

Minutes of Claremore Public Works Authority Meeting
Council Chambers, City Hall, 104 S. Muskogee,
Claremore, Oklahoma August 03, 2009

CALL TO ORDER

Meeting called to order by Mayor Brant Shallenburger at
6:05 P.M.

ROLL CALL

Nan Pope called roll. The following were:

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

Absent: Don Myers, Mick Webber

Staff Present: Troy Powell, Matt Mueller, Nan Pope, Randy Elliott, Tim Miller, Ruby Maline, Mark Dowler, Chris Cochran, Joe Perez, Mickey Perry, Cassie Sowers, Phil Stowell, Cole Stout, Cody

Pledge of Allegiance by all.

ACCEPTANCE OF AGENDA

Motion by Mullenger, second by Guthrie that the agenda for the regular CPWA meeting of August 03, 2009, be approved as written. 7 yes, Mullenger, Guthrie, Robertson, Shallenburger, Chase, Lehman, 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 July 20, 2009, as printed.
- (b) All claims as printed.

7 yes, Mullenger, Guthrie, Robertson, Shallenburger, Chase, Lehman, Watson.

ADJOURN

Motion by Mullenger, second by Guthrie to adjourn. 7 yes, Mullenger, Guthrie, Shallenburger, Chase, Lehman, Watson, Robertson.

Meeting adjourned at **6:08 P.M.**

**Minutes of Claremore Cultural Development Authority Meeting
Council Chambers, City Hall, 104 S. Muskogee,
Claremore, Oklahoma August 03, 2009**

CALL TO ORDER

Meeting called to order by Mayor Brant Shallenburger at
6:08 P.M.

ROLL CALL

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

Nan Pope called roll. The following were:

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

Absent: Don Myers, Mick Webber

Staff Present: Troy Powell, Matt Mueller, Nan Pope, Randy Elliott, Tim Miller, Ruby Maline, Mark Dowler, Chris Cochran, Joe Perez, Mickey Perry, Cassie Sowers, Phil Stowell, Cole Stout, Cody

ACCEPTANCE OF AGENDA

Motion by Mullenger, second by Guthrie that the agenda for the regular CCDA meeting of August 03, 2009, be approved as written. 7 yes, Mullenger, Guthrie, Shallenburger, Chase, Lehman, Watson, Robertson.

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 July 20, 2009, as printed.
- (b) All claims as printed.

7 yes, Mullenger, Guthrie, Shallenburger, Chase, Lehman, Watson, Robertson.

ADJOURNMENT

Motion by Mullenger, second by Guthrie to adjourn. 7 yes, Mullenger, Guthrie, Chase, Lehman, Watson, Robertson, Shallenburger.

Meeting adjourned at **6:09 P.M.**

**Minutes of Regular Council Meeting
Council Chambers, City Hall, 104 S. Muskogee,
Claremore, Oklahoma August 03, 2009**

CALL TO ORDER

Meeting called to order by Mayor Brant Shallenburger at
6:09 P.M.

ROLL CALL

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

Nan Pope called roll. The following were:

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

Absent: Don Myers, Mick Webber

Staff Present: Troy Powell, Matt Mueller, Nan Pope, Randy Elliott, Tim Miller, Ruby Maline, Mark Dowler, Chris Cochran, Joe Perez, Mickey Perry, Cassie Sowers, Phil Stowell, Cole Stout, Cody

ACCEPTANCE OF AGENDA

Motion by Mullenger, second by Guthrie that the agenda for the regular council meeting of August 03, 2009 be approved as written. 7 yes, Mullenger, Guthrie, Chase, Lehman, Watson, Robertson, Shallenburger.

ITEMS UNFORESEEN AT THE TIME AGENDA WAS POSTED

None

AWARDS, PRESENTATIONS, AND COMMUNICATIONS

None

CALL TO THE PUBLIC

John Fleak, 918 Pecan Lane - Cat Creek Lift Station - questions from self and neighbors - what is rehabilitation? - Area south of Ramm Road - Country Club - Reavis - some houses are in flood plain, some are not - will drainage flow more properly behind - (get copy of flood plain map)

Josh Fellman, 18302 4190 Road - current code - garage sale signs - unsightly - myself - enjoy hunting for garage sales on weekend - date - address - fine if not picked up

MAYOR'S REPORT & APPOINTMENTS

None

STAFF REPORTS

City Attorney Randall Elliott - Executive session tonight will deal with Majestic only.

CURRENT BUSINESS

Consent item (e) - Terry Chase wants to be a part of

Consent item (g) - Troy - item is wastewater treatment plant drainage study - we are discussing tonight - wont affect your flood plain

Troy - Consent item (i) requested I hold off - we cant raise ours and theres issue - rep for rural water will have on next agenda

Chase - if we charge Claremore 1 - could not charge more than 1 to rural water dist.

Consent item (i) - Lehman - why

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

- (a) Minutes of Regular Council meeting on July 20, 2009, as printed.
- (b) All claims as printed.
- (c) Actual salary claims for pay period ending **July 11, 2009** in the amount of **\$395,631.95** and estimated salary claims for next pay period in the amount of **\$500,000**.
- (d) Approve request by Chief Perry to continue (E-911) telephone fees at same rate as last year. **(Mickey Perry)**
- (e) Approve soliciting RFQ's for professional services for the design of a new roof for the City of Claremore Will Rogers Library. **(Chris Cochran)**
- (f) Approve contribution refund to **Rick Allen Barnes** from Oklahoma Municipal Retirement Fund (OMRF) **(Ruby Maline)**
- (g) Approve notation in minutes of receipt of ODEQ Permit No.ST000066090343 - for expanding the wastewater treatment plant capacity to 3.5 million gallons per day by constructing new headworks, one (1) primary clarifier, rehabilitating trickling filters, two (2) aeration basins, rehabilitating Cat Creek lift station, one (1) secondary clarifier, one (1) primary sludge gravity thickener, one (1) secondary sludge gravity thickener, one (1) thickened sludge blend tank, one (1) RAS/WAS lift station, expanding the recirculation lift station, one (1) aerobic digester, emergency power generators, one (1) combination belt filter press/gravity belt thickner and all appurtenances to serve the City of Claremore, Rogers County, Oklahoma - ODEQ approved June 29, 2009. **(Troy Powell)**

- (h) Approve Renewal of Agreement between the City of Claremore and Claremore Industrial and Economic Development Authority (CIEDA) for FY 2009/2010 Economic Development. (\$200,000 for operating expenses - plus a one time payment of a sum not to exceed \$150,000 to assist in the purchase of additional real property from Fleeger family. (Troy Powell/Randall Elliott)
- (i) Approval to delay rate implementation for 30 days on RWD water rate increase of \$3.45/1,000 gal. which was approved in Ordinance #2009-12 on June 15, 2009. (Tim Miller)
- (j) Approve First Amended Interlocal Agreement with surrounding communities regarding 911 system. (Mickey Perry)

7 yes, Mullenger, Guthrie, Lehman, Watson, Robertson, Shallenburger, Chase.

Brenda Vincent - [Tom Lehman]
need to appoint in Resolution

Each taxing entity - 7 representatives

Enterprise zone area
Historic area
Reinvestment area
Age of housing
Stagnant and usage

Financing for project area - improve public buildings
Advalorem property tax (what we are considering)
(1) district gets designated
(2) Assessor - base assessed value - general levy tax dollars - go to regular entities
(3) one year make improvements - to property tax dollars go to T.I.F.

School districts are historically the ones who resist this - used in majority of other states, has worked for years

Mullenger - not creating new taxes

Chase - beginning and end of tax money? 25 years

Chase - County lose money off this - no - BV
Do they have to approve?
City is sole approver - BV

Long term lease purchase (Powell/Chase) yes - Tim Hight
4 school districts
5
6
(1) member planning
(2) member council
(3) 3 members of public at large

Motion by Mullenger, second by Guthrie to adopt **Resolution #2009-09** authorizing and directing development of a proposed project plan for consideration by the Council to create Claremore Tax Increment District Number One (1) of the City of Claremore, Oklahoma due to the stagnant and deteriorated conditions of Industrial and Commercial properties within Claremore to be more fully set out in the development of a project plan delegated herein; authorizing and directing creation of the City of Claremore review committee number one (1) for purposes of review of said project plan. 7 yes, Mullenger, Guthrie, Watson, Robertson, Shallenburger, Chase, Lehman.

Traffic Signalization - ODOT - Sept 2009

Mullenger - budgeted items? yes

Money there - yes

Motion by Mullenger, second by Guthrie to approve ODOT Maintenance Agreement for ODOT Project #HSIPY-166C(189)TR, JP#23715(04) Traffic Signals at intersections of SH-66 (Lynn Riggs Blvd.) at Will Rogers Blvd., Patti Page Blvd. (SH-20), and SH-88 (First Street) in the City of Claremore, Rogers County. - ODOT share 75% of project and City share 25%. - total City share \$275,859.42. 7 yes, Mullenger, Guthrie, Robertson, Shallenburger, Chase, Lehman, Watson.

Motion by Mullenger, second by Guthrie to adopt **Resolution #2009-10** concerning Agreement for Project Number HSIPY-166C(189)TR, JP#23715(04) by and between the City of Claremore and the Oklahoma Department of Transportation. 7 yes, Mullenger, Guthrie, Robertson, Shallenburger, Chase, Lehman, Watson.

Motion by Mullenger, second by Guthrie to adopt **Ordinance #2009-17** enacting and adopting a supplement to the Code of Ordinances for the City of Claremore, State of Oklahoma - (American Legal Publishing Corp. - codification of ordinance book) -\$2,324.56. 7 yes, Mullenger, Guthrie, Shallenburger, Chase, Lehman, Watson, Robertson.

Troy - Our recommended scope of services Option 2, Phase 1 & 2 = \$243,600 will take one year

Chase - how long engineering?

Troy - discussed at last meeting - any savings doing both at same time - dollar used not really - time wise - yes - projects we would get sooner

Ordinance drainage studies from past - too old to use - large detention ponds - flows in town - with development, FEMA flood plain.

Motion by Mullenger, second by Guthrie to approve scope of services proposed from Meshek and Associates for the City of Claremore Comprehensive Stormwater Management Program, Scope of services Option 2, Phase 1 & 2 = \$243,600.

7 yes, Mullenger, Guthrie, Shallenburger, Chase, Lehman, Watson, Robertson.

EXECUTIVE SESSION

The following items were removed from executive session - not discussed at this meeting:

- (a) Police 2009/2010 contract. 25 O.S. Section 307 B.2.
- (b) Confidential communications between a public body and its attorney concerning a pending investigation, claim, or action if the public body, with the advice of its attorney, determines that disclosure will seriously impair the ability of the public body to process the claim or conduct a pending investigation, litigation, or processing in the public interest - Auditors Archambo & Mueggenborg. 25 O.S. Section 307 B.4.

Motion by Mullenger, second by Guthrie to approve going into executive session to discuss the following items:

- (c) Confidential communication with legal counsel regarding the following litigation the disclosure of which would seriously impair the ability of the City of Claremore to conduct the appropriate defense of said litigation (25 O.S. Section 307 (B) (4):

CJ-2006-165 City of Claremore v. Majestic Marble - District Court Rogers County

7 yes, Mullenger, Guthrie, Shallenburger, Chase, Lehman, Watson, Robertson. **TIME 6:50 P.M.**

Council came out of executive session at 7:12 P.M.

Motion by Mullenger, second by Guthrie to return to regular session. 7 yes, Mullenger, Guthrie, Robertson, Shallenburger, Chase, Lehman, Watson.

No action taken on executive session item (c).

ADJOURN

Motion by Mullenger, second by Guthrie to adjourn. 7 yes, Mullenger, Guthrie, Lehman, Watson, Robertson, Shallenburger, Chase.

Meeting adjourned at **7:15 P.M.**

Minutes of Special Council Meeting
Council Chambers, City Hall, 104 S. Muskogee,
Claremore, Oklahoma August 03, 2009
7:15 P.M.

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

Absent: Don Myers, Mick Webber

Staff Present: Troy Powell, Nan Pope, Matt Mueller, Randy Elliott, Chris Cochran, Tim Miller, Joe Perez, Cody & Cole, Phil Stowell, Mark Dowler, Mickey Perry

Object of the meeting:

- (1) Council Retreat with Leonard Martin to update Council Strategic Plan
- (2) Agreement with CJS for website, CRM and marketing assistance
- (3) Wastewater Treatment Plant construction
- (4) Re-allocation of current sales tax
- (5) Water package plant discussion

Item 1 - Same cost as last year - \$7,500 for 3 days
Wednesday - Troy private interest Thursday - Friday - Council - General fund

Strategic Plan document

Chase - look at what we have created and look at it and see what we have done - what's left

Item 2 - pulled

Item 3 - WWTP - several million below estimate - good thing
Garver does not think low bidder (Atlas) is equipped to handle - bid not complete - technical and lack of experience
Garver - is recommending Garney and they are still less than engineer's estimate

Troy - we're on time frame and under budget

Item 4 - re-allocation of current sales tax election dates -

Item 5 - Package plant - statutes of limitations (package plant) - lay to rest one way or another going back in past

Item 6 - dump site - closed streamlining - no other firm operates one community clean up days willing to pay for service (lots of calls) on closing the fee dump site on Ramm Road
Troy - Cost is amazing - opening and charging for use
Community clean up days could be option - \$14,000

Chase - important to me - ethical standards for Council - expected to behave yourself - document and protect you - that

you aren't doing something wrong - services from city employees
- confirming gray areas

Lehman - very good idea

Meeting over at 7:40 P.M.