

MINUTES OF CLAREMORE PUBLIC WORKS AUTHORITY MEETING
COUNCIL CHAMBERS, CITY HALL, 104 S. MUSKOGEE,
CLAREMORE, OKLAHOMA JUNE 15, 2009

CALL TO ORDER

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

ROLL CALL

Nan Pope called roll. The following were:

Present: Brant Shallenburger, Don Myers, Buddy Robertson,
Tony Mullenger, Flo Guthrie, Mick Webber, Terry
Chase, Tom Lehman, Paula Watson

Absent: None

Staff Present: Troy Powell, Nan Pope, Randy Elliott, Matt
Mueller, Tim Miller, Chris Cochran, Phil
Stowell, Daryl Golbek, Mickey Perry, Mark
Dowler, Joe Perez, Cody Melton, Matt Wild, Joe
Kays, Cole, Alisha

Pledge of Allegiance by all.

ACCEPTANCE OF AGENDA

Motion by Mullenger, second by Lehman that the agenda for the
regular CPWA meeting of June 15, 2009, be approved as written.
9 yes, Mullenger, Lehman, Myers, Robertson, Guthrie,
Shallenburger, Webber, Chase, Watson.

ITEMS UNFORESEEN AT THE TIME AGENDA WAS POSTED

None

CURRENT BUSINESS

Motion by Mullenger, second by Guthrie to approve the following
consent items:

- (a) Minutes of Claremore Public Works Authority meeting
on June 01, 2009, as printed.
- (b) All claims as printed.
- (c) Approve soliciting bids for construction of
wastewater treatment plant improvements. **(Tim Miller
/Janet Donnelly)**

9 yes, Mullenger, Guthrie, Robertson, Shallenburger, Webber,
Chase, Lehman, Watson, Myers.

ADJOURN

Motion by Mullenger, second by Lehman to adjourn. 9 yes,
Mullenger, Lehman, Guthrie, Shallenburger, Webber, Chase,
Watson, Myers, Robertson.

Meeting adjourned at **6:02 P.M.**

**MINUTES OF CLAREMORE CULTURAL DEVELOPMENT AUTHORITY MEETING
COUNCIL CHAMBERS, CITY HALL, 104 S. MUSKOGEE,
CLAREMORE, OKLAHOMA JUNE 15, 2009**

CALL TO ORDER

Meeting called to order by Mayor Brant Shallenburger at
6:02 P.M.

ROLL CALL

Mayor Shallenburger asked Nan Pope to note that members are present/absent as indicated below:

Present: Brant Shallenburger, Don Myers, Buddy Robertson, Tony Mullenger, Flo Guthrie, Mick Webber, Terry Chase, Tom Lehman, Paula Watson

Absent: None

Staff Present: Troy Powell, Nan Pope, Randy Elliott, Matt Mueller, Tim Miller, Chris Cochran, Phil Stowell, Daryl Golbek, Mickey Perry, Mark Dowler, Joe Perez, Cody Melton, Matt Wild, Joe Kays, Cole, Alisha

ACCEPTANCE OF AGENDA

Motion by Mullenger, second by Guthrie that the agenda for the regular CCDA meeting of June 15, 2009, be approved as written. 9 yes, Mullenger, Guthrie, Shallenburger, Webber, Chase, Lehman, Watson, Robertson, Myers.

ITEMS UNFORESEEN AT THE TIME AGENDA WAS POSTED

None

CURRENT BUSINESS

Motion by Mullenger, second by Guthrie that the CCDA approve the following consent items:

- (a)** Minutes of Claremore Cultural Development Authority meeting on June 01, 2009, as printed.
- (b)** All claims as printed.

9 yes, Mullenger, Guthrie, Shallenburger, Webber, Chase, Lehman, Watson, Myers, Robertson.

ADJOURNMENT

Motion by Mullenger, second by Guthrie to adjourn. 9 yes, Mullenger, Guthrie, Webber, Chase, Lehman, Watson, Myers, Robertson, Shallenburger.

Meeting adjourned at **6:04 P.M.**

**MINUTES OF REGULAR COUNCIL MEETING
COUNCIL CHAMBERS, CITY HALL, 104 S. MUSKOGEE,
CLAREMORE, OKLAHOMA JUNE 15, 2009**

CALL TO ORDER

Meeting called to order by Mayor Brant Shallenburger at
6:04 P.M.

ROLL CALL

Mayor Shallenburger asked Nan Pope to note that members are present/absent as indicated below:

Present: Brant Shallenburger, Don Myers, Buddy Robertson, Tony Mullenger, Flo Guthrie, Mick Webber, Terry Chase, Tom Lehman, Paula Watson

Absent: None

Staff Present: Troy Powell, Nan Pope, Randy Elliott, Matt Mueller, Tim Miller, Chris Cochran, Phil Stowell, Daryl Golbek, Mickey Perry, Mark Dowler, Joe Perez, Cody Melton, Matt Wild, Joe Kays, Cole, Alisha

ACCEPTANCE OF AGENDA

Motion by Mullenger, second by Guthrie that the agenda for the regular council meeting of June 15, 2009 be approved as written. 9 yes, Mullenger, Guthrie, Chase, Lehman, Watson, Myers, Robertson, Shallenburger, Webber.

ITEMS UNFORESEEN AT THE TIME AGENDA WAS POSTED

None

AWARDS, PRESENTATIONS, AND COMMUNICATIONS

Phil Stowell - Recognition and presentation to Fred & Sherry Ellison, 1101 W. 19th Street and Abby Overstreet Advanced Vision Center, 860 South Lynn Riggs Blvd., recipients of Care More for Claremore's properties of the month for improvement on aesthetic value of neighborhood.

Mark Dowler -Recognition and presentation of Chief's Leadership Award to Dr. Jack Morgan, D.O.

CALL TO THE PUBLIC

None

MAYOR'S REPORT & APPOINTMENTS

None

STAFF REPORTS

Troy Powell - Public Works - go out for bid - Wastewater Treatment Plant - next step
City received \$980,000 from FEMA - ice storm reimbursement

CURRENT BUSINESS

Motion by Mullenger, second by Guthrie to approve the following consent items:

- (a) Minutes of Regular Council meeting on June 01, 2009, as printed.
- (b) Minutes of Special Council meeting on June 01, 2009, as printed.
- (c) Minutes of Special Council meeting on May 26, 2009, as printed.
- (d) All claims as printed.
- (e) Actual salary claims for pay period ending May 30, 2009 in the amount of \$380,457.33 and estimated salary claims for next pay period in the amount of \$500,000.
- (f) Accept bid for yearly pest control service from Erwin's Affordable Pest Control in the amount of \$6,595. **(Nan Pope)**
- (g) Accept bid for Police Department roof replacement from McGill Roofing in the amount of \$36,794. **(Mickey Perry)**
- (h) Approve renewal for 2009/2010 Worker's Compensation Insurance from Oklahoma Municipal Assurance Group **(OMAG)** in the amount of \$447,291.80 **(Matt Mueller)**
- (i) Accept a 15 foot wide electric line easement from Rodney S. Wilson for purpose of constructing a new business (abutting State Highway 88 Right-of-Way. **(Chris Cochran/Tim Miller)**
- (j) Approve contract with Western Enterprises, Inc. for 7-3-09 fireworks display and approve 30% down payment in the amount of \$6,000. Total contract price \$20,000. **(Nan Pope)**
- (k) Approve/Reject Amendment to Task Order #6 for continued services with Tri-State Engineering (TSE) including a Task Order #6 to provide City Engineering and Development Services - this contract extension is for 12 months to June 30, 2010. **(Chris Cochran/Tri-State Engineering)**

9 yes, Mullenger, Guthrie, Lehman, Watson, Myers, Robertson, Shallenburger, Webber, Chase.

Motion by Shallenburger, second by Mullenger to approve conducting a Public Hearing to receive recommendations on community development needs within the City. 9 yes, Shallenburger, Mullenger, Watson, Myers, Robertson, Guthrie, Webber, Chase, Lehman.

Andy Armstrong, INCOG, presented a map of areas that will have sewer work done.

No one spoke against project.

Motion by Mullenger, second by Guthrie to close Public Hearing.
9 yes, Mullenger, Guthrie, Myers, Robertson, Shallenburger,
Webber, Chase, Lehman, Watson. **TIME: 6:15 P.M.**

Chase - anyone met with them?

Tim Miller -I met with every RWD - RWD answer:
we're not happy, but we understand

Chase - Will be re-evaluated every year?

Tim Miller - yes

Webber - 60 days written notice to RWD?

Tim Miller - yes

Motion by Mullenger, second by Lehman to adopt **Ordinance #2009-12** amending Title 5, Chapter 53, Section 53.05 of the Code of Ordinances of the City of Claremore, Oklahoma regarding the charges to rural water districts for water service, repealing ordinances in conflict herewith and providing for severability - new rate is \$3.48/1,000 gallons. 9 yes, Mullenger, Lehman, Robertson, Guthrie, Shallenburger, Webber, Chase, Watson, Myers.

Cochran said on 6-2-09 - the Planning Commission heard the request to close a portion of alleyway in the following in the following ordinance.

Motion by Webber, second by Mullenger to adopt **Ordinance #2009-13** closing a portion of an alleyway that is part of Block 18, "Claremore OT", an addition to the City of Claremore, Rogers County, State of Oklahoma, according to the recorded plat thereof, said tract containing 700 square feet or 0.02 acres +/- . Relocate existing Braum's on N. Hwy 66. 9 yes, Webber, Mullenger, Guthrie, Shallenburger, Chase, Lehman, Watson, Myers, Robertson.

Troy - time line on construction

Chris Cochran - they are ready

Chase - what will happen to their current Braum's location on N. Hwy 66?

Troy - they may tear down and use lot for something.

Motion by Webber, second by Mullenger to adopt **Ordinance #2009-14** changing the zoning of two parcels of land in Block 18 of the Original Plat of the City of Claremore, Oklahoma and being a part of Section 9, Township 21 North, Range 16 East of the I.B. & M., Rogers County, State of Oklahoma, from **RS-3 (Residential Single-Family High Density District)** to **CS (Commercial Shopping Center District)** and directing the appropriate amendment to the zoning map of the City of Claremore, Oklahoma - Location 901 and 923 Missouri (Braum's

North). 9 yes, Webber, Mullenger, Guthrie, Shallenburger, Chase, Lehman, Watson, Myers, Robertson.

Mullenger - wants it on record his feelings about this neighborhood verses duplex

Randy Elliott - I want you to understand that if you approve ordinance it allows the duplex to be built - approving it equals overturning the decision of Planning Commission.

Motion by Myers, second by Robertson to adopt **Ordinance #2009-_____** changing the zoning of a parcel of land in Block 3 of Park Boulevard Acreage Addition of the City of Claremore, Oklahoma and being a part of Section 9, Township 21 North, Range 16 East of the I.B.&M., Rogers County, State of 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 - property location - 101 E. 13th Pl. **(This Ordinance is an appeal to overturn Planning Commissions Denial of Zoning Change on April 21, 2009)** 4 yes, Myers, Robertson, Watson, Guthrie. 5 no, Shallenburger, Webber, Chase, Lehman, Mullenger.

Motion failed.

Motion by Mullenger, second by Guthrie to adopt **Ordinance #2009-15** amending the Comprehensive Zoning Ordinance of the City of Claremore, by amending Section 1501, entitled "Use Unit 1. Area-Wide Uses By Right," to provide for and regulate community gardens; amending Section 2101, entitled "Definitions," by adding a new definition for the term "Community Garden"; and amending Appendix "B" entitled "Index of Land Uses," to add "Community Garden" to the listing of Land Uses. 9 yes, Mullenger, Guthrie, Webber, Chase, Lehman, Watson, Myers, Robertson, Shallenburger.

Motion by Mullenger, second by Lehman to adopt **Ordinance #2009-16** amending Title 9, Chapter 101, Section 101.12 of the Claremore Municipal Code regarding residue from car washing not to drain onto street - (Commercial, Industrial or Municipal Vehicles & Equipment). 9 yes, Mullenger, Lehman, Chase, Watson, Myers, Robertson, Guthrie, Shallenburger, Webber.

The following **four (4)** items were pulled from agenda:

Approve/Reject Agreement between the City of Claremore and TranSystems for the Environmental Assessment Services concerning the Burlington Northern/SantaFe Separation project - \$138,950 to be reimbursed by ODOT. **(Chris Cochran)**

Discussion only - drainage improvements at Ne-Mar Shopping Center. **(Chris Cochran/Troy Powell)**

Discussion only - an ordinance amending Title 5, Chapter 52, Section 52.215 of the Code of Ordinances of the City of Claremore, Oklahoma adding a stormwater management fee,

repealing ordinances in conflict herewith and providing for severability -new rates as follows: Residential \$2.00 - Small Commercial \$20.00 - Large Commercial/Industrial \$50.00. **(Tim Miller)**

Discussion only - an ordinance amending Title 5, Chapter 53, Section 53.05 of the Code of Ordinances of the City of Claremore, Oklahoma regarding the charges for water service, repealing ordinances in conflict herewith and providing for severability - new rates as follows:

0-3,000 gallons = \$6.50

Over 3,000 gallons = \$4.44 per thousand

(Tim Miller)

EXECUTIVE SESSION

This item was pulled from agenda.

Vote to go into executive session to discuss Police 2009/2010 contract. 25 O.S. Section 307 B.2.

ADJOURN

Motion by Mullenger, second by Guthrie to adjourn. 9 yes, Mullenger, Guthrie, Myers, Robertson, Shallenburger, Webber, Chase, Lehman, Watson.

Meeting adjourned at **6:45 P.M.**

MINUTES OF SPECIAL COUNCIL MEETING COUNCIL CHAMBERS, CITY HALL, 104 S. MUSKOGEE, CLAREMORE, OKLAHOMA JUNE 10, 2009

Meeting called to order by Mayor Brant Shallenburger at **4:03 P.M.**

ROLL CALL

Nan Pope called roll. The following were:

Present: Brant Shallenburger, Don Myers, Flo Guthrie, Tom Lehman, Paula Watson

Absent: Buddy Robertson, Tony Mullenger, Mick Webber, Terry Chase

Staff Present: Troy Powell, Nan Pope, Randy Elliott, Matt Mueller, Ruby Maline, Tim Miller, Daryl Golbek, Jeff and Ron Kolker, Phil Stowell, Joe Kays, Joe Perez, Jeremy Ledbetter

Motion by Guthrie, second by Lehman to conduct a Public Hearing for the 2009/2010 City of Claremore Budget. 5 yes, Guthrie, Lehman, Myers, Shallenburger, Watson.

Troy Powell presented budget.

No one spoke against budget.

Motion by Guthrie, second by Lehman to close Public Hearing. 5 yes, Guthrie, Lehman, Shallenburger, Watson, Myers.

Motion by Guthrie, second by Watson to adopt **Resolution #2009-04** adopting the City of Claremore Budget for the Fiscal Year 2009/2010 and directing that said budget be transmitted to the State Auditor and Inspector's office. 5 yes, Guthrie, Watson, Myers, Shallenburger, Lehman.

Motion by Guthrie, second by Lehman to adopt **Resolution #2009-05** adopting the City of Claremore Five Year Capital Program for the Fiscal Year 2009/2010. 5 yes, Guthrie, Lehman, Myers, Shallenburger, Watson.

Motion by Myers, second by Guthrie to adjourn. 5 yes, Myers, Guthrie, Lehman, Watson, Shallenburger.

Meeting adjourned at 4:08 P.M.

Mullenger arrived at 4:08 P.M. after motion to adjourn.