

MINUTES

CITY COUNCIL MEETING

March 16, 2015

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: Momodou Ceesay, Mayor; Alyce Korb, Vice-Mayor; Tim Fox, Councilor; Patricia Agee, Councilor and Jennifer Ballew, Councilor.

Staff present: Lowell Peterson, City Attorney; Susan White, City Clerk; Lynn Burrow, Community Development Director; Rick Malone, City Planner; and Paul Newton, Fire Chief. Roger Kolman, City Manager; and Dennis Waller, Police Chief were absent.

Also present were: Rev. Jason Yarbrough; Amy Rogers, Glenpool Chamber of Commerce; Keith and Kimberley Robinson; Marty Cox and Nick Bennett with the Glenpool Baseball League; and Matt Guse, owner of Grandview Heights Apartments.

- A) Mayor Ceesay called the meeting to order at 6:01 p.m.**
- B) Susan White, City Clerk called the roll. Mayor Ceesay declared a quorum present.**
- C) Rev. Jason Yarbrough offered the Invocation.**
- D) Mayor Ceesay led the Pledge of Allegiance.**
- E) Chamber of Commerce Report – Amy Rogers, President**
 - Mrs. Rogers updated the Council on the latest member statistics, as well as recent and upcoming community events.
- F) City Manager Report – Roger Kolman, City Manager**
 - None
- G) Mayor Report – Momodou Ceesay, Mayor**
 - Mayor Ceesay highlighted TCC, Glenpool campus and encouraged anyone interested in furthering their education to take advantage of the convenience afforded them by enrolling at TCC, Glenpool.
- H) Council Comments**
 - Councilor Ballew announced that the Glenpool Fire Department is offering CPR classes to the community.
 - Councilor Fox reminded that Council and audience that the next Movie Night is scheduled for April 18 at the Glenpool Conference Center; and Glenpool's inaugural Car Show will be April 25, as well as the City-Wide Garage Sale.
- I) Public Comments**
 - None

J) Public Recognition of Volunteer First Responders - Momodou Ceesay, Mayor

- Mayor Ceesay read a proclamation declaring public recognition for the extraordinary service of current and past members of the First Responder Agency. Plaques were awarded to current members: Keith Robinson, Director; Kimberley Robinson; Richard Watts; and Jenny Watts.

K) Scheduled Business

1) Discussion and possible action to approve minutes from March 2, 2015 meeting.

MOTION: Vice Mayor Korb moved, second by Councilor Agee to approve minutes as presented.

FOR: Councilor Fox; Councilor Agee; Councilor Ballew; Vice-Mayor Korb; Mayor Ceesay

AGAINST: None

Motion carried.

2) Discussion and possible action to approve City of Glenpool Morris Park User Agreement with Glenpool Baseball League for 2015 and 2016 playing seasons, item tabled from March 2, 2015 Regular Meeting.

Lowell Peterson announced that the Agreement contained in the agenda packet didn't reflect the final draft. He pointed out the updated language in Sections 2.B and 9.B, specifically related to concessions, as follows: **2.B (updated)** *The User may, in its discretion, operate the concession facility during the term of this Agreement for the benefit of third parties who are using the Premises, in accordance with section 9.B of this Agreement, but in no case shall the City or User allow any third party to operate the concession facility.* **9.B (updated)** *User may, in its discretion, operate the concession facility during the term of this Agreement for the benefit of third parties who are using the Premises, provided that: User remains responsible for compliance with all terms and conditions of this Agreement when serving concessions to a third party user of the Premises to the same extent as though User was using the Premises; and User agrees to indemnify the City for any and all claims, damages and liability of any kind resulting from such third party's access to the concession facility, except for intentional acts.* Lynn Burrow, Community Development Director presented the updated Agreement for Council approval. He introduced Marty Cox and Nick Bennett, representing the Glenpool Baseball League, whom was available to answer questions and give information relating to the League's plans for the upcoming baseball season.

MOTION: Councilor Agee moved, second by Vice Mayor Korb to approve the Agreement with Glenpool Baseball League for the 2015 playing season and renewable 2016 playing season, subject to changes discussed in Sections 2.B and 9.B of the Agreement.

FOR: Councilor Agee; Councilor Ballew; Councilor Fox; Vice Mayor Korb; Mayor Ceesay

AGAINST: None

Motion carried.

3) Discussion and possible action to accept Stormwater Detention Easement dedication from D & G Investments, easement located at Lot 2, Block 1, Rolling Meadows Apartments Addition.

Lynn Burrow, Community Development Director submitted for acceptance a stormwater detention easement dedication from D & G Investments. Mr. Burrow advised the easement provides city crews the right to enter the property if necessary.

MOTION: Councilor Fox moved, second by Councilor Agee to accept the easement dedication from D & G Investments, located at Lot 2, Block 1, Rolling Meadows Apartments Addition.

FOR: Councilor Ballew; Councilor Fox; Councilor Agee; Vice Mayor Korb; Mayor Ceesay

AGAINST: None

Motion carried.

4) Discussion concerning potential amendments to Glenpool Zoning Code Sec. 11-12-21, specifically pertaining to signs for grand openings, parks, and special events.

Rick Malone presented requests for amendments to the Zoning Code, pertaining specifically to special event signs. Events held in city parks, conference center and grand openings were specifically discussed. Mr. Malone referenced City of Owasso policy for consideration. Matt Guse, Owner of Grandview Heights Apartments addressed the Council expressing his challenge with the current sign code and his desire to experience a relaxed code that would easily accommodate grand opening signage. Amy Rogers, President Glenpool Chamber of Commerce urged the Council to act as quickly as possible since the code applies directly to the annual Black Gold Days celebration. She is waiting on Council action before she places an order for signs for the event. Lowell Peterson, City Attorney described the anticipated scheduling relevant to the code changes. He suggested two Council members volunteer to participate in a meeting with he and Rick Malone to expedite the amending process. Vice Mayor Korb and Councilor Ballew volunteered to participate in the meeting.

5) Discussion and possible action to enter into Executive Session.

Attorney Peterson announced that the agenda should be amended to provide for action to enter and exit each of the three Executive Sessions separately. The Council met in dual capacity, Glenpool City Council and Glenpool Utility Services Authority Board for the purposes of this discussion.

MOTION: Councilor Agee moved, second by Vice Mayor Korb to convene into Executive Session.

FOR: Councilor Fox; Councilor Agee; Councilor Ballew; Vice-Mayor Korb; Mayor Ceesay

AGAINST: None

Motion carried.

6) Executive Session for the purpose of discussing confidential communications between the Glenpool City Council/Glenpool Utility Services Authority Board of Trustees, represented by the City/Trust Attorney and Special Counsel; and 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 the 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 the current status of the settlement agreement negotiated between Creek County Rural Water District No. 2 and the City of Glenpool/Glenpool Utility Services Authority, for the purpose of resolving and dismissing all claims

in pending federal litigation [USDC ND/OK Case No. 11-cv-441-JHP-FHM], and approved by the governing bodies of all parties on November 10 and November 11, 2014.

7) Possible action to reconvene in Regular Session. (Amended)

MOTION: Councilor Ballew moved, second by Councilor to reconvene into Regular Session.

FOR: Councilor Agee; Councilor Ballew; Councilor Fox; Vice-Mayor Korb; Mayor Ceesay

AGAINST: None

Motion carried.

8) Discussion and possible action to enter into Executive Session. (Amended)

Attorney Peterson recommended convening into Executive Session to discuss.

MOTION: Councilor Fox moved, second by Councilor Agee to convene into Executive Session.

FOR: Councilor Ballew; Councilor Agee; Councilor Fox; Vice-Mayor Korb; Mayor Ceesay

AGAINST: None

Motion carried.

9) Executive Session for the purpose of discussing confidential communications between the Glenpool City Council and the City Attorney concerning a pending investigation, claim, or action as to which the City, with the advice of its Attorney, has determined that disclosure will seriously impair the ability of the City to process the claim or conduct the 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 potential litigation based upon claims of beneficiary municipalities of the Tulsa County Criminal Justice Authority with respect to the funding and operations of the Tulsa City-County Jail.

10) Possible action to reconvene in Regular Session. (Amended)

MOTION: Councilor Ballew moved, second by Councilor Agee to reconvene in Regular Session.

FOR: Councilor Fox; Councilor Agee; Councilor Ballew; Vice Mayor Korb; Mayor Ceesay

Motion carried.

11) Discussion and possible action to enter into Executive Session. (Amended)

MOTION: Councilor Ballew moved, second by Councilor Agee to convene into Executive Session.

FOR: Councilor Agee; Councilor Ballew; Councilor Fox; Vice Mayor Korb; Mayor Ceesay

Motion carried.

12) Executive Session for the purpose of discussing the employment, promotion, demotion, disciplining, resignation or retention of a salaried public employee pursuant to Title 25 Sec. 307(B)(1) of the Oklahoma Statutes (Open Meeting Act), to wit, the annual evaluation of the Glenpool City Manager and notice regarding renewal or termination of the current City Manager Employment

Agreement, as provided respectively by sections 12.A. and 1.D. of said Agreement.

13) Possible action to reconvene in Regular Session.

MOTION: Councilor Fox moved, second by Councilor Agee to reconvene in Regular Session.

FOR: Councilor Ballew; Councilor Fox; Councilor Agee; Vice Mayor Korb; Mayor Ceesay
Motion carried.

14) Discussion and possible action to renew or terminate the current City Manager Employment Agreement, in accordance with its terms for Fiscal Year 2015-2016.

MOTION: Mayor Ceesay moved, second by Vice Mayor Korb to renew the FY 2014-2015 City Manager Employment Agreement for FY 2015-2016, provided that Sec. 12.B is voluntarily waived by the Employee and Sec. 9.D.1 is deemed to be of no effect to the extent that the waiver of Sec. 12.B might result in a reduction of compensation or benefits.

FOR: Councilor Fox; Councilor Agee; Councilor Ballew; Vice Mayor Korb; Mayor Ceesay
Motion carried.

M) Adjournment.

- Meeting was adjourned at 9:05 p.m.

Date

Mayor

ATTEST:

City Clerk