standards and if the same has not been done in accordance to said standards, then

no "pay" shall be received by Clinton Summer Playground until such standards are achieved. Further, either party can cancel the contract upon a seven-day notice.

Dated this ____ day of _____, 2010.

City of Clinton, Oklahoma

Attest:

_____
Allen Bryson, Mayor

_____
Lisa Anders, City Clerk

_____
Nicole Boyles, Chairman
Clinton Summer Playground

PURSUANT TO THE LEGAL NOTICE AS IS REQUIRED BY THE OKLAHOMA OPEN MEETING ACT INCLUDING THE POSTING OF NOTICE AND AGENDA AS IS REQUIRED BY THE TERMS THEREOF, THE CITY COUNCIL OF CLINTON, OKLAHOMA MET IN REGULAR MEETING AT CLINTON CITY HALL, 415 GARY BLVD., CLINTON, OKLAHOMA, ON THE _____ DAY OF JULY, 2010, AT _____ O'CLOCK __.M.

COUNCILMEMBERS PRESENT:

COUNCILMEMBERS ABSENT:

(Other Proceedings)

Thereupon, a resolution was introduced and read in full by the Mayor. Councilmember _____ moved passage of the resolution and it was seconded by Councilmember. The motion, carrying with it the approval of said resolution, was approved by the following vote:

AYE:

NAY:

The resolution so approved was as follows:

RESOLUTION 793

A RESOLUTION APPROVING AND AUTHORIZING THE INCURRING OF INDEBTEDNESS BY THE TRUSTEES OF THE CLINTON PUBLIC WORKS AUTHORITY TO BE ACCOMPLISHED BY THE ISSUANCE OF LEASE REVENUE BONDS, NOTES OR OTHER EVIDENCES OF INDEBTEDNESS ON A TAX-EXEMPT OR TAXABLE BASIS IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED $13,500,000 TO PROVIDE FUNDS TO INDEPENDENT SCHOOL DISTRICT NO. 99, CUSTER COUNTY, OKLAHOMA ("CLINTON PUBLIC SCHOOLS" OR THE "DISTRICT") REQUIRED TO COMPLETE THE ACQUISITION, CONSTRUCTION, EQUIPPING, RENOVATING AND REMODELING OF SCHOOL BUILDINGS, ACQUIRING SCHOOL FURNITURE, FIXTURES AND EQUIPMENT AND ACQUIRING AND IMPROVING SCHOOL SITES; ESTABLISH A RESERVE FUND, CAPITALIZE INTEREST AND PAY COSTS OF ISSUANCE; WAIVING COMPETITIVE BIDDING PURSUANT TO 60 O.S. SECTION 176(F); AND DECLARING AN EMERGENCY.

WHEREAS, the Clinton Public Works, a public trust (the "Authority"), has been created by a Trust Indenture for the use and benefit of the City of Clinton, Oklahoma (the "City"), under authority of and pursuant to the provisions of Title 60, Oklahoma Statutes 2001, Sections 176-180.4, inclusive, as amended and supplemented, the Oklahoma Trust Act and other applicable statutes of the State of Oklahoma; and

WHEREAS, the Trustees of the Authority have determined upon a financing plan consisting of providing funds to Independent School District No. 99, Custer County, Oklahoma ("Clinton Public Schools" or the "District") required to complete the acquisition, construction, equipping, renovating and remodeling of school buildings, acquiring school furniture, fixtures and equipment and acquiring and improving school sites; establish a reserve fund, capitalize interest and pay costs of issuance; and

WHEREAS, in order to effect the said financing, the Trustees of the Authority intend to incur indebtedness in the aggregate principal amount of not to exceed $13,500,000, said indebtedness to be evidenced by the issuance of Lease Revenue Bonds, notes or other evidences of indebtedness on a tax-exempt or taxable basis (the "Bonds") of the Authority pursuant to the terms and conditions contained in a Bond Indenture securing the Bonds (the "Indenture");

BE IT RESOLVED BY THE CITY COUNCILMEMBERS OF CLINTON, OKLAHOMA:

SECTION 1. The aforesaid plan and the financing thereof, as submitted, will provide funds for the acquisition, construction, equipping, renovating and remodeling of school buildings, acquiring school furniture, fixtures and equipment and acquiring and improving school sites; establish a reserve fund, capitalize interest and pay costs of issuance within Clinton, Oklahoma. The aforesaid project will serve the public purposes of the City and hereby is expressly determined to be in furtherance of the public purposes for which the Authority was created.

SECTION 2. The incurring of indebtedness by the Trustees of the Clinton Public Works Authority in the aggregate principal amount of not to exceed $13,500,000 on a tax-exempt or taxable basis, in order to provide funds for the acquisition, construction, equipping, renovating and remodeling of school buildings, acquiring school furniture, fixtures and equipment and acquiring and improving school sites; establish a reserve fund, capitalize interest and pay costs of issuance, is hereby consented to and approved for and on behalf of the City, by the governing body of said City. Further, the City Councilmembers hereby approve, by a three-fourths (3/4) or greater vote, the waiver of competitive bidding with regard to the sale of the Bonds. Competitive bidding upon the Bonds evidencing said indebtedness hereby is expressly waived.

SECTION 3. Pursuant to the requirement of 60 O.S. Section 176(E), the City Council of Clinton, Oklahoma, by a two-thirds (2/3) or greater vote, hereby approves the incurring of indebtedness by the Clinton Public Works (herein the "Authority") in a maximum aggregate principal amount of up to $13,500,000, said indebtedness to be evidenced by the issuance of Lease Revenue Bonds, notes or other evidences of indebtedness on a tax-exempt or taxable basis (the "Bonds") (herein "Obligations") of the Authority pursuant to the terms and conditions contained in a Bond Indenture securing the Bonds, such Bonds being described and authorized by the Resolution of the Authority of _____ ___, 2010.

SECTION 4. By reason of the need for public buildings to be used as school facilities within the City of Clinton, Oklahoma, and for the immediate preservation of the public peace, health and safety, an emergency hereby is declared to exist and this Resolution shall be effective immediately upon its adoption.

SECTION 5. In all other respects all of the actions of the Authority taken on _____ ___, 2010, with respect to the issuance of the Bonds and otherwise are hereby and by these presents expressly approved, confirmed and ratified in all respects.

SECTION 6. The implementation of this Resolution and any undertaking contemplated hereby is strictly conditioned upon (i) the Authority's liability and undertakings contemplated by the foregoing Resolution shall be limited and shall not constitute an obligation of the Authority, the City of Clinton, Oklahoma, nor the State of Oklahoma, and said liability and obligation is payable solely from the pledged revenues and such other security as the Authority may provide; (ii) neither the general credit nor the taxing power of the Authority, the City of Clinton, Oklahoma, the State of Oklahoma nor any other political subdivision thereof being pledged for the payment of the bonds; and (iii) approval of the Indenture, the Bond Purchase Agreement and all other documents in connection therewith by the Authority.

This resolution shall become effective immediately.

THIS RESOLUTION PASSED AND APPROVED this ____ day of July, 2010.

CLINTON CITY COUNCIL

_____

Mayor

STATE OF OKLAHOMA)
)SS
COUNTY OF CUSTER)

I, the undersigned, the duly qualified and acting City Clerk of Clinton, Oklahoma, hereby certify that the above and foregoing is a true, correct and complete copy of the Resolution duly adopted by the City Council of the City of Clinton, Oklahoma and of the proceedings of the City Council in the adoption of said Resolution, on the date therein set out as shown by the records of my office.

Further, I certify that in conformity with Title 25, Oklahoma Statutes 2001, Sections 301-314, inclusive, as amended (the Oklahoma Open Meeting Act) I received notice of the meeting as required by law, and I did, or caused to be done, the following acts:

1. At least twenty-four (24) hours prior to said meeting, give public notice in writing of the date, time and place of said meeting of the Clinton City Council; and

2. At least twenty-four (24) hours prior to said meeting (excluding Saturdays, Sundays and legal holidays declared by the State of Oklahoma), display public notice of said meeting in prominent public view at the City Hall, Clinton, Oklahoma and at the location of said meeting, such notice setting forth thereon the date, time, place and agenda for said meeting;

and that the minutes of the meeting reflect the time and manner of such notice of the meeting required by the Oklahoma Open Meeting Act.

WITNESS my hand and seal of said City this ___ day of _____, 2010.

_____
City Clerk

(SEAL)

PUBLIC NOTICE OF A REGULAR MEETING
OF THE RECREATIONAL AUTHORITY
TUESDAY, JULY 20, 2010 AT 5:30 PM
CLINTON CITY HALL

AGENDA

Meeting status: Completed

1. Call to Order
2. Opening Prayer Nathan Marsh Broadway Heights Baptist Church
3. Consent Agenda
    A. Consider Approval of Minutes on July 6, 2010
4. Action Items:
    A. Consider authorizing the solicitation of bids for materials for bleacher shading structure and bids for labor to erect structure at Acme Brick Park playing fields
5. City Managers Report
6. Audience Participation
7. Adjournment

Filed this 16th Day of July, 2010. Posted on the bulletin board in the lobby of the Clinton City Hall on July 16, 2010 at 2:15 p.m.

_____

Not recorded

RA070610

MINUTES OF RECREATIONAL AUTHORITY MEETING, JULY 6, 2010

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, July 6, 2010 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 July 1, 2010.

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

CHAIRMAN: Allen Bryson
TRUSTEES: Steve Jones, John Jordan, Terry Wheeler, Bob Marcy
CITY MANAGER: Grayson Bottom
CITY CLERK: Lisa Anders
CITY TREASURER: Debra Blanchard
DEPUTY CLERK: Absent
CITY ATTORNEY: Ryan Meacham
NEWS MEDIA: Gerald Green and Mike Smith
OTHERS: Arnold Adams, David Crabtree, Edna Cryer, Cody Birttain, and others.

Doug Lewis of the First Baptist Church opened the meeting with prayer and Trustee John Jordan led the Pledge of Allegiance.

AGENDA ITEM NO. 3: CONSENT AGENDA

A. Minutes of the Regular Meeting of June 15, 2010
B. Consider Claims

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

Chairman put the motion to a roll call vote

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

Chairman declared the meeting adjourned at 5:33 pm.

PUBLIC NOTICE OF A REGULAR MEETING
OF THE INDUSTRIAL AUTHORITY
TUESDAY, JULY 20, 2010 AT 5:30 PM
CLINTON CITY HALL

AGENDA

Meeting status: Completed

1. Call to Order
2. Opening Prayer
    A. Nathan Marsh, Broadway Heights Baptist Church
3. Consent Agenda
    A. Consider Approval of Minutes of July 6, 2010
4. Action Items
    A. Consider Tax Incentive Agreement with Hotelmacher, LLC
5. City Manager's Report
6. Audience Participation
7. Adjournment

Filed and posted July 16, 2010 at 2:15 p.m. See the signed original.

_____

Lisa Anders

IA070610

MINUTES OF THE CLINTON INDUSTRIAL AUTHORITY, JULY 6, 2010

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, July 6, 2010 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 July 1, 2010.

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

CHAIRMAN: Allen Bryson
TRUSTEES: Steve Jones, John Jordan, Terry Wheeler, Bob Marcy
CITY MANAGER: Grayson Bottom
CITY CLERK: Lisa Anders
CITY TREASURER: Debra Blanchard
DEPUTY CLERK: Absent
CITY ATTORNEY: Ryan Meacham
NEWS MEDIA: Gerald Green and Mike Smith
OTHERS: Arnold Adams, David Crabtree, Gene McCullough, Edna Cryer, Cody Brittain and others.

Doug Lewis of the First Baptist Church opened the meeting with prayer and Trustee John Jordan led the Pledge of Allegiance.

AGENDA ITEM NO. 3: CONSENT AGENDA

A. Minutes of June 15, 2010 meeting
B. Consider Claims

Moved by Trustee Jones 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: Jones, Marcy, 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

IA070610

AGENDA ITEM NO. 7: ADJOURNMENT

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

Chairman put the motion to a roll call vote

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

Chairman declared the meeting adjourned at 5:36 pm.

TAX INCENTIVE AGREEMENT APPLICATION FOR NEW BUSINESS

OWNER INFORMATION:

Company Name: ~~MHUMA LLC~~ HOTELMACHER LLC
Contact Person: WALTER SCHUMACHER

Mailing Address: PO BOX 8
Phone Number: 580 323 3555

Physical Address: 1402 NEPTUNE DR
FAX Number: 3556

City, State, Zip: CLINTON OK 73601
E-Mail Address: WSCH99@GMAIL.COM

Additional Contact Information: _____

OPERATOR INFORMATION (If different than above):

Company Name: C STORE
Contact Person: _____

Mailing Address: _____
Phone Number: _____

Physical Address: _____
FAX Number: _____

City, State, Zip: _____
E-Mail Address: _____

Additional Contact Information: _____

SITE & BUILDING INFORMATION:

Project Address: 1402 NEPTUNE DR CLINTON OK 73601
Project Type: RENOVATE FOR C STORE

Site Dimensions: 2 ACRES
Building Size: 60X60

Anticipated Development Cost: 650,000

Please attach a rendering of the purposed building and/or a site plan for Council review.

EMPLOYMENT INFORMATION:

Number of FTE: 3+1 MGR
Number of Part Time: 2
Number of Management Staff: 1

Average Wage Per Hour of FTE: 10.00
Average Wage Per Hour of Part Time: 7.50

Is Management Staff covered by a benefit plan? YES
FTE? NO
Part Time? NO

Addition Employment Information: _____

PRO-FORMA FINANCIAL INFORMATION:

Total Sales Subject to Sales Tax: Low: 1,450,000
High: 1,888,000

(THIS INCLUDES FUEL SALES OF 1,000,000 TO 1,500,000)

Walt Sch
Signature of Submitter

7-5-10
Date

WALTER SCHUMACHER
Printed Name

Date Published 12/18/2009

The new Convenience store in Neptune Park is not yet named. Currently the property is owned by Mhuma LLC. It will be transferred to Hotelmacher LLC before opening for business.

Managed by a General Manager and staffed on a daily basis using 3 FTE and 2 PTE.

The C store will serve the Neptune Park area, South 10 and South 13th street area of Clinton as well as Interstate 40 traffic and the new Hotel and WaterPark.

At the present time there are no fuel locations in Clinton that are visible to the travelling public from Interstate 40. At three of the Clinton exits there are stations within 1 mile. The traveler today is reluctant to pull of the Interstate highway for a station that he or she cannot see from the Interstate.

Consequently much fuel and sundry sales are currently passing Clinton by.

In addition the construction of the I-40 frontage road, and the opening of the Holiday Inn express and the Water-zoo.com Indoor water park will result in a lot more vehicles seeking fuel at this interchange.

There is also the potential for 2 additional employees at this location in an unrelated but allied business. The specifics of this allied business cannot be revealed at this time. However the business generates zero sales and zero sales tax. But it does provide 2 FTE jobs –

Walter Schumacher

