

The McAlester City Council met in Special session on Wednesday, October 8, 2014 at 5:30 P.M. after proper notice and agenda was posted, October 7, 2014 at 4:55 P.M.

Call to Order

Vice-Mayor Read called the meeting to order.

Roll Call

Council Roll Call was as follows:

Present: Weldon Smith, John Titsworth, Buddy Garvin, Jason Barnett & Travis Read
Absent: Robert Karr & Steve Harrison
Presiding: Travis Read, Vice-Mayor

Staff Present: Peter J. Stasiak, City Manager; John Modzelewski, P.E, City Engineer/Public Works Director; William J. Ervin, City Attorney and Karen Boatright, Deputy City Clerk

Scheduled Business

1. Discussion, update and possible action, on CIP#4, including design of road and infrastructure improvements for a segment of South Avenue from a point, two hundred feet west of Strong Boulevard, to a point one hundred eighty feet east of Franklin Street, and a segment of Sixth Street from Chadick Park to Chickasaw Avenue. (*John C. Modzelewski, P.E., City Engineer and Public Works Director*)

Executive Summary

The recommendation is to include a driveway, approximately five hundred twenty linear feet long, south of Will Rogers School between Thirteenth Street and the school parking lot. This will include any drainage structures required for the project. The proposed driveway will minimize conflicts with school related traffic during construction.

Vice-Mayor Read stated that Manager Stasiak has requested that Item “1” be removed from the agenda.

2. Consider and act to authorize notice of default and/or notice of claim to be sent to the contractor and surety on the 17th Street Improvements Project (CIP#1). (*William J. Ervin, Jr., City Attorney*)

A motion was made by Councilman Smith and seconded by Councilman Titsworth to authorize notice of default and/or notice of claim to be sent to the contractor and surety on the 17th Street Improvements Project (CIP#1).

Before the vote, Attorney Ervin briefly reviewed the events that had led up to this proposed action. He added that the contract itself stipulated that if the Contractor defaults on the contract the he and his Surety be given ten (10) days notice of intent to file. Attorney Ervin commented that since work on the project had stopped, it was staff’s recommendation that written notice of default be authorized. He added that if the City did not receive satisfaction with in ten (10) days, and then file a claim against the Contractor’s bond.

There was a brief discussion concerning what would happen if the Bond Company took over the project or if the City were to take over the project and if the City felt that they had done everything possible to move the project forward.

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

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

Vice-Mayor Read declared the motion carried.

Recess Council Meeting

Vice-Mayor Read asked for a motion to recess the Special Meeting to convene the McAlester Public Works Authority. A motion was made by Councilman Smith and seconded by Councilman Garvin to recess the Special Meeting to convene the McAlester Public Works Authority. There was no discussion, and the vote was taken as follows:

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

Vice-Mayor Read declared the motion carried and the Special Meeting was recessed at 5:35 P.M.

Reconvene Council Meeting

The Special Meeting was reconvened at 5:36 P.M.

Adjournment

There being no further business to come before the Council, Councilman Smith moved to adjourn the meeting. The motion was seconded by Councilman Barnett, and the vote was taken as follows:

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

Vice-Mayor Read declared the motion carried and the meeting was adjourned at 5:38 P.M.

ATTEST:

Travis Read, Vice-Mayor

Karen Boatright, Deputy City Clerk