

Council Chambers
Municipal Building
May 13, 2008

The McAlester City Council met in regular session on Tuesday, May 13, 2008, at 6:00 P.M. after proper notice and agenda was posted May 7, 2008, at 5:00 P.M.

CALL TO ORDER

Mayor Lewis called the meeting to order. Council Roll Call was as follows:

Present: Sam Mason, Weldon Smith, Donnie Condit, Travis Read & Mayor Lewis
Absent: Haven Wilkinson & Buddy Garvin
Presiding: Don Lewis, Mayor

Staff Present: David Burke, City Treasurer; Robert Ivester, City Attorney; David Medley, Utilities Director, Jim Lyles, Police Chief and Cora Middleton, City Clerk

INVOCATION & PLEDGE OF ALLEGIANCE

- **Jody Domingue, Pastor, Victory Park Baptist Church**

Mayor Lewis led the Pledge of Allegiance.

CITIZENS' COMMENTS ON NON-AGENDA ITEMS

Ms. Dorothy Crone addressed the Council and reported on the "Pride in McAlester" Committee and the clean up progress in Ward Four. She added that to have pride in McAlester this had to be done in a personal manner.

Mr. Roath reported to the Mayor the he had spoken with the petitioner for item "5" and he had requested that it be withdrawn indefinitely. He added that the individual commented that it might be resubmitted at a later date.

CONSENT AGENDA

All matters listed under the Consent Agenda are considered to be routine by the City Council and will be enacted by one motion. There will not be separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

- A. **Approval of the Minutes from the April 22, 2008, Regular Meeting of the City Council. (Cora Middleton, City Clerk)**
- B. **Concur with Mayor's appointment of Evans McBride to the McAlester Regional Health Center Authority to complete the unexpired term of Francis Stipe to expire February, 2009. (Cora Middleton, City Clerk)**

- C. Consider, accept and place on file, a Permit to Construct Water Treatment Plant Improvements Project for Enhanced Coagulation Chemical Treatment System. *(David Medley, Utilities Director)*
- D. Consider, and act upon, a Resolution to direct the filing and notification of the Publication of Biennial Supplements to the McAlester City Code of 1972. *(Cora Middleton, City Clerk)* Resolution No. 08-11.
- E. Consider, and act upon, authorizing the Mayor to sign a letter supporting the Kiamichi Economic Development District of Oklahoma's Comprehensive Economic Development Strategy. *(Don Lewis, Mayor)*
- F. Approval of Claims for the period of April 23 through May 13, 2008. *(David Burke, City Treasurer)* In the amounts of: General Fund - \$220,266.27; Nutrition - \$434.43; SE Expo Center/Tourism Fund - \$10,522.11 and Economic Development - \$12,782.50.

Councilman Condit moved to approve the consent agenda. The motion was seconded by Councilman Mason.

Before the vote, Councilman Read requested that item "E" be withdrawn for individual consideration.

Mayor Lewis stated that item "E" would be withdrawn and the Council would only act on items A, B, C, D and F.

There was no further discussion and the vote on items A, B, C, D and F was taken as follows:

AYE: Councilman Smith, Condit, Read, Mason & Mayor Lewis
 NAY: None

Mayor Lewis declared the motion carried.

ITEMS REMOVED FROM CONSENT AGENDA

Councilman Read commented that he had asked that item "E" be withdrawn because the Comprehensive Economic Development Strategy had not been included in the packet and he did not think a letter supporting the Strategy should be sent when the Strategy had not been reviewed by the Council. He commented that it seemed intentional that it had not been included since it was stated that if you wanted to read the Strategy it would be available in Wilburton. He added that he did not feel that was appropriate.

Danny Baldwin from KEDDO addressed the Council stating that it had not been the intent for them not to be furnished a copy of the Strategy for their review. He stated that a copy would be gotten to them so they could reconsider the item.

Councilman Mason agreed with Councilman Read about needing to have the plan to consider before a letter was written or signed.

Mayor Lewis asked when would KEDDO need to have the letter of support.

Mr. Baldwin stated that the Strategy would need to be submitted by the end of June, so KEDDO did have time for the Council to review it.

Mayor Lewis told Mr. Baldwin if he would get a copy of the plan to the Council it would be placed on the next agenda following their receipt if they received it with enough time to review it prior to the meeting.

SCHEDULED BUSINESS

- 1. Consider, and act upon, proposed Water Purchase Contracts with Pittsburg County Rural Water District No. 6 and Oklahoma State Penitentiary. (David Medley, Utilities Director)**

Executive Summary

These wholesale water rate contracts establish a new rate of \$2.56 per 1,000 gallons for both entities effective January 1, 2008.

Councilman Condit moved to approve the proposed Water Purchase Contracts with Pittsburg County Rural Water District No. 6 and Oklahoma State Penitentiary. The motion was seconded by Councilman Read.

Before the vote, Councilman Condit asked if the CPI increase would be automatic on the contracts in the future?

David Medley answered that it would be automatic every January, beginning with January 2009.

Councilman Mason had a question about an expiration date on the second page of the contract and if OSP had the authority to sign the contract.

Mr. Ivester stated that it appeared to be a notary expiration date.

David Medley stated that the individual that had signed the contract was the business director and she signed all of the contracts for OSP.

There was no further discussion, and the vote was taken as follows:

AYE: Councilman Condit, Read, Mason, Smith & Mayor Lewis

NAY: None

Mayor Lewis declared the motion carried

- 2. Consider, and act upon, a Resolution supporting a CDBG Small Cities water and sewer project in southwest McAlester and agreeing to utilize \$79,500 of local funds as leverage to complete this project. (George Marcangeli, City Engineer/Public Works Director)**

Executive Summary

This item involves acceptance of a CDBG Small Cities grant in the amount of \$79,500 for a water and sewer project.

Councilman Read moved to approve RESOLUTION NO. 08-12, supporting a CDBG Small Cities water and sewer project in southwest McAlester and agreeing to utilize \$79,500 of local funds as leverage to complete this project. The motion was seconded by Councilman Condit.

Before the vote, David Medley explained that this project was in the “C” and Seminole area and the funds had been budgeted in the current budget.

There was no discussion, and the vote was taken as follows:

AYE: Read, Mason, Smith, Condit & Mayor Lewis

NAY: None

Mayor Lewis declared the motion carried.

3. **Consider, and act upon, a Residential Anti-Displacement and Relocation Assistance Plan for a CDBG Small Cities water and sewer project in southwest McAlester.**
(George Marcangeli, City Engineer/Public Works Director)

Executive Summary

This item involves accepting a Residential Anti-Displacement and Relocation Assistance Plan as a condition to accepting the CDBG Small Cities grant.

Councilman Read moved to approve the Residential Anti-Displacement and Relocation Assistance Plan, seconded by Councilman Condit.

Before the vote, Councilman Condit asked if this document was just a formality?

Davie Medley stated that yes, it was a formality and they did not foresee anyone being affected by this project.

There was no further discussion, and the vote was taken as follows:

AYE: Councilman Mason, Smith, Condit, Read & Mayor Lewis

NAY: None

Mayor Lewis declared the motion carried.

4. **Discussion, and possible action, in authorizing the Mayor to enter into a contract with Interact Public Safety Systems regarding addressing and mapping Pittsburg County, including the City of McAlester, for the E-911 System .** *(Lisa Sutterfield, Coordinator)*

Executive Summary

This contract involves engaging a consultant to provide addressing and mapping for Pittsburg County including the City of McAlester.

Councilman Mason moved to authorize the Mayor to enter into a contract with Interact Public Safety Systems regarding addressing and mapping Pittsburg County, including the City of McAlester, for the E-911 System. The motion was seconded by Councilman Condit.

Before the vote, Councilman Condit asked why the middle bid was proposed and not the lowest bid?

Lisa Sutterfield stated that the lowest bidder did not have enough experience to qualify and they could not obtain a performance bond.

There was discussion among the Council concerning the bidding procedures, the steps taken to make the selection, if the funds for the contract were actually available, if the references were checked, being able to review an item at one meeting and then actually making a decision at another meeting and when the technology progressed in the next five or ten years who would upgrade the system. There was also concern with the bid criteria and how each point of concern was scored for each company.

Ms. Sutterfield explained the process that had been taken to acquire and select the company to perform the mapping and addressing. She also stated that hopefully the City would be able to upgrade the system as it was needed.

Jim Lyles commented that when this was completed, Ms. Sutterfield would be able to add or make corrections as needed.

Councilman Mason asked if the item could be tabled and if Ms. Sutterfield could come back to the next meeting with the answers to the questions that had been raised?

Mark Roath stated that with the questions that had been raised he agreed with the recommendation made by Vice-Mayor Mason.

Councilman Mason moved to amend the motion and table this item so the information for the questions could be gathered and made available to the Council at the next meeting. This motion was seconded by Councilman Condit.

There was no further discussion, and the vote was taken as follows:

AYE: Councilman Mason, Smith, Condit, Read & Mayor Lewis

NAY: None

Mayor Lewis declared the motion carried.

5. **Consider, and act upon, a request by the Italian Festival Foundation to waive the rental fee for the use of the Southeast EXPO Center for the 2008 Annual Italian**

Festival by partnering with them in the amount of \$2,125. (Jerry Lynn Wilson, EXPO Manager)

Executive Summary

This item involves a request to waive a rental fee for use of the EXPO Center.

This item was withdrawn at the request of the petitioner.

NEW BUSINESS

None

CITY MANAGER'S REPORT

Mr. Roath stated that he did not have a report at this time.

REMARKS AND INQUIRIES BY CITY COUNCIL

Councilman Smith commented on the progress of the City-wide clean up. He stated that Mr. J. T. Collier had been able to get Triad Transport, Inc. to underwrite a hazardous waste collection for the City on May 31, 2008 and June 1, 2008 and there were also plans for another collection in December. He added that Mr. Collier had set up an office to aid with the clean up. He commented that there had been several high school student groups helping with the clean up as well as churches and the Boys and Girls Scouts.

Councilman Mason asked if item "C" on the consent agenda had been advertised?

David Medley stated that it had been advertised and the bid opening was scheduled for Thursday, May 29, 2008 at 2:00 P.M.

Mayor Lewis commended all the individuals involved in the clean up. He mentioned the activity of the past weekend with the emergency management and the storm. He complemented the renovation of the Komar Park stating how nice the park was.

RECESS COUNCIL MEETING

Mayor Lewis asked for a motion to recess the Regular Meeting to convene the Authorities.

Councilman Mason moved to recess the Regular Meeting and convene the Authorities. The motion was seconded by Councilman Read and the vote was taken as follows:

AYE: Councilman Mason, Smith, Condit, Read & Mayor Lewis

NAY: None

Mayor Lewis declared the motion carried, and the Regular Meeting was recessed at 6:51 P.M.

RECONVENE COUNCIL MEETING

The Regular Meeting was reconvened at 6:53 P.M.

ADJOURNMENT

There being no further business to come before the Council, Councilman Condit moved for the meeting to be adjourned, seconded by Councilman Read. The vote was taken as follows:

AYE: Councilman Condit, Read, Mason, Smith & Mayor Lewis

NAY: None

Mayor Lewis declared the motion carried, and the meeting was adjourned at 6:54 P.M.

ATTEST:

Don R. Lewis, Mayor

Cora Middleton, City Clerk