

**Minutes of the Claremore Cultural Development Authority Regular Meeting  
Council Chambers, City Hall, 104 S. Muskogee Ave.  
Claremore, Oklahoma February 18, 2013**

**CALL TO ORDER**

Meeting called to order by Mayor Mickey Perry at 6:03 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, Don Purkey, Paula Watson

**Absent:** Buddy Robertson, Thomas Cypert, Brandon Smith

**Staff Present:** Jim Thomas, Matt Ballard, Sarah Sharp, Cassie Woods, Tim White, Sean Douglas, Ron Kolker, Daryl Golbek, Stan Brown, Larry Hughes, Joe Kays, Charlene Lawrence, Kevin Bledsoe, Daniell Irwin, Jeremy Ledbetter, Ann Mayfield

Pledge of Allegiance by all.

Invocation by Pastor Ted Estes, Life Changer Church

**CALL TO THE PUBLIC**

None

**ACCEPTANCE OF THE AGENDA**

Motion by Willis, second by Watson to approve the agenda for the regular CCDA meeting of February 18, 2013, as written. Roll call vote: Willis, yes; Lepak, yes; Flanagan, yes; Perry, yes; Purkey, 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 February 04, 2013, as printed.
- (b)** All claims as printed.

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

### **ADJOURNMENT**

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

Meeting adjourned at 6:05 P.M.

**Minutes of the Claremore Public Works Authority Regular Meeting  
Council Chambers, City Hall, 104 S. Muskogee Ave.  
Claremore, Oklahoma February 18, 2013**

**CALL TO ORDER**

Meeting called to order by Mayor Mickey Perry at 6:05 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, Don Purkey, Paula Watson

**Absent:** Buddy Robertson, Thomas Cypert, Brandon Smith

**Staff Present:** Jim Thomas, Matt Ballard, Sarah Sharp, Cassie Woods, Tim White, Sean Douglas, Ron Kolker, Daryl Golbek, Stan Brown, Larry Hughes, Joe Kays, Charlene Lawrence, Kevin Bledsoe, Daniell Irwin, Jeremy Ledbetter, Ann Mayfield

**ACCEPTANCE OF THE AGENDA**

Motion by Willis, second by Purkey to approve the agenda for the regular CPWA meeting of February 18, 2013, as written. Roll call vote: Willis, yes; Lepak, yes; Flanagan, yes; Perry, yes; Purkey, 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.
- (c)** Request to solicit bids for the Baker Hughes Substation spill containment for the 2 power transformers. **(Larry Hughes)**

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

**(2) Approve/Reject** the sales tax agreement between the City of Claremore and Claremore Public Works Authority. **(Jim Thomas/Ron Kolker)**

Finance Director Ron Kolker stated that there is no action necessary on this item, as it is included with the next agenda item.

**(3) Approve/Reject CPWA Resolution #2013-\_\_\_\_\_**, authorizing the issuance of the Claremore Public Works Authority Revenue Bonds, in one or more series; waiving competitive bidding on said bonds and authorizing the sale of such bonds at a discount; approving such documents and agreements, including a Sales Tax Agreement , as may be necessary or required; and containing other provisions relating thereto. **(Ron Kolker/Jim Thomas)**

Finance Director Ron Kolker asked that item #3 be skipped, as there are not enough Council members present as required to pass this item. One Councilor indicated that they would be late, so the item was skipped to allow them time to arrive.

**(4) Approve/Reject** award of bid to KC Electric in the estimated amount of \$342,690.78 for the construction contract for the Baker Hughes Substation project. **(Larry Hughes)**

There were concerns in the drastic differences in the bids. Finley Engineering has reviewed the bids with Hughes and they feel that the lowest bid is the best bid.

Motion by Purkey, second by Perry to approve award of bid to KC Electric in the estimated amount of \$342,690.78 for the construction contract for the Baker Hughes Substation project. Roll call vote: Willis, yes; Lepak, yes; Flanagan, yes; Perry, yes; Purkey, yes; and Watson, yes. Motion carried.

**(5) Approve/Reject** purchase of inventory transformers from Wiley Transformers in the estimated amount of \$109,545.00. **(Larry Hughes)**

Motion by Flanagan, second by Hughes to approve the purchase of inventory transformers from Wiley Transformers in the estimated amount of \$109,545.00. Roll call vote: Willis, yes; Lepak, yes; Flanagan, yes; Perry, yes; Purkey, yes; and Watson, yes. Motion carried.

**(6) Approve/Reject** purchase of 7500ft. of 1/0, 15KV, aluminum conductor, primary wire from Govshop in the estimated amount of \$20,000.00. **(Larry Hughes)**

Motion by Watson, second by Flanagan to approve the purchase of 7500ft. of 1/0, 15KV, aluminum conductor, primary wire from Govshop in the estimated amount of \$20,000.00. Roll call vote: Willis, yes; Lepak, yes; Flanagan, yes; Perry, yes; Purkey, yes; and Watson, yes. Motion carried.

#### **ADJOURNMENT**

Mayor Perry stated that the CPWA Meeting would be recessed at 6:23 p.m., until after the Council Meeting.

At this time the Council Meeting was called to order and business was conducted. Before entering into Executive Session a motion was made by Purkey, second by Willis to adjourn the CPWA Meeting. Roll call vote: Willis, yes; Lepak, yes; Flanagan, yes; Perry, yes; Purkey, yes; and Watson, yes. Motion carried.

Meeting adjourned at 7:25 P.M.

**Minutes of the Claremore City Council Regular Meeting  
Council Chambers, City Hall, 104 S. Muskogee Ave.  
Claremore, Oklahoma February 18, 2013**

**CALL TO ORDER**

Meeting called to order by Mayor Mickey Perry at 6:23 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, Don Purkey, Paula Watson

**Absent:** Buddy Robertson, Thomas Cypert, Brandon Smith

**Staff Present:** Jim Thomas, Matt Ballard, Sarah Sharp, Cassie Woods, Tim White, Sean Douglas, Ron Kolker, Daryl Golbek, Stan Brown, Larry Hughes, Joe Kays, Charlene Lawrence, Kevin Bledsoe, Daniell Irwin, Jeremy Ledbetter, Ann Mayfield

**ACCEPTANCE OF THE AGENDA**

Motion by Willis, second by Lepak to approve the agenda for the regular City Council meeting of February 18, 2013, as written. Roll call vote: Willis, yes; Lepak, yes; Flanagan, yes; Perry, yes; Purkey, 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:

Thomas introduced Ann Mayfield, the new Executive Manager of Finance and Budget.

Mayor Perry asked Thomas to give a report on the power outage that occurred on February 7<sup>th</sup>. Thomas stated that the outage had nothing to do with the City of Claremore. A subcontractor of GRDA was running electric to the Baker Hughes facility. He had a rope tied to the line and dropped the rope. About that time, a train came by and took the line. It took out a couple of our sub-stations; power was restored within 1 ½ hours. No serious accidents or injuries occurred.

## CURRENT BUSINESS

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

- (a) Minutes of the Regular Council Meeting on February 04, 2013, as printed.
- (b) All claims as printed.
- (c) Actual salary claims for pay periods ending **February 01, 2013**, in the amount of **\$394, 888.19** 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) Approval of annual Facility Use Agreement with Claremore Girls' Softball Association. **(Joe Kays)**
- (e) Approval of annual Facility Use Agreement with Rogers County Youth Baseball Association. **(Joe Kays)**

Motion by Flanagan, second by Lepak to approve consent items as printed, with the addition of language to the contracts in items (d) and (e) to state that the organizations will follow all proper governmental financial reporting. Roll call vote: Willis, no; Lepak, yes; Flanagan, yes; Perry, no; Purkey, no; and Watson, no. Motion failed.

Motion by Perry, second by Purkey to approve the consent items as listed. Roll call vote: Willis, yes; Lepak, no; Flanagan, no; Perry, yes; Purkey, yes; and Watson, yes. Motion carried.

(2) **Approve/Reject** holding a Public Hearing to provide interested persons an opportunity to be heard 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 Willis, second by Lepak to hold a Public Hearing to provide interested persons an opportunity to be heard 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; Purkey, yes; and Watson, yes. Motion carried.

Public Hearing opened at: 6:32 P.M.

There were no public comments.

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

Public Hearing closed at: 6:34 P.M.

**(3) Approve/Reject Ordinance #2013- \_\_\_\_\_** approving and adopting that certain “Second Supplemental Project Plan relating to Increment District Number Two, City of Claremore, Oklahoma (NXTGEN Filterworks Increment District)”; ratifying and confirming actions, recommendations and findings of the Claremore Local Development Act Review Committee; establishing “Increment District Number Two, City of Claremore, Oklahoma”; designating and adopting project area and increment district boundaries; adopting certain findings; apportioning incremental ad valorem revenues; creating the NXTGEN Filterworks Increment District Apportionment Fund; designating the Claremore Industrial and Economic Development Authority (the “Authority”) as the public entity to carry out and administer the Project Plan and authorizing the Authority to make minor plan amendments; authorizing the Authority to issue tax apportionment bonds or notes; designating the Executive Director of the Authority as the person in charge of the administration of the project plan; providing for severability; and containing other provisions relating thereto. **(Dan McMahan)**

McMahan explained the interest is 5% maximum. They are predicting that it will take 15 “capture” years to repay. It takes 2 years to get everything set up before the “capture” years can begin. If the business is more successful than predicted, the loan would be repaid sooner. The District is automatically closed once the project is paid.

Motion by Perry, second by Willis to approve **Ordinance #2013- 2**, approving and adopting that certain “Second Supplemental Project Plan relating to Increment District Number Two, City of Claremore, Oklahoma (NXTGEN Filterworks Increment District)”; ratifying and confirming actions, recommendations and findings of the Claremore Local Development Act Review Committee; establishing “Increment District Number Two, City of Claremore, Oklahoma”; designating and adopting project area and increment district boundaries; adopting certain findings; apportioning incremental ad valorem revenues; creating the NXTGEN Filterworks Increment District Apportionment Fund; designating the Claremore Industrial and Economic Development Authority (the “Authority”) as the public entity to carry out and administer the Project Plan and authorizing the Authority to make minor plan amendments; authorizing the Authority to issue tax apportionment bonds or notes; designating the Executive Director of the Authority as the person in charge of the administration of the project plan; providing for severability; and containing other provisions relating thereto. Roll call vote: Willis, yes; Lepak, yes; Flanagan, abstain; Perry, yes; Purkey, yes; and Watson, yes. Motion carried.

**(4) Approve/Reject** the sales tax agreement between the City of Claremore and Claremore Public Works Authority. **(Jim Thomas/Ron Kolker)**

Finance Director Ron Kolker stated that there is no action necessary on this item, as it is included with the next agenda item.

**(5) Approve/Reject Resolution #2013-\_\_\_\_\_**, relating to the incurring of indebtedness by the Trustees of the Claremore Public Works Authority and approving a sales tax agreement. **(Jim Thomas/Ron Kolker)**

Finance Director Ron Kolker asked that item #5 be skipped, as there are not enough Council members present as required to pass this item. One Councilor indicated that they would be late, so the item was skipped to allow them time to arrive.

**(6) Approve/Reject** the surplus of the following Police vehicles:

Unit # 258      2000 Crown Victoria    VIN#2FAFP71W6YX173655  
Unit # 96        2002 Crown Victoria    VIN# 2FAFP71W72X114072  
Unit # 220       2002 Crown Victoria    VIN#2FAFP71W62X138167  
and authorizing the disposal of said vehicles. **(Stan Brown)**

Motion by Purkey, second by Perry to approve the surplus of the following Police vehicles:

Unit # 258      2000 Crown Victoria    VIN#2FAFP71W6YX173655  
Unit # 96        2002 Crown Victoria    VIN# 2FAFP71W72X114072  
Unit # 220       2002 Crown Victoria    VIN#2FAFP71W62X138167

and authorizing the disposal of said vehicles. Roll call vote: Willis, yes; Lepak, yes; Flanagan, yes; Perry, yes; Purkey, yes; and Watson, yes. Motion carried.

**(7) Approve/Reject** purchasing three (3) Chevrolet Tahoe Police Package 2WD vehicles at State Contract pricing from Hudiburg Auto Group in the estimated amount of \$78,366.00. **(Stan Brown)**

Motion by Willis, second by Watson to approve the purchase of three (3) Chevrolet Tahoe Police Package 2WD vehicles at State Contract pricing from Hudiburg Auto Group in the estimated amount of \$78,366.00. Roll call vote: Willis, yes; Lepak, yes; Flanagan, yes; Perry, yes; Purkey, yes; and Watson, yes. Motion carried.

**(8) Approve/Reject** soliciting bids for Emergency Equipment and installation for three (3) Chevrolet Tahoe Police Package 2WD vehicles. **(Stan Brown)**

Motion by Willis, second by Watson to approve soliciting bids for Emergency Equipment and installation for three (3) Chevrolet Tahoe Police Package 2WD vehicles. Roll call vote: Willis, yes; Lepak, yes; Flanagan, yes; Perry, yes; Purkey, yes; and Watson, yes. Motion carried.

**(9) Approve/Reject Resolution #2013-\_\_\_\_\_**, supporting the consideration for a permanent Regional Household Hazardous Waste Collection Facility for the regional Tulsa, Oklahoma area. **(Charlene Lawrence/Daryl Golbek)**

Motion by Perry, second by Willis to approve **Resolution #2013- 3**, supporting the consideration for a permanent Regional Household Hazardous Waste Collection Facility for the regional Tulsa, Oklahoma area. Roll call vote: Willis, yes; Lepak, yes; Flanagan, yes; Perry, yes; Purkey, yes; and Watson, yes. Motion carried.

**(10) Presentation, Discussion, and Possible action** regarding the Claremore 2020 Project, including discussion and a vote to establish a strategic plan and goals and objectives for the City of Claremore. **(Jim Thomas)**

C.M. Thomas explained what has been done so far to get to this point. He stated that it was great to have both the City Council and Management Staff on the same page. Their Strategic Planning sessions were held separately and both groups came up with very similar lists. Thomas then gave a presentation on Claremore 2020.

Councilor Lepak thanked Thomas, Jeri Kohler and staff for their time and work. Lepak stated that we have needed a unifying force, and Jim is that force.

Thomas stated that once Council approves Claremore 2020, he will be taking the proposal out into the Community.

Mayor Perry stated that he would like Council to have time to digest the plan and get with Thomas on any changes or questions. The proposal will be brought back before Council for formal approval.

At this time the Claremore Public Works Authority Meeting was adjourned.

## **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/Stan Brown/Matt Ballard)**

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

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

Council entered Executive Session at 7:27 P.M.

Council exited Executive Session at 8:29 P.M.

**3. Regular Session.**

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

Motion by Perry, second by Willis to adopt the following statement regarding the employment of John Singer:

WHEREAS, the City of Claremore is governed by a Council-Manager form of government; and

WHEREAS, the City Manager is vested with the authority to oversee and manage the departments of the City and all City employees; and

WHEREAS, the City Council is required to conduct City business with City officers and employees who are subject to the direction and supervision of the City Manager solely through the City Manager; and

WHEREAS, the City Attorney serves as chief legal advisor to the Council and City Manager and represents the City in all legal proceedings.

The City Council hereby declares and affirms:

The City Manager, in consultation with the City Attorney, has, and at all times has had, full authority to make all decisions related to the employment of Police Investigator John Singer, including, but not limited to, the authority to seek a judicial determination regarding the allegations against Investigator Singer, to investigate the allegations against Investigator Singer, and to authorize the City Attorney to take all action deemed appropriate by the City Manager regarding the employment of Investigator Singer.

Roll call vote: Willis, yes; Lepak, yes; Flanagan, yes; Perry, yes; Purkey, yes; and Watson, yes. Motion carried.

## **ADJOURNMENT**

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

Meeting adjourned at 8:32 P.M.