

The McAlester City Council met in Regular session on Tuesday, December 10, 2013, at 6:00 P.M. after proper notice and agenda was posted, December 5, 2013, at 8:18 A.M.

**Call to Order**

Mayor Harrison called the meeting to order.

William J. Ervin, City Attorney gave the invocation and led the Pledge of Allegiance.

**Roll Call**

Council Roll Call was as follows:

Present: Weldon Smith, John Titsworth, Travis Read, Robert Karr, Buddy Garvin & Steve Harrison  
Absent: Sam Mason  
Presiding: Steve Harrison, Mayor

Staff Present: Peter J. Stasiak, City Manager; Leroy Alsup, Community & Economic Development Director; William J. Ervin, City Attorney and Karen Boatright, Deputy City Clerk

**Recognition Awards**

Mayor Harrison presented Kathy Wall as the October 2013 “Employee of the Month”. Ms. Wall received a plaque, a certificate of appreciation and her promotion to Tourism Manager was announced.

**Citizen’s Comments on Non-agenda Items**

There were no Citizen’s comments.

**Consent Agenda**

- A. Approval of the Minutes from the November 20, 2013, Special Meeting of the McAlester City Council. (*Cora Middleton, City Clerk*)
  
- B. Approval of Claims for November 20, 2013 through December 3, 2013. (*Toni Ervin, Chief Financial Officer*) In the following amounts: General Fund - \$166,409.35; Nutrition - \$515.49; Tourism - \$3,308.00; SE Expo Center - \$1,306.14; E-911 - \$5,000.00; Economic Development - \$5,643.50; Fleet Maintenance - \$11,008.14; Worker’s Compensation - \$941.68 and CIP - \$8,778.84.

- C. Consider and act upon, approval of the 2014 Annual Meeting Schedules for the McAlester City Council, the Airport Authority, the McAlester Public Works Authority and the McAlester Retirement Trust Authority. (*Cora Middleton, City Clerk*)
- D. Consider and act upon to authorize the Mayor to sign a Memorandum of Understanding that affirms an effort between the City of McAlester; the State of Oklahoma; the County of Pittsburg; the State Chamber of Oklahoma; the leading private sector companies, and private retail fuel providers and their respective representatives by collectively supporting the utilization of affordable, domestic natural gas for future transportation needs. (*Steve Harrison, Mayor*)
- E. Concur with Mayor's Re-Appointment of Ross Eaton to the Board of Adjustment for a term to expire March 2016. (*Mayor Steve Harrison*)
- F. Concur with Mayor's Appointment of Jayna Santine, 905 Kinkead Rd, to the McAlester Library Board to fill an unexpired term of December 31, 2018. (*Steve Harrison, Mayor*)

Councilman Smith requested that Item "C" be removed for individual consideration.

A motion, to approve the Consent Agenda items "A, B, D, E and F", was made by Councilman Smith and seconded by Councilman Karr. There was no discussion and the vote was taken as follows:

AYE: Councilman Smith, Karr, Titsworth, Read, Garvin & Mayor Harrison

NAY: None

Mayor Harrison declared the motion carried.

#### **Items Removed from Consent Agenda**

- C. Consider and act upon, approval of the 2014 Annual Meeting Schedules for the McAlester City Council, the Airport Authority, the McAlester Public Works Authority and the McAlester Retirement Trust Authority. (*Cora Middleton, City Clerk*)

A motion to approve the 2014 Annual Meeting Schedules for the McAlester City Council, the Airport Authority, the McAlester Public Works Authority and the McAlester Retirement Trust Authority was made by Councilman Read and seconded by Councilman Smith.

Before the vote, Councilman Smith inquired if the Council was okay with the proximity of the Thanksgiving and Christmas meetings to the respective holidays.

After a brief discussion among the Council and Attorney Ervin regarding the Charter provision and how the meetings had been addressed in the past the vote was taken as follows:

AYE: Councilman Read, Smith, Titsworth, Karr, Garvin & Mayor Harrison

NAY: None

Mayor Harrison declared the motion carried.

### **Scheduled Business**

1. Presentation on the results of the McAlester Business and Community Surveys. (*Dr. Bert Thomas*)  
Executive Summary  
Discussion only.

Dr. Thomas addressed the Council furnishing them with some background information about himself and his family. He informed the Council that this information was originally gathered to aid in the application of various grants and could be used as the beginning profile for the City of McAlester. He then summarized the information that had been gathered from surveys that had been distributed to private citizens and businesses in the community. Dr. Thomas reviewed the steps that needed to be taken to start the process.

There was a brief discussion among the Council regarding who Dr. Thomas had been working with, the problems that the survey had pointed out and the positive aspects of the City of McAlester.

There was no vote on this item.

2. Consider and act upon accepting the resignation of Ward 6 City Councilmember and Vice-Mayor Sam Mason and declaring a vacancy. (*Steve Harrison, Mayor*)  
Executive Summary  
Accept the resignation of Sam Mason and declare the position of Councilmember and Vice Mayor of Ward 6 as vacant.

A motion was made by Councilman Smith and seconded by Councilman Read to accept the resignation of Ward 6 Councilmember and Vice-Mayor Sam Mason and to declare a vacancy.

Before the vote, there was discussion among the Council regarding the time that Mr. Mason had devoted to the City of McAlester and his dedication to his position as Councilman and Vice-Mayor.

Mayor Harrison asked Attorney Ervin about the process that would need to be followed to fill the position if the Council decided to take that acti

Attorney Ervin explained the options available to the Council and the possible steps to addressing the vacancy.

There was another brief discussion among the Council, Manager Stasiak and Attorney Ervin concerning advertising for qualified applicants, the application, if setting the deadline for December 19<sup>th</sup> would allow enough time for Sixth Ward residents to submit applications and

having an item on the December 19<sup>th</sup> agenda while accepting applications until 5:00 P.M. that day.

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

AYE: Councilman Smith, Read, Karr, Garvin, Titsworth & Mayor Harrison

NAY: None

Mayor Harrison declared the motion carried.

3. Consider, and act upon, a resolution setting the election dates for Wards 2, 4, and 6.

*(Cora Middleton, City Clerk)*

Executive Summary

Motion to approve resolution setting the election dates for Wards 2, 4, and 6.

A motion was made by Councilman Smith and seconded by Councilman Read to approve RESOLUTION NO. 13-16, setting the election dates for Wards 2, 4, and 6.

Before the vote, Manager Stasiak explaining that this Resolution set the filing dates of January 27, 2014 through January 29, 2014 and the primary election date as March 4, 2014. There was no other discussion, and the vote was taken as follows:

AYE: Councilman Smith, Read, Karr, Garvin, Titsworth & Mayor Harrison

NAY: None

Mayor Harrison declared the motion carried.

4. Consider and act upon a Resolution of Support for the proposed Cottage Park McAlester, a Multi-Family Independent Senior Living Rental Housing Development by the Carland Group, LLC and authorizing a monetary contribution from City Economic Development funds in the amount not to exceed \$14,001. *(Leroy Alsup, Community and Economic Development Director)*

Executive Summary

Motion to approve a Resolution of Support of Economic & Community Development by promoting affordable Multi-Family Independent Senior (elderly) Living Rental Housing options, adopt a site specific Affordable Housing Revitalization Plan and authorizing a monetary contribution from Economic Development funds in the amount not to exceed \$14,001.

A motion was made by Councilman Read and seconded by Councilman Smith to approve RESOLUTION NO. 13-17, in support of the proposed Cottage Park McAlester, Multi-Family Independent Senior Living Rental Housing Development by the Carland Group, LLC and authorize a monetary contribution from the City Economic Development funds in the amount not to exceed \$14,001.00.

Before the vote, Leroy Alsup addressed the Council explaining the resolution and the application for tax credit to construct affordable Multi-family Independent Senior Living Housing.

There was discussion among the Council, Manager Stasiak and Attorney Ervin concerning language in the Agenda Report regarding the monetary contribution, the language in the Resolution, what “in-kind” contributions could include, if the agenda item was correctly written, when the construction might start and if there was enough need in the area for this type of housing.

Chuck Cook with Garland Group, LLC addressed the Council explaining that the application was due in January and after the review the company would be awarded funds in mid to late May and the company’s study did indicate a need for this housing.

After a brief discussion concerning the income levels in the resolution the vote was taken as follows:

AYE: Councilman Read, Smith, Garvin, Titsworth, Karr & Mayor Harrison

NAY: None

Mayor Harrison declared the motion carried.

5. Consider and act upon a bid award to Miracle Recreation Equipment Co. to purchase and install new playground equipment in Chadick Park. (*Mel Priddy, Community Services Director*)

Executive Summary

Motion to approve \$81,800.80 bid award to Miracle Recreation Equipment Co. for purchase and installation of new playground equipment in Chadick Park.

A motion was made by Councilman Smith and seconded by Councilman Read to approve an \$81,800.80 bid award to Miracle Recreation Equipment Co. for the purchase and installation of new playground equipment in Chadick Park.

Before the vote, Mel Priddy informed the Council that seven (7) companies had submitted proposals and after review by a committee of staff it was recommended that Miracle Recreation Equipment Co. be selected. He commented that there would be two (2) play areas, the original area and a new tot play area. He explained that the award was for the playground equipment and installation only and the City would pour some new sidewalks around the new tot play area and a couple of pads for shade kites, picnic tables and other miscellaneous improvements. Mr. Priddy stated that the new playground equipment would accommodate about four (4) times as many children as the current equipment.

Mayor Harrison asked that pictures of the new equipment be placed on the City’s website so the citizens could get an idea of what was proposed.

Manager Stasiak commented that with the additional improvements at the playground the entire \$125,000.00 that had been approved would be spent on this project.

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

AYE: Councilman Smith, Read, Titsworth, Karr, Garvin & Mayor Harrison

NAY: None

Mayor Harrison declared the motion carried.

6. Consider and act upon Change Order No. 1 to the contract 2013 Concrete Panel Replacement Project 4 with Katcon, Inc. adding \$26,272.44 to their contract for a total amount of \$288,472.44. (*John C. Modzelewski, P.E., City Engineer and Public Works*)

Executive Summary

Motion to approve Change Order No. 1 (Final) to Katcon, Inc. of McAlester and authorizing the Mayor to sign the Change Order changing the Contract amount to \$288,472.44.

A motion was made by Councilman Smith and seconded by Councilman Read to approve Change Order No. 1 (Final) to Katcon, Inc. of McAlester and authorize the Mayor to sign the Change Order changing the Contract amount to \$288,472.44.

Before the vote, John Modzelewski addressed the Council explaining what additional work this Change Order had allowed the contractor to complete.

There was discussion among the Council, Manager Stasiak, John Modzelewski and Attorney Ervin concerning the original scheduled completion date, if there had been a penalty clause in the contract for not completing the project on time, the new completion date if the Change Order was approved, the amount that would be withheld from payment until the project was completed, and the Council's preference that the Change Order should have been approved prior to the additional work.

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

AYE: Councilman Smith, Titsworth & Mayor Harrison

NAY: Councilman Read, Karr & Garvin

Mayor Harrison declared the motion failed.

7. Consider and act upon a one-time pay increase for all full time regular employees. (*Peter J. Stasiak, City Manager*)

Executive Summary

Motion to approve pay increase.

A motion was made by Councilman Smith and seconded by Councilman Titsworth to approve a one-time pay increase for all full time regular employees.

Before the vote, Manager Stasiak informed the Council that this would be a one-time payment to all full time employees that would be paid to them the Friday before Christmas. He stated that when the City changed to a Defined Contribution Plan in July the difference in the amount budgeted and the expense was approximately \$87,000.00 and this would allow all of the full time employees to net \$250.00 each. He added that the cost to the City would be approximately \$57,000.00.

Councilman Read commented that this was well deserved. There was no further discussion and the vote as taken as follows:

AYE: Councilman Smith, Titsworth, Karr, Garvin, Read & Mayor Harrison

NAY: None

Mayor Harrison declared the motion carried.

### **New Business**

There was no new business.

### **City Manager's Report**

Manager Stasiak reported to the Council on the activities during the recent ice storm. He informed the Council that during the storm the crews that had been working on the streets and maintaining the equipment had put in 453 hours of overtime. Manager Stasiak reminded them of the rescheduled Council meeting on Thursday, December 19<sup>th</sup>. He reported that the sales tax receipts were \$65,000.00 over budget. He added that the City had received twelve (12) engineering proposals for CIP projects #2 and #3 and staff would evaluate those proposals and have a selection by this Friday. He explained that the first draft of the employee policies had been reviewed and the auditors had been in house this past week but had gone home before the ice storm had hit but had returned this week.

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

Councilman Garvin commented on the job that all of the employees had done during the ice storm. He asked if the water plant had a good backup generator.

Councilman Karr commented on some of the areas along Carl Albert Parkway coming into town from the west needing to be cleaned up and the City getting some quality senior housing. He did express concern over the quality of renters that many of the new housing facilities were betting. He then announced there would be a meeting at North Gate Baptist Church this Saturday at 1:00 p.m. to discuss a "Crime Prevention Program".

Councilmen Read and Titsworth did not have any comments for the evening.

Councilman Smith commended Manager Stasiak, his staff and all of the employees for the excellent preparation for the ice storm.

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

Mayor Harrison expressed his thanks for everyone that had worked so hard during the storm and he was glad that Manager Stasiak had been able to find some excess money to give the employees a little extra money before Christmas.

Recess Council Meeting

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

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

AYE: Councilman Smith, Read, Karr, Garvin, Titsworth & Mayor Harrison

NAY: None

Mayor Harrison declared the motion carried and the meeting was recessed at 7:37 P.M.

Reconvene Council Meeting

The Regular Meeting was reconvened at 7:38 P.M.

**Adjournment**

There being no further business to come before the Council, Councilman Smith moved for the meeting to be adjourned, seconded by Councilman Read. There was no discussion, and the vote was taken as follows:

AYE: Councilman Smith, Read, Titsworth, Karr, Garvin & Mayor Harrison

NAY: None

Mayor Harrison declared the motion carried, and the meeting was adjourned at 7:38 P.M.

ATTEST:

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Steve Harrison, Mayor

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Karen Boatright, Deputy City Clerk