

**Minutes of the Claremore Cultural Development Authority Regular Meeting  
Claremore, Oklahoma July 06, 2020  
City Hall Council Chambers  
104 S. Muskogee Ave.**

**NOTICE: Meeting was partially conducted at the physical location and by videoconference and/or teleconference.**

**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, Will DeMier (appeared via videoconference), Bill Flanagan, Brian Callender, Justin Michael, Susan Kirtley, Scott Savage

**Absent:** Herb McSpadden

**Staff Present:** Jim Thomas, Bryan Drummond, Sarah Sharp, Tim White, Tanya Andrews, Suzan Maloy, Stan Brown, Andrew Knife Chief, John Feary, Garrett Ball, Kyle Clifton, Lisa Wilson, Ashley Hickman, Mary Taber, David White

**Invocation by John Vannaman Chaplin of Hospice of Green Country**

**CALL TO THE PUBLIC**

**City Clerk Sarah Sharp read comments submitted via email for call to the public from Gina Nicole Griffin, Mindy Ericksen, and Ashley Buff.**

**Gina Griffin- expressed her displeasure with severance paid to Jim Thomas or the language of his employment contract that would allow severance. Stated that taking money that is not a gift and not earned is the definition of theft. Encouraged Council to not ever write this into a contract again.**

**Mindy Ericksen-stated she does not agree with any payout to Jim Thomas, as he completed his last contract and is only one day into his new contract before resigning. Believes the contract was entered into in bad faith and should be investigated and charges filed if warranted. Believes Thomas has cost the City enough money due to families moving away and businesses closing because of billing practices and high electric rates. Commented on the amount of money that was spent on the water treatment plant and the city is still in violation of DEQ. Believes Thomas has misled the public and the City Council. Reminded Council of the people that stood up and spoke at the Council Meetings in December/January about their complaints and concerns, and how Council should have listened to them then.**

**Ashley Buff- States Council failed the City when electing to retain Thomas' employment. States Thomas has disrespected students, parents, and children and lied about water**

quality testing results. Doesn't believe Thomas deserves a severance package, but deserves to be investigated. Encouraged Council to do the right thing and offer no settlement and no severance package.

**Kathryn Thomas-** Kathryn spoke regarding the challenges of holding the position of City Manager. Spoke out against the vile and baseless comments online. Spoke of Jim's dedication to the job and the sacrifices it takes to have a position of this nature. Kathryn spoke of all the good things that Jim has done during his tenure.

**Shelly Taylor-** Thanked Jim for his time here and for the things he has done, and stated that because of him the community has grown so much and paid attention to the politics and how the City is ran. Encourages City Council to do the right thing and write any future contracts right. Hopes that now the Firemen can finally get taken care of the way they have deserved for many years and no more lives lost.

**Ashley Shafer-**No one is disputing the job of City Manager is difficult, but is contesting that one day of public serves should not make eligible for up to \$226,000 of tax payer dollars from resigning. Spoke of Thomas' past job and lawsuit there. Encouraged council to let Thomas exit with the money that he earned, not a penny more and not a penny less.

**Patrick Helenhouse-**created a hostile work environment in almost every town he has been in. Jim did not enter contract in good faith. Asked Council to not accept Thomas' resignation and fire him, and deny any compensation. Stated he would like to see a replacement that was not hired by Thomas and any future hiring of City manager position placed on a ballot for the citizens to vote on.

**Deric Brock-** believes Thomas was well compensated for his time. Brock stated it is not right ethically to take money that you did not earn from the pockets of the citizens. This is morally reprehensible and it should not happen.

**Linda Cramer-** Cramer states she hasn't been able to say she is proud to be from Claremore, when her electric constantly goes out and cannot get anyone to address it. Thomas did call her while on vacation and set up a meeting a few days later and did everything he said he would do. Cramer states she can't get anyone to return her phone calls. Cramer states she can't leave her house at night because she has to reset her pool timers. Contract was not entered into in good faith. Cramer googled City manager pay and she believes that the City is paying too much. Agrees that the position of City Manager should be voted on by the people that are paying for it.

#### **ACCEPTANCE OF THE AGENDA**

Motion by Hays, second by Kirtley that the agenda for the Regular CCD A meeting of July 06, 2020 be approved as written. Roll call vote: Lewis, yes; Hays, yes; DeMier, yes; Flanagan, yes; Callender, yes; Michael, yes; Kirtley, yes; and Savage, yes. Motion carried.

## **CURRENT BUSINESS**

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

**(a) Minutes of the Regular Claremore Cultural Development Authority Meeting on June 15, 2020.**

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

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

## **ADJOURNMENT**

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

Meeting adjourned at 6:36 P.M.



Sarah Sharp, CMC  
City Clerk

**Minutes of the Claremore Public Works Authority Regular Meeting  
Claremore, Oklahoma July 06, 2020  
City Hall Council Chambers  
104 S. Muskogee Ave.**

**NOTICE: Meeting was partially conducted at the physical location and by videoconference and/or teleconference.**

**CALL TO ORDER**

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

**Present:** Jennifer Lewis, Ken Hays, Will DeMier (appeared via videoconference), Bill Flanagan, Brian Callender, Justin Michael, Susan Kirtley, Scott Savage

**Absent:** Herb McSpadden

**Staff Present:** Jim Thomas, Bryan Drummond, Sarah Sharp, Tim White, Tanya Andrews, Suzan Maloy, Stan Brown, Andrew Knife Chief, John Feary, Garrett Ball, Kyle Clifton, Lisa Wilson, Ashley Hickman, Mary Taber, David White

**ACCEPTANCE OF THE AGENDA**

Motion by, second by Kirtley that the agenda for the Regular CPWA meeting of July 06, 2020 be approved as written. Roll call vote: Lewis, yes; Hays, yes; DeMier, yes; Flanagan, yes; Callender, yes; Michael, yes; Kirtley, yes; and Savage, yes. Motion carried.

**CURRENT BUSINESS**

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

**(a) Minutes of the Regular Claremore Public Works Authority Meeting on June 15, 2020.**

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

**(c) Approve acceptance of annual Sand bid to Muskogee Sand as follows:**

<b>TYPE</b>	<b>FOB</b>	<b>PLANT</b>
Fill Sand	\$12.75	\$4.75

**(d) Approve acceptance of annual Rock products bid to Anchor Stone as follows:**

<b>TYPE</b>	<b>FOB</b>	<b>PLANT</b>
1" Class A Rock	\$14.47	\$9.00
1" Crusher Run	\$11.72	\$6.25
3/8" Chips	\$15.47	\$10.00
Screenings	\$10.47	\$5.00

ODOT No. 57 Agg. Base	\$14.47	\$9.00
ODOT Type A Agg. Base	\$12.47	\$7.00
ODOT Type B Agg. Base	\$12.72	\$7.25
ODOT Type D Agg. Base	\$14.47	\$9.00

(e) Approve acceptance of annual Rock products bid to Pryor Stone as follows:

TYPE	FOB	PLANT
ODOT 12" Type 1	\$24.66	\$17.00
ODOT 18" Type 1	\$24.66	\$17.00
ODOT 24" Type 1	\$24.66	\$17.00
ODOT Single Course	\$15.22	\$9.75

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

#### ADJOURNMENT

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

Meeting adjourned at 6:37 P.M.



Sarah Sharp, CMC  
City Clerk

**Minutes of the Claremore City Council Regular Meeting  
Claremore, Oklahoma July 06, 2020  
City Hall Council Chambers  
104 S. Muskogee Ave.**

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**CALL TO ORDER**

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**Present:** Jennifer Lewis, Ken Hays, Will DeMier (appeared via video conference), Bill Flanagan, Brian Callender, Justin Michael, Susan Kirtley, Scott Savage

**Absent:** Herb McSpadden

**Staff Present:** Jim Thomas, Bryan Drummond, Sarah Sharp, Tim White, Tanya Andrews, Suzan Maloy, Stan Brown, Andrew Knife Chief, John Feary, Garrett Ball, Kyle Clifton, Lisa Wilson, Ashley Hickman, Mary Taber, David White

**ACCEPTANCE OF THE AGENDA**

Motion by Hays, second by Savage that the agenda for the Regular Claremore City Council meeting of July 06, 2020 be approved as written. Roll call vote: Lewis, yes; Hays, 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 stated that he has thoroughly enjoyed serving as the City Manager for these almost 8 years. The City has had this type of government since 1995, since then he is the 6<sup>th</sup> full time City Manager to serve, as well as 6 interim Managers. Thomas states that he is the longest tenured Manager, and the shortest serving only 7 weeks. Thomas states that Claremore is a better place now than when he walked in 8 years ago. He appreciated his wife's comments, but those could have been said by any department head as well. Thomas stated he has been fortunate to serve with men and women who care for this City and give up their time and their talents as servants of this City. Thomas clarified that his contract automatically

renewed on May 1<sup>st</sup> and that contrary to what you see on Facebook he is not retiring and not going on vacation to find himself. Thomas still plans on working, whether that is teaching or consulting, he does not know. Thomas stated the Mayor is the only Council member that has been with him his entire tenure and he appreciates their friendship. Thomas stated that he served on Council before beginning his City Manager career, and he knows what a hard job the Council has and he has the upmost respect for each of them. Thomas wished both the Council and the staff the best.

## CITY MANAGER REPORT

### CURRENT BUSINESS

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

**(a) Minutes of the Regular Council Meeting on June 15, 2020.**

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

**(c) Actual salary claims for pay period ending May 30, 2020 in the amount of \$481,206.86 and June 13, 2020 in the amount of \$555,228.07 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 annual Sand bid to Muskogee Sand as follows:**

TYPE	FOB	PLANT
Fill Sand	\$12.75	\$4.75

**(e) Approve acceptance of annual Rock products bid to Anchor Stone as follows:**

TYPE	FOB	PLANT
1" Class A Rock	\$14.47	\$9.00
1" Crusher Run	\$11.72	\$6.25
3/8" Chips	\$15.47	\$10.00
Screenings	\$10.47	\$5.00
ODOT No. 57 Agg. Base	\$14.47	\$9.00
ODOT Type A Agg. Base	\$12.47	\$7.00
ODOT Type B Agg. Base	\$12.72	\$7.25
ODOT Type D Agg. Base	\$14.47	\$9.00

**(f) Approve acceptance of annual Rock products bid to Pryor Stone as follows:**

TYPE	FOB	PLANT
ODOT 12" Type 1	\$24.66	\$17.00
ODOT 18" Type 1	\$24.66	\$17.00
ODOT 24" Type 1	\$24.66	\$17.00
ODOT Single Course	\$15.22	\$9.75

**(g) Approve acceptance of annual Asphalt bid to Tulsa Asphalt as follows:**

TYPE	FOB	PLANT
Hot Mix Hot Lay Type A	\$48.50	\$42.00

Hot Mix Hot Lay Type B	\$52.50	\$46.00
Hot Mix Hot Lay Type C	\$54.50	\$48.00
Hot Mix Cold Lay	\$95.50	\$89.00
Hot Mix Hot Lay ODOT S3	\$50.50	\$44.00
Hot Mix Hot Lay ODOT S4	\$54.50	\$48.00
Hot Mix Hot Lay ODOT S5	\$56.50	\$50.00

**(h) Approve acceptance of annual Concrete bid to Standard Materials Group as follows:**

TYPE	PRICE
4000 psi Concrete w/fibermesh	\$102.00
4000 psi Concrete w/out fibermesh	\$96.00
3000 psi Concrete w/fibermesh	\$96.00
3000 psi Concrete w/out fibermesh	\$90.00
ODOT Class AA Concrete	\$99.00
ODOT Class A Concrete	\$95.00
ODOT Class A HES Concrete	\$104.00
ODOT Class A Concrete w/fibermesh	\$101.00
ODOT Class C Concrete	\$89.00
ODOT Controlled Low Strength	\$75.00

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

**(2) Discussion and vote to Approve/Reject awarding the bid and execution of contract documents for the 2019 CDBG Grant Sidewalk Project #17569 Phase II to Diversified Civil Contractors, LLC at a base bid of \$98,014.00 (Andrew Knife Chief/Andy Armstrong).**

Motion by DeMier, second by Kirtley to approve awarding the bid and execution of contract documents for the 2019 CDBG Grant Sidewalk Project #17569 Phase II to Diversified Civil Contractors, LLC at a base bid of \$98,014.00. Roll call vote: Lewis, yes; Hays, yes; DeMier, yes; Flanagan, yes; Callender, yes; Michael, yes; Kirtley, yes; and Savage, yes. Motion carried.

**(3) Discussion and vote to Approve/Reject the Annual Renewal of Contract with the Metropolitan Environmental Trust (M.E.T.) in the amount of \$30,128.00 for recycle and educational services (Jonah Humes).**

2% increase over last year's contract.

Motion by Hays, second by Callender to approve the annual renewal of contract with the Metropolitan Environmental Trust (M.E.T.) in the amount of \$30,128.00 for recycle and educational services. Roll call vote: Lewis, yes; Hays, yes; DeMier, yes; Flanagan, yes; Callender, yes; Michael, yes; Kirtley, yes; and Savage, yes. Motion carried.



**(4) Discussion and vote to Approve/Reject Resolution No. 2020-\_\_\_\_\_, renewing, ratifying and affirming certain Sales Tax Agreements, dated May 1, 2012 and April 1, 2013, respectfully, between the City of Claremore and the Claremore Public Works Authority for the fiscal year ending June 30, 2021 (Suzan Maloy).**

Motion by Hays, second by DeMier to approve Resolution 2020-8, renewing, ratifying and affirming certain Sales Tax Agreements, dated May 1, 2012 and April 1, 2013, respectfully, between the City of Claremore and the Claremore Public Works Authority for the fiscal year ending June 30, 2021. Roll call vote: Lewis, yes; Hays, yes; DeMier, yes; Flanagan, yes; Callender, yes; Michael, yes; Kirtley, yes; and Savage, yes. Motion carried.

**(5) Discussion and vote to approve a Settlement Agreement with the City Manager and accept his resignation.**

Mayor-When Council looks back on the last 8 years, we want to thank Jim for his dedication and hard work. When he came we were 2 years behind on our annual audit reports. We refinanced our bonds and saved \$3.8 million in interest. He made the city's financials better by balancing the budgets and hired competent department heads, helped strengthen CIEDA, increased tax base, constructed a new water plant, new roads were built for the first time in 25 years without tax increase, 3 new hotels, restaurants and eateries, two splash pads, installed miles of sidewalk. And that is a small amount. Mayor Flanagan thanked Thomas on behalf of the Council for his work and wished him success in his future endeavors.

Councilor Michaels- I don't negate the things that Jim has done, but the Mayor does not speak for me. Mr. Thomas's salary is similar to most city managers, and buy-out stipulations are often included. The settlement option was given after several years of employment. Michaels would like to see a full investigation into the actions of Thomas. Michaels states he wants executive session minutes opened and released to the public regarding Thomas' employment and all allegations into his conduct. Michaels states he believes the Council can't make a decision for an interim city manager at this point and recommends they suspend Thomas until an investigation can be done and before Council makes a decision to give him taxpayers dollars. Michaels clarified his abstaining vote in December, was not a vote of confidence.

Councilor DeMier asked Counsel if the entire compensation package is based on Jim's contract? Drummond-yes. There was a statement that contract was over 200,000 is that correct? Drummond-actual amount is \$173,106.11, not including withholdings. Drummond clarified that Thomas would have received pay out regardless whether fired or resigned no matter what date it was done on.

Councilor Kirtley -Jim has made changes that are far reaching and appreciates him as a City Manager.

Motion by Flanagan, second by Savage to approve a Settlement Agreement with the City Manager and accept his resignation. Roll call vote: Lewis, yes; Hays, yes; DeMier, yes; Flanagan, yes; Callender, yes; Michael, no; Kirtley, yes; and Savage, yes. Motion carried.

#### **EXECUTIVE SESSION**

**(6) Approve/Reject entering into executive session to discuss the appointment of an acting interim City Manager, as authorized by OKLA. STAT. tit. 25, Section 307 (B)(1) & (7). The following City Councilors will attend this executive session by video and/or teleconference: Michael, Flanagan, DeMier, and McSpadden.**

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

Council entered into executive session at 7:08 p.m.

**(7) Vote to acknowledge return to open session.**

Motion by Kirtley, second by Hays to acknowledge return to open session. Roll call vote: Lewis, yes; Hays, yes; DeMier, yes; Flanagan, yes; Callender, yes; Michael, yes; Kirtley, yes; and Savage, yes. Motion carried.

Council exited executive session at 7:39 p.m.

**(8) Statement of executive session minute.**

While in executive session, Council met to discuss the appointment of an acting interim City Manager, as authorized by OKLA. STAT. tit. 25, Section 307 (B)(1) & (7). All councilors present at the meeting physically attended executive session, As well as City Attorney Bryan Drummond. Councilor DeMier appeared via teleconference. No other matters were discussed and no votes were taken.

**(9) Discussion and vote to appoint an acting interim City Manager.**

Motion by Savage, second by DeMier to appoint John Feary as acting City Manager. Roll call vote: Lewis, yes; Hays, yes; DeMier, yes; Flanagan, yes; Callender, yes; Michael, yes; Kirtley, yes; and Savage, yes. Motion carried.

## ADJOURNMENT

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

Meeting adjourned at 7:41 P.M.

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

Sarah Sharp, CMC  
City Clerk