

**Minutes of Claremore Cultural Development Authority Meeting  
Council Chambers, City Hall, 104 S. Muskogee,  
Claremore, Oklahoma September 21, 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, Flo Guthrie, Mick Webber,  
Terry Chase, Tom Lehman, Paula Watson

**Absent:** Don Myers, Buddy Robertson, Tony Mullenger

**Staff Present:** Troy Powell, Matt Mueller, Nan Pope, Randy  
Elliott, Ruby Maline, Daryl Golbek, Tim Miller,  
Phil Stowell, Mark Dowler, Chris Cochran, Joe  
Perez

Pledge of Allegiance by all.

Invocation by Dave Mewbourne, First Assembly of God Church.

**CALL TO THE PUBLIC**

None

**ACCEPTANCE OF AGENDA**

Motion by Lehman, second by Guthrie that the agenda for the  
regular CCDA meeting of September 21, 2009, be approved as  
written. 6 yes, Lehman, Guthrie, Shallenburger, Webber, Chase,  
Watson.

**ITEMS UNFORESEEN AT THE TIME AGENDA WAS POSTED**

None

**CURRENT BUSINESS**

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

**(a)** Minutes of Claremore Cultural Development Authority  
meeting on September 08, 2009, as printed.

**(b)** All claims as printed.

6 yes, Lehman, Watson, Guthrie, Shallenburger, Webber, Chase.

**ADJOURNMENT**

Motion by Lehman, second by Watson to adjourn. 6 yes, Lehman,  
Watson, Shallenburger, Webber, Chase, Guthrie.

Meeting adjourned at **6:05 P.M.**

**Minutes of Claremore Public Works Authority Meeting**  
**Council Chambers, City Hall, 104 S. Muskogee,**  
**Claremore, Oklahoma                      September 21, 2009**

**CALL TO ORDER**

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

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

**Present:** Brant Shallenburger, Flo Guthrie, Mick Webber,  
Terry Chase, Tom Lehman, Paula Watson  
**Absent:** Don Myers, Buddy Robertson, Tony Mullenger  
**Staff Present:** Troy Powell, Matt Mueller, Nan Pope, Randy  
Elliott, Ruby Maline, Daryl Golbek, Tim Miller,  
Phil Stowell, Mark Dowler, Chris Cochran, Joe  
Perez

**ACCEPTANCE OF AGENDA**

Motion by Lehman, second by Watson that the agenda for the regular CPWA meeting of September 21, 2009, be approved as written. 6 yes, Lehman, Watson, Webber, Chase, Guthrie, Shallenburger.

**ITEMS UNFORESEEN AT THE TIME AGENDA WAS POSTED**

None

**CURRENT BUSINESS**

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

- (a) Minutes of Claremore Public Works Authority meeting on September 08, 2009, as printed.
- (b) All claims as printed.
- (c) Approve Finley Engineering to identify and mark distribution system phases on the Claremore Electric Load Map - costs not to exceed \$17,000. **(Tim Miller)**

6 yes, Lehman, Watson, Chase, Guthrie, Shallenburger, Webber.

Motion by Lehman, second by Watson to adopt **Resolution #2009-02** declaring authorization of additional collection fees in an amount not exceeding thirty-five percent (35%) on certain unpaid debts, accounts receivable, fines, costs, fees, penalties, interest and other sums due the City; and authorizing and directing the proper officials of the Claremore Public Works Authority to implement such actions as necessary to impose and collect such additional fees. 6 yes, Lehman, Watson, Guthrie, Shallenburger, Webber, Chase.

**ADJOURN**

Motion by Lehman, second by Watson to adjourn. 6 yes, Lehman, Watson, Guthrie, Shallenburger, Webber, Chase.  
Meeting adjourned at **6:08 P.M.**

**Minutes of Regular Council Meeting  
Council Chambers, City Hall, 104 S. Muskogee,  
Claremore, Oklahoma September 21, 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:

**Present:** Brant Shallenburger, Flo Guthrie, Mick Webber, Terry Chase, Tom Lehman, Paula Watson

**Absent:** Don Myers, Buddy Robertson, Tony Mullenger

**Staff Present:** Troy Powell, Matt Mueller, Nan Pope, Randy Elliott, Ruby Maline, Daryl Golbek, Tim Miller, Phil Stowell, Mark Dowler, Chris Cochran, Joe Perez

**ACCEPTANCE OF AGENDA**

Motion by Lehman, second by Watson that the agenda for the regular council meeting of September 21, 2009 be approved as written. 6 yes, Lehman, Watson, Guthrie, Shallenburger, Webber, Chase.

**ITEMS UNFORESEEN AT THE TIME AGENDA WAS POSTED**

None

**AWARDS, PRESENTATIONS, AND COMMUNICATIONS**

Alice Pridmore - Recognition and presentation to Terri Ann Baker, 1464 Paradise Parkway, recipient of Care More for Claremore's property of the month for improvement on aesthetic value of neighborhood.

**CALL TO THE PUBLIC**

None

## MAYOR'S REPORT & APPOINTMENTS

None

## STAFF REPORTS

City Manager Troy Powell - Tremendous amount of rain -flash flooding alert until 7:30 P.M. tonight - creeks are doing pretty good.

## CURRENT BUSINESS

Chase - item (j) was it in writing?

Mueller - Pelco very patient

Lehman - over and above amount?

Webber - acknowledge - lay out budget history - previous City Manager numerous meeting - lights would be retro fitted - ball dropped - been working as long as I've been here.

Mike Strotheide, he's the one who made those promises

Council pulled item **(m)** Accept sidewalk easement from Bernard D. Shively and Janice K. Shively, homeowners of 2715 N. Sioux Ave. for a 10' sidewalk easement - donation is vital link to City's Trail Project. **(Chris Cochran)**

Mueller - item (m) - sitting at ODOT - 80% Grant as soon as stamp from them it moves

Webber - total cost \$300,000 or \$400,000?

Webber - status of sidewalk?

Joe Kays working on ODOT Agreement - trail project

Chase - item (n) what is this exactly, I want to hear about this?

Dowler - we need to start a replacement program - within six years - we would spend 5 or 6 times this amount - structural fire apparatus - most of these companies fiscal year ends Sept. - saved \$165. per unit

Dowler - this is a safety issue

Chase - where is money coming from -

Troy - Fire sales tax?

Chase - is there enough?

Troy - yes

Chase - is it close?

Troy - yes

Dowler - that is the highest priority

Troy - mandates require us to have this equipment

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

- (a)** Minutes of Regular Council meeting on September 08, 2009, as printed.
- (b)** All claims as printed.

- (c) Actual salary claims for pay period ending August 22, 2009 in the amount of \$401,968.25 AND salary claims for pay period ending September 05, 2009 in the amount of \$405,047.70 and estimated salary claims for next pay period in the amount of **\$500,000.**
- (d) Approve soliciting RFP's for entire city office equipment inventory including copiers, fax machines, scanners, printers, wide format platters as well as maintenance and toner. **(Nan Pope)**
- (e) Approve contribution refund to **Brandon Miller** from Oklahoma Municipal Retirement Fund (OMRF) **(Ruby Maline)**
- (f) Approve contribution refund to **Tim Rush** from Oklahoma Municipal Retirement Fund (OMRF) **(Ruby Maline)**
- (g) Approve contribution refund to **Preston Bradshaw** from Oklahoma Municipal Retirement Fund (OMRF) **(Ruby Maline)**
- (h) Denial of tort claim submitted by Kitty Meyer **(based on recommendation by OMAG)** - loss date 7-7-09, claim #27972-MP. **(Nan Pope/Randall Elliott)**
- (i) Denial of tort claim submitted by Charles W. Tillery **(based on recommendation by OMAG)** - loss date 5-22-09, claim #27850-RS. **(Nan Pope/Randall Elliott)**
- (j) Approve transfer of funds to CIEDA in the amount of \$51,888 to satisfy economic development incentives offered for industrial recruitment of Pelco Structural. **(Matt Mueller)**
- (k) Approve renewal of contract for continued use of Citywide Subrogation Service for collection of damages to City property - costs are 33% contingency fee based on dollar amount of claims collected. **(Nan Pope)**
- (l) Accept electric line easement from AXH Properties, L.L.C. for construction, maintaining, operating, reconstructing and removing of said electric power transmission, and or communication line or lines or structures, including wires, fixtures and appurtenances, and for the uses hereinabove set out, including the perpetual right and privilege of reasonable ingress and egress from the nearest convenient accessible public road, etc. **(Chris Cochran/Tim Miller)**
- (n) Accept lowest/best bid for 11 ISI Viking Air Packs, - dollar amount pending bid opening on 9-14-09. **(Mark Dowler)** - Accept Viking/Chief Fire & Safety in the amount of \$50,979.71.

6 yes, Webber, Lehman, Guthrie, Shallenburger, Chase, Watson.

This item was pulled from agenda: Approve/Reject request for Final Plat for Oklahoma Plaza -Phase 1 - intended use - commercial retail and lifestyle center. **(Chris Cochran)**

Chase - option 2 - \$3.50 per month across the board - a little more participation

Webber - even with the increase we are well below our competitors - does this allow us to increase rural water?

Troy - yes

Motion by Webber, second by Guthrie to adopt **Ordinance #2009-22** 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 #2 - Base Rate and Unit Consumption Rate Increase**

Base rate changed to \$9.50 (\$3.00 increase)

Residential - over 3,000 gal - \$3.50/1,000 gal.

Commercial - 3,000 - 11,000 - \$3.50/1,000 gal.

Over 11,000 - \$4.00/1000 gal.

6 yes, Webber, Guthrie, Chase, Lehman, Watson, Shallenburger.

Randy Elliott - review and found requirement of membership of Board of Adjustment - removes requirement

Webber - shouldn't we have ability to remove them as well as appoint them?

Chase - I have a question - walk us through authority - responsibilities

Elliott - Variance, lot splits, not assign to planning and zoning due course is to go to District Court - Example - Rogers County Youth Services - I do what you ask - if you want it re-written?

Elliott leaves meeting to check the statute book.

Motion by Webber, second by Guthrie to adopt **Ordinance #2009-23** amending Title III Chapter 32, section 32.31 of the Claremore Municipal Code regarding the Board of Adjustment Membership. 6 yes, Webber, Guthrie, Chase, Lehman, Watson, Shallenburger.

Chris Cochran - found errors in how PUD was approved

Chase - no money involved?

Powell - no money.

Motion by Webber, second by Lehman to adopt **Ordinance #2009-24** adding a supplemental Planned Unit Development (P.U.D.) designation to the zoning of real property located in the Northwest Quarter of Section 20, Township 21 North, Range 16 East of the I.B. & M., Rogers County, State of Oklahoma; and acceptance of the P.U.D. Development Plan; and directing the appropriate amendment to the zoning map of the City of Claremore. - Oklahoma Plaza Development. 6 yes, Webber, Lehman, Watson, Guthrie, Shallenburger, Chase.

Troy - This is voluntary for employees - give them a choice - competition

Troy - It's a traditional plan for City Managers

Chase - equivalent to a 401K?

Motion by Webber, second by Guthrie to adopt **Resolution #2009-13** accepting ICMARC as an additional 457 provider to City of Claremore employees. 6 yes, Webber, Guthrie, Watson, Shallenburger, Chase, Lehman.

Mueller - update our internal purchasing policy - implements centralized purchasing - last policy was 1999 - this was due for revision

Motion by Webber, second by Guthrie to adopt **Resolution #2009-14** adopting the City of Claremore Purchasing Policy, 2009 Edition. 6 yes, Webber, Guthrie, Shallenburger, Chase, Lehman, Watson.

Motion by Webber, second by Guthrie to adopt **Resolution #2009-15** declaring authorization of additional collection fees in an amount not exceeding thirty-five percent (35%) on certain unpaid debts, accounts receivable, fines, costs, fees, penalties, interest and other sums due the City; and authorizing and directing the proper officials of the City of Claremore to implement such actions as necessary to impose and collect such additional fees. 6 yes, Webber, Guthrie, Shallenburger, Chase, Lehman, Watson.

**Added 9-18-09 @ 2:00 P.M. Discussion only regarding City Council returning their pay to the City. (Tom Lehman)**

Lehman - my idea - we have asked all city employees to continue to work with no extra - no raises - we should return our pay to the city in its time of need

Elliott - Charter provides that funds will be paid

Lehman - I would not want to embarrass anyone at this table

Webber - I agree 100% - but I think we should have a full body here to discuss

Randy - I think if you made the endorsement it would be a donation to the city.

Chase - we already volunteer - what we make wouldn't cover our expenses - we understand that city employees did not get a cost of living raise

Shallenburger - add to next agenda

#### **EXECUTIVE SESSION**

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

- (a) 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.

6 yes, Guthrie, Lehman, Shallenburger, Webber, Chase, Watson.

**TIME 6:55 P.M.**

Council came out of executive session at 7:25 P.M.

Motion by Webber, second by Guthrie to approve returning to regular session. 6 yes, Webber, Guthrie, Chase, Lehman, Watson, Shallenburger.

No action taken on this item.

#### **ADJOURN**

Motion by Webber, second by Guthrie to adjourn. 6 yes, Webber, Guthrie, Lehman, Watson, Shallenburger, Chase.

Meeting adjourned at **7:26 P.M.**