

**Regular Minutes of the Claremore Cultural Development Authority Meeting
Council Chambers, City Hall, 104 S. Muskogee Ave.
Claremore, Oklahoma July 05, 2011**

CALL TO ORDER

Meeting called to order by Mayor Mickey Perry at 6:00 P.M.

Mayor Mickey Perry asked City Clerk Sarah Sharp to note that members are present/absent as indicated below:

Present: Terry Willis, Buddy Robertson, Mark Lepak, Mickey Perry, Thomas Cypert, Don Purkey, Brandon Smith, Paula Watson

Absent: Bill Flanagan

Staff Present: Daryl Golbek, Matt Ballard, Sarah Sharp, Cassie Woods, Ruby Maline, Sean Douglas, Stan Brown, Carolyn Chapman, Joyce Medlock, Chris Cochran, Larry Hughes, Danny Wilson, Kesslie Wilson, Joe Kays, David Atzbach

Pledge of Allegiance by all.

Invocation by John Vanaman, Hospice of Green Country

CALL TO THE PUBLIC

William C. Larkin 19055 S. Lake Rd. Claremore, OK

Mr. Larkin addressed the Council regarding dumping by Claremore Lake that has been done by the County. Larkin states that there have been truckloads of dirt, concrete and asphalt debris dumped less than 20 feet from the Lake. Larkin is concerned about it washing into the Lake and affecting the water supply. Larkin further stated that with the construction for the new courthouse starting, he is concerned that the County will be dumping more debris out there.

ACCEPTANCE OF THE AGENDA

Motion by Watson, second by Willis to approve the agenda for the regular CCDA meeting of July 05, 2011, as written. Roll call vote: Willis, yes; Robertson, yes; Lepak, yes; Perry, yes; Cypert, yes; Purkey, yes; Smith, yes; and Watson, yes. Motion carried.

ITEMS UNFORESEEN AT THE TIME AGENDA WAS POSTED

None

CURRENT BUSINESS

(1) Approve/Reject the following consent items:

- (a)** Minutes of the Regular Claremore Cultural Development Authority Meeting on June 20, 2011, as printed.

(b) All Claims as printed.

Motion by Watson, second by Willis to approve the CCDA consent items as listed. Roll call vote: Willis, yes; Robertson, yes; Lepak, yes; Perry, yes; Cypert, yes; Purkey, yes; Smith, yes; and Watson, yes. Motion carried.

ADJOURNMENT

Motion by Lepak, second by Willis to adjourn. Roll call vote: Willis, yes; Robertson, yes; Lepak, yes; Perry, yes; Cypert, yes; Purkey, yes; Smith, yes; and Watson, yes. Motion carried.

Meeting adjourned at 6:10 P.M.

CALL TO ORDER

Meeting called to order by Mayor Mickey Perry at 6:10 P.M.

Mayor Mickey Perry asked City Clerk Sarah Sharp to note that members are present/absent as indicated below:

Present: Terry Willis, Buddy Robertson, Mark Lepak, Mickey Perry, Thomas Cypert, Don Purkey, Brandon Smith, Paula Watson

Absent: Bill Flanagan

Staff Present: Daryl Golbek, Matt Ballard, Sarah Sharp, Cassie Woods, Ruby Maline, Sean Douglas, Stan Brown, Carolyn Chapman, Joyce Medlock, Chris Cochran, Larry Hughes, Danny Wilson, Kesslie Wilson, Joe Kays, David Atzbach

ACCEPTANCE OF THE AGENDA

Motion by Watson, second by Lepak to approve the agenda for the regular CPWA meeting of July 05, 2011, as written. Roll call vote: Willis, yes; Robertson, yes; Lepak, yes; Perry, yes; Cypert, yes; Purkey, yes; Smith, yes; and Watson, yes. Motion carried.

ITEMS UNFORESEEN AT THE TIME AGENDA WAS POSTED

None

CURRENT BUSINESS

(1) Approve/Reject the following consent items:

- (a) Minutes of Claremore Public Works Authority regular meeting on June 20, 2011, as printed.
- (b) All claims as printed.
- (c) Request to reject bids for the Westwood URD reconductor contract. **(Larry Hughes)**
- (d) Request to go out to bid for Westwood URD reconductor contract. **(Larry Hughes)**
- (e) Approve awarding annual transformer bids to the following companies:

Schedule I – Single Phase Pole Mount Transformers

New – Delta -Y, Inc. - \$12,475.00

Reconditioned – Delta -Y, Inc. - \$5,247.00

Schedule II – Single Phase Pad mount Transformers

New – Wiley Transformer Co. - \$15,795.00

Reconditioned – Wiley Transformer Co. - \$12,875.00

Schedule III – Three Phase Pad mount Transformers

New – Wiley Transformer Co. - \$298,400.00

Reconditioned – Wiley Transformer Co. - \$263,515.00

Schedule IV – Single Phase Pole Mount Transformer Repair
Wiley Transformer Co. - \$7,320.00

Schedule V – Single Phase Pad mount Transformer Repair
Wiley Transformer Co. - \$17,795.00

Schedule VI – Three Phase Pad mount Transformer Repair
Wiley Transformer Co. - \$117,625.00

Motion by Watson, second by Lepak to approve the consent items as printed. Roll call vote: Willis, yes; Robertson, yes; Lepak, yes; Perry, yes; Cypert, yes; Purkey, yes; Smith, yes; and Watson, yes. Motion carried.

(2) Approve/Reject proposal by Roberts Services, Inc. to conduct a Pilot Study at the non-operational Water Treatment Plant to determine what needs to be done in order to bring the plant operational. **(Daryl Golbek/Chris Cochran)**

Motion by Perry, second by Purkey to approve the proposal by Roberts Services, Inc. to conduct a Pilot Study at the non-operational Water Treatment Plant to determine what needs to be done in order to bring the plant operational, in the amount of \$19,000 for the first week and the next 5 days at \$980 per day if needed. Anything beyond that cap will be brought back before Council for approval. Roll call vote: Willis, yes; Robertson, yes; Lepak, yes; Perry, yes; Cypert, yes; Purkey, yes; Smith, yes; and Watson, yes. Motion carried.

ADJOURNMENT

Motion by Lepak, second by Watson to adjourn. Roll call vote: Willis, yes; Robertson, yes; Lepak, yes; Perry, yes; Cypert, yes; Purkey, yes; Smith, yes; and Watson, yes. Motion carried.

Meeting adjourned at 6:21 P.M.

**Minutes of Claremore City Council Regular Meeting
Council Chambers, City Hall, 104 S. Muskogee Ave.
Claremore, Oklahoma July 05, 2011**

CALL TO ORDER

Meeting called to order by Mayor Mickey Perry at 6:21 P.M.

Mayor Mickey Perry asked City Clerk Sarah Sharp to note that members are present/absent as indicated below:

Present: Terry Willis, Buddy Robertson, Mark Lepak, Mickey Perry, Thomas Cypert, Don Purkey, Brandon Smith, Paula Watson
Absent: Bill Flanagan
Staff Present: Daryl Golbek, Matt Ballard, Sarah Sharp, Cassie Woods, Ruby Maline, Sean Douglas, Stan Brown, Carolyn Chapman, Joyce Medlock, Chris Cochran, Larry Hughes, Danny Wilson, Kesslie Wilson, Joe Kays, David Atzbach

ACCEPTANCE OF THE AGENDA

Motion by Watson, second by Willis to approve the agenda for the regular City Council meeting of July 05, 2011, as written. Roll call vote: Willis, yes; Robertson, yes; Lepak, yes; Perry, yes; Cypert, yes; Purkey, yes; Smith, yes; and Watson, yes. Motion carried.

ITEMS UNFORESEEN AT THE TIME AGENDA WAS POSTED

None

AWARDS, PRESENTATIONS, AND COMMUNICATIONS

None

MAYOR'S REPORT & APPOINTMENTS

Approve/Reject recommendation from Claremore Industrial and Economic Development Authority (CIEDA) Board of Trustees to nominate Jerry Feese to serve on the CIEDA Board of Trustees for a seven (7) year term, effective July 1, 2011 through June 30, 2018.

Motion by Purkey, second by Watson to approve the recommendation from Claremore Industrial and Economic Development Authority (CIEDA) Board of Trustees to nominate Jerry Feese to serve on the CIEDA Board of Trustees for a seven (7) year term, effective July 1, 2011 through June 30, 2018. Roll call vote: Willis, yes; Robertson, yes; Lepak, yes; Perry, yes; Cypert, yes; Purkey, yes; Smith, yes; and Watson, yes. Motion carried.

STAFF REPORTS

None

CURRENT BUSINESS

(1) Approve/Reject the following consent items:

- (a)** Minutes of the Regular Council Meeting on June 20, 2011, as printed.
- (b)** All claims as printed.
- (c)** Actual salary claims for pay period ending **June 24, 2011**, in the amount of

\$432,557.85 and estimated salary claims to include contractual agreements for Fire Union Dues, Flexible Spending Accounts, Life Insurance, Fire Pension, Police Pension, Oklahoma Municipal Retirement Fund, Supplemental Vision, and Short/Long Term disability plans, Employee Recreation Center Fees, and United Way Contributions for next pay period in the amount of \$500,000.00. Payroll at \$500,000.00 amount to include payables.

- (d) Approve Renewal of Lease Agreement between the City of Claremore and Frank C. Robson and Ludmila Robson for use of park land behind Reasor's – July 1, 2011 to June 30, 2012 - \$1.00 per year. **(Joe Kays)**
- (e) Approve Renewal of Lease Agreement between the City of Claremore and the Church at Claremore for use of park land – from July 1, 2011 to June 30, 2012. **(Joe Kays)**
- (d) Approve Renewal of Lease Agreement between the City of Claremore and Claremore Elks Lodge #1230 for use of park land – from July 1, 2011 to June 30, 2012. **(Joe Kays)**
- (g) Approve Renewal of Lease Agreement between the City of Claremore and Rogers County Health Department for use of park land – from July 1, 2011 to June 30, 2012. **(Joe Kays)**
- (h) Approve Renewal of Agreement for Administration of the Sales Tax Ordinance of the City of Claremore – Oklahoma Tax Commission.
- (i) Approve Renewal of Agreement for Administration of the Use Tax Ordinance – Oklahoma Tax Commission.
- (j) Approve Renewal of Agreement between the City of Claremore and Claremore Main Street, Inc. from July 1, 2011 to June 30, 2012 in the amount of \$35,000.00. **(Daryl Golbek)**
- (k) Oklahoma Municipal Retirement Fund (OMRF) contribution refund to David Rex. **(Ruby Maline)**
- (l) Approve annual bid for concrete from Midco in the amount of \$81.00 (4000 PSI) and \$75.00 (4000 PSI w/o fibermesh) **(Danny Wilson)**
- (m) Approve annual gravel bid from Greenhill Materials in the amount of:
 - 1" Class A-Plant \$9.25 FOB \$13.40
 - ¾" Crusher Run- Plant \$6.00 FOB \$10.15
 - 3/8" Chips- Plant \$8.75 FOB \$12.90
 - Screenings- Plant \$5.50 FOB \$9.65 **(Danny Wilson)**
- (n) Approve annual fill sand bid from Anchor Stone in the amount of \$5.00 Plant \$12.10 FOB **(Danny Wilson)**
- (o) Approve annual asphalt bid from Tulsa Asphalt in the amount of:
 - Hot Mix/Hot Lay Type A- Plant \$32.91 FOB \$39.41
 - Hot Mix/Hot Lay Type B- Plant \$40.49 FOB \$ 46.99
 - Hot Mix/Hot Lay Type C- Plant \$42.77 FOB \$49.27
 - Hot Mix/Cold Lay-Plant \$98.00 FOB \$104.50 **(Danny Wilson)**

Motion by Watson, second by Willis to approve the consent items as listed. Roll call vote: Willis, yes; Robertson, yes; Lepak, yes; Perry, yes; Cypert, yes; Purkey, yes; Smith, yes; and Watson, yes. Motion carried.

(2) **Approve /Reject Resolution # 2011-_____**, supporting continued participation in the Oklahoma Main Street Program. (**Daryl Golbek**)

Motion by Watson, second by Lepak to approve **Resolution # 2011- 7**, supporting continued participation in the Oklahoma Main Street Program. Roll call vote: Willis, yes; Robertson, yes; Lepak, yes; Perry, yes; Cypert, yes; Purkey, yes; Smith, yes; and Watson, yes. Motion carried.

(3) **Approve/ Reject Ordinance #2011-_____**, changing the zoning of a parcel of land located in Lots 1,2,and 3 of Block 32 of the Bayless Addition from RS-3(Residential Single-Family High Density District) to RM-2 (Residential Multi-Family Medium Density District). (**Chris Cochran**)

Motion by Purkey, second by Watson to approve **Ordinance #2011- 17**, changing the zoning of a parcel of land located in Lots 1,2,and 3 of Block 32 of the Bayless Addition from RS-3(Residential Single-Family High Density District) to RM-2 (Residential Multi-Family Medium Density District). Roll call vote: Willis, yes; Robertson, yes; Lepak, yes; Perry, yes; Cypert, yes; Purkey, yes; Smith, yes; and Watson, yes. Motion carried.

(4) **Approve/Reject Ordinance #2011-_____**, amending Title XV Chapter 150 of the Claremore Municipal Code by adding a new paragraph under Section 150.061 (B) regarding the use of aluminum wiring for electrical service conductors. (**Chris Cochran**)

Motion by Purkey, second by Cypert to approve **Ordinance #2011- 18**, amending Title XV Chapter 150 of the Claremore Municipal Code by adding a new paragraph under Section 150.061 (B) regarding the use of aluminum wiring for electrical service conductors. Roll call vote: Willis, yes; Robertson, yes; Lepak, yes; Perry, yes; Cypert, yes; Purkey, yes; Smith, yes; and Watson, yes. Motion carried.

(5) **Approve/Reject** proposal by Mr. David Lees to acquire land currently owned by the City of Claremore at Claremore Lake, described as:

TRACT "B" (PROPERTY TO BE DEEDED TO DAVID LEES BY THE CITY OF CLAREMORE)

A tract of land containing a part of the NW/4 of the SE/4 of Section 25, Township 22 North, Range 16 East of the I.B.&M., Rogers County, Oklahoma, said tract being more particularly described as follows: Commencing at the Northwest corner of said NW/4 of the SE/4; thence N 89°57'23" E along the North line thereof, a distance of 772.96 feet to the Point of Beginning; thence S 18°16'13" E a distance of 170.00 feet; thence N 85°43'15" E a distance of 176.00 feet; thence N 52°37'03" E a distance of 119.00 feet; thence N 23°12'34" W a distance of 82.99 feet to a point on the North line of the SE/4, said point being 1571.31 feet West of the North-east corner thereof; thence S 89°57'23" W a distance of 290.66 feet to the Point of Beginning, containing 0.94 acres more or less.

in exchange for property owned by Mr. Lees, described as:

TRACT "A" (PROPERTY TO BE DEEDED TO THE CITY OF CLAREMORE BY DAVIS LEES)

A tract of land containing a part of the S/2 of the NE/4 of Section 25, Township 22 North, Range 16 East of the I.B.&M., Rogers County, Oklahoma, said tract being more particularly described as follows: Commencing at the Southwest corner of said S/2 of the NE/4; thence N 00°01'11" E along the West line thereof, a distance of 605.00 feet to the Point of Beginning; thence S 66°59'57" E a distance of 214.00 feet; thence S 64°36'24" E a distance of 146.00 feet; thence S 47°41'24" E a distance of 177.00 feet; thence S 52°25'33" E a distance of 253.00 feet; thence S 31°19'39" E a distance of 216.29 feet to a point on the South line of the S/2 of NE/4, said point being 772.96 feet East of the Southwest corner thereof; thence N 51°58'09" W a distance of 981.05 feet to the Point of Beginning, containing 1.31 acres more or less.

conditional upon a deed restriction that any structures be elevated to 620.5' or greater.
(**Chris Cochran**)

Motion by Watson, second by Willis to approve the proposal by Mr. David Lees to acquire land currently owned by the City of Claremore at Claremore Lake, described as:

TRACT "B" (PROPERTY TO BE DEEDED TO DAVID LEES BY THE CITY OF CLAREMORE)

A tract of land containing a part of the NW/4 of the SE/4 of Section 25, Township 22 North, Range 16 East of the I.B.&M., Rogers County, Oklahoma, said tract being more particularly described as follows: Commencing at the Northwest corner of said NW/4 of the SE/4; thence N 89°57'23" E along the North line thereof, a distance of 772.96 feet to the Point of Beginning; thence S 16°16'13" E a distance of 170.00 feet; thence N 85°43'15" E a distance of 176.00 feet; thence N 52°37'03" E a distance of 119.00 feet; thence N 23°12'34" W a distance of 82.99 feet to a point on the North line of the SE/4, said point being 1571.31 feet West of the North-east corner thereof; thence S 89°57'23" W a distance of 290.66 feet to the Point of Beginning, containing 0.94 acres more or less.

in exchange for property owned by Mr. Lees, described as:

TRACT "A" (PROPERTY TO BE DEEDED TO THE CITY OF CLAREMORE BY DAVIS LEES)

A tract of land containing a part of the S/2 of the NE/4 of Section 25, Township 22 North, Range 16 East of the I.B.&M., Rogers County, Oklahoma, said tract being more particularly described as follows: Commencing at the Southwest corner of said S/2 of the NE/4; thence N 00°01'11" E along the West line thereof, a distance of 605.00 feet to the Point of Beginning; thence S 66°59'57" E a distance of 214.00 feet; thence S 64°36'24" E a distance of 146.00 feet; thence S 47°41'24" E a distance of 177.00 feet; thence S 52°25'33" E a distance of 253.00 feet; thence S 31°19'39" E a distance of 216.29 feet to a point on the South line of the S/2 of NE/4, said point being 772.96 feet East of the Southwest corner thereof; thence N 51°58'09" W a distance of 981.05 feet to the Point of Beginning, containing 1.31 acres more or less.

conditional upon a deed restriction that any structures be elevated to 620.5' or greater.
Roll call vote: Willis, yes; Robertson, yes; Lepak, yes; Perry, yes; Cypert, yes; Purkey, yes; Smith, yes; and Watson, yes. Motion carried.

(6) Approve/Reject membership with Oklahoma Municipal League (OML) for the 2011-2012 FY in the amount of \$17,027.19.(Daryl Golbek)

Motion by Watson, second by Willis to approve membership with Oklahoma Municipal League (OML) for the 2011-2012 FY in the amount of \$17,027.19. Roll call vote: Willis, yes; Robertson, yes; Lepak, yes; Perry, yes; Cypert, yes; Purkey, yes; Smith, yes; and Watson, yes. Motion carried.

(7) Approve/Reject 2011/2012 budget amendment in the amount of \$132,600.00 for The 2011 Community Development Block Grant (CDBG). (Ruby Maline)

Motion by Smith, second by Watson to approve /2012 budget amendment in the amount of \$132,600.00 for the 2011 Community Development Block Grant (CDBG). Roll call vote: Willis, yes; Robertson, yes; Lepak, yes; Perry, yes; Cypert, yes; Purkey, yes; Smith, yes; and Watson, yes. Motion carried.

(8) Discussion and vote to publish notice of the proposed changes to the City's Ward Map to rebalance the population among wards within the City limits according to the latest census numbers. (Cassie Woods)

Motion by Smith, second by Willis to approve to publish notice of the proposed changes to the City's Ward Map to rebalance the population among wards within the City limits according to the latest census numbers. Roll call vote: Willis, yes; Robertson, yes; Lepak, yes; Perry, yes; Cypert, yes; Purkey, yes; Smith, yes; and Watson, yes. Motion carried.

EXECUTIVE SESSION

Approve/Reject going into executive session to discuss the following item(s):
(Matt Ballard)

- (a) Discussing confidential communications between the City and its attorney regarding the pending lawsuit *Ward & Lee v. City of Claremore, et al.*, CV-2011-45, filed in Rogers County District Court, as authorized in Okla. Stat. tit. 25, § 307(B)(4), the City having been advised by its attorney that disclosure would seriously impair the ability of the City to conduct the pending litigation in the public interest.
- (b) **Executive** session to discuss above item (a).
- (c) **Regular** session.
- (d) Statement of executive session minutes.
- (e) **Discussion/Possible** action concerning above item (a).

Motion by Purkey, second by Willis to approve going into executive session to discuss item (a). Roll call vote: Willis, yes; Robertson, yes; Lepak, yes; Perry, yes; Cypert, yes; Purkey, yes; Smith, yes; and Watson, yes. Motion carried.

Council entered executive session at 7:04 P.M.

Council came out of executive session at 7:38 P.M.

Motion by Watson, second by Willis to approve returning to regular session. Roll call vote: Willis, yes; Robertson, yes; Lepak, yes; Perry, yes; Cypert, yes; Purkey, yes; Smith, yes; and Watson, yes. Motion carried.

Statement of executive session minutes was read by Mayor Perry:

While in executive session, only the items listed were discussed. No votes were cast and no decisions were made.

ADJOURNMENT

Motion by Willis, second by Watson to adjourn. Roll call vote: Willis, yes; Robertson, yes; Lepak, yes; Perry, yes; Cypert, yes; Purkey, yes; Smith, yes; and Watson, yes. Motion carried.

Meeting adjourned at 7:40 P.M.