

**Minutes of Claremore Cultural Development Authority Meeting
Council Chambers, City Hall, 104 S. Muskogee,
Claremore, Oklahoma September 08, 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, Mick Webber, Terry Chase, Tom
Lehman, Paula Watson

Absent: Flo Guthrie

Staff Present: Troy Powell, Matt Mueller, Nan Pope, Randy
Elliott, Ruby Maline, Daryl Golbek, Mickey
Perry, Janet Donnelly, Joe Perez, Chris Cochran,
Phil Stowell, Tim Miller, Joyce Medlock

Pledge of Allegiance by all.

Invocation by Dave Mewbourne, First Assembly of God Church.

CALL TO THE PUBLIC

Harper Addition: Jamie - lock-down - is a detention center -
ceases to be a shelter when it's a lock-down facility - not
needed within 5 feet of someone's back yard - 0.2 miles to a
daycare

9688 - Clover Creek - Trish Berry - Perry Bickle Properties -
we need, but not at this location - rental would not appreciate

Lisa Hinkle - 124 E. 5th Street - she is disheartened at the
risk of elderly and young and not think of safety for those in
this neighborhood - we need a solution -like out in the county
- not in a residential area -right by our Expo -good clean -
safe - why would we put a shelter there - camping, chili
festival - detention center -neighborhood -we will have an
escape - who will be responsible for damage to neighborhood,
the City?

Marlow Hansen - 316 Ridgeview Dr. - you would take action if
you found this being put up in your back yard - there has to be
a better location - rural locations - downtown area -remote -
idea of concept - useless - if 100% safe, will still generate
fear - pleas find another location

Cheryl Melot - 1326 W Dupont St. - not against - needed in our
community - but not near families - told they were non violent
- 3 different counties - R.M.C. - counties - 75% property
owners signed a petition, we did not want this.

Steven Hinkle - 124 W 5th St. - was present at Board of Adjustment - 77% landowners signed and notarized - opposed to this shelter - according to prominent Claremore Attorney - any facility that houses juveniles is a lock-down facility - historically prisons are built rural - not in somebodies back yard.

ACCEPTANCE OF AGENDA

Motion by Mullenger, second by Lehman that the agenda for the regular CCDA meeting of September 08, 2009, be approved as written. 8 yes, Mullenger, Lehman, Myers, Robertson, Shallenburger, Webber, Chase, Watson.

ITEMS UNFORESEEN AT THE TIME AGENDA WAS POSTED

None

CURRENT BUSINESS

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

- (a) Minutes of Claremore Cultural Development Authority meeting on August 17, 2009, as printed.
- (b) All claims as printed.
- (c) Approve budget supplement to Expo Capital from Rogers County Fair Board in the amount of \$14,977.26.
(Mitch Louderback)

8 yes, Mullenger, Lehman, Robertson, Shallenburger, Webber, Chase, Watson, Myers.

ADJOURNMENT

Motion by Mullenger, second by Lehman to adjourn. 8 yes, Mullenger, Lehman, Shallenburger, Webber, Chase, Watson, Myers, Robertson.

Meeting adjourned at **6:24 P.M.**

**Minutes of Claremore Public Works Authority Meeting
Council Chambers, City Hall, 104 S. Muskogee,
Claremore, Oklahoma September 08, 2009**

CALL TO ORDER

Meeting called to order by Mayor Brant Shallenburger at **6:24 P.M.**

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, Don Myers, Buddy Robertson, Tony Mullenger, Mick Webber, Terry Chase, Tom Lehman, Paula Watson

Absent: Flo Guthrie

Staff Present: Troy Powell, Matt Mueller, Nan Pope, Randy Elliott, Ruby Maline, Daryl Golbek, Mickey Perry, Janet Donnelly, Joe Perez, Chris Cochran, Phil Stowell, Tim Miller, Joyce Medlock

ACCEPTANCE OF AGENDA

Motion by Mullenger, second by Lehman that the agenda for the regular CPWA meeting of September 08, 2009, be approved as written. 8 yes, Mullenger, Lehman, Shallenburger, Webber, Chase, Watson, Myers, Robertson.

ITEMS UNFORESEEN AT THE TIME AGENDA WAS POSTED

None

CURRENT BUSINESS

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

- (a) Minutes of Claremore Public Works Authority meeting on August 17, 2009, as printed.
- (b) All claims as printed.

8 yes, Mullenger, Lehman, Shallenburger, Webber, Chase, Watson, Myers, Robertson.

ADJOURN

Motion by Mullenger, second by Lehman to adjourn. 8 yes, Mullenger, Lehman, Webber, Chase, Watson, Myers, Robertson, Shallenburger.

Meeting adjourned at **6:25 P.M.**

Minutes of Regular Council Meeting
Council Chambers, City Hall, 104 S. Muskogee,
Claremore, Oklahoma September 08, 2009

CALL TO ORDER

Meeting called to order by Mayor Brant Shallenburger at
6:25 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, Don Myers, Buddy Robertson, Tony Mullenger, Mick Webber, Terry Chase, Tom Lehman, Paula Watson

Absent: Flo Guthrie

Staff Present: Troy Powell, Matt Mueller, Nan Pope, Randy Elliott, Ruby Maline, Daryl Golbek, Mickey Perry, Janet Donnelly, Joe Perez, Chris Cochran, Phil Stowell, Tim Miller, Joyce Medlock

ACCEPTANCE OF AGENDA

Motion by Mullenger, second by Lehman that the agenda for the regular council meeting of September 08, 2009 be approved as written. 8 yes, Mullenger, Lehman, Chase, Watson, Myers, Robertson, Shallenburger, Webber.

ITEMS UNFORESEEN AT THE TIME AGENDA WAS POSTED

None

AWARDS, PRESENTATIONS, AND COMMUNICATIONS

None

CALL TO THE PUBLIC

None

MAYOR'S REPORT & APPOINTMENTS

None

STAFF REPORTS

City Attorney Randall Elliott - Executive session item, The Benham Group, pulled from this agenda.

CURRENT BUSINESS

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

- (a) Minutes of Regular Council meeting on August 17, 2009, as printed.
- (b) All claims as printed.
- (c) Actual salary claims for pay period ending August 08, 2009 in the amount of \$397,052.12 and estimated salary claims for next pay period in the amount of \$500,000.
- (d) Accept bid for five (5) replacement vehicles for Police Department from Bob Hurley Ford (State Contract Pricing) in the amount of \$107,668.00.
(Mickey Perry)
- (e) Approve contribution refund to **Cassie J. Sowers** from Oklahoma Municipal Retirement Fund (OMRF)
(Ruby Maline)
- (f) Approve soliciting RFQ's for Auditing Firm.
(Kolker & Kolker/Ruby Maline)
- (g) Accept Utility Easement granted by Claremore Restoration Church of God - allowing city to supply electric service for proposed construction, maintenance and/or replacement of utilities - located North on Hwy 66 then left on Briscoe Rd. **(Chris Cochran/Tim Miller)**
- (h) Approve lump sum distribution payment for Joseph N. Huckins from Oklahoma Municipal Retirement Fund (OMRF) **(Ruby Maline)**
- (i) Accept Electric Line Easement granted by Steven W. Massey and Jamie D. Massey and Don L. Massey and Melinda Massey - allowing city to supply electric service for proposed new construction, maintenance and/or replacement of utilities - location - East Blue Starr Drive to Justice Rd, then South to turnpike overpass then right 1/4 mi. **Chris Cochran/Tim Miller)**

8 yes, Mullenger, Lehman, Watson, Myers, Robertson, Shallenburger, Webber, Chase.

Myers was not at Council table for vote on the following budget reserves item.

Motion by Mullenger, second by Lehman to approve request to add budget reserves calculated at June 30, 2009 to total budget for all funds - (See attached) Total - \$51,878,457.00. 7 yes, Mullenger, Lehman, Watson, Robertson, Shallenburger, Webber, Chase.

Tri-Plex discussion:

My opinion is compatible to comprehensive plan - developer Lehman - how many parking spaces do you need for these apartments.

Cochran - need 1 and a half parking spaces for one bedroom
Powell - have to build to code

Most intense use is a Tri-Plex - parking - provide off street
off alleyway

Motion by Webber, second by Mullenger to adopt **Ordinance #2009-20** changing the zoning of a parcel of land in block 122 of the Original Plat of the City of Claremore, Oklahoma and being a part of Section 16, 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 **RM-0** (Residential Low Density Multi-Family District) and directing the appropriate amendment to the Zoning Map of the City of Claremore, Oklahoma - location, 401 E. 1st Street - proposed use - Tri-Plex. 8 yes, Webber, Mullenger, Myers, Robertson, Shallenburger, Chase, Lehman, Watson.

Discussion on vacating plat to build Rogers County Youth Services Shelter:

Chris Cochran - City has surplused this property - RM zoned - Multi-family - cannot occur there - we need to vacate plat regardless - they would need to come back.

Motion by Mullenger, second by Robertson to adopt **Ordinance #2009-21** vacating that portion of Davis Avenue between Lot 10, Block 3 and Lot 6, Block 2 and running to the South line of Harper Addition and that portion of Wortman Avenue lying contiguous to and between lot 10, Block 2 and the South half of Block 1, and a 50 foot right of way between Blocks 2 and 3 and Blocks 4 and 5 which reduces to 25 feet contiguous to lots 9 and 10, Block 2 and Block 1 and a 50 foot right of way lying South of and contiguous to Blocks 4 and 5, and all platted easements lying in the South half of Block 1, Lots 6,7,8,9 and 10 in Block 2, Lots 5,6,7,8,9 and 10, Block 3, and all of Blocks 4 and 5 of Harper Addition, City of Claremore, Rogers County, Oklahoma **and approve Certificate** to vacate the Plat in Part of Harper Addition - proposed use - to build a Rogers County Youth Services Shelter. 5 yes, Mullenger, Robertson, Shallenburger, Chase, Lehman. 1 no, Myers, 1 abstain, Webber, 1 recuse, Watson.

Discussion - traffic signal Hwy 20/Turnpike entrance:

Chase - when?

Powell - no time line - early 2010

Motion by Mullenger, second by Lehman to adopt **Resolution #2009-11** approving participation with the State of Oklahoma Department of Transportation and the Oklahoma Turnpike Authority in a roadway modification and traffic signal project at the intersection of State Highway 20 and the Oklahoma Turnpike Authority, Will Rogers Gate Road, within the City of Claremore, Oklahoma. 8 yes, Mullenger, Lehman, Shallenburger, Webber, Chase, Watson, Myers, Robertson.

Discussion - on agreement City of Claremore/TranSystems

Powell - 6 **and** 7 connected - good sign state dollars -state very much behind project

Motion by Mullenger, second by Lehman to approve Agreement between the City of Claremore and TranSystems for the Preliminary Design Services concerning the Burlington Northern/Santa Fe Separation Project - \$1,331,351.00, all to be reimbursed by ODOT. 8 yes, Mullenger, Lehman, Shallenburger, Webber, Chase, Watson, Myers, Robertson.

Motion by Mullenger, second by Lehman to approve Supplemental and Modification Agreement #3 with Oklahoma Department of Transportation for project funding in Federal-Aid Funds for the reimbursement of Preliminary Design Services for the Burlington Northern/Santa Fe Separation Project (BNSRSP) - \$1,331,351.00 - reimbursed by ODOT. 8 yes, Mullenger, Lehman, Shallenburger, Webber, Chase, Watson, Myers, Robertson.

Approve/Reject conducting Public Hearing/Discussion Only - regarding the transportation master plan

Powell - Representatives to go over master plan -please make as quick as possible due to lateness of hour - this is a "plan" I remind you

Chase - is county getting a copy of all this?

Powell - Daryl - remind me to get to DeLozier

Lehman - who knows the most about this?

Daryl - and person from B W R, Dallas - Representative Gary Graham

Webber - cost of 3 lane J.M. Davis?

\$165,000 projects \$17,800,000.

Chase - wants a copy of slide presentation

Webber - what in your opinion is a priority?

- (1) Sioux -66 -Lynn Riggs
- (2) Country Club
- (3) Holiday Extension

1, 2, 3, - cost - 6 million - Country Club cost 4.5 million

11 million

Webber - Loop we would want to mirror what they have in Tahlequah

Gary Graham, BWR - 1.25 project, real projects to capitalize.

Powell - if you want to meet on this we can set that up

Discussion Only - sanitation dump site.

Pulled from agenda, Council did not discuss.

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,

Option #1 - Flat Rate Increase or
Option #2 - Stepped Rate Increase w/Separate Residential/Commercial Rates.

Tim Miller - surrounding a rate increase - taking 18 months - all correctable, but does take dollars

Questions our duty to answer

1. Why rate increase needed? Water quality no less than 2 DEQ per year - violate - odor and taste
2. replace aging infrastructure - clean and repair water towers only word I can use - disgusting
3. Adapt to past and future growth

What options are available?

1. Flat fee vs inverted variable rate - more expense -more you use
2. Commercial and residential same?
3. Charge consumption rate/or base rate flat fee increase

Chase - which do you prefer:

Powell - I don't care as long as we raise the money

Chase - Take care of water tower issue

Powell - can set an end date - trying to find ways to help Seniors

Mullenger - what do you need?

Powell - 2 million - 3 year period?

Powell - total - 47 million

Webber - line from new source?

Webber - compare us to Bixby, Owasso?

Benefit to customers:
quality of drinking water
reduction of DEQ consent order
long term sustainability
opp for growth

Mullenger - how soon can they be cleaned - water tower maintenance

Tim Miller - when we have the money

What do we charge right now for rural?

Cannot increase rural unless we raise ours

Powell - feedback - what you feel comfortable with - % - check before we bring back - flat fee

fee?

Separate out?

Chase - does

Mullenger - false hope that it is going away.

City Clerk, Nan Pope added item on 9-3-09 @9:05 A.M.

2009 FAA Grant - CIEDA

Motion by Mullenger, second by Lehman to adopt **Resolution #2009-12** approving acceptance of 2009 FAA Grant #3-40-0019-013-2009 - Project is to seal coat runway and taxiways

\$289,751 Federal Grant

\$172,840 State Grant

\$ 34,454 CIEDA Match

Total \$497,045

8 yes, Mullenger, Lehman, Chase, Watson, Myers, Robertson, Shallenburger, Webber.

EXECUTIVE SESSION

The following item was removed from executive session - not discussed at this meeting:

(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 - The Benham Group. 25 O.S. Section 307 B.4.

Motion by Mullenger, second by Lehman to approve going into executive session to discuss the following item(s):

(a) Police 2009/2010 contract. 25 O.S. Section 307 B.2.

8 yes, Mullenger, Lehman, Chase, Watson, Myers, Robertson, Shallenburger, Webber. **TIME 8:35 P.M.**

Council came out of executive session at 8:40 P.M.

Motion by Mullenger, second by Lehman to approve returning to regular session. 8 yes, Mullenger, Lehman, Watson, Myers, Robertson, Shallenburger, Webber, Chase.

Motion by Mullenger, second by Lehman to accept Police 2009/2010 contract. 8 yes, Mullenger, Lehman, Watson, Myers, Robertson, Shallenburger, Webber, Chase.

ADJOURN

Motion by Mullenger, second by Lehman to adjourn. 8 yes, Mullenger, Lehman, Myers, Robertson, Shallenburger, Webber, Chase, Watson.

Meeting adjourned at **8:45 P.M.**