

**Minutes of the Claremore Cultural Development Authority Regular Meeting
Council Chambers, City Hall, 104 S. Muskogee Ave.
Claremore, Oklahoma October 07, 2013**

CALL TO ORDER

Meeting called to order by Mayor Mickey Perry at 6:00 P.M.

Mayor Mickey Perry asked City Clerk Sarah Sharp to note that members are present/absent as indicated below:

Present: Mark Lepak, Bill Flanagan, Mickey Perry, Brian Callender, Don Purkey, Paula Watson

Absent: Terry Willis, Buddy Robertson, David McComb

Staff Present: Jim Thomas, Matt Ballard, Sarah Sharp, Karen Clay, Ron burrows, Jason Crandall, Art Andrews, Joe Kays, Chris Cochran, Daryl Golbek, Ann Mayfield, Tim White, Sharon McDonald, Jeremy Ledbetter, Larry Hughes, Chris Hayes, Carolyn Chapman, Sean Douglas

Pledge of Allegiance by all.

Invocation by Councilman Purkey

CALL TO THE PUBLIC

Wayne Keely 939 S. Muskogee Ave. Claremore- Mr. Keely spoke in opposition of the rezoning of 809 S. Muskogee Ave. Keely stated the property is next to his, and with Muskogee being one of the busiest streets, he is concerned about the increased traffic. The street also narrows right before you get to this property. It is in a residential area and there are no other commercial properties in the area. Keely is also worried about his property values.

John Fleak 918 Peacan Ln.- Mr. Fleak spoke against the smart meters. He states he is concerned about the health issues and would like the City to put the meters on their buildings first to see if the savings are worth it. Fleak asked why must cost savings to the City always be on the back of the citizens.

Gene Daniel 1902 Oakridge Dr.- Mr. Daniel spoke against the smart meters. Daniel stated the County Commissioners have already put the citizens in a hole, and there is a grand jury coming up. While those are County affairs, Daniel states the City has their share too. Daniel states there was \$10 million spent on a non-functioning water plant. Daniel states that meters can read high and low and you don't just throw out a meter because it isn't reading correctly. They can be recalibrated and reused. Daniel would like

to see a few members of the community serve on a committee to help determine what we need and have an open forum.

Mary Ann Linton 616 Westwood Dr.- Ms. Linton spoke against the smart meters, stating that she was speaking on behalf of several people in her neighborhood. She is concerned about the health issues and the lack of information about long term effects of these meters, and does not want to be a guinea pig. Linton stated smart meters put off a constant amount of RADS. Linton is also concerned about the effects these meters will have on pacemakers.

Gerald Carlburg 14855 Smith Circle- Mr. Carlburg read portions of a report that dispels the health concerns, stating that the ions are too low to break the human body.

ACCEPTANCE OF THE AGENDA

Motion by Purkey, second by Watson to approve the agenda for the regular CCDA meeting of October 07, 2013, as written. Roll call vote: Lepak, yes; Flanagan, yes; Perry, yes; Callender, yes; Purkey, yes; and Watson, yes. Motion carried.

ITEMS UNFORESEEN AT THE TIME AGENDA WAS POSTED

None

CURRENT BUSINESS

(1) Approve/Reject the following consent items:

- (a)** Minutes of the Regular Claremore Cultural Development Authority meeting on September 16, 2013, as printed
- (b)** All claims as printed.

Motion by Watson, second by Purkey to approve the CCDA consent items as printed. Roll call vote: Lepak, recuse; Flanagan, recuse; Perry, yes; Callender, yes; Purkey, yes; and Watson, yes. Motion carried.

ADJOURNMENT

Motion by Watson, second by Purkey to adjourn. Roll call vote: Lepak, yes; Flanagan, yes; Perry, yes; Callender, yes; Purkey, yes; and Watson, yes. Motion carried.

Meeting adjourned at 6:22 P.M.

**Minutes of the Claremore Public Works Authority Regular Meeting
Council Chambers, City Hall, 104 S. Muskogee Ave.
Claremore, Oklahoma October 07, 2013**

CALL TO ORDER

Meeting called to order by Mayor Mickey Perry at 6:22 P.M.

Mayor Mickey Perry asked City Clerk Sarah Sharp to note that members are present/absent as indicated below:

Present: Mark Lepak, Bill Flanagan, Mickey Perry, Brian Callender, Don Purkey, Paula Watson

Absent: Terry Willis, Buddy Robertson, David McComb

Staff Present: Jim Thomas, Matt Ballard, Sarah Sharp, Karen Clay, Ron burrows, Jason Crandall, Art Andrews, Joe Kays, Chris Cochran, Daryl Golbek, Ann Mayfield, Tim White, Sharon McDonald, Jeremy Ledbetter, Larry Hughes, Chris Hayes, Carolyn Chapman, Sean Douglas

ACCEPTANCE OF THE AGENDA

Motion by Watson, second by Purkey to approve the agenda for the regular CPWA meeting of October 07, 2013, as written. Roll call vote: Lepak, yes; Flanagan, yes; Perry, yes; Callender, yes; Purkey, yes; and Watson, yes. Motion carried.

ITEMS UNFORESEEN AT THE TIME AGENDA WAS POSTED

None

CURRENT BUSINESS

(1) Approve/Reject the following consent items:

- (a)** Minutes of Claremore Public Works Authority Regular Meeting on September 16, 2013, as printed.
- (b)** All claims as printed.

Motion by Watson, second by Purkey to approve the consent items as listed. Roll call vote: Lepak, recuse; Flanagan, recuse; Perry, yes; Callender, yes; Purkey, yes; and Watson, yes. Motion carried.

(2) Approve/Reject request to solicit RFP on smart grid as a service for a term of 10 years. **(Larry Hughes)**

Motion by Flanagan, second by Lepak to approve request to solicit RFP on smart grid as a service for a term of 10 years: RFP must include a purchase option versus financing option, references of installed systems, and address health and safety concerns. Roll call vote: Lepak, yes; Flanagan, yes; Perry, yes; Callender, yes; Purkey, yes; and Watson, no. Motion carried.

ADJOURNMENT

Motion by Watson, second by Perry to adjourn. Roll call vote: Lepak, yes; Flanagan, yes; Perry, yes; Callender, yes; Purkey, yes; and Watson, yes. Motion carried.

Meeting adjourned at 7:04 P.M.

**Minutes of the Claremore City Council Regular Meeting
Council Chambers, City Hall, 104 S. Muskogee Ave.
Claremore, Oklahoma October 07, 2013**

CALL TO ORDER

Meeting called to order by Mayor Mickey Perry at 7:04 P.M.

Mayor Mickey Perry asked City Clerk Sarah Sharp to note that members are present/absent as indicated below:

Present: Mark Lepak, Bill Flanagan, Mickey Perry, Brian Callender, Don Purkey, Paula Watson

Absent: Terry Willis, Buddy Robertson, David McComb

Staff Present: Jim Thomas, Matt Ballard, Sarah Sharp, Karen Clay, Ron burrows, Jason Crandall, Art Andrews, Joe Kays, Chris Cochran, Daryl Golbek, Ann Mayfield, Tim White, Sharon McDonald, Jeremy Ledbetter, Larry Hughes, Chris Hayes, Carolyn Chapman, Sean Douglas

ACCEPTANCE OF THE AGENDA

Motion by Watson, second by Purkey to approve the agenda for the regular City Council meeting of October 07, 2013, as written. Roll call vote: Lepak, yes; Flanagan, yes; Perry, yes; Callender, yes; Purkey, yes; and Watson, yes. Motion carried.

ITEMS UNFORESEEN AT THE TIME AGENDA WAS POSTED

None

AWARDS, PRESENTATIONS, AND COMMUNICATIONS

None

MAYOR'S REPORT & APPOINTMENTS

(1) Approve/Reject the appointment of 2 City council members to the Sign Review Committee to replace former Councilors Smith and Cypert.(**Mickey Perry**)

Motion by Purkey, second by Watson to approve Mayor Perry's recommendation to appoint Councilors Callender and McComb to the Sign Review Committee. Roll call vote: Lepak, yes; Flanagan, yes; Perry, yes; Callender, abstain; Purkey, yes; and Watson, yes. Motion carried.

City Manager Jim Thomas stated that he would like to have a staff member to serve on the Committee as well, and asked that Jill Ferenc serve as well.

STAFF REPORTS

City Manager Jim Thomas reported that based on the discussion during last Monday's meeting regarding stormwater fees, staff has sent out letters to business owners inviting them to meet with staff at RSU next Monday night at 6 p.m. Meshek and Associates will be there to give a presentation and discuss the implementation and calculation of stormwater fees based on impervious area. Any Council members that plan on attending will need to notify City Clerk Sarah Sharp so that an agenda can be posted if necessary.

CURRENT BUSINESS

(2) **Approve/Reject** the following consent items:

- (a) Minutes of the Regular Council Meeting on September 16, 2013, as printed.
- (b) Minutes of the Special Council Meeting on September 30, 2013, as printed.
- (c) All claims as printed.
- (d) Actual salary claims for pay periods ending **September 13, 2013**, in the amount of **\$429,962.97** and estimated salary claims to include contractual agreements for Fire Union Dues, Flexible Spending Accounts, Life Insurance, Fire Pension, Police Pension, Oklahoma Municipal Retirement Fund, Supplemental Vision, and Short/Long Term disability plans, Employee Recreation Center Fees, and United Way Contributions for next pay period in the amount of \$500,000.00. Payroll at \$500,000.00 amount to include payables.
- (e) Approve purchase of Microsoft Licensing software from Insight Public Sector at GSA pricing in the estimated amount of \$27,051.14. **(Tim White)**

Motion by Purkey, second by Flanagan to approve all consent items, except item (a). Roll call vote: Lepak, yes; Flanagan, yes; Perry, yes; Callender, yes; Purkey, yes; and Watson, yes. Motion carried.

Motion by Purkey, second by Lepak to approve consent item (a). Roll call vote: Lepak, yes; Flanagan, abstain; Perry, yes; Callender, yes; Purkey, yes; and Watson, yes. Motion carried.

(3) Report from Claremore Convention and Visitor's Bureau for Fiscal Year 2013.

(Tanya Andrews)

Tanya Andrews and Lisa Rogers of the Claremore Convention and Visitor's Bureau presented a review of the 2013 Fiscal Year's activities and accomplishments and answered questions from Council.

(4) **Approve/Reject Ordinance #2013- _____**, approving and adopting that certain "Project Plan relating to Increment District Number Three, City of Claremore, Oklahoma (Promise Hotels Increment District)"; ratifying and confirming actions, recommendations and findings of the Claremore Local Development Act Review Committee; establishing "Increment District Number Three, City of Claremore, Oklahoma"; designating and adopting project area and increment district

boundaries; adopting certain findings; apportioning incremental ad valorem revenues; creating the Promise Hotels Increment District Apportionment Fund; designating the Claremore Industrial and Economic Development Authority (the "Authority") as the public entity to carry out and administer the project plan and authorizing the authority to make minor plan amendments; authorizing the authority to issue tax apportionment bonds or notes; designating the Executive Director of the Authority as the person in charge of the administration of the project plan; providing for severability; and containing other provisions relating thereto.

(Dan McMahan)

Motion by Perry, second by Lepak to approve **Ordinance #2013- 15**, approving and adopting that certain "Project Plan relating to Increment District Number Three, City of Claremore, Oklahoma (Promise Hotels Increment District)"; ratifying and confirming actions, recommendations and findings of the Claremore Local Development Act Review Committee; establishing "Increment District Number Three, City of Claremore, Oklahoma"; designating and adopting project area and increment district boundaries; adopting certain findings; apportioning incremental ad valorem revenues; creating the Promise Hotels Increment District Apportionment Fund; designating the Claremore Industrial and Economic Development Authority (the "Authority") as the public entity to carry out and administer the project plan and authorizing the authority to make minor plan amendments; authorizing the authority to issue tax apportionment bonds or notes; designating the Executive Director of the Authority as the person in charge of the administration of the project plan; providing for severability; and containing other provisions relating thereto. Roll call vote: Lepak, yes; Flanagan, yes; Perry, yes; Callender, yes; Purkey, yes; and Watson, yes. Motion carried.

(5) Approve/Reject Resolution #2013-_____, approving the issuance by the Claremore Industrial and Economic Development Authority of its "Tax Apportionment Note, Series 2013D (taxable) (Promise Hotels Increment District Project)" and of its "Tax Apportionment/Utility Revenue Note, Series 2013E (taxable) (Promise Hotel Increment District Project); waiving competitive bidding on the sale of such notes; approving a security agreement by and between the City of Claremore and the Claremore Industrial and Economic Development Authority; and containing other matters relating thereto. **(Dan McMahan)**

Perry stated item #5 required $\frac{3}{4}$ approval of the whole Council, therefore the item cannot be voted on tonight. The item will be placed on the 10/21/13 agenda.

A break was taken from 7:49 p.m. - 8:03 p.m. Councilors Lepak, Flanagan, Perry, Callender, Purkey, and Watson were present after the break.

(6) Approve/Reject renewal of contract with Grand Gateway Economic Development Association for Community Development Block Grant Administrative Services in the amount of \$6,615 for 15653 CDBG 13. **(Jill Ferenc/Andy Armstrong)**

Motion by Perry, second by Watson to approval of the renewal of contract with Grand Gateway Economic Development Association for Community Development Block Grant Administrative Services in the amount of \$6,615 for 15653 CDBG 13, with the change on the signature block from the City Manager to the Mayor. Roll call vote: Lepak, yes; Flanagan, yes; Perry, yes; Callender, yes; Purkey, yes; and Watson, yes. Motion carried.

(7) Approve/Reject electronic execution of documents for 15653 CDBG 13 with the Oklahoma Department of Commerce. **(Jill Ferenc/Andy Armstrong)**

Motion by Purkey, second by Flanagan to approve electronic execution of documents for 15653 CDBG 13 with the Oklahoma Department of Commerce. Roll call vote: Lepak, yes; Flanagan, yes; Perry, yes; Callender, yes; Purkey, yes; and Watson, yes. Motion carried.

(8) Report on the Master Gardener's Association of Rogers County section of the Will Rogers Park Project. **(Joe Kays)**

Connie Schilling from the Rogers County Master Gardeners Association was present. Schilling stated they have received a \$1500 Lowes Hometown Heros grant. Lowe's provides the materials at cost and the labor for the project. They will construct the entrance way with the grant. 2 rock columns matching the Will Rogers Memorial will be erected with a black wrought iron gate.

(9) Approve/Reject use agreement with the Master Gardeners Association of Rogers County, allowing a portion of Will Rogers Park for the construction of a teaching garden and related amenities section of the Will Rogers Park Project. **(Joe Kays)**

City Attorney Matt Ballard states that a contract is being finalized. There are minor details that need to be changed.

Motion by Purkey, second by Perry to approve use agreement with the Master Gardeners Association of Rogers County, allowing a portion of Will Rogers Park for the construction of a teaching garden and related amenities section of the Will Rogers Park Project, suitable to a mutually agreeable contract. Roll call vote: Lepak, yes; Flanagan, yes; Perry, yes; Callender, yes; Purkey, yes; and Watson, yes. Motion carried.

(10) Approve/Reject Ordinance #2013-_____, changing the zoning of a parcel of land in Block 17 Claremore Original Townsite (915 N. Cherokee Ave.) and being a part of Section 9, Township 21 North, Range 16 East of the I. B. & M., Rogers County, Oklahoma, from RS-3 (Residential Single Family- High Density District) to RM-2 (Residential Multifamily Medium-High Density District) and directing the appropriate amendment to the zoning map of the City of Claremore, Oklahoma. **(Jill Ferenc/Chris Cochran)**

Property owner Carol Millet was present, and stated that the property was built by her father 36 years ago, somewhere along the line the zoning changed. She would like to have the zoning changed to the proper usage so that the duplex can be metered for each tenant to pay their own utilities.

City Planner Jill Ferenc recommended a lesser zoning of RD (Residential Duplex District). Ferenc stated the property can be still be used as a duplex in the lesser zoning.

Motion by Perry, second by Lepak to approve **Ordinance #2013- 16**, changing the zoning of a parcel of land in Block 17 Claremore Original Townsite (915 N. Cherokee Ave.) and being a part of Section 9, Township 21 North, Range 16 East of the I. B. & M., Rogers County, Oklahoma, from RS-3 (Residential Single Family- High Density District) to RD (Residential Duplex District) and directing the appropriate amendment to the zoning map of the City of Claremore, Oklahoma.

(11) Approve/Reject Ordinance #2013-_____, changing the zoning of a parcel of land in in the Southeast Quarter (SE/4) of the Southeast Quarter (SE/4) of the Northeast Quarter (NE/4) of Section 17 (809 S. Muskogee Ave.), Township 21 North, Range 16 East of the I. B. & M., Rogers County, Oklahoma, from AG (Agricultural District) to CG (Commercial General District) and directing the appropriate amendment to the zoning map of the City of Claremore, Oklahoma.
(Jill Ferenc/Chris Cochran)

Ferenc stated that the property owner wants to either use the lot for an office or small engine repair shop. Staff recommends either CS zoning (owner could seek special exception for the repair shop) or Low-Intensity Office zoning.

Thomas explained that whatever the usage of the property, staff has conveyed that the business needs to be set back far enough that it will not interfere with any future widening plans for Muskogee Ave.

Motion by Flanagan, second by Perry to approve the zoning as recommended by the Planning Commission. Roll call vote: Lepak, no; Flanagan, yes; Perry, yes; Callender, no; Purkey, no; and Watson, no. Motion failed.

Motion by Lepak, second by Purkey to send the issue back to the Planning Commission so that all parties have a chance to be heard. Roll call vote: Lepak, yes; Flanagan, yes; Perry, yes; Callender, yes; Purkey, yes; and Watson, yes. Motion carried.

(12) Approve/Reject Ordinance #2013-_____, changing the zoning of a parcel of land in Block 13 of State Preparatory Addition (113 N. Kates Ave.) to the City of Claremore and being a part of Section 8, Township 21 North, Range 16 East of the I. B. & M., Rogers County, Oklahoma, from RS-3 (Residential Single Family- High Density District) to RD (Residential Duplex District) and directing the appropriate amendment to the zoning map of the City of Claremore, Oklahoma.
(Jill Ferenc/Chris Cochran)

Motion by Flanagan, second by Lepak to approve **Ordinance #2013- 17**, changing the zoning of a parcel of land in Block 13 of State Preparatory Addition (113 N. Kates Ave.) to the City of Claremore and being a part of Section 8, Township 21 North, Range 16 East of the I. B. & M., Rogers County, Oklahoma, from RS-3 (Residential Single Family-High Density District) to RD (Residential Duplex District) and directing the appropriate amendment to the zoning map of the City of Claremore, Oklahoma. Roll call vote: Lepak, yes; Flanagan, yes; Perry, yes; Callender, yes; Purkey, yes; and Watson, yes. Motion carried.

(13) Approve/Reject Ordinance #2013-_____, changing the zoning of a parcel of land in Block 3 of W. E. Chambers Addition (910 N. Dorothy Ave.) to the City of Claremore, and being a part of Section 9, Township 21 North, Range 16 East of the I. B. & M., Rogers County, Oklahoma, from RS-3 (Residential Single Family-High Density District) to RD (Residential Duplex District) and directing the appropriate amendment to the zoning map of the City of Claremore, Oklahoma. **(Jill Ferenc/Chris Cochran)**

Motion by Purkey, second by Callender to approve **Ordinance #2013- 18**, changing the zoning of a parcel of land in Block 3 of W. E. Chambers Addition (910 N. Dorothy Ave.) to the City of Claremore, and being a part of Section 9, Township 21 North, Range 16 East of the I. B. & M., Rogers County, Oklahoma, from RS-3 (Residential Single Family-High Density District) to RD (Residential Duplex District) and directing the appropriate amendment to the zoning map of the City of Claremore, Oklahoma. Roll call vote: Lepak, yes; Flanagan, yes; Perry, yes; Callender, yes; Purkey, yes; and Watson, yes. Motion carried.

(14) Approve/Reject Ordinance #2013-_____, changing the zoning of a parcel of land in Block 91 of Claremore Original Townsite (223 N. Weenonah Ave.), and being a part of Section 9, Township 21 North, Range 16 East of the I. B. & M., Rogers County, Oklahoma, from CG (Commercial General) to RM-1 (Residential Multi-Family Medium-Low Intensity) and directing the appropriate amendment to the zoning map of the City of Claremore, Oklahoma. **(Jill Ferenc/Chris Cochran)**

Motion by Perry, second by Purkey to approve **Ordinance #2013- 19**, changing the zoning of a parcel of land in Block 91 of Claremore Original Townsite (223 N. Weenonah Ave.), and being a part of Section 9, Township 21 North, Range 16 East of the I. B. & M., Rogers County, Oklahoma, from CG (Commercial General) to RM-1 (Residential Multi-Family Medium-Low Intensity) and directing the appropriate amendment to the zoning map of the City of Claremore, Oklahoma. Roll call vote: Lepak, yes; Flanagan, yes; Perry, yes; Callender, yes; Purkey, yes; and Watson, yes. Motion carried.

(15) Discussion and vote to accept/reject the collective bargaining agreement for the fiscal year 2013-2014 with the Claremore Fire Union, IAFF Local 1077. **(Jim Thomas/Carolyn Chapman)**

Motion by Purkey, second by Flanagan to approve the collective bargaining agreement for the fiscal year 2013-2014 with the Claremore Fire Union, IAFF Local 1077. Roll call vote: Lepak, yes; Flanagan, yes; Perry, yes; Callender, yes; Purkey, yes; and Watson, yes. Motion carried.

(16) Discussion regarding a special election in 2014 for the purpose of extending the City's Sales Tax and filling unexpired City Council terms. **(Jim Thomas/Mickey Perry)**

Thomas stated if the election Ordinance is passed by November 15th, the sales tax election and election for the Ward I and Ward II seats will coincide with the annual school board election on February 11, 2014.

Thomas stated that the dedicated percentages give the citizens the security of knowing their police and fire protection are supported. Parks and Recreation are a focus also, as well as capital improvements.

Mayor Perry asked the Council to contact Thomas if they have any changes they would like to make in the distribution of the tax.

The Ordinance will be placed on the November 4th agenda.

ADJOURNMENT

Motion by Perry, second by Flanagan to adjourn. Roll call vote: Lepak, yes; Flanagan, yes; Perry, yes; Callender, yes; Purkey, yes; and Watson, yes. Motion carried.

Meeting adjourned at 8:58 p.m.