

**Minutes of the Claremore Cultural Development Authority Regular Meeting
Council Chambers, City Hall, 104 S. Muskogee Ave.
Claremore, Oklahoma November 18, 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, Jill Ferenc, Jonah Humes, Suzan Maloy, Tanya Andrews, Garrett Ball, Ashley Hickman, Lisa Wilson, John Feary

Pledge of Allegiance by all.

Invocation by: Councilman Ken Hays

CALL TO THE PUBLIC

None.

ACCEPTANCE OF THE AGENDA

Motion by Hays, second by Kirtley that the agenda for the regular CCDA meeting of November 18, 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

(2) Approve/Reject the following consent items:

(a) Minutes of the Regular Claremore Cultural Development Authority Meeting on November 4, 2019 as printed.

(b) All Claims as printed.

Motion by Hays, second by DeMier 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 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 6:02 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 November 18, 2019**

CALL TO ORDER

Meeting called to order by Mayor Flanagan at 6:02 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, Jill Ferenc, Jonah Humes, Suzan Maloy, Tanya Andrews, Garrett Ball, Ashley Hickman, Lisa Wilson, John Feary

ACCEPTANCE OF THE AGENDA

Motion by Savage, second by Hays that the agenda for the regular CPWA meeting of November 18, 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 November 4, 2019.

(b) All claims as printed.

(c) Approval of Stronghand Pay Application #1 in the amount of \$78,045.26 for the Claremore Dam Repair Project (Garrett Ball).

(c) Payout includes work done and materials. Piping has been installed at the tunnel through the dam; divers were there last week, a beaver dam was removed from the tunnel. Joints were fixed in the tunnel, new intake valves on-site- divers mobilized today and did some work on the spillway, they will be back tomorrow to work on the design of the installation of valves. Too much rain has hampered the project, it's not safe for them to dive when water is going over the spillway.

Motion by Hays, second by DeMier 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 McSpadden 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 6:06 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 November 18, 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, Jill Ferenc, Jonah Humes, Suzan Maloy, Tanya Andrews, Garrett Ball, Ashley Hickman, Lisa Wilson, John Feary

ACCEPTANCE OF THE AGENDA

Motion by Hays, second by Savage that the agenda for the regular City Council meeting of November 18, 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

MAYOR'S REPORT & APPOINTMENTS

CITY MANAGER'S REPORT

The Christmas Tree has arrived. Thanks to Melton Trucking of Catoosa for transporting the tree and GRDA and the Electric Department for setting it up. It will be a great event. December 2nd at 6:30 pm will be the tree lighting. We appreciate the support from the business community- have raised almost \$25,000 for the event.

December Council Meetings will be December 9th and 23rd.

STAFF REPORTS

CURRENT BUSINESS

(1) Approve/Reject the following consent items:

(a) Minutes of the Regular Council Meeting on November 4, 2019.

- (b) All claims as printed.**
- (c) Actual salary claims for pay period ending October 19, 2019 in the amount of \$499,180.33 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) Approve acceptance of a drainage easement from Claremore Senior Housing, L.P. in part of Lot 1, Block 1, Prairie Lake Villas, to Rogers County as recorded at Book 2615, Page 9 at the Office of the Rogers County Clerk (Jill Ferenc).**
- (e) Approve a request of special exemption to Ordinance 132.05 to allow a fireworks display on December 31st for New Year's Eve (Tanya Andrews).**

Motion by Savage, second by Michael 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.

(2) Discussion and vote to Approve/Reject Ordinance No. 2019-16, amending the employee retirement system, defined benefit pension plan by adopting a revised and restated retirement plan; providing retirement benefits for eligible employees of the City of Claremore, Oklahoma; providing for purpose and organization; providing for definitions; providing for eligibility and participation; providing for non-alienation of benefits; providing for employer and employee contributions; providing for accounting, allocation, and valuation; providing benefits; providing for required notice providing for amendments and termination; providing for transfer to and from other plans; creating a retirement committee and providing for powers, duties, and rights of retirement committee; providing for payment of certain obligations; providing for duration and payment of expenses; providing for effective date; providing for vesting schedules; providing for a fund to finance the system to be pooled with other incorporated cities, towns and their agencies and instrumentalities for purpose of administration, management, and investment as part of the Oklahoma Municipal Retirement Fund; providing for payment of all contributions under the system to the Oklahoma Municipal Retirement Fund for management and investment; providing for repealer and severability; adopting those amendments mandated by the Internal Revenue Code; and declaring an emergency (Ashley Hickman).

Motion by Kirtley, second by Savage to approve Ordinance No. 2019-16. Roll call vote: Lewis, yes; Hays, yes; McSpadden, yes; DeMier, yes; Flanagan, yes; Michael, yes; Kirtley, yes; and Savage, yes. Motion carried.

(3) Discussion and vote to Approve/Reject an emergency clause for Item #2 that Ordinance No. 2019-16 shall be in full force and effect immediately from and after its passage, approval and adoption (Ashley Hickman).

Motion by McSpadden, second by DeMier to approve emergency clause. 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 Ordinance No. 2019-17, amending the zoning from RM-1 to RD for property located on all of Lots 1, 2, 3, & 4 in Block 37 of Bayless Addition to the City of Claremore (503 S. Davis) (Jill Ferenc).

Planning Commission recommends approval unanimously and staff recommends approval. One letter was received from a neighbor concerned about stormwater drainage. Engineer Garrett Ball has went to the site to review drainage and see what can be done to improve the drainage in the area. Ms. Barger also was concerned about the placement of the driveway and the size of the drainage culvert to be put in. Board of Adjustments approved a special exemption for lot split to allow 2 duplexes to be built on each lot (4 units total).

The drainage issues will be addressed by the City before construction begins on the duplexes.

Call to the Public regarding this item from Dawna Barger about the drainage issues in the area. She has had issues with flooding from the development of duplexes and new housing. She would like to see the drainage issues fixed before the City approves more development in the area.

Motion by DeMier, second by Savage to approve Ordinance No. 2019-17. Roll call vote: Lewis, yes; Hays, yes; McSpadden, yes; DeMier, yes; Flanagan, yes; Michael, yes; Kirtley, yes; and Savage, yes. Motion carried.

(5) Discussion and vote to Approve/Reject awarding RFQ and professional services agreement between Kimley-Horn and Associates, Inc. and the City of Claremore to provide planning services to write a Unified Development Code, Special District Zoning, Pattern Zones and Community Engagement (Jill Ferenc).

Five firms submitted RFQs and of those five, three were interviewed. Kimley-Horn was selected as the top choice by a fifteen-person selection committee. The agreement is set to conclude in December 2021. It's intended to tie our new development and redevelopment to our Comprehensive Plan. This would be a Phase 2 to what we have accomplished this year.

The contract will include continuous project management and engagement, discovery and assessment, looking at our existing regulations and developing a Code framework, engineering design criteria and suggesting changes to that, drafting the code, and drilling down into the details for the Special District Zoning. It also includes Pattern Zones, which would establish a zone in the community where Pattern books or a set of building plans could be purchased from the City at a low cost that's tailored for the area and aligns with the City's goals for each area. It would be pre-approved so it cuts down on the wait time for developers.

The total budget for the project is \$325,000; \$300,000 is budgeted in this fiscal year and the remaining will be budgeted for next year. The kick-off meeting will be held in December or January.

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

(6) Discussion and vote to Approve/Reject Resolution No. 2019-20, establishing an application fee to amend the Claremore Comprehensive Plan Future Land Use Map (Jill Ferenc).

Motion by McSpadden, second by DeMier to approve Resolution No. 2019-20. Roll call vote: Lewis, yes; Hays, yes; McSpadden, yes; DeMier, yes; Flanagan, yes; Michael, yes; Kirtley, yes; and Savage, yes. Motion carried.

(7) Discussion and vote to Approve/Reject Ordinance No. 2019-18, amending Subsection C of Section 1513 of Chapter 15 of the City of Claremore-Rogers County Metropolitan Zoning Ordinance regarding medical marijuana dispensary use conditions (Jill Ferenc).

It will make a minimum spacing requirement of 300 feet to prevent clustering of these businesses within one block. Also adds definitions for established medical marijuana dispensaries. It does not affect those dispensaries who have received their Certificate of Occupancies by November 19, 2019.

At the Planning Commission meeting on November 6, 2019, we had six individuals speak about the Ordinance. One was a dispensary owner- he recommended that the spacing be more. Dale Peterson spoke not in favor of dispensaries and especially those who are across from each other in Downtown. Angela Adams stated that she is in favor of the Ordinance and recommended that the date be moved up. Cari Bohannon spoke in favor of the Ordinance and recommended that the spacing be more and the deadline be moved up. A person who owns a grow business and plans to open a dispensary talked about the spacing requirement- recommended a middle amount and move the deadline up.

City staff and Planning Commission unanimously recommend approval of the Ordinance and emergency clause.

Motion by DeMier, second by Savage to approve Ordinance No. 2019-18. Roll call vote: Lewis, yes; Hays, yes; McSpadden, yes; DeMier, yes; Flanagan, yes; Michael, abstained; Kirtley, yes; and Savage, yes. Motion carried.

(8) Discussion and vote to Approve/Reject an emergency clause for Item #7 that Ordinance No. 2019-18 shall be in full force and effect immediately from and after its passage, approval and adoption (Jill Ferenc).

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

(9) Discussion and vote to Approve/Reject Ordinance No. 2019-19, amending Ordinance No. 2007-11 as amended by No. 2013-21 of the City of Claremore, providing for funds for special purposes of the municipal government of the City of Claremore, Oklahoma; levying a tax on the gross receipts or proceeds on certain sales as herein defined; defining terms; prescribing procedures, remedies, lien and fixing penalties; fixing effective date; making provisions severable (Jim Thomas).

The sales tax renewal expires June 30, 2020; February 11, 2020 will be the special election. The tax generates \$3.8 million each year; 40% goes to capital improvements, 20% fire, 20% police, 20% parks and recreation. There is a 10 year term for the tax.

Motion by Savage, second by Hays to approve Ordinance No. 2019-19. Roll call vote: Lewis, yes; Hays, yes; McSpadden, yes; DeMier, yes; Flanagan, yes; Michael, yes; Kirtley, yes; and Savage, yes. Motion carried.

(10) Discussion and vote to Approve/Reject Resolution No. 2019-21, authorizing the calling and holding of an election to be held in the City of Claremore, Oklahoma, on the 11th day of February, 2020, for the purpose of submitting to the registered, qualified voters of said City the question of whether Ordinance No. 2019-19-- adopted the 18th day of November, 2019, shall be approved which provides for funds for special purposes of the municipal government of the City, levies an excise tax of 1% on the gross receipts or proceeds on certain sales as therein defined; amends Ordinance No. 2013-21; defines terms; prescribes procedures, remedies, lien and fixes penalties; and fixes effective date and termination date; and notifying the Rogers County Election Board of the holding of such election (Jim Thomas).

Motion by DeMier, second by Savage to approve Resolution No. 2019-21. 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 McSpadden 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 6:53 P.M.

Sarah Sharp

Sarah Sharp, CMC
City Clerk