

The McAlester City Council met in a Special session on Tuesday, January 31, 2017, at 6:00 P.M. after proper notice and agenda was posted, January 27, 2017 at 4:35 P.M.

Call to Order

Mayor Browne called the meeting to order.

Roll Call

Council Roll Call was as follows:

Present: Weldon Smith, Cully Stevens, Travis Read, Robert Karr, Buddy Garvin, Jason Barnett & John Browne
Absent: None
Presiding: John Browne, Mayor

Staff Present: Peter J. Stasiak, City Manager; William J. Ervin, City Attorney and Cora Middleton, City Clerk

Scheduled Business

1. Concur with the reappointment of Judge Deborah Hackler as McAlester Municipal Court Judge for a term beginning February 13, 2017 and ending February 12, 2019. (*Peter Stasiak, City Manager*)

Executive Summary

Concur with the reappointment of Judge Hackler as Municipal Court Judge and upon approval, to administer the Oath of office.

A motion was made by Councilman Smith and seconded by Councilman Read to concur with the reappointment of Judge Deborah Hackler as McAlester Municipal Court Judge for a term beginning February 13, 2017 and ending February 12, 2019. There was no discussion, and the vote was taken as follows:

AYE: Councilman Smith, Read, Stevens, Karr, Garvin, Barnett & Mayor Browne

NAY: None

Mayor Browne declared the motion carried.

City Attorney Ervin administered the Oath of Office to Judge Deborah Hackler.

2. Consider and act upon, authorization of payment in the amount of \$165,263.32 to the Oklahoma Department of Transportation for the city's portion of the Carl Albert Signal Replacement Project. (*Peter Stasiak, City Manager*)

Executive Summary

Motion to approve payment to the Oklahoma Department of Transportation in the amount of \$165,263.32 for the city's portion of the Carl Albert Signal Replacement Project.

Manager Stasiak addressed the Council explaining that the Carl Albert Parkway signalization project had previously been presented to the Council and in January of 2016 the Council approved a resolution that approved the City of McAlester's participation with the State in the project. He stated that this project spanned from "A" Street east to Tandy Town Shopping Center and had been bid twice with the second (2nd) bid coming in within the State's budget.

There was discussion among the Council including Manager Stasiak, Attorney Ervin and Evans McBride, First National Bank & Trust regarding why this project was presented to McAlester, when this project was accepted by the Council, which intersections would be affected, the safety

study that had been done by the Oklahoma Department of Transportation, how this could affect individuals that might want to shop downtown, how long this matter had been previously discussed, the cost of maintaining the signal lights on Carl Albert Parkway, the planned crosswalk, asking for a signal light at the Third Street intersection, what legal issues the City might face if they did not follow through with the Resolution that had previously been approved and what the City could request and what that request could cost the City.

A motion was made by Mayor Browne to approve the payment of \$165,263.32 and include a request for a signal light at Third Street and Carl Albert Parkway. The motion was seconded by Councilman Stevens, and the vote was taken as follows:

AYE: Councilman Stevens, Read, Karr, Garvin, Smith & Mayor Browne

NAY: Councilman Barnett

Mayor Browne declared the motion carried.

3. Consider and act to authorize the Mayor's appointment of a sub-committee of the McAlester City Council to investigate a personnel complaint against a council employee, and to make findings and recommendations. The sub-committee is to be comprised of three (3) council members. (*John Browne, Mayor*)

Executive Summary

Discussion.

Attorney Ervin explained that most of the employees of the City of McAlester work for the City Manager and when complaints come up, the City Manager appoints someone to look into them. Information came to light about a complaint against a Council employee, who report to the Council and which the City Manager does not have jurisdiction to investigate an employee of the Council. So there is no question of the quality of the investigation, is to ask the Mayor to appoint a sub-committee of the Council to investigate the complaint. He added that the Council would have access to all necessary records pertinent to this investigation. He stated that the sub-committee would report back to the Council in Executive Session with an action item afterward for the Council to take any action they felt necessary. He explained that this action item was to authorize the Mayor to appoint the sub-committee from the Council and that there were three (3) Council employees, the City Manager, the City Attorney and the City Clerk.

A motion was made by Councilman Garvin and seconded by Councilman Stevens to authorize the Mayor to appoint a sub-committee of the McAlester City Council to investigate a personnel complaint against a council employee, and to make findings and recommendations. The sub-committee is to be comprised of three (3) council members. There was no further discussion, and the vote was taken as follows:

AYE: Councilman Garvin, Stevens, Read, Karr, Barnett, Smith & Mayor Browne

NAY: None

Mayor Browne declared the motion carried.

Mayor Browne asked that Vice-Mayor Karr and Councilman Smith meet with him after the meeting.

Adjournment

There being no further business to come before the Council, Councilman Garvin moved for the meeting to be adjourned. The motion was seconded by Councilman Smith.

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

AYE: Councilman Garvin, Smith, Karr, Barnett, Stevens, Read & Mayor Browne

NAY: None

Mayor Browne declared the motion carried, and the meeting was adjourned at 6:35P.M.

ATTEST:

John Browne, Mayor

Cora Middleton, City Clerk