

**Minutes of the Claremore Cultural Development Authority Regular Meeting  
Council Chambers, City Hall, 104 S. Muskogee Ave.  
Claremore, Oklahoma February 04, 2013**

**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, Bill Flanagan, Mickey Perry, Thomas Cypert, Don Purkey, Brandon Smith, Paula Watson

**Absent:** Buddy Robertson

**Staff Present:** Jim Thomas, Matt Ballard, Sarah Sharp, Cassie Woods, Tim White, Sean Douglas, Ron Kolker, Daryl Golbek, Stan Brown, Larry Hughes, Carolyn Chapman, Anne Smith, Joe Kays, Jean Hurst

Pledge of Allegiance by all.

Invocation by Pastor Tiffany Miller, Claremore House of Prayer

**CALL TO THE PUBLIC**

**Paul Nusbaum- 14422 E. Quail Run Court**

Mr. Nusbaum is the President of the Estates of East Ridge Home Owners Association. He states that they have had electrical problems for the past 10 years, with a dramatic increase in the past few years. Nubaum states that if he had known of the electrical problems, he might have built his house in another location. Last year at the annual Home Owners meeting, they took a poll as to what the major concerns of the residents were and the number one concern was the electric. Mr. Nusbaum has had several appliances go out due to power surges. He stated that the residents are here to support Larry and his department and his plans for the Electric Department.

**Chris Cole- 19404 S. Quail Run Court Claremore**

Mr. Cole is the Vice-President of the Estates of East Ridge HOA. He states that there are 18 occupied homes, 1 vacant, and one in the finishing stages of building. Cole states that there are 50-52 people living in this addition that are being affected. Cole has lived in Claremore since 2007 and loves the community, stating that it is a great place to live and raise a family, but the electric service is terrible. Cole stated there were 16 spikes alone in 2012, not counting the outages. He has replaced 3 operating panels for his garage door in at \$315 each, and replaced the operating panel for his ice maker 2 times in the amount of \$400. Cole stated he would like to encourage the Council to support Larry and the AMI technology and consider this when forming the budget.

**Jerry Champion- 19377 S. Quail Run Court Claremore**

Mr. Champion states that he has lived here for 7 years. Previous to that he lived for 34 years in Tulsa with PSO as his electric provider. He never experienced outages like he has in Claremore. He stated that his house is all electric, so every time that the electric goes off, he loses everything. He has lost computers, ice makers, garage doors, home theaters, etc. He asked the Council to please address this so that the citizens are not left to pay the price.

**John Detter- 19434 S. Quail Run Court Claremore**

Mr. Detter stated that he would just like to add to what the others have said, expressing his concern for security of the area. They are not as accessible to police as they would be in town. They rely on the lights for security, as it is very dark without the lights, and security systems do not function when the power is off.

**ACCEPTANCE OF THE AGENDA**

Motion by Smith, second by Watson to approve the agenda for the regular CCDA meeting of February 04, 2013, as written. Roll call vote: Willis, yes; Lepak, 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 the Regular Claremore Cultural Development Authority meeting on January 22, 2013, as printed.
- (b)** All claims as printed.

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

**(2) Approve/Reject** audit for year ending June 30, 2012. **(Ron Kolker)**

Finance Director Ron Kolker reviewed the financials with Council.

Motion by Flanagan, second by Purkey to approve the Cultural Development Authority portion of the audit for year ending June 30, 2012. Roll call vote: Willis, yes; Lepak, yes; Flanagan, yes; Perry, yes; Cypert, yes; Purkey, yes; Smith, yes; and Watson, yes. Motion carried.

## **ADJOURNMENT**

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

Meeting adjourned at 6:18 P.M.

**Minutes of the Claremore Public Works Authority Regular Meeting  
Council Chambers, City Hall, 104 S. Muskogee Ave.  
Claremore, Oklahoma February 04, 2013**

**CALL TO ORDER**

Meeting called to order by Mayor Mickey Perry at 6:18 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, Bill Flanagan, Mickey Perry, Thomas Cypert, Don Purkey, Brandon Smith, Paula Watson

**Absent:** Buddy Robertson

**Staff Present:** Jim Thomas, Matt Ballard, Sarah Sharp, Cassie Woods, Tim White, Sean Douglas, Ron Kolker, Daryl Golbek, Stan Brown, Larry Hughes, Carolyn Chapman, Anne Smith, Joe Kays, Jean Hurst

**ACCEPTANCE OF THE AGENDA**

Motion by Smith, second by Watson to approve the agenda for the regular CPWA meeting of February 04, 2013, as written. Roll call vote: Willis, yes; Lepak, 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 04, 2013, as printed.
- (b)** All claims as printed.

Motion by Smith, second by Watson to approve the consent items as listed, with a correction to the motion to approve the agenda on the January 22 minutes. The motion was seconded by Watson, not Willis. Roll call vote: Willis, abstain; Lepak, yes; Flanagan, yes; Perry, yes; Cypert, yes; Purkey, yes; Smith, yes; and Watson, yes. Motion carried.

**(2) Approve/Reject** audit for year ending June 30, 2012. **(Ron Kolker)**

Finance Director Ron Kolker reviewed the financials with Council.

Motion by Flanagan, second by Smith to approve the Public Works portion of the audit for year ending June 30, 2012. Roll call vote: Willis, yes; Lepak, yes; Flanagan, yes; Perry, yes; Cypert, yes; Purkey, yes; Smith, yes; and Watson, yes. Motion carried.

**(3) Approve/Reject CPWA Resolution #2013-\_\_\_\_\_**, authorizing the issuance of The Claremore Public Works Authority's Utility Revenue Note, Series 2013A (Baker Hughes Increment District Project) in an amount not to exceed \$3,480,000 (The "Series 2013A Note"); waiving competitive bidding on the sale thereof; approving and authorizing execution and delivery of the Series 2013A Note; approving and authorizing execution and delivery of that certain "Public Financing Assistance Agreement" by and between the Claremore Public Works Authority and The Claremore Industrial And Economic Development Authority, and all other documents and instruments relating thereto; authorizing the filing of a preliminary and final private placement memorandum; designating and appointing Authority Officers to act in connection with the sale and delivery of the Series 2013A Note; and containing other provisions relating thereto. **(Dan McMahan)**

Attorney Dan McMahan stated that the documents were not able to be finished processing by the end of 2012. Therefore, a new Resolution must be passed with the correct year of 2013. There were no other changes.

Motion by Flanagan, second by Perry to approve **CPWA Resolution #2013- 2**, authorizing the issuance of The Claremore Public Works Authority's Utility Revenue Note, Series 2013A (Baker Hughes Increment District Project) in an amount not to exceed \$3,480,000 (The "Series 2013A Note"); waiving competitive bidding on the sale thereof; approving and authorizing execution and delivery of the Series 2013A Note; approving and authorizing execution and delivery of that certain "Public Financing Assistance Agreement" by and between the Claremore Public Works Authority and The Claremore Industrial And Economic Development Authority, and all other documents and instruments relating thereto; authorizing the filing of a preliminary and final private placement memorandum; designating and appointing Authority Officers to act in connection with the sale and delivery of the Series 2013A Note; and containing other provisions relating thereto. Roll call vote: Willis, yes; Lepak, yes; Flanagan, yes; Perry, yes; Cypert, yes; Purkey, yes; Smith, yes; and Watson, yes. Motion carried.

## **ADJOURNMENT**

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

Meeting adjourned at 6:27 P.M.

**Minutes of the Claremore City Council Regular Meeting  
Council Chambers, City Hall, 104 S. Muskogee Ave.  
Claremore, Oklahoma February 04, 2013**

**CALL TO ORDER**

Meeting called to order by Mayor Mickey Perry at 6:27 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, Bill Flanagan, Mickey Perry, Thomas Cypert, Don Purkey, Brandon Smith, Paula Watson

**Absent:** Buddy Robertson

**Staff Present:** Jim Thomas, Matt Ballard, Sarah Sharp, Cassie Woods, Tim White, Sean Douglas, Ron Kolker, Daryl Golbek, Stan Brown, Larry Hughes, Carolyn Chapman, Anne Smith, Joe Kays, Jean Hurst

**ACCEPTANCE OF THE AGENDA**

Motion by Smith, second by Watson to approve the agenda for the regular City Council meeting of February 04, 2013, as written. Roll call vote: Willis, yes; Lepak, 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**

None

**MAYOR'S REPORT & APPOINTMENTS**

None

**STAFF REPORTS**

City Manager Jim Thomas report:

A transformer went out Friday at the Water Plant. We have a unique sized transformer, the closest one that could be found was 8 hours away. Jim Ward was able to make temporary repairs with some Oklahoma ingenuity and was able to get the Water Plant back on line. Our City Employees move heaven and earth to provide services to our citizens. Daryl, Larry, and I will be going to Oklahoma City this week to look at some AMI Technology.

Thomas wanted to recognize City Employee Henry Cupps. Cupps has worked in the Sanitation Department for 32 years. Thomas expressed his thanks and gratitude to Cupps for his service and devotion to the City.

Thomas recognized Fire Chief Sean Douglas for his completion of the National Fire Academy program. Thomas stated that the program takes a commitment of 2 weeks a year for 4 years, and is very thorough.

City Clerk and Code Enforcement supervisor Sarah Sharp updated the Council on a structure on Holly Road that has been burned for some time. There will be a public hearing on February 14, 2013 at 9:00 a.m. to determine if the structure is dilapidated and needs to be removed. The abstract has been brought up to date; the proper invested parties have been notified. City Manager Thomas will preside over the hearing. If the structure is deemed to be removed and the bank or owner does not do it, the Public Infrastructure departments are prepared to do the demolition. The only costs the City will be out up front will be for the landfill charges. A lien will be filed to recover all fees associated.

#### **CURRENT BUSINESS**

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

- (a)** Minutes of the Regular Council Meeting on January 22, 2013, as printed.
- (b)** Minutes of the Special Council Meeting on January 24, 2013, as printed.
- (c)** All claims as printed.
- (d)** Actual salary claims for pay periods ending **January 18, 2013**, in the amount of **\$415, 481.08** 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.
- (e)** Request to solicit bids construction of a Splash Pad at Claremore Lake.  
**(Joe Kays)**
- (f)** Approval of annual Facility Use Agreement with Claremore Girls' Softball Association. **(Joe Kays)**
- (g)** Approval of annual Facility Use Agreement with Rogers County Youth Baseball Association. **(Joe Kays)**

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

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

Councilor Smith stated that the contracts for the Rogers County Youth Baseball and Claremore Girls' Softball Association call for the associations to provide the City an accounting of their yearly financials by January of each year. They have not done so. Parks Director Joe Kays stated that he did have some preliminary documents from the Softball group, but not the complete financials. Kays stated he has not received anything from the Baseball group.

Motion by Smith, second by Willis to table consent items (f) and (g) until the February 18<sup>th</sup> meeting in order for the groups to comply with this portion of the contract. Roll call vote: Willis, yes; Lepak, yes; Flanagan, yes; Perry, yes; Cypert, yes; Purkey, yes; Smith, yes; and Watson, yes. Motion carried.

**(2) Approve/Reject audit for year ending June 30, 2012. (Ron Kolker)**

Finance Director Ron Kolker reviewed the financials with Council. Kolker stated that he and CM Thomas will meet with bond council to look into refinancing options that will save the City money in interest.

Floyd Langley of Wingard, Ragsdale, and Langley reviewed the audit with Council and answered questions.

Motion by Flanagan, second by Smith to approve the audit for year ending June 30, 2012. Roll call vote: Willis, yes; Lepak, yes; Flanagan, yes; Perry, yes; Cypert, yes; Purkey, yes; Smith, yes; and Watson, yes. Motion carried.

**(3) Approve/Reject Resolution #2013-\_\_\_\_\_, approving the issuance by The Claremore Industrial And Economic Development Authority of its "Tax Apportionment/Utility Revenue Note, Series 2013A (Taxable) (Baker Hughes Increment District Project)" and of its "Tax Apportionment/Utility Revenue Note, Series 2013B (Taxable) (Baker Hughes Increment District Project); approving the issuance by The Claremore Public Works Authority of its "Utility Revenue Note, Series 2013A (Taxable) (Baker Hughes Increment District Project)"; waiving competitive bidding on the sale of such notes; approving a security agreement by and between The City Of Claremore and The Claremore Industrial And Economic Development Authority; and containing other matters relating thereto. (Dan McMahan)**

Attorney Dan McMahan stated that the documents were not able to be finished processing by the end of 2012. Therefore, a new Resolution must be passed with the correct year of 2013. There were no other changes.

Motion by Flanagan, second by Lepak to approve **Resolution #2013- 2**, approving the issuance by The Claremore Industrial And Economic Development Authority of its "Tax Apportionment/Utility Revenue Note, Series 2013A (Taxable) (Baker Hughes Increment District Project)" and of its "Tax Apportionment/Utility Revenue Note, Series 2013B (Taxable) (Baker Hughes Increment District Project); approving the issuance by The

Claremore Public Works Authority of its "Utility Revenue Note, Series 2013A (Taxable) (Baker Hughes Increment District Project)"; waiving competitive bidding on the sale of such notes; approving a security agreement by and between The City Of Claremore and The Claremore Industrial And Economic Development Authority; and containing other matters relating thereto. Roll call vote: Willis, yes; Lepak, yes; Flanagan, yes; Perry, yes; Cypert, yes; Purkey, yes; Smith, yes; and Watson, yes. Motion carried.

**(4) Approve/Reject** holding a Public Hearing to Provide Information and Answer Questions, Pursuant to Title 62, Section 859 of the Oklahoma Statutes, Regarding the Request By NXTGEN Filterworks, LLC (the "Company") for the Establishment of "Tax Increment District Number Two, City of Claremore, Oklahoma" In Connection with the Company's Proposal to Acquire, Equip and Operate a 65,000 square-foot nano-technology manufacturing facility within the Claremore Industrial Park in Claremore, Oklahoma. **(Dan McMahan)**

Motion by Cypert, second by Willis to approve holding a Public Hearing to Provide Information and Answer Questions, Pursuant to Title 62, Section 859 of the Oklahoma Statutes, Regarding the Request By NXTGEN Filterworks, LLC (the "Company") for the Establishment of "Tax Increment District Number Two, City of Claremore, Oklahoma" In Connection with the Company's Proposal to Acquire, Equip and Operate a 65,000 square-foot nano-technology manufacturing facility within the Claremore Industrial Park in Claremore, Oklahoma. Roll call vote: Willis, yes; Lepak, yes; Flanagan, abstain; Perry, yes; Cypert, yes; Purkey, yes; Smith, yes; and Watson, yes. Motion carried.

Public Hearing opened: 7:32 P.M.

Attorney Dan McMahan spoke, explaining the process and opened the floor for questions.

Councilor Smith asked how long the business has been in operation.

Councilor Lepak asked what they manufacture and how they were using nano-technology to produce their product.

Donald Cho, President of NXTGEN Filterworks was present and addressed the questions. Cho stated that the company has been in business for 6 years, this is their first plant here. They make natural gas filters. They expect to be fully operational by summer 2013.

Attorney Dan McMahan stated that there would be a second required hearing at the February 18, 2013 Council Meeting at 6:00 P.M.

Motion by Smith, second by Willis to approve closing the Public Hearing. Roll call vote: Willis, yes; Lepak, yes; Flanagan, abstain; Perry, yes; Cypert, yes; Purkey, yes; Smith, yes; and Watson, yes. Motion carried.

Public Hearing closed at 7:44 P.M.

**(5) Approve/Reject** budget transfer in the amount of \$9,600.00 for Fixed Assets and Inventory Software. **(Tim White)**

Finance Director Ron Kolker wanted to note the discrepancies in the dates. City Manager Jim Thomas signed the document in 2013, not 2012. Previous City Manager Daryl Golbek signed the document in 2012, not 2014. Kolker stated that this decreases the general fund budget by \$1,800 and increases fund 56 budget by \$1,800.

Motion by Purkey, second by Watson to approve the budget transfer in the amount of \$9,600.00 for Fixed Assets and Inventory Software. Roll call vote: Willis, yes; Lepak, yes; Flanagan, yes; Perry, yes; Cypert, yes; Purkey, yes; Smith, yes; and Watson, yes. Motion carried.

**(6) Approve/Reject** request to reject all bids for bulk oil and hydraulic fluid, and re-solicit bids. **(Daryl Golbek)**

Public Works Director Daryl Golbek stated that there were some discrepancies in the information that was presented to Council at the last meeting. He asks that all bids be rejected and the bulk oil and hydraulic fluid be re-bid, and the new bid will include 10W20 oil as well.

Motion by Flanagan, second by Smith to approve request to reject all bids for bulk oil and hydraulic fluid, and re-solicit bids. Roll call vote: Willis, yes; Lepak, yes; Flanagan, yes; Perry, yes; Cypert, yes; Purkey, yes; Smith, yes; and Watson, yes. Motion carried.

**(7) Approve/Reject** entering into an agreement with Dock Dogs, Inc. for the Dog Expo to be held in August 2013, and use of City facilities as described. **(Stan Brown/Jean Hurst)**

Motion by Willis, second by Smith to approve entering into an agreement with Dock Dogs, Inc. for the Dog Expo to be held in August 2013, and use of City facilities as described. Roll call vote: Willis, yes; Lepak, yes; Flanagan, yes; Perry, yes; Cypert, yes; Purkey, yes; Smith, yes; and Watson, yes. Motion carried.

**(8) Approve/Reject** purchase of 20 replacement computers in the estimated amount \$19,926.80 from Dell at State Contract Pricing. **(Tim White)**

IT Director Tim White stated that these computers will be installed as follows: Cemetery, Animal Control, Maintenance, Senior Center, Fire Stations, and the Street Departments will all receive 1 each. REC Center will get 2, Expo 3, Public Works 5, and Community Center 2. These computers are for employees that will be working in the new Incode System, new PC's were required to be able to run the software. More funds will be budgeted in the next FY budget to finish the purchases, which will put us on a nice 3 year rotation.

Motion by Smith, second by Purkey to approve the purchase of 20 replacement computers in the estimated amount \$19,926.80 from Dell at State Contract Pricing. Roll call vote: Willis, yes; Lepak, 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 to discuss issues related to the employment of John Singer, pursuant to 25 OKLA. STAT. Section 307 (B)(1).  
**(Jim Thomas/Stam Brown/Matt Ballard)**

Motion by Flanagan, second by Perry to approve entering Executive Session, after a 5 minute break. Roll call vote: Willis, yes; Lepak, yes; Flanagan, yes; Perry, yes; Cypert, yes; Purkey, yes; Smith, yes; and Watson, yes. Motion carried.

- 2. Executive Session** to discuss Item 1.

Council entered Executive Session at 7:58 P.M.

Council exited Executive Session at 8:43 P.M.

- 3. Regular Session.**

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

- 4. Statement of Executive Session minutes.**

Statement of Executive Session minutes was read by Mayor Perry:

While in Executive Session only the items listed on the agenda were discussed. No votes were cast and no action was taken.

- 5. Consideration and vote to take any action deemed necessary regarding the employment of John Singer.**

No action was taken.

## **ADJOURNMENT**

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

Meeting adjourned at 8:46 P.M.