

**Minutes of the Claremore Cultural Development Authority Regular Meeting  
Council Chambers, City Hall, 104 S. Muskogee Ave.  
Claremore, Oklahoma July 21, 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 (arrived at 6:01 p.m.), Will DeMier, Bill Flanagan, Don Purkey, Brian Callender, David McComb

**Absent:** None

**Staff Present:** Jim Thomas, Matt Ballard, Sarah Sharp, Matt Cyran, Susy Collins, Tim White, Joe Kays, Ron Burrows, Jill Ferenc, Art Andrews, Sean Douglas, Stan Brown, Jeremy Ledbetter, Sharon McDonald, Larry Hughes

Pledge of Allegiance by all.

Invocation by: Councilor Purkey

**CALL TO THE PUBLIC**

None

**ACCEPTANCE OF THE AGENDA**

Motion by Willis, second by Callender to approve the agenda for the regular CCDA meeting of July 21, 2014, as written. Roll call vote: Willis, yes; Robertson, yes; Lepak, yes; DeMier, yes; Flanagan, yes; Callender, yes; Purkey, yes; and McComb, yes. Motion carried.

**ITEMS UNFORESEEN AT THE TIME AGENDA WAS POSTED**

None

**CURRENT BUSINESS**

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

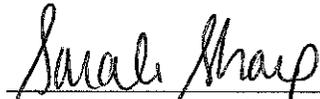
- (a) Minutes of the Regular Claremore Cultural Development Authority meeting on July 07, 2014, as printed.
- (b) All claims as printed.

Motion by Willis, second by McComb 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; and McComb, yes. Motion carried.

### ADJOURNMENT

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

Meeting adjourned at 6:02 P.M.

  
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Sarah Sharp, City Clerk

**Minutes of the Claremore Public Works Authority Regular Meeting  
Council Chambers, City Hall, 104 S. Muskogee Ave.  
Claremore, Oklahoma July 21, 2014**

**CALL TO ORDER**

Meeting called to order by Mayor Bill Flanagan at 6:02 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, Don Purkey, Brian Callender, David McComb

**Absent:** None

**Staff Present:** Jim Thomas, Matt Ballard, Sarah Sharp, Matt Cyran, Susy Collins, Tim White, Joe Kays, Ron Burrows, Jill Ferenc, Art Andrews, Sean Douglas, Stan Brown, Jeremy Ledbetter, Sharon McDonald, Larry Hughes

**ACCEPTANCE OF THE AGENDA**

Motion by Willis, second by Callender to approve the agenda for the regular CPWA meeting of July 21, 2014, as written. Roll call vote: Willis, yes; Robertson, yes; Lepak, yes; DeMier, yes; Flanagan, yes; Callender, yes; Purkey, yes; and McComb, 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 July 07, 2014, as printed.
- (b)** All claims as printed.

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

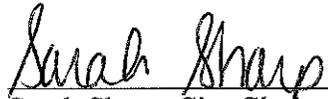
**(2)** Discussion and vote to Approve/Reject the purchase a Freightliner 33,000# GVW truck cab and chassis at state contract pricing from Tulsa Freightliner in the estimated amount of \$73, 244.00. **(Larry Hughes)**

Motion by Purkey, second by Callender to approve the purchase a Freightliner 33,000# GVW truck cab and chassis at state contract pricing from Tulsa Freightliner in the estimated amount of \$73, 244.00. Roll call vote: Willis, yes; Robertson, yes; Lepak, yes; DeMier, yes; Flanagan, yes; Callender, yes; Purkey, yes; and McComb, yes. Motion carried.

**ADJOURNMENT**

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

Meeting adjourned at 6:07 P.M.

  
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Sarah Sharp, City Clerk

**Minutes of the Claremore City Council Regular Meeting  
Council Chambers, City Hall, 104 S. Muskogee Ave.  
Claremore, Oklahoma July 21, 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, Don Purkey, Brian Callender, David McComb

**Absent:** None

**Staff Present:** Jim Thomas, Matt Ballard, Sarah Sharp, Matt Cyran, Susy Collins, Tim White, Joe Kays, Ron Burrows, Jill Ferenc, Art Andrews, Sean Douglas, Stan Brown, Jeremy Ledbetter, Sharon McDonald, Larry Hughes

**ACCEPTANCE OF THE AGENDA**

Motion by Willis, second by McComb to approve the agenda for the regular City Council meeting of July 07, 2014. Roll call vote: Willis, yes; Robertson, yes; Lepak, yes; DeMier, yes; Flanagan, yes; Callender, yes; Purkey, yes; and McComb, yes. Motion carried.

**AWARDS, PRESENTATIONS, AND COMMUNICATIONS**

None

**MAYOR'S REPORT & APPOINTMENTS**

- (1) Discussion and vote to Approve/Reject the appointment of Ben Stutzman to the Emergency Medical Services Board (EMSMB) to serve the remaining term of Suzanne Smith, which expires November 2014. **(Stan Brown)**

Motion by Flanagan, second by Lepak to approve the appointment of Ben Stutzman to the Emergency Medical Services Board (EMSMB) to serve the remaining term of Suzanne Smith, which expires November 2014. Roll call vote: Willis, yes; Robertson, yes; Lepak, yes; DeMier, yes; Flanagan, yes; Callender, yes; Purkey, yes; and McComb, yes. Motion carried.

**STAFF REPORTS**

City Manager Jim Thomas gave Council updates on the following items:

Sign Ordinance- Thomas and Planning Director Jill Ferenc are working through the Ordinance and will meet with Sign Ordinance Committee next week and will make a recommendation to the Planing Commission at their August meeting. After the item goes before the Planning Commission, it comes to the Council for final approval. They are hoping to have the item before Council at the second meeting in August.

Railroad Blockages- A month ago Thomas and staff met with BNSF representatives regarding the blockage of intersections for extended periods of time. The meeting opened the line of communication. BNSF representatives saw that the claims were legitamate and stated they would address the issues. Chief Brown was given a number to contact BNSF dispatch if there was a blockage for over 10 minutes so that City staff would know why and how long it would last. There have been no issues with this since the meeting.

Claremore Plaza-CIEDA Director Jeri Koehler and I have been working with Spirit Bank to develop this area. Koehler will have a full report for Council at the next meeting.

Highway 20 realignment- The City is still working towards this project with Transystems and ODOT. A pre-public hearing will be held in August with a public hearing in the fall. Thomas has expressed his frustration to ODOT on how long the project as lumbered so far. Thomas stated the City is still pushing this hard, as it is not only a public safety issue, but a economic development issue that will not only benefit the City of Claremore, but Rogers County as well.

## **CURRENT BUSINESS**

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

- (a)** Minutes of the Regular Council Meeting on July 07, 2014, as printed.
- (b)** All claims as printed.
- (c)** Actual salary claims for pay periods ending **July 03, 2014**, in the amount of **\$436,742.02** 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.

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

**(3) Update on Will Rogers Park Rehabilitation Project. (Crystal Campbell)**

Crystal Campbell briefed the Council on the progress of the Will Rogers Park Rehabilitation Project. a \$10,000 grant has been received from the railroad, a \$2,000 grant has been received from the Elks Lodge to build a swing set, complete with a cozy cocoon- which is a special swing for kids with disabilities. A \$10,000 grant has been received from the Cherokee Nation that is to be split between the playground and the master gardeners. \$5,000 has been raised through the sale of memorial bricks and benches. Chilis is having Will Rogers Park night tonight and tomorrow. A portion of their proceeds will go to the park. More Claremore and Channel 2 have done a great job promoting the project. The community has really gotten behind and supported this project. Campbell passed out concept drawings of the next phase of the project.

(4) Discussion and vote to fill the vacant Ward I Councilor seat for the remainder of the unexpired term or until the next City election, including (1) review and possible interview of candidates, (2) discussion regarding candidates, (3) vote to appoint a qualified person to fill the vacancy, (4) vote to call for a special election to fill the seat, and/or (5) any other action deemed necessary to fill the vacant seat.

**(Jim Thomas/Bill Flanagan)**

Motion by Purkey, second by Callender to appoint Susan Kirtley to the vacant Ward I position, effective July 22<sup>nd</sup>. Roll call vote: Willis, yes; Robertson, yes; Lepak, yes; DeMier, yes; Flanagan, yes; Callender, yes; Purkey, yes; and McComb, yes. Motion carried.

(5) Discussion and vote to Approve/Reject the resignation of City of Claremore Treasurer Ron Kolker (Kolker & Kolker CPA). **(Susy Collins)**

Mayor Flanagan stated that Kolker submitted his resignation on July 7<sup>th</sup>. Flanagan extended his thanks to Kolker for his contribution to the City and the job he did. Flanagan stated Kolker came in at a rough time and got the finances straightened out.

Motion by Willis, second by DeMier to accept the resignation of City of Claremore Treasurer Ron Kolker (Kolker & Kolker CPA). Roll call vote: Willis, yes; Robertson, yes; Lepak, yes; DeMier, yes; Flanagan, yes; Callender, yes; Purkey, no; and McComb, yes. Motion carried.

(6) Discussion and action to fill the vacant Treasurer/Director of Finance position, including (1) discussion regarding candidates or the procedures to be used to fill the position; (2) vote(s) to appoint a qualified person to fill the vacancy and to name a Treasurer and Director of Finance; (3) vote(s) to establish position titles or duties and responsibilities for the treasurer and director of finance positions; and/or (4) any other action deemed necessary to fill the vacant position.

Thomas- We are working through trying to get a job description together for this position. The Charter requires this position; Ron had crossed over into some areas that weren't set forth in the Charter. The intention of the position was to be more of a internal auditor. The Charter does not really define the roles and responsibilities. We were

surprised at Ron's sudden resignation, and so we are getting together a job description. We have had a few people express interest. This is a part time position and we do not expect that to change. We hope to have something back to you the first meeting in August. We will have no Treasurer in the meantime. We are pressed for time, but we do want to take our time and get the right person.

No action was taken on this matter.

- (7) Discussion and vote to Approve/Reject the purchase of six (6) Digital Ticket Devices and supporting Equipment. **(Stan Brown)**

Motion by Willis, second by McComb to purchase six (6) Digital Ticket Devices and supporting Equipment from Brazos Technology in the amount of \$13,758.00. Roll call vote: Willis, yes; Robertson, yes; Lepak, yes; DeMier, yes; Flanagan, yes; Callender, yes; Purkey, yes; and McComb, yes. Motion carried.

- (8) Discussion and vote to Approve/Reject annual contract for Pelivan Public Transportation with Grand Gateway in the amount of \$95,000.00.  
**(Sharon McDonald)**

Motion by Purkey, second by DeMier to approve the annual contract for Pelivan Public Transportation with Grand Gateway in the amount of \$95,000.00. Roll call vote: Willis, yes; Robertson, yes; Lepak, yes; DeMier, yes; Flanagan, yes; Callender, yes; Purkey, yes; and McComb, yes. Motion carried.

- (9) Discussion and vote to Approve/Reject Budget Amendment Form to transfer funds for the CDBG (Community Development Block Grant) Project. **(Jim Thomas/ Jeremy Ledbetter)**

Motion by Willis, second by Lepak to approve the Budget Amendment Form to transfer funds for the CDBG (Community Development Block Grant) Project. Roll call vote: Willis, yes; Robertson, yes; Lepak, yes; DeMier, yes; Flanagan, yes; Callender, yes; Purkey, yes; and McComb, yes. Motion carried.

- (10) Discussion and vote to Approve/Reject Change Order #2 for the 2012/2013 CDBG and RSU Sanitary Sewer Rehabilitation Project, which consists of a deduction in the amount of \$240 for the CDBG portion of the project and a deduction of \$2,580.02 for the RSU portion of the project. **(Art Andrews)**

Motion by DeMier, second by Willis to approve Change Order #2 for the 2012/2013 CDBG and RSU Sanitary Sewer Rehabilitation Project, which consists of a deduction in the amount of \$240 for the CDBG portion of the project and a deduction of \$2,580.02 for the RSU portion of the project. Roll call vote: Willis, yes; Robertson, yes; Lepak, yes; DeMier, yes; Flanagan, yes; Callender, yes; Purkey, yes; and McComb, yes. Motion carried.

(11) Discussion and vote to Approve/Reject Ordinance #2014-\_\_\_\_\_, establishing a document copying and/or mechanical reproduction fee, a document search fee, providing procedures therefor; repealing Ordinances in conflict herewith.

Motion by DeMier, second by Lepak to approve Ordinance #2014- 14 , establishing a document copying and/or mechanical reproduction fee, a document search fee, providing procedures therefor; repealing Ordinances in conflict herewith. Roll call vote: Willis, yes; Robertson, yes; Lepak, yes; DeMier, yes; Flanagan, yes; Callender, yes; Purkey, yes; and McComb, yes. Motion carried.

(12) Discussion and vote to adopt or not adopt findings that an emergency exists and that Ordinance # 2014 - 14 regarding document copying and/or mechanical reproduction fee and a document search fee is necessary for the immediate preservation of peace, health, or safety and shall go into effect immediately.

Motion by Lepak, second by Willis to adopt findings that an emergency exists and that Ordinance # 2014 - 14 regarding document copying and/or mechanical reproduction fee and a document search fee 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; and McComb, yes. Motion carried.

## **EXECUTIVE SESSION**

1. Motion and vote to convene in executive session for the purpose of confidential communications between the City Council and its attorney concerning the pending claims and litigation between the Ward Lee & Coats, P.L.C. and the City of Claremore, the Council having been advised by its attorney that disclosure will seriously impair the ability of the Council to process the possible claims and litigation in the public interest. The Council and its attorney will discuss *Ward Lee & Coats, P.L.C. v. City of Claremore, Sarah Sharp, City Clerk*, Rogers County District Court Case No. CV-2014-00024, and *Ward & Lee, P.L.C. v. City of Claremore, Sarah Sharp, City Clerk, Stan Brown, Chief of Police, and Julie Spurling, Records Supervisor*, Rogers County District Court Case No. CV-2011-0045. Executive Session Authority: Okla. Stat. tit. 25, §307(B)(4).

Motion by Willis, second by Lepak to enter into executive session to discuss item #1. Roll call vote: Willis, yes; Robertson, yes; Lepak, yes; DeMier, yes; Flanagan, yes; Callender, yes; Purkey, yes; and McComb, yes. Motion carried.

Council entered into executive session: 7:16 p.m.

Councilor Robertson left executive session and the meeting at 7:51 p.m.

Council came out of executive session: 7:54 p.m.

2. Motion and vote to acknowledge return to open session.

Motion by Willis, second by Lepak to acknowledge return to regular session. Roll call vote: Willis, yes; Lepak, yes; DeMier, yes; Flanagan, yes; Callender, yes; Purkey, yes; and McComb, yes. Motion carried.

**3. Mayor's statement of executive session minute.**

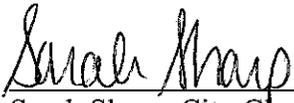
Statement of executive session was read by Mayor Flanagan:

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

**ADJOURNMENT**

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

Meeting adjourned at 7:55 P.M.

  
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Sarah Sharp, City Clerk