

MINUTES OF CLAREMORE PUBLIC WORKS AUTHORITY MEETING
COUNCIL CHAMBERS, CITY HALL, 104 S. MUSKOGEE,
CLAREMORE, OKLAHOMA NOVEMBER 19, 2007

CALL TO ORDER

Meeting called to order by Mayor Brant Shallenburger at
6:00
P.M.

ROLL CALL

City Clerk, Nan Pope, called roll. The following were:

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

Absent: None

Staff Present: City Manager Troy Powell, Nan Pope, Matt
Mueller, Randy Elliott, Serena Kauk, Gene
Edwards, Phil Stowell, Mickey Perry, Steve
Lett, Daryl Golbek, Charlene Lawrence, Mike
Barnes, Paul Casey, Tim Miller

Pledge of Allegiance by all.

Invocation by Dave Mewbourne, First Assembly of God Church.

ACCEPTANCE OF AGENDA

Motion by Mullenger, second by Lehman that the agenda for
the regular CPWA meeting of November 19, 2007, be approved
as written. 9 yes, Mullenger, Lehman, Myers, Robertson,
Guthrie, Shallenburger, Webber, Chase, Watson.

ITEMS UNFORESEEN AT THE TIME AGENDA WAS POSTED

None

CALL TO THE PUBLIC

None

CURRENT BUSINESS

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

- (a) Minutes of Claremore Public Works Authority meeting on November 05, 2007, as printed.
- (b) All claims as printed.

9 yes, Guthrie, Watson, Robertson, Mullenger, Shallenburger, Webber, Chase, Lehman, Myers.

ADJOURN

Motion by Mullenger, second by Lehman to adjourn. 9 yes, Mullenger, Lehman, Guthrie, Shallenburger, Webber, Chase, Watson, Myers, Robertson.

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

**MINUTES OF CLAREMORE CULTURAL DEVELOPMENT AUTHORITY
MEETING**

**COUNCIL CHAMBERS, CITY HALL, 104 S. MUSKOGEE,
CLAREMORE, OKLAHOMA NOVEMBER 19, 2007**

CALL TO ORDER

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

ROLL CALL

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

Present: Brant Shallenburger, Don Myers, Buddy Robertson

Tony Mullenger, Flo Guthrie, Mick Webber,
Terry Chase, Tom Lehman, Paula Watson

Absent: None

Staff Present: City Manager Troy Powell, Nan Pope, Matt Mueller, Randy Elliott, Serena Kauk, Gene Edwards, Phil Stowell, Mickey Perry, Steve Lett,
Daryl Golbek, Charlene Lawrence, Mike Barnes, Paul Casey, Tim Miller

ACCEPTANCE OF AGENDA

Motion by Mullenger, second by Guthrie that the agenda for the regular CCDA meeting of November 19, 2007, be approved as written. 9 yes, Mullenger, Guthrie, Shallenburger, Webber, Chase, Lehman, Watson, Myers, Robertson.

ITEMS UNFORESEEN AT THE TIME AGENDA WAS POSTED

None

CALL TO THE PUBLIC

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 November 05, 2007, as printed.

(b) All claims as printed.

9 yes, Mullenger, Lehman, Guthrie, Shallenburger, Webber, Chase, Watson, Myers, Robertson.

ADJOURNMENT

Motion by Mullenger, second by Guthrie to adjourn. 9 yes, Mullenger, Guthrie, Shallenburger, Webber, Chase, Lehman, Watson, Myers, Robertson.

Meeting adjourned at **6:06 P.M.**

**MINUTES OF REGULAR COUNCIL MEETING
COUNCIL CHAMBERS, CITY HALL, 104 S. MUSKOGEE,
CLAREMORE, OKLAHOMA NOVEMBER 19, 2007**

CALL TO ORDER

Meeting called to order by Mayor Brant Shallenburger at
6:06
P.M.

ROLL CALL

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

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

Absent: None

Staff Present: City Manager Troy Powell, Nan Pope, Matt Mueller, Randy Elliott, Serena Kauk, Gene Edwards, Phil Stowell, Mickey Perry, Steve Lett, Daryl Golbek, Charlene Lawrence, Mike Barnes, Paul Casey, Tim Miller

ACCEPTANCE OF AGENDA

Motion by Mullenger, second by Guthrie that the agenda for the regular council meeting of November 19, 2007 be approved as written. 9 yes, Mullenger, Guthrie, Webber, Chase, Lehman, Watson, Myers, Robertson, Shallenburger.

ITEMS UNFORESEEN AT THE TIME AGENDA WAS POSTED

None

AWARDS, PRESENTATIONS, AND COMMUNICATIONS

Phil Stowell - Recognition and presentation to Julie Cormier, 306 E. 5th Street and Claremore Abstract, 310 S. Lynn Riggs Blvd., recipients of Care More for Claremore's properties of the month for improvement on aesthetic value of neighborhood.

Presentation to Council from Claremore Main Street, State of Oklahoma, Award for Main Street Community of the Month of November, 2007.

CALL TO THE PUBLIC

The following people spoke against Ordinance concerning zoning change for downtown district:

Sam Nichols, Susan Kapachuck, Nancy Bethea, Keith Person

The following people spoke in favor of Ordinance concerning zoning change for downtown district:

Vickie Chaney, Dale Peterson, John David Wolfe

MAYOR'S REPORT & APPOINTMENTS

Thank you for allowing me to be absent - playing hookey at a basketball game.

Compliment Tim Miller and Expo Staff for job well done to get Expo ready for basketball.

Next Agenda - Board of Adjustment position - Steve Kisse and Curt Daniel - I will be available for questions and comments.

CITY MANAGER'S REPORT

None

CITY ATTORNEY'S REPORT

None

UNFINISHED BUSINESS

None

CURRENT BUSINESS

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

- (a) Minutes of Regular Council meeting on November 05, 2007, as printed.
- (b) Minutes of Special Council meeting on November 05, 2007, as printed.
- (c) All claims as printed.

- (d) Actual salary claims for pay period ending October 20, 2007, in the amount of \$391,672.08 and salary claims for pay period ending November 03, 2007, in the amount of \$374,874.01 and estimated salary claims for next pay period in the amount of \$430,000.
- (e) Approve Budget Amendment/Transfer from Water/Sewer to Expo Budget for change orders on the Expo renovations in the amount of \$12,500. **(Serena Kauk)**
- (f) Approve Budget Supplement from budgeted reserve funds for TranSystems initial phase of the quiet zones project for the Union Pacific Railroad in the amount of \$37,700. **(Serena Kauk)**
- (g) Approve Budget Supplement from budgeted reserve funds for the storage bay facility in the amount of \$70,000. **(Serena Kauk)**
- (h) Approve soliciting bids for a backyard bucket apparatus for Electric Department. **(Tim Miller)**
- (i) Approve Change Order No 1 from Builders Unlimited, Inc. for Expo renovation project - \$12,240.11. **(Tim Miller)**
- (j) Approve utility (electric) easement from Northeast Technology Center (NTC) School District No.11 for a primary distribution feeder from substation 2 to the west, serving residential customers and NTC Center. **(Tim Miller/Ron Easterling)**
- (k) Approve utility (electric line) easement from Douglas F. Jones and Debra L. Jones allowing City access to their property - Located - North of Happy Lake, NS 4180 **(Tim Miller/Ron Easterling)**
- (l) Accept bid for 13 transformers for Electric Department from Pauwels Transformers in the amount of \$109,639. **(Tim Miller)**
- (m) Approve soliciting bids for electric wire. **(Tim Miller)**
- (n) Approve Addendum No. 2 with Garver Engineers to provide additional engineering services for the Country Club East Widening project, east of

Highway 66 to Reavis Road - \$8,400. **(Daryl Golbek/Steve Lett)**

- (o) Approve Addendum No. 3 with Garver Engineers to provide additional engineering services for the Country Club East Widening project, east of Highway 66 to Reavis Road - \$8,800. **(Daryl Golbek/Steve Lett)**
- (p) Accept bid for video systems for Police patrol units from Turn-Key Mobile, Inc. in the amount of \$77,025. **(Mickey Perry)**
- (q) Approve request by Chief Perry to continue (E-911) telephone fees at same rate as last year. **(Mickey Perry)**
- (r) Accept bid for warehouse forklift from Medley Material Handling in the amount of \$20,827.70. **(Serena Kauk/Jared Naro)**
- (s) Approve contribution refund payment to **Maggie Jacobsen** from Oklahoma Municipal Retirement Fund (OMRF) **(Serena Kauk)**
- (t) Accept proposal from ACS Playgrounds in the amount of \$48,407 for materials and installation of two (2) playground structures - Lions Kiddie Park and Loshbaugh Park **(Matt Mueller)**
- (u) Approve Agreement with Land Plan Consultants for design and engineering services for Phase Two of the City of Claremore's multi-use trail system in the amount of \$64,346 - estimated City share \$12,869. **(Matt Mueller/Joe Kays)**
- (v) Approve Reliability Bond Project, Phase 3 with Ledbetter, Corner & Associates, Inc. to provide professional electric system consulting services for substation upgrades in the amount of \$353,355. **(Tim Miller)**

9 yes, Guthrie, Lehman, Chase, Watson, Myers, Robertson, Mullenger, Shallenburger, Webber.

Troy Powell - Regarding Ordinance #2007-21 - Our current ordinance does not allow for night clubs - period.

Mullenger - would current businesses be grandfathered in?

Troy - There could be no sexually oriented business downtown - state law prohibits that within 1,000 feet of a church, school or park and Gazebo park meets that requirement.

Motion by Mullenger, second by Myers to adopt **Ordinance #2007-21** changing the zoning of: Parcels of land located in Section 9, Township 21 North, Range 16 East in the City of Claremore, Rogers County, Oklahoma from **CH, RS-3, RM2 to CBD** - Downtown District-allowing a diversification of activities in the commercial areas, permitting businesses the flexibility to add liquor sales and consumption on premises. 6 yes, Mullenger, Myers, Webber, Watson, Robertson, Shallenburger. 2 no, Guthrie, Lehman. 1 recuse, Chase.

Motion by Guthrie, second by Mullenger to adopt **Ordinance #2007-22** changing the zoning of: A parcel of land located in Section 9, Township 21 North, Range 16 East, in the City of Claremore, Rogers County, Oklahoma from **RS-3 to CS** for future commercial growth - location - Nome and East Will Rogers. 9 yes, Guthrie, Mullenger, Chase, Lehman, Watson, Myers, Robertson, Shallenburger, Webber.

919 N. Cherokee - RS-3 Single family - currently - Leland Warhime - builder - 1100 on each side - siding - 2 car garage - 1-Cherokee entrance and 1-12th.

Motion by Mullenger, second by Guthrie to adopt **Ordinance #2007-23** changing the zoning of: A parcel of land located in Section 9, Township 21 North, Range 16 East, in the City of Claremore, Rogers County, Oklahoma from **RS-3 to RD** to build a duplex - location - Cherokee and 12th Street. 9 yes, Mullenger, Guthrie, Lehman, Watson, Myers, Robertson, Shallenburger, Webber, Chase.

60 days cancellation - clause - 2 employees will stay on with no interview - APWA - American Public Works Association - life cycle is used to grade our fleet.

Webber - Sub-contract to do repair for other municipalities - would love to do that.

Kevin - garage keeper - 1 million - 5 million

Webber - Do the job you are advertising

Thanks to Paul and Mike for staying during this process - like the 3 that left, don't blame them.

Motion by Mullenger, second by Guthrie to approve proposal and approve contract with First Vehicle Services for the

management and maintenance of the City of Claremore fleet of vehicles and equipment - \$721,030. 9 yes, Mullenger, Guthrie, Watson, Myers, Robertson, Shallenburger, Webber, Chase, Lehman.

Affect mobile parks that have private streets.

Motion by Mullenger, second by Lehman to adopt **Ordinance #2007- 24** relating to solid waste service with the City of Claremore;

amending Chapter 51, Section 11, of the Code of the City of Claremore; modifying and amending schedule for services - **(Refuse fees for property owners that have privately maintained streets.)** 9 yes, Mullenger, Lehman, Myers, Robertson, Guthrie, Shallenburger, Webber, Chase, Watson.

Motion by Mullenger, second by Guthrie to adopt **Resolution #2007-14** for Project Agreement #SEC330-OD01(008)SG, State Job Number 23703(05) with ODOT to perform a railroad feasibility

study and determine possible crossing alternatives, costs not- to-exceed \$135,800 - (This was paid out of 06/07 budget and is 100% reimbursable.) 9 yes, Mullenger, Guthrie, Robertson, Shallenburger, Webber, Chase, Lehman, Watson, Myers.

Motion by Mullenger, second by Guthrie to adopt **Ordinance #2007-25** regulating the introduction of pollutants into the City of Claremore's municipal separate storm sewer system and

prohibiting illicit discharges into the stormwater sewer system of the City of Claremore, Oklahoma, to be entitled "Illicit Discharge Ordinance", and codified within the Code of Ordinances, of the City of Claremore, Oklahoma, in Title V, Public Works, as Chapter 55, Stormwater Discharges. **(Daryl Golbek)** 9 yes, Mullenger, Guthrie, Shallenburger, Webber, Chase, Lehman, Watson, Myers, Robertson.

Troy - \$10,000 won't be over sewer line

Mullenger - What is cost waive permits and tap fees

Mullenger - When - target date breaking ground - November 30, 2007 at 10:00 AM

GRDA - line relocated already

City will with approval tonight

Rick Reimer - Assistant Superintendent

Lehman - outreach to local business - customized industry training.

Motion by Mullenger, second by Guthrie to approve request to waive permit and tap fees and to help with construction of sewer line for Northeast Technology Center (NTC). 9 yes, Mullenger, Guthrie, Robertson, Shallenburger, Webber, Chase, Lehman, Watson, Myers.

Dell Davis - Presentation concerning BlueGrass/Chili Festival.

Motion by Chase, second by Mullenger to discuss BlueGrass/Chili Festival at December 3, 2007 Council retreat, get good idea of top 10 acts and costs - realistic. 8 yes, Chase, Mullenger, Guthrie, Shallenburger, Webber, Lehman, Watson, Robertson. 1 no, Myers.

EXECUTIVE SESSION

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

- (a) City of Claremore, a municipal corporation, plaintiff vs Town of Verdigris, a municipal corporation, defendant. 25 O.S. Section 307 B.4.
- (b) Employment of Council Employee(s) - City Attorney, City Municipal Judge and City Finance Director. 25 O.S. Section 307 B.1.

9 yes, Mullenger, Guthrie, Shallenburger, Webber, Chase, Lehman, Watson, Myers, Robertson. **TIME 7:55 P.M.**

Council came out of executive session at 9:00 P.M.

Motion by Webber, second by Guthrie to take no action on above items. 9 yes, Webber, Guthrie, Shallenburger, Chase, Lehman, Watson, Myers, Robertson, Mullenger.

ADJOURN

Motion by Mullenger, second by Lehman to adjourn. 9 yes, Mullenger, Lehman, Watson, Myers, Robertson, Guthrie, Shallenburger, Webber, Chase.

Meeting adjourned at **9:03 P.M.**