

**Minutes of Claremore Cultural Development Authority Meeting
Council Chambers, City Hall, 104 S. Muskogee,
Claremore, Oklahoma November 16, 2009**

CALL TO ORDER

Meeting called to order by Mayor Brant Shallenburger at
6:15 P.M.

ROLL CALL

Nan Pope called roll. The following were:

Present: Brant Shallenburger, Buddy Robertson, Mick
Webber, Terry Chase, Tom Lehman, Paula Watson

Absent: Don Myers, Tony Mullenger, Flo Guthrie

Staff Present: Matt Mueller, Nan Pope, Randy Elliott, Ruby
Maline, Mickey Perry, Tim Miller, Phil Stowell,
Ron Kolker, Jeff Kolker, Chris Cochran, Daryl
Golbek, Ruby Maline, Gina Casto, Joe Perez,
Stephani Freeman

Others Present: 2009 graduates of Citizens Government Academy.
Excelsior Home School CoOp

Pledge of Allegiance by all.

CALL TO THE PUBLIC

Jim Smith, 102 W. 5th Street - support of City for Courthouse
4 story building; attached to jail; 911 building - 12-8 1/6%
sales tax - 48,000 } 100,000 sq. ft. no brainer - change face
of Claremore

Would like a Resolution

Chase - formal request - how paid - no new taxes

11-30-09 - Brant Special Meeting - only topic - committee to
represent - answer questions - proposed resolution

ACCEPTANCE OF AGENDA

Motion by Lehman, second by Watson that the agenda for the
regular CCDA meeting of November 16, 2009, be approved as
written. 6 yes, Lehman, Watson, Robertson, Shallenburger,
Webber, Chase.

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 November 02, 2009, as printed.

(b) All claims as printed.

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

ADJOURNMENT

Motion by Lehman, second by Watson to adjourn. 6 yes, Lehman, Watson, Shallenburger, Webber, Chase, Robertson.
Meeting adjourned at **6:19 P.M.**

Minutes of Claremore Public Works Authority Meeting Council Chambers, City Hall, 104 S. Muskogee, Claremore, Oklahoma November 16, 2009

CALL TO ORDER

Meeting called to order by Mayor Brant Shallenburger at **6:19 P.M.**

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

Present: Brant Shallenburger, Buddy Robertson, Mick Webber, Terry Chase, Tom Lehman, Paula Watson

Absent: Don Myers, Tony Mullenger, Flo Guthrie

Staff Present: Matt Mueller, Nan Pope, Randy Elliott, Ruby Maline, Mickey Perry, Tim Miller, Phil Stowell, Ron Kolker, Jeff Kolker, Chris Cochran, Daryl Golbek, Ruby Maline, Gina Casto, Joe Perez, Stephani Freeman

Others Present: 2009 graduates of Citizens Government Academy.
Excelsior Home School CoOp

ACCEPTANCE OF AGENDA

Motion by Lehman, second by Watson that the agenda for the regular CPWA meeting of November 16, 2009, be approved as written. 6 yes, Lehman, Watson, Shallenburger, Webber, Chase, Robertson.

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 November 02, 2009, as printed.
- (b)** All claims as printed.
- (c)** Approve soliciting RFQ's for developing the Flint/King Highway 66 site for retail use. **(Joe Perez)**
- (d)** Approve request to sign contract for GRDA Customer Group Legal Counsel to review GRDA's projected

revenue requirements and proposed rate increase - costs not to exceed \$4,000. **(Tim Miller)**

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

Tim Miller - I would like you to approve our SCADA budgeted.

Chase - Balance?

Miller - after this exp. - \$50,000 left

Chase - Use?

Miller - software

Miller - proper voltage - won't say what houses are out that is 4-5 million

Webber - anybody else - users?

Miller - sharing with Centrilift and Claremore school

Chase - tree trimming? from bond?

Webber - start and complete dates?

Miller - start Monday 30-45 days project, weather permitting.

Motion by Webber, second by Chase to approve request to install fiber line backbone for purposes of communication with our upgraded substations in coordination with our Reliability Bond SCADA project - Dan-D Company, Inc. \$84,513.04. 6 yes, Webber, Chase, Lehman, Watson, Robertson, Shallenburger.

EXECUTIVE SESSION

City Attorney Randall Elliott requested this item be tabled until Council meeting on December 7, 2009.

Motion by Webber, second by Lehman to table the following executive session to December 7, 2009.

Approve/Reject going into executive session to discuss the following item(s): **(Randall Elliott)**

- (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 - Oklahoma Plaza, L.L.C. **(RDI)**. 25 O.S. Section 307 B.4.

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

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

- (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 - Floran Technologies. 25 O.S. Section 307 B.4.

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

Time: 6:24 P.M.

Council came out of executive session at 6:40 P.M.

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

Motion by Webber, second by Chase to recommend authorizing Tim Miller to cancel contract with Floran Technologies 6 yes, Webber, Chase, Robertson, Shallenburger, Lehman, Watson.

ADJOURN

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

Meeting adjourned at **6:40 P.M.**

Minutes of Regular Council Meeting Council Chambers, City Hall, 104 S. Muskogee, Claremore, Oklahoma November 16, 2009

CALL TO ORDER

Meeting called to order by Mayor Brant Shallenburger at **6:40 P.M.**

ROLL CALL

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

Present: Brant Shallenburger, Buddy Robertson, Mick Webber, Terry Chase, Tom Lehman, Paula Watson

Absent: Don Myers, Tony Mullenger, Flo Guthrie

Staff Present: Matt Mueller, Nan Pope, Randy Elliott, Ruby Maline, Mickey Perry, Tim Miller, Phil Stowell, Ron Kolker, Jeff Kolker, Chris Cochran, Daryl Golbek, Ruby Maline, Gina Casto, Joe Perez, Stephani Freeman

Others Present: 2009 graduates of Citizens Government Academy.
Excelsior Home School CoOp

ACCEPTANCE OF AGENDA

Motion by Lehman, second by Watson that the agenda for the regular council meeting of November 16, 2009 be approved as

written. 6 yes, Lehman, Watson, Shallenburger, Webber, Chase, Robertson.

ITEMS UNFORESEEN AT THE TIME AGENDA WAS POSTED

None

AWARDS, PRESENTATIONS, AND COMMUNICATIONS

Dale Peterson - Recognition and presentation to David and Morgan Williams, 422 N. Chickasaw Ave., recipient of Care More for Claremore's property of the month for improvement on aesthetic value of neighborhood. 1st Mayor of Claremore in 1905, Ellis Eaton built house.

Recognition of 2009 graduates of Citizens Government Academy.

Seven graduates from this class:

Larry Green, Teresa Green, John Fleak, Mary Taber, Anne Smith, Margo Stewart, Mark Lepak

MAYOR'S REPORT & APPOINTMENTS

Motion by Webber, second by Lehman to approve recommendation by Mayor Shallenburger to appoint **Charles Bray** to the Will Rogers Library Board to complete unexpired term of Carole Burrage to **May, 2013**. 6 yes, Webber, Lehman, Shallenburger, Chase, Watson, Robertson.

STAFF REPORTS

Matt - extend invitation to Claremore Regional Hospital on Thursday to recognize Auxiliary.

City Attorney - claim - auditors - nothing new to report to you, haven't heard anything back from Archambo & Mueggenborg.

CURRENT BUSINESS

item (h)

Webber - explanation - update - what RFQ represents

Chris hired engineer - construction on mgr. elevated railroad still best alternative

Chase - cost?

Chris Cochran - reimbursed to city

Chase - initial cost borne by state?

Randy - merely RFQ

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

- (a) Minutes of Regular Council meeting on November 02, 2009, as printed.
- (b) Minutes of Special Council meeting on October 26, 2009, as printed.
- (c) All claims as printed.

- (d) Actual salary claims for pay period ending **October 31, 2009** in the amount of **\$378,358.72** and estimated salary claims for next pay period in the amount of **\$500,000**.
- (e) Accept off-site drainage easement from Claremore Vision, LLC for Oklahoma Plaza. **(Chris Cochran)**
- (f) Accept Right-of-Way Deed from Lowe's Home Centers, Inc. for Oklahoma Plaza. **(Chris Cochran)**
- (g) Accept offsite electric easements from Claremore Vision, LLC, (Carmack Property containing 1.296 acres +/-) and (Oklahoma Plaza, LLC. property containing 0.610 acres +/-), engineering/electric required this offsite electric easement to preserve a route from the substation to development. **(Chris Cochran/Tim Miller)**
- (h) Approve soliciting RFQ's for Construction Management Services for the Burlington Northern Santa Fe Separation Project. **(Chris Cochran/Troy Powell)**

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

Mueller - Employees will be paying an extra 1% into their own retirement, saving City \$50,000.

Motion by Webber, second by Lehman to adopt **Ordinance #2009-26** amending the Employee Retirement System, Defined Benefit Plan for City of Claremore, Oklahoma; providing retirement benefits for eligible employees of the City of Claremore, Oklahoma; pertaining to employee contributions; providing for repealer and severability. 5 yes, Webber, Lehman, Chase, Robertson, Shallenburger. 1 recuse, Watson.

Permanent 1 cent sales tax for street - still restrict - expanding listing - use building streets, alley, curb, gutter, sewer, electric, WWTP, drainage.

Motion by Webber, second by Chase to adopt **Ordinance #2009-27** amending Ordinance #489 of the City to provide funds for building, rebuilding, operation, and repair of streets, alleys, curbs, gutters, waterlines, sanitary sewer lines, electric distribution system, water treatment facilities, wastewater treatment facilities, and drainage system of the City of Claremore, Oklahoma and fixing effective date. 6 yes, Webber, Chase, Lehman, Watson, Robertson, Shallenburger.

Motion by Webber, second by Chase to adopt **Resolution #2009-18** authorizing the calling and holding of an election to be held in the City of Claremore, Oklahoma, on the 9th day of February, 2010, for the purpose of submitting to the registered, qualified voters of said City the question of whether **Ordinance #2009-27** adopted the 16th day of November, 2009, shall be approved which amends Ordinance #489 of the City to provide funds for building, rebuilding, operation, and repair of streets, alleys, curbs, gutters, waterlines, sanitary sewer lines, electric distribution system, water treatment facilities, wastewater treatment facilities, and drainage

system of the City; fixes effective date; and notifies the Rogers County Election Board of the Holding of such election. 6 yes, Webber, Chase, Lehman, Watson, Robertson, Shallenburger.

Webber - fits?

Chris Cochran - yes, low density

Planning Commission approved - no public protest

Watson - part of red?

Cochran - always a separate parcel

Motion by Webber, second by Lehman to adopt **Ordinance #2009-28** changing the zoning of a parcel of land in the Northwest Quarter of Section 17, Township 21 North, Range 16 East of the I.B. & M., Rogers County, State of Oklahoma, from **RS-2** (Residential Single-Family Medium Density District) to **RD** (Residential Duplex District) and directing the appropriate amendment to the zoning map of the City of Claremore, Oklahoma - Applicant Brad Lambert, property location on Archer Rd. 6 yes, Webber, Lehman, Watson, Robertson, Shallenburger, Chase.

Motion by Webber, second by Lehman to approve request to select John Wingard CPA Firm to conduct the City's audit for FY 2007/2008 and authorize Mayor to sign Engagement Letter - costs not to exceed \$15,000. 5 yes, Webber, Lehman, Robertson, Chase, Watson. 1 recuse, Shallenburger.

Discussion/consideration of the 2010 Blue Grass/Chili Festival. Mueller - rather than the City be a part owner, Staff recommends we be a sponsor for \$25,000 per year.

Lehman - is a responsible group like the Chamber going to be handling these funds?

Mueller - yes, they will discuss with their board and move forward.

Lehman - with that in mind, I move we authorize to a responsible group, such as the Chamber, an amount up to \$25,000 including in-kind donations for the next Blue Grass/Chili Festival occurring in the fall of 2010, second by Chase. 6 yes, Lehman, Chase, Robertson, Shallenburger, Webber, Watson.

Randy - I would like to make a comment: I have been with you 4-5 years part time with interim in front of my name. I have been driving 230 miles round trip I have now accepted the position of General Counsel to OMPA in Edmond, I am delivering my 60 day notice. I'm starting there January 16th, 2010.

To which Brant replies: We will add this search for an Attorney to Special Council meeting on November 30th.

EXECUTIVE SESSION

City Attorney said no need to have the following executive session item: Approve/Reject going into executive session to discuss the following item(s): **(Randall Elliott)**

(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.

ADJOURN

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

Meeting adjourned at **7:18 P.M.**