

**Minutes of Claremore Cultural Development Authority Meeting
Council Chambers, City Hall, 104 S. Muskogee,
Claremore, Oklahoma February 15, 2010**

CALL TO ORDER

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

ROLL CALL

Mae Lee called roll. The following were:

Present: Brant Shallenburger, Don Myers, Buddy Robertson,
Tony Mullenger, Flo Guthrie, Mick Webber, Terry
Chase, Tom Lehman, Paula Watson

Absent: None

Staff Present: Troy Powell, Mae Lee, Matt Ballard, Ruby Maline,
Tim Miller, Phil Stowell, Daryl Golbek, Tim
James, Joe Perez, Chris Cochran, Ron Kolker, Ron
Burrows, Mitch Louderback, Joe Kays

Pledge of Allegiance by all.

Invocation by Paul Simpson, Memorial Heights Baptist Church.

CALL TO THE PUBLIC

Item #2 on Regular Council Agenda - Mr. Gerald Chambers, 14345
E. 500 Rd. is in opposition of annexation of property owned
by Rick and Cathey Swan.

Item #2 on Regular Council Agenda - Mr. Rick Swan, 15474 E. 495
Rd. -owns property and wants it to be annexed into city limits
of Claremore.

ACCEPTANCE OF AGENDA

Motion by Mullenger, second by Lehman that the agenda for the
regular CCDA meeting of February 15, 2010, be approved as
written. 9 yes, Mullenger, Lehman, Myers, Robertson, Guthrie,
Shallenburger, Webber, Chase, Watson.

ITEMS UNFORESEEN AT THE TIME AGENDA WAS POSTED

None

CURRENT BUSINESS

Motion by Mullenger, second by Lehman that the CCDA approve the
following consent items:

- (a) Minutes of Claremore Cultural Development Authority meeting on February 01, 2010, as printed.
- (b) All claims as printed.
- (c) Approve budget supplement to Expo Capital from Rogers County Fair Board in the amount of \$10,584.12.
(Ron Burrows)

9 yes, Mullenger, Lehman, Robertson, Guthrie, Shallenburger, Webber, Chase, Watson, Myers.

ADJOURNMENT

Motion by Mullenger, second by Lehman to adjourn. 9 yes, Mullenger, Lehman, Guthrie, Shallenburger, Webber, Chase, Watson, Myers, Robertson.

Meeting adjourned at **6:08 P.M.**

Minutes of Claremore Public Works Authority Meeting Council Chambers, City Hall, 104 S. Muskogee, Claremore, Oklahoma February 15, 2010

CALL TO ORDER

Meeting called to order by Mayor Brant Shallenburger at **6:08 P.M.**

Mayor Shallenburger asked Mae Lee to note that members are present/absent as indicated below:

Present: Brant Shallenburger, Don Myers, Buddy Robertson, Tony Mullenger, Flo Guthrie, Mick Webber, Terry Chase, Tom Lehman, Paula Watson

Absent: None

Staff Present: Troy Powell, Mae Lee, Matt Ballard, Ruby Maline, Tim Miller, Phil Stowell, Daryl Golbek, Tim James, Joe Perez, Chris Cochran, Ron Kolker, Ron Burrows, Mitch Louderback, Joe Kays

ACCEPTANCE OF AGENDA

Motion by Mullenger, second by Lehman that the agenda for the regular CPWA meeting of February 15, 2010, be approved as written. 9 yes, Mullenger, Lehman, Guthrie, Shallenburger, Webber, Chase, Watson, Myers, Robertson.

ITEMS UNFORESEEN AT THE TIME AGENDA WAS POSTED

None

CURRENT BUSINESS

Motion by Mullenger, second by Lehman to approve the following consent items:

- (a) Minutes of Claremore Public Works Authority meeting on February 01, 2010, as printed.
- (b) All claims as printed.

9 yes, Mullenger, Lehman, Shallenburger, Webber, Chase, Watson, Myers, Robertson, Guthrie.

EXECUTIVE SESSION

None

ADJOURNMENT

Motion by Mullenger, second by Lehman to adjourn. 9 yes, Mullenger, Lehman, Webber, Chase, Watson, Myers, Robertson, Guthrie, Shallenburger.

Meeting adjourned at **6:09 P.M.**

**Minutes of Regular Council Meeting
Council Chambers, City Hall, 104 S. Muskogee,
Claremore, Oklahoma February 15, 2010**

CALL TO ORDER

Meeting called to order by Mayor Brant Shallenburger at **6:09 P.M.**

Mayor Shallenburger asked Mae Lee to note that members are present/absent as indicated below:

Present: Brant Shallenburger, Don Myers, Buddy Robertson, Tony Mullenger, Flo Guthrie, Mick Webber, Terry Chase, Tom Lehman, Paula Watson

Absent: None

Staff Present: Troy Powell, Mae Lee, Matt Ballard, Ruby Maline, Tim Miller, Phil Stowell, Daryl Golbek, Tim James, Joe Perez, Chris Cochran, Ron Kolker, Ron Burrows, Mitch Louderback, Joe Kays, Sharon McDonald

ACCEPTANCE OF AGENDA

Motion by Mullenger, second by Lehman that the agenda for the regular council meeting of February 15, 2010, be approved as written. 9 yes, Mullenger, Lehman, Chase, Watson, Myers, Robertson, Guthrie, Shallenburger, Webber.

ITEMS UNFORESEEN AT THE TIME AGENDA WAS POSTED

None

AWARDS, PRESENTATIONS, AND COMMUNICATIONS

None

MAYOR'S REPORT & APPOINTMENTS

Motion by Mullenger, second by Guthrie to approve recommendation by Mayor Shallenburger to re-appoint **Dr. Jack Morgan and Dr. Mike Callery** to the Claremore Emergency Medical Services Board, each to serve a three (3) year term to March 2013. 9 yes, Mullenger, Guthrie, Lehman, Watson, Myers, Robertson, Shallenburger, Webber, Chase.

STAFF REPORTS

None

CURRENT BUSINESS

Motion by Mullenger, second by Lehman to approve the following consent items:

- (a) Minutes of Regular Council meeting on February 01, 2010, as printed.
- (b) All claims as printed.
- (c) Actual salary claims for pay period ending January 23, 2010 in the amount of \$393,807.79 and estimated salary claims for next pay period in the amount of \$500,000.
- (d) Accept temporary access easement - Sub-Station #5 - Oklahoma Plaza project. **(Chris Cochran)**
- (e) Accept sewer easement **(A)** RDI/Lowe's Sewer Relocate **(Chris Cochran)**
- (f) Accept sewer easement **(B)** RDI/Lowe's Sewer Relocate **(Chris Cochran)**

9 yes, Mullenger, Lehman, Watson, Myers, Robertson, Guthrie, Shallenburger, Webber, Chase.

Matt Ballard - this is the first annexation for the TIFF Program.

Council - We don't want to negatively impact any landowner.

Motion by Mullenger, second by Guthrie to adopt **Ordinance #2010-06** consenting to annexation of certain real property to the City of Claremore, Oklahoma - property located east on Hwy 20 by Will Rogers Turn Pike entrance - owners Ricky & Cathey Swan - 35.05 acres +/- . 9 yes, Mullenger, Guthrie, Myers, Robertson, Shallenburger, Webber, Chase, Lehman, Watson.

Matt Ballard - this is the second annexation for TIFF Program.

Webber - If TIFF doesn't happen, can we de-annex?

Troy - yes if that is what Council wants.

Motion by Mullenger, second by Guthrie to adopt **Ordinance #2010-07** consenting to annexation of certain real property to the City of Claremore, Oklahoma - property located north of Lowry Rd., on east side of Industrial Road, - owner CIEDA - 15 acres +/- . 9 yes, Mullenger, Guthrie, Robertson, Shallenburger, Webber, Chase, Lehman, Watson, Myers.

Matt Ballard - this is the third annexation for TIFF Program, all annexations are at request of property owners.

Motion by Mullenger, second by Guthrie to adopt **Ordinance #2010-08** consenting to annexation of certain real property to the City of Claremore, Oklahoma - property located north of Lowry Rd., on east side of Industrial Road. - Petitioner, Georgia Fleeger, Personal Representative of the Estate of John B. Fleeger, Deceased 270.63 acres +/- . 9 yes, Mullenger, Guthrie, Shallenburger, Webber, Chase, Lehman, Watson, Myers, Robertson.

Chris Cochran shows aerial photo of Hinds property - no opposition when this item came before the Planning Commission.

Motion by Mullenger, second by Guthrie to adopt **Ordinance #2010-09** changing the zoning of a parcel of land in Block 30 of the Bayless Addition to the City of Claremore, Oklahoma and being a part of Section 8, Township 21 North, Range 16 East of the I.B.&M., Rogers County, State of Oklahoma from **RS-3** (Residential Single-Family High Density District) to **RM-O** (Residential Low Density Multi-Family District) and directing the appropriate amendment to the zoning map of the City of Claremore, Oklahoma - location 1313 & 1317 W. Strain St. - Applicant, Raymond Hinds. 9 yes, Mullenger, Guthrie, Shallenburger, Webber, Chase, Lehman, Watson, Myers, Robertson.

Matt Ballard - this ordinance is for re-allocation of sales tax
Motion by Mullenger, second by Guthrie to adopt **Ordinance #2010-10** amending Ordinance #489 of the City to provide funds

for building, rebuilding, operation, and repair of streets, alleys, curbs, gutters, waterlines, sanitary sewer lines, electric distribution system, water treatment facilities, wastewater treatment facilities, and drainage system of the City of Claremore, Oklahoma and fixing effective date. 9 yes, Mullenger, Guthrie, Shallenburger, Webber, Chase, Lehman, Watson, Myers, Robertson.

Matt Ballard - this resolution provides notice to set election date for sales tax vote on May 11, 2010.

Motion by Mullenger, second by Guthrie to adopt **Resolution #2010-03** authorizing the calling and holding of an election to be held in the City of Claremore, Oklahoma, on the 11th day of May, 2010, for the purpose of submitting to the registered, qualified voters of said City the question of whether Ordinance **#2010-10** adopted the 15th day of February, 2010, shall be approved which amends Ordinance #489 of the City to provide funds for building, rebuilding, operation, and repair of streets, alleys, curbs, gutters, waterlines, sanitary sewer lines, electric distribution system, water treatment facilities, wastewater treatment facilities, and drainage system of the City; fixes effective date; and notifies the Rogers County Election Board of the holding of such election. 9 yes, Mullenger, Guthrie, Webber, Chase, Lehman, Watson, Myers, Robertson, Shallenburger.

Matt Ballard - this is the proclamation calling election for May 11, 2010.

Motion by Mullenger, second by Guthrie to adopt Special Election Proclamation and Notice calling for a special election to be held on May 11th, 2010 concerning sales tax re-allocation. 9 yes, Mullenger, Guthrie, Chase, Lehman, Watson, Myers, Robertson, Shallenburger, Webber.

EXECUTIVE SESSION

None

ADJOURN

Motion by Mullenger, second by Guthrie to adjourn. 9 yes, Mullenger, Guthrie, Lehman, Watson, Myers, Robertson, Shallenburger, Webber, Chase.

Meeting adjourned at **6:30 P.M.**

Minutes of Special Council Meeting
Council Chambers, City Hall, 104 S. Muskogee,
Claremore, Oklahoma February 15, 2010

CALL TO ORDER

Meeting called to order by Mayor Brant Shallenburger at
6:40 P.M.

Present: Brant Shallenburger, Don Myers, Buddy Robertson,
Tony Mullenger, Flo Guthrie, Mick Webber, Terry
Chase, Tom Lehman, Paula Watson

Absent: None

Staff Present: Troy Powell, Mae Lee, Matt Ballard, Ruby Maline,
Tim Miller, Phil Stowell, Daryl Golbek, Tim
James, Joe Perez, Chris Cochran, Ron Kolker, Ron
Burrows, Mitch Louderback, Joe Kays, Sharon
McDonald

Others Present: Tim Hight, Ricky & Cathey Swan

Discussion workshop for City Council

Ron Kolker updated Council on finances and gave them a list of
proposed fee charges to June 30, 2012.

Troy - Financial Recovery plan we started back in October 2009.

#1 - Surplus land sales - appraised 16 properties - would like
to recommend selling #1, 2 and 3 on that list and hold the rest
for a later date - would like to keep the park areas if at all
possible due to limitations of residents living next to parks

Webber - what did we pay for wastewater treatment site land

Webber - what is the dollar amount involved in #5, Habitat for
Humanity property

Webber - what did we pay for appraisals

Phil Stowell - approximately \$1,300.

Troy - would Council want to auction #1, 2 and 3 on this list
or would you want to advertise and take bids? We won't accept
opening bid under appraised value.

Troy - employee retirement - we compared defined benefit to
defined contribution - we wont save any money until 2019. We
raised employee contribution part of retirement by 1% which
saved the city approximately \$100,000 per year and would like
to raise employee contribution part of retirement by an
additional 1% next fiscal year - saving the city another
\$125,000 - this would be same retirement benefit to the

employee, they would just be paying a larger share - city share 6% and employee share 6%.

Troy - TIF CIEDA - Tim Hight - costs to fund infrastructure on Swan property around \$500,000 - mid April is time line for money if city agrees to TIF requirements - City to write letter now stating we agree to make infrastructure improvements on Swan property

Webber - agreeing to make \$500,000 improvements would be reckless on our part not knowing if QT will build there or not - I say we wait until mid March to write letter

Hight - we have no mechanism for spending

Troy - Flood homes buy out - wanted to identify worst areas in Claremore that flood - 6 properties - if FEMA agrees to buy out these places, we're out of it - We looked at 23 properties total and can't use FEMA funds on commercial property - would like to wait until later in budget to make any decisions on these buy outs.

Webber - I believe it's a slippery slope if we start to do this.

Troy - Wastewater Treatment upgrades - would like to change to something like the SCADA System

Troy - Drivers License Facility in the Market Shopping Center - Would like to approach Rogers County to pay 1/2 of this expense or them to take it over completely.

Meeting over at 7:45 P.M.

Minutes of Emergency Council Meeting
Council Chambers, City Hall, 104 S. Muskogee,
Claremore, Oklahoma February 04, 2010

CALL TO ORDER

Meeting called to order by Deputy Mayor Flo Guthrie at
4:30 P.M.

ROLL CALL

Mae Lee called roll. The following were:

Present: Buddy Robertson, Flo Guthrie, Mick Webber, Terry
Chase, Tom Lehman, Paula Watson

Absent: Brant Shallenburger, Don Myers
Tony Mullenger arrived at **4:32 P.M.**

Staff Present: Troy Powell, Mae Lee, Matt Ballard, Tim Miller,
Tim James, Mickey Perry, Phil Stowell, Daryl
Golbek

Others Present: Tom Fink

Attorney Matt Ballard:
Discussion of the nature of the emergency and the reasons for
declaring the emergency meeting.

Tony Mullenger arrived at 4:32 P.M.

Matt - have problems with publication on sales tax vote - have
to cancel election with a resolution being voted on and deliver
to Election Board by 5:00 P.M. today. This could save the City
\$1,000 to \$1,200 by delivering resolution today that cancels
election on 2-9-2010.

"Statement of the nature of the emergency and the reasons for
declaring the emergency meeting"

"The City Council of the City of Claremore hereby declares an
emergency and calls this emergency meeting to deal with an
immediate financial loss to the City. There is presently
scheduled a special election to be held on February 9, 2010
relating to the allocation of City sales tax revenue. Notice
of the election was not published as required by Oklahoma law
and the City has determined that the results of any election
may be invalid or void. Voting in the special election
commences with absentee in person voting on Friday, February 5,
2010. The City has fiduciary duty to use public funds in a
prudent and reasonable manner and take steps to ensure that
public funds are used to benefit its citizens. This duty

includes the responsibility to prevent the waste of public funds by avoiding unnecessary costs associated with the presently scheduled election, which results may be invalid or void. If not stopped, the holding of this election and its associated costs would be an immediate financial loss to the City. The City has been advised by the County Election Board that in order to cancel the election and prevent financial loss, the City must adopt a resolution formally canceling the election. The emergency meeting is being held so that the City Council can take immediate action through a vote to approve or disapprove a resolution canceling the special election and to avoid potential and further immediate financial loss to the City. The City Council cannot take care of this business at a special meeting because the time requirements for public notice of a special meeting make the procedure impractical and increase the likelihood of injury or damage or immediate financial loss to the City. Accordingly, for the reasons I have just stated, this emergency meeting has been called.

Written notice of this emergency meeting was provided in advance by (1) posting a Notice of Emergency Meeting and Agenda at 3:15 P.M. on February 4, 2010, at City Hall, 104 S. Muskogee, Claremore, Oklahoma, and (2) faxing a copy of the Notice of Emergency Meeting and Agenda to each person, business, newspaper, wire service, radio station, and television station that has previously filed with the Clerk of the City a written request for notice of meetings of the City of Claremore."

Webber - when can we have next election
Matt - May 11th.

Troy - Matt and I will create check list on election procedures for us to follow.

Motion by Webber, second by Lehman to adopt **Resolution #2010-02** canceling the special election scheduled for February 9, 2010, and notifying the Rogers County Election Board of the same. 7 yes, Webber, Lehman, Robertson, Mullenger, Guthrie, Chase, Watson.

Motion by Mullenger, second by Lehman to adjourn. 7 yes, Mullenger, Lehman, Robertson, Guthrie, Webber, Chase, Watson.

Meeting adjourned at 4:38 P.M.