

**MINUTES
GLENPOOL CITY COUNCIL
AND
GLENPOOL UTILITY SERVICES AUTHORITY
SPECIAL JOINT MEETING
August 20, 2014**

A Special Joint Session of the Glenpool City Council and Glenpool Utility Services Authority was held on Wednesday, August 20, 2014, at 6:00 p.m., at Offices of the Creek County Rural Water District No. 2, 2524 W. 121st South, Jenks, OK 74037, in compliance with the Minute Order by Magistrate Judge T. Lane Wilson dated August 8, 2014, setting a Settlement Conference between the parties in connection with pending federal litigation [USDC ND/OK Case No. 11-cv-441-JHP-FHM].

Councilors/Trustees present were: Momodou Ceesay, Mayor/Chairman; Alyce Korb, Vice-Mayor/Vice-Chair; Tim Fox, Councilor/Trustee; Patricia Agee, Councilor/Trustee; and Jennifer Ballew, Councilor/Trustee.

Staff present was: Roger Kolman, City Manager; and Lowell Peterson, City/Trust Attorney.

Also present for the City was Michael S. Linscott, Special Counsel.

Members of the Creek County Rural Water District # 2 Board present were: Bergan Young, President; Bill Martin; Vice President; Larry Bayouth, Secretary; Charles Volturo, Treasurer; Pat Scott, Member; Roy Kirby, Member; and Harvey Morris, Member.

Creek-2 Staff present was: Dorothy Greek, District Manager; Marty Lademann, Field Supervisor.

Also present: Federal Magistrate Judge T. Lane Wilson, Mediator.

The following business was conducted:

- A. Mayor/Chairman Ceesay called the meeting to order at 6:27 p.m.**
- B. Lowell Peterson, City/Trust Attorney called the roll. Mayor/Chairman Ceesay declared a quorum.**
- C. Scheduled Business**
 - 1. Discussion and possible action to enter into Executive Session.**

Lowell Peterson, City/Trust Attorney briefly reviewed the purpose of the Executive Session and its permissibility under the Open Meeting Act.

MOTION: Vice Mayor/Vice Chair Korb moved, second by Councilor/Trustee Agee, to enter into Executive Session.

FOR: Councilor/Trustee Agee; Councilor/Trustee Ballew; Councilor/Trustee Fox; Vice Mayor/Vice Chair Korb; Mayor/Chairman Ceesay

AGAINST: None

Motion carried.
 - 2. Executive Session for the purpose of discussing confidential communications between and among (i) the Glenpool City Council/Glenpool Utility Services Authority Board of Trustees, represented by the City/Trust Attorney and Special Counsel; (ii) representatives of, and legal counsel for Creek County Rural Water District No. 2; and (iii) United States Magistrate Judge T. Lane Wilson, concerning a pending investigation, claim, or action as to which the City and the Authority, with the advice of their Attorney, have determined that disclosure will seriously impair the ability of the City and the 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, negotiation of terms and conditions to be**

implemented in the course of Settlement Conference between and among the parties to pending federal litigation [USDC ND/OK Case No. 11-cv-441-JHP-FHM].

Lowell Peterson, City/Trust Attorney took separate minutes of the Executive Session that will be kept under seal.

3. Possible action to reconvene in Special Session.

Momodou Ceesay, Mayor/Chairman Ceesay called for the motion.

MOTION: Councilor/Trustee Fox moved, second by Councilor/Trustee Agee, to reconvene in Special Session.

FOR: Councilor/Trustee Agee; Councilor/Trustee Ballew; Councilor/Trustee Fox; Vice Mayor/Vice Chair Korb; Mayor/Chairman Ceesay

AGAINST: None

Motion carried.

4. Discussion and possible joint action by the Glenpool City Council and the Glenpool Utility Services Authority Board of Trustees to approve, in substance or in its entirety and by the same or any other title, an Agreement of Compromise, Settlement and Release between Creek County Rural Water District No. 2 and the City of Glenpool and the Glenpool Utility Services Authority, as negotiated in accordance with terms and conditions discussed without vote in the foregoing Executive Session, for the purpose of resolving and dismissing all claims in pending federal litigation [USDC ND/OK Case No. 11-cv-441-JHP-FHM] between the parties, and authorizing the City/Trust Attorney and Special Counsel to file such pleadings and take such other actions as are necessary, appropriate and in the best interests of the City and the Authority in connection with executing and implementing such Agreement.

Lowell Peterson, City/Trust Attorney discussed the implications and effect of this motion.

Momodou Ceesay, Mayor/Chairman Ceesay called for the motion.

MOTION: Councilor/Trustee Agee moved, second by Councilor/Trustee Ballew, to adopt the motion as read.

FOR: Councilor/Trustee Agee; Councilor/Trustee Ballew; Councilor/Trustee Fox; Vice Mayor/Vice Chair Korb; Mayor/Chairman Ceesay

AGAINST: None

Motion carried.

5. Adjournment.

Meeting was adjourned at 10:37 p.m.

Date

Mayor

ATTEST:

City/Trust Attorney Lowell L. Peterson