

**Minutes of the Claremore Cultural Development Authority Regular Meeting
Council Chambers, City Hall, 104 S. Muskogee Ave.
Claremore, Oklahoma October 15, 2018**

CALL TO ORDER

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

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

Present: Jennifer Lewis, Ken Hays, Herb McSpadden, Will DeMier, Bill Flanagan, Brian Callender, Justin Michael, Susan Kirtley, Scott Savage

Absent: None

Staff Present: Jim Thomas, Bryan Drummond, Jonah Humes, Sarah Sharp, Jill Ferenc, Tim White, John Feary, Stan Brown, Suzan Maloy, Kyle Clifton, Chris Paulsen, Sean Douglas, David White, Lisa Wilson

Pledge of Allegiance by all.

Invocation by: Councilman Hays

CALL TO THE PUBLIC

Danny Williams with Spirit Bank and CIEDA Director John Feary both spoke regarding Council Agenda item #2 and chose to speak at the time the agenda item was discussed.

Jerry and Julie Barron and Park-It mobile Home Park owner Cheryl Hastings spoke regarding Council Agenda items #4 and #5 and chose to speak at the time the agenda items were discussed.

ACCEPTANCE OF THE AGENDA

Motion by Hays, second by Lewis that the agenda for the regular CCDA meeting of October 15, 2018 be approved as written. Roll call vote: Lewis, yes; Hays, yes; McSpadden, yes; DeMier, yes; Flanagan, yes; Callender, yes; Michael, yes; Kirtley, yes; and Savage, 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 October 01, 2018 as printed.**
- (b) All Claims as printed.**

Motion by Hays, second by McSpadden to approve the consent items as listed. Roll call vote: Lewis, yes; Hays, yes; McSpadden, yes; DeMier, yes; Flanagan, yes; Callender, yes; Michael, yes; Kirtley, yes; and Savage, yes. Motion carried.

ADJOURNMENT

Motion by Callender, second by Michael to adjourn. Roll call vote: Lewis, yes; Hays, yes; McSpadden, yes; DeMier, yes; Flanagan, yes; Callender, yes; Michael, yes; Kirtley, yes; and Savage, yes. Motion carried.

Meeting adjourned at 6:03 P.M.



Sarah Sharp, CMC
City Clerk

**Minutes of Claremore Public Works Authority Regular Meeting
Council Chambers, City Hall, 104 S. Muskogee Ave.
Claremore, Oklahoma October 15, 2018**

CALL TO ORDER

Meeting called to order by Mayor Flanagan at 6:03 P.M.

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

Present: Jennifer Lewis, Ken Hays, Herb McSpadden, Will DeMier, Bill Flanagan, Brian Callender, Justin Michael, Susan Kirtley, Scott Savage

Absent: None

Staff Present: Jim Thomas, Bryan Drummond, Jonah Humes, Sarah Sharp, Jill Ferenc, Tim White, John Feary, Stan Brown, Suzan Maloy, Kyle Clifton, Chris Paulsen, Sean Douglas, David White, Lisa Wilson

ACCEPTANCE OF THE AGENDA

Motion by Hays, second by Callender that the agenda for the regular CPWA meeting of October 15, 2018 be approved as written. Roll call vote: Lewis, yes; Hays, yes; McSpadden, yes; DeMier, yes; Flanagan, yes; Callender, yes; Michael, yes; Kirtley, yes; and Savage, 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 Claremore Public Works Authority Regular Meeting on October 01, 2018.

(b) All claims as printed.

Motion by McSpadden, second by Hays to approve the consent items as listed. Roll call vote: Lewis, yes; Hays, yes; McSpadden, yes; DeMier, yes; Flanagan, yes; Callender, yes; Michael, yes; Kirtley, yes; and Savage, yes. Motion carried.

(2) Discussion and vote to Approve/Reject the Preliminary Settlement Agreement with Utility Contractors, Inc. (UCI) in the amount of \$520,000.00 for final payment on the Water Treatment Plant Update Project and authorize the Mayor to sign the final settlement agreement. (Jim Thomas)

CM Thomas: There was a \$600,000 contingency built into the original contract. The project did go beyond contracted date due to site changes and weather delays. Both sides came to terms and agreed to this amount, which is still under budget \$350,298.91. The final agreement contains the preliminary agreement plus adds language to keep the City's warranties in place, with the exception of the sludge pump that was outlined in Preliminary Agreement. Sludge pump was designed by Garver was not designed to do the processes at the plant that are in place and will require the pump to be rebuilt. That will be a matter that will have to be settled between the City and Garver. The Performance Bond will be in place for a year. The Water Treatment Plant is and has been working 100% for some time.

Motion by Flanagan, second by Callender to table the approval of the Preliminary Settlement Agreement with UCI and authorize the Mayor to sign the Final Settlement Agreement with a payment to UCI in the amount of \$520,000. Roll call vote: Lewis, yes; Hays, yes; McSpadden, yes; DeMier, yes; Flanagan, yes; Callender, yes; Michael, yes; Kirtley, yes; and Savage, yes. Motion carried.

(3) Discussion and vote to Approve/Reject payment of Invoice 15078300-C1 to Garver Engineering in the amount of \$224,999.70 for Construction Services relating to the Water Treatment Plant Update Project. (Jim Thomas)

CM Thomas: The additional costs are due to additional time on site. Project will still be under budget by about \$125,000. The City borrowed 21m-will still have 1.5 million available that can be used for PW projects.

Motion by Kirtley, second by Hays to approve payment of Invoice 15078300-C1 to Garver Engineering in the amount of \$224,999.70 for Construction Services relating to the Water Treatment Plant Update Project. Roll call vote: Lewis, yes; Hays, yes; McSpadden, yes; DeMier, yes; Flanagan, yes; Callender, yes; Michael, yes; Kirtley, yes; and Savage, yes. Motion carried.

ADJOURNMENT

Motion by Callender, second by Kirtley to adjourn. Roll call vote: Lewis, yes; Hays, yes; McSpadden, yes; DeMier, yes; Flanagan, yes; Callender, yes; Michael, yes; Kirtley, yes; and Savage, yes. Motion carried.

Meeting adjourned at 6:16 P.M.



Sarah Sharp, CMC
City Clerk

**Minutes of Claremore City Council Regular Meeting
Council Chambers, City Hall, 104 S. Muskogee Ave.
Claremore, Oklahoma October 15, 2018**

CALL TO ORDER

Meeting called to order by Mayor Flanagan at 6:16 P.M.

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

Present: Jennifer Lewis, Ken Hays, Herb McSpadden, Will DeMier, Bill Flanagan, Brian Callender, Justin Michael, Susan Kirtley, Scott Savage

Absent: None

Staff Present: Jim Thomas, Bryan Drummond, Jonah Humes, Sarah Sharp, Jill Ferenc, Tim White, John Feary, Stan Brown, Suzan Maloy, Kyle Clifton, Chris Paulsen, Sean Douglas, David White, Lisa Wilson

ACCEPTANCE OF THE AGENDA

Motion by Hays, second by McSpadden that the agenda for the regular City Council meeting of October 15, 2018 be approved as written. Roll call vote: Lewis, yes; Hays, yes; McSpadden, yes; DeMier, yes; Flanagan, yes; Callender, yes; Michael, yes; Kirtley, yes; and Savage, yes. Motion carried.

AWARDS, PRESENTATIONS, AND COMMUNICATIONS

None.

MAYOR'S REPORT & APPOINTMENTS

None.

STAFF REPORTS

City Manager Jim Thomas-

Due to inclement weather, Country Club and Southaven were not able to be painted and the roadway dedication event has been postponed. The roadway cannot be opened until the signs are up and the roadway markings painted. When a new date is scheduled, Council will be notified.

CIEDA Director John Feary presented three videos CIEDA has produced to highlight October as manufacturing month. The 3 videos contain real local workers, not actors, and focus on all aspects of manufacturing.

CURRENT BUSINESS

(1) Approve/Reject the following consent items:

- (a) Minutes of the Regular Council Meeting on October 01, 2018.
- (b) All claims as printed.
- (c) Actual salary claims for pay period ending October 06, 2018 in the amount of \$463,814.39 and estimated salary claims to include contractual agreement 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 the next pay period in the amount of \$500,000. Payroll at \$500,000 amount to include payables.
- (d) Approval of the 2018 3rd quarter E911 report. (Stan Brown)

Motion by Hays, second by Savage to approve the consent items as listed. Roll call vote: Lewis, yes; Hays, yes; McSpadden, yes; DeMier, yes; Flanagan, yes; Callender, yes; Michael, yes; Kirtley, yes; and Savage, yes. Motion carried.

(2) Discussion and vote to Approve/Reject Ordinance 2018-____, changing the zoning of land on a tract of land that is part of the NE/4 and part of the SE/4 of Section 20, Township 21 North, Range 16 East of the Indian Base and Meridian, Rogers County, State of Oklahoma, City of Claremore, Rogers County, State of Oklahoma, from Agriculture (AG) to Residential Single-Family High Intensity District (RS-3) and directing the appropriate amendment to the zoning map of the City of Claremore, Oklahoma. (Jill Ferenc)

Ferenc stated this 50 acres is currently zoned AG requesting RS-3 and is located South of the Harvest Hills Addition and is owned by Spirit Bank. Planning Commission voted 4 in favor with 1 abstain (by developer/owner Bryan Green). At the Planning Commission meeting, Harvest Hills HOA expressed their concerns over egress through their development. CIEDA director John Feary also spoke in favor of development. 2 letters were received as well. Staff recommends approval. Ferenc addressed access points to the development, stating fire code dictates access points during platting. At this point the proposed development will have 120 homes and 2 access points to the development will be required.

CIEDA Director John Feary- Claremore has a need for quality affordable housing. Claremore is seeing growth and it will continue. This is only a zoning change and areas of concern will be addressed at the platting phase of the process.

Danny Williams-Spirit Bank-

Williams stated he is in support of zoning change and believes the development will serve the public interest. The developer/builder is a known in the community.

Councilman Hays noted he is President of the Harvest Hills HOA and stated that he is not contesting zoning but as an access issue and those concerns are better addressed during the plat approval. Hays stated he would like the developer to be on notice of these concerns and hopes that they will be addressed before the plating is finalized. 70 more homes are to be built within the Harvest Hills Addition in the next two years, and they will have enough issues with traffic once all the lots in their development are full, without any additional traffic.

Motion by Savage, second by DeMier to approve Ordinance 2018-21, changing the zoning of land on a tract of land that is part of the NE/4 and part of the SE/4 of Section 20, Township 21 North, Range 16 East of the Indian Base and Meridian, Rogers County, State of Oklahoma, City of Claremore, Rogers County, State of Oklahoma, from Agriculture (AG) to Residential Single-Family High Intensity District (RS-3) and directing the appropriate amendment to the zoning map of the City of Claremore, Oklahoma. Roll call vote: Lewis, yes; Hays, yes; McSpadden, yes; DeMier, yes; Flanagan, yes; Callender, yes; Michael, yes; Kirtley, yes; and Savage, yes. Motion carried.

**(3) Discussion and vote to Approve/Reject the Final Plat of Catalayah Crossing.
(Jill Ferenc)**

Ferenc stated this is a 30 acre parcel with a 42 lot subdivision. There was an area reserved on the East side of the development that allows for a future access roadway to connect King Road to Archer Drive.

Motion by Savage, second by Michael to approve the Final Plat of Catalayah Crossing. Roll call vote: Lewis, yes; Hays, yes; McSpadden, yes; DeMier, yes; Flanagan, yes; Callender, yes; Michael, yes; Kirtley, yes; and Savage, yes. Motion carried.

(4) Discussion and vote to Approve/Reject request of variance of the Floodplain Ordinance §151.15 for 200 S. Cambers Ave., Lot 35. (Kyle Clifton)

Floodplain Manager Kyle Clifton spoke regarding the floodplain regulations and why they are important. Clifton compared the City's ordinance to the standards of surrounding communities. Staff recommended denial of both variances. Clifton pointed out that the Master Drainage Plan designated the area the mobile home park is located in as a problem area.

Mr. Barron stated that he and his wife moved here from Uma, Arizona to be closer to their adult children, who also live in the park. Ms. Barron has been completely disabled for 5 years and is in a wheelchair. The Barrons are currently living in a motel while they are awaiting the delivery of their custom mobile home. They will have \$60,000 invested in the 18X56 mobile home.

Park owner Cheryl Hastings addressed Council, stating FEMA requirements are 3 feet. Even with variance, FEMA standards are still being met. The oldest trailer in the park is from 1972 and is 36 inches off ground. None of the mobile homes in the park have never been flooded inside the homes. Hastings cited numerous drainage projects that have been completed in the past few years that have only improved the drainage in the community. Hastings states there has never been a water rescue in the park, and would love to have a variance for the entire park.

Motion by Michael, second by Callender to approve the variance of Floodplain ordinance §151.15 for 200 S. Chambers Ave., Lot 35, requiring 40 inches to the top of the living floor. Roll call vote: Lewis, yes; Hays, yes; McSpadden, yes; DeMier, yes; Flanagan, yes; Callender, yes; Michael, yes; Kirtley, yes; and Savage, yes. Motion carried.

(5) Discussion and vote to Approve/Reject request of variance of the Floodplain Ordinance §151.15 for 200 S. Chambers Ave., Lot 30. (Kyle Clifton)

Motion by Michael, second by Callender to approve the variance of Floodplain ordinance §151.15 for 200 S. Chambers Ave., Lot 30, rat the existing height. Roll call vote: Lewis, yes; Hays, yes; McSpadden, yes; DeMier, yes; Flanagan, yes; Callender, yes; Michael, yes; Kirtley, yes; and Savage, yes. Motion carried.

(6) Discussion and vote to Approve/Reject Ordinance 2018-___, amending Section 101.3 of Chapter 101 of the Ordinances of the City of Claremore regarding obstructing sidewalks and streets. (Jim Thomas)

Motion by DeMier, second by Kirtley to approve Ordinance 2018-22, amending Section 101.3 of Chapter 101 of the Ordinances of the City of Claremore regarding obstructing sidewalks and streets. Roll call vote: Lewis, yes; Hays, yes; McSpadden, yes; DeMier, yes; Flanagan, yes; Callender, yes; Michael, yes; Kirtley, yes; and Savage, yes. Motion carried.

(7) Discussion and vote to Approve/Reject the Preliminary Settlement Agreement with Utility Contractors, Inc. (UCI) in the amount of \$520,000.00 for final payment on the Water Treatment Plant Update Project and authorize the Mayor to sign the final settlement agreement. (Jim Thomas)

Motion by Flanagan second by DeMier to table the approval of the Preliminary Settlement Agreement with UCI and authorize the Mayor to sign the Final Settlement Agreement with a payment to UCI in the amount of \$520,000. Roll call vote: Lewis, yes; Hays, yes; McSpadden, yes; DeMier, yes; Flanagan, yes; Callender, yes; Michael, yes; Kirtley, yes; and Savage, yes. Motion carried.

ADJOURNMENT

Motion by Micheal, second by Callender to adjourn. Roll call vote: Lewis, yes; Hays, yes; McSpadden, yes; DeMier, yes; Flanagan, yes; Callender, yes; Michael, yes; Kirtley, yes; and Savage, yes. Motion carried.

Meeting adjourned at 7:28 P.M.

A handwritten signature in cursive script that reads "Sarah Sharp".

Sarah Sharp, CMC
City Clerk