

**MINUTES OF THE CLINTON CITY COUNCIL
APRIL 7, 2015**

Minutes of the regular meeting of the Mayor and City Council of the City of Clinton, Oklahoma, Custer County, held in the City Council Room, City Hall on Tuesday, April 7, 2015 at 5:30 p.m. A notice of this meeting with agenda was posted on the bulletin board in the lobby of Clinton City Hall on Friday, April 3, 2015.

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

MAYOR: Seth Adams

COUNCIL: Don Rodolph, Jason Hulin, Lucas Martinez, Wheeler Lowry

CITY MANAGER: Mark Skiles

CITY CLERK: Lisa Anders

CITY TREASURER: Debra Blanchard

DEPUTY CLERK: Shona Stermer

CITY ATTORNEY: Ryan Meacham

NEWS MEDIA: Gerald Green

OTHERS: Kris Wermey, Jeremy Brush, Gene McCullough, Donald Webb, Mary Helen Jones, Joyce Kinney, Julie Menge, Steve Bieberich, John Kinsey, L.R. Sights, Keith & Michelle Marcy, Keaton Modi, Weldon Sawatzky, Floyd Hoffman and others.

Gerald Green opened the meeting with prayer and Councilman Wheeler Lowry led the Pledge of Allegiance.

AGENDA ITEM NO. 3: CONSENT AGENDA

A. Minutes of Regular Meeting of March 17, 2015

B. Consider Claims

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

Mayor put the motion to a roll call vote:

Aye: Lowry, Martinez, Hulin, Rodolph, Adams

Nay: None

Mayor declared the motion carried.

AGENDA ITEM NO. 4 ACTION ITEMS

4A. CONSIDER RESOLUTION 846 REGARDING AMENDMENTS TO TRUST INDENTURE WITH OKLAHOMA MUNICIPAL RETIREMENT FUND

City Clerk Lisa Anders explained that Oklahoma Municipal Retirement Fund has proposed an amendment to the Trust Indenture so as to allow individual balances to be calculated on a daily basis rather than a monthly basis. Participating communities are asked to adopt a resolution as their vote for the approval of the changes. Two-thirds majority is necessary for the change to be implemented.

Motion was made by Councilman Hulin and seconded by Councilman Rodolph to adopt Resolution 846 regarding amendments to Trust Indenture with Oklahoma Municipal Retirement Fund.

RESOLUTION NO. 846

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLINTON APPROVING AN AMENDED AND RESTATED TRUST INDENTURE FOR THE OKLAHOMA MUNICIPAL RETIREMENT FUND; PROVIDING AMENDMENTS TO THE TRUST TO AUTHORIZE DAILY VALUATIONS AND DAILY ACCOUNTING FOR ASSETS WITHIN THE MASTER DEFINED CONTRIBUTION PLANS ADMINISTERED BY OKLAHOMA MUNICIPAL RETIREMENT FUND; PROVIDING FOR DAILY VALUATION OF PARTICIPANT ACCOUNTS IN THE DEFINED CONTRIBUTION PLANS ADMINISTERED BY OKLAHOMA MUNICIPAL RETIREMENT FUND AND PROVIDING PROCEDURES AND RULES FOR ACCOUNTING OF SUCH ASSETS; PROVIDING FOR EFFECTIVE DATE OF AMENDED AND RESTATED TRUST INDENTURE AND CONTINUING EXISTING TRUST AS AMENDED IN FULL FORCE AND EFFECT.

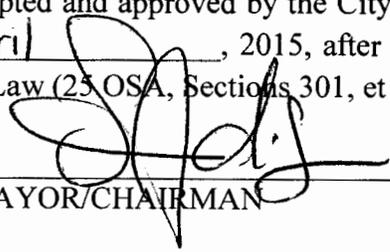
WHEREAS, the Board of Trustees of Oklahoma Municipal Retirement Fund have approved an Amended and Restated Trust Indenture of the Oklahoma Municipal Retirement Fund which makes various amendments to the Trust for purposes of allowing daily valuations and rules and procedures for accounting of assets in the Master Defined Contribution Plan which amendment is attached hereto as Exhibit "1"; and,

WHEREAS, the amendment can only become effective upon approval by a two-thirds (2/3) majority of the participating employers in the Oklahoma Municipal Retirement Fund.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Clinton that the attached amendment to the Oklahoma Municipal Retirement Fund Trust Indenture is approved.

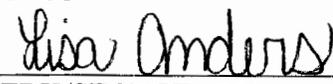
END

The foregoing Resolution was duly adopted and approved by the City Council of the City of Clinton, on the 7th day of April, 2015, after compliance with notice requirements of the Open Meeting Law (25 O.S.A., Sections 301, et seq.).



MAYOR/CHAIRMAN

ATTEST:



CLERK/SECRETARY

Mayor put the motion to a roll call vote:

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

Mayor declared the motion carried.

4B. CONSIDER AND TAKE ACTION ON STREET SWEEPER LEASE PURCHASE AGREEMENT

Public Works Director Donald Webb reported that the current street sweeper is 13 years old and in need of repairs that are estimated at \$30,000. He had obtained three quotes with lease purchase programs on a new street sweeper. Webb recommended the Tymco street sweeper bid submitted by United Engines for \$171,500.00. He said they offered a \$13,000 trade-in on the old unit but he recommended keeping it for a dump truck as the chassis is solid.

City Manager Mark Skiles said the payment could be delayed until July of 2015 on a six year lease purchase agreement.

Motion was made by Councilman Rodolph and seconded by Councilman Martinez to approve the staff recommendation for the Tymco street sweeper from United Engines and retain the old unit.

Mayor put the motion to a roll call vote:

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

Mayor declared the motion carried.

4C. CONSIDER AND TAKE ACTION REGARDING WATER WAIVER REQUEST FROM STEVE BIEBERICH

City Manager Mark Skiles said that Steve Bieberich had some concerns regarding the water restrictions that are currently in place. He had asked Mr. Bieberich to present his information to the Council.

Steve Bieberich said the ordinance allows for a 30 day waiver with a fee of \$50.00 but he said this will not work because it does not give new plants enough time to be established. He said the restrictions do not affect any other unnecessary water user with this strict of regulations. He said consideration should be made to make the restrictions fairer. He recommended allowing the watering for new trees and flowerbeds more than 30 days.

Councilman Hulin asked why Mr. Bieberich had not expressed this concern when the ordinance was put in place.

Mr. Bieberich said that ODOT trees have a drip system that is required for a three year period.

Mayor Adams asked if a 90 day waiver would be recommended.

Bieberich said education needs to be made regarding mulch, not using sprinklers and proper planting.

City Manager Skiles said the question had been made regarding exemption of watering potted plants. He stressed that Foss is the sole source of Clinton's water and there is no water to spare.

RESOLUTION # 847

A RESOLUTION REGARDING AN OKLAHOMA LEASE-PURCHASE AGREEMENT FOR THE PURPOSE OF FINANCING A "STREET SWEEPER".

WHEREAS, the City of Clinton desires to enter into that certain Oklahoma Lease-Purchase Agreement dated as of April 7, 2015, by and between City of Clinton and Government Capital Corporation, for the purpose of financing a "**Street Sweeper**". City of Clinton 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 desires to designate Seth Adams, Mayor, as an authorized signer of the Agreement.

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

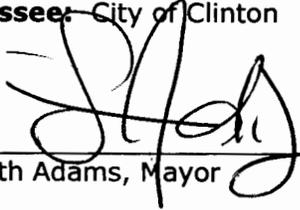
Section 1. That the City of Clinton enters into a Oklahoma Lease-Purchase Agreement with Government Capital Corporation for the purpose of financing a "**Street Sweeper**".

Section 2. That the Oklahoma Lease-Purchase Agreement dated as of April 7, 2015, 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 Seth Adams, Mayor, as an authorized signer of the Oklahoma Lease-Purchase Agreement dated as of April 7, 2015, by and between the City of Clinton and Government Capital Corporation.

PASSED AND APPROVED by the City Council of the City of Clinton in a meeting held on the 7 day of April, 2015.

Lessee: City of Clinton



Seth Adams, Mayor

Witness Signature



Lisa Anders, City Clerk

Bieberich said that 30 days watering should be sufficient for sod since it is hearty but trees and shrubs would need 90 days.

Councilman Hulin asked Mr. Bieberich if he could provide the Council with a written recommendation on water needs.

Mr. Bieberich said he would provide the information.

AGENDA ITEM NO 5.COUNCIL REPORT

None

AGENDA ITEM NO. 6: MANAGER'S REPORT

Public Works Director Donald Webb reported that the site preparation for the Dixon well is completed and pouring would be completed Friday or Saturday. He said the building would be delivered on Monday and attached on Tuesday. He reported that the internal controls are about two weeks out.

City Manager Skiles said the quotes were requested from five vendors and two made submittals.

In response to a question regarding the flushing of lines at White Dog, Skiles said the DEQ requires the City to maintain a certain level of chlorine and the only way for the residual is by flushing lines. He said the state has tied the city's hands. He reported that the airport standpipe had been taken off line last year in an attempt to address this issue.

City Manager Skiles provided an update on the Feasibility Study for the interchange at Gary Boulevard and I-40. He said that Poe Engineers has been selected as the engineer. The City had previously committed up to \$250,000 for the project. He said the fee schedule has been presented and the project is being discussed. The state has committed \$1,000,000 to the project. He said the study should be completed in the Fall of 2016.

AGENDA ITEM NO. 7 : AUDIENCE PARTICIPATION

Floyd Hoffman asked when additional water will be available since citizens had their rates increased in January.

Joyce Kinney said the water issue is important and gave suggestions for conserving water.

AGENDA ITEM NO. 8: ADJOURNMENT

Moved by Councilman Hulin and seconded by Councilman Rodolph to adjourn the meeting.

Mayor put the motion to a roll call vote:

Aye: Hulin, Rodolph, Lowry, Martinez, Adams

Nay: None

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