

The McAlester City Council met in a Regular session on Tuesday, October 10, 2017, at 6:00 P.M. after proper notice and agenda was posted, October 5, 2017 at 4:45 P.M.

Call to Order

Mayor Browne called the meeting to order.

Councilman Buddy Garvin 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 & John Browne
Absent: Jason Barnett
Presiding: John Browne, Mayor

Staff Present: Peter J. Stasiak, City Manager; David Horinek, Public Works Director; Kirk Ridenour, Economic Development Director; Toni Ervin, CFO; Gary Wansick, Police Chief; William J. Ervin, City Attorney and Cora Middleton, City Clerk

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.

No comments.

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 September 5, 2017, Special Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*

- B. Approval of Claims for September 20, 2017 through October 3, 2017. *(Toni Ervin, Chief Financial Officer)* In the following amounts: General Fund - \$113,573.93; Nutrition - \$1,480.02; Landfill Res./Sub-Title D - \$6,454.00; Tourism Fund - \$19,070.03; S.E. Expo Center - \$6,002.66; E-911 - \$925.64; Economic Development - \$8,420.42; Grants & Contributions - \$132,649.54; CDBG Grants Fund - \$3,949.82; Fleet Maintenance - \$10,675.73; Worker's Compensation - \$2,022.68; CIP Fund - \$218,034.15; Technology Fund - \$271.60 and Stormwater Fund - \$3,284.13.

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

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

NAY: None

Mayor Browne declared the motion carried.

A motion to open a Public Hearing to consider an ordinance amending Chapter 106, Section 28 and Chapter 48 was made by Councilman Stevens. The motion was seconded by Councilman Smith and the vote was taken as follows:

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

NAY: None

Mayor Browne declared the motion carried and the Public Hearing was opened at 6:03 P.M.

Public Hearing

All persons interested in any ordinance listed under Scheduled Business shall have an opportunity to be heard in accordance with Article 2, Section 2.12(b) of the City Charter.

AN ORDINANCE OF THE CITY OF MCALESTER, OKLAHOMA, AMENDING CHAPTER 106, ARTICLE II, SECTION 106-28. METER INSTALLATION FEE AND CHAPTER 48 FEES, CHARGES AND SERVICE RATES, REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE OF DECEMBER 1, 2017.

There were no comments from the Council or audience and a motion to close the Public Hearing was made by Councilman Smith. The motion was seconded by Councilman Garvin, and the vote was taken as follows:

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

NAY: None

Mayor Browne declared the motion carried and the Public Hearing was closed at 6:04 P.M.

Scheduled Business

1. Presentation and discussion of the results of an analysis performed on the utility costs and possible energy savings for the 24 facilities currently occupied by the City of McAlester along with a separate analysis performed on the Southeast Expo Center. (*Randy Wills, AMERESCO*)

Executive Summary
Discussion.

Addressed in the Workshop section of agenda at 5:30 p.m.

2. **TABLED FROM THE SEPTEMBER 26TH MEETING:** Consider and act upon, an Ordinance amending Chapter 106, Article II, Section 106-28. Meter Installation Fee and Chapter 48 Fees, Charges, and Service Rates; repealing all conflicting ordinances; providing for a severability clause; and establishing an effective date. (*Robert Karr, Councilman, Ward 4*)

Executive Summary

Motion to approve the amendment of the ordinance.

Vice-Mayor Karr commented that this item had been tabled for more information. Manager Stasiak added that the Council had requested examples of possible scenarios that occur when a water meter was installed.

CFO Ervin and Utility Maintenance Superintendent, Dalton Carlton reviewed various examples of meter installations that had been encountered by the City's Utility Maintenance department and informed the Council of the costs related to each of these examples.

There was discussion concerning which customers were charged for meter installations, if the City always paid for water and sewers lines, if renters would be charged for installation of new service and changing the language of the ordinance to clarify new and previous water service.

A motion was made by Councilman Read and seconded by Councilman Smith to approve an Ordinance amending Chapter 106, section 28 contingent to the addition of language that clarified the meaning of new and prior water service.

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

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

NAY: Mayor Browne

Mayor Browne declared the motion carried.

3. Consider and act upon, declaring approximately 3591 used water meters 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*)

Executive Summary

Motion to declare used water meters surplus property and authorize the sale of said meters.

CFO Ervin addressed the Council explaining that this was the routine way of surplusing property and that each of the meters were not worth \$300.00. She added that the number of meters would make this a bulk surplus and they would be put on the online site for surplus property.

After a brief discussion, a motion to declare approximately 3591 used water meters 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 was made by Councilman Stevens. The motion was seconded by Councilman Smith, and the vote was taken as follows:

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

NAY: None

Mayor Browne declared the motion carried.

4. Consider and act upon, authorizing the Mayor to sign the Contractor's Final Pay Estimate No. 3 and the close-out documents for the contract with Gipson Construction for construction of the 2015 CDBG Water Improvements Phase II and accept the project as completed. (*Robert Vaughan, Infrastructure Solutions Group*)

Executive Summary

Motion to authorize the Mayor to sign the Contractor's Final Pay Estimate No. 3 of \$3,949.82 and the close-out documents for the construction of the 2015 CDBG Water Improvements Phase II located along Court Street from 4th Street to 7th Street and accept the project as completed.

Dale Burke, President of Infrastructure Solutions Group, LLC addressed the Council explaining that this had been Phase II of the 2015 CDBG Water Improvements and that all of the work associated with this phase had been completed.

There was no discussion, and Vice-Mayor Karr moved to authorize the Mayor to sign the Contractor's Final Pay Estimate No. 3 of \$3,949.82 and the close-out documents for the construction of the 2015 CDBG Water Improvements Phase II located along Court Street from 4th Street to 7th Street and accept the project as completed. The motion was seconded by Councilman Read, and the vote was taken as follows:

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

NAY: None

Mayor Browne declared the motion carried.

5. Consider and act upon, an amendment to the contract with Tyler Technologies, Inc. to purchase additional software license for Electronic Citations System, including all supporting hardware, software, installation and training. (*James Stanford, IT Specialist*)

Executive Summary

Motion to approve \$40,207.00 to Tyler Technologies, Inc. to purchase additional software license for Electronic Citations System, including all supporting hardware, software, installation and training.

Chief Wansick addressed the Council explaining that this was an amendment to the current contract with Tyler Technologies, Inc. for ticket writers for the Police Department. He commented that initially only ten (10) ticket writers had been purchased. He added that the Department was very pleased with the ticket writers. Chief Wansick stated that a new system had been developed by Tyler Technology that allowed "Smart Phones" to be used as ticket writers, cell phones, recording devices and cameras. He elaborated on the other uses that the phones could be used as and the correction of the amount that needed to be budgeted for the purchase of the ticket writers.

There was discussion concerning issuing actual tickets to citizens, the Police Union's comments on the ticket writers, if the initial officers that used ticket writers had cell phones, if they would be issued cell phones, possibly emailing tickets to citizens, how this would eliminate the officers time on the side of the road while issuing a ticket and the added safety.

A motion was made by Councilman Stevens to approve an amendment to the contract with Tyler Technologies, Inc. to purchase additional software license for Electronic Citations System, including all supporting hardware, software, installation and training. The motion was seconded by Councilman Read.

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

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

NAY: None

Mayor Browne declared the motion carried.

6. Consider and act upon, authorizing the Mayor to sign an Agreement between USCC Services, LLC and the City of McAlester for cellular service and hardware to be used by McAlester Police department for electronic citation system. (*James Stanford, IT Specialist*)

Executive Summary

Staff recommends authorizing the Mayor to sign an Agreement between USCC Services, LLC and the City of McAlester for cellular service and hardware to be used by McAlester Police department for electronic citation system.

Chief Wansick addressed the Council explaining that this was the contract for the cell phones that would be used as ticket writers. He commented that James Stanford had done a good job negotiating the price and the contract.

Attorney Ervin commented that there were some issues with the contract that needed to be addressed before it would be ready for the Council to consider.

There was discussion about the amount of data that was available with the plan, if it would be sufficient for the employees, the contract combining the City and the Police department plans and how the usage of the phones would be monitored.

A motion was made by Councilman Read to approve the agreement with the changes recommended by the Attorney Ervin and authorize the Mayor to sign the agreement between the City of McAlester and USCC Services, LLC for cellular service and hardware to be used by the McAlester Police department for an electronic citation system. The motion was seconded by Councilman Stevens, and the vote was taken as follows:

AYE: Councilman Read, Stevens, Karr, Garvin, Smith & 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 that the Ward Redistricting Committee had met last week and would be bringing their proposal to a Public Hearing for comments and questions and he explained the process going forward. He distributed the recommended changes to the ward boundaries. He informed them that the MCC Controls were to be delivered on October 12th and the contractor was ready to start working on it. He added that the Ameresco study and presentation was for available. If they wanted any of the information to let him know and he would get it to them.

Remarks and Inquiries by City Council

Councilman Stevens inquired about the posing of the TIF committee meetings and asked about getting the information out to more of the public. Clerk Middleton commented that it was posted where all meeting notices were posted at City Hall. Attorney Ervin commented that it could also be posted at the location of the meeting.

Councilman Read commented that the language in the meter deposit ordinance had been amended to reflect new construction but it had not addressed the cost for installation at a pre-existing location. Attorney Ervin stated that the language could be revised to reflect the discussed issues and brought back for ratification at the next meeting. Councilman Read then inquired about the status of the Recycling Center and when it would be moved.

Manager Stasiak informed the Council that it should be moved by the middle of November.

Vice-Mayor Karr commented about the Recycling Center.

Councilman Garvin commented about the Recycling Center and then stated that the Wild West Festival in North Town had been very good this year. He asked if Electric Avenue from 6th Street to Main Street was designated as a truck route.

Manager Stasiak stated that he would look into it and get back to him.

Councilmen Smith did not have any comments or inquiries for the evening.

Mayor's Comments and Committee Appointments

Mayor Browne commented that the Old Town Festival was very good.

Recess Council Meeting

Mayor Browne asked for a motion to recess the Regular Meeting to convene the Authorities. Councilman Read moved to recess the Regular Meeting and convene the Authorities. The motion was seconded by Councilman Smith.

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

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

NAY: None

Mayor Browne declared the motion carried and the meeting was recessed at 6:59 P.M.

Reconvene Council Meeting

The Regular Meeting was reconvened at 7:00 P.M.

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

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

NAY: None

Mayor Browne declared the motion carried, and the meeting was adjourned at 7:00 P.M.

ATTEST:

John Browne, Mayor

Cora Middleton, City Clerk