

The McAlester City Council met in a Regular session on Tuesday, June 23, 2015, at 6:00 P.M. after proper notice and agenda was posted, June 22, 2015 at 2:39 P.M.

Call to Order

Mayor Harrison called the meeting to order.

Ms. Betty Shelby, 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, Jason Barnett & Steve Harrison
Absent: Buddy Garvin,
Presiding: Steve Harrison, Mayor

Staff Present: Peter J. Stasiak, City Manager; John Modzelewski, City Engineer/Public Works Director; Gary Wansick, Police Chief; William J. Ervin, City Attorney and Cora Middleton, City Clerk

Ceremony and Awards

Mr. Bill Tackette and Kevin McCullough with Oklahoma Municipal Assurance Group presented the City of McAlester with a check in the amount of \$10,000.00 to be used to help fund Body Cameras for the City's Police Officers.

Consent Agenda

- A. Approval of Claims for June 3, 2015 through June 16, 2015. *(Toni Ervin, Chief Financial Officer)* In the following amounts: General Fund - \$170,262.10; Parking Authority - \$148.91; Nutrition - \$1,190.76; Tourism Fund - \$9,160.37; SE Expo Center - \$8,557.16; E-911 - \$9,345.09; Economic Development - \$5,000.00; Grants & Contributions - \$10,000.00; Fleet Maintenance - \$11, 601.38; Worker's Compensation - \$941.68 and CIP Fund - \$13,648.14.
- D. Consider and act upon, authorization of payment to Carstensen Contracting, Inc. "Contractor's Application for Payment #6", in the amount of \$350,272.48, for the construction of road and infrastructure improvements related to CIP#2 and funded through the McAlester Public Works Authority Construction Fund Series 2013 Project Account. *(John C. Modzelewski, P.E., CFM, City Engineer and Public Works Director)*
- E. Consider and act upon, authorization of payment to Carstensen Contracting, Inc. "Contractor's Application for Payment #1", in the amount of \$244,253.41, for the construction of road and infrastructure improvements related to CIP#4 and funded through the McAlester Public Works Authority Construction Fund Series 2013 Project Account. *(John C. Modzelewski, P.E., CFM, City Engineer and Public Works Director)*
- F. Consider and act upon, authorization of payment to EST, Inc., Invoice # 34617, in the amount of \$ \$9,660.00, for Construction Management Services and Materials Testing Services related to CIP#2 and funded through the McAlester Public Works Authority Construction Fund Series 2013 Project Account. *(John C. Modzelewski, P.E., CFM, City Engineer and Public Works Director)*
- G. Consider and act upon, authorization of payment to Poe & Associates, Inc., Invoice # WIC 9593, in the amount of \$3,430.89, for engineering services related to CIP#4 and

funded through the McAlester Public Works Authority Construction Fund Series 2013 Project Account. (*John C. Modzelewski, P.E.,CFM, City Engineer and Public Works Director*)

- H. Consider and act upon, receipt of the following permits from the Oklahoma Department of Environmental Quality (ODEQ) to serve the City of McAlester's CIP#4 on South Avenue: Permit No. WL 000061150411 for the construction of 90 linear feet of two (2) inch PVC potable water line, 240 linear feet of four (4) inch PVC potable water line, 1,255 linear feet of six (6) inch PVC potable water line, 2,185 linear feet of eight (8) inch PVC potable water line, 140 linear feet of twelve (12) inch PVC potable water line, and all appurtenances; Permit No. SL000061150412 for the construction of 591 linear feet of eight (8) inch PVC sanitary sewer line, 797 linear feet of ten (10) inch PVC sanitary sewer line, 274 linear feet of twelve (12) inch PVC sanitary sewer line, and all appurtenances. (*John C. Modzelewski, P.E.,CFM, City Engineer and Public Works Director*)
- I. Consider and act upon, authorizing the Mayor to ratify and approve Agreement between McAlester Public Works Authority and Severn Trent Environmental Services, Inc. to Manage, Operate and Maintain the Water Treatment Plant. (*John C. Modzelewski, P.E.,CFM, City Engineer and Public Works Director*)
- J. Consider and act upon, to concur with Oklahoma Municipal Assurance Group denial of Claim No. 200470-LR. (*Cora Middleton, City Clerk*)
- K. Consider and act upon, to concur with Oklahoma Municipal Assurance Group denial of Claim No. 200324-KW. (*Cora Middleton, City Clerk*)
- L. Consider and act upon, authorizing the Mayor to sign an agreement with "Feed the Need Foundation for Rural Oklahoma" (KEDDO) for funding of the City of McAlester's Title III nutrition centers. (*Mel Priddy, Community Services Director*)
- M. Consider and act upon, authorizing the Mayor to sign a contract between the City of McAlester and Pittsburg County Emergency Management for Fiscal Year 2014/2015 funding in the amount of \$42,500. (*Peter J. Stasiak, City Manager*)
- N. Consider and act upon, authorizing the Mayor to sign a contract between the City of McAlester and Pittsburg County Emergency Management for Fiscal Year 2015/2016 funding in the amount of \$50,000. (*Peter J. Stasiak, City Manager*)
- O. Concur with the Mayor's re-appointment of Ms. Susan Kanard, 3501 S. Peaceable Road, McAlester, Ok 74501, to the McAlester Regional Board of Trustees, for a term to end February 28, 2021. (*Steve Harrison, Mayor*)
- P. Consider and act upon, an Adoption Agreement between American Fidelity Assurance Company and the City of McAlester for Administrative Services for the Section 125 Cafeteria Plan. (*Toni Ervin, CFO*)

Manager Stasiak requested that item "G" be pulled and he corrected the address for Susan Kanard. He explained that "G" was a five (5) year agreement with the Public Works Authority and did not need to be ratified by the Council.

A motion was made by Councilman Smith and seconded by Vice-Mayor Read to approve Consent Agenda items "A, through F and H through N". There was no discussion, and the vote was taken as follows:

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

NAY: None

Mayor Harrison declared the motion carried.

Scheduled Business

1. Consider and act upon, authorizing the Mayor to sign the Second Amendment to the Water System Operation and Maintenance Agreement between Severn Trent Environmental Services, Inc. and the McAlester Public Works Authority, Dated April 22, 2014. (*John C. Modzelewski, P.E., CFM, City Engineer and Public Works Director*)

Executive Summary

Motion to authorize the Mayor to sign the Second Amendment to the Water System Operation and Maintenance Agreement between Severn Trent Environmental Services, Inc. and the McAlester Public Works Authority, Dated April 22, 2014.

A motion was made by Councilman Karr and seconded by Councilman Smith to authorize the Mayor to sign the Second Amendment to the Water System Operation and Maintenance Agreement between Severn Trent Environmental Services, Inc. and the McAlester Public Works Authority, Dated April 22, 2014.

Before the vote, Director Modzelewski addressed the Council explaining that the Utility Maintenance Foreman had been off work since May 7, 2015 due to family illness and he had been the only Utility Maintenance employee that had an ODEQ license. He stated that the ODEQ license was a requirement to supervise the utility work. He added that has provided a Manager with the proper license to oversee the daily operations of the Utility Maintenance Division. Director Modzelewski explained that effective as of June 15, 2015, the UTM Foreman has formerly resigned from employment with the City. He then stated that going forward the City would obtain the proper licenses for himself and two (2) other staff members. But until the City was able to fill the UTM Foreman position Severn Trent would provide a licensed manager.

Manager Stasiak stated that this contract was for a period of one (1) with a forty-five (45) day out, if the City were successful in finding someone within the fires forty-five (45) days of the contract. There was no other discussion, and the vote was taken as follows;

AYE: Councilman Karr, Smith, Titsworth, Barnett & Mayor Harrison

NAY: None

Mayor Harrison declared the motion carried.

2. Consider and act upon, authorizing the Mayor to sign a letter from the McAlester Public Works Authority to Severn Trent Environmental Services, Inc. requesting a transfer of \$35,000 from "Chemicals" to "Repair & Maintenance" , in accordance with the Water System Operation and Maintenance Agreement between Severn Trent Environmental Services, Inc. and the McAlester Public Works Authority dated April 22, 2014. (*John C. Modzelewski, P.E., City Engineer and Public Works Director*)

Executive Summary

Consider and act upon, authorizing the Mayor to sign a letter from the McAlester Public Works Authority to Severn Trent Environmental Services, Inc. requesting a transfer of \$35,000 from Line No. 2 "Chemicals" to Line No. 3 "Repair & Maintenance" as shown in the attached Fee Schedule.

A motion was made by Councilman Smith and seconded by Karr to authorize the Mayor to sign a letter from the McAlester Public Works Authority to Severn Trent Environmental Services, Inc. requesting a transfer of \$35,000 from "Chemicals" to "Repair & Maintenance", in accordance with the Water System Operation and Maintenance Agreement between Severn Trent Environmental Services, Inc. and the McAlester Public Works Authority dated April 22, 2014.

Before the vote, Director Modzelewski addressed the Council explaining that this was similar to a line item transfer within the City Budget and this would insure coverage for the next seven (7) days. There was no other discussion, and the vote was taken as follows:

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

NAY: None

Mayor Harrison declared the motion carried.

3. Consider and act upon, a resolution amending the City's Police pay scale, Fire pay scale, and Non-Uniform pay scale to reflect a 3.5% Cost of Living (COLA) increase for Fiscal Year 2015/2016. (*Toni Ervin, CFO, Peter Stasiak, City Manager*)

Executive Summary

Staff recommends motion to approve resolution amending the City's Police pay scale, Fire pay scale, and Non-Uniform pay scale to reflect a 3.5% Cost of Living (COLA) increase for Fiscal Year 2015/2016.

A motion was made by Vice-Mayor Read and seconded by Councilman Smith to approve RESOLUTION NO. 15-09, amending the City's Police pay scale, Fire pay scale, and Non-Uniform pay scale to reflect a 3.5% Cost of Living (COLA) increase for Fiscal Year 2015/2016.

Before the vote, Manager Stasiak addressed the Council explaining that the Fiscal Year 2015/2016 Budget had been reviewed and approved. He added that within that Budget was a 3.5% Cost of Living increase for all employees and if the RESOLUTION were approved tonight that increase would go into effect July 1, 2015. There was no other discussion, and the vote was taken as follows:

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

NAY: None

Mayor Harrison declared the motion carried.

New Business

There was no new business.

City Manager's Report

- Report on activities for the past two weeks.

Manager Stasiak reported that the storm damage had been reviewed and submitted to FEMA. He then reviewed that damage for the Council as follows: the Header Pipe at New Baker Road, the failure of the Canal Walls, the Storm Pipe at Central Ave., the Softball Complex, the South Fire Station was experiencing major roof leaks which lead to damage inside the Station and there had been a couple of homes that had experienced damage from the floods. He informed them that there would be a seminar tomorrow morning with FEMA at the Expo Center to work with individuals. He added that hopefully the City would receive some of the funds back.

Mayor Harrison inquired about the Canal Wall repair and if the City had any information regarding how the canals were constructed and estimates for repair.

Manager Stasiak commented that he would get that information as soon as possible.

Councilman Karr inquired about the FEMA seminars.

Manager Stasiak informed the Council that there would be an informational meeting Thursday, at 6:00 P.M. at the local EOSC campus concerning the Belmont Trail.

Councilman Smith inquired about how information regarding this meeting had been circulated throughout the community.

Manager Stasiak commented that the meeting had been advertised in the newspaper and various other avenues. He then informed the Council that the email server was being replaced and that on 17th Street the drive way approaches, street approaches, and the curb and gutters had been prepared and poured. The project was near completion and hopefully would be open next week.

Remarks and Inquiries by City Council

None of the Council had comments for the evening.

Mayor's Comments and Committee Appointments

Mayor Harrison did not have any comments for the evening.

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 Vice-Mayor Read.

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

AYE: Councilman Smith, Read, Karr, Barnett, Titsworth & Mayor Harrison
NAY: None

Mayor Harrison declared the motion carried and the meeting was recessed at 6:31 P.M.

Reconvene Council Meeting

The meeting was reconvened at 6:33 P.M.

Councilman Smith moved 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. The motion was seconded by Vice-Mayor Read.

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

AYE: Councilman Smith, Read, Barnett, Titsworth, Karr & Mayor Harrison
NAY: None

Mayor Harrison declared the motion carried and the meeting was recessed at 6:33 P.M.

Executive Session

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

- 1) 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

The Regular Meeting was reconvened at 7:24 P.M. Mayor Harrison 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, Peter Stasiak in accordance with Title 25, Sec. 307.B.1. Only that matter was discussed, no action was taken and the Council returned to open session at 7:24 P.M., and this constituted the Minutes of the Executive Session.

Councilman Titsworth moved to extend an offer of a contract to the City Manager as discussed. The motion was seconded by Vice-Mayor Read. There was no discussion, and the vote was taken as follows:

AYE: Councilman Titsworth, Read, Barnett, Smith, Karr & Mayor Harrison
NAY: None

Mayor Harrison declared the motion carried

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

AYE: Councilman Smith, Titsworth, Read, Karr, Barnett & Mayor Harrison
NAY: None

Mayor Harrison declared the motion carried, and the meeting was adjourned at 7:26 P.M.

ATTEST:

Steve Harrison, Mayor

Cora Middleton, City Clerk