

**Minutes of the Claremore Cultural Development Authority Special Meeting
Council Chambers, City Hall, 104 S. Muskogee Ave.
Claremore, Oklahoma April 14, 2014**

CALL TO ORDER

Meeting called to order by Mayor Bill Flanagan at 6:00 P.M.

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

Present: Terry Willis, Buddy Robertson, Mark Lepak, Will DeMier, Bill Flanagan, Brian Callender, Don Purkey, David McComb, Paula Watson

Absent: None

Staff Present: Jim Thomas, Matt Ballard, Sarah Sharp, Stan Brown, Daryl Golbek, Jill Ferenc, Chris Cochran, Ron Burrows, Carolyn Chapman

Pledge of Allegiance by all.

Invocation by Pastor Mark Burger-Redeemer Lutheran Church

CALL TO THE PUBLIC

None

ACCEPTANCE OF THE AGENDA

Motion by Watson, second by Willis to approve the agenda for the special CCDA meeting of April 14, 2014, as written. Roll call vote: Willis, yes; Robertson, yes; Lepak, yes; DeMier, yes; Flanagan, yes; Callender, yes; Purkey, yes; McComb, yes; and Watson, yes. Motion carried.

CURRENT BUSINESS

(1) Approve/Reject the following consent items:

- (a)** Minutes of the Regular Claremore Cultural Development Authority meeting on March 17, 2014, as printed.
- (b)** All claims as printed.
- (c)** Approve request to solicit bids to repair the electronic sign in front of the EXPO & Recreation Center. **(Ron Burrows)**

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

(2) Discussion and vote to Approve/Reject updated Purchasing Policy. (Susy Collins)

Motion by Willis, second by Watson to approve the updated Purchasing Policy. Roll call vote: Willis, yes; Robertson, yes; Lepak, yes; DeMier, yes; Flanagan, yes; Callender, yes; Purkey, yes; McComb, yes; and Watson, yes. Motion carried.

ADJOURNMENT

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

Meeting adjourned at 6:03 P.M.

**Minutes of the Claremore Public Works Authority Special Meeting
Council Chambers, City Hall, 104 S. Muskogee Ave.
Claremore, Oklahoma April 14, 2014**

CALL TO ORDER

Meeting called to order by Mayor Bill Flanagan at 6:03 P.M.

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

Present: Terry Willis, Buddy Robertson, Mark Lepak, Will DeMier, Bill Flanagan, Brian Callender, Don Purkey, David McComb, Paula Watson

Absent: None

Staff Present: Jim Thomas, Matt Ballard, Sarah Sharp, Stan Brown, Daryl Golbek, Jill Ferenc, Chris Cochran, Ron Burrows, Carolyn Chapman

ACCEPTANCE OF THE AGENDA

Motion by Watson, second by Willis to approve the agenda for the Special CPWA meeting of April 14, 2014, as written. Roll call vote: Willis, yes; Robertson, yes; Lepak, yes; DeMier, yes; Flanagan, yes; Callender, yes; Purkey, yes; McComb, 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 Meeting on March 17, 2014, as printed.

(b) All claims as printed.

Item (a) was listed as Claremore Cultural Development Authority instead of Claremore Public Works. Motion by Watson, second by Willis to approve consent items with the noted change to item (a). Roll call vote: Willis, yes; Robertson, yes; Lepak, yes; DeMier, yes; Flanagan, yes; Callender, yes; Purkey, yes; McComb, yes; and Watson, yes. Motion carried.

(2) Discussion and vote to Approve/Reject updated Purchasing Policy. **(Susy Collins)**

Motion by Willis, second by Watson to approve the updated Purchasing Policy. Roll call vote: Willis, yes; Robertson, yes; Lepak, yes; DeMier, yes; Flanagan, yes; Callender, yes; Purkey, yes; McComb, yes; and Watson, yes. Motion carried.

ADJOURNMENT

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

Meeting adjourned at 6:07 P.M.

**Minutes of the Claremore City Council Special Meeting
Council Chambers, City Hall, 104 S. Muskogee Ave.
Claremore, Oklahoma April 14, 2014**

CALL TO ORDER

Meeting called to order by Mayor Bill Flanagan at 6:07 P.M.

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

Present: Terry Willis, Buddy Robertson, Mark Lepak, Will DeMier, Bill Flanagan, Brian Callender, Don Purkey, David McComb, Paula Watson

Absent: None

Staff Present: Jim Thomas, Matt Ballard, Sarah Sharp, Stan Brown, Daryl Golbek, Jill Ferenc, Chris Cochran, Ron Burrows, Carolyn Chapman

ACCEPTANCE OF THE AGENDA

Motion by Watson, second by Willis to approve the agenda for the Special City Council meeting of April 14, 2014. Roll call vote: Willis, yes; Robertson, yes; Lepak, yes; DeMier, yes; Flanagan, yes; Callender, yes; Purkey, yes; McComb, yes; and Watson, yes. Motion carried.

MAYOR'S REPORT & APPOINTMENTS

None

STAFF REPORTS

City Manager Jim Thomas wanted the Council and the public to know that Burlington Northern Santa Fe and Union Pacific have been contacted by both his office and Senator Inhoff's office regarding the long periods of time the trains were blocking the tracks last week during scheduled maintenance. Thomas stated that we have no control over the railroads at a local level. His office received a lot of complaints regarding this last week, and he is working through it to make sure that these issues don't arise again.

CURRENT BUSINESS

(1) Approve/Reject the following consent items:

- (a)** Minutes of the Regular Council Meeting on March 17, 2014, as printed.
- (b)** Minutes of the Special Council Meeting on March 31, 2014, as printed.
- (c)** All claims as printed.

- (d) Actual salary claims for pay periods ending **March 14, 2014**, in the amount of **\$407,936.50** and pay periods ending **March 28, 2014**, in the amount of **\$415,527.55** 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) Approval of Oklahoma Municipal Retirement Fund (OMRF) Disability Retirement for Sarah Smith. (**Carolyn Chapman**)

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

- (2) To hold a public hearing to provide interested persons an opportunity to be heard pursuant to Title 62, Section 859 of the Oklahoma Statutes, regarding the establishment of "Increment District Number Four, City of Claremore, Oklahoma" and regarding a request by AXH Air- Coolers, LLC, (The "Company") for \$650,000 in development financing assistance to acquire and renovate an existing 100,000 square foot industrial building and to construct an additional 110,00 square foot industrial facility for use in the company's air-cooled heat exchanger manufacturing operations. (**Dan McMahan**)

Motion by Willis, second by Watson to approve opening the public hearing. Roll call vote: Willis, yes; Robertson, yes; Lepak, yes; DeMier, yes; Flanagan, yes; Callender, yes; Purkey, yes; McComb, yes; and Watson, yes. Motion carried.

Public Hearing opened at 6:11 p.m.

Attorney Dan McMahan was present to answer any questions. There were no public comments.

Motion by Willis, second by Watson to approve closing the public hearing. Roll call vote: Willis, yes; Robertson, yes; Lepak, yes; DeMier, yes; Flanagan, yes; Callender, yes; Purkey, yes; McComb, yes; and Watson, yes. Motion carried.

Public Hearing closed at 6:13 p.m.

- (3) To hold a public hearing to provide interested persons an opportunity to be heard pursuant to Title 62, Section 859 of the Oklahoma Statutes, regarding a proposal by the City of Claremore (The "City") and the Claremore Industrial and Economic Development Authority (The "Authority") to provide capital cost assistance in the amount of \$70,000 to the Claremore Public School District and to modify the terms and conditions of that certain "First Supplemental Project Plan relating to Increment District Number One, City of Claremore, Oklahoma (Baker Hughes Increment

District)". (**Dan McMahan**)

Motion by Willis, second by Watson to approve opening the public hearing. Roll call vote: Willis, yes; Robertson, yes; Lepak, yes; DeMier, yes; Flanagan, yes; Callender, yes; Purkey, yes; McComb, yes; and Watson, yes. Motion carried.

Public Hearing opened at 6:13 p.m.

Attorney Dan McMahan was present to answer any questions.

Robertson- Where does the \$70,000 come from?

McMahan- Technically it comes from the funds being held for the TIF district right now; there was a significant amount saved in the building of the sub-station. Because of those savings, it is being relocated to a different need. This will not increase the amount of the TIF.

Thomas- Payments will be \$10,000 a year for 7 years. AXH will be matching this payment as well.

Motion by Watson, second by Willis to approve closing the public hearing. Roll call vote: Willis, yes; Robertson, yes; Lepak, yes; DeMier, yes; Flanagan, yes; Callender, yes; Purkey, yes; McComb, yes; and Watson, yes. Motion carried.

Public Hearing closed at 6:18 p.m.

(4) Consideration and possible action regarding **Ordinance #2014-_____**, approving and adopting that certain "Third Supplemental Project Plan relating to Increment District Number Four, City of Claremore, Oklahoma (AXH Increment District)"; ratifying and confirming actions, recommendations and findings of the Claremore Local Development Act Review Committee; establishing "Increment District Number Four, City of Claremore, Oklahoma"; Designating and adopting project area and increment district boundaries; adopting certain findings; apportioning incremental ad valorem revenues; creating the AXH 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 Chairman 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 Lepak, second by Callender to approve **Ordinance #2014- 5**, approving and adopting that certain "Third Supplemental Project Plan relating to Increment District Number Four, City of Claremore, Oklahoma (AXH Increment District)"; ratifying and confirming actions, recommendations and findings of the Claremore Local Development Act Review Committee; establishing "Increment District Number Four, City of

Claremore, Oklahoma”; Designating and adopting project area and increment district boundaries; adopting certain findings; apportioning incremental ad valorem revenues; creating the AXH 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 Chairman 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: Willis, abstain; Robertson, yes; Lepak, yes; DeMier, yes; Flanagan, yes; Callender, yes; Purkey, yes; McComb, yes; and Watson, yes. Motion carried.

- (5) Consideration and possible action regarding **Ordinance #2014-_____**, approving and adopting that certain “Second Amended First Supplemental Project Plan relating to Increment District Number One, City of Claremore, Oklahoma (Baker Hughes Increment District)”; amending Ordinance No. 2012-16 relating to the Baker Hughes Increment District; providing for severability; and containing other provisions relating thereto. (**Dan McMahan**)

Motion by Willis, second by Callender to approve **Ordinance #2014- 6**, approving and adopting that certain “Second Amended First Supplemental Project Plan relating to Increment District Number One, City of Claremore, Oklahoma (Baker Hughes Increment District)”; amending Ordinance No. 2012-16 relating to the Baker Hughes Increment District; providing for severability; and containing other provisions relating thereto. Roll call vote: Willis, yes; Robertson, yes; Lepak, yes; DeMier, yes; Flanagan, yes; Callender, yes; Purkey, yes; McComb, yes; and Watson, yes. Motion carried.

- (6) Discussion and vote to approve/reject agreement with Oklahoma Natural Gas (ONG) for utility relocates along King Road. (**Chris Cochran**)

City Engineer Chris Cochran stated the relocate is higher than estimated. The length of the pipe being replaced has increased and the cost of the pipe is higher than estimated. The project is being advertised and the bid opening will be held on Wednesday, April 16th.

Motion by Purkey, second by DeMier to approve the agreement with Oklahoma Natural Gas (ONG) for utility relocates along King Road. Roll call vote: Willis, yes; Robertson, yes; Lepak, yes; DeMier, yes; Flanagan, yes; Callender, yes; Purkey, yes; McComb, yes; and Watson, yes. Motion carried.

- (7) Discussion and vote to approve/reject **Resolution #2014-_____**, approving the Rogers County Law Enforcement Mutual Aid Agreement and authorizing participation by the City of Claremore, authorizing Law Enforcement Officers of the City of Claremore to serve as Law Enforcement Officers of the Oklahoma Highway Patrol or the Rogers County Sheriff’s Office upon request of the Oklahoma Highway Patrol or the Rogers County Sheriff’s Office, authorizing Claremore Law

Enforcement Officers to serve as Police Officers upon request of another Municipality, and authorizing the City Manager to respond to requests for Law Enforcement Assistance in cases of emergency. **(Stan Brown)**

Motion by Willis, second by Watson to approve **Resolution #2014- 2**, approving the Rogers County Law Enforcement Mutual Aid Agreement and authorizing participation by the City of Claremore, authorizing Law Enforcement Officers of the City of Claremore to serve as Law Enforcement Officers of the Oklahoma Highway Patrol or the Rogers County Sheriff's Office upon request of the Oklahoma Highway Patrol or the Rogers County Sheriff's Office, authorizing Claremore Law Enforcement Officers to serve as Police Officers upon request of another Municipality, and authorizing the City Manager to respond to requests for Law Enforcement Assistance in cases of emergency. Roll call vote: Willis, yes; Robertson, yes; Lepak, yes; DeMier, yes; Flanagan, yes; Callender, yes; Purkey, yes; McComb, yes; and Watson, yes. Motion carried.

(8) Discussion and vote to approve/reject **Ordinance #2014- _____**, changing the zoning of land in the Southerly 50 feet of Lot 2, and all of Lot 3, Block 46 of the City of Claremore, Rogers County, State of Oklahoma, from Residential Single-Family High Density District (RS-3) to Office Low Intensity District (OL) and directing the appropriate amendment to the zoning map of the City of Claremore, Oklahoma. **(Jill Ferenc)**

Motion by Purkey, second by Callender to approve **Ordinance #2014- 7**, changing the zoning of land in the Southerly 50 feet of Lot 2, and all of Lot 3, Block 46 of the City of Claremore, Rogers County, State of Oklahoma, from Residential Single-Family High Density District (RS-3) to Office Low Intensity District (OL) and directing the appropriate amendment to the zoning map of the City of Claremore, Oklahoma. Roll call vote: Willis, yes; Robertson, yes; Lepak, yes; DeMier, yes; Flanagan, yes; Callender, yes; Purkey, yes; McComb, yes; and Watson, yes. Motion carried.

(9) Discussion and vote to approve/reject **Ordinance # 2014- _____**, amending Title XI of the City of Claremore Code of Ordinances to allow a permit-free weekend for residential garage sales. **(Jill Ferenc)**

Motion by Willis, second by Watson to approve **Ordinance # 2014- 8**, amending Title XI of the City of Claremore Code of Ordinances to allow a permit-free weekend for residential garage sales. Roll call vote: Willis, yes; Robertson, yes; Lepak, yes; DeMier, yes; Flanagan, yes; Callender, yes; Purkey, yes; McComb, yes; and Watson, yes. Motion carried.

(10) Discussion and vote to adopt or not adopt findings that an emergency exists and that **Ordinance #2014- 8**, is necessary for the immediate preservation of peace, health, or safety and shall go into effect immediately. **(Jill Ferenc)**

Motion by Willis, second by Purkey to adopt findings that an emergency exists and that **Ordinance #2014- 8**, is necessary for the immediate preservation of peace, health,

or safety and shall go into effect immediately. Roll call vote: Willis, yes; Robertson, yes; Lepak, yes; DeMier, yes; Flanagan, yes; Callender, yes; Purkey, yes; McComb, yes; and Watson, yes. Motion carried.

EXECUTIVE SESSION

(1) Approve/Reject going into executive session to discuss the employment of Jim Thomas pursuant to 25 OKLA. STAT. Section 307(B)(1).

Motion by Callender, second by Lepak to approve going into executive session to discuss the employment of Jim Thomas pursuant to 25 OKLA. STAT. Section 307(B) (1). Roll call vote: Willis, yes; Robertson, yes; Lepak, yes; DeMier, yes; Flanagan, yes; Callender, yes; Purkey, yes; McComb, yes; and Watson, yes. Motion carried.

(2) Executive Session to discuss item 1.

Council entered executive session at 7:06 p.m.

Council exited executive session at 8:00 p.m.

(3) Regular Session.

Motion by Willis, second by Callender to approve returning to regular session. Roll call vote: Willis, yes; Robertson, yes; Lepak, yes; DeMier, yes; Flanagan, yes; Callender, yes; Purkey, yes; McComb, yes; and Watson, yes. Motion carried.

(4) Statement of executive session minutes.

Statement of executive session minutes was read by Mayor Flanagan:

While in executive session only the items listed were discussed. No votes were cast and no decisions were made.

(5) Discussion and vote to approve/reject the 2014/2015 employment contract with Jim Thomas. **(Matt Ballard)**

No action was taken on this item.

ADJOURNMENT

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

Meeting adjourned at 8:02 p.m.