

**Regular Minutes of the Claremore Cultural Development Authority Meeting  
Council Chambers, City Hall, 104 S. Muskogee Ave.  
Claremore, Oklahoma February 20, 2012**

**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, Mark Lepak, Buddy Robertson, Bill Flanagan, Mickey Perry, Thomas Cypert, Don Purkey, Brandon Smith, Paula Watson

**Absent:** None

**Staff Present:** Daryl Golbek, Matt Ballard, Sarah Sharp, Cassie Woods, Stan Brown, Sean Douglas, Ruby Maline, Ron Kolker, Sherry Beach, Carolyn Chapman, Joe Kays, Sharon McDonald, Ron Easterling, Chris Cochran, Tim White

Pledge of Allegiance by all.

Invocation by Pastor Charles Ragland of Claremore 1<sup>st</sup> Christian Church

**CALL TO THE PUBLIC**

None

**ACCEPTANCE OF THE AGENDA**

Motion by Smith, second by Watson to approve the agenda for the regular CCDA meeting of February 20, 2012, as written. Roll call vote: Willis, yes; Lepak, yes; Robertson, yes; Flanagan, 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 Cultural Development Authority meeting on February 06, 2012, as printed.
- (b)** All claims as printed.

**Councilor Lepak asked that the approval of the minutes be voted for separately, as he did not attend the 02/06/12 meeting.**

Motion by Watson, second by Willis to approve CCDA consent item (a) as printed. Roll call vote: Willis, yes; Lepak, abstain; Robertson, yes; Flanagan, yes; Perry, yes; Cypert, yes; Purkey, yes; Smith, yes; and Watson, yes. Motion carried.

Motion by Watson, second by Willis to approve CCDA consent item (b) as printed. Roll call vote: Willis, yes; Lepak, yes; Robertson, yes; Flanagan, yes; Perry, yes; Cypert, yes; Purkey, yes; Smith, yes; and Watson, yes. Motion carried.

### **ADJOURNMENT**

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

Meeting adjourned at 6:06 P.M.

**Regular Minutes of Claremore Public Works Authority Meeting  
Council Chambers, City Hall, 104 S. Muskogee Ave.  
Claremore, Oklahoma February 20, 2012**

**CALL TO ORDER**

Meeting called to order by Mayor Mickey Perry at 6:06 P.M.

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

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

**Absent:** None

**Staff Present:** Daryl Golbek, Matt Ballard, Sarah Sharp, Cassie Woods, Stan Brown, Sean Douglas, Ruby Maline, Ron Kolker, Sherry Beach, Carolyn Chapman, Joe Kays, Sharon McDonald, Ron Easterling, Chris Cochran, Tim White

**ACCEPTANCE OF THE AGENDA**

Motion by Smith, second by Cypert to approve the agenda for the regular CPWA meeting of February 20, 2012, as written. Roll call vote: Willis, yes; Lepak, yes; Robertson, yes; Flanagan, 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 February 06, 2012, as printed.
- (b)** All claims as printed.
- (c)** Approve request to solicit bids for all Substation Equipment for the Baker Hughes Substation Project. **(Larry Hughes)**
- (d)** Acknowledgement of Oklahoma Department of Environmental Quality (ODEQ) Permit # SL000066110763 and acceptance of Acceptance of Public Sewer for the Park Crest Addition located at Fry St. and S. Choctaw Ave.. **(Chris Cochran)**
- (e)** Acceptance of Utility Easement for the Park Crest Addition, located at Fry St. and S. Choctaw Ave. **(Chris Cochran)**

**Councilor Lepak asked that the approval of the minutes be voted for separately, as he did not attend the 02/06/12 meeting.**

Motion by Watson, second by Willis to approve CPWA consent item (a) as printed. Roll call vote: Willis, yes; Lepak, abstain; Robertson, yes; Flanagan, yes; Perry, yes; Cypert, yes; Purkey, yes; Smith, yes; and Watson, yes. Motion carried.

Motion by Watson, second by Smith to approve CPWA consent items (b) through (e) as printed. Roll call vote: Willis, yes; Lepak, yes; Robertson, yes; Flanagan, yes; Perry, yes; Cypert, yes; Purkey, yes; Smith, yes; and Watson, yes. Motion carried.

**(2) Approve/Reject Mutual Aid Agreement with Municipal Electric Systems of Oklahoma, Inc. (Larry Hughes)**

Motion by Smith, second by Flanagan to table this item until the March 5, 2012 agenda. Roll call vote: Willis, yes; Lepak, yes; Robertson, yes; Flanagan, yes; Perry, yes; Cypert, yes; Purkey, yes; Smith, yes; and Watson, no. Motion carried.

**(3) Approve / Reject) Robert's proposal for repairs to the "New Water Plant" to make it operable. (Chris Cochran/Daryl Golbek)**

Motion by Perry, second by Watson to take staff's recommendation and deny Robert's proposal. Roll call vote: Willis, yes; Lepak, yes; Robertson, yes; Flanagan, yes; Perry, yes; Cypert, yes; Purkey, no; Smith, yes; and Watson, yes. Motion carried.

## **EXECUTIVE SESSION**

**1. Approve/reject** going into executive session pursuant to Oklahoma Statute title 25, Section 307(B)(4), for the purpose of engaging in confidential communications with the City's legal counsel concerning a pending claim by Severn Trent Environmental Services, Inc. for dispute resolution relating to the installation of a PLC/SCADA system at the CPWA's wastewater treatment facility, it being the advice of the City attorney that disclosure will seriously impair the ability of the public body to process the claim in the public interest.

**2.** Executive Session to discuss item 1.

**3.** Regular Session

**4.** Statement of executive session minutes.

**5. Discussion and vote** to take any appropriate legal action in regard to the dispute with Severn Trent Environmental Services, Inc. regarding installation of a SCADA/PLC system, including submission of the dispute to the Independent Engineer, mediation, or arbitration.

Motion by Purkey, second by Flanagan to enter into executive session pursuant to Oklahoma Statute title 25, Section 307(B)(4), for the purpose of engaging in confidential communications with the City's legal counsel concerning a pending claim by Severn Trent Environmental Services, Inc. for dispute resolution relating to the installation of a PLC/SCADA system at the CPWA's wastewater treatment facility, it being the advice of the City attorney that disclosure will seriously impair the ability of the public body to process the claim in the public interest. Roll call vote: Willis, yes; Lepak, yes; Robertson, yes; Flanagan, yes; Perry, yes; Cypert, yes; Purkey, yes; Smith, yes; and Watson, yes. Motion carried.

Council entered into executive session at 6:37 P.M.

Council came out of executive session at 7:05 P.M.

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

Mayor Perry read the statement of executive session minutes: While in executive session only the agenda items listed were discussed. There were no votes cast and no decisions were made.

Motion by Watson, second by Flanagan that the City Manager, in concert with and advice from the City Attorney be authorized to take any and all legal action necessary for the city to fully prosecute its claims against Severn Trent Environmental Services, Inc. Roll call vote: Willis, yes; Lepak, yes; Robertson, yes; Flanagan, yes; Perry, yes; Cypert, yes; Purkey, yes; Smith, yes; and Watson, yes. Motion carried.

### **ADJOURNMENT**

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

Meeting adjourned at 7:09 P.M.

**Minutes of Claremore City Council Regular Meeting  
Council Chambers, City Hall, 104 S. Muskogee Ave.  
Claremore, Oklahoma February 20, 2012**

**CALL TO ORDER**

Meeting called to order by Mayor Mickey Perry at 7:09 P.M.

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

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

**Absent:** None

**Staff Present:** Daryl Golbek, Matt Ballard, Sarah Sharp, Cassie Woods, Stan Brown, Sean Douglas, Ruby Maline, Ron Kolker, Sherry Beach, Carolyn Chapman, Joe Kays, Sharon McDonald, Ron Easterling, Chris Cochran, Tim White

**ACCEPTANCE OF THE AGENDA**

Motion by Flanagan, second by Willis to approve the agenda for the regular City Council meeting of February 20, 2012, as written. Roll call vote: Willis, yes; Lepak, yes; Robertson, yes; Flanagan, 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**

At this time Councilor Lepak expressed his appreciation to the City for the flowers and card his family received during the passing of his father.

**MAYOR'S REPORT & APPOINTMENTS**

**(1) Approve/Reject** Mayor Perry's recommendation to appoint Rick Jones to the Board of Adjustment to fill the seat left vacant by the resignation of Reverend Rodger Cutler, whose term expires October 2014.

Motion by Purkey, second by Flanagan to approve Mayor Perry's recommendation to appoint Rick Jones to the Board of Adjustment to fill the seat left vacant by the resignation of Reverend Rodger Cutler, whose term expires October 2014. Roll call vote: Willis, yes; Lepak, yes; Robertson, yes; Flanagan, yes; Perry, yes; Cypert, yes; Purkey, yes; Smith, yes; and Watson, yes. Motion carried.

Mayor Perry expressed his thanks to Rev. Cutler for his willingness to serve and informed the Council that Cutler has relocated to Muskogee and that is why he relinquished his position.

### **STAFF REPORTS**

City Manager Daryl Golbek introduced new IT Director Tim White to the Council.

### **CURRENT BUSINESS**

**(2) Approve/Reject** the following consent items:

- (a) Minutes of the Special Council Meeting on January 26, 2012, as printed.
- (b) Minutes of the Special Council Meeting/Council Retreat on January 30, 2012, as printed.
- (c) Minutes of the Regular Council Meeting on February 06, 2012, as printed.
- (d) Minutes of the Special Council Meeting/Council Workshop on February 09, 2012, as printed.
- (e) All claims as printed.
- (f) Actual salary claims for pay periods ending **February 03, 2012**, in the amount of **\$360, 285.62** 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.
- (g) Approval of REAP Contract #040-CD-2012 concerning a grant obtained from Grand Gateway in the amount of \$50,000 for the renovation of the new Sr. Center dining hall. **(Joe Kays/Sharon McDonald)**
- (h) Award of bid for Integrated Library System to The Library Corporation (TLC) in the amount of \$24,213 for the first year, and \$17,000 annually after initial implementation. **(Sherry Beach)**
- (i) Award of bid for the purchase of “Multi-Purpose Emergency Response Trailer” to Dave’s Claremore RV in the amount of \$23,966.00. **(Stan Brown)**
- (j) Award of bid for 9 sets of structural fire fighting protective ensembles to Casco Industries, Inc. in the amount of \$12,555.00. **(Sean Douglas)**

**Councilor Lepak asked that items (c) and (d) be voted for separately, as he did not attend these meetings.**

Motion by Flanagan, second by Willis to approve Council consent items (c) and (d) as printed. Roll call vote: Willis, yes; Lepak, abstain; Robertson, yes; Flanagan, yes; Perry, yes; Cypert, yes; Purkey, yes; Smith, yes; and Watson, yes. Motion carried.

Motion by Flanagan, second by Willis to approve Council consent items (a) & (b) and items (e) through (j) as printed. Roll call vote: Willis, yes; Lepak, yes; Robertson, yes; Flanagan, yes; Perry, yes; Cypert, yes; Purkey, yes; Smith, yes; and Watson, yes. Motion carried.

- (3) Approve/Reject Ordinance #2012-\_\_\_\_\_**, changing the zoning of a parcel of land in Block 7, also known as 407 N. Moore Ave. of the State Preparatory Addition to the City of Claremore and being a part of Section 5, 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 RD (Residential Duplex District) and directing the appropriate amendment to the zoning map of the City of Claremore, Oklahoma. **(Chris Cochran)**

Motion by Flanagan, second by Watson to approve **Ordinance #2012- 2**, changing the zoning of a parcel of land in Block 7, also known as 407 N. Moore Ave. of the State Preparatory Addition to the City of Claremore and being a part of Section 5, 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 RD (Residential Duplex District) and directing the appropriate amendment to the zoning map of the City of Claremore, Oklahoma. Roll call vote: Willis, yes; Lepak, yes; Robertson, yes; Flanagan, yes; Perry, yes; Cypert, yes; Purkey, yes; Smith, yes; and Watson, yes. Motion carried.

- (4) Approve/Reject Ordinance #2012-\_\_\_\_\_**, vacating a portion of the public way known as LaCrosse Street and closing it for public use.**(Daryl Golbek/Chris Cochran)**

City Attorney Matt Ballard stated that Mr. Tapp's attorney Alex Hammock has contacted him and asked that the agenda item be removed. Ballard stated that the City had expressed some concern over the vacation of the street before the plat was finalized. This item will come back before the Council at a later time.

- (5) Approve/Reject** declaring a Wolf six burner stove/oven surplus, and authorizing its disposal either through sale of, donation of, or scrapping the stove. **(Joe Kays)**

Motion by Purkey, second by Flanagan to approve declaring a Wolf six burner stove/oven surplus, and authorizing its disposal either through sale of, donation of, or scrapping the stove, at the discretion of Joe Kays. Roll call vote: Willis, yes; Lepak, yes; Robertson, yes; Flanagan, yes; Perry, yes; Cypert, yes; Purkey, yes; Smith, yes; and Watson, yes. Motion carried.

- (6) Approve/Reject** declaring surplus Unit # 120, a 1994 Chevy 2500 Pick-up truck VIN#1GCGC24K8RE156672, currently used as a Animal Control Vehicle. **(Stan Brown)**

Motion by Flanagan, second by Willis to declare surplus Unit # 120, a 1994 Chevy 2500 Pick-up truck VIN#1GCGC24K8RE156672, currently used as a Animal Control Vehicle. Roll call vote: Willis, yes; Lepak, yes; Robertson, yes; Flanagan, yes; Perry, yes; Cypert, yes; Purkey, yes; Smith, yes; and Watson, yes. Motion carried.

- (7) **Approve/Reject** purchase of time keeping software and implementation services with Kronos Incorporated in the amount of \$24,949.00. (**Carolyn Chapman/Ruby Maline**)

Motion by Purkey, second by Watson to approve the purchase of time keeping software and implementation services with Kronos Incorporated, amount not to exceed \$24,949.00. Roll call vote: Willis, yes; Lepak, yes; Robertson, yes; Flanagan, yes; Perry, yes; Cypert, yes; Purkey, yes; Smith, yes; and Watson, yes. Motion carried.

- (8) **Approve/Reject** “Notice of Presentation of Ordinance to Close a Sanitary Sewer Easement” on property owned by Dollar General at 407 S. Brady Street (Vacant lot north of El Azteca). (**Chris Cochran**)

Motion by Flanagan, second by Watson to approve “Notice of Presentation of Ordinance to Close a Sanitary Sewer Easement” on property owned by Dollar General at 407 S. Brady Street (Vacant lot north of El Azteca). Roll call vote: Willis, yes; Lepak, yes; Robertson, yes; Flanagan, yes; Perry, yes; Cypert, yes; Purkey, yes; Smith, yes; and Watson, yes. Motion carried.

- (9) **Approve/Reject Ordinance #2012-\_\_\_\_\_**, amending Title XV Chapter 151 “Floodplain Regulations” of the Claremore Municipal Code including the adoption of a revised flood insurance study for Rogers County, Oklahoma dated April 3,2012. (**Chris Cochran**)

Motion by Watson, second by Cypert to approve **Ordinance #2012- 3**, amending Title XV Chapter 151 “Floodplain Regulations” of the Claremore Municipal Code including the adoption of a revised flood insurance study for Rogers County, Oklahoma dated April 3,2012. Roll call vote: Willis, yes; Lepak, yes; Robertson, yes; Flanagan, yes; Perry, yes; Cypert, yes; Purkey, yes; Smith, yes; and Watson, yes. Motion carried.

- (10) **Approve/Reject Ordinance #2012-\_\_\_\_\_**, enacting and adopting the 2011 supplement to the Code of Ordinances for the City of Claremore, Claremore, Oklahoma. (**Sarah Sharp**)

Motion by Watson, second by Willis to approve **Ordinance #2012- 4**, enacting and adopting the 2011 supplement to the Code of Ordinances for the City of Claremore, Claremore, Oklahoma. Roll call vote: Willis, yes; Lepak, yes; Robertson, yes; Flanagan, yes; Perry, yes; Cypert, yes; Purkey, yes; Smith, yes; and Watson, yes. Motion carried.

## ***EXECUTIVE SESSION***

- (1) Approve/reject** going into executive session pursuant to Oklahoma Statute title 25, Section 307(B) (2), for the following purpose:
  - a. Discussing collective bargaining labor negotiations with the Claremore fire union, IAFF Local 1077; and
  - b. Discussing collective bargaining labor negotiations with the police union, FOP Lodge #112.
- (2)** Executive Session to discuss items (a) and (b).
- (3)** Regular Session
- (4)** Statement of executive session minutes.
- (5)** Discussion and vote to appoint members of the negotiating team to represent the City in regard to collective bargaining labor negotiations with the Claremore fire union, IAFF Local 1077.
- (6)** Discussion and vote to appoint members of the negotiating team to represent the City in regard to collective bargaining labor negotiations with the police union, FOP Lodge #112.

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

Council entered into executive session at 7:43 P.M.

Council exited executive session at 8:47 P.M.

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

Mayor Perry read the statement of executive session minutes: While in executive session only the agenda items listed were discussed. There were no votes cast and no decisions were made.

Motion by Flanagan, second by Smith to appoint a negotiations team to represent the City in collective bargaining labor negotiations with the Claremore Fire Union, IAFF Local

1077. City's negotiations team to consist of City Legal Council, HR Director Carolyn Chapman, and any other personnel they deem necessary to advise them in reference to the internal workings of the City. Roll call vote: Willis, yes; Lepak, yes; Robertson, yes; Flanagan, yes; Perry, yes; Cypert, yes; Purkey, yes; Smith, yes; and Watson, yes. Motion carried.

Motion by Flanagan, second by Smith to appoint a negotiations team to represent the City in collective bargaining labor negotiations with the Claremore Police Union, FOP Lodge #112. City's negotiations team to consist of City Legal Council, HR Director Carolyn Chapman, and any other personnel they deem necessary to advise them in reference to the internal workings of the City. Roll call vote: Willis, yes; Lepak, yes; Robertson, yes; Flanagan, yes; Perry, yes; Cypert, yes; Purkey, yes; Smith, yes; and Watson, yes. Motion carried.

### **ADJOURNMENT**

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

Meeting adjourned at 8:50 P.M.