

The McAlester City Council met in Regular session on Tuesday, July 12, 2011, at 6:00 P.M. after proper notice and agenda was posted, July 8, 2011, at 4:38 P.M.

Call to Order

Mayor Priddle called the meeting to order.

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

Roll Call

Council Roll Call was as follows:

Present: Weldon Smith, Steve Harrison, John Browne, Robert Karr, Buddy Garvin, Sam Mason & Kevin Priddle

Absent: None

Presiding: Kevin E. Priddle, Mayor

Staff Present: Peter J. Stasiak, City Manager; John Modzelewski, City Engineer/Public Works Director; Gayla Duke, Chief Financial Officer; David Medley, Utilities Director; William J. Ervin, City Attorney and Cora Middleton, City Clerk

Award Presentation

Mayor Priddle presented Karla Crittenden as June 2011 Employee of the Month. Ms. Crittenden received a plaque, Certificate of Appreciation and a savings bond.

Citizen's Comments on Non-agenda Items

Carol Ervin addressed the Council explaining that the Main Street Program presentation would not be on the agenda due to time constraints in scheduling meetings but it would be on the agenda for the July 26th Council meeting.

Consent Agenda

- A. Approval of the Minutes from the June 14, 2011 Regular Meeting of the McAlester City Council. (*Cora Middleton, City Clerk*)
- B. Approval of the Minutes from the June 27, 2011 Special Meeting of the McAlester City Council. (*Cora Middleton, City Clerk*)
- C. Approval of the Minutes from the June 28, 2011 Regular Meeting of the McAlester City Council. (*Cora Middleton, City Clerk*)
- D. Approval of Claims for June 29, 2011 through July 5, 2011. (*Gayla Duke, Chief Financial Officer*) For fiscal year 2010-2011 in the following amounts: General Fund - \$3,860.59; Nutrition - \$211.21; SE Expo Center - \$107.80; E-911 \$ 26.95 and Fleet Maintenance - \$207.66. For fiscal year 2011-2012 in the following amounts: General Fund - \$96,111.15; Nutrition - \$472.50; Landfill Res./Sub-Title D - \$26,469.18; Tourism Fund - \$12,255.00; SE Expo Center - \$4,577.02; E-911 - \$183.41; Economic Development - \$18,821.19; Gifts & Contributions - \$20,654.72; Fleet Maintenance - \$8,363.66 and CIP Fund - \$3,378.84.
- E. Consider and act upon, to authorize Mayor to sign the Oklahoma Department of Corrections (Prisoners Public Works) Contract for the 2011-2012 year. (*Peter J. Stasiak, CM*)

- F. Consider and act upon, authorizing the Mayor to sign an Equipment Maintenance Agreement between the City of McAlester and BizTel Business Telephone Systems for July 1, 2011 through June 30, 2012. *(Peter J. Stasiak, City Manager)*
- G. Consider and act upon, authorizing the Mayor to sign:
 - a. A Financial Advisor Services Agreement between the City of McAlester and Municipal Finance Services, Inc. *(Peter J. Stasiak, City Manager)*
 - b. An Agreement for Bond Counsel Services between the City of McAlester and The Public Finance Law Group PLLC (“PFLG”). *(Peter J. Stasiak, City Manager)*
- H. Accept and place on file MPower Fiscal Year 2010-2011 - Fourth Quarter Report. *(Shari Cooper, MPower Executive Director)*
- I. Authorize the Mayor to sign XTO Energy, Inc. Division Order for Property No. 109853, JERNIGEN 01-04H Pittsburg County, Oklahoma. The DO is confirmation that the well has reached producing status, provides a legal description of the property and confirms the City’s decimal interest in revenues. *(Cora Middleton, City Clerk)*

Mayor Priddle stated the City Manager had requested that item “G” be pulled for individual consideration. Councilman Harrison requested that items “A and C” be pulled for individual consideration.

Vice-Mayor Browne moved to approve the Consent Agenda items “B, D, E, F, H and I.” The motion was seconded by Councilman Harrison.

Before the vote, Councilman Harrison asked if the City Attorney had reviewed items E, F, G, and I. Attorney Ervin stated that he had reviewed those items and had a recommendation for item “G” and that was why it had been pulled.

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

AYE: Councilman Smith, Harrison, Browne, Karr, Garvin, Mason & Mayor Priddle
 NAY: None

Mayor Priddle declared the motion carried.

Items Removed from Consent Agenda

- A. Approval of the Minutes from the June 14, 2011 Regular Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*

Councilman Harrison moved for approval of the Minutes from the June 14, 2011 Regular Meeting of the McAlester City Council. The motion was seconded by Vice-Mayor Browne.

Before the vote, Councilman Harrison commented that on page three (3) item “E”, he had abstained during the vote and this needed to be corrected. He added that he thought the City Clerk had already made the correction. Ms. Middleton acknowledged that the correction had been made but had not been copied to distribute to the Council.

Mayor Priddle stated that the motion was to approve the Minutes from the June 14, 2011 Regular meeting subject to the change on page three (3) item “E” indicating Councilman Harrison had abstained. There was no further discussion, and the vote was taken as follows:

AYE: Councilman Harrison, Browne, Karr, Garvin, Mason, Smith & Mayor Priddle
 NAY: None

Mayor Priddle declared the motion carried.

- C. Approval of the Minutes from the June 28, 2011 Regular Meeting of the McAlester City Council. (*Cora Middleton, City Clerk*)

A motion was made by Councilman Karr and seconded by Councilman Harrison to approve the Minutes from the June 28, 2011 Regular Meeting of the McAlester City Council.

Before the vote, Councilman Harrison commented that he had two (2) suggested changes. The first change was on page four (4) item "G" which read "the signature on the copy of the contract in the agenda was incorrect". This should have been "the time period on the copy of the contract in the agenda was incorrect and would need to be corrected." He stated that the second change was on page nine (9) in his motion to amend "Exhibit A". The correction should be "to amend Exhibit A, to strongly encourage membership."

Mayor Priddle restated the motion to be "to approve the Minutes from the June 28, 2011 Regular Meeting of the McAlester City Council with the recommended changes.

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

AYE: Councilman Browne, Karr, Garvin, Mason, Smith, Harrison & Mayor Priddle
NAY: None

Mayor Priddle declared the motion carried.

- G. Consider and act upon, authorizing the Mayor to sign:
- a. A Financial Advisor Services Agreement between the City of McAlester and Municipal Finance Services, Inc. (*Peter J. Stasiak, City Manager*)
 - b. An Agreement for Bond Counsel Services between the City of McAlester and The Public Finance Law Group PLLC ("PFLG"). (*Peter J. Stasiak, City Manager*)

Vice-Mayor Browne moved to authorize the Mayor to sign a Financial Advisor Services Agreement between the City of McAlester and Municipal Finance Services, Inc. and to sign an agreement for bond Counsel Services between the City of McAlester and The Public Finance Law Group PLLC ("PFLG"). The motion was seconded by Councilman Harrison.

Before the vote, Manager Stasiak commented that on "a" page four (4) section (iii) "The City acknowledges receipt of the Financial Advisor's "Form ADV, Part II". He wanted to inform the Council that the City had received that form. Mr. Ervin commented that on page three (3) he recommended removing "and is subject to annual renewal for successive fiscal years thereafter unless terminated by the City as provided herein" from the Term of Employment clause.

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

AYE: Councilman Karr, Garvin, Mason, Smith, Harrison, Browne & Mayor Priddle
NAY: None

Mayor Priddle declared the motion carried.

1. Consider and act upon renewing action taken on June 14, 2011 for a change in zoning from R-1B (Single Family Residential) to C-5 (Highway Commercial). (*Peter J. Stasiak, City Manager*)

Executive Summary

Motion to approve and act upon renewing a previous action taken on June 14, 2011 to changing the existing zoning for approximately 267,000 Square foot of land located in Lot 5 and Lot 6 according to the subdivision of the E ½ SE ¼ of Section 13, T5N, R14 East, Pittsburg County, State of Oklahoma.

Vice-Mayor Browne moved to approve renewing the action taken on June 14, 2011 for a change in zoning from R-1B (Single Family Residential) to C-5 (Highway Commercial). The motion was seconded by Councilman Karr.

Before the vote, there was a brief discussion concerning the Council's ability to take this action and if it was necessary. There was no further discussion and the vote was taken as follows:

AYE: Councilman Garvin, Mason, Smith, Harrison, Browne, Karr & Mayor Priddle
NAY: None

Mayor Priddle declared the motion carried

Councilman Harrison moved to open the Public Hearing addressing three (3) ordinances. The motion was seconded by Vice-Mayor Browne.

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

AYE: Councilman Mason, Smith, Harrison, Browne, Karr, Garvin & Mayor Priddle
NAY: None

Mayor Priddle declared the motion carried and the Public Hearing was opened at 6:17 P.M.

Public Hearing

- AN ORDINANCE AMENDING THE GENERAL ZONING ORDINANCE AND ACCOMPANYING MAP THERETO KNOWN AS GENERAL ZONING ORDINANCE NO. 1843 (1989), BY CHANGING THE CLASSIFICATIONS OF THE ZONING DISTRICT FOR: A TRACT OF LAND LYING IN LOT 5 AND LOT 6 ACCORDING TO THE SUBDIVISION OF THE E1/2 SE1/4 OF SECTION 13, TOWNSHIP 5 NORTH, RANGE 14 EAST OF THE INDIAN BASE AND MERIDIAN, PITTSBURG COUNTY, STATE OF OKLAHOMA FROM R-1B (SINGLE-FAMILY RESIDENTIAL DISTRICT) TO C-5 (HIGHWAY COMMERCIAL DISTRICT).
- AN ORDINANCE TO ANNUL, VACATE, CLOSE AND DISCONTINUE ILLINOIS STREET FROM FIFTH STREET TO NINTH STREET, IN THE CITY OF MCALESTER, OKLAHOMA, AND GRANTING OWNERSHIP OF SAID PROPERTY TO THE ABUTTING PROPERTY OWNERS AND DECLARING AN EMERGENCY.
- AN ORDINANCE OF THE CITY OF McALESTER, OKLAHOMA, AMENDING ORDINANCE NO. 2392 WHICH ESTABLISHED THE BUDGET FOR FISCAL YEAR 2011-2012; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; AND DECLARING AN EMERGENCY.

There were no comments on any of the ordinances from the Council or citizens. Councilman Karr moved to close the Public Hearing. The motion was seconded by Councilman Garvin and the vote was taken as follows:

AYE: Councilman Smith, Harrison, Browne, Karr, Garvin, Mason & Mayor Priddle
NAY: None

Mayor Priddle declared the motion carried and the Public Hearing was closed at 6:20 P.M.

Scheduled Business

2. Consider and act upon a change in zoning from R-1B (Single Family Residential) to C-5 (Highway Commercial). (*Peter J. Stasiak, City Manager*)

Executive Summary

Motion to approve and act upon changing the existing zoning for approximately 267,000 Square foot of land located in Lot 5 and Lot 6 according to the subdivision of the E ½ SE ¼ of Section 13, T5N, R14 East, Pittsburg County, State of Oklahoma and authorizing the Mayor to sign the attached Ordinance.

ORDINANCE NO. 2394

AN ORDINANCE AMENDING THE GENERAL ZONING ORDINANCE AND ACCOMPANYING MAP THERETO KNOWN AS GENERAL ZONING ORDINANCE NO. 1843 (1989), BY CHANGING THE CLASSIFICATIONS OF THE ZONING DISTRICT FOR: A TRACT OF LAND LYING IN LOT 5 AND LOT 6 ACCORDING TO THE SUBDIVISION OF THE E1/2 SE1/4 OF SECTION 13, TOWNSHIP 5 NORTH, RANGE 14 EAST OF THE INDIAN BASE AND MERIDIAN, PITTSBURG COUNTY,

**STATE OF OKLAHOMA FROM R-1B (SINGLE-FAMILY RESIDENTIAL DISTRICT)
TO C-5(HIGHWAY COMMERCIAL DISTRICT)**

A motion was made by Vice-Mayor Browne and seconded by Councilman Karr to approve **ORDINANCE NO. 2394.**

Before the vote, Manager Stasiak explained that this item had been approved for recommendation by the Planning Commission at their June 17, 2011 meeting and this would re-zone 267,000 square feet of land located at 200 and 202 Swallow Drive.

Councilman Harrison commented that the additional information furnished to the Council had not been presented in the Planning Commissions meeting and he would like the Planning Commission to have this type of information for review before the Council sees the information. Manager Stasiak stated that this information was part of the items permanent file. There was no further discussion, and the vote was taken as follows:

AYE: Councilman Karr, Garvin, Smith, Browne & Mayor Priddle

NAY: Councilman Mason & Harrison

Mayor Priddle declared the motion carried.

3. Consider, act upon and Ratify Ordinance No. 1366. *(Peter J. Stasiak, City Manager)*

Executive Summary

Motion to approve, act upon, and ratify Ordinance No. 1366.

Manager Stasiak requested this item be tabled until the Council's next meeting.

Councilman Harrison moved to table item 3 until the next Council meeting on July 26, 2011. The motion was seconded by Vice-Mayor Browne. There was no discussion and the vote was taken as follows:

AYE: Councilman Smith, Harrison, Browne, Karr, Garvin, Mason & Mayor Priddle

NAY: None

Mayor Priddle declared the motion carried.

4. Consider, and act upon, an Ordinance amending Ordinance No. 2392 which established the budget for fiscal year 2011-2012; repealing all conflicting ordinances; providing for a severability clause; and declaring an emergency. *(Gayla Duke, CFO)*

Executive Summary

A motion to approve the budget amendment ordinance and emergency clause.

ORDINANCE NO. 2395

AN ORDINANCE OF THE CITY OF McALESTER, OKLAHOMA, AMENDING ORDINANCE NO. 2392 WHICH ESTABLISHED THE BUDGET FOR FISCAL YEAR 2011-2012; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; AND DECLARING AN EMERGENCY.

Councilman Garvin moved to approve **ORDINANCE NO. 2395,** amending the Budget for fiscal year 2011-2012. The motion was seconded by Councilman Mason.

Before the vote, Ms. Duke explained that the 2011-2012 fiscal year Budget did not appropriated monies for the individual Capital Projects and this amendment would provide for the various approved Capital Projects. She then reviewed the exhibits for the amendment.

Vice-Mayor Browne commented that this appeared to increase the Highway 69 Utilities relocation. There was a brief discussion among the Council about separating the exhibit that contained the funding for the Highway 69 Utilities relocation. Vice-Mayor Browne requested that Exhibit A-1 be separated from the amendment so it could be addressed separately.

Vice-Mayor Browne moved to separate Exhibit A-1 from the amendment so it could be addressed separately. The motion was seconded by Councilman Garvin.

Mayor Priddle called for a vote to approve **ORDINANCE NO. 2395** with the exception of Exhibit A-1. There was no discussion and the vote was taken as follows:

AYE: Councilman Harrison, Browne, Karr, Garvin, Mason, Smith & Mayor Priddle
NAY: None

Mayor Priddle declared the motion carried.

Vice-Mayor Browne moved to open discussion of Exhibit A-1, seconded by Councilman Garvin.

Before the vote, there was discussion among the Council including David Medley regarding when the relocation work would start, how this project could affect parking around the various restaurants and businesses, safety in the area around the intersection and how long this project could take once the work had began.

Councilman Harrison stated that he liked the idea that the State was supposed to commence work once the City's work had finished.

Mayor Priddle restated the motion as the approval of Exhibit A-1 containing the \$984,033.00 for the Highway 69 Utility Relocation.

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

AYE: Councilman Karr, Mason, Smith, Harrison & Mayor Priddle
NAY: Councilman Browne & Garvin

Mayor Priddle declared the motion carried.

Vice-Mayor Browne moved to approve the EMERGENCY CLAUSE, seconded by Councilman Harrison.

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

AYE: Councilman Karr, Garvin, Mason, Smith, Harrison, Browne & Mayor Priddle
NAY: None

Mayor Priddle declared the motion carried.

5. Consider, and act upon, authorizing the Mayor to sign a contract between the City of McAlester and Katcon, Inc, to repair a portion of the Sandy Creek canal wall. (*John C. Modzelewski, P.E., City Engineer and PW Director*)

Executive Summary

The recommendation is to enter into an agreement with Katcon, Inc., for a Total Bid equal to \$130,397.08, to repair a portion of the Sandy Creek canal wall. The funding source for this project is Account Number 41-5865403.

Councilman Karr moved to authorize the Mayor to sign a contract between the City of McAlester and Katcon, Inc. to repair a portion of the Sandy Creek canal wall. The motion was seconded by Councilman Harrison.

Before the vote, Mr. Modzelewski explained that this project had been advertised on May 29, 2011 and June 5, 2011 and that Project Specifications had been distributed to six (6) construction companies. The City had received four (4) bid documents which were opened on June 14, 2011.

There was discussion among the Council including Mr. Modzelewski and the City Attorney concerning why the lowest bidder had not been chosen to receive the award, the requirements in the City's Code regarding bid openings and the State bidding requirements.

Mr. Modzelewski explained that after verification of the calculations contained in the submitted bids the lowest bid had contained errors in the calculations. He stated that the company had been contacted and after discussion indicated that they could not do the work at the corrected amount.

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

AYE: Councilman Garvin, Mason, Smith, Harrison, Browne, Karr & Mayor Priddle
NAY: None

Mayor Priddle declared the motion carried.

6. Consider, and act upon, the purchase of one new Case SR200 Skid Steer Loader with attachments. (*John C. Modzelewski, P.E., City Engineer and PW Director*)

Executive Summary

Motion to approve the purchase of one new Case SR 200 Skid Steer Loader with one Tramac hydraulic hammer and one pallet fork with 48" HD tines for a total price of \$44,460.25. The source of funding for this purchase is Account Number 41-5865404.

A motion was made by Councilman Mason and seconded by Councilman Karr to authorize the purchase of one new Case SR200 Skid Steer Loader with one Tramac hydraulic hammer and one pallet fork with 48" HD tines for a total price of \$44,460.25.

Before the vote, Mr. Modzelewski explained that this piece of equipment had been identified as a critical need in the 2011-2012 Capital Improvement Program. He stated that this piece of equipment was available from the Oklahoma State Contract #SW190 and the total quote was for \$44,460.25. There was no other discussion, and the vote was taken as follows:

AYE: Councilman Mason, Smith, Harrison, Browne, Karr, Garvin & Mayor Priddle
NAY: None

Mayor Priddle declared the motion carried.

7. Consider, and act upon, a Memorandum of Agreement between the City of McAlester and the Oklahoma Department of Environmental Quality, and accept a Status Report on City of McAlester's review of future remediation requirements at the National Guard Armory. (*John C. Modzelewski, P.E., City Engineer and PW Director*)

Executive Summary

Motion to approve the Memorandum of Agreement between the City of McAlester and the Oklahoma Department of Environmental Quality, and accept the Status Report which includes the Opinion of Probable Construction Cost to complete the remediation requirements at the National Guard Armory.

Councilman Harrison moved to approve the Memorandum of Agreement (MOA) between the City of McAlester and the Oklahoma Department of Environmental Quality (ODEQ), and accept the Status Report which includes the Opinion of Probable Construction Cost to complete the remediation requirements at the National Guard Armory. The motion was seconded by Vice-Mayor Browne.

Before the vote, Mr. Modzelewski explained that the information for remediation of the National Guard Amory was based on a discussion between the Manager Stasiak and an Environmental Specialist with ODEQ. He added that the estimate for probable remediation would be approximately \$300,000.00.

Manager Stasiak stated that the MOA was needed to get on the ODEQ list for remediation during the July 1, 2011 through June 30, 2012 fiscal year. He commented that ODEQ had been funded for that time period and currently had one (1) or two (2) open slots for remediation.

Mr. Ervin commented that upon review of the MOA he recommended inserting an expiration date. He also informed the Council that they would be accepting ownership of this property with limited use.

There was discussion among the Council regarding the remediation, the length of time the remediation would take, the cost of the remediation, the use of the property, a structural analysis of the building and the expiration date that should be inserted in the MOA.

Councilman Karr moved to approve the Memorandum of Agreement (MOA) between the City of McAlester and the Oklahoma Department of Environmental Quality (ODEQ), and accept the Status Report which includes the Opinion of Probable Construction Cost to complete the remediation requirements at the National Guard Armory subject to the addition of "or until June

30, 2013 or whichever is first” on page three (3), section nine (9) following “occupancy by the DEQ. The motion was seconded by Councilman Harrison. There was no further discussion, and the vote was taken as follows:

AYE: Councilman Smith, Harrison, Browne, Karr, Garvin, Mason & Mayor Priddle
NAY: None

Mayor Priddle declared the motion carried.

8. Consider and act upon a Pledge and Guarantee of document which authorizes the annual renewal of the Participation Agreement with the Association for Landfill Financial Assurance. (*John C. Modzelewski, P.E., City Engineer and PW Director*)

Executive Summary

Motion to approve the document and authorize the Mayor to sign after review and approval by City Attorney’s Office.

Councilman Mason moved to authorize the Mayor to sign a Pledge and Guarantee of document authorizing the renewal of the Participation Agreement with the Association for Landfill financial Assurance. The motion was seconded by Councilman Harrison.

Before the vote, Mr. Modzelewski explained that this was the annual renewal that was required to remain a member of ALFA and the financial obligation to the Oklahoma Department of Environmental Quality as long as the City maintained a landfill.

Councilman Karr asked if this had anything to do with the monthly landfill fee. Mr. Modzelewski stated that this would prove to DEQ that the City would have the funds available to close the landfill and continue the post-closure monitoring.

Mr. Ervin commented that the Council could not guarantee beyond the current fiscal year so this is renewed every year.

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

AYE: Councilman Smith, Harrison, Browne, Karr, Garvin, Mason & Mayor Priddle
NAY: None

Mayor Priddle declared the motion carried.

New Business

Manager Stasiak informed the Council that an item had been brought to his attention yesterday. He then distributed a map of the Industrial Park. Manager Stasiak commented that he had been contacted by Jamie Wofford concerning tall grass or hay on the Industrial Park. He explained that the reason he had brought this before the Council was the concern of fire on that property. He added that Mr. Wofford had offered to hay the area of the Industrial Park using his equipment and help the City to possibly avoid fire breaking out due to the extreme dryness of the area. Manager Stasiak stated that he was asking the Council to consider, with the proper disclosures, allowing Mr. Wofford to hay the land, take the hay off of the land and help the City out with a possible fire concern.

There was discussion among the Council concerning the City’s liability protection, bidding requirements, the City receiving some Public benefit from the action, which section of the Industrial Park, if this met the requirement for New Business and next year putting this out for bid.

Manager Stasiak stated that the area was B-11 and possibly some of C-7.

Mayor Priddle moved to allow the City Manager to determine the appropriate course of action for allowing the ground on Taylor Industrial Park in the indicated sections to be hayed immediately as a concern to safety and fire hazards and insure that all appropriate documents are obtained. The motion was seconded by Vice-Mayor Browne.

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

AYE: Councilman Smith, Harrison, Browne, Garvin, Mason & Mayor Priddle
NAY: Councilman Karr

Mayor Priddle declared the motion carried.

City Manager's Report

Manager Stasiak reported that the City had received the release of funds for the CDBG 2009 Small Cities Grant. He commented that this was a \$90,000.00 matching grant to replace 2140 linear feet of eight (8) inch sewer line and 700 linear feet of six (6) inch water line in Ward Three. He reported that the City's Traffic Control had been working on street signs and had replaced over 600 regulatory signs in the past six (6) months, replaced 1800 street names, over 100 school signs, 30 object markers and over 60 poles and bases have been replaced.

Remarks and Inquiries by City Council

Councilman Karr expressed his appreciation for the equipment that was purchased and stressed the need for the employees to be properly trained in the use of the various pieces of equipment. He mentioned that Allen's Market grocery store's name had been changed to Johnny's "A" Street Market. He also commented that his work number had been given out and he asked that his work number no longer be given out.

Councilman Garvin commented that he was happy with the new equipment that was being purchased for the employees.

Councilman Mason expressed his concern about the signalization at Strong and Wyandotte and he would like to see some type of priority on bidding that project as soon as possible.

Manager Stasiak commented that he had met with Mr. Modzelewski and asked him to look at a street project in the up coming year. He added that the intersection had become a priority and there could be some additional funding.

Councilman Smith stressed the need for regular maintenance of all of the City's equipment and he asked Manager Stasiak to comment on that subject.

Manager Stasiak stated that Mr. Modzelewski had addressed the maintenance issue and has revamped the maintenance department. He added that only certain employees were assigned to specific equipment and they were responsible for the daily inspections and maintenance.

Councilman Harrison did not have any comments for the evening.

Vice-Mayor Browne asked about a large hole on "A" Street and if there was a time line on when it would be repaired, and informed the Manager Stasiak that the sidewalk between 214 and 216 East Choctaw Avenue needed to be repaired. He added that he had requested the Ethics Board for an opinion regarding his voting or not voting on issues concerning the Fire and Police Unions, and, as a result of their opinion, he had resigned from the Executive Board of the AFL/CIO.

Mayor Priddle reminded everyone about the heat and urged them to check on their neighbors. He congratulated Samantha Collier for her Championship in the Novice Youth Barrel Racing.

Recess Council Meeting

Mayor Priddle asked for a motion to recess the Regular Meeting to convene the Authorities. Councilman Karr moved to recess the Regular Meeting and convene the Authorities. The motion was seconded by Councilman Garvin and the vote was taken as follows:

AYE: Councilman Karr, Garvin, Mason, Smith, Harrison, Browne & Mayor Priddle
NAY: None

Mayor Priddle declared the motion carried and the meeting was recessed at 7:40 P.M.

Reconvene Council Meeting

The Regular Meeting was reconvened at 7:44 P.M.

A motion was made by Councilman Harrison and seconded by Vice-Mayor Browne to recess the Regular Meeting for an Executive Session to discuss the employment, hiring, appointment, promotion, demotion, disciplining, or resignation of any individual salaried public officer or employee: City Manager, in accordance with Title 25, Section 307.B.1. There was no discussion and the vote was taken as follows:

AYE: Councilman Harrison, Browne, Karr, Garvin, Mason, Smith & Mayor Priddle

NAY: None

Mayor Priddle declared the motion carried, and the Regular meeting was recessed at 7:44 P.M.

Executive Session

- **Section 307 (B) (1)** – Discuss the employment, hiring, appointment, promotion, demotion, disciplining, or resignation of any individual salaried public officer or employee: City Manager.

Reconvene into Open Session

The Regular meeting was reconvened at 7:59 P.M. Mayor Priddle reported that the Council had recessed the Regular Meeting for an Executive Session to discuss the employment, hiring, appointment, promotion, demotion, disciplining, or resignation of any individual salaried public officer or employee: City Manager, in accordance with Title 25, Section 307.B.1. Only that matter had been discussed, no action was taken and the Council returned to open session at 7:59 P.M., and this constituted the Minutes of the Executive Session.

Adjournment

There being no further business to come before the Council, Councilman Harrison moved for the meeting to be adjourned, seconded by Councilman Garvin.

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

AYE: Councilman Browne, Karr, Garvin, Mason, Smith, Harrison & Mayor Priddle

NAY: None

Mayor Priddle declared the motion carried, and the meeting was adjourned at 7:51 P.M.

Kevin E. Priddle, Mayor

ATTEST:

Cora Middleton, City Clerk