

**Minutes of the Claremore Cultural Development Authority Regular Meeting
Council Chambers, City Hall, 104 S. Muskogee Ave.
Claremore, Oklahoma March 21, 2016**

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, Jeff Godwin, Will DeMier, Bill Flanagan, Brian Callender, Don Purkey, Susan Kirtley, Scott Savage

Absent: None

Staff Present: Jim Thomas, Bryan Drummond, Dave Brown, Sarah Sharp, Matt Wilson, Stan Brown, Jeri Koehler, Susy Collins, Daryl Golbek, Tim White, Joe Kays, Tanya Andrews, Jill Ferenc, Suzan Maloy

Pledge of Allegiance by all.

Invocation by Mark Burger of Redeemer Lutheran Church

CALL TO THE PUBLIC

Both parties spoke at the time Council agenda item #4 was discussed.

Lennon Kirkendall 13173 E. 440 Road Claremore

Andrew and Sarah Fiegenger 1019 N. Cherokee Ave. Claremore

ACCEPTANCE OF THE AGENDA

Motion by Willis, second by Robertson that the agenda for the regular CCDA meeting of March 21, 2016, be approved as written. Roll call vote: Willis, yes; Robertson, yes; Godwin, yes; DeMier, yes; Flanagan, yes; Callender, yes; Purkey, yes; Kirtley, yes; and Savage, 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 March 07, 2016 as printed.

(b) All Claims as printed.

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

ADJOURNMENT

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

Meeting adjourned at 6:04 P.M.

A handwritten signature in cursive script that reads "Sarah Sharp".

Sarah Sharp, CMC
City Clerk

**Minutes of Claremore Public Works Authority Regular Meeting
Council Chambers, City Hall, 104 S. Muskogee Ave.
Claremore, Oklahoma March 21, 2016**

CALL TO ORDER

Meeting called to order by Mayor Bill Flanagan at 6:04 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, Jeff Godwin, Will DeMier, Bill Flanagan, Brian Callender, Don Purkey, Susan Kirtley, Scott Savage

Absent: None

Staff Present: Jim Thomas, Bryan Drummond, Dave Brown, Sarah Sharp, Matt Wilson, Stan Brown, Jeri Koehler, Susy Collins, Daryl Golbek, Tim White, Joe Kays, Tanya Andrews, Jill Ferenc, Suzan Maloy

ACCEPTANCE OF THE AGENDA

Motion by Willis, second by Godwin that the agenda for the regular CPWA meeting of March 21, 2016, be approved as written. Roll call vote: Willis, yes; Robertson, yes; Godwin, yes; DeMier, yes; Flanagan, yes; Callender, yes; Purkey, yes; Kirtley, yes; and Savage, 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 Claremore Public Works Authority Regular Meeting on March 07, 2016.

(b) All claims as printed.

**(c) Approve Water Treatment Plant improvements as follows:
UCI-Application #6 \$614,201.27**

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

**(2) Update from Garver Engineering regarding the Water Treatment Plant Project.
(Michael Graves)**

Graves reported the project is on schedule and on budget. The scheduled project completion date is set for August 2017. To date 18% of the budget has been spent. There

have been 9 minor modifications to the sum of \$4,223 (.6% of modification budget). Graves showed photos of the progress of the project.

(3) Discussion and vote to Approve/Reject Engineering Contract with Crafton Tull Engineers for the Country Club Road Expansion Project. (Jim Thomas/Daryl Golbek)

Motion by Kirtley, second by Savage to approve the Engineering Contract with Crafton Tull Engineers for the Country Club Road Expansion Project in the amount of \$216,616.25. Roll call vote: Willis, yes; Robertson, yes; Godwin, yes; DeMier, yes; Flanagan, yes; Callender, yes; Purkey, yes; Kirtley, yes; and Savage, yes. Motion carried.

(4) Discussion and vote to Approve/Reject real estate sale and purchase contract between the Claremore Public Works Authority and Ronnell O. Yost and Sandra Yost for the purchase of property located at 1955 Country Club Road. (Jim Thomas)

Thomas stated this is a 1 acre parcel, currently being used as a rental property. \$130,000 selling price has been agreed upon to purchase the house and the 1 acre parcel. The renter will be allowed to occupy the house until the end of June 2016.

Motion by Purkey, second by Callender to approve the real estate sale and purchase contract between the Claremore Public Works Authority and Ronnell O. Yost and Sandra Yost for the purchase of property located at 1955 Country Club Road. Roll call vote: Willis, yes; Robertson, yes; Godwin, yes; DeMier, yes; Flanagan, yes; Callender, yes; Purkey, yes; Kirtley, yes; and Savage, yes. Motion carried.

ADJOURNMENT

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

Meeting adjourned at 6:32 P.M.



Sarah Sharp, CMC
City Clerk

**Minutes of Claremore City Council Regular Meeting
Council Chambers, City Hall, 104 S. Muskogee Ave.
Claremore, Oklahoma March 21, 2016**

CALL TO ORDER

Meeting called to order by Mayor Bill Flanagan at 6:32 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, Jeff Godwin, Will DeMier, Bill Flanagan, Brian Callender, Don Purkey, Susan Kirtley, Scott Savage

Absent: None

Staff Present: Jim Thomas, Bryan Drummond, Dave Brown, Sarah Sharp, Matt Wilson, Stan Brown, Jeri Koehler, Susy Collins, Daryl Golbek, Tim White, Joe Kays, Tanya Andrews, Jill Ferenc, Suzan Maloy

ACCEPTANCE OF THE AGENDA

Motion by Willis, second by Robertson that the agenda for the regular City Council meeting of March 21, 2016, be approved as written. Roll call vote: Willis, yes; Robertson, yes; Godwin, yes; DeMier, yes; Flanagan, yes; Callender, yes; Purkey, yes; Kirtley, yes; and Savage, yes. Motion carried.

ITEMS UNFORESEEN AT THE TIME AGENDA WAS POSTED

None

AWARDS, PRESENTATIONS, AND COMMUNICATIONS

(1) Unveiling of the 70th anniversary Will Rogers Stampede Rodeo poster by rodeo Chairman David Petty.

Poster unveiling and presentation of framed commemorative 70th anniversary Will Rogers Stampede Rodeo Poster to City Manager Jim Thomas by Rodeo Chairman David Petty.

MAYOR'S REPORT & APPOINTMENTS

None

STAFF REPORTS

(2) Railroad Quiet Zone Project update. (David Brown)

Brown reported the application and diagnostic review have been completed, road improvements are expected to be completed by December 2016. Channelization will allow traffic to be directed and will not allow motorists to circumvent the crossing gates. Channelization is the most inexpensive options for the City, most preferred by the

railroads, and it allow the City to do the work. The BNSF Railroad quiet zone will be done in two phases due to the anticipated construction from Country Club to King Road, that area will be included in Phase 2. The total cost for the entire project is estimated to be \$500,000 and is within the current Street Department budget. All work will be completed by the City Street Department.

80-90% of train horns will be eliminated by implementation of the quiet zones.

Stan Brown- Emergency Medical Services Board Update

The Board met this month, and there were 2 issues that Brown wanted to make Council aware of. There was a delayed response from Pafford of over 20 minutes on a call in February. Pafford had went to a 0 status (meaning there were no units available). When Pafford is at a 0 status, they are required to notify dispatch, which they failed to do. Pafford determined a dispatcher in training made major mistake, Pafford assured the issues would be addressed with additional training of employees. The EMSB required that Pafford now include 0 statuses in their monthly reports and notify dispatch.

CITY MANAGER REPORT:

City Manager Jim Thomas stated he has had a few Councilors inquire about the City contributing funds or donations to private entities and asked City Attorney Bryan Drummond to discuss the laws regarding such transactions. Drummond stated transactions of this nature are prohibited by the Oklahoma Constitution; Title 7, Section 15 specifically prohibits the gift of City property or City funds. Drummond stated it is an illegal expenditure and each Councilor can be held legally responsible for such transactions. Drummond stated there might be ways for the Cultural Development Authority or Hotel Tax funds to be used to make donations legally. Drummond will investigate these options.

CURRENT BUSINESS

(3) Approve/Reject the following consent items:

- (a) Minutes of the Regular Council Meeting on March 07, 2016.**
- (b) All claims as printed.**
- (c) Actual salary claims for pay periods ending March 11, 2016 in the amount of \$445,162.56 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 the next pay period in the amount of \$500,000. Payroll at \$500,000 amount to include payables.**
- (d) Approval of Change Order #1 for the Trail Construction at Will Rogers Park in the amount of \$8,460.00. (Joe Kays)**

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

(4) Discussion and vote to Approve/Reject Ordinance #2016-____, changing the zoning of land on a portion of Lot 6, Block 7, City of Claremore, Rogers County, State of Oklahoma, from Residential Single-Family High Intensity District (RS-3) to Commercial High Intensity (CH) and directing the appropriate amendment to the zoning map of the City of Claremore, Oklahoma. (Jill Ferenc)

City Planner Jill Ferenc stated the CH zoning does not have any setback requirements, which is why the owners requested this zoning. At the public hearing, the Planning Commission rejected the zoning change 5-1. There were concerns about the uses the new zoning opens the site up to for future use. There were property owners in the area that spoke in opposition of the zoning change at the Planning Commission meeting.

Lennon Kirkendall, applicant is present. And spoke regarding the zoning request. Kirkendall stated the business hours are Monday –Thursday 9-6 and lesser hours on Fridays. She feels it will be safer to have a business at this location than a random person renting the property. Kirkendall does not believe that one business will encroach on the neighborhood.

Current property owner Paula James stated the house was built in the 1940's and needs a lot of work to bring it into compliance, there are problems with the insulation and the house needs a new roof. There are structural issues as well. James believes it will be an improvement to tear down the house and build a new office.

Property owners Andrew and Sarah Fiegenger spoke in opposition of the re-zoning, stating concerns about opening up other uses in their neighborhood. They were also concerned about commercial property abutting their property. The Fiegeners stated they have invested a lot of time and money into their historical home and believe this property should remain a residential property.

Motion by Savage, second by Callender to reject Ordinance #2016-____, changing the zoning of land on a portion of Lot 6, Block 7, City of Claremore, Rogers County, State of Oklahoma, from Residential Single-Family High Intensity District (RS-3) to Commercial High Intensity (CH) and directing the appropriate amendment to the zoning map of the City of Claremore, Oklahoma. Roll call vote: Willis, yes; Robertson, yes; Godwin, no; DeMier, yes; Flanagan, no; Callender, yes; Purkey, no; Kirtley, yes; and Savage, yes. Motion carried.

(5) Discussion and vote to Approve/Reject Ordinance #2016-____, changing the zoning of land at Lots 4 & 5, Block 6 of W.E. Chambers Addition to the City of Claremore, Rogers County, State of Oklahoma, from Residential Single-Family High Intensity District (RS-3) to Residential Duplex District (RD) and directing the appropriate amendment to the zoning map of the City of Claremore, Oklahoma. (Jill Ferenc)

Motion by Purkey, second by DeMier to approve Ordinance #2016-8, changing the zoning of land at Lots 4 & 5, Block 6 of W.E. Chambers Addition to the City of Claremore, Rogers County, State of Oklahoma, from Residential Single-Family High Intensity District (RS-3) to Residential Duplex District (RD) and directing the appropriate amendment to the zoning map of the City of Claremore, Oklahoma. Roll call vote: Willis, yes; Robertson, yes; Godwin, yes; DeMier, yes; Flanagan, yes; Callender, yes; Purkey, yes; Kirtley, yes; and Savage, yes. Motion carried.

(6) Discussion and vote to Approve/Reject Ordinance #2016-____, changing the zoning of land on a portion of Section 19, Township 21 North, Range 16 East, Claremore, Oklahoma, from Agriculture District (AG) to Residential Single-Family Low Intensity District (RS-1) and directing the appropriate amendment to the zoning map of the City of Claremore, Oklahoma. (Jill Ferenc)

Motion by DeMier, second by Godwin to approve Ordinance #2016-9, changing the zoning of land on a portion of Section 19, Township 21 North, Range 16 East, Claremore, Oklahoma, from Agriculture District (AG) to Residential Single-Family Low Intensity District (RS-1) and directing the appropriate amendment to the zoning map of the City of Claremore, Oklahoma. Roll call vote: Willis, yes; Robertson, yes; Godwin, yes; DeMier, yes; Flanagan, yes; Callender, yes; Purkey, yes; Kirtley, yes; and Savage, yes. Motion carried.

(7) Discussion and vote to Approve/Reject Ordinance #2016-____, amending Sections 91.09 and 91.10 of Chapter 91 of the Ordinances of the City of Claremore, Oklahoma, regarding the Emergency Medical Services Board. (Stan Brown)

Motion by Godwin, second by Willis to approve Ordinance #2016-10, amending Sections 91.09 and 91.10 of Chapter 91 of the Ordinances of the City of Claremore, Oklahoma, regarding the Emergency Medical Services Board. Roll call vote: Willis, yes; Robertson, yes; Godwin, yes; DeMier, yes; Flanagan, yes; Callender, yes; Purkey, yes; Kirtley, yes; and Savage, yes. Motion carried.

(8) Discussion and vote to Approve/Reject the Emergency Clause for agenda item #7.

Motion by Willis, second by Robertson to approve the Emergency Clause for Ordinance #2016-10 (agenda item #7). Roll call vote: Willis, yes; Robertson, yes; Godwin, yes; DeMier, yes; Flanagan, yes; Callender, yes; Purkey, yes; Kirtley, yes; and Savage, yes. Motion carried.

(9) Discussion and vote Approve/Reject Ordinance #2016-____, amending Sections 115.01, 115.02, 115.03, 115.04, 115.05, 115.07, 115.08, 115.09, and 115.10 of the Chapter 115 and the Heading of Chapter 115 of the Ordinances of the City of Claremore, Oklahoma, regarding Taxicabs and Transportation Network Companies. (Tanya Andrews)

Motion by DeMier, second by Robertson to approve Ordinance #2016- 11, amending Sections 115.01, 115.02, 115.03, 115.04, 115.05, 115.07, 115.08, 115.09, and 115.10 of the Chapter 115 and the Heading of Chapter 115 of the Ordinances of the City of Claremore, Oklahoma, regarding Taxicabs and Transportation Network Companies, with Section B of Section 115.04 being deleted. Roll call vote: Willis, yes; Robertson, yes; Godwin, yes; DeMier, yes; Flanagan, yes; Callender, yes; Purkey, yes; Kirtley, yes; and Savage, yes. Motion carried.

(10) Discussion and vote to Approve/Reject the Emergency Clause for agenda item #9.

Motion by Godwin, second by Callender to approve the Emergency Clause for Ordinance #2016-11 (agenda item #9). Roll call vote: Willis, yes; Robertson, yes; Godwin, yes; DeMier, yes; Flanagan, yes; Callender, yes; Purkey, yes; Kirtley, yes; and Savage, yes. Motion carried.

(11) Discussion and vote to Approve/Reject Ordinance #2016-_____, amending Subsection (C) of Section 39.14 of Chapter 39 of the Ordinances of the City of Claremore regarding Tax Rate; Sales Subject to Tax. (Tanya Andrews)

Motion by Godwin, second by Kirtley to approve Ordinance #2016- 12, amending Subsection (C) of Section 39.14 of Chapter 39 of the Ordinances of the City of Claremore regarding Tax Rate; Sales Subject to Tax. Roll call vote: Willis, yes; Robertson, yes; Godwin, yes; DeMier, yes; Flanagan, yes; Callender, yes; Purkey, yes; Kirtley, yes; and Savage, yes. Motion carried.

(12) Discussion and vote to Approve/Reject the Emergency Clause for agenda item #11.

Motion by Godwin, second by Willis to approve the Emergency Clause for Ordinance #2016-12 (agenda item #11). Roll call vote: Willis, yes; Robertson, yes; Godwin, yes; DeMier, yes; Flanagan, yes; Callender, yes; Purkey, yes; Kirtley, yes; and Savage, yes. Motion carried.

ADJOURNMENT

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

Meeting adjourned at 8:29 P.M.



Sarah Sharp, CMC
City Clerk