

Council Chambers
Municipal Building
May 23, 2017

The McAlester City Council met in a Regular session on Tuesday, May 23, 2017, at 6:00 P.M. after proper notice and agenda was posted, May 22, 2017 at 10:53 A.M.

Call to Order

Mayor Browne called the meeting to order.

Aaron Williams gave the invocation and led the Pledge of Allegiance.

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; Mel Priddy, Community Services Director; David Horinek, Public Works Director; Kirk Ridenour, Economic Development Director; Jayme Clifton, Planning & Community Development Director; William J. Ervin, City Attorney and Cora Middleton, City Clerk

Mayor Browne read the Mental Health Month proclamation.

Citizens Comments on Non-Agenda Items

Residents may address Council regarding an item that is not listed on the Agenda. Residents must provide their name and address. Council requests that comments be limited to five (5) minutes.

Eddie Gray, Tourism Assistant addressed the Council informing them of the tourism awards that the City had received from the Oklahoma Tourism Association. He explained what categories he had submitted nominations in and stated that the City of McAlester's Tourism Department had won awards in "Best Brochure or Publication" and "Outstanding Event" categories. He added that the Choctaw Nation had won four (4) awards in various categories.

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 25, 2017, Regular Meeting of the McAlester City Council. (*Cora Middleton, City Clerk*)
- B. Approval of Claims for May 3, 2017 through May 16, 2017. (*Toni Ervin, Chief Financial Officer*) In the following amounts: General Fund - \$127,832.67; Parking Authority - \$198.06; Nutrition - \$2,548.97; Landfill Res./Sub-Title D - \$1,785.00; Tourism Fund - \$4,244.85; SE Expo Center - \$10,015.66; E-911 - \$15,944.79; Economic Development - \$6,653.74; Grants & Contributions - \$15,317.92; Fleet Maintenance - \$9,668.22; CIP Fund - \$38,990.00; Technology fund - \$11,691.37 and Stormwater Fund - \$51,995.26.
- C. Concur with the Mayor's reappointment of John Goodyear to the McAlester Tree Board for a term to expire September, 2018. (*John Browne, Mayor*)
- D. Concur with the Mayor's reappointments of Ruth Harkins (term to expire December, 2018), Philip Stizza (term to expire December, 2019), and Ryan Braswell (term to expire December, 2019) to the Cemetery Board. (*John Browne, Mayor*)
- E. Consider and act upon, a "Pledge and Guarantee" document which authorizes the annual renewal of the City of McAlester's Participation Agreement with the Association for Landfill Financial Assurance (ALFA). (*Peter Stasiak, City Manager*)
- F. Consider and act upon, ratification of Change Order #1 to KATCON, Inc. for the Tributary B Canal 2017 Repair Project in the amount of \$ 8,975.00. (*Peter Stasiak, City Manager*)
- G. Concur with the Mayor's reappointment of Carl Gullick to the Audit & Finance Advisory Committee for a term to expire March, 2021. (*John Browne, Mayor*)

A motion was made by Councilman Read and seconded by Councilman Smith to approve the Consent Agenda. There was no discussion, and the vote was taken as follows:

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

NAY: None

Mayor Browne declared the motion carried.

Scheduled Business

- 1. Consider and act upon, the City's financial participation and support of the proposed Sertoma Club Sports Complex at Mike Deak Field. (*Aaron Heathcock, Sertoma Club*)

Executive Summary

Discussion and possible action.

Jim Kelly addressed the Council informing them of the recent tournaments that the Sertoma Club had hosted and the amount of visitors that had been brought into the City. He reviewed the proposed renovations to the area near Mike Deak and to the Mike Deak ball field. He

commented on the possible parking issues. He touched on approaching the County and said that he did not have a commitment on what the County could or would do at this time.

There was discussion concerning how close to the actual projections the Club was at, how the ownership of the land would be addressed as the School and the City each owned part of the land, if the Club had approached the Choctaw Nation about contributing, if there was a goal for private contributors, and if the Club could apply for grants.

Councilman Read commented that this was the third time that the Club had been before the Council. He stated that he felt this was a worthy project and it was time for the Council/City to take the lead on this project and furnish some direction and that before the next presentation to have funding options for the Council to consider.

There was further discussion concerning the location, if there was another possible location, how much land was used for soccer, if the City could legally help fund this type of project and needing to upgrade facilities for girl sports as the facilities for the boys were being upgraded.

There was no vote on this item.

2. Discussion and update on Financials. *(Toni Ervin, Chief Financial Officer)*

Executive Summary

Discussion.

Manager Stasiak addressed the Council updating them on the City's financial status as of April 30, 2017. During this update, Manager Stasiak reviewed the revenue for the General Fund explaining that Sales Tax was down approximately \$800,000.00 and Use Tax was up approximately \$700,000.00. He added that the City continued to manage its expenditures which were about 4% under budget. Manager Stasiak then reviewed the McAlester Public Works Authority's revenue and expenses. He explained that the Public Works revenues were down about 3% and the expenditures were down almost 10%. He briefly reviewed the City's Franchise Tax, Hotel/Motel Tax, the Highway 69 Bypass project, and the PSO powerline project. Manager Stasiak informed the Council of the progress that was being made in correcting some of the City's water loss issues.

There was no vote on this item.

3. Consider and act upon, declaring certain vehicles and equipment surplus property in accordance with the Code of Ordinances Sec 2-410 and authorize the City Manager to sell them in accordance with the Code of Ordinances Sec 2-411. *(Toni Ervin, Chief Financial Officer, Sheila Norman, Purchasing Fixed Assets)*

Executive Summary

Motion to declare certain vehicles and equipment surplus property and authorize the sale of said vehicles and equipment.

Manager Stasiak addressed the Council reviewed the list of proposed vehicles and equipment that the City had deemed no longer in service as follows:

2002 Tymco Street Sweeper VIN. #545286

1992 Chevrolet Suburban VIN. #362093
2007 Dodge Charger VIN. #758583
2005 Ford Crown Victoria VIN. #106908
2000 Ford Crown Victoria VIN. #206781

Manager Stasiak stated that all of these items were worn out.

There was no discussion, and a motion was made by Councilman Smith to declare certain vehicles and equipment as surplus property and authorize the sale of said vehicles and equipment. The motion was seconded by Councilman Stevens, and the vote was taken as follows:

AYE: Councilman Smith, Stevens, Read, Karr, Garvin, Barnett & Mayor Browne
NAY: None

Mayor Browne declared the motion carried.

4. Consider and act upon, accepting the bid amount of \$127,501.54 from Gipson Construction, and authorizing the Mayor to sign the Notice of Award for the 2016 CDBG Water Improvements Project. (*Robert Vaughan, Infrastructure Solutions Group*)

Executive Summary

The recommendation is to accept the bid from Gipson Construction for a total of \$127,501.54 and authorize the Mayor to sign the Notice of Award for the 2016 CDBG Water Improvements Project.

Manager Stasiak explained that Robert Vaughan was present to handle this item.

Robert Vaughan, P.E. Branch Manager Infrastructure Solutions Group, LLC addressed the Council explaining that at 2:00 P.M. on May 9, 2017 the City had received and opened six (6) bids for the 2016 CDBG Water Improvements Project and that Gipson had been the lowest most qualified of those bids. He informed the Council of the two (2) areas that would be included in this project and explained how those area had to meet specific requirements to qualify. He added that Gipson Construction was currently working on the 2015 CDBG grant project so he was familiar with their work.

There was no further discussion, and a motion to accept the bid from Gipson Construction for a total of \$127,501.54 and authorize the Mayor to sign the Notice of Award for the 2016 CDBG Water Improvements Project was made by Councilman Smith. The motion was seconded by Councilman Stevens, and the vote was taken as follows:

AYE: Councilman Smith, Stevens, Read, Karr, Garvin, Barnett & Mayor Browne
NAY: None

Mayor Browne declared the motion carried.

5. Consider and act upon, Building Demolition & Site Clearance Contracts with Dustin Harris dba Harris Construction in the sum of \$4,449.99, Henry Moss dba Moss Trucking

in the sum of \$13,137.00, and XL Construction, LLC in the sum of \$29,500.00. (*Jayme Clifton, George Estrada, Planning & Community Development*)

Executive Summary

Motion to award Building Demolition & Site Clearance Contracts with Dustin Harris dba Harris Construction in the sum of \$4,449.99, Henry Moss dba Moss Trucking in the sum of \$13,137.00, and XL Construction, LLC in the sum of \$29,500.00 and to authorize the Mayor to execute the respective Notice of Awards and Building Demolition & Site Clearance Contracts with Dustin Harris dba Harris Construction, Henry Moss dba Moss Trucking, and XL Construction, LLC.

Manager Stasiak informed the Council that Jayme Clifton had been promoted to Economic Development Director.

Director Clifton addressed the Council explaining that the City had advertised for bids for Building Demolition and Site Clearance Service and received sealed bids on May 5, 2017 at 10:00 A.M. She informed the Council that the three (3) contracts were for ten (10) of the structures that had been condemned in February. She explained that the FY 2016/2017 Demolition Budget balance was \$55,900.00 and these contracts totaled \$47,086.99.

There was no discussion, and Councilman Smith moved to award Building Demolition & Site Clearance Contracts with Dustin Harris dba Harris Construction in the sum of \$4,449.99, Henry Moss dba Moss Trucking in the sum of \$13,137.00, and XL Construction, LLC in the sum of \$29,500.00 and to authorize the Mayor to execute the respective Notice of Awards and Building Demolition & Site Clearance Contracts with Dustin Harris dba Harris Construction, Henry Moss dba Moss Trucking, and XL Construction, LLC. The motion was seconded by Vice-Mayor Karr, and the vote was taken as follows:

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

NAY: None

Mayor Browne declared the motion carried.

New Business

Any matter not known or which could not have been reasonably foreseen prior to the time of posting the Agenda in accordance with Sec. 311.9, Title 25, Oklahoma State Statutes.

There was no new business.

City Manager's Report

- Report on activities for the past two weeks.

Manager Stasiak reported to the Council that the City had received 5.69 inches of rain over the weekend and it had been reported that a couple of homes had gotten water in them. He commented that the City was looking at solutions but some of the houses were built below the grade that they should have been built at. He informed the Council that the Softball Complex had about 1 ½ to 2 feet had come across it and he felt that since the berm had been rebuilt it held better. He added that the normal debris did not collect on the fences this time and it should be up and running for a tournament this coming weekend. He informed the Council that he would be

out of town Friday through Tuesday night and Mel Priddy would be acting City Manager while he was gone.

Remarks and Inquiries by City Council

There were no comments from the City Council.

Mayor's Comments and Committee Appointments

Mayor Browne congratulated Rotary Scholarships: Braden Parker, Gage Watkins, Brandon Dusenberry, Madeline Jarrett, Shaniqua Gibson, McKenzie Brown, JoAnn Kaylan, Bren Vaughan, Dillon Stobaugh and Shaley Bookout. He announced that Grand Avenue Community Center on east Washington is having a summer program that would run from the 30th through July 20th. He stated that it was eight (8) weeks of arts and crafts with free breakfast, lunch and snacks for anyone that would like to participate. He stated that the Italian Festival had been very successful this year.

Recess Council Meeting

Mayor Browne asked for a motion to recess the Regular Meeting to convene the Authorities. Councilman Smith moved to recess the Regular Meeting and convene the Authorities. The motion was seconded by Councilman Stevens. There was no discussion, and the vote was taken as follows:

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

NAY: None

Mayor Browne declared the motion carried and the meeting was recessed at 7:09 P.M.

Reconvene Council Meeting

The Regular Meeting was reconvened at 7:10 P.M.

A motion was made by Councilman Smith and seconded by Councilman Stevens to recess the Regular Meeting for an Executive Session in accordance with Title 25, Section 307.B.3 & C.9, for the purpose of conferring on matters pertaining to Economic Development, including transfer or purchase of real property and discussion of option to purchase real property; in accordance with Title 25, Section 307.B.2, to discuss negotiations concerning employees and representatives of employee groups: IAFF and in accordance with Title 25, Section 307.B.1, to discuss the employment, hiring, appointment, promotion, demotion, disciplining or resignation of any individual salaried public officer or employee: City Manager, Peter Stasiak.

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

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

NAY: None

Mayor Browne declared the motion carried, and the Regular Meeting was recessed at 7:11 P.M.

Executive Session

Recess into Executive Session in compliance with Section Title 25 Section 307 B.1 & B.2 et.seq. Oklahoma Statutes, to wit:

- Consider and Act to convene in Executive Session for the purpose of conferring on matters pertaining to Economic Development, including transfer or purchase of real property and discussion of option to purchase real property per Title 25 Oklahoma Statute Sec. 307 B(3) & C(9).
- Proposed Executive Session pursuant to Title 25, Sec. 307 (B) (2), to discuss negotiations concerning employees and representatives of employee groups: IAFF
- Proposed Executive Session pursuant to Title 25, Sec. 307 (B) (1), to discuss the employment, hiring, appointment, promotion, demotion, disciplining or resignation of any individual salaried public officer or employee: City Manager, Peter Stasiak

Reconvene into Open Session

The Regular Meeting was reconvened at 8:44 P.M. Mayor Browne reported that the Council had recessed the Regular Meeting for an Executive Session in accordance with Title 25, Section 307.B.3 & C.9, for the purpose of conferring on matters pertaining to Economic Development, including transfer or purchase of real property and discussion of option to purchase real property; in accordance with Title 25, Section 307.B.2, to discuss negotiations concerning employees and representatives of employee groups: IAFF and in accordance with Title 25, Section 307.B.1, to discuss the employment, hiring, appointment, promotion, demotion, disciplining or resignation of any individual salaried public officer or employee: City Manager, Peter Stasiak. Only those matters were discussed, no action was taken, and the Council returned to open session at 8:44 P.M., and this constituted the Minutes of the Executive Session.

- Consideration and possible action to approve the City purchasing or entering into a contract for options to purchase real property through Economic Development.
- Consider and act upon, the proposed IAFF Contract.

A motion was made by Councilman Read that the City make an offer on the contract for the Article 14 Merit Increases:

<u>Employee</u>	<u>Step 17-18</u>	<u>Increase 3%</u>		
Bobby Tucker	19-10	\$ 1,761		
Rodney Ragan	15-10	1,567		
Larry Edwards	17-10	1,661	\$	4,989
<u>Employee</u>	<u>Step 18-19</u>	<u>Increase 3%</u>		
Maurizio Caniglia	17-10	\$ 1,661		
Eric Giles	19-10	1,761		
Rodney Leamy	15-10	1,567		

Heath Marco	17-10	1,661		
Robert Patton	19-10	1,761	\$	8,411

Article 28 Wages, that the parties agree to the same percentage Cost of Living increase as other city employees for the 2017/2018 contract year; that certain classes will not be eligible for incentive pay: HAZ-MAT AWARENESS, HAZ-MAT OPERATIONS, NIMS TRAINING, ON LINE TRAINING, FIREFIGHTER 1, and BASIC EMT; and Article 42 Safe Staffing Levels, be implemented, the parties agree a minimum staffing level of forty (40) bargaining unit employees plus the fire marshal will be the base number of employees for implementing increases in staffing; and specifically no change to Section 6. The motion was seconded by Councilman Garvin and the vote was taken as follows:

AYE: Councilman Read, Garvin, Barnett, Smith, Stevens, Karr & Mayor Browne
 NAY: None

Mayor Browne declared the motion carried.

- Consider and act upon, the City Manager’s Contract.

Vice-Mayor Karr moved to approve the City Manager’s contract with the same language as the previous year. The motion was seconded by Councilman Smith and the vote was taken as follows:

AYE: Councilman Karr, Smith, Stevens, Read, Garvin, Barnett & Mayor Browne
 NAY: None

Mayor Browne declared the motion carried.

Adjournment

There being no further business to come before the Council, Councilman Smith moved for the meeting to be adjourned. The motion was seconded by Vice-Mayor Karr. There was no discussion, and the vote was taken as follows:

AYE: Councilman Smith, Karr, Garvin, Barnett, Stevens, Read & Mayor Browne
 NAY: None

Mayor Browne declared the motion carried, and the meeting was adjourned at 8:46 P.M.

ATTEST:

 John Browne, Mayor

 Cora Middleton, City Clerk