

The McAlester City Council met in a Regular session on Tuesday, October 24, 2017, at 6:00 P.M. after proper notice and agenda was posted, October 23, 2017 at 1:21 P.M.

Call to Order

Vice-Mayor Karr called the meeting to order.

Councilman Garvin gave the invocation and led the Pledge of Allegiance.

Roll Call

Council Roll Call was as follows:

Present: Weldon Smith, Travis Read, Robert Karr, Buddy Garvin & Jason Barnett
Absent: Cully Stevens & John Browne
Presiding: Robert Karr, Vice-Mayor

Staff Present: David Horinek, Public Works Director; Toni Ervin, CFO; William J. Ervin, City Attorney and Cora Middleton, City Clerk

Recognition and Awards

Vice-Mayor Karr announced the September Employee of the Month as James Roberts. Mr. Roberts received a certificate of appreciation, a personal planner and a \$25.00 gift card.

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 12, 2017, Regular Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- B. Approval of Claims for October 4, 2017 through October 17, 2017. *(Toni Ervin, Chief Financial Officer)* In the following amounts: General Fund - \$91,577,380; Parking Authority - \$200.36; Nutrition - \$1,784.11; Tourism Fund - \$11,588.76; SE Expo Center - \$13,433.20; E-911 - \$14,524.91; Economic Development - \$11,881.66; Grants &

Contributions - \$184.88; Fleet Maintenance - \$14,955.71; Dedicated Sales Tax – MPWA - \$2,000.00; CIP Fund - \$7,200.00 and Technology Fund - \$980.54.

- C. Consider and act upon, signing a lease with Miller Office Supply for lease on (2) two copiers and (2) all in one printers. *(Toni Ervin, Chief Financial Officer)*
- D. Concur with the Mayor’s appointments of Brent Case, Mike Echelle, and Sam Wampler as at-large members of the South McAlester Area Reinvestment Review Committee. *(John Browne, Mayor)*
- E. Concur with the Mayor’s appointments of Sayre Brenner, Kristen Lloyd, and Tim Diehl as at-large members of the McAlester Downtown Area Reinvestment Review Committee. *(John Browne, Mayor)*
- F. Consider and act upon, approval of a Resolution to extend the term of the Cable Television Permit with Vyve Broadband A, LLC. *(Peter Stasiak, City Manager)*
- G. Consider and act upon, ratification of the amended Ordinance 106-28, Meter Installation Fees. *(Joe Ervin, City Attorney)*

Councilman Read requested Item “E” be removed for individual consideration.

A motion was made by Councilman Read and seconded by Councilman Smith to approve Consent Agenda items “A through D and F and G”.

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

AYE: Councilman Read, Smith, Garvin, Barnett & Vice-Mayor Karr
NAY: None

Vice-Mayor Karr declared the motion carried.

Items Removed from Consent Agenda

- E. Concur with the Mayor’s appointments of Sayre Brenner, Kristen Lloyd, and Tim Diehl as at-large members of the McAlester Downtown Area Reinvestment Review Committee. *(John Browne, Mayor)*

Councilman Read voiced concerns about Kristen Lloyd’s appointment to the McAlester Downtown Area Reinvestment Review Committee. He stated that Ms. Lloyd was a property owner within the proposed TIF area and commented that there could be the appearance of a conflict of interest if she were to serve on the committee.

There was discussion among the Council including the City Attorney concerning the approval of the other two (2) nominees and tabling Ms. Lloyd’s nomination, what the committee’s responsibility was, the language contained in the Ordinance that addressed the Code of Ethics

and conflicts of interest, Ms. Lloyd not wanting to serve once this was explained and would withdraw her nomination.

A motion to approve Sayre Brenner and Tim Diehl's nomination as at-large members of the McAlester Downtown Area Reinvestment Review Committee and table Kristen Lloyd's nomination was made by Councilman Read. The motion was seconded by Councilman Garvin.

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

AYE: Councilman Read, Garvin, Barnett, Smith & Vice-Mayor Karr

NAY: None

Vice-Mayor Karr declared the motion carried.

Scheduled Business

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

Executive Summary

Discussion.

CFO Ervin addressed the Council reviewing the City's financial status as of September 30, 2017. She explained that General Fund revenue was .34% over Budget and Expenses were a little over. She informed them that MPWA revenue was .4% over Budget and Expenses were 3% under budget. She reviewed the Sales and Use tax revenue explaining that both figures were through the month of October and commented that both were over budget. She briefly reviewed the other documents in the packet.

There was no vote on this item.

2. Consider and act upon, acceptance and authorizing the Mayor to sign Change Order #1 from KATCON Inc., in the amount of \$1,897.00 for the addition of 70 LF of 6-inch PVC C900 Water Main at \$27.10/LF to the 2015 CDBG Water Improvements Phase III located at 14th Street and Keller Avenue. *(Robert Vaughan, Infrastructure Solutions Group)*

Executive Summary

The recommendation is to accept and authorize the Mayor to sign Change Order #1 from KATCON Inc., in the amount of \$1,897.00 for the addition of 70 LF of 6-inch PVC C900 Water Main at \$27.10/LF to the 2015 CDBG Water Improvements Phase III located at 14th Street and Keller Avenue.

Robert Vaughan, P.E. Branch Manager Infrastructure Solutions Group, LLC addressed the Council explaining that this would spend the last dollars of the 2015 CDBG Water Improvements Phase III located at 14th Street and Keller Avenue. He added that the Change Order was within the 15% limit.

There was no discuss, and a motion to accept and authorize the Mayor to sign Change Order #1 from KATCON Inc., in the amount of \$1,897.00 for the addition of 70 LF of 6-inch PVC C900 Water Main at \$27.10/LF to the 2015 CDBG Water Improvements Phase III located at 14th

Street and Keller Avenue was made by Councilman Read. The motion was seconded by Councilman Smith and the vote was taken as follows:

AYE: Councilman Read, Smith, Garvin, Barnett & Vice-Mayor Karr
NAY: None

Vice-Mayor Karr declared the motion carried.

3. Consider and act upon, acceptance and authorizing the Mayor to sign Change Order #1 from KATCON Inc., in the amount of \$8,044.20 for the addition of 285 linear feet of water line to the 2016 CDBG Water Improvements located on Crisler Avenue from Main Street to 3rd Street. This additional work will extend the new water line on Crisler Avenue one more Block, from 3rd Street to 4th Street. (*Robert Vaughan, Infrastructure Solutions Group*)

Executive Summary

The recommendation is to accept and authorize the Mayor to sign Change Order #1 from KATCON Inc., in the amount of \$8,044.20 for the addition of 285 linear feet of water line to the 2016 CDBG Water Improvements located on Crisler Avenue from Main Street to 3rd Street. This additional work will extend the new water line on Crisler Avenue one more Block, from 3rd Street to 4th Street.

Robert Vaughan, P.E. Branch Manager Infrastructure Solutions Group, LLC addressed the Council explaining that this would expend the last of the dollars for the 2016 CDBG Water Improvements located on Crisler Avenue from Main Street to 3rd Street. He added that this Change Order would extend the new water line to 4th Street and was within the 15% limit.

There was no other discussion, and Councilman Read moved to accept and authorize the Mayor to sign Change Order #1 from KATCON Inc., in the amount of \$8,044.20 for the addition of 285 linear feet of water line to the 2016 CDBG Water Improvements located on Crisler Avenue from Main Street to 3rd Street. This additional work will extend the new water line on Crisler Avenue one more Block, from 3rd Street to 4th Street. The motion was seconded by Councilman Smith, and the vote was taken as follows:

AYE: Councilman Read, Smith, Garvin, Barnett & Vice-Mayor Karr
NAY: None

Vice-Mayor Karr 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.

CFO Ervin explained that the City Manager's report was in the Council's agenda packet.

Remarks and Inquiries by City Council

Councilman Read asked about the minimum water charge. CFO Ervin stated that it was \$11.00. Councilman Read commented that it had been brought to his attention that it worked out to be \$11.43 and was asked if tax was charged on the charge. He also stated that the website showed the minimum water charge to be \$11.00. CFO Ervin stated that tax was not charged on the water charge and she would look into the information on the website.

Councilmen Smith, Garvin and Barnett did not have any comments or inquiries for the evening.

Mayor's Comments and Committee Appointments

Vice-Mayor Karr stated that Mayor Browne and Manager Stasiak were in Washington D.C. promoting McAlester and the Army Ammunition Plant.

Recess Council Meeting

Vice-Mayor Karr 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, Garvin, Barnett & Vice-Mayor Karr

NAY: None

Mayor Browne declared the motion carried and the meeting was recessed at 6:22 P.M.

Reconvene Council Meeting

The Regular Meeting was reconvened at 6:24 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 Smith.

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

AYE: Councilman Garvin, Smith, Barnett, Read & Vice-Mayor Karr

NAY: None

Vice-Mayor Karr declared the motion carried, and the meeting was adjourned at 6:25 P.M.

ATTEST:

Robert Karr, Vice-Mayor

Cora Middleton, City Clerk