

**Minutes of the Claremore Cultural Development Authority Regular Meeting  
Council Chambers, City Hall, 104 S. Muskogee Ave.  
Claremore, Oklahoma October 7, 2019**

**CALL TO ORDER**

Meeting called to order by Mayor Bill 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, Justin Michael, Susan Kirtley, Scott Savage

**Absent:** Brian Callender

**Staff Present:** Jim Thomas, Bryan Drummond, Sarah Sharp, Tim White, Larry Hughes, Suzan Maloy, Garrett Ball, Jonah Humes, Mitch Louderback, Joe Kays, John Feary, Lisa Wilson

Pledge of Allegiance by all.

Invocation by: Jamie Willis, Vessel Church/First United Methodist South Campus

**CALL TO THE PUBLIC**

None.

**ACCEPTANCE OF THE AGENDA**

Motion by Hays, second by Savage that the agenda for the regular CCDA meeting of October 7, 2019 be approved as written. Roll call vote: Lewis, yes; Hays, yes; McSpadden, yes; DeMier, yes; Flanagan, 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 September 23, 2019 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; Michael, yes; Kirtley, abstained; and Savage, yes. Motion carried.

## ADJOURNMENT

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

Meeting adjourned at 6:03 P.M.

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

Sarah Sharp, CMC  
City Clerk

**Minutes of Claremore Public Works Authority Regular Meeting  
Council Chambers, City Hall, 104 S. Muskogee Ave.  
Claremore, Oklahoma October 7, 2019**

**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, Justin Michael, Susan Kirtley, Scott Savage

**Absent:** Brian Callender

**Staff Present:** Jim Thomas, Bryan Drummond, Sarah Sharp, Tim White, Larry Hughes, Suzan Maloy, Garrett Ball, Jonah Humes, Mitch Louderback, Joe Kays, John Feary, Lisa Wilson

**ACCEPTANCE OF THE AGENDA**

Motion by Hays, second by McSpadden that the agenda for the regular CPWA meeting of October 7, 2019 be approved as written. Roll call vote: Lewis, yes; Hays, yes; McSpadden, yes; DeMier, yes; Flanagan, 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 September 23, 2019.**

**(b) All claims as printed.**

**(c) Approval of Garver invoices #1308300-11-22 (12 invoices) totaling \$696,785 for the design of the Water Treatment Plant before construction (Suzan Maloy).**

\$2 million in design fees were paid out of the general fund before the construction loan. The General Fund is now being repaid out of the construction fund to draw down the amount.

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; Michael, yes; Kirtley, yes; and Savage, yes. Motion carried.

## ADJOURNMENT

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

Meeting adjourned at 6:6 P.M.

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

Sarah Sharp, CMC  
City Clerk

**Minutes of Claremore City Council Regular Meeting  
Council Chambers, City Hall, 104 S. Muskogee Ave.  
Claremore, Oklahoma October 7, 2019**

**CALL TO ORDER**

Meeting called to order by Mayor Flanagan at 6:06 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, Justin Michael, Susan Kirtley, Scott Savage

**Absent:** Brian Callender

**Staff Present:** Jim Thomas, Bryan Drummond, Sarah Sharp, Tim White, Larry Hughes, Suzan Maloy, Garrett Ball, Jonah Humes, Mitch Louderback, Joe Kays, John Feary, Lisa Wilson

**ACCEPTANCE OF THE AGENDA**

Motion by Hays, second by Savage that the agenda for the regular City Council meeting of October 7, 2019 be approved as written. Roll call vote: Lewis, yes; Hays, yes; McSpadden, yes; DeMier, yes; Flanagan, yes; Michael, yes; Kirtley, yes; and Savage, yes. Motion carried.

**AWARDS, PRESENTATIONS, AND COMMUNICATIONS**

Deputy Public Works Director Larry Hughes stated he has turned into his resignation and is moving on to other opportunities. Hughes stated he appreciates the Council and their support that has allowed him to do his job. Hughes stated he is excited because he is leaving the department in better shape than he received it. He was able to achieve these things with the support of the Council and Management.

The Mayor, on behalf of the Council and staff expressed their thanks to Hughes for his 19 years of service and the strides he has taken to better our electric department.

**MAYOR'S REPORT & APPOINTMENTS**

**CITY MANAGER'S REPORT**

The quarterly report was handed out this evening. If there are any questions on the projects, please contact myself or Jonah.

## STAFF REPORTS

- (1) Presentation by Jonah Humes regarding the administratively approved Records Retention Policy.**

## CURRENT BUSINESS

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

- (a) Minutes of the Regular Council Meeting on September 23, 2019.**
- (b) All claims as printed.**
- (c) Actual salary claims for pay period ending September 7, 2019 in the amount of \$503,297.45 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, and United Way Contributions for the next pay period in the amount of \$600,000. Payroll at \$600,000 amount to include payables.**
- (d) Approval of contribution pension payment from OMRF (Oklahoma Municipal Retirement Fund) for Ronald L. Easterling (Ashley Hickman).**
- (e) Approval of lump sum payment from OMRF for Linda Alexander (Ashley Hickman).**

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

- (3) Discussion and vote to Approve/Reject Resolution No. 2019-19, selecting an engineering firm to complete the city bridge inspections from April 1<sup>st</sup>, 2020 to March 31<sup>st</sup>, 2022 (Garrett Ball).**

Inspections will be done through ODOT and ODOT funds. We just have to select a consultant from their approved list. Three firms were interviewed, scored, and then selected. The City currently has 11 bridges that require inspection.

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

- (4) Discussion and vote to Approve/Reject change to the PCA (Power Cost Adjustment) (Jim Thomas/Larry Hughes).**

Thomas- recommends dropping the PCA charge to -0.027342 for the month of October based on the last two-year average of the month of October for customers. This will create a refund in the amount of about \$650,000 for customers, which is half of the credit proposed. At the end of

October, the figures will be readjusted for the PCA based upon usage in October, which will be credited on the November billing.

Motion by Flanagan, second by Kirtley to approve change to the Power Cost Adjustment. Roll call vote: Lewis, yes; Hays, yes; McSpadden, yes; DeMier, yes; Flanagan, yes; Michael, yes; Kirtley, yes; and Savage, yes. Motion carried.

## **EXECUTIVE SESSION**

### **(5) Discussion and vote to Approve/Reject going into executive session to discuss the following items:**

- (a) Conduct confidential communications between the City Council and its attorneys concerning City of Claremore v. KC Gunite, Case No. 19-CV-333-CVE-JFJ, United States District Court for the Northern District of Oklahoma, the City Council having been advised by its attorneys that disclosure will seriously impair the ability of the City to conduct the pending litigation in the public interest, pursuant to Okla. Stat. tit. 25 § 307(B)(4).
- (b) Proposed executive session to discuss the purchase of real property, as authorized by OKLA. STAT. tit. 25, Section 307 (B)(3).

Motion by Savage, second by Lewis to approve entering into executive session. Roll call vote: Lewis, yes; Hays, yes; McSpadden, yes; DeMier, yes; Flanagan, yes; Michael, yes; Kirtley, yes; and Savage, yes. Motion carried.

Time in: 6:18 pm

### **(6) Discussion and vote to Approve/Reject acknowledging return to open session.**

Time out: 7:30 pm

Motion by DeMier, second by Hays to approve returning to open session Roll call vote: Lewis, yes; Hays, yes; McSpadden, yes; DeMier, yes; Flanagan, yes; Michael, yes; Kirtley, yes; and Savage, yes. Motion carried.

### **(7) Statement of executive session minutes.**

While in executive session council discussed items set out in agenda items 5 a & b, pursuant to the authority set out therein. All council members present at the meeting were present in executive session, along with the City Manager Jim Thomas, City Attorneys, Parks Director Joe

Kays (item a), Recreation Center Director Mitch Louderback (item a) and CIEDA Director John Feary (item b). No other matters were discussed and no votes were taken.

**(8) Discussion and vote to Approve/Reject the principles of a settlement agreement reached between the City and KC Gunito to resolve the pending litigation.**

Authorize the City Manager to execute the settlement agreement on behalf of the City; forms of the settlement agreement to be approved by the City's legal counsel.

Motion by DeMier, second by McSpadden to approve the settlement agreement. Roll call vote: Lewis, yes; Hays, yes; McSpadden, yes; DeMier, yes; Flanagan, yes; Michael, yes; Kirtley, yes; and Savage, yes. Motion carried.

**(9) Discussion and vote to Approve/Reject regarding the purchase of real property.**

Vote to approve City Manager to proceed consistent with the discussion in executive session.

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

**ADJOURNMENT**

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

Meeting adjourned at 7:33 P.M.



Sarah Sharp, CMC  
City Clerk