

The McAlester City Council met in a Regular session on Tuesday, December 26, 2017, at 6:00 P.M. after proper notice and agenda was posted, December 21, 2017 at 3:04 P.M.

### **Call to Order**

Mayor Browne called the meeting to order.

Vice-Mayor Karr 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; David Horinek, Public Works Director; Toni Ervin, CFO; Mel Priddy, Community Services Director; Jayme Clifton, Community Development Director; Kirk Ridenour, Economic Development Director; Brett Brewer, Fire 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.*

There were no citizen comments for the evening.

### **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 November 14, 2017, Special Meeting of the McAlester City Council. (Cora Middleton, City Clerk)
- B. Approval of Claims for December 7, 2017 through December 19, 2017. (Toni Ervin, Chief Financial Officer) In the following amounts: General Fund - \$124,393.94; Parking Authority - \$216.97; Nutrition - \$2,272.79; Tourism Fund - \$10,392.54; SE Expo Center - \$15,538.63; E-911 - \$13,664.08; Economic Development - \$14,448.27; Grants

& Contributions - \$51,532.54; Fleet Maintenance - \$8,693.19 and Worker's Compensation - \$941.68.

- C. Concur with the Mayor's reappointments of Ms. Betty Pickle and Ms. Mary Keeter to the McAlester Housing Authority for terms to expire in July, 2020. (*John Browne, Mayor*)

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

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

NAY: None

Mayor Browne declared the motion carried.

A motion to open a Public Hearing to address an ordinance redrawing the Ward boundaries was made by Councilman Read and seconded by Councilman Smith. 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 and them 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 ORDINANCE NO. 2406, AN ORDINANCE REGULATING THE WARD BOUNDARIES OF MCALESTER, OKLAHOMA, KNOWN AS FIRST WARD, SECOND WARD, THIRD WARD, FOURTH WARD, FIFTH WARD, SIXTH WARD; AND PROVIDING A SPECIFIC DESCRIPTION OF EACH WARD BOUNDARY.**

There were no comments or inquiries made on the proposed ordinance and a motion to close the Public Hearing was made by Councilman Read. The motion was seconded by Councilman Smith, and the vote was taken as follows:

AYE: Councilman Read, Smith, Karr, Garvin, Barnett, 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. Consider and take action with respect to a Resolution of the City of McAlester, Oklahoma (the "City") approving the incurrence of indebtedness by the McAlester Regional Health Center Authority (the "Authority") issuing its Hospital Revenue Note, Series 2017 (the

“Note”); providing that the organizational document creating the Authority is subject to the provisions of the indenture authorizing the issuance of said Note; waiving competitive bidding with respect to the sale of said Note and approving the proceedings of the Authority pertaining to the sale of said Note; ratifying and confirming the execution of an amended lease agreement and operation and maintenance contract by and between the City and the Authority pertaining to the hospital facilities; establishing the City’s reasonable expectation with respect to the issuance of tax-exempt obligations by or on behalf of said City in calendar year 2017 and 2018, and designating the note as a qualified tax-exempt obligation; and containing other provisions relating thereto. (*Darryl Linnington, McAlester Regional Health Center Authority*)

Executive Summary

Recommendation to approve the attached Resolution authorizing the Authority to incur indebtedness in the amount of \$3,200,000.00.

Darryl Linnington of McAlester Regional Health Center Authority addressed the Council reviewing the proposed purchase of a medical records system and the Hospital’s current financial status. He explained that this was a two (2) year project and it would update the Hospital’s current medical records system.

There was a brief discussion concerning the doctors’ thoughts on the program and the proposed savings, why the Hospital was considering going into debt if it had the cash on hand, if this system would be portable and how the savings with the new system had been calculated.

A motion was made by Councilman Stevens to approve RESOLUTION NO. 17-22, authorizing the Authority to incur indebtedness in the amount of \$3,200,000.00. The motion was seconded by Vice-Mayor Karr and the vote was taken as follows:

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

NAY: None

Mayor Browne declared the motion carried.

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

Executive Summary

Presentation.

CFO Ervin updated the Council on the City’s financial status as of November 30, 2017. During her review she commented that revenues were on target and expenditures were under budget for the General Fund. She stated that the MPWA revenue was slightly over budget and expenditures were also under budget. She reviewed the comparison spreadsheets for both the Sales tax and Use tax and informed the Council that next month they would receive the Mid-Year Budget review.

There was no vote on this item.

3. Consider and act upon, accepting the annual City of McAlester Audited Financial Statements and Independent Auditor's Report for Fiscal Year ending June 30, 2017. (*Toni Ervin, Chief Financial Officer*)

Executive Summary

Motion to accept the annual Audit for Fiscal Year ending June 30, 2017 for the City of McAlester.

CFO Ervin presented the Fiscal Year 2016/2017 Audit and Correspondence to Management.

Dan Bledsoe of Finley & Cook reviewed the Audit explaining that during the audit they did not identify any fraud issues, material weaknesses or significant deficiencies and they appreciated the cooperation of the City staff.

There was a brief discussion concerning the Firm's confidence level in finding embezzlement activities.

A motion to accept the annual City of McAlester Audited Financial Statements and Independent Auditor's Report for Fiscal Year ending June 30, 2017 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, Stevens, Karr & Mayor Browne

NAY: None

Mayor Browne declared the motion carried.

4. Consider and act upon, approval of the bid Amendment to an existing agreement with Tyler Technologies Incode Public Safety hardware, software, and services for the implementation of a mobile Computer Aided Dispatch (CAD) system in the police department. (*Gary Wansick, Chief of Police*)

Executive Summary

Motion to approve the bid of \$129,358.00 for the purchase of hardware, software, and services for implementation of the CAD system.

Police Chief Wansick addressed the Council concerning the request to purchase of hardware, software, and services for the implementation of a mobile Computer Aided Dispatch (CAD) system in the police department. He explained that this was the final stage in putting computers into all of the police cars.

Councilman Smith moved to approve the bid of \$129,358.00 and amend an existing agreement with Tyler Technologies Incode Public Safety for hardware, software, and services for the implementation of a mobile Computer Aided Dispatch (CAD) system in the police department. The motion was seconded by Councilman Read and the vote was taken as follows:

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

NAY: None

Mayor Browne declared the motion carried.

5. Discussion and possible action, to approve an Ordinance to amend Ordinance No. 2406 to establish new Ward boundary lines as a result of recent redistricting and adopting new legal descriptions for the six wards throughout the city. (*Cora Middleton, City Clerk*)

Executive Summary

Motion to approve amending Ordinance No. 2406 to establish new Ward boundary lines.

Manager Stasiak addressed the Council briefly reviewing the steps taken by the Ward Commission and why the redistricting had been done.

Attorney Ervin explained that the Ward Commission had been set up by the Charter. He informed the Council that there were a couple of obstacles to work around. He stated that the provisions in the Charter provided that the Ward changes would have occurred more than a year and a half before a general Council election and residency requirements for the election could be affected by the Ward change. He recommended that the Wards be left as they currently were and adopt the Ordinance making it effective July 1, 2018. He commented that this could help eliminate any confusion of who could be eligible to run for the Ward seat.

There was discussion concerning what could happen to the new Councilmembers after the Ward change goes into effect, if someone was elected and then with the change is no longer eligible to serve because of the residency requirement, how the current Councilmembers could be affected and anyone that might be interested in running for a Council seat could look at the information that was available and make an informed decision.

### **ORDINANCE NO. 2613**

**AN ORDINANCE OF THE CITY OF McALESTER, OKLAHOMA, AMENDING ORDINANCE NO. 2406, AN ORDINANCE REGULATING THE WARD BOUNDARIES OF MCALESTER, OKLAHOMA, KNOWN AS FIRST WARD, SECOND WARD, THIRD WARD, FOURTH WARD, FIFTH WARD, SIXTH WARD; AND PROVIDING A SPECIFIC DESCRIPTION OF EACH WARD BOUNDARY.**

After a brief discussion concerning an effective date of July 1, 2018, Councilman Smith moved to approve **ORDINANCE NO. 2613**, adjusting the Ward Boundaries. The motion was seconded by Vice-Mayor Karr, and the vote was taken as follows:

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

NAY: None

Mayor Browne declared the motion carried.

6. Discussion and possible action on approval of an agreement with KEDDO to accept the release and transfer of 3 large volume water pumps. (*Brett Brewer, Fire Chief*)

Executive Summary

Motion to approve the agreement.

Fire Chief Brewer addressed the Council explaining that Oklahoma Forestry through KEDDO had three (3) large water pumps that they were wanting to transfer to the City of McAlester. He stated that the pumps could be used in the fire services as well as other areas of the City.

Manager Stasiak agreed that the pumps could be used in various areas of the City.

A motion was made by Councilman Stevens and seconded by Councilman Smith to approve an agreement with KEDDO to accept the release and transfer of three (3) large volume water pumps.

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

AYE: Councilman Stevens, Smith, Karr, Garvin, Barnett, 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 addressed the Council commenting that this was the City's seventh (7<sup>th</sup>) year to receive a clean audit. He then expressed his appreciation to the Finley & Cook firm and commented on the work that had done. He added that the City's debt was down to \$54.5 million. Manager Stasiak informed the Council that Severn Trent had split off the US operations and the US operations would be known as Inframark. He stated that the Stormwater Fee had been in effect about eighteen (18) months and he then briefly reviewed the various projects that had been accomplished with the fee.

Mayor Browne inquired about the date that the Cardinal Lane project would start and commented on the number of complaints he had received regarding water quality. Manager Stasiak stated that next Tuesday, December 30<sup>th</sup> the bid opening would be conducted and the recommendation would be presented to the Council in January. He explained that the Water Plant had been working with a different chemical to reduce the carbon impact but they had went back to using carbon.

### **Remarks and Inquiries by City Council**

The Council did not have any comments or inquiries for the evening.

## **Mayor's Comments and Committee Appointments**

Mayor Browne stated that a Town Hall meeting had been planned for January 4, 2018 at Spaceship Earth Coffee to address questions and concerns about the Sales Tax propositions. He then commented the Council had received a Thank you card and he had numerous City employees thank them for the \$250.00 that the Council had been able to give them at the last meeting.

### **Recess Council Meeting**

Councilman Smith moved to recess the Regular Meeting and convene the Authorities. 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 recessed at 7:33 P.M.

### **Reconvene Council Meeting**

The Regular Meeting was reconvened at 7:08 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 Vice-Mayor Karr. There was no discussion, and the vote was taken as follows:

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

Mayor Browne declared the motion carried, and the meeting was adjourned at 7:10 P.M.

ATTEST:

\_\_\_\_\_  
John Browne, Mayor

\_\_\_\_\_  
Cora Middleton, City Clerk