

**Minutes of the Claremore Cultural Development Authority Regular Meeting
Council Chambers, City Hall, 104 S. Muskogee Ave.
Claremore, Oklahoma May 07, 2018**

CALL TO ORDER

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

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

Present Terry Willis, Ken Hays, Herb McSpadden, Will DeMier, Bill Flanagan, Brian Callender, Justin Michael, Susan Kirtley, Scott Savage

Absent:

Staff Present: Jim Thomas, Jonah Humes, Bryan Drummond, Sarah Sharp, Ashley Hickman, Garrett Ball, Sean Douglas, Tim White, Dale Williams, Jill Ferenc, Daryl Golbek, Greg Shelby, Larry Hughes, Noelle Hayes, Tanya Andrews, Joe Kays, Taylor Williams, Kevin Bledsoe, Stan Brown, David White, John Feary

Pledge of Allegiance by all.

Invocation by: Father Sylvanus Amaboi-St. Cecilia's Catholic Church

Call to the Public

None.

ACCEPTANCE OF THE AGENDA

Motion by Hays, second by Kirtley that the agenda for the regular CCDCA meeting of May 07, 2018 be approved as written. Roll call vote: Willis, yes; Hays, yes; McSpadden, yes; DeMier, yes; Flanagan, yes; Callender, yes; Michael, 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 April 16, 2018 as printed.

(b) All Claims as printed.

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

(2) Discussion and vote to Approve/Reject holding a Public Hearing to discuss the fiscal year 2018-2019 CCDA budget. The discussion may include prioritization of capital and other projects, personnel and labor costs and priorities, anticipated revenues, expenses, and other matters related to approval of budget for the 2018- 2019 fiscal year. (Jim Thomas/ Suzan Maloy)

Motion by DeMier, second by Hays to open the public hearing. Roll call vote: Willis, yes; Hays, yes; McSpadden, yes; DeMier, yes; Flanagan, yes; Callender, yes; Michael, yes; Kirtley, yes; and Savage, yes. Motion carried.

Public hearing opened at 6:04 P.M. Budget message for entire budget read by City Manager Jim Thomas. There were no questions or comments from the public.

Motion by DeMier, second by Callender to close the public hearing. Roll call vote: Willis, yes; Hays, yes; McSpadden, yes; DeMier, yes; Flanagan, yes; Callender, yes; Michael, yes; Kirtley, yes; and Savage, yes. Motion carried.

Public hearing closed at 6:22 P.M.

ADJOURNMENT

Motion by Kirtley second by Willis to adjourn. Roll call vote: Willis, yes; Hays, yes; McSpadden, yes; DeMier, yes; Flanagan, yes; Callender, yes; Michael, yes; Kirtley, yes; and Savage, yes. Motion carried.

Meeting adjourned at 6:22 P.M.



Sarah Sharp
City Clerk

**Minutes of Claremore Public Works Authority Regular Meeting
Council Chambers, City Hall, 104 S. Muskogee Ave.
Claremore, Oklahoma May 07, 2018**

CALL TO ORDER

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

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

Present Terry Willis, Ken Hays, Herb McSpadden, Bill Flanagan,
Brian Callender Justin Michael, Susan Kirtley, Scott Savage

Absent: Will DeMier

Staff Present: Jim Thomas, Jonah Humes, Bryan Drummond, Sarah Sharp,
Sheena Riley, Ashley Hickman, Garrett Ball, Sean Douglas,
Tim White, Dale Williams, Jill Ferenc, Suzan Maloy, Daryl Golbek,
Greg Shelby

ACCEPTANCE OF THE AGENDA

Motion by Hays, second by McSpadden that the agenda for the regular CPWA meeting of May 07, 2018 be approved as written. Roll call vote: Willis, yes; Hays, yes; McSpadden, yes; DeMier, yes; Flanagan, yes; Callender, yes; Michael, 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 April 16, 2018.

(b) All claims as printed.

(c) Approval of ODEQ Permit No. WL 000066180181 for the construction of 1,422 linear feet of eight (8) inch PVC potable water line and all appurtenances to serve the West Lowry Road Project. (Garrett Ball)

Motion by Hays, second by McSpadden to approve the consent items as listed.

Roll call vote: Willis, yes; Hays, yes; McSpadden, yes; DeMier, yes; Flanagan, yes; Callender, yes; Michael, yes; Kirtley, yes; and Savage, yes. Motion carried.

(2) Discussion and vote to Approve/Reject to advertise holding a Public Hearing to discuss the fiscal year 2018-2019 CPWA budget. The discussion may include prioritization of capital and other projects, personnel and labor costs and priorities, anticipated revenues, expenses, and other matters related to approval of budget for the 2018- 2019 fiscal year. (Jim Thomas/ Suzan Maloy)

Motion by DeMier, second by Kirtley to approve opening the public hearing. Roll call vote: Willis, yes; Hays, yes; McSpadden, yes; DeMier, yes; Flanagan, yes; Callender, yes; Michael, yes; Kirtley, yes; and Savage, yes. Motion carried.

Public hearing opened at 6:25 P.M. Thomas highlighted departments and key projects for the coming fiscal year. There were no public comments or questions.

Motion by Savage, second by Hays to close the public hearing. Roll call vote: Willis, yes; Hays, yes; McSpadden, yes; DeMier, yes; Flanagan, yes; Callender, yes; Michael, yes; Kirtley, yes; and Savage, yes. Motion carried.

Public hearing closed at 6:28 P.M.

(3) Discussion and vote to Approve/Reject entering into a contract with Amec Foster Wheeler (Wood PLC) for Task Order #1 for assessment of Claremore Lake Dam. (Garrett Ball)

Ball stated RFQ's were requested for these services. 4 firms responded, submissions were scored and the City entered into negotiations with Amec Foster Wheeler (Wood PLC). Task order #1 is in the amount of \$42,618. The last time the dam was properly evaluated was in the 1960's.

Motion by Kirtley, second by DeMier to approve the contract with Amec Foster Wheeler (Wood PLC) for Task Order #1 for assessment of Claremore Lake Dam in the amount of \$42,618. Roll call vote: Willis, yes; Hays, yes; McSpadden, yes; DeMier, yes; Flanagan, yes; Callender, yes; Michael, yes; Kirtley, yes; and Savage, yes. Motion carried.

ADJOURNMENT

Motion by Hays, second by Willis to adjourn. Roll call vote: Willis, yes; Hays, yes; McSpadden, yes; DeMier, yes; Flanagan, yes; Callender, yes; Michael, yes; Kirtley, yes; and Savage, yes. Motion carried.

Meeting adjourned at 6:31 P.M.

A handwritten signature in black ink that reads "Sarah Sharp". The signature is written in a cursive, flowing style.

Sarah Sharp
City Clerk

**Minutes of Claremore City Council Regular Meeting
Council Chambers, City Hall, 104 S. Muskogee Ave.
Claremore, Oklahoma May 07, 2018**

CALL TO ORDER

Meeting called to order Mayor Flanagan at 6:31 P.M.

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

Present Terry Willis, Ken Hays, Herb McSpadden, Bill Flanagan,
Brian Callender Justin Michael, Susan Kirtley, Scott Savage

Absent: Will DeMier

Staff Present: Jim Thomas, Jonah Humes, Bryan Drummond, Sarah Sharp,
Sheena Riley, Ashley Hickman, Garrett Ball, Sean Douglas,
Tim White, Dale Williams, Jill Ferenc, Suzan Maloy, Daryl Golbek,
Greg Shelby

ACCEPTANCE OF THE AGENDA

Motion by Hays, second by Willis that the agenda for the regular City Council meeting of May 07, 2018 be approved as written. Roll call vote: Willis, yes; Hays, yes; McSpadden, yes; DeMier, yes; Flanagan, yes; Callender, yes; Michael, yes; Kirtley, yes; and Savage, yes. Motion carried.

AWARDS, AND COMMUNICATIONS

None.

MAYOR'S REPORT & APPOINTMENTS

None.

STAFF REPORTS

Update on FEMA Hazard Mitigation Grant Acquisition Project (Archer Ct. & Robin Rd.) property. (Jill Ferenc)

The grant is funded 75% FEMA/25% City (in kind or cash). 3 properties on Archer Ct. and 4 on Robin Road will be purchased and demolished. Asbestos was found in the Archer Court properties, and property owner on Archer has accepted the offer for purchase. There are provisions in the grant to assist tenants relocate, and relocation offers will be made to the Archer Ct. tenants this week. All of the title work is complete. Engineering Department will be working on the drainage issue on Archer Ct.

Larry Hughes-

Hughes presented charts showing kilowatt usage compared year to year. Comparison as to what City is billed for by GRDA and what the City bills customers for were shown by fiscal year back to FY 13/14. In FY13/14 there was a loss (uncaptured revenue) was 10.10% and was 7.12% in FY 17/18. Hughes stated improvements made by the City like changing out lights to LED improves efficiencies and usage, as well as working to eliminate line loss and improve meter accuracy have all attributed to the decline.

CURRENT BUSINESS

(1) Approve/Reject the following consent items:

- (a) Minutes of the Regular Council Meeting on April 16, 2018.**
- (b) Minutes of the Special City Council Meeting on April 11, 2018.**
- (c) All claims as printed.**
- (d) Actual salary claims for pay period ending April 21, 2018 in the amount of \$463,299.31 and estimated salary claims to include contractual agreement 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.**
- (e) Approval of the 911 Quarterly Report.**
- (f) Acceptance of 7.5 foot wide electric easement from Piguet Family Limited Partnership and American S&C, LLC. (Jill Ferenc)**
- (g) Approval to advertise and solicit bids for asbestos abatement for up to seven structures as part of the FEMA Hazard Mitigation Grant (FEMA 4222-DR OK, Project #037). (Jill Ferenc)**
- (h) Review, Approval, and renewal of the 911 fee (Statutory Mandates O.S. § Title 63.58. D.) the governing body shall review and “establish the fee for the subsequent Year”. (Stan Brown)**
- (i) Discussion and vote to Approve/Reject the renewal of contract for dispatch services with NOETA. (Stan Brown)**

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

(2) Discussion and vote to Approve/Reject to advertise holding a Public Hearing to discuss the fiscal year 2018-2019 CCC budget. The discussion may include prioritization of capital and other projects, personnel and labor costs and priorities, anticipated revenues, expenses, and other matters related to approval of budget for the 2018- 2019 fiscal year. (Jim Thomas/ Suzan Maloy)

Motion by Hays, second by Willis to open the public hearing. Roll call vote: Willis, yes; Hays, yes; McSpadden, yes; DeMier, yes; Flanagan, yes; Callender, yes; Michael, yes; Kirtley, yes; and Savage, yes. Motion carried.

Public hearing was opened at 6:51 P.M. There were no public comments or questions.

Motion by DeMier, second by Hays to close the public hearing. Roll call vote: Willis, yes; Hays, yes; McSpadden, yes; DeMier, yes; Flanagan, yes; Callender, yes; Michael, yes; Kirtley, yes; and Savage, yes. Motion carried.

Public hearing closed at 6:52 P.M.

(3) Discussion and vote to Approve/Reject special exemption of Ordinance 132.05 to allow Claremore Public School to have a fireworks display at the conclusion of the High School Graduation Ceremony on May 18th, 2018, for a duration of 1-2 minutes. (Shawn Story)

Motion by Callender, second by Kirtley to approve the special exemption of Ordinance 132.05 to allow Claremore Public School to have a fireworks display at the conclusion of the High School Graduation Ceremony on May 18th, 2018, for a duration of 1-2 minutes. Roll call vote: Willis, yes; Hays, yes; McSpadden, yes; DeMier, yes; Flanagan, yes; Callender, yes; Michael, yes; Kirtley, yes; and Savage, yes. Motion carried.

(4) Discussion and vote to Approve/Reject Ordinance 2018-____, amending the Employee Retirement System, Defined Benefit Plan for the City of Claremore, Oklahoma; providing retirement benefits for eligible employees of the City of Claremore, Oklahoma; pertaining to plan options; pertaining to contributions by employees; providing for employer pickup of mandatory contributions; providing for repealer and severability. (Ashley Hickman)

Employees hired after 2010 have a much smaller contribution to their retirement than those hired before 2010. This change will make it retroactive to 2010 and will increase both the City and employee's contributions. This will not bring those employees to the same pre-2010 level, but will be a step in the right direction and the intent is to gradually bring all employees to the same AAA plan.

Motion by Savage, second by Kirtley to approve Ordinance 2018- 9, amending the Employee Retirement System, Defined Benefit Plan for the City of Claremore, Oklahoma; providing retirement benefits for eligible employees of the City of Claremore, Oklahoma; pertaining to plan options; pertaining to contributions by employees; providing for employer pickup of mandatory contributions; providing for repealer and severability. Roll call vote: Willis, yes; Hays, yes; McSpadden, yes; DeMier, yes; Flanagan, yes; Callender, yes; Michael, yes; Kirtley, yes; and Savage, yes. Motion carried.

**(5) Discussion and vote to Approve/Reject Termination of “AGREEMENT” between City of Claremore and Pafford Ambulance.
(Jim Thomas/ Stan Brown/ Sean Douglas)**

Brown stated the agreement was entered into back in 2007 and renewed in 2012. The City currently pays \$1,067.00 a month to Pafford for dispatching services. Dispatch services for the City of Claremore have been moved to the E911 center, along with all E911 funding. Funding stream no longer exists for this payment to Pafford. Effective date will be July 1st. The contract requires 30 days notice.

Motion by Willis, second by Callender to approve termination of “AGREEMENT” between City of Claremore and Pafford Ambulance, effective June 30, 2018. Roll call vote: Willis, yes; Hays, yes; McSpadden, yes; DeMier, yes; Flanagan, yes; Callender, yes; Michael, yes; Kirtley, yes; and Savage, yes. Motion carried.

(6) Discussion and vote to Approve/Reject Change order #1 for Country Club Road improvements. (Garrett Ball)

Ball Stated some items were not included in the bid schedule, some items are to speed construction and improve life span of roadway, and some items were unforeseen and need to be addressed. Total of the Change Order is \$60,306.20. There is adequate funding to cover the increase.

Motion by Hays, second by Kirtley to approve Change order #1 for Country Club Road improvements. Roll call vote: Willis, yes; Hays, yes; McSpadden, yes; DeMier, yes; Flanagan, yes; Callender, yes; Michael, yes; Kirtley, yes; and Savage, yes. Motion carried.

**(7) Discussion and vote to Approve/Reject Ordinance # 2018-___, amending Section 110.43 of Chapter 110 of the Ordinance of the City of Claremore regarding drinking in public, adding Stampede Park as a named public place in which the prohibition in division A of this section shall not apply to a person of lawful age.
(Tanya Andrews)**

Stampede Park was annexed into the City earlier in the year, so property will now have to comply with City beverage ordinances. This change will allow them to sell non-intoxicating liquor on premises.

Councilman Hays read a prepared statement, saying he cannot support the change due to his personal convictions.

Motion by DeMier, second by Michael to approve Ordinance # 2018-10, amending Section 110.43 of Chapter 110 of the Ordinance of the City of Claremore regarding drinking in public, adding Stampede Park as a named public place in which the prohibition in division A of this section shall not apply to a person of lawful age. Roll call vote: Willis, yes; Hays, no; McSpadden, yes; DeMier, yes; Flanagan, yes; Callender, yes; Michael, yes; Kirtley, yes; and Savage, yes. Motion carried.

**(8) Discussion and vote to Approve/Reject Emergency Clause relating to item #7.
(Tanya Andrews)**

Motion by DeMier, second by Michael to approve the emergency clause relating to Ordinance 2018-10. Roll call vote: Willis, yes; Hays, yes; McSpadden, yes; DeMier, yes; Flanagan, yes; Callender, yes; Michael, yes; Kirtley, yes; and Savage, yes. Motion carried.

(9) Discussion and vote to Approve/Reject request to award the bid and approve execution of contract documents for the 2017 CDGB Grant Sidewalk Project # 17028 to the lower bidder, Stronghand, LLC at a Base Bid of \$88,642.25 with Add Alternate #1 at \$46,827.10 and Add Alternate #2 at \$31,166.70 for a total of \$166,636.55 (Jill Ferenc/ Andy Armstrong)

Motion by Willis, second by Hays to approve request to award the bid and approve execution of contract documents for the 2017 CDGB Grant Sidewalk Project # 17028 to the lower bidder, Stronghand, LLC at a Base Bid of \$88,642.25 with Add Alternate #1 at \$46,827.10 and Add Alternate #2 at \$31,166.70 for a total of \$166,636.55. Roll call vote: Willis, yes; Hays, yes; McSpadden, yes; DeMier, yes; Flanagan, yes; Callender, yes; Michael, yes; Kirtley, yes; and Savage, yes. Motion carried.

(10) Discussion and vote to Approve/Reject amendment to agreement between the City of Claremore and Meshek & Associates, LLC for consulting and project services for the FEMA Hazard Mitigation Grant Program for voluntary acquisition project. (Jill Ferenc)

The amendment included changes for the asbestos found in Archer Ct. properties. Amendment is a \$15,000 increase, which is a 75% reimbursable expense under the FEMA Grant.

Motion by Willis, second by DeMier to approve amendment to agreement between the City of Claremore and Meshek & Associates, LLC for consulting and project services for the FEMA Hazard Mitigation Grant Program for voluntary acquisition project. Roll call vote: Willis, yes; Hays, yes; McSpadden, yes; DeMier, yes; Flanagan, yes; Callender, yes; Michael, yes; Kirtley, yes; and Savage, yes. Motion carried.

EXECUTIVE SESSION

(1) Approve/reject entering into executive session to discuss the following item:

(A) Proposed executive session for the purpose of confidential communications between the City of Claremore and its attorney(s) concerning the lawsuit entitled Shelly R. Taylor, f/k/a Shelly R. Madison vs. City of Claremore; James Thomas; and Tulsa Federal Credit Union, Rogers County District Court Case No. CJ-2018-169, the City having been advised by it attorney(s) that disclosure of communications regarding this matter would seriously impair the ability of the City to conduct the litigation in the public interest, pursuant to OKLA. STAT. tit. 25, § 307 (B) (4).

Motion by Willis, second by Hays to approve entering into executive session to discuss item (A). Roll call vote: Willis, yes; Hays, yes; McSpadden, yes; DeMier, yes; Flanagan, yes; Callender, yes; Michael, yes; Kirtley, yes; and Savage, yes. Motion carried.

Council entered executive session at 7:21 P.M.

Council exited executive session at 7:58 P.M.

(2) Vote to acknowledge return to regular session.

Motion by Kirtley, second by McSpadden to acknowledge return to open session. Roll call vote: Willis, yes; Hays, yes; McSpadden, yes; DeMier, yes; Flanagan, yes; Callender, yes; Michael, yes; Kirtley, yes; and Savage, yes. Motion carried.

(3) Statement of executive session minutes.

Statement of executive session minutes was read by Attorney Bryan Drummond: While in executive session, council met for the purpose of confidential communications between the City of Claremore and its attorney(s) concerning the lawsuit entitled Shelly R. Taylor, f/k/a Shelly R. Madison vs. City of Claremore; James Thomas; and Tulsa Federal Credit Union, Rogers County District Court Case No. CJ-2018-169, the City having been advise by it attorney(s) that disclosure of communications regarding this matter would seriously impair the ability of the City to conduct the litigation in the public interest, pursuant to OKLA. STAT. tit. 25, § 307 (B) (4). All members of council were

present, along with the City Manager, Assistant to the City Manager, Police Chief, City Attorney, and Thomas LeBlanc; attorney for litigation in this matter. No other matters were discussed, no votes were cast and no decisions were made.

ADJOURNMENT

Motion by DeMier, second by Willis to adjourn. Roll call vote: Willis, yes; Hays, yes; McSpadden, yes; DeMier, yes; Flanagan, yes; Callender, yes; Michael, yes; Kirtley, yes; and Savage, yes. Motion carried.

Meeting adjourned at 8:01 P.M.

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

Sarah Sharp
City Clerk