

The McAlester City Council met in a Regular session on Tuesday, January 9, 2018, at 6:00 P.M. after proper notice and agenda was posted, January 5, 2018 at 11:30 A.M.

Call to Order

Mayor Browne called the meeting to order.

William J. Ervin 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, Jason Barnett & John Browne
Absent: Buddy Garvin
Presiding: John Browne, Mayor

Mayor Browne announced that Councilman Garvin had contacted him earlier to inform him that he would not be at tonight's meeting.

Staff Present: Toni Ervin, CFO/Acting City Manager; Jayme Clifton, Community Development Director; Kirk Ridenour, Economic Development Director; William J. Ervin, City Attorney and Karen Boatright, Deputy City Clerk

Recognition and Awards

Mayor Browne announced that the Oklahoma Municipal League (OML) was recognizing Michael Beard for twenty-five (25) years of service to the City of McAlester. Mr. Beard received a lapel pen and a certificate from OML.

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.

Janelle Brooks, 804 E. Monroe addressed the Council requesting that they reconsider her previous request to open a small business next to her residence.

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, Regular Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- B. Approval of the Minutes from the November 28, 2017, Regular Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- C. Approval of Claims for December 20, 2017 through January 2, 2018. *(Toni Ervin, Chief Financial Officer)* In the following amounts: General Fund - \$64, 625.71; Nutrition - \$2,112.75; Landfill Reserve/Sub-Title D - \$4,085.00; Tourism Fund - \$6,413.90; SE Expo Center - \$7,753.85; E-911 - \$833.58; Economic Development - \$14,710.50; CDBG Grants Fund - \$8,740.00; Fleet Maintenance - \$8,839.66; CIP Fund - \$360, 772.99; Technology Fund - \$1,090.00 and Stormwater Fund - \$17, 376.39.
- D. Consider and act upon, ratification of the Code of Conduct for the City of McAlester originally adopted October 27, 2009. (There have been no changes to the document.) *(Cora Middleton, City Clerk)*

A motion to approve Consent Agenda 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, Barnett & Mayor Browne

NAY: None

Mayor Browne declared the motion carried.

Scheduled Business

- 1. Presentation and update on the activities of McAlester Defense Support Association/McAlester Defense Support Services. *(Kevin Priddle, MDSA/MDSS, Kirk Ridenour, Economic Development Director)*

Executive Summary
Presentation.

Kevin Priddle, Vice-Chairman MDSA/Chairman MDSS addressed the Council updating them on the activities of the organizations over the past few months. Mr. Priddle commented that this past year's McAlester Stampede had been very successful. He stated that while the McAlester group had been at the Stampede they had received notification that the "direct hire" directives had been released from the Pentagon. He added that this would allow the plant to hire within normal time frames of thirty (30) days or less. He informed the Council that the organization's Executive Director had resigned effective August 31, 2017 and they were now in the process of filling that position.

Councilman Smith inquired about the items of concern that had been mentioned. Mr. Priddle explained that "direct hire" was one of them and he reviewed the previous process and how "direct hire" would change the hiring process at the plant.

Kirk Ridenour, Economic Development Director addressed the Council reviewing the activities of the department related to the McAlester Army Ammunition Plant. He reminded them of the three (3) projects that his department was currently working on. The first was the creation of a McAlester Defense Trust Authority, enhanced use leasing and the third project is addressing McAAP's front gate, where most of the civilian and explosive traffic goes through. He explained that the City is working on identifying another area that could be developed for their explosive traffic. He added that these three (3) projects would be coming before the Council relatively soon.

Councilman Stevens inquired about how the plant looked to fair during the next BRAC.

Director Ridenour explained that McAAP sits in a pretty good position.

There was no vote on this item.

2. Consider and act upon, accepting the bid amount of \$51,144.65 from KATCON, Inc., and authorizing the Mayor to sign the Notice of Award for the Cardinal Lane Curb and Gutter Improvements Project. (*Robert Vaughan, Infrastructure Solutions Group*)

Executive Summary

The recommendation is to accept the bid from KATCON, Inc. for a total of \$51,144.65 and authorize the Mayor to sign the Notice of Award for the Cardinal Lane Curb and Gutter Improvements Project.

Robert Vaughan, P.E. Branch Manager Infrastructure Solutions Group, LLC addressed the Council explaining that on January 2, 2018 the City received and opened four (4) sealed bids. Of those bids KATCON, Inc. was the apparent low bidder with a bid of \$51,144.65. He then stated that the firms' recommendation was to award the contract to KATCON, Inc.

Councilman Stevens moved to accept the bid, in the amount of \$51,144.65, to KATCON, Inc. for the Cardinal Lane Curb and Gutter Improvements Project and authorize the Mayor to sign the Notice of Award. The motion was seconded by Councilman Smith. There was no further discussion, and the vote was taken as follows:

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

NAY: None

Mayor Browne declared the motion carried.

3. **POSTPONED FROM THE DECEMBER 12TH, 2017 MEETING;** Consider and act upon, an ordinance amending Chapter 62, Land Development Code, of the McAlester City Code by creating Section 62-274, Cottage House Development Overlay District; repealing all conflicting ordinances and declaring an emergency. (*Jayme Clifton, Community and Economic Development Director*)

Executive Summary

Motion to act upon and approve the above ordinance amending Chapter 62, Land Development Code, of the McAlester City Code by creating Section 62-274, Cottage House Development Overlay District; repealing all conflicting ordinances and declaring an emergency and authorizing the Mayor to sign the ordinance.

Director Clifton addressed the Council explaining that this item had been continued from the December 12, 2017 meeting. She informed the Council that 413 notices had been mailed to the residents that might be affected by the Overlay District, she had received five (5) phone calls, no written responses and this had also been posted on the City's Facebook page.

Councilman Read inquired about the phone calls and verified that no written responses had been received.

Director Clifton explained that some of the callers were concerned that the City was going to take their land and once they understood they were supportive of the Overlay District.

Mayor Browne and Councilman Stevens commented that they had received similar questions concerning the Overlay District.

Theresa Hamilton, Checotah addressed the Council asking for an explanation of the letter she had received regarding property she owned in that area.

Steve Cox, 24 River Oaks addressed the Council as a Third Ward property owner and expressed his support for the Overlay District. He then explained the principles of a Cottage House Overlay District.

Councilman Read expressed his concerns about the Cottage House Overlay District, if it was going to be individually owned or rental property, the number of houses clustered together and the possible increase in police traffic.

Director Clifton reviewed the proposed Cottage House Overlay District, how it would not affect the current houses, what the requirements of the District would be, the need for entry level housing in the City, who would be responsible for any Code violations, the restrictions that regulated the Cottage House Overlay District.

There was discussion concerning the housing needs of the City, if there were any Cottage House Districts in the State of Oklahoma, what was contained in the City's Land Use Code, how more densely populated areas generated more police interaction and how this would not change any housing construction requirements.

Stephanie Winlock, 512 W. Cherokee, Joe Marshall, 215 S. "C" and Dean Tannehill, 416 W. Cherokee addressed the Council expressing their concerns and questions about the Cottage House Overlay District.

ORDINANCE NO. 2614

AN ORDINANCE AMENDING CHAPTER 62, LAND DEVELOPMENT CODE, OF THE McALESTER CITY CODE BY CREATING SECTION 62-274, COTTAGE HOUSE DEVELOPMENT OVERLAY DISTRICT; REPEALING ALL CONFLICTING ORDINANCES AND DECLARING AN EMERGENCY.

Mayor Browne moved to approve **ORDINANCE NO. 2614**, creating section 62-274, Cottage House Development Overlay District, of the City of McAlester Code of Ordinances and include Block 433. The motion was seconded by Councilman Stevens. There was no further discussion, and the vote was taken as follows:

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

NAY: None

Mayor Browne declared the motion carried.

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

AYE: Councilman Stevens, Karr, Barnett, Smith, 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.

CFO/Acting City Manager Ervin stated that there would be a City Manager's report at the next meeting.

Remarks and Inquiries by City Council

Councilman Read inquired about the plans for the Recycle Center and added that he felt that it was always best to inform the citizens of what was going on.

CFO/ACM Ervin stated that the plan to move the Center were moving forward and it would be moved this week.

Councilmen Smith, Stevens, Karr and Barnett did not have any comments for the evening.

Mayor's Comments and Committee Appointments

Mayor Browne stated that the Martin Luther King, Jr. Unity Banquet would be this Saturday at 6:00 P.M., the Unity Service would be Friday at 11:00 A.M at 408 E. Wyandotte. He informed the Council of a Town Hall on the 16th that would be sponsored by the News-Capital and Ignite McAlester concerning the School Board election and the Sales Tax propositions. He added that on the 18th the City would be holding a Town Hall at What About Bobs' restaurant very similar

to the one held at Spaceship Earth Coffee on the 4th. He then commented that the Bureau of Land Management would be at the next Council meeting to address the questions and concerns of the community.

Attorney Ervin commented on the concerns about Manager Stasiak and he read a statement on behalf of Manager Stasiak regarding his leave of absence. He added that this would be the only public comment on Manager Stasiak's absence and he asked that Manager Stasiak and his family be given the privacy they requested.

Recess Council Meeting

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, Barnett, Read & Mayor Browne

NAY: None

Mayor Browne declared the motion carried and the meeting was recessed at 7:15 P.M.

Reconvene Council Meeting

The Regular Meeting was reconvened at 7:16 P.M.

A motion was made by Councilman Read and seconded by Councilman Smith to recess the Regular Meeting for an Executive Session in accordance with 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. There was no discussion, and the vote was taken as follows:

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

NAY: None

Mayor Browne declared the motion carried and the Regular Meeting was recessed at 7:16 P.M.

Executive Session

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

- 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 7:35 P.M. Mayor Browne reported that the Council had recess the Regular Meeting for an Executive Session in accordance with 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. Only that matter was discussed, no action was taken and the Council returned to open session at 7:35 P.M., and this constituted the Minutes of the Executive Session.

Mayor Browne stated that on behalf of the Council they wished Manager Stasiak a Godspeed on his recovery and look forward to the day he comes back to work

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

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

NAY: None

Mayor Browne declared the motion carried, and the meeting was adjourned at 7:37 P.M.

ATTEST:

John Browne, Mayor

Karen Boatright, Deputy City Clerk