

The McAlester City Council met in a Regular session on Tuesday, April 12, 2016, at 6:00 P.M. after proper notice and agenda was posted, April 8, 2016 at 4:20 P.M.

### **Call to Order**

Mayor Harrison called the meeting to order.

Mayor Harrison 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, Jason Barnett & Steve Harrison  
Absent: None  
Presiding: Steve Harrison, Mayor

Staff Present: Peter J. Stasiak, City Manager; Fire Chief, Brett Brewer; , Toni Ervin, CFO; Community and Economic Development Director, Leroy Alsup; William J. Ervin, City Attorney and Cora Middleton, City Clerk

### **Swearing-in Ceremony**

Municipal Judge Deborah Hackler administered the Oath of Office to newly elected Mayor John Browne. She then administered the Oath of Office to returning Ward 1 Councilman, Weldon Smith, Ward 3 Councilman, Travis Read and Ward 5 Councilman, Buddy Garvin.

### **Incoming Council – Council Remarks**

Councilman Garvin commented that it had been a pleasure serving on the Council with Mayor Harrison and he looked forward to serving the next four (4) years with Mayor Browne.

Councilman Read addressed the Council and audience briefly reviewing the duties of a Mayor and then presented Mayor Harrison with a Plaque of Appreciation for his time as Mayor.

Mayor Harrison briefly addressed the Council expressing gratitude to the citizens for allowing him to serve as Mayor and wishing the Council and new Mayor well in the future.

Councilman Karr commented that it had been an honor to serve with Mayor Harrison and thanked him for his service the past four (4) years.

- Selection of Vice-Mayor for the two-year term beginning April 2016 ending April 2018

Councilman Garvin nominated Councilman Karr as Vice-Mayor. There were no other nominations and Mayor Browne declared Councilman Karr as Vice-Mayor.

### **Citizens Comments on Non-Agenda Items**

There were no citizen comments.

### **Consent Agenda**

- A. Approval of the Minutes from the March 8, 2016, Regular Meeting of the McAlester City Council. (*Cora Middleton, City Clerk*)
- B. Approval of the Minutes from the March 22, 2016, Special Meeting of the McAlester City Council. (*Cora Middleton, City Clerk*)
- C. Approval of the Minutes from the March 22, 2016, Regular Meeting of the McAlester City Council. (*Cora Middleton, City Clerk*)
- D. Approval of Claims for March 16, 2016 through April 5, 2016. (*Toni Ervin, Chief Financial Officer*) In the following amounts: General Fund - \$91,774.89; Nutrition - \$1,306.01; Landfill Res./Sub-Title D - \$7,978.00; Tourism Fund - \$16,106.20; SE Expo Center - \$1,191.72; E-911 - \$21,863.50; Economic Development - \$8,063.42; Grants & Contributions - \$54.30; Fleet Maintenance - \$5,312.76; CIP Fund - \$71,163.48 and Technology Fund - \$772.62.
- E. Accept and place on file, the Pride in McAlester Third Quarter Report for Fiscal Year 2015-2016. (*Elizabeth Megaffin, Executive Director*)
- F. Consider and act upon, authorization of payment to Infrastructure Solutions Group, LLC; dba Mehlburger Brawley, Invoice # MC-15-02-06, in the amount of \$ 2,500.00, for Professional Services related to Washington Avenue Pavement Reconstruction and funded through the McAlester Public Works Authority Construction Fund Series 2014 Project Account. (*Peter Stasiak, City Manager*)
- G. Consider and act upon, signing a Maintenance Contract with Miller Office Supply for four (4) copiers. (*Toni Ervin, Chief Financial Officer*)
- H. Concur with the Mayor's re-appointment of Susan Kanard, 3051 South Peaceable Drive, to a new term to expire May 31, 2019; Steve Cox, 24 River Oaks, and Frank Phillips, 2215 Green Meadows Circle to new three-year terms on the Planning Commission to expire on May 31, 2019; and appointment of Anthony (Tony) Korp, 601 Lampton Lane to an unexpired term on the Planning Commission to expire on May 31, 2017.

- I. Concur with the Mayor's re-appointment of Weldon Smith, 537 E. Adams, McAlester, to the McAlester Regional Hospital Board for a new term to expire February 28, 2022.

Manager Stasiak requested that Item "D" be removed for individual consideration.

Mayor Browne asked that Item "I" be pulled for individual consideration.

A motion was made by Councilman Read and seconded by Councilman Smith to approve Consent Agenda Items "A, B, C and E through H".

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

AYE: Councilman Read, Smith, Titsworth, Karr, Garvin, Barnett & Mayor Browne

NAY: None

Mayor Browne declared the motion carried.

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

- D. Approval of Claims for March 16, 2016 through April 5, 2016. (*Toni Ervin, Chief Financial Officer*) In the following amounts: General Fund - \$91,774.89; Nutrition - \$1,306.01; Landfill Res./Sub-Title D - \$7,978.00; Tourism Fund - \$16,106.20; SE Expo Center - \$1,191.72; E-911 - \$21,863.50; Economic Development - \$8,063.42; Grants & Contributions - \$54.30; Fleet Maintenance - \$5,312.76; CIP Fund - \$71,163.48 and Technology Fund - \$772.62.

Manager Stasiak explained that the payment to Bronze Oak LLC on page fifteen (15) of the claims needed to be changed from \$23,206.00 to \$25,785.00. He further explained that the requisition for payment had not included the City's matching percentage.

Councilman Garvin moved to approve the claims with the change. The motion was seconded by Vice-Mayor Karr and the vote was taken as follows:

AYE: Councilman Garvin, Karr, Titsworth, Read, Barnett, Smith & Mayor Browne

NAY: None

Mayor Browne declared the motion carried.

- I. Concur with the Mayor's re-appointment of Weldon Smith, 537 E. Adams, McAlester, to the McAlester Regional Hospital Board for a new term to expire February 28, 2022.

Mayor Browne informed the Council that pulling this item had nothing to do with any work previously done but as Council members they should have a higher standard. He added that even the perceived conflict of interest should be avoided if the Council wished to maintain the voters trust.

Councilman Smith expressed his views and stated that he had never gained any personal benefit from serving on either of the Boards and he would like to continue to serving on both Boards. He added that he abstained from voting on issues concerning the hospital.

Councilman Read stated that at one (1) time the Charter had required a member of the Council serve on the Hospital Board. He added that the experience that Councilman Smith had was valuable to the boards.

The other four (4) Councilmen each expressed their support of Councilman Smith serving on the Hospital Board.

Mayor Browne restated that this had nothing to do with Councilman Smith's ability, only the perception of conflict of interest.

There was no further discussion. A motion was made by Councilman Garvin and seconded by Councilman Read to approve with Weldon Smith's re-appointment to the McAlester Regional Hospital Board for a new term to expire February 28, 2022, and the vote was taken as follows:

AYE: Councilman Garvin, Read, Karr, Barnett & Titsworth

NAY: Mayor Browne

ABSTAIN: Councilman Smith

Mayor Browne declared the motion carried.

A motion was made by Councilman Read and seconded by Councilman Smith to open a Public Hearing to address five (5) Ordinances and conduct a Public Hearing on the Proposed 5-Year Capital Program for FY 2016/2017-2020/2021.

Mayor Browne and Attorney Ervin briefly discussed this process and Mayor Browne opened the Public Hearing at 6:30 P.M.

### **Public Hearing**

#### **A PUBLIC HEARING ON THE PROPOSED CAPITAL PROGRAM FOR FY2015/2017-2020/2021 FOR THE CITY OF MCALESTER.**

**AN ORDINANCE OF THE CITY OF MCALESTER, OKLAHOMA, AMENDING ORDINANCE NO. 2538 WHICH ESTABLISHED THE BUDGET FOR FISCAL YEAR 2015-16; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; AND DECLARING AN EMERGENCY.**

**AN ORDINANCE OF THE CITY OF MCALESTER, OKLAHOMA, AMENDING CHAPTER 106, ARTICLE V, STORMWATER UTILITY PROGRAM, SECTION 106-401. PURPOSE; REDUCING THE EXISTING SERVICE CHARGE FOR THE CITY'S STORMWATER**

**DRAINAGE SYSTEM; CREATING A STORMWATER ADVISORY COMMITTEE; PROVIDING FOR AN INCREMENTAL AND GRADUATED INCREASE IN THE SERVICE CHARGE RATE; REPEALING ALL CONFLICTING ORDINANCES; AND PROVIDING FOR A SEVERABILITY CLAUSE.**

**AN ORDINANCE OF THE CITY OF MCALESTER, OKLAHOMA; CREATING A STORMWATER DRAINAGE SYSTEM ADVISORY COMMITTEE; PROVIDING FOR THE COMPOSITION, APPOINTMENT, TERMS, AND QUALIFICATIONS OF THE MEMBERS OF THE STORMWATER DRAINAGE SYSTEM ADVISORY COMMITTEE; AND REPEALING ALL CONFLICTING ORDINANCES.**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCALESTER, OKLAHOMA, AMENDING THE CODE OF ORDINANCES, CHAPTER 62, SECTION 246. DESIGNATION OF THE FLOODPLAIN ADMINISTRATOR, REPEALING ALL CONFLICTING ORDINANCES; AND DECLARING AN EMERGENCY.**

**AN ORDINANCE ESTABLISHING THE EMERGENCY MEDICAL SERVICES REGULATION OF AMBULANCE SERVICES WITHIN THE CITY OF MCALESTER, OKLAHOMA; CREATING MCALESTER CITY CODE ARTICLE \_\_\_\_\_ SECTION \_\_\_\_, TITLED AMBULANCE SERVICE, SECTION I DEFINITIONS, SECTION II APPLICATION FOR AMBULANCE SERVICE LICENSE AND CERTIFICATION OF NECESSITY; APPLICATIONS FOR DRIVERS'; ATTENDANTS' AND ATTENDANT/DRIVERS' PERMITS; STANDARDS FOR DRIVERS'; ATTENDANTS' AND ATTENDANT DRIVERS' PERMIT; DUTIES OF THE ATTENDANT; DUTIES OF THE DRIVER; AND, AMBULANCE TRIP PROCEDURE AND CLEARANCE, SECTION III, RESPONSE TIME PERFORMANCE REQUIRED; AND, PROHIBITION AGAINST REFUSAL TO TRANSPORT; AND, SECTION IV, VIOLATIONS AND PENALTIES.**

There were no comments from the Council or citizens. A motion was made by Councilman Smith and seconded by Councilman Read to close the Public Hearing.

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

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

NAY: None

Mayor Browne declared the motion carried, and the Public Hearing was closed at 6:34 P.M.

**Scheduled Business**

1. Consider and act upon, an Ordinance amending Ordinance No. 2538 which established the budget for fiscal year 2015-16; repealing all conflicting ordinances; providing for a severability clause; and declaring an emergency. *(Toni Ervin, Chief Financial Officer)*

Executive Summary

Motion to approve the budget amendment ordinance.

**ORDINANCE NO. 2562**

**AN ORDINANCE OF THE CITY OF McALESTER, OKLAHOMA, AMENDING ORDINANCE NO. 2538 WHICH ESTABLISHED THE BUDGET FOR FISCAL YEAR 2015-16; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; AND DECLARING AN EMERGENCY.**

A motion was made by Vice-Mayor Karr and seconded by Councilman Read to approve **ORDINANCE NO. 2562**, amending FY 2015/2016 Budget.

Before the vote, CFO Ervin addressed the Council reviewing the exhibits for the amendment. She explained that this would appropriate donated funds for a park at Mike Deak, appropriate funds for the AMI System Bid package and appropriate additional funds for Sandy Creek Canal repair.

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

AYE: Councilman Karr, Read, Barnett, Smith, Titsworth, Garvin & Mayor Browne

NAY: None

Mayor Browne declared the motion carried.

A motion was made by Councilman Read and seconded Councilman Garvin to approve the EMERGENCY CLAUSE. There was no discussion, and the vote was taken as follows:

AYE: Councilman Read, Garvin, Smith, Titsworth, Karr, Barnett & Mayor Browne

NAY: None

Mayor Browne declared the motion carried.

2. Discussion and possible action on an Ordinance amending Chapter 106, Article V, Storm Water Utility Program, Section 106-401 Purpose; reducing the existing service charge for the City's Storm Water Drainage System; creating a Storm Water Advisory Committee; providing for an incremental and graduated increase in the service charge rate; repealing all conflicting ordinances; providing for a severability clause. *(Peter Stasiak, City Manager)*

Executive Summary

Discussion.

ORDINANCE NO. 2563

AN ORDINANCE OF THE CITY OF MCALESTER, OKLAHOMA, AMENDING CHAPTER 106, ARTICLE V, STORMWATER UTILITY PROGRAM, SECTION 106-401. PURPOSE; REDUCING THE EXISTING SERVICE CHARGE FOR THE CITY'S STORMWATER DRAINAGE SYSTEM; CREATING A STORMWATER ADVISORY COMMITTEE; PROVIDING FOR AN INCREMENTAL AND GRADUATED INCREASE IN THE SERVICE CHARGE RATE; REPEALING ALL CONFLICTING ORDINANCES; AND PROVIDING FOR A SEVERABILITY CLAUSE..

A motion was made by Councilman Read and seconded by Councilman Smith to approve ORDINANCE NO. 2563, amending section 106-401 of the City of McAlester Code of Ordinances.

Before the vote, Manager Stasiak addressed the Council explaining that this amendment would lower the initial Stormwater fee, increase the fee over several years and create a Stormwater Advisory Board to oversee the use of the funds collected through the Stormwater fee.

After discussion among the Council, Manager Stasiak and Attorney Ervin regarding how the Stormwater fee would be used, asking the citizens to approve a quarter cent sales tax that everybody would pay, what the advisory committee's duties were, why the City was implementing a Stormwater fee, having this fee address more infrastructure problems, having input from the citizens and this issue never going away, the vote was taken as follows:

AYE: Councilman Read, Smith, Karr, Garvin, Barnett & Titsworth

NAY: Mayor Browne

Mayor Browne declared the motion carried.

3. Discussion and possible action on an Ordinance of the City of McAlester, Oklahoma; creating a Storm Water Drainage System Advisory Committee; providing for the composition, appointment, terms, and qualifications of the members of the Storm Water Drainage System Advisory Committee; and repealing all conflicting ordinances. (*Peter Stasiak, City Manager*)

Executive Summary

Staff recommends passing the ordinance to create Storm Water Drainage System Advisory Committee.

ORDINANCE NO. 2564

**AN ORDINANCE OF THE CITY OF MCALESTER, OKLAHOMA; CREATING A STORMWATER DRAINAGE SYSTEM ADVISORY COMMITTEE; PROVIDING FOR THE COMPOSITION, APPOINTMENT, TERMS, AND QUALIFICATIONS OF THE MEMBERS OF THE STORM WATER DRAINAGE SYSTEM ADVISORY COMMITTEE; AND REPEALING ALL CONFLICTING ORDINANCES.**

A motion was made by Councilman Read and seconded by Councilman Smith to approve **ORDINANCE NO. 2564**, creating a Stormwater Drainage System Advisory Committee.

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

AYE: Councilman Read, Smith, Titsworth, Karr, Garvin, Barnett & Mayor Browne

NAY: None

Mayor Browne declared the motion carried.

4. Consider and act upon, amending Chapter 62, Land Development Code, Article V, Zoning, Division 4, Flood Hazard Overlay District and Flood Damage Prevention, Section 62-246, Designation of Floodplain Administrator. (*Jennifer Santino, CFM*)

Executive Summary

Motion to approve the Land Development Code, as amended, and declaring an emergency.

### **ORDINANCE NO. 2565**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCALESTER, OKLAHOMA, AMENDING THE CODE OF ORDINANCES, CHAPTER 62, SECTION 246. DESIGNATION OF THE FLOODPLAIN ADMINISTRATOR, REPEALING ALL CONFLICTING ORDINANCES; AND DECLARING AN EMERGENCY.**

A motion was made by Councilman Smith and seconded by Councilman Read to approve **ORDINANCE NO. 2565**, amending Chapter 62, Section 246 by changing the designated Floodplain Administrator.

Before the vote, Manager Stasiak addressed the Council informing them that at the end of 2015 the City Engineer resigned and one (1) of his duties was Floodplain Administrator. He added that Jennifer Santino had received her Floodplain Administrator's certification and she should replace John C. Modzelewski, P.E., CFM as the City's Floodplain Administrator.

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

AYE: Councilman Smith, Read, Titsworth, Karr, Garvin, Barnett & Mayor Browne

NAY: None

Mayor Browne declared the motion carried.

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

AYE: Councilman Read, Karr, Garvin, Barnett, Smith, Titsworth & Mayor Browne

NAY: None

Mayor Browne declared the motion carried.

5. Conduct a Public Hearing on structures deemed by city Staff to be dilapidated by reason of deterioration, age, or obsolescence, inadequate provision of ventilation, light, air or sanitation, neglect, need of repair, or accumulation of debris, where the same constitutes a danger to the safety of the neighborhood. (*Leroy Alsup, Community and Economic Development Director*)
  - a. Consider and act upon, a resolution declaring certain structures as dilapidated and detrimental to the health, safety, or welfare of the general public. (*George Estrada, Building Inspector and Leroy Alsup, Community and Economic Development Director*)

Executive Summary

Upon the conclusion of the Public Hearing, motion to approve a resolution declaring certain structures as dilapidated and detrimental to the health, safety, or welfare of the general public.

A motion was made by Councilman Smith and seconded by Councilman Read to approve RESOLUTION NO. 16-04, declaring certain properties dilapidated.

Before the vote, George Estrada, Building Inspector addressed the Council reviewing the eleven (11) structures that had been presented to the Council for condemnation. He commented on the cost to demolish the structures and then clear the lots that each was located on and explained the process the City went through to arrive at this point.

During Council discussion the following citizens each addressed the Council regarding their respective properties; Joyce Evans, 318 E. Pierce; Jerry Rose, 601 E Seminole; Anthony Nail, 735 W. Monroe Ave.; Ricky Mize, 715 N. 2nd Street; and Timothy Ramsey, 518 W. Carl Albert Parkway. Director Alsup informed the Council that Mr. Nail had already received a demolition permit and if he continued as planned staff would be able to work with him to complete the process before the City would have to demolish the structure on his property.

Councilman Read moved to exclude property number six (6) at 735 W. Monroe Ave. and approve RESOLUTION NO. 16-04. The motion was seconded by Councilman Smith. There was no further discussion, and the vote was taken as follows:

AYE: Councilman Read, Smith, Karr, Garvin, Barnett, Titsworth & Mayor Browne

NAY: None

Mayor Browne declared the motion carried.

6. Consider and act upon, an Ordinance amending City code regulating Emergency Medical Services. (*Cora Middleton, City Clerk*)

Executive Summary

Motion to approve Ordinance amending City Code regulating Emergency Medical Services.

Mayor Browne stated that he believed that this item was to be pulled.

Manager Stasiak commented that it would be brought back at a later date.

7. Consider and act upon, accepting and authorizing the Mayor to sign the Change Order in the amount of (\$11,227.70) from Carstensen Contracting, Inc. for CIP #4A. (*Peter Stasiak, City Manager*)

Executive Summary

The recommendation is to agree with Carstensen Contracting, Inc. and authorize the Mayor to sign the Change Order in the amount of (\$11,227.70) to finalize CIP #4A.

Manager Stasiak explained that this was the final Change Order on CIP #4A which was 6<sup>th</sup> Street between Wyandotte and Chadick. He commented that this was a credit to the contract and that this, a matching check from Poe & Associates and in-kind amount for design from Mehlburger Brawley will be used to solve a drainage problem that had not been solved on Delaware Avenue.

A motion was made by Councilman Read and seconded by Vice-Mayor Karr to accept and authorize the Mayor to sign the Change Order in the amount of (\$11,227.70) from Carstensen Contracting, Inc. for CIP #4A. There was no further discussion, and the vote was taken as follows:

AYE: Councilman Read, Karr, Garvin, Barnett, Smith, Titsworth & Mayor Browne

NAY: None

Mayor Browne declared the motion carried.

8. Consider and act upon, authorizing the Mayor to sign the Final Contractor's payment No. 7 for the contract with Carstensen Contracting, Inc. for construction services on CIP # 4 6<sup>th</sup> St. and accept the project as completed. (*Peter Stasiak, City Manager*)

Executive Summary

Motion to approve final payment of \$21,193.53 for CIP # 4 6<sup>th</sup> St. and accept the project as completed.

Manager Stasiak addressed the Council informing them that this was the final payment to Carstensen Contracting, Inc. for CIP #4A and that Infrastructure Solutions Group, LLC had reviewed the documents and work and Carstensen had met all requirements.

A motion was made by Councilman Read and seconded by Councilman Smith to approve and authorize the Mayor to sign the Final Contractor's payment No. 7, in the amount of \$21,193.53, for the contract with Carstensen Contracting, Inc. for construction services on CIP # 4 6<sup>th</sup> St. and accept the project as completed.

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

AYE: Councilman Read, Smith, Barnett, Titsworth, Karr, Garvin & Mayor Browne

NAY: None

Mayor Browne declared the motion carried.

9. Consider and act upon, accepting the bid amount of \$218,475.00 from H & G Paving Contractors to repair asphalt streets and approve the Mayor to sign the Notice of Award and the Agreement to H & G Paving Contractors. (*Peter Stasiak, City Manager*)

Executive Summary

The recommendation is to enter into an agreement with H & G Paving Contractors for the Total Bid equal to \$218,475.00 to repair the asphalt streets.

Manager Stasiak addressed the Council explaining that during the construction of CIP #2 "A" Street portion there was heavier traffic on the side streets which caused those streets to become in dire need of repair. He added that bids for this project had been opened on March 22, 2016 and out of the three (3) bids received, H & G Paving Contractors was the lowest and most qualified bidder.

Councilman Read inquired as to what fund this project would be paid and Manager Stasiak stated that the funding would come from the Streets fund.

A motion was made by Vice-Mayor Karr and seconded by Councilman Smith to accept the bid, in the amount of 218,475.00 from H & G Paving Contractors to repair asphalt streets and authorize the Mayor to sign the Notice of Award and the Agreement to H & G Paving Contractors. There was no further discussion, and the vote was taken as follows:

AYE: Councilman Karr, Smith, Titsworth, Read, Garvin, Barnett & Mayor Browne

NAY: None

Mayor Browne declared the motion carried.

10. Consider and act upon, authorization to purchase from Zoll Medical Corporation one new and unused X series Manual Monitor/Defibrillator for the Fire Department on State of Oklahoma Medical Contract SW300 pursuant to section 2-275 of the McAlester City Code. (*Brett Brewer, Fire Chief*)

Executive Summary

Motion to approve authorization to purchase one new and unused X Series Manual Monitor/Defibrillator from Zoll Medical Corporation, and authorize payment in the amount of \$33,224.66.

Chief Brewer addressed the Council explaining that this item was on the State Bid list and as the City now has the ability to provide Paramedic level of care, it is required to have a cardiac monitor/defibrillator onboard any ambulance that provided paramedic level of care.

A motion was made by Councilman Read and seconded by Councilman Smith to authorize the purchase of one new and unused X Series Manual Monitor/Defibrillator from Zoll Medical Corporation, and authorize payment in the amount of \$33,224.66.

Before the vote, there was discussion concerning which funds were being used to purchase this equipment, what the implications of this equipment would have on the City of McAlester, the abilities this particular piece of equipment had compared to other models, what State protocols were in place for a municipality to offer paramedic level of care, and if the County funds were used to purchase this piece of equipment the County would own the equipment.

Mayor Browne clarified that the current motion was to purchase this equipment with City funds. There was no further discussion, and the vote was taken as follows:

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

Mayor Browne declared the motion carried.

11. Presentation and discussion of the preliminary Budget for fiscal year 2016-2017. (*Toni Ervin, Chief Financial Officer*)

Executive Summary

Presentation and discussion.

CFO Ervin addressed the Council presenting the preliminary Budget for fiscal year 2016/2017. During her presentation Ms. Ervin reviewed the revenues and expenditures for both the General Fund and the Public Works Authority. She explained how sales tax receipts were broken down within the various departments in the City and stressed that a budget was never a document that was approved and then placed on a shelf but it was constantly changing and being reviewed throughout the year.

Manager Stasiak informed the Council that there would be a budget workshop on May 10, 2016 at 5:30 P.M. and he asked that they forward any questions or comments to him before that time.

Mayor Browne commended the City Manager, CFO and staff for their budget efforts.

### **New Business**

There was no new business.

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

- Report on activities for the past two weeks.

Manager Stasiak reported that the final walk through on the canal wall in Puterbaugh Park was done today and plan to have the closure at the next Council meeting. Katcon Construction was working on the canal wall between Seminole and Osage and another eighty (80) feet between Osage and Miami was being worked on. He added that on South 10<sup>th</sup> Street another canal wall project was in progress.

Councilman Smith asked if there had been any progress on trying to prevent the canal walls from falling.

Manager Stasiak commented that there had not been any progress at this time but the City was looking at it. He continued reporting that Katcon had finished work on Electric Avenue, there were two (2) City crews working on concrete panels on Strong Boulevard between South Street and Carl Albert Parkway. He commended the Fire Department for their efforts in the Woodward fire, he stated that Tetra Tech was continuing the project on Filter #5 at the Water Treatment Plant and L & L Construction was doing that project. He then informed the Council that he would be out of the office on Thursday.

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

Councilman Karr welcomed Mayor Browne, he expressed his appreciation for the work that had been done on Electric Avenue, he inquired about the Ward Redistricting Commission and then asked if there had been any progress on the leak at the 270 Highway clover leaf.

Councilman Garvin commented that the City had tried to repair that leak but have not had any luck keeping it repaired. He then thanked the City for the work on Electric Avenue, he commented on the surveyors that had been working along Carl Albert Parkway and he commented about a building in south McAlester, next to a business owned by two (2) Fifth Ward residents, that was owned by the railroad and the condition that building was in.

Councilman Barnett thanked the City for the work on Electric Avenue and commented on the complaints that he had received concerning the process to get building permits. He asked that this process be cleaned up and all required information be listed up front so the applicants know what is needed. He then congratulated Mayor Browne on the election.

Manager Stasiak stated that after listening to the citizens' concerns, the building permit department was working on putting a list of the required information on one (1) page to help the applicants.

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

Mayor Browne commented that he had received comments from citizens that were interested in buildings downtown, but they needed the City to inform them of what needed to be done to bring those buildings up to code.

Manager Stasiak informed the Council that the City could not tell the citizens how to address their building problems. He stated that would add liability to the City and the City's inspectors were willing to discuss with the property owners if their planned renovations would meet code but they could not tell them what to do.

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

Mayor Browne thanked the citizens for giving him the opportunity to serve as their Mayor for the next four (4) years.

### **Recess Council Meeting**

Mayor Browne 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, Barnett, Titsworth & Mayor Browne

NAY: None

Mayor Browne declared the motion carried and the meeting was recessed at 8:31 P.M.

### Reconvene Council Meeting

The Regular Meeting was reconvened at 8:33 P.M.

Councilman Read moved to recess the Regular Meeting for an Executive Session in accordance with Title 25, Sec. 307.B.3 & C.10, for the purpose of conferring on matters pertaining to Economic Development, including the transfer or purchase of real property and discussion of option to purchase real property. The motion was seconded by Councilman Smith and the vote was taken as follows:

AYE: Councilman Read, Smith, Titsworth, Karr, Garvin, Barnett & Mayor Browne

NAY: None

Mayor Browne declared the motion carried and the Regular Meeting was recessed at 8:34 P.M.

Attorney Ervin asked to recuse himself from the Executive Session.

### Executive Session

*Recess into Executive Session in compliance with Section Title 25 Section 307 B.3 & C.10 et.seq. Oklahoma Statutes, to wit:*

- Consider and Act to convene in Executive Session for the purpose of conferring on matters pertaining to Economic Development, including the transfer or purchase of real property and discussion of option to purchase real property per Title 25 Oklahoma Statute Sec. 307 B(3) & C(10).

### Reconvene into Open Session

The Regular Meeting was reconvened at 9:12 P.M. Mayor Browne reported that the Council had recessed the Regular Meeting for an Executive Session in accordance with Title 25, Sec. 307.B.3 & C.10, for the purpose of conferring on matters pertaining to Economic Development, including the transfer or purchase of real property and discussion of option to purchase real property. Only that matter was discussed, no action was taken and the Council returned to open session at 9:12 P.M., and this constituted the Minutes of the Executive Session.

- Consideration and possible action to approve City purchasing or entering into a contract for options to purchase real property.

A motion was made by Councilman Titsworth and seconded by Councilman Garvin to execute the option. There was no discussion, and the vote was taken as follows:

AYE: Councilman Titsworth, Garvin, Read, Karr, Barnett, Smith & Mayor Browne

NAY: None

Mayor Browne 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 Vice-Mayor Karr.

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

AYE: Councilman Smith, Karr, Read, Garvin, Barnett, Titsworth & Mayor Browne

NAY: None

Mayor Browne declared the motion carried, and the meeting was adjourned at 9:14 P.M.

ATTEST:

\_\_\_\_\_  
John Browne, Mayor

\_\_\_\_\_  
Cora Middleton, City Clerk