MINUTES
CITY COUNCIL MEETING
March 3, 2014

The Regular Session of the Glenpool City Council was held at 6:00 p.m., Glenpool City Hall, 3rd Floor, 12205 S. Yukon Ave, Glenpool, Oklahoma. Councilors present were: Momodou Ceesay, Mayor; Alyce Korb, Vice-Mayor; Tim Fox, Councilor; Patricia Agee, Councilor and Tommy Carner, Councilor.

Staff present was: Dennis Waller, Interim City Manager; Lowell Peterson, City Attorney; Susan White, City Clerk; Charles Barnes, Finance Director; Lynn Burrow, Community Development Director and Rick Malone, City Planner.

Also present were: Dan Haney, FOP President and Steve Boettcher, INCOG

A. Mayor Ceesay called the meeting to order at 6:00 p.m.

B. Susan White, City Clerk called the roll. Mayor Ceesay declared a quorum present.

C. Jason Yarbrough, First Baptist Church offered the Invocation.

D. Mayor Ceesay led the Pledge of Allegiance.

E. Scheduled Business

1. Discussion and possible action to approve minutes from February 18, 2014 meeting.
MOTION: Councilor Agee moved, second by Vice-Mayor Korb to approve minutes as presented.
FOR: Councilor Fox; Councilor Agee; Councilor Carner; Vice-Mayor Korb; Mayor Ceesay
AGAINST: None
Motion carried.

2. PUBLIC HEARING for the purpose of receiving public comment and recommendations on suggested projects for Community Development Block Grant application.

A. Open Public Hearing – Mayor Ceesay
- Opened at 6:02 p.m.

B. Public Comment and Recommendations – Rick Malone, City Planner
- Mr. Malone recommended the purchase of a new passenger van/bus for the Glenpool Senior Organization as a possible project.
- Mayor Ceesay invited project suggestions from the audience. None were offered.

C. Close Public Hearing – Mayor Ceesay
- Closed at 6:11 p.m.

3. Discussion and possible action to renew the Collective Bargaining Agreement with the Fraternal Order of Police, Lodge #133, effective July 1, 2014, for year three of the original four-year agreement approved by Council on May 7, 2012.
Glenpool Officer Dan Haney presented the renewal for Council approval, noting there were no changes to the existing agreement.
MOTION: Councilor Fox moved, second by Councilor Agee to renew the Collective Bargaining Agreement with the Fraternal Order of Police, Lodge #133 as presented for FY 2014-2015.
FOR: Councilor Agee; Councilor Carner; Councilor Fox; Vice-Mayor Korb; Mayor Ceesay
AGAINST: None
Motion carried.

4. **Discussion and possible action to approve Master Street Repair Program Phase VI Project list and authorize staff to proceed with bid process.**
Lynn Burrow, Community Development Director presented Phase VI, representing fifteen projects in various areas of the city, totaling $187,500 in estimated costs. Staff requested approval of the listed projects and authorization to publically accept bids.
MOTION: Councilor Agee moved, second by Vice Mayor Korb to approve Master Street Repair Program Phase VI Project list and authorize staff to proceed with bid process.
FOR: Councilor Carner; Councilor Fox; Councilor Agee; Vice Mayor Korb; Mayor Ceesay
AGAINST: None
Motion carried.

5. **Presentation of a report to the Council by the ad hoc committee jointly appointed by the City Council and the City Manager on November 12, 2013, for the purpose of collaborating on the review of and, as necessary or appropriate, the proposed amendment of City policies, procedures, ordinances and practices with respect to the City's compliance with statutory law and best business practices governing the application or implementation of the Open Records Act, the Records Maintenance Act as it applies to local government, the annual budget presentation, the Public Competitive Bidding Act and public trust bidding requirements, email retention, and such other policies, procedures, ordinances and practices as the committee deemed appropriate.**
Lowell Peterson, City Attorney, representing the ad hoc committee, distributed a packet of materials consisting of the recommended policy, procedure and practice changes on various topics; and presented a verbal summary. Mr. Peterson suggested that the Council may wish to consider a closer examination of the recommended changes during a series of future Workshops.

6. **Discussion and possible action to adjourn Regular Session and move into Executive Session.**
MOTION: Councilor Agee moved, second by Councilor Carner to adjourn Regular Session and move into Executive Session.
FOR: Councilor Fox; Councilor Agee; Councilor Carner; Vice Mayor Korb; Mayor Ceesay
AGAINST: None
Motion Carried.

7. **Executive Session for the purpose of discussing the prospective employment, hiring or appointment of a final candidate for the position of Glenpool City Manager, to include evaluation of background information for that purpose and discussion of prospective contractual terms and conditions, pursuant to Title 25 Sec. 307(B)(1) of the Oklahoma Statutes (Open Meeting Act).**

8. **Discussion and possible action to reconvene in Regular Session.**
MOTION: Councilor Agee moved, second by Councilor Carner to reconvene in Regular Session.
FOR: Councilor Agee; Councilor Carner; Councilor Fox; Vice-Mayor Korb; Mayor Ceesay
AGAINST: None
Motion carried.

9. Discussion and possible action, by separate votes, to:

a. Vote upon selected candidate for the position of City Manager.

MOTION: Councilor Carner moved, second by Councilor Agee to designate Roger Kolman as final candidate for the position of City Manager.
FOR: Councilor Carner; Councilor Agee; Councilor Carner; Vice-Mayor Korb; Mayor Ceesay
AGAINST: Councilor Fox
Motion carried.

b. Authorize the Mayor, Vice Mayor, City Attorney and Interim City Manager to negotiate and draft a City Manager Employment Agreement with the selected candidate, subject to approval by the City Council of all terms and conditions.

MOTION: Councilor Carner moved, second by Councilor Fox authorize the Mayor, Vice Mayor, and City Attorney draft a proposed City Manager Employment Agreement and present to City Council for approval before the Agreement is presented to Mr. Kolman.
FOR: Councilor Fox; Councilor Agee; Councilor Carner; Vice-Mayor Korb; Mayor Ceesay
AGAINST: None
Motion carried.

c. Set a target date for approval of a final City Manager Employment Agreement and announcement/presentation of new City Manager.

Item stricken.

d. Such other action as the Council deems necessary or appropriate in connection with the final selection.

Item stricken.

10. Possible action to adjourn Regular Session and move into Executive Session.

MOTION: Councilor Agee moved, second by Councilor Carner to adjourn Regular Session and move into Executive Session.
FOR: Councilor Fox; Councilor Agee; Councilor Carner; Vice-Mayor Korb; Mayor Ceesay
AGAINST: None
Motion carried.

11. Executive Session for the purpose of discussing confidential communications between the Glenpool City Council, acting as such and as beneficiary of the Glenpool Utility Services Authority, and the City Attorney concerning a pending investigation, claim, or action as to which the City, with the advice of the City Attorney, has determined that disclosure will seriously impair the ability of the City and the Glenpool Utility Services Authority to process the claim or conduct a pending investigation, litigation or proceeding in the public interest, pursuant to Title 25 Sec. 307(B)(4) of the Oklahoma Statutes (Open Meeting Act). *to wit,* discussion of forthcoming procedural requirements and costs of litigation in the U.S. District Court, Northern District, Creek County Rural Water District # 2 v. City of Glenpool and the Glenpool Utility Services Authority.

12. Discussion and possible action to reconvene in Regular Session.
MOTION: Councilor Agee moved, second by Councilor Carner to reconvene in Regular Session.
FOR: Councilor Agee; Councilor Carner; Councilor Fox; Vice-Mayor Korb; Mayor Ceesay
AGAINST: None.
Motion carried.

13. Discussion and possible action by the City Council, acting as such and as beneficiary of the Glenpool Utility Services Authority, authorizing the City Attorney to conduct depositions, undertake federal rules discovery process, retain an expert witness, contract the services of a professional paralegal for document discovery and exhibit preparation, use the services of a trial consultant, enter all appropriate pleadings and motions, and take any and all such other actions as deemed necessary and appropriate in connection with pending litigation in the U.S. District Court, Northern District, Creek County Rural Water District # 2 v. City of Glenpool and the Glenpool Utility Services Authority.
MOTION: Councilor Agee moved, second by Councilor Carner to authorize City Attorney to conduct depositions, undertake federal rules discovery process, retain an expert witness, contract the services of a professional paralegal for document discovery and exhibit preparation, use the services of a trial consultant, enter all appropriate pleadings and motions, and take any and all such other actions as deemed necessary and appropriate in connection with pending litigation in the U.S. District Court, Northern District, Creek County Rural Water District # 2 v. City of Glenpool and the Glenpool Utility Services Authority.
FOR: Councilor Carner; Councilor Fox; Councilor Agee; Vice Mayor Korb; Mayor Ceesay
AGAINST: None
Motion carried.

14. Discussion and possible action by the City Council, acting as such and as beneficiary of the Glenpool Utility Services Authority, authorizing the City Finance Director, acting as such and as Treasurer of the Glenpool Utility Services Authority, to appropriate, transfer and/or encumber Glenpool Utility Services Authority trust funds for the purpose of funding costs of pending litigation in the U.S. District Court, Northern District, Creek County Rural Water District # 2 v. City of Glenpool and the Glenpool Utility Services Authority, to include without limitation budgeting for legal services, related expenditures, reporting costs, court costs and professional services; and designating a maximum amount that may be expended for such costs without further action by the City or the Glenpool Utility Services Authority.
MOTION: Councilor Carner moved, second by Councilor Agee to authorize City Finance Director to appropriate funds and amend budget to reflect all costs as reflected in Item 14.
FOR: Councilor Fox; Councilor Agee; Councilor Carner; Vice-Mayor Korb; Mayor Ceesay
AGAINST: None
Motion carried.

15. Discussion and possible action to adjourn Regular Session and move into Executive Session.
MOTION: Councilor Carner moved, second by Vice Mayor Korb to adjourn Regular Session and move into Executive Session.
FOR: Councilor Agee; Councilor Carner; Councilor Fox; Vice-Mayor Korb; Mayor Ceesay
AGAINST: None.
Motion carried.

16. Executive Session for the purpose of discussing the performance, actions, commendation, discipline or counseling of the Interim City Manager, pursuant to Title 25 Sec. 307(B)(1) of the Oklahoma Statutes (Open Meeting Act).

17. Discussion and possible action to reconvene in Regular Session.
MOTION: Councilor Carner moved, second by Councilor Agee to reconvene in Regular Session.
FOR: Councilor Carner; Councilor Fox; Councilor Agee; Vice Mayor Korb; Mayor Ceesay
AGAINST: None
Motion carried.

F. Other Public Comments

- None

G. City Manager Report - Dennis Waller, Interim

- VISION Meeting has been postponed to March 18, 2014.
- Special Workshop meeting will be held on March 20, 2014 to discuss Severn Trent contract.
- Electrical problems with Elwood lift station which serves Pecan Estates.
- Tulsa World conducted an interview with Mr. Waller.

H. Mayor's Report

- None

I. Adjournment

Meeting was adjourned at 9:19 p.m.

_____
Date

_____
Mayor

ATTEST:

_____
City Clerk